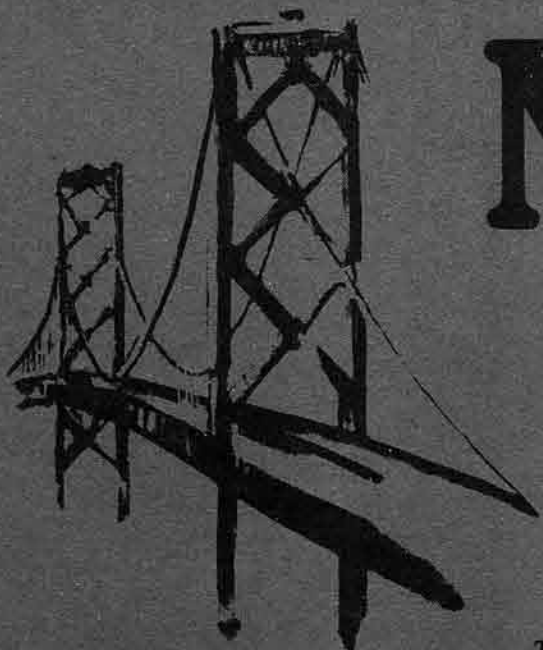


NOTEBOOK



Member of COPS
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Official Publication of the San Francisco Police Officers' Association

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

VOLUME 18

SAN FRANCISCO, SEPTEMBER 1986

NUMBER 9

Barry's Monumental Effort For Salary Equity

POLICE-FIRE SALARIES

By Mike Hebel
Political Correspondent

As scene one of act one of the annual police/fire salary setting play opened, it was apparent to all the actors that the ultimate recipients were in for a very lean year. As the last scene of the final act curtailed 0.7% danced forward.

While the Federal Bureau of Labor Statistics announced that the annual pay for workers in the United States, including part-timers, rose 4.5%, San Francisco's public safety professionals wrestled in a limp and pathetic 1.3%.

However, the herculean and extraordinary efforts of President Bob Barry to achieve "a miracle" deserve full recognition and a resounding tribute. But for 12 hours, the public safety professionals would have received a 5.8% raise for fiscal year 86-87.

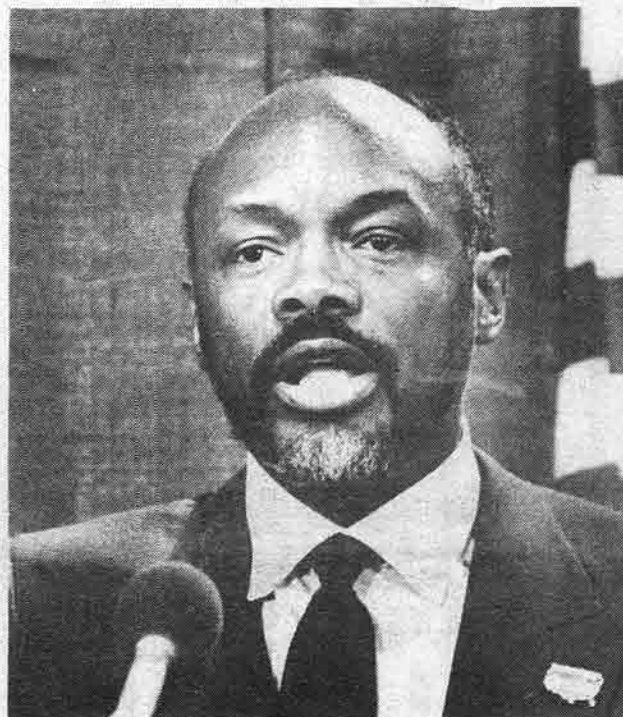
THE PROBLEM STRUTS FORTH

In 1975 San Francisco voters approved a charter amendment which set police and firefighters salaries equal to the average paid by California cities with populations greater than 350,000 (then Los Angeles, Oakland, San Jose, San Diego and Long Beach). This assured that San Francisco public safety employees were paid a comparative wage with

continued on page 17



Mayor Tom Bradley



Assemblyman Willie Brown



By Paul Chignell
Police Politician

On November 4, 1986, the membership of the San Francisco Police Officers' Association, both active and retired, can send a strong message to Supervisor Quentin Kopp.

That message should be the rejection at the polls of his Independent campaign to capture the State Senate seat of retiring Senator John F. Foran.

This State Senate district is composed of a large portion



PAY BACK TIME FOR MR. KOPP

of San Francisco including the Sunset, Lake Merced, Oceanside, Merced, Ingleside, Excelsior, West Portal, Twin Peaks, part of South of Market, parts of the Mission and parts of various other areas of the City. In addition, this district has Daly City, South San Francisco, Pacifica, San Bruno, Millbrae, Moss Beach, Montara, Colma, Burlingame, Hillsborough, Brisbane and parts of Half Moon Bay. It is important that all of our members and their friends

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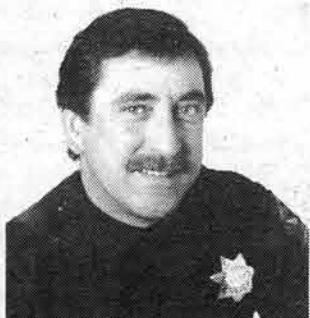


Assemblyman Louis J. Papan
Candidate for State Senate

Van de Kamp Ends Debate on 'Hold Harmless' Agreements

'Secondary Employment'

By Bob Barry, President



State Attorney General John Van de Kamp has put to rest the continuing saga of whether or not municipalities are liable for the actions of a peace officer when he or she is

engaged in off-duty private employment in civilian dress.

In his recently published opinion, Van de Kamp addressed the intent of the legislature's enactment of Penal Code section 70, subdivision (d) relating to (1) peace officer status of the officer while working secondary employment and, (2) which employer (municipal or private) shall bear the civil or criminal liability of the actions of the "off-duty" officer.

(1) **Peace Officer Status** (Attorney General Opinion 85-1102)

Subdivision (d) of Penal Code section 70 provides in part as follows:

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103RD ACADEMY CLASS REUNION



Row 4: Sully, Laufer, Lemos, Poole, Sullivan, McElligott, Citizen, Wakefield, Hendrix. Row 3: Collins, McMahon, Klimenko, Foell, Delaney, Stewart. Row 2: Buckner, Cook, Dougherty, Esget, Scalmanini, Seckols, Posedel. Row 1: White, Williams, Delgado, Evans, McGee, Foley.



Row 4: Hindahl, Weaver, Baker, Radetich, Patterson, Strom, Bullard, Orlando. Row 3: O'Shea, Alva, Hebel, Grizzel, Stathis, Totten. Row 2: Barretta, Beatty, Moore, Olean, Buck, Jackson. Row 1: Weick, Kern, Kranci, Bodisco, Rodrigues, Peda, Madden.

By Mike Hebel, Historian

On May 16, 1986 the 103rd Recruit class held its 20th Reunion at Bardelli's Restaurant on O'Farrell Street. Twenty-three members attended to reminisce and recall June of 1966 when our Academy Class commenced.

45% STILL IN DEPARTMENT

There were 55 individuals in the 103rd Recruit Class. Twenty-five are still in the department and 51 are still living.

Ten class members have received industrial disability retirements. Two were killed in the line of duty — Peter McElligott in 1968 (shot in the chest by a robbery suspect in Golden Gate Park) and Richard Radetich in 1970 (shot in the head while issuing a citation in the lower Haight-Ashbury). Three others have been shot by criminal suspects — Gary Lemos, Bob Stewart and Greg Beatty.

\$686 PER MONTH

The attendees remembered their starting salary of \$686

per month. (It is now \$2,449 - a 360% increase.) Of course, houses in San Francisco could, in 1966, be purchased for \$35,000.

OTHER HIGHLIGHTS

Class member Ed Weaver was a recent "police officer of the year" recipient. Four class members are now San Francisco firefighters (Poesdale, Seckols, Scalmanini and Sullivan). One is a dentist and three are attorneys. One is a commercial fisherman; one is an administrative official with the State Department of Consumer Affairs.

- Leaving the Academy and hitting the streets in the middle of the 3rd Street Urban Riot of September 1966;
- Spending nearly a year at San Francisco State University in 1968 policing the student disturbances;
- Experiencing the dramatic crime escalation of the 1960's and 1970's;
- Vietnam War Demonstrations of the early 1970's;
- The disruption of the Charles Gain Administration of 1976 - 1980;
- Job benefit improvements (vacation increased, time and one-half for overtime, night differential, retirement plan improvements);
- Quotation of Napoleon Hendrix: "I am reasonable but I am not free";
- Tom Dougherty's elocution.

SUCCESSFUL EVENT

All truly enjoyed themselves talking about the city, department and personal changes. There were no regrets about choosing a law enforcement career. There was a strong sense of pride, loyalty and dedication to the San Francisco Police Department.

With a moment of silence in memory of Officers Peter McElligott and Richard Radetich, all bid farewell to each other promising to meet again in 5 years. Hopefully, that will happen.

San Francisco Veteran Police Officers Assn'n

PRESIDENT'S MESSAGE:

The pay raise for this year looks like it will be small, the exact amount has not been set.

The Board of Directors for the Veteran Police will be looking over available meeting places and report their summary at the next meeting.

The 1st Vice President will have sandwiches for the August meeting.

I would like to thank the refreshment committee George Cathrell, Charles Peterson and Ray Seyden for their fine

continued on next page

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The San Francisco Police Officers' Association

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Members or readers submitting letters to the editor are requested to observe these simple rules:

- Address letters to the Editor's Mail Box, 51- 7th St., San Francisco, CA 94103
- Letters must be accompanied by the writer's true name and address. The name, but not the street address will be published with the letter.
- Unsigned letters and/or articles will not be used.
- Writers are assured freedom of expression within necessary limits of space and good taste.
- The editor reserves the right to add editor's notes to any article submitted, if necessary.
- Articles should be typed, double-spaced.

POSTMASTER: Send address changes to SFPOA Notebook, 510 - 7th St., San Francisco 94103. 2nd Class Postage Paid at San Francisco, CA

120th Recruit Class REUNION

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WITH DINNER

DINNER
1930

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Petrale Sole
Veal Scallopini
Dessert

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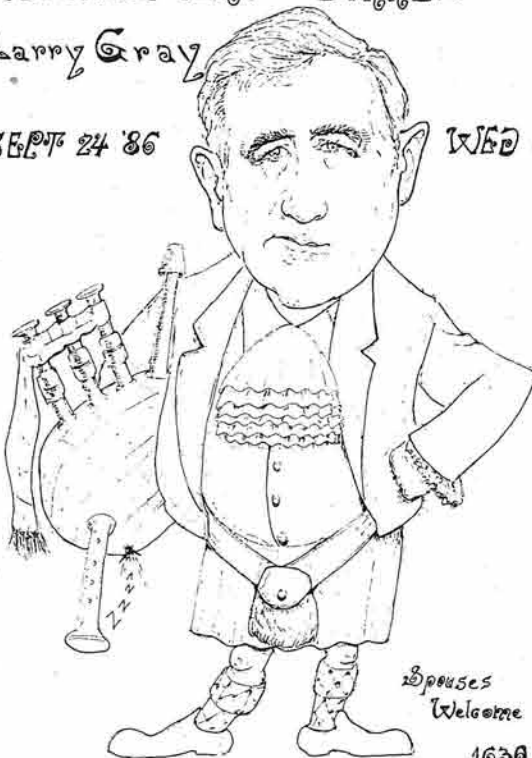
Name
Unit
In Attendance

RETIREMENT DINNER

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M. Mazzone - 1321

M. Bastiani - 1361

Veteran Police Officers

continued from page 2

work. A pat on the back to Joe Curtin for his assistance in taking care of the meeting hall.

Libert G. Myers, President

SOL WEINER REPORTS:

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

SICK CALL:

Dick Hallock is recovering from leg surgery.

Harold Suslow is recovering from an operation.

NEW MEMBERS:

Thomas Hurley, Michael D. Chan, George W. Schreck, Larry Olsen and John J. Hanifin.

Walter Braunschweig, Joseph Northen, Michael Millane, Donald Sweeney, Francis Fahey, Donald J. Lando and James LaBrash. We welcome you into our Association.

IN MEMORIAM:

Marvin B. Markey 06/13/86, Andrew McCarthy 06/30/86 and Jerrold Flynn April of 1986

Henry Kiernan 07/21/86, Otto Dietchy 07/25/86, Vince Chasteno 07/16/86 and John R. Russell 07/10/86.

Information for members, the retired employees of the City and County of San Francisco, meet at the Irish Cultural Center the 1st Wednesday of the month, the yearly dues are \$6.00.

PRESIDENT'S MESSAGE:

It's very important that you, members of your family and friends make the proper choice in voting for the City and State propositions.

The San Francisco Police Officer's Association in conjunction with Fire Fighters Local 798 AFL-CIO will put a charter amendment on the November ballot. It's important we support this charter amendment.

Retired city employees need your support for their proposition on the November ballot.

In addition to the city propositions there is an important state proposition 61 that merits your careful consideration.

The San Francisco Police Officer's Association Notebook and Porac News have provided excellent and informative articles on the details which may affect your future.

Supervisor Wendy Nelder has asked for your support in her upcoming election.

The Board of Directors have looked at three good meeting places for the future. All are good with some minor inconveniences depending upon personal preference: (1) The P.O.A. building on 7th Street at no cost. (2) The Police Athletic League, Hunters Point, small donation, and (3) The Pacific Rod and Gun Club, Lake Merced with nominal cost of \$75.00 per month. We will keep you posted on any other places investigated by the Board.

Libert G. Myers, President

Just a reminder, please check your blue dues cards, as we have 100 members who have overlooked their 1986 dues.

Membership 792

Attendance last meeting 81

Bob Pardini, Secretary

MEMORANDUM OF UNDERSTANDING NEGOTIATIONS

by Ron Parenti, Vice President

On July 14, 1986, your Association began negotiations with representatives of both the City and County of San Francisco and the police administration on a Police Officers' Association proposed Memorandum of Understanding.

This MOU would act as a "contract" between the POA and the City and, like any contract, have a starting and ending date.

Though the proposal submitted by the Association is quite broad, covering such areas as salary, benefits, holiday pay and transfer policy, among others, we are also looking to improve conditions at police facilities — especially the district stations.

We have asked that, "Every work station and facility shall be updated to include showers, bathrooms and day room for members of both sexes. For practical purposes, the SFPOA requests that all stations be updated to include proper, comparable and equal facilities for women employees.

Additionally, we have asked that the City "establish and provide for a physical exercise facility at each station. The City shall appropriate \$25,000 or an amount sufficient to provide physical exercise facilities comparable to that in the San Francisco Fire Department stations."

Though negotiations continue on the whole MOU package, these areas are very important to the POA and we expect to see them implemented. Hopefully a mutually acceptable agreement can be reached along these lines.

We still are someways from concluding talks, but negotiations have thus far been very productive and I feel that we will soon see a fair and workable MOU, between the City, the department and the POA.

GRAND NATIONAL TIME AGAIN

by Dan Linehan, Secretary

The Grant National is right around the corner. In just a few weeks, the 42nd Annual Rodeo, Horse Show and Livestock Exposition will again begin at the Cow Palace. Beginning October 17th through the 26th, over 700 of the country's top cowboys and cowgirls will compete for over \$500,000.

Last year the POA enjoyed a Law Enforcement Day. This year the Grand National will extend its appreciation of public safety employees to the San Francisco Fire Department. Wednesday, October 22nd will be the first ever Police and Fire Night. The Grand National has reduced ticket prices for all members of the San Francisco Police and Fire Departments, their families and their friends for this special fun-filled night only.

Special Dinner show and Dancing Package

A special package which includes a no host bar, a barbecue, the show and dancing to a live country western band after, has been set up for \$15.00, a savings of \$4.00 per person. Tickets are by reservation only. No tickets will be sold at the door!!

Police & Fire Competition

As part of the show, the police will square-off against the fire department in a special event. Each department will have four two-member teams that will perform in a bulldog and tie event. Roped steers (approximately 600 lbs. each) will be placed in the arena. One member of the team will, at the start, run down the rope and attempt to gain control of the steer. When control is gained, the rope will be freed and the second team member will run to the steer and remove a ribbon that was tied to the steer's tail. After the ribbon is removed the team member will run to the finish line. The first department member to cross the finish line will enjoy bragging rights for one year.

Members interested in participating in the event should contact me at the POA or Southern Station, swings. Contestants must be POA members, have a partner and will be chosen on a first come first serve basis. Remember, only eight people can compete, so call early to ensure your spot.

Join the fun, food and dancing at the Police and Fire Night, Wednesday, October 22nd at the 1986 Grand National.

TREASURER'S COLUMN

By Duane Collins

HOW WILL YOU FARE UNDER TAX REFORM?

This work sheet will help you answer that question. All these assumptions are based on a 1988 tax return, the first full year all the long-term changes will be felt by individuals.

INCOME

Wages, salary, etc: Report all income on these two lines.

Interest: no change here, report all interest income.

Dividends: All dividend income is reported under the new law. Under current law exclude the first \$100 for a single tax payer and \$200 for married tax payers.

Capital gains and Rent, partnerships: All unemployment payments are taxable as ordinary income under the new law, this ends the partial exclusion from previous years, if you have unemployment income, use the amount from last years' tax return for the current law column. For the new law column fill in the TOTAL amount RECEIVED.

Other income: Reporting other income has not changed, Cash jobs, 1099's etc. all reported here.

Add all the income items for your total income.

ADJUSTMENTS

IRA Deduction: We no longer can claim this \$2,000 deduction because we have a company retirement plan, if your wife works and your total income does not exceed \$40,000 and your wife has no retirement plan she can take the deduction.

Deduction for married couples who both work: This has been cancelled under the new law, the current law allows you to deduct 10% of your wives' income.

Employee business expenses: New law eliminates this category, current law would let you deduct auto expenses here.

Other adjustments: unchanged.

Add all your adjustments and SUBTRACT them from your total income. This gives you your ADJUSTED

continued on page 19

Widows and Orphans

The regular monthly meeting of The Widows and Orphans Aid Association, was called to order by Pres. Mark Hurley Wednesday, July 16, 1986 at 2:10 P.M. in the Traffic Bureau Assembly Room, Hall of Justice.

Trustee G. Jeffrey excused. All other Officers and Trustees present.

Minutes were approved as presented in writing to the membership.

NEW MEMBERS: Motion McKee/2nd Padilla that the following be accepted as new members effective June 1, 1986: ROBERT ALMSTEAD, MARK ANTILL, JESSE BEESON, KENNETH CANTAMOUNT, JOSEPH CARROLL, LEANNA DAWYDIK, MALCOLM FONG, EUGENE GALEANO, MARTIN GRAINGER, ALLEN GIOVANNETTI, ALEX GOLDNER, JOSEPH GUMBAN, JULIAN HILL, BARTHOLOMEW JOHNSON, KIM LEWIS, MARK LUNDIN, ANTHONY MANFREDA, KEVIN MARTIN, MATTHEW McNAUGHTON, LANCE MONTEVERDI, TIMOTHY OBERISER, PABLO OSSIO, JOHN PETERSON, RAYMOND RAGONA, ASTRIDA RUDZITIS, SID SAKURAI, JOHN SANFORD, JR., HENRY SETO, JOSEPH SKOVER, MARK SULLIVAN, COLLEEN WEBB, KURTIS WONG, WARREN YEE, LYNDIA ZMAK.

The following donation was received and acknowledged by the Secretary: MR. & MRS. JAMES CALLAHAN - think that Police are "Swell."

Treasurer Parenti presented the regular bills for benefits, salaries etc. Approved.

The Treasurer reported the following deaths:

GERALD FLYNN - Born in Cook County, Illinois in 1909, Jerry was a bridge attendant before becoming a member of the Department in 1939 at age 29. He was assigned to Richmond Station, then the Headquarters Company. Worked at Northern for one year then transferred to Bureau of Inspector, Pawnshop Detail, until his retirement on service in 1969 at age 59. He was promoted to Sergeant in 1953, made an assistant Inspector in 1957. In 1968 he received a 3rd Grade for arrest of a suspect who had been slashing at passers-by with a broken bottle. Jerry was Financial Secretary of Widows and Orphans until his retirement. He was 76 at the time of his death.

ANDREW MCCARTHY - Born in San Francisco in 1913, Andy worked at the Zoo until he joined the Department in 1948 at age 34. He was assigned to the Identification Bureau working there for 17 years, before being transferred to Criminal Records staying there until he retired from service in 1970 at age 57. Andy was 72 when he passed away.

JOHN RUSSELL: Another San Franciscan, John was born in 1921, worked as a teamster before he became a

San Francisco Police Officer in 1945 at age 24. He worked at Ingleside Station for 14 years, then Central for 15 years. He was appointed a Sergeant in 1975, transferred to Northern Station working there until his retirement for service in 1976 at age 55. He received the following Meritorious Awards: 1st Grade for the arrest and disarming of a suspect who had been threatening his wife and fellow officers; a 3rd Grade for saving the life of a woman attempting suicide by trying to jump from a hotel window. John was quite active in The Police Post of The American Legion, being a Past Commandor of the Post. We will miss his articles on The Legion. After having several by-passes and numerous heart attacks, one finally got to John and he passed away at the age of 65.

REPORT OF TRUSTEES: In spite of the falling Market, our account is hanging in there and the loss has been no where near what the Market has suffered. Will try to invest in Utilities, as they seem to be paying better return than other stocks or even Government Bonds.

GOOD OF THE ASSOCIATION: Secretary reported that several bids had been received on membership cards. Wanted to get one more before presenting same to the membership. Pres. M. Hurley set the next meeting date for WEDNESDAY, AUGUST 20, 1986. 2:00 P.M. in the Traffic Bureau Assembly Room. ALL MEMBERS ARE URGED TO ATTEND.

ADJOURNMENT: There being no further business to come before the membership, the meeting was adjourned at 2:40 P.M. in memory of the above departed Brothers.

Fraternally,

Bob McKee, Secretary

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GANN INITIATIVE THREATENS LAW ENFORCEMENT

by John K. Van de Kamp
Attorney General of California

This fall voters will decide on a measure known as the Gann initiative. If passed, it will send a tidal wave of unexpected and unwanted consequences throughout California government. And law enforcement will be one of the biggest losers.

In the coming months we will doubtless hear a confusing exchange of claims and counterclaims as the debate on this measure heats up. Since law enforcement will be directly affected, we need to be clear on what the Gann initiative is all about and what its consequences will be for justice in our state.

The Gann initiative 1) establishes a salary/compensation cap for state employees, 2) restricts state and local salary increases, and 3) prevents officials and public employees from carrying over sick leave and vacation time from one year to another.

Salary and Compensation

The initiative sets the salary of the Governor at \$80,000 per year and the salary of all other constitutional officers and members of the Board of Equalization at \$52,500. In addition to the Governor, the constitutional officers are the Lieutenant Governor, and Attorney General, the Secretary of State, the Controller, and the Superintendent of Public Instruction.

Furthermore, the measure provides that no state, city,

engaged by government to \$75 per hour.

State and local salary increases

The initiative permits no salary increases for any constitutional officer, legislator, judge, or member of the Board of Equalization unless approved by the voters of the state at a statewide general election. Similarly, the measure also requires a vote by the electors of a city or county before the salary of a local elected official may be increased.

Sick Leave and Vacation Leave Time

The initiative prevents elected or appointed officials and public employees from carrying over accrued vacation or sick leave time from one calendar year to another. Under existing law, accrued vacation or sick leave may normally be carried over from year to year, subject to some limitations.

Ambiguities

Due to the initiative's unclear draftsmanship, its impact is difficult to fully determine. For example:

One section sets the \$80,000 "salary" limit for the Governor. Another section says that no state or local employee "elected or appointed," including individuals working under contract, may receive "compensation" in excess of 80% of the Governor's salary.

The initiative does not define the word "compensation". But in employee relations cases, the courts have concluded that "compensation" may include salary and all or many fringe benefits — perhaps health benefits, sick and vacation leave, and retirement contributions.

government. Under the state civil service system, however, all state employees are "appointed." Thus, all governmental civil service employees, state and local, may be covered by the initiative.

Consequences for Law Enforcement

The statewide impact of the Gann initiative will be immense. The effect on law enforcement alone will be little short of catastrophic.

1. According to the Joint Hearing of the State Senate and Assembly, at least 40% of California's county sheriffs and city police chiefs will have their pay either reduced or frozen by the proposed initiative. With benefits averaging 30-35 percent of base salary, Gann could force even more drastic reductions in salary if total compensation is capped. For example, the police chief in a large-sized city such as Fremont would have his salary cut to less than the current salary of an experienced sergeant.

What does this mean for the members of the San Francisco Peace Officers' Association? The Joint Hearing cited above released the results of a survey of the police and sheriff departments in California. Here are some examples from that study: of 1,971 officers in the SFPD, 8 officers will receive pay cuts or freezes if Gann limits "salary." If "compensation" is limited, the pay of all 1,971 sworn personnel will be cut or frozen.

Of 7,049 sworn personnel in the L.A. Police Department, 89 officers ranked as lieutenant and above will suffer pay cuts or freezes if "salary" only is affected by Gann. If "compensation" is limited, all 7,049 officers will be affected. Of 523 sworn personnel in the Sacramento Police Department, 40 officers of the rank lieutenant and above will receive pay cuts or freezes if "salary" is affected. All 523 officers will be affected if "compensation" is limited.

2. But even if an officer is not immediately affected by Gann, promotions, merit and cost-of-living increases will quickly bring many to the salary cap. Future raises will have to be passed by election, a very uncertain prospect. Management will be faced with severe difficulties since a department's chief, commanders, captains, lieutenants, sergeants and, eventually, all sworn officers, will be receiving the same salary. The alternative to salaries clustering at the top limit would be for all officers to receive decreases corresponding to those in the top ranks. In this scenario all ranks will be hit by the Gann limits.

3. Another consequence of the initiative will hurt all ranks of law enforcement. Every peace officer in California will be seriously affected by the provision which prohibits the accumulation of "sick leave or vacation time from one calendar year to another."

Under this provision all law enforcement officers — indeed, all state and local employees and officials covered by the measure — will begin each calendar year without any accumulated sick leave protection. This provision virtually guarantees that work will decrease at the end of each year as accumulated leave time is used. Public safety agencies will be hurt especially badly, since the November and December holiday season is a period of extraordinary demand. And people who never miss a day of work due to illness or who are too conscientious to take full vacations in the face of heavy workloads will be severely penalized.

Most important, it eliminates the long-term protection which a rational sick leave policy provides, and will force many public employees who become ill into financially devastating situations — especially those who chance to fall sick in January rather than December.

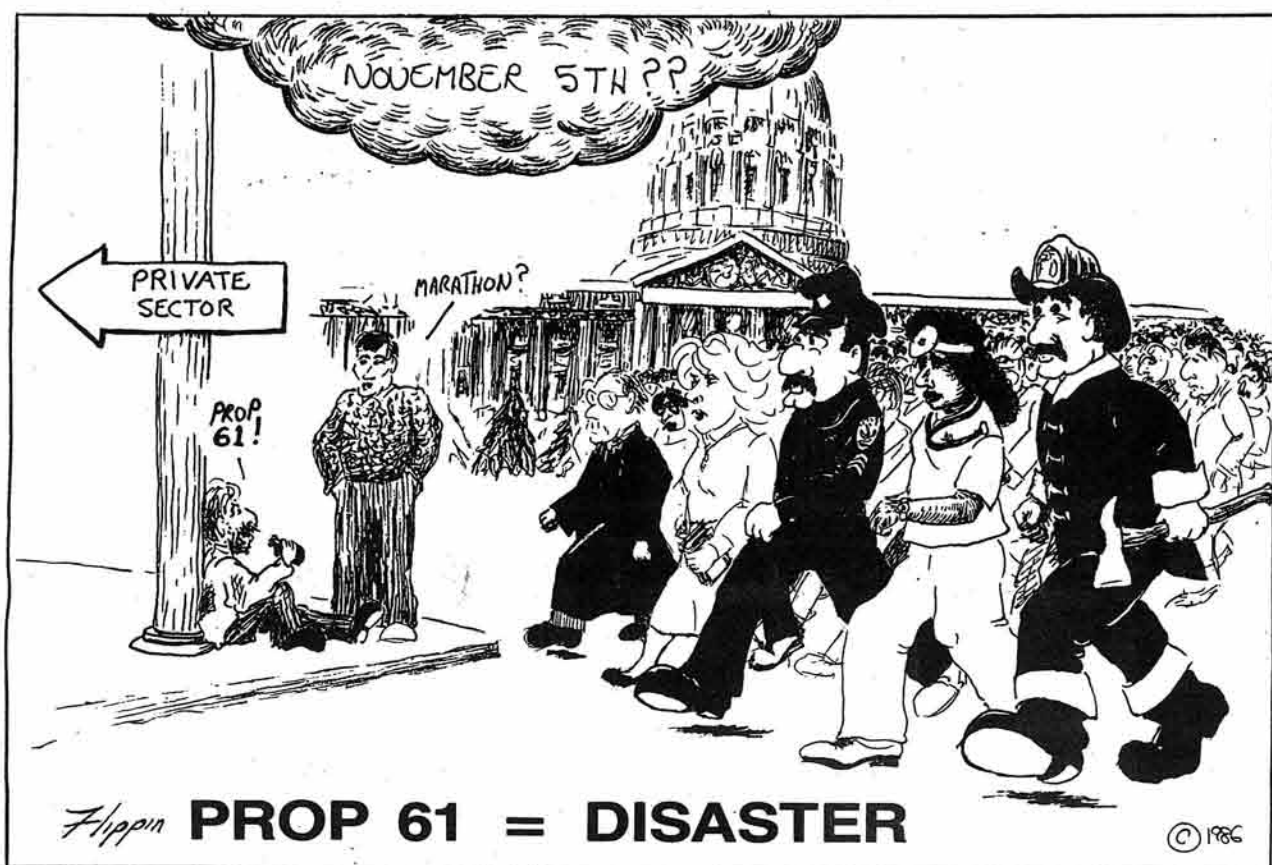
How is an officer expected to pay even the normal expenses of maintaining a family and home when illness strikes and sick leave is unavailable? This is a strange reward indeed for loyal public service.

4. These salary and benefit limits will undermine the ability of law enforcement to attract and retain competent, experienced peace officers. The consequences for public safety of losing senior leadership and expertise are virtually beyond calculation. And we will have increasing difficulties recruiting officers of the quality we need.

5. The contract provisions of this measure may hamstringing our ability to meet emergencies effectively. State and local authorities frequently contract with various services to perform emergency services. But this initiative limits the amount that contractors can be paid to \$75 per hour. The California Taxpayers Association points out that the initiative fails to consider emergency service needs, and the loss to people, property, and taxpayers that can occur in floods, fires, toxic spills, and other disasters. As Cal-Tax notes, "very few emergency services, from borate bombers, to bulldozers, to emergency medical staff can be secured for \$75 an hour."

The proponents of Gann say they are out to get lavishly over-compensated government pensioners. But another measure on the November ballot, authored by Senator Wadie Deddeh, will solve this problem much more effectively than Gann. The true victims of the Gann initiative will be average people who depend on the services of local and state government, and those such as law enforcement

continued on back page



county or special district employee, elected or appointed, including all individuals working under contract, may receive compensation in excess of 80% of the Governor's salary, or \$64,000, except under special circumstances. In addition, the bill limits rates paid to private contractors

Does the 80% limitation on "compensation" include these benefits, or is it limited only to salary? The initiative provides no answer.

But the ambiguities don't stop there. The measure refers only to "elected or appointed" employees of state or local

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THANK YOU, MR. PRESIDENT

by Dan Linehan, Co. B

As a member of the Board of Directors for the past six years, I have seen many efforts to enhance the working benefits for the men and women of our Association come and go. Most efforts are on the legislative battleground, seeking the passage of local propositions on issues such as time and one half, night differential, Honda hazard pay.

We have had many successes and a few that were less successful. Once again, our last effort to include the City of Los Angeles in our salary formula was not successful. However, I cannot let the efforts of President Bob Barry pass without comment on one of the most intense efforts to better our wages.

Long Beach

President Barry was advised that the Long Beach P.O.A. and their department had reached agreement and would be included for this year's wage calculations. With just a few days to go before our deadline, Bob called Long Beach and was advised that the agreement was set, but the president of their P.O.A. was on vacation and would not return until our deadline passed.

President Barry asked their acting president to sign the contract, allowing it to become law. The P.O.A. agreed and the contract was ratified. Without this action, the 1.3% increase would have been .077%

Los Angeles

The situation in Los Angeles was much more difficult. Their conflicts were not money, but arbitration of disciplinary actions handed down by the L.A.P.D. chief. The L.A. Protective League wanted the arbitration and Chief Gates did not.

President Barry contacted Los Angeles Mayor Tom Bradley and advised him of the affects of the actions of Los Angeles upon the members of our department. President Barry also contacted Assembly Speaker Willie Brown and members of the Los Angeles City Council and asked them for their help. They all joined together to help the efforts of our P.O.A. to help our membership.

President Barry flew to Los Angeles twice, to help guide the effort and returned with a letter signed by Mayor Bradley stating that the Los Angeles City Council had met and reached agreement on the wages of their police department. This action would not have occurred were it not for Bob Barry.

Acting City Attorney Phil Ward

All of the outstanding efforts of Bob Barry were washed down the kitchen sink with the "legal opinion" of Acting City Attorney Phil Ward. Mr. Ward, who was recently removed from his position, stated that the actions of the Los Angeles City Council did not have the force of law because they met in executive session (closed doors). Because of this statement, the Controller, John Farrell, was forced to hold all of our salary increase, because the inclusion of Los Angeles was forbidden by the City Charter deadline.

President Barry was faced with a dilemma. If he continued to push to include Los Angeles, we would get no pay raise until we filed suit and a judgment was reached two to three years from now, or let the salary be set without Los Angeles. He correctly chose to take half the pie in August and get the other half in November.

Proposition "I"

This November 4, the voters will decide if the salary deadline of August 25th is too restrictive and should be changed. This proposition, when passed, will be retroactive to this year's salary which will mean a retro-check of approximately \$400.00 to \$500.00 to each 4th year patrol officer, around Christmas time. Only time will tell. If we fail at the ballot box, we still have the option of filing our lawsuit.

As you can see, the issues faced by your Association's president are never clear. At every turn there are pitfalls that affect our members.

It is very easy to sit back and let things happen and react. It's quite another to be pro-active and make things happen. Without Bob Barry we would have a .077% pay raise, not a 1.3% now or a 5.78% increase after November 4th and the passage of Proposition "I".

Thank you, Mr. President, for all your efforts!!

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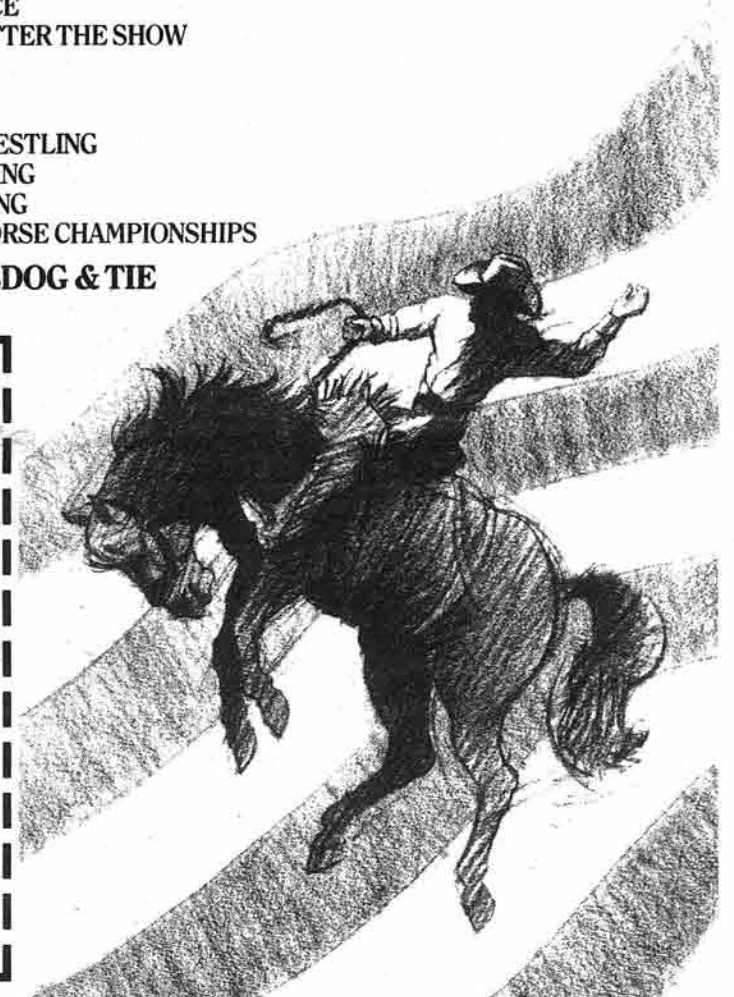
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RETIREMENT COLUMN

HOW FIT ARE YOU?

Editor's Note: Readers of this column please mark your calendars with Nov. 15, 1986, the date of the next retirement seminar. See next month's column for the particulars.

A quiz to help you assess the state of your health-by Robert L. Bertera, DR. P.H. from AARP publication of August & September 1986 is included with this month's column.

According to estimates, two thirds of all major illnesses and premature death in America are linked to our lifestyle habits-how we eat, how we exercise (or don't), how we care for (or abuse) our bodies as we tread the many different paths of everyday living. To assess your life style, the quiz below will help you rate your Longevity Score and show you where improvements in your lifestyle may help increase that score.

Before you take the quiz, read about our fictitious 62-year old male whom we call Herb.

Because of his life style, at age 62 he has the "risk age" of a 72 year old, based on health-risk appraisal that uses computers to compare personal answers to national data on disease and mortality. The appraisal was developed for the DePont Company's Employee Health Improvement Program. If Herb makes no other changes during the next 10 years, his risk of dying approximates that of someone 10 years older. Taking the actions recommended would lower his risk and change his risk age to 56-if he complies with all suggested life style changes. This savings of "16

risk years" represents not only potential extension of life expectancy but also improved quality of life-and reduction in preventable illnesses, with all the costs and inconveniences that go along with them.

Weight:

Herb, at 5 feet 8 inches, is considered obese because he weighs 185 pounds, 20 percent over the optimum weight for his height, almost doubling his risk of heart disease and increasing his risk of hypertension, diabetes and gall-bladder disease. If he reduces his weight to 145-157 pounds, he will increase his life expectancy by about one year.

Smoking

A two-pack-a-day smoker, Herb is reducing his life expectancy by at least five years. A smoker's greatest health risk is heart disease, which is almost double that of a nonsmoker. Lung-cancer risk is increased eight to ten times. A smoker who quits reduces heart-attack risks within the first year and lung-cancer risks within 12 years to about what they are for nonsmokers.

Blood Pressure

Herb's is 165/98. High blood pressure (140/90 or higher) at age 62 increases the risk of stroke, heart attack and kidney failure by at least eight times. Blood pressure can be controlled by a diet low in fats and sodium, weight control, exercise, lower consumption of alcohol, and if necessary, the use of medication. Her's risk age would be reduced by about five years if he brought his blood pressure down to less than 140/90.

Alcohol:

Excessive consumption of alcohol (Herb drinks 14 glasses of wine and seven shots of liquor each week) increases the risk of cirrhosis and certain cancers. Excessive drinking also can raise blood pressure and increase the risk of alcohol-related automobile or pedestrian accidents. Cutting back or eliminating alcohol consumption would reduce Herb's risk age by more than year.

Drugs:

Herb takes them to effect his mood, sometimes in combination with alcohol. Taking mood-altering or sleep-inducing drugs frequently is a poor way to cope with stress. Using them in combination with alcohol or other drugs or medications increases the risk of sudden death, automobile accidents and drug interactions. Prescription and over-the-counter drugs used only as recommended will help reduce these risks. Making certain that the prescribing physician knows all the other prescriptions drugs that one is taking also will reduce the problem of combination drug use.

Stress:

Herb is subject to frequent high stress. An unavoidable fact of daily life, stress is not necessarily a bad thing. The keys to managing it are avoiding excessive stress, if possi-

ble, and learning to cope with it. The best way to cope with every day stress is to learn muscle relaxation, engage in regular, vigorous exercise, eat a prudent diet, and plan a daily workload for maximum efficiency.

Exercise:

Regular vigorous exercise can lower blood cholesterol, increase heart and lung capacity, reduce stress and fatigue, and help to maintain ideal weight. Herb leads a sedentary life style and thus increases his health risks by about one year. The best oxygen-using exercises, normally done at least 30 minutes, three or four times a week, are walking briskly, swimming, cycling, jogging, rowing and aerobics to music. Since Herb is over 35 years of age and sedentary, he should get clearance from a physician before beginning a regular exercise program.

Cholesterol:

Herb's level is 290. To minimize risks for a 62-year old male, cholesterol should be less than 200. A person over 40 is at a high risk of heart disease when cholesterol is over 260. Herb's level of 290 more than doubles his risk of heart disease and adds two years to his risk age. Cholesterol in the blood can be lowered by reducing fat intake to only 20-30 percent of total calories and engaging in regular, vigorous exercise.

Highway Safety:

Our 62 year-old drives 20,000 miles per year-about twice the number of miles the average person drives. He uses seat belts only occasionally. Statistics show that only 17.2 percent of Americans use seat belts every time they get into a car. Increasing seat-belt use to 100 percent of the time could cut the risk of fatal injury in an accident by one-half.

Nutrition:

Herb rarely eats a wide variety of foods. Proper diet is essential to good health, especially as we get older. High-fat, low-fiber diets have been linked to cancer and heart disease. A prudent diet for Americans consists of eating more fiber from grains, cereals, fruits and vegetables, and avoiding excessive amounts of fats, saturated fat, cholesterol, sodium, sugar and alcohol. It is also important, especially for females, to get adequate amounts of calcium by using low-fat milk products and other high-calcium foods daily.

Medical Checkups:

Herb has a physical every other year. Regular physical examinations, including rectal examinations, can spot medical problems at an early, more treatable state. An annual rectal exam for Herb would reduce his risk age by about a year.

Putting it all together:

While none of these actions alone can dramatically extend life expectancy, taken together they represent a realistic way of improving Herb's health outlook over the next 10 years. Our quiz does not cover all the questions Herb answered. But it does feature the main risks that can effect one's longevity. Answer the questions honestly and you will get an accurate picture of your own life-style-and maybe some ideas for improvement.

Note: Watch for our announcement regarding our 4th annual Retirement Planning Seminar in the October issue of the POA publication.

Fraternally,
Gino Marionetti
Michael Sugrue
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SAN FRANCISCO POLICE ON THE JOB ACKNOWLEDGEMENT

By Bill Langlois (Rug Rat)

I wish to publicly register my enthusiastic gratitude to the below named members of my (RAT) Robbery Abatement Team.

During our recent project in the Tenderloin, each and every officer was indispensable in many ways; they gave of themselves 100% to our prodigious and challenging undertaking.....making a small dent in the large can.....by trying to capture the despicable desperadoes who villainously prey upon our elderly Citizens.

Until you have walked in my shoes, your readers cannot understand the depth of my appreciation for their concern, their alertness, their professionalism and their comradeship. If any of you ever find yourselves working with these officers, rest assured you will be in the company of competent partners.

Thanks to:

Officer Leanna M. (Mini-Rat) Dawydiak, my fellow Victim/Officer; my compliment is that we all consider her just "one of the guys." She gave her best effort always.

Officer Robert L. (Van Rat) Aitchison, for her clever driving, great photographs and "calling good radio."

Officer James L. (Closet Rat II) Batchelor, for his constant willingness to be involved.

Officer Brian M. (Hall Rat) D'Arcy and **Officer Edward B. (Closet Rat) Dullea**, for always BEING THERE when really needed; for making most of the arrests and for their excellent report writing.

Officer Gregory J. (Street Rat West) Randolph, for his constant ability to blend and the sharp eye while "taking the point."

Officer Edward L. (Swamp Rat) St. Andre, who over time has observed a felony perpetrated upon my person over 200 times and who probably kept my name from being "on the wall at the hall."

Officer Craig A. (Street Rat East) Woods, for his "street smarts" and excellent memory.

Sgt. Robert B. (King Rat) McEachern, for his planning expertise and concern.

Sgt. Charles E. (King Rat) Brewster, for his vitality while entering the project when half completed and "cat-

ching on" while leading our street mission.

The above officers of this most competent Team were responsible for beating the mathematical probability of a serious injury to the victim/officer by their alertness and custodial qualities during adverse conditions.

Insp. Thomas P. (Office Rat) Vigo, for his marvelous ability to "keep the records straight" and the judicial wheels rolling.

Lt. John Brunner for his excellent liaison with the high command and for "staying on top of things."

Captain Charles (Cap't. Rat) Beene, for his knowledge to formulate a plan, his advice, his active participation and his ability to show positive direction.

Captain James Tedesco, **Cmdr. William Scheffler**, **Deputy Chiefs John Jordan**, **Lawrence Gurnett** and **Chief of Police Frank Jordan**, for approving an unorthodox and unknown entity and for then allowing us to "go do it." No one in this operation will ever forget it. In particular, the 26 suspects in the 17 cases who got "caught dirty."

It was my high honor and extreme privilege to participate. Because of the aforementioned personnel, this RAT project was A CLASS ACT! Thank you one and all.

Fraternally & Affectionately,
Officer Bill (Rug Rat) Langlois, Co. I

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Officer Ken Cantamout Co F (Midnights)

by William R. Krutt

I wish to express my sincere thanks and appreciation to Officer, Ken Cantamout, Co F., midnights. A few months ago while detailed to Communications for 60 days, Officer Cantamout thought it would be a good idea to offer a course in CPR for members of Communications. Being a former Paramedic, Officer Cantamout is very qualified and capable to teach CPR. Officer Cantamout taught the course as comprehensively as possible, including practice dummies, in the time that was allotted.

Like most people, I took the course primarily to get out of the Radio Room for a couple of hours. I thought I would never use CPR. I was quite wrong.

This morning, I placed my 6 month old son in his crib while I collected soiled laundry for washing. I clipped the monitor on my belt that permits me to hear the baby in the crib while I'm in a different room. It dawned on me after several minutes that the Baby was being too quiet. I went

into his room and found him shaking, his eyes watery, and his face almost the color of a tomato. Like most infants, his crib is adorned with many stuffed animals and cuddley toys. I saw a soft toy that was missing an eye and I knew immediately that my son was choking. There was no sound of breathing whatsoever. One's first instinct is to jam a finger down the infants throat to purge it from the airway. I remembered what Officer Cantamout taught us: Never use a finger to get something out of the airway. You will probably just put the object further down the airway.

I lifted the baby from the crib, placed him face down, his stomach in the palm of my hand, and struck him between the shoulder blades several times. Nothing happened. I was getting panicky. I hit the infant harder several more times between the shoulder blades bearing in mind what Officer Cantamout said in training "It's better to break a couple of ribs and save the kids then have good ribs and a dead child". I continued the hard blows between the shoulder blades and called for my wife who was sleeping in the next room after having worked the night shift. I wanted her to call 9-1-1.

Immediately after my wife entered the room, as I was administering blows between the shoulder blades, the object popped out of his mouth onto the floor. The child started to gag, cry and breath again all at once. His color immediately improved.

The bottom line is this: Had Ken Cantamout not offered the CPR course, I would not have know what to do. By the time EMS arrived, the child would have either sustained brain damage or possibly death.

Officer Cantamout offered this course on his own. Nobody asked him to do it. His instruction on aiding choking victims more than likely saved my son's life.

It only took a couple of seconds for things to go from normal to almost catastrophic. I thought the eyes of this particular toy were stitched and they were merely held in place with adhesive. My son is at the age where everything goes into his mouth. His saliva only served to loosen the object, and he swallowed it.

No words are adequate to express what I'm trying to say in this letter. The best I can do is offer a sincere and humbel "Thanks, Ken".

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Why sudden Bradley push for LAPD salary hike

By Andy Furillo
Herald Staff Writer

After 14 months of public silence on a pay raise for Los Angeles police officers, Mayor Tom Bradley last week prodded the City Council to approve a three-year, 15 percent salary hike for the officers after receiving a request to do so by the San Francisco Police Officers Association.

The San Francisco officers, who supported Bradley in his 1982 run for governor and will soon consider whether to endorse the mayor's 1986 gubernatorial bid, asked for Bradley's help because their salaries are increased through a formula linked to LAPD pay.

Bradley's office, while confirming the request from San Francisco police, denied it was the motivation for the mayor's role in resolving the LAPD contract dispute.

Bradley press spokesman John Stoddard said the mayor "couldn't have done anything sooner" on behalf of the LAPD officers, whose contract expired June 30, 1985, and who have not had a pay raise since July 1, 1984.

"The understanding was that they (the LAPD officers) wanted a full package," Stoddard said, referring to a dispute over binding arbitration between the Los Angeles Police Protective League and LAPD management that has held up a new police labor agreement.

Stoddard said that Bradley, who sits on the city's executive employee relations committee with four council members, "could appropriately step into the negotiations" only in late July, after a state-approved fact-finder finished his effort to resolve the impasse in the police contract talks.

A source close to the negotiations said, however, said the employee relations committee has been actively involved in the negotiations since last November.

And it was not until the San Francisco police officers union last week lobbied the mayor and two Los Angeles City Council members — Richard Alatorre and Pat Russell — that the council, in closed session, separated the pay hike from the sticky arbitration issue and approved the increase.

Under the San Francisco City Charter, police officers and firefighters there are paid according to the average of their counterparts' salaries in four cities — Los Angeles, Long Beach, San Jose and San Diego.

average is at midnight on Aug. 25. — last night. That deadline lent urgency to the Bay Area union representatives' appeals to Los Angeles officials last week.

"That's why the council down there voted last week — to help us," said Bob Barry, president of the SFPOA. "The mayor was urging the council to take action. He's done it on three occasions on our behalf."

Barry said he has met with Bradley personally four times in the past three months and has scheduled a meeting for him in two weeks in which they will discuss a gubernatorial endorsement.

Barry also said he met with Russell — who personally added the LAPD contract matter to the executive session agenda last week — and Alatorre. Russell's office confirmed she met with Barry. Alatorre could not be reached for comment.

State Assembly Speaker Willie Brown, D-San Francisco, a close ally of Alatorre, also called Bradley on behalf of the San Francisco police officers to get the Los Angeles City Council moving on the pay raise, Barry said. Brown's press secretary, Susan Jetton, confirmed the speaker's involvement.

In Los Angeles, Dave Baca of the Police Protective League expressed dismay with what he viewed as Bradley's lack of action in settling the LAPD's contract dispute.

"We have asked him to take a more active role in the negotiations because we believe with his influence, he could have settled the dispute," Baca said. "He has not chosen to do so on behalf of the police officers of this city."

The Police Protective League endorsed Gov. George Deukmejian in 1982 and is expected to do again this year.

Ironically, the San Francisco police officers received only a 1 percent pay increase for this year because the city's civil service commission voted 3-1 that the Los Angeles council's executive session vote "was not sufficient" to trigger a higher raise in the Bay Area, Barry said.

The Los Angeles City Council is expected to approve the local police pay increase in public session today — a day late for the San Francisco police officers.

The annual pay increases for the San Francisco police and fire departments are enacted according to whatever that Reprinted from the Los Angeles Herald Examiner, August 26, 1986

Firefighters, police face slight pay hike

By Phillip Matier
Of The Examiner Staff

Despite intense statewide lobbying by union and political leaders, San Francisco police and fire officers came in a day late and \$12.4 million short in their pay raises this year.

By a unanimous vote, San Francisco supervisors yesterday approved \$4.6 million in raises for The City's 3,150 police and firefighters.

Had the supervisors been allowed an extra day, they could have passed a \$17 million package.

The City Charter mandated yesterday's deadline for a vote.

The raises, which are retroactive to July 1, are expected to be approved by the mayor.

Under the new pay scale, the salary of a \$34,000-a-year patrolman would go up by about \$43 per month, an increase of only 1.3 percent. This is below the 5.8 percent the Police Officers Association had pushed for.

Under the Charter, police and fire raises are set by rigid guidelines based on a formula using the salaries paid to police and fire departments in four other California cities: Los Angeles, Long Beach, San Diego and San Jose.

When Police and fire raises first came up for approval Aug. 18, only San Jose and San Diego had voted on their 1986-87 salary packages.

Los Angeles and Long Beach were expected to approve their new salaries later in the week.

In order to beef up this year's raises the supervisors put the matter over until yesterday to give Los Angeles and Long Beach time to approve their new salaries.

Long Beach voted for 4 percent on Aug. 19.

But in Los Angeles, where there hasn't been a raise in police salaries for two years, the City Council faltered, saying it could not vote on a new pay package until today — one day past the San Francisco Charter deadline for approving raises.

So at the request of the San Francisco POA, Los Angeles Mayor Tom Bradley asked the City Council there to hold a special session last Wednesday.

The council met and tentatively approved a 5 percent pay raise (15 percent over three years). Bradley immediately notified acting San Francisco City Attorney Phil Ward of the vote.

Bradley's cooperation is no coincidence. In 1984, Bradley received the endorsement and help of the POA in his unsuccessful run for governor.

Bradley's office, while confirming the request from San Francisco police, denied it was the motivation for the mayor's role in resolving the LAPD contract dispute.

Bradley press spokesman John Stoddard said the mayor "couldn't have done anything sooner" on behalf of the LAPD officers, whose contract expired June 30, 1985, and who have not had a pay raise since July 1, 1984.

"The understanding was that they (the LAPD officers) wanted a full package," Stoddard said, referring to a dispute over binding arbitration between the Los Angeles Police Protective League and LAPD management that has held up a new police labor agreement.

But despite Bradley's help, it was time — not politics — that finally set the new wages.

Ward discounted the Los Angeles action, saying the vote was non-binding because it was tentative.

The San Francisco Civil Service Commission agreed and in a special 3-1 against using Los Angeles in The City's pay formula.

Stunned by the setback, the POA leadership dove into an intensive last-ditch lobbying effort to have the supervisors overturn the commission's decision at the board meeting yesterday afternoon.

After a lengthy closed-door session and nearly an hour of floor debate, it appeared, at least for a moment, that the POA had lined up the supervisors to pass the higher raises.

At one point during the meeting the board voted 7-4 to include the new Los Angeles wages.

But City Controller John Farrell said that even if the higher package were passed it would be illegal for him to pay it because of the city attorney's opinion.

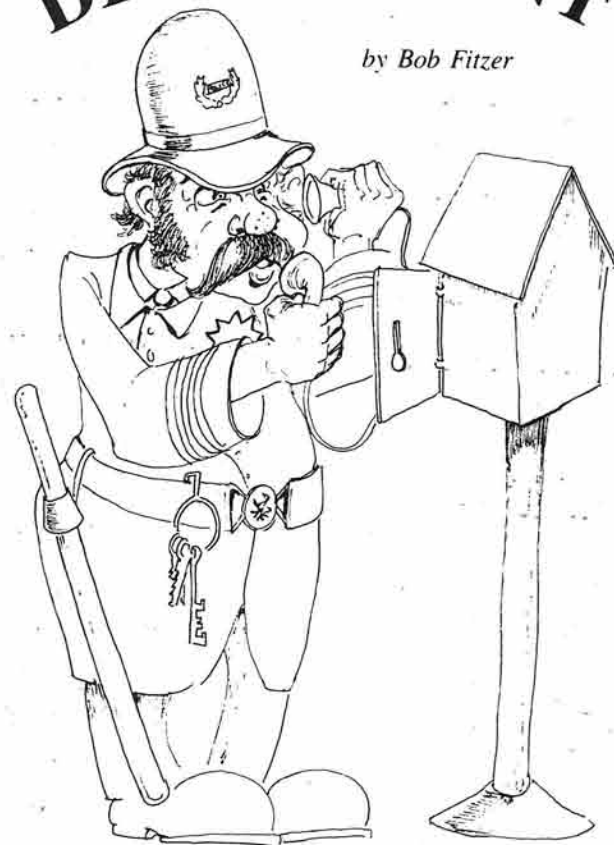
At that point, Deputy Mayor James Lazarus ushered POA President Bob Barry into the hall and told him the fight was over.

"Pull back," Lazarus warned. "If you keep up you'll be boxing the mayor in a corner where she might be forced to veto the whole thing. . . . Your're dividing the whole board."

Lazarus pointed out that by accepting the lower wages, the officers and firefighters would have the "best campaign

AROUND THE DEPARTMENT

by Bob Fitzer



When Frank Jordan became Chief, there was a lot of talk about his being an empty gun cop. Well that sure hasn't prevented him from maintaining his qualification responsibilities at the range. As a matter of fact the same goes for the rest of the higher brass, so if they can do it, you can do it...no excuses.

Speaking of the range...the new rangemaster, Sgt. BLAINE, and his crew have really been sprucing up the range as best they can with what they have. The range building and grounds have really been taking a beating since it was built back in 1944. Modern police shooting tactics have progressed through the years, and the old bullseye type of shooting, which our range is set up to do, has long since been abandoned. So don't be surprised if the re-qualification format changes in the future.

Womens Day at the range...you may see it soon! Some of you may remember that we once had a musical group around 1970. Well, Steve BOLANDER, is trying to revive the music talents within the department, so if you can really play along and might be interested give Steve a call at ext. 1536...PS, he needs a singer too!

It's so long to another retiree. Officer Larry SHEERIN, of the Property Clerk oops, I mean Property Control Division, pulled the plug after 30 years service. Thanks to his co-workers who threw a fantastic dinner, along with Father HEANY's usual hospitality, which made for a memorable evening. Nobody can say that Officer Bob HANSEL, didn't have a good time either...he almost got up and sang farewell with Larry's father. It was nice to see retired Deputy Chief Joe LORDAN again along with Joe MANGAN, and Walt WATSON, both retired from the Property Division.

While I'm giving Bob Hansel a bad time, his fellow workers wanted to remind me that he captured a 211 suspect the other day while making his rounds picking up the property at the stations. It seems this poor fellow literally fell into Bob's waiting arms...luckily he didn't have to "draw his gun."

An officer was reading the latest revision to the G.O. on traffic citations when his eye caught section 1-C. He wondered if his boss had read it.

Hey...what's the latest with the Consent Decree. Wasn't a test scheduled?

Do you have an urge to write, want to get it off your chest? Think you can do a better job? Well I'm stepping down and anybody who wants to give it a try, contact me or editor Pete Maloney (Co. B or at the POA). I appreciate your attention and all the positive comments I've received these past months, and I thank you all.

Editors Note: In addition to thanking Bob for his work on this column he is to be commended for and encouraged to continue his dedicated efforts on the Police Museum. I hope Bob will keep us abreast of developments in that project in the pages.

I am pleased to announce that Reno Rapagnani has come forward and assumed the authorship of this traditional feature. Reno is a veteran of both the department and the P.O.A. Each of the authors, Reno will be the fourth, has added his own character and insight to the column and I'm sure he will keep us entertained and informed.

argument" for urging voters in November to pass Proposition I, a Charter amendment that would allow greater flexibility in setting police and fire salaries.

Barry, a seasoned veteran of supervisorial politics, returned to the supervisors' chambers where he passed the word that the POA would take the lower rate. Within minutes the bill passed.

The Los Angeles Herald Examiner contributed to this story. Reprinted from The San Francisco Examiner.

July 15, 1986

Board Of Directors Meeting

President Barry called the meeting to order at 3:15 p.m. with the pledge of allegiance. Roll call was taken. Members present were Deignan, Goldberg, Conway, Lido, Garcia, Santana, Simms, Maloney, Suslow, Doherty, McAlister, Friedlander, Johnson, Chignell, Flippin, Cole, Linehan, Collins, Parenti and Barry. Excused Rapagnani and Fagan. Absent none.

REPORT FROM THE PRESIDENT

Salary Survey

President Barry updated the projected wage increase with an overview of negotiations in the cities used in our salary survey that have not yet reached an agreement (Los Angeles and Long Beach). He stated that Long Beach appears close to agreement and should settle prior to our deadline. Los Angeles has completed their fact finding process and their situation is being closely watched. The POA has been in contact with representatives from Los Angeles and they are aware of their actions impacting our membership.

Overtime Special order

President Barry spoke of the ramifications of the special order changing the amounts of overtime allowed for court and court stand-by. Several Board members had questions and President Barry was able to correctly answer them. A POA informational bulletin will be distributed to the membership outlining all the changes.

Federal Litigation

The hearing of the 0-0-100 appeal has been set for August 15, 1986. However, the POA's attorneys have asked for the hearing to be delayed due to a conflict in their schedules. They hope to have the hearing reset for September. The membership will be advised when the new date is set.

The POA, Public Advocates, Department of Justice and the Office of Justice will ask Judge Peckham to implement the "Three Year Plan" and force the City to comply. This plan will allow the projected goals of the ten year Consent Decree to be met, thus allowing the decree to expire. No date has been set.

Gann Initiative:

President Barry informed the board of the adverse affects of the Gann Initiative upon our membership, should it become law. The POA will join forces to oppose the passage of this measure.

REPORT OF THE VICE PRESIDENT

Rule 18

Vice President Parenti updated the status of the two sergeants from Northern-Station that were transferred to other stations against their desire and in violation of General Order P-1. The department has agreed to the provisions of Civil Service Rule 18 which allow for arbitration. The American Arbitration Board will hear this important issue and give its decision. The date of hearing has not yet been set.

Watch Off Schedule

The Board was advised that the department has the desire to discuss the watch off schedules now in use. Many different proposals are on the table for discussion. No meetings have been set as the proposals need to be reviewed carefully.

MOU

Vice President Parenti stated that the POA has met with city officials in the efforts to complete a Memorandum of Understanding. The POA has not reached agreement on an MOU for several years. Members interested in discussions and willing to participate in the negotiations should contact him.

1986 Picnic

The POA Picnic is set for August 17, 1986 at the Crow Canyon Park. Tickets are on sale at the district stations. This picnic will be one of the best the POA has had and should prove to be fun for the whole family.

REPORT OF THE SECRETARY

Secretary Linehan asked if the minutes of the June Board meeting were accurate. There being no changes M/Maloney S/Friedlander to accept the minutes of the June Board of Directors Meeting as written. Motion passed unanimously by voice vote.

1986 Grand National

Secretary Linehan informed the Board of discussions with the staff of the Grand National for a special night. The special night will include a dinner, the show and free admission into the Stockyard Club for dancing to a live country western band after. More information will be forwarded when formalized.

REPORT FROM THE TREASURER

Treasurer Collins presented the June financial statement which shows a balance on hand, after expenses, of \$66,000.

M/Linehan S/Simms to accept the treasurer's report. Motion passed unanimously by voice vote.

REPORT FROM THE COMMITTEES

Welfare Committee

Welfare Officer Mike Hebel expounded on the Gann Initiative and how it will affect active members who have requested retirement due to the possibility of the voters' approval. M/Collins S/Simms to formally oppose the passage of the Gann Initiative. Motion passed unanimously by voice vote.

Additionally, the Board was advised of the discussions in Washington, D.C. of the changing of the tax law. Brother Hebel discussed the proposed changes of Individual Retirement Accounts, taxation of disability retirements and the changes of payment of the employee contributions. M/Maloney S/Collins to allow Mike Hebel to research and draft a letter directed to the representatives in Washington stating the positions of the POA in regards to possible changes. Motion passed unanimously by voice vote. Mike Hebel stated he would issue his opinion of the changes for an information bulletin.

Grievance Committee

Director Goldberg informed the Board of his victory in the grievance of being forced to change his watch assignment for a planned event. As a result of this grievance, the administration is proposing changes to prevent this from occurring again.

Legislative Committee

President Barry updated the Board of the proposed charter amendment that will correct the flaws in the current salary survey ordinance. This is a joint effort between the POA and the Firefighters Union. The measure has been introduced and will be before the Rules and Legislation Committee.

August 19, 1986

Board of Directors Meeting

The Board of Directors meeting was called to order at 3:40 p.m. by President Barry with the pledge of allegiance. Roll call was taken. Members present: Goldberg, Lindo, Garcia, Santana, Simms, Maloney, Suslow, Doherty, McAlister, Rapagnani, Friedlander, Johnson, Chignell, Flippin, Cole, Linehan, Collins and Barry (18). Absent: Conway (1). Excused: Deignan, Fagan and Parenti (3).

REPORT OF THE PRESIDENT

Salary Update

President Barry stated that he has been in contact with Los Angeles Mayor Tom Bradley and Assembly Speaker Willie Brown, asking for their support to settle the salary dispute for the Los Angeles Police Department. He stated Mayor Bradley and Speaker Brown have done all that they could and have been very helpful. President Bradley stated that Long Beach, San Diego and San Jose have settled their negotiations and without Los Angeles, the pay raise for fiscal year '86-87 is 1.3%. President Barry stated he will fly to Los Angeles to meet with members of their City Council to discuss the impact of their actions on the S.F.P.D. pay increase.

Secondary Employment

President Barry informed that State Attorney General John Van De Kamp has issued his legal opinion of police officers engaging in secondary employment and their primary employers' civil liability. Mr. Van De Kamp states that local police departments have no civil liabilities if the officer is off-duty and is not in a police uniform while engaged in secondary employment. Thus, hold harmless agreements are not necessary between the department and the officer's off-duty employer. This is viewed as a victory for the individual officer working a second job.

Interest Checks

The Board was advised that the interest due on the salary withheld by the City when the new payroll system went into effect will be paid on October 1, 1986.

REPORT FROM VICE PRESIDENT

No report was given as the Vice President was excused from the meeting.

REPORT FROM THE SECRETARY

Secretary Linehan asked if the minutes for the July Board meeting were accurate. There being no changes M/Maloney S/Simms to approve the minutes of the July Board of Directors meeting as written. Motion passed unanimously by voice vote.

Seal Beach

The Board was advised that the Seal Beach case is set to be heard on September 17, 1986. Secretary Linehan stated he will issue a bulletin on the time and location of the hearing.

Board of Directors Awards

M/Linehan S/Lindo to issue an award and honorarium

tee of the Board of Supervisors. If passed by the Supervisors, it will be placed on this November's ballot.

The Board has advised that the threatened petition drive by Supervisor Hongisto to place the thrice defeated disciplinary increases for the Police Commission and police chief appears not to be headed for this November's ballot. The submission deadline is July 23, 1986. This action will continue to be monitored by the POA.

Community Services

Vice President Parenti spoke of the hundreds of free tickets the management of the Oakland A's baseball club has given to the POA this year. To repay the team for their generosity he requested the Association to purchase tickets for an upcoming game. M/Parenti S/Johnson to purchase twenty-five (25) tickets for an Oakland A's game, to be distributed to the community, at a cost of six dollars and twenty-five cents (\$6.25). Motion passed unanimously by voice vote.

SPECIAL ITEMS

M/Goldberg S/Cold to purchase one (1) ticket for a fundraiser for District Attorney Arlo Smith at a cost of two hundred fifty dollars (\$250.00). Motion passed. Voting yes were Goldberg, Garcia, Maloney, Suslow, Doherty, McAlister, Friedlander, Johnson, Flippin, Cole, Linehan, Parenti and Barry (13). Noes: Deignan, Conway, Lindo (3). Abstaining: Santana and Simms (2).

M/Linehan S/Maloney to purchase two (2) tickets for a fundraiser for the Friends of Wendy Nelder at a total of cost of five hundred dollars (\$500.00). Motion passed unanimously by voice vote.

M/Linehan S/Friedlander to donate two hundred dollars (\$200.00) to the Campaign of Joanne Williamson for State Assembly 9th District. Motion passed. Voting yes were Goldberg, Garcia, Simms, Maloney, Suslow, Doherty, McAlister, Friedlander, Johnson, Flippin, Cole, Linehan, Parenti and Barry (14). Voting no were: Deignan, Conway, Lindo and Santana (4).

There being no further business, motion to adjourn at 5:30 p.m.

Respectfully submitted,
Danial J. Linehan
Secretary

to former directors Tony Novello and Mike Dempsey for their past efforts as members of the Board. Both directors performed valuable tasks benefiting the members of our Association. Motion passed unanimously by voice vote.

REPORT FROM THE TREASURER

Treasurer Collins presented the July financial statement which shows a balance on hand, after expenses, of \$66,592.91. M/Linehan S/Goldberg to accept the Treasurer's report. Motion passed unanimously by voice vote.

REPORT FROM THE COMMITTEES

Federal Litigation

The Board was addressed by three members who raised the issue of asking for a clarification of the ruling handed down by Judge Roy Wonder. The judge's ruling came out of the lawsuit brought forward by the Sergeants for a Valid Lieutenants' Examination. As a result of the discussion, M/Johnson S/Simms, directing P.O.A. Attorney David Clisham, to file a motion seeking a clarification of Judge Roy Wonder's decision with respect to the life span of the current Q-60 list. This motion and its ramifications were discussed and a motion to table was made by Treasurer Collins. Motion to table passed. Voting yes were: Lindo, Santana, Simms, Maloney, Suslow, Doherty, Rapagnani, Friedlander, Cole, Linehan, Collins and Barry (12). Noes: Garcia, McAlister, Johnson, Chignell and Flippin (5).

Welfare Committee

Welfare Officer Mike Hebel presented a proposed policy statement that would be presented to the Police Commission. The draft language is a result of discussions between the department, Retirement Board staff and Mike Hebel. The proposal was discussed at length and some changes were offered. M/Johnson S/Friedlander that the draft language be changed to allow for a medical specialist to be consulted in matters of dispute and that an officer not meeting the minimum percentage be allowed to present their case before the Disability Evaluation Review Committee. Motion passed unanimously.

Legislative Committee

Secretary Linehan outlined the projected costs of funding a Yes on Proposition "I" Campaign. This proposed charter amendment will correct the flawed mandatory deadline that has caused our salary formula to fail 9 out of 11 years. M/Linehan S/Maloney to fund half of joint campaign costs with S.F. Firefighters Local 798, not to exceed \$40,000. Motion passed. Voting yes were: Lindo, Santana, Simms, Maloney, Suslow, Doherty, McAlister, Rapagnani, Friedlander, Johnson, Flippin, Cole, Linehan, Collins and Barry (15). Noes: Chignell (1).

The following positions were taken by the Board.

continued on next page

Business phone
431-1273

Correspondence . . . continued from previous page

Letters to the Editor
San Francisco Examiner
P.O. Box 7260
San Francisco, CA 94120

Re: Supervisor says booking errors overcrowding jails,"
San Francisco Examiner Article, August 7, 1986, page B-1

Dear Editor:

Supervisor Walker has improperly charged that the police and the District Attorney are involved in a rebooking "scandal." In that regard your readers should be aware that for over the past year, the police, the D.A. and other governmental agencies participated in sincere efforts to explore the jail overcrowding situation. Nancy Walker also participated in these efforts and has been aware of the difficult issues involved in this situation. Despite being aware of these good faith efforts of many City departments, and despite being personally aware of the difficulties inherent in protecting the public while at the same time attempting to ease the jail population, the Supervisor recklessly smears the police department arrest rate as a "scandal." Her irresponsible attacks on the police and the District Attorney ignore that part of our practice is to be vigilant and rigorous in our rebooking departments, so that only the very strongest and important of the police criminal cases would be filed in court as felonies and misdemeanors.

If mere ignorance or forgetfulness was the cause of the Supervisors' use of these shoddy tactics, such methods of getting attention could be overlooked as being only so much political posturing during an election. However, for the Supervisor to complain that part of the "scandal" was the lack of "additional" DA's to speed up the rebooking process, after having voted to slash the Mayor's recommendation of four additional prosecutors and having actually reduced (through an increase of salary savings) the resources of the District Attorney's office, is clearly an attempt to mislead the public.

Because the original charge of "scandal" was improperly made and was without basis (her press release says that our arrest and rebooking rates are not out of line state-wide), none of the time consumed by this office in responding to extensive media inquiries regarding her charge of "scandal" actually assisted the public in a better understanding of the issues involved. It is deplorable that instead of drawing upon the experience of the Jail Overcrowding Committee and bringing the agencies involved together to seek workable solutions to assist the Sheriff and federal court, the public witnessed a counterproductive maneuver that failed to offer any solutions for the Supervisor's manufactured "scandal."

Very truly yours,

Jerome T. Benson
Chief of the Criminal Division

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Carroll, Burdick & McDonough
Counselors and Attorneys at Law
One Ecker Building, Suite 400
Ecker & Stevenson Streets
San Francisco, California 94105

August 18, 1986

MEMORANDUM OPINION: SCOPE OF OFFICE OF CITIZEN COMPLAINT INVESTIGATION AUTHORITY

I. QUESTIONS PRESENTED

A. Does the Authority and Responsibility of the Office of Citizen Complaints (OCC) to Investigate Citizen Complaints Against Sworn Members of the San Francisco Police Department Include Complaints Which Allege

- (1) Misconduct in the performance of official police duties; or
- (2) Other improper performance of official police duties; or
- (3) Improper conduct while engaged in secondary employment and not performing official police duties; or
- (4) Other improper conduct while off duty and not performing official police duties?

B. Answer

- (1) Yes. (3) No.
- (2) Yes. (4) No.

C. Analysis

- (1) Allegations of misconduct in the performance of official police duties.

The OCC was created in November 1982 when the voters approved Proposition A, thereby amending Section 3.530 of the Charter of the City and County of San Francisco (Charter) and adding Section 3.530-2 to the Charter.

The amendment of Section 3.530 for purposes of this analysis did little more than add the OCC as a component of the Police Department. In contrast, Section 3.530-2 sets forth the structure and composition of the OCC and delineates the scope of its authority and duty to investigate citizen complaints. A copy of Section 3.530-2 is attached hereto for reference.

According to the City Attorney, "(T)he general purpose of Proposition A is to create a civilian investigation arm of the San Francisco Police Department in order to afford citizens a vehicle for the prompt, fair and impartial investigation of their complaints against members of the Police Department." City Attorney Opinion 85-1, page 3.

Apart from the OCC and its function in investigating citizen complaints against sworn members of the Police Department, there exists an internal Police Department procedure for handling citizen complaints, a procedure which predates creation of the OCC. See General Order L-1.

Establishment of procedures to investigate citizen complaints against the personnel of Police Departments was mandated by the California Legislature through its enactment, in 1974, of Penal Code Section 832.5. The promulgation of General Order L-1 was no doubt in response to that mandate.

As to OCC investigations of complaints alleging misconduct by San Francisco Police Officers in the performance of their official duties, Charter Section 3.530-2 provides in pertinent part in paragraph 3 as follows:

"Complaints of police misconduct...shall be promptly fairly, and impartially investigated by staff of the office of citizen complaints. The office of citizen complaints shall investigate all complaints of police misconduct...except those complaints which on their face clearly indicate that the acts complained of were proper and those complaints lodged by other members of the police department."

For purposes of this analysis we are assuming that Police Officers may be required to perform official duties to prevent crime, detect and arrest offenders, or protect life and property when off duty, action taken in response to the requirements of rule I A 2 of General Order D-1.

The term "police misconduct" is not defined in Charter Section 3.530-2 or elsewhere in the Charter, nor has the term been defined by a court of law in the context discussed in this memorandum. However, following the general rules of statutory construction, if the meaning of the term was at issue before a court, that court could certainly "consider other statutes that might bear on the meaning of the statute at issue." *People v. Corey* (1978) 21 Cal.3d 738, 743.

A statute which contains a similar term, one which has been construed by an appellate court and, therefore, which bears on the meaning of the statute and term at issue herein, is Charter Section 8.107 which provides for suspension and removal of certain City and County of San Francisco officials for "official misconduct." In *Mazzola v. City and County of San Francisco* (1980) 112 Cal. App. 3d 141 and Court of Appeal held that the term "official misconduct" meant the same as "misconduct in office." The court, in construing the statute and the term held that in order to suspend or remove an official for "official misconduct" the misconduct "must have direct relation to and be connected with the performance of official duties, and amount either to maladministration or to willful and intentional neglect and failure to discharge the duties of the office." (Citation) 112 Cal. App. 3d 149-150.

In accord with the above construction of the term "police misconduct" are a number of criminal cases in which the term has been used in the context of defense challenges based upon the conduct of arresting officers. In *People v. McIntire* (1979) 23 Cal. 3d 742, 748, the California Supreme Court, in ruling on an entrapment issue, observed that "(s)ufficiently gross police misconduct could conceivably lead to a finding that conviction of the accused would violate his constitutional right to due process of the law."

Similarly, in *People v. Peppers* (1983) 140 Cal. App. 3d 677 and *People v. Harris* (1985) Cal. App. 3d 324 the defendants contended that the officers who investigated their criminal activity and were responsible for their arrests and prosecution were guilty "outrageous police misconduct" in the process, a defense rejected by both appellate courts.

In *McIntire*, *Peppers* and *Harris* the police conduct complained of occurred in the performance of official police duties, and the term "outrageous police misconduct" was used in that context.

Finally, a lengthy discussion of civil remedies available to "victims" of "police misconduct" makes it abundantly clear that the conduct considered in relation to the remedies uniformly occurs in the performance of official duties or, in some cases, under color of authority as police officers. See *Police Misconduct Litigation - Plaintiffs' Remedies*, 15 Am.Jur. Trials 555. As to action taken under color of authority by police officers, the Court of Appeal has held that when a police officer "is performing an act which is made possible only because he is clothed with the authority of law, or when he is acting under pretense of law," the officer is acting under color of authority or under color of law. *People v. Plesniarski* (1971) 22 Cal. app. 3d 108, 114.

Thus, although the term "police misconduct" is not specifically defined in Charter Section 3.530-2 or elsewhere in the Charter or other authorities, based on the foregoing analysis and authorities therein cited it can be concluded that the term, as used in Section 3.530-2, applies to conduct by sworn members of the Police Department which occurs during or has a direct relation to and is connected with the performance of official police duties. It includes the performance of acts made possible only because the officers are clothed with the authority of police officers. For example, in *Plesniarski*, *supra*, the defendant police officers, although off duty, entered the jail for purposes of booking an individual whom they had previously arrested and whom, unknown to them, had already been booked. In the course of that activity, the officer committed unprovoked batteries on the individual. Because they were police officers they were authorized to enter the jail and remove the prisoner for purposes of booking, the performance of acts made possible only because they were clothed with the authority of police officers.

The OCC is, therefore, authorized under Section 3.530.2 to investigate citizen complaints which allege misconduct by sworn members of the Department in the performance of their official duties. This authority, under Section 3.530-2, does not, however, extend to the investigation of any complaints which clearly on their face indicate that the acts complained of were proper or any complaints made by other members of the Police Department.

(2) **Other Improper Performance of Official Duties**
Charter Section 3.530-2 also provides in pertinent part

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Correspondence . . .

continued from page 12

as follows:

"...allegations that a member of the police department has not properly performed a duty shall be promptly performed a duty shall be promptly, fairly, and impartially investigated by staff of the office of citizen complaints. The office of citizen complaints shall investigate all complaints...that a member of the police department has not properly performed a duty, except those complaints which on their face clearly indicate that the acts complained of were proper and those complaints lodged by other members of the police department."

Whereas "police misconduct" is in the nature of malfeasance, i.e., "the performance of an act by an officer in his official capacity that is wholly illegal and wrongful...the performance by an officer in his official capacity of a legal act in an improper or illegal manner" amounts to misfeasance and falls into the second category of complaints the OCC is authorized to investigate. **Public Officers and Employees**, 63 Am. Jr. 2d Section 190, page 743.

Thus, complaints from citizens, as opposed to other members of the Police Department, that a sworn member has not properly performed official police duties are within the investigative jurisdiction of the OCC, provided that the complaints on their face do not clearly indicate the member's actions were proper.

(3) Improper Conduct While Engaged in Secondary Employment and Not Performing Official Police Duties.

As suggested by the statutes discussed in this analysis, there is a difference between the OCC authority to investigate citizen complaints and the authority of the Chief of Police to conduct such investigations.

The Police Department is under the broad mandate imposed by Penal Code Section 832.5 "establish a procedure to investigate citizens' complaints against the personnel of (the Department)." In contrast, the jurisdiction of the OCC to investigate citizen complaints is more narrow and limited to the two categories discussed in the preceding sections of this analysis.

Under Charter Section 3.530

"The police department shall consist of a police commission, a chief of police, a police force, an office of citizen complaints and such clerks and employees as shall be necessary and appointed pursuant to the provisions of this charter, and shall be under the management of a police commission consisting of five members who shall be appointed by the mayor..."

Like the "police force," the "Chief of Police" and the "Office of Citizen Complaints" are components of the Police Department.

Although Charter Section 3.530-2 authorizes the OCC to investigate citizen complaints, the subject matter jurisdiction of the OCC is limited to two discrete categories of complaints, both of which must involve allegations arising out of the performance of official police duties.

In addition to the above limitations on OCC investigative jurisdiction, Charter Section 3.530-2 also expressly provides that

"Nothing herein shall prohibit the chief of police or a commanding officer from investigating the conduct of a member of the department under his or her command..."

Also, Section 3.530-2 expressly excludes from OCC jurisdiction "those complaints lodged by other members of the police department," a category of employees which certainly contains the Chief of Police.

Secondary employment by sworn members of the Department is subject to approval and regulation by the Chief of Police through General Order T-1. Of significance for this analysis are those provisions of General Order T-1 which

prohibit the exercise or use of police authority in the course of secondary employment. Under Rule I-H of General Order T-1, sworn members whose secondary employment involves making arrests must take that action as private citizens. In addition, members whose secondary employment involves making arrests as a part of that employment may not use departmental information sources for information about outstanding warrants or prior criminal records on the persons arrested. Clearly, sworn members may not perform official police duties in the course of such secondary employment.

In the event a member finds it necessary to use his or her police authority to arrest an offender, protect life or property or prevent a crime while engaged in secondary employment, the obligation to take such action arises under Rule I-A 2 of General order D-1 the same as under any other off duty circumstances. Under such circumstances the action taken by the member occurs as a result of the duty requirements of General Order D-1 and not the requirements of the member's secondary employment.

In view of the explicit provisions of General Orders D-1 and T-1 it is abundantly clear that sworn members who engage in secondary employment are not authorized to use their police authority as a part of that employment and that any action taken by them in the performance of the secondary employment to arrest, detain or investigate is action taken as a private citizen. Thus, any "misconduct" by a sworn member while engaged in the performance of secondary employment would not amount to "police misconduct."

In short, the OCC does not have jurisdiction to investigate citizen complaints concerning alleged misconduct in the performance of secondary employment.

(4) Other Improper Conduct While Off Duty and Not Performing Official Police Duties.

As discussed above, the jurisdictional authority of the OCC is limited in a number of respects. There is a subject matter limitation — only "(c)omplaints of police misconduct or allegations that a member of the police department has not properly performed a duty" are within the parameters of OCC investigative jurisdiction. There is also a standing limitation — only non-members of the Police Department may have complaints investigated by the OCC.

The framers of Proposition A apparently sought to limit the investigative jurisdiction of the OCC to complaints directly related to and connected with the performance of official police duties as evidenced by the qualifying language of Section 3.530-2. Instead of extending investigative jurisdiction to all citizen complaints against all Police Department personnel, the Proposition A framers elected to limit the investigative jurisdiction of the OCC component of the Police Department to the discrete categories of complaints previously discussed.

It has often been stated by the courts of this state that the mode prescribed by a Charter provision for the exercise of power by a public official or component of a public agency is also the measure of the power authorized by the Charter. **Kennedy v. Ross** (1946) 28 Cal. 2d 569, 581; **Zottman v. City and County of San Francisco** (1862) 20 Cal. 96, 103.

Applying these principles here, the scope of OCC subject matter investigation jurisdiction expressed in Section 3.530-2 is the measure of OCC authority to investigate citizen complaints.

The OCC is not authorized to investigate allegations of other improper conduct by sworn members while they are off duty and not performing official police duties.

CARROLL, BURDICK & McDONOUGH
William H. Sortor

3.530-2 Office of Citizen Complaints

The police commission shall have the power and duty to appoint a director of the office of citizen complaints who shall hold office at its pleasure. The appointment shall be exempt from the civil service requirements of this charter. The director shall never have been a uniformed member or employee of the department. The director of the office of citizen complaints shall be the appointing officer under the civil service provisions of this charter for the appointment, removal or discipline of employees of the office of citizen complaints.

The police commission shall have the power and duty to organize, recognize, and manage the office of citizen complaints. Subject to the civil service provisions of this charter, the office of citizen complaints shall include investigators and hearing officers. No full-time or part-time employee of the office of citizen complaints shall have previously served as a uniformed member of the department. Subject to rule of the police commission, the director of the office of citizen complaints may appoint part-time hearing officers who shall be exempt from the civil service requirements of this charter. Compensation of said hearing officers shall be at rates recommended by the police commission and established by the board of supervisors or by contract approved by the board of supervisors.

Complaints of police misconduct or allegations that a member of the police department has not properly performed a duty shall be promptly, fairly, and impartially investigated by staff of the office of citizen complaints. The office of citizen complaints shall investigate all complaints of police misconduct or that a member of the police department has not properly performed a duty, except those complaints which on their face clearly indicate that the acts complained of were proper and those complaints lodged by other members of the police department. The office of citizen complaints shall recommend disciplinary action to the chief of police on those complaints that are sustained. The director of the office of citizen complaints shall schedule hearings before hearing officers when such is requested by the complainant or member of the department and, in accordance with rules of the commission, such a hearing will facilitate the fact-finding process.

Nothing herein shall prohibit the chief of police or a commanding officer from investigating the conduct of a member of the department under his or her command, or taking disciplinary or corrective action, otherwise permitted by this charter, when such is warranted; and nothing herein shall limit or otherwise restrict the disciplinary powers vested in the chief of police and the police commission by other provisions of this charter.

The office of citizen complaints shall prepare in accordance with rules of the police commission monthly summaries of the complaints received and shall prepare recommendations quarterly concerning policies or practices of the department which could be changed or amended to avoid unnecessary tension with the public or a definable segment of the public while insuring effective police services.

In carrying out its objectives the office of citizen complaints shall receive prompt and full cooperation and assistance from all departments, officers, and employees of the city and county. The director of the office of citizen complaints may also suggest and the chief of police shall require the testimony or attendance of any member off the police department to carry out the responsibilities of the office of citizen complaints.

The annual appropriations for all costs of the office of citizen complaints shall not exceed 60 percent of the costs incurred by the police department internal affairs bureau for the fiscal year ending June 30, 1981, adjusted annually thereafter for inflation. (Added November, 1982)

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A SPECIAL THANKS

On June 15th Officer Vince Catanzaro responded to 3663a 18th street where a fourteen year old girl was the victim of a burglary where her wheelchair was stolen by neighborhood thieves. While taking the report, Vince noticed that the young girl was a double amputee and was dejected because she no longer had a wheelchair and would be unable to go on the final school semester field trip with her classmates to the Monterey Aquarium.

After taking the report, Vince returned to the station and told his story to other members on the watch. Suggestions of collecting donations to searching for the chair were made and done in an attempt to replace the stolen chair. Although Vince was unable to find the chair, he and Officer Daniel McDonagh decided to utilize a different approach.

During their off duty time, Vince and Dan inquired at the property clerk's office whether there were any unclaimed wheelchairs due to be destroyed. When they were told that there was an old "beat up" chair that was to be destroyed, Dan and Vince put their plan into action. They immediately responded to Technical Services and explained their dilemma to Deputy Chief Macia (former Commanding Officer at Mission Station). Deputy Chief Macia, without hesitation, made arrangements for Vince and Dan to obtain the wheelchair go give to Tina Verduzo, the disabled teenager.

Vince and Dan then brought the wheelchair back to Mission Station where they set out to clean up the chair. Cleansers were obtained and they removed all the accumulated dirt that had built up on the chair from sitting in the property clerk's office. During the cleaning, other officers at the station got involved. Screws were needed to fix the arm rest. No problem. Someone went to the hardware store and got them. The front wheels needed to be adjusted. No problem. Someone got tools from their car and fixed the wheels. Another officer "autographed the chair with Tina's name in the familiar "graffito" style seen all over town. When the chair was completed, it was taken up to Tina's house where reporters from the Examiner and Chronicle followed. Unbeknownst to Tina, Vince and Dan arrived with Captain Michael Lennon, Lieutenant Al Casciato and Officer Ray Benson. Upon being presented with the wheelchair, Tina became ecstatic. Vince and Dan also presented her with a S.F.P.D. cap and a T-shirt that was donated by Butler's uniforms. Plenty of pictures were taken and interviews were made. When the day was over, Vince and Dan expressed happiness in helping someone who was in need.

That night at the Monthly Board meeting, I explained to the full board what Vince and Dan had done and how the media had covered the event. I also explained that Tina was unable to go on the field trip to Monterey because she



Tina Verduzo was presented with a new wheelchair at a Police Commission ceremony on August 21, 1986. The SFPOA raised the money for the wheelchair at the urging of officers Vince Catanzaro and Dan McDonagh who got involved with Tina's plight when her old wheelchair was stolen.

didn't have a wheelchair. The Board then voted to buy Tina a new wheelchair and fund a trip to Monterey for Tina and one of her friends.

The next day all three major television networks were at the station wanting to talk with Vince and Dan. KGO radio called and wanted to conduct a live radio interview. CNN called and wanted to talk with the two officers. Citizens began calling wanting to mail donations to Tina. Throughout the week Vince and Dan received numerous monetary donations for Tina from everyday citizens to baseball superstar Reggie Jackson who called and stated he wanted to help. Vince and Dan received donations from as far away as Hendersonville, Texas from people who saw the news item on CNN News. When all donations were received and totalled Tina was presented with approximately \$1300.00. Ralph K. Davies Hospital also got involved and agreed to order the wheelchair for the Association, deduct \$300.00 from the price of the chair, and present that \$300.00 to Tina. Needless to say, Tina was speechless. The next day, Tina got the surprise of her life. A "stretch" limo arrived at her front door and drove Tina, Vince, Dan and

a friend of Tina's down to Monterey to the aquarium. The limo and driver was donated by a limo service who also saw the story on television. Tina and the gang had a great time. I have since spoken to Tina and she wants me to thank everyone involved with the purchase of her wheelchair. I'd like to personally thank Dan and Vince for "getting involved." Thanks to Chief Jordan for allowing Vince and Dan to escort Tina down to Monterey. Thanks to Deputy Chief Macia for securing the wheelchair. Thanks to Captain Michael Lennon for allowing Dan and Vince the time to do what they did. Thanks to Lt. Casciato for contacting Ralph K. Davies and the media about the wheelchair and purchase. My last thanks will go to you, the members, for without your Association dues this would not have been possible. All donations collected will be utilized by Tina to fund tuition to a private Catholic high school she plans to attend in the Fall.

Fraternally,
Leroy Lindo
Station Representative
Mission Station

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Courageous and Principled Stand

August 18, 1986
Bob:

Congratulations on your courageous and principled stand on drug testing. Your membership does not deserve or warrant this intrusion of their privacy. Drug testing is an insult to the outstanding men and women of your department.

Best,
Jeff Brown
Public Defender

Armor Piercing Bullets

July 12, 1986

Mr. Daniel J. Linehan
San Francisco Police Police Officer's Assoc.
510 7th Street
San Francisco, CA 94103

Dear Mr. Linehan:

Thank you for your letter regarding legislation limiting armor-piercing ammunition.

In the 99th Congress, I am cosponsoring a Bill, S. 104, which outlaws armor-piercing bullets. S. 104 particularly describes armor-piercing ammunition and does not outlaw ammunition such as shotgun shot, which is required by Federal and State environmental or game regulations for hunting purposes, and ammunition designed for target shooting.

This legislation clears up the ambiguity created by the legislation proposed last year which would have outlawed ammunition which has legitimate sporting uses. I will continue to support legislation which outlaws armor-piercing ammunition and which imposes stiff jail sentences for those possessing or using the ammunition.

Again, I thank you for letting me know your feelings on this important issue.

Sincerely,

Pete Wilson

Thank You

Jack and Pat Jordan and family would like to thank our relatives and many friends for attending his Deputy Chief's Testimonial Dinner and Dance on Friday, August 8th.

The Committee did a fantastic job. The hall was beautifully decorated, the food delicious and the Irish Connection Band one of Jack's favorites.

The Irish Pipers Band was an added thrill.

The fond memories of that night will never be forgotten.

Jack & Pat,
John, Geri,
Tim and Michael
Jordan

Thanks

Thank you for the beautiful plant.

Dolores, Kelly &
Debbie O'Keefe

Thanks

Alex:

Please thank the generous members of the Police Officer's Association for their donation to my sister's memorial fund. This kindness is greatly appreciated.

Thanks for the continuing support in this time of grief — on behalf of the entire Kelleber family.

Steve
Kelleber

Thanks

August 12, 1986

S.F. Police
Officers Assn.
510 - 7th Street
San Francisco, CA 94103

Dear Friends:

Where would any of us be without friends? I am sure you agree it would be a sad, lonely world without our friends?

Your gift provides so much more than material assistance for our senior citizens, for helping children who are leading troubled lives, and for your neighbors who have fallen on difficult times. Above all, your donations are providing friendship, hope and dignity for those who struggle just to survive.

As a valued Association Member of The Salvation Army, you have truly become a lifeline of encouragement to the people we serve. You know that there is tremendous power in THE POWER OF ONE...of one person who says, "I care." You are that person!

May I encourage you once again to share with those who have little of this world's goods. In doing so, you continue to make a tremendous difference in the lives of needy people.

Thank you for being such a special friend.

God bless you.

Sincerely,

Bruce Harvey, Lt. Colonel
Divisional Commander

Thanks

Thank you so much for the beautiful floral arrangement.

Josephine Geraldi
& Family

Thanks

Dear Members:

Your generous contribution to Vaugirard House, in our daughter, Therese's name was deeply appreciated.

We are most grateful for your kindness.

Fondly,
The Kelleher Family

No Disco

August 14, 1986

Mr. Jerry Berg, President
Board of Permit Appeals
City of San Francisco
City Hall - Room #154A
San Francisco, CA 94102

Dear Mr. Berg:

As property owners in the South of Market, 7th Street area, we are opposed to the permit application for a Disco at 7th and Harrison Streets. Locating a Disco (noise) next to a sound stage (quiet) that operates 24 hours a day, sometimes 7 days a week, is outrageous.

We recently leased a property at 7th and Bryant Streets (502-7th Street). We had been approached by several groups who wanted to open a bar-restaurant type establishment. We feel there are enough bars, restaurants, and dance halls in the South of Market area. We feel SOMA should retain its small flavor, with light industrial and service companies, the predominant businesses. We leased to a small office machine company, doing our part to keep the spirit of SOMA alive.

A Disco that houses 3,500 people is entirely inappropriate. There are enough problems too numerous to list that come with such a gargantuan venture, crime, parking, noise, etc., etc., etc...

We URGE you to deny this permit, there are enough problems without this monstrosity.

Sincerely,
Duane Collins
Treasurer, SFPOA

Thanks

Bob:

On behalf of the team #3 softball, I would like to thank everybody that helped us get the donation that we used to purchase team jackets. Our team did not do too well in the standings, but we received many compliments on our jackets.

I would especially like to thank Ed Garcia, and Joe Mollo for helping us get the donation, and I would like to thank the entire staff and membership of the P.O.A. for their generosity.

Thanks Again,

Jeff Roth

Thanks

August 11, 1986

Dear Bob:

It was wonderful to see so many of my dear, dear friends at Tommy Toy's fabulous restaurant on July 23, 1986.

Many thanks for your continued support of my campaign.

Warm regards,
Doris Ward

Thanks POA, and particularly Mike Hebel

Aug. 8, 1986

Robert Barry
President, Police
Officers Association

Dear Bob:

Just a short note expressing my gratitude for the representation recently by Mike Hebel. Mike represented me at a recent hearing which was successful. His professional knowledge and demeanor was evident during the entire long and drawn out matter. As a past president of the association I have always advocated membership for the active police and continued membership for retired. Mike Hebel is a prime example of both active and retired members benefits. Mike is always ready to aid all members, both active and retired, and their families. He is always ready to give of his time and knowledge.

Sol Weiner

Thanks

July 16, 1986

Mr. Paul Chignell
SFPOA
510-7th Street
San Francisco, CA 94103

Dear Paul,

This is to thank you and Bob Barry for your assistance in helping me obtain my tuition reimbursement fund.

Once again the Police Officers Association was instrumental in breaking through the bureaucratic red tape that we frequently find ourselves in.

Thanks again.

Sincerely,
Jerome J. Senkir

Offensive Editorial

Pete:

I have been retired three years and always look forward to reading the Notebook.

The article "You're Wrong Mr. President" does not belong in our Police paper. The article was offensive (July issue).

The Notebook should consist of articles concerning Police working conditions and other Police oriented activities.

Lou Barlerini

Thanks

Dear Friends:

Thank you so much for the flowers. It helps to know people care at a time like this.

Sincerely, Frances Russell
& Family

Thanks

Aug. 4, 1986

S.F.P.O.A.:

People like you make the world a brighter place.

Thank you for helping me obtain my Disability Pension.

Hank Bakay

Tina's Day

July 16, 1986

Bob Barry, President
S.F. Police Officers' Assn.
510 Seventh Street
San Francisco, CA 94103

Dear Bob:

Recently we had occasion to run into a situation that as policemen, we thought needed immediate action. This was the theft of a pair of wheelchairs from a young girl named Tina Verduzco.

Our POA representative Leroy Lindo had been told of this and presented the situation to the Board of Directors. At times, the request for monies for a cause is tied up in red tape, but, in this situation, you and the Board acted quickly and decisively.

You not only voted to provide a new wheelchair, but you went further than was expected. A trip to Monterey was put together with the help of the POA that made Tina Verduzco's day!!!

It had made us proud to be members of an Association that does not stop at matters just involving the police department but also assists the citizens of San Francisco as well.

Faternally,
Officer Vincent Catanzaro
Mission Police Station
Officer Daniel McDonagh
Mission Police Station

Sincere Appreciation

Bob Barry
President
Police Officers Association
Editors Mail Box Notebook
Box 51, 7th Street
San Francisco, CA 94103

Dear Bob:

I would like to express my appreciation to you and other POA Officers for the tremendous efforts in an attempt to secure a pay raise for all members

I am well aware of the numerous letters, phone calls and personal visits you made in your efforts to beat the August 25th deadline. That you were not successful, certainly cannot be attributed to your lack of effort or concern.

The inequities of our current salary language, hopefully, will be corrected by passage of Proposition I in November. My hopes are that those who are quick to criticize your unsuccessful attempt will use that energy to work for the successful passage of the aforementioned proposition.

Again, thanks for all your work and effort.

Sincerely yours,
Victor Macia
Deputy Chief of Police
Technical Services Bureau

Thanks

August 25, 1986

Dear Bob,

Thank you for your generous help and contribution. Your continuing support is a source of pride and motivation to me.

Sincerely
Arlo Smith

Thanks

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

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Van de Kamp

continued from page 1

Accordingly, we conclude that Penal Code section 70, subdivision (d), does not prohibit a peace officer of a local public agency from engaging in off-duty employment as a private security guard or patrolman even if the peace officer will be in civilian clothes or in the uniform of the private employer. However, **the peace officer so engaged acts only as a private person and not as a public officer or in an official capacity.** Indeed, he or she would have the same status as the officers in the **Corey and Cervantez** cases.

The **Corey and Cervantez** cases had the affect of stripping away peace officer status of police officers while working off-duty for the secondary employer even though the officer was wearing his/her police uniform. The Legislature nullified those provisions of **Corey and Cervantez** and reinstated the "peace officer" status while working off-duty and wearing the police uniform.

(2) Civil or Criminal Liability

Subdivision (d) of Penal Code section 70 provides in part as follows:

"Any or all civil or criminal liability arising out of the

secondary employment of any peace officer pursuant to this subdivision shall be borne by the officer's principal employer. The principal employer may require the secondary employer to enter into an indemnity agreement as a condition of approving casual or part-time employment pursuant to this subdivision."

The opinion, utilizing the specific language contained in Penal Code section 70, subdivision (d) states further that: "Since the peace officer under discussion (off-duty employment in civilian dress acting as a 'private citizen') does not come within the subdivision (d) exception, **the above liability provision of that subdivision is inapplicable.** The private employment as a security guard or patrolman must be "pursuant to the subdivision" and if the office is not in his or her uniform, the employment is outside of subdivision (d).

The exception within subdivision (d) are:

"(1) The peace officer is in his or her police uniform.

"(2) The casual or part-time employment as a private security guard or patrolman is approved by the county board of supervisors with jurisdiction over the principal employer or by the board's designee or by the city counsel with jurisdiction over the principal employer or by the council's designee.

"(3) The wearing of uniforms and equipment is approved by the principal employer.

"(4) The peace officer is subject to reasonable rules and regulations of the agency for which he or she is a peace officer and within the provisions of subdivision (k) and (l) of Section 7522 of the Business and Professions Code.

In 1981, the POA was successful in having the Police Commission reject the City Attorney's position that the City and County of San Francisco would be liable for the action of the peace officer engaged in secondary employment.

The subject of hold harmless agreements arose again this year but was not formally presented to us for meet and confer. The question for the necessity of such agreements is now resolved.

Kopp

continued from page 1

who are not registered to vote in these areas do so before October 5th.

NEMESIS KOPP

Kopp was elected to the Board of Supervisors in November 1971 and since that time has proven with minor exception to be a foe of the working police officer. He has consistently advocated positions that would deny our members dignity at the bargaining table, has stridently opposed many of our economic measures that have been placed on the ballot over his objections or with his silence, all with his patented smirk when confronted by employees with objections to his positions.

CLASSIC POLITICIAN

Kopp fits the mode of the classic conservative politician who espouses his strong support for the forces of law and order but then refuses to support the labor measures that will enhance our careers. The political battlefield is littered with measures that Kopp has proposed and endorsed that are anathema to our interests.

KOPP FOR WHATEVER

Kopp has been trying for a number of years to improve his position and leave the San Francisco Board of Supervisors but with no success. His trial balloons float and then pop whether it be the District Attorney's race, the Mayor's race or the Board of Equalization, or the House of Representatives. He was defeated by Mayor Feinstein in 1979 and then lost a Board of Equalization race in 1982 after he tried unsuccessfully to withdraw his name from the ballot.

RECENT ISSUES

Supervisor Kopp either has opposed or refused to endorse a lengthy list of issues that would benefit the membership. He also has supported measures that reduced our benefits over the years. These issues include enhancement of retirement benefits for new employees, neutrality in the time and one half success, alignment with the Mayor in the issue of increasing the chief's disciplinary power, opposition to arbitration, authoring amendments such as the election day compensation measure.

He has also aligned himself with another pillar of the community, Supervisor Richard Hongisto, in opposing the positions advocated by the POA. Hongisto recently endorsed Kopp for the State Senate.

PAPAN FOR SENATE

Assemblyman Louis J. Papan has represented his district for fourteen years and was a Daly City Councilmember prior to going to Sacramento. Lou Papan has been consistent in supporting our economic measures and voting with us in Sacramento when we needed his vote. He has been responsive to our concerns and deserves elevation to the State Senate.

POA MEMBERS INVOLVEMENT

The members of the San Francisco Police Officers' Association and their allies have a unique opportunity to make a difference in this race. We don't need Kopp in Sacramento to spread his havoc with our hard fought labor rights. If you need to register to vote call me at the POA office and I will personally register you before the deadline.

Don't miss this opportunity to send Kopp a message he won't forget.

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SALARIES

continued from page 1

other large California cities—neither at the top nor at the bottom, but right in the middle. However, this simple averaging formula has, since its inception, failed to work in 8 of 11 fiscal years; it has worked 27% of the time and failed 73%. This is definitely not what the voters intended.

By charter, the Board of Supervisors must pass the police/fire annual salary ordinance by August 25th of each year. However, in 8 of the last 11 years, one or more of the California cities of 350,000 population have not settled on their salaries before San Francisco's deadline of August 25th. In 8 of the 11 years the pay setting formula has failed to include the most accurate, up-to-date wages thereby frustrating and nullifying the declared intent of those who framed and enacted the 1975 wage settling formula. What has historically occurred then, as the data show, is the "late settling" jurisdiction(s) eventually settled their contractual problems a few weeks or months after our August deadline with retroactive pay back to July 1st. S.F.'s charter does not permit the utilization of this new salary data.

RELATIVE WAGE DETERIORATION

When the 1975 formula was enacted San Francisco police officers/firefighters, given the nature of their public safety and life risking duties, were compensated at a rate exceeding Airport Police, Housing Police, and San Francisco Sheriffs. While these three (3) groups have received deserved annual 3 to 6% raises, San Francisco police officers/firefighters have not fared as well. Now Airport Police, Housing Police, and San Francisco Sheriffs earn \$2,000 to \$2,500 annually more than police officers and firefighters. This is relative wage deterioration caused by a flawed salary setting formula.

What losses did the formula cruelly inflict?

1. FY 77-78, loss 3.4%, or \$624 annually;
2. FY 79-80, loss .8%, or \$156 annually;
3. FY 80-81, loss 2.1%, or \$636 annually;
4. FY 82-83, loss 2.2%, or \$588 annually;
5. FY 83-84, loss .8%, or \$240 annually;
6. FY 84-85, estimated loss 2%, or \$780 annually;
7. FY 85-86, estimated loss 3.5%, or \$1,230 annually;
8. FY 86-87, loss 4.5%, or \$1,524 annually.

1986-87 ROUT

As our salary setting play reached its finale, 0.7% looked realistic. San Diego, our formula deep sea anchor settled in June as did San Jose, neither scored trumpeting increases.

By the end of July, Long Beach informally concluded their contract with a respectable 4% salary increases (formal ratification by the Long Beach City Council occurred on August 19th).

But Los Angeles, the formula main sail, was far from settlement for FY 85-86 and FY 86-87. A third party mediator/ fact finder had reviewed the L.A. Police Protective League and City Council proposals and concluded, on July 17, 1986, that the City should (permissive) grant L.A. police officers a 5% increase for FY 85-86 and a 5% increase for FY 86-87. The L.A. Police Commission boldly announced it did not want to accept the fact finder's decision (which also included overtime and arbitration issues).

ENTER MAYOR TOM BRADLEY

On the wings of PSA, POA President Bob Barry flew to L.A. to meet with L.A. Mayor Tom Bradley. Under L.A. law, the Mayor has a significant vote in these salary issues. After two (2) meetings with the Mayor, the Los Angeles City Council "Executive Salary Setting Committee" voted on July 29, 1986 by a margin of 4 to 1 in favor of recommending adoption of the mediator's decision regarding wages. Mayor Bradley voted in favor of the police pay raises.

Imagine, POA's Bob Barry accomplishes in less than a week what the Police Protective League, in its own City, struggled with for two (2) years. To many readers this may not appear spectacular, but to a 17-year veteran (that's me) of the SFPOA's Board of Directors, that fete of Bob Barry's was dashing, grand, splendid, magnificent, majestic, and dramatic. Furthermore, it is unprecedented, unheard of, unthinkable, and - rather stunning.

Mayor Bradley penned an official document to San Francisco's Mayor Dianne Feinstein and the Board of Supervisors. The letter clearly stated that the L.A. police wage issue was settled - 10% for their thin blue line.

To Mayor Bradley - a very big THANK YOU.

SPEAKER WILLIE BROWN

Tacking in the sea of Los Angeles politics does require some guidance - and that came readily from San Francisco Assemblyman (and Speaker of the Assembly) Willie Brown. Though he had shorn his beard, his continuing assistance to the SFPOA remains. The Speaker knows well

the elected officials of Los Angeles and did not hesitate, on our behalf, to use his persuasive expressiveness to urge these city officials to vote favorably for the L.A. police wage.

Willie Brown proved to be an invaluable resource and powerful allied in our quest for salary fairness.

To Speaker Brown - a very big THANK YOU.

Remember - our L.A. dramatis personae our 15 Council members. Four (4) solid votes for the L.A. police raise - 4 solid votes against. Seven (7) undecided. The L.A. Police Protective League did not have a majority vote of the City Council. Of the undecided, 2 members are up for re-election and seeking the League's endorsement.

Persuading the swing votes to get a majority. Ah, what a task! THANK YOU Mayor Bradley and Speaker Brown (it's no wonder you're the Speaker).

So into the huddle go POA's Barry, Mayor Bradley and Speaker Brown. The touchdown play is conceived as the clock ticks, unyielding, towards August 25th.

In fairness, it must be noted that SFPOA Firefighters Union President Jim Ferguson played a major role in the jet setting to and from LAX for sessions with Mayor Bradley and other L.A. officials.

AUGUST WANES

By mid-August, with salary issues concluded, the L.A. Police Protective League and City Council had failed to reconcile their differences on overtime and arbitration issues.

Barry returns to L.A. for a third meeting with Mayor Bradley. S.F. Civil Service Commission is alerted to the new L.A. wage rates. L.A. City Council decides to vote on the entire package (economic and non-economic issues) rather than just the pay issues. POA's Barry and Firefighters' Ferguson, with nerves of freshly smelted steel, press on seeing each new obstacle as another test in their quest for the "golden salary fleece." Our two (2) S.F. argonauts are undeterred.

What imagination and determination! Flying over 600 miles, to convince another jurisdiction's legislative body to adopt a proposal which would ultimately ensure that S.F.'s salary formula might work for the third time in 11 years.

AUGUST WAXES

On Wednesday, August 20th, the L.A. Council, in executive session voted to approve pay increases (5% and 5%) for L.A. police officers. Mayor Bradley concurred. Getting this accelerated vote again required the most favorable intercession of Speaker Brown and Mayor Bradley along with agreement of L.A. City Council President Pat Russell. Bob Barry was hard at work rarely leaving the POA Office before midnight.

L.A. City Chief Administrative Officer Keith Comrie notified acting San Francisco City Attorney Philip Ward of the Council's decision. The L.A. Council set August 22nd as the date of its next public meeting to reaffirm its executive session vote.

THE "WARD" FACTOR

On August 21st POA's Barry and Firefighters' Ferguson met with Philip Ward. Ward says "an executive session vote in L.A. is not good enough" for him to recommend the adoption of the new Los Angeles rate to S.F.'s Board of Supervisors. Ward wants a public vote in L.A. - but that can't happen until Tuesday, August 26th, a day too late. Ward says "no" to further pleas and appellate court supporting documentation.

Barry and Ferguson met with San Francisco Supervisors and Mayor Feinstein on Friday, August 29th. The votes are counted and are there for the August 25th S.F.'s Supervisors meeting. Ward becomes intractable.

Barry and Ferguson carefully orchestrate a special meeting (August 25th, 11:45 a.m.) of the S.F. Civil Ser-

vice Commission with one item on its agenda - "consideration of uniformed police rates of pay in the City of Los Angeles." By a vote of 3 to 1, the Civil Service Commission approved the recommendation of acting City Attorney Phil Ward to not include the "new" rate of pay for Los Angeles in the S.F. salary survey. Even though L.A.'s executive session vote is in fact binding, Mr. Ward was relentless in his opposition.

S.F. SUPES MEET

The San Francisco Board of Supervisors met on the sultry Monday afternoon of August 25th. Nine (9) favorable votes were apparent. But from offstage shot Phil Ward. He advised the City Controller not to pay S.F. police officers and firefighters wages which included consideration of the new L.A. police pay figures. Barry and Ferguson pondered: get the vote and sue the Controller for a pay raise or take the 1.3%, campaign vigorously for Prop. "I" (POA/Firefighters November '86 Charter Amendment to correct the salary language inequity) and sue if Prop. "I" loses.

Using the "bird in the hand theory," Barry and Ferguson requested a withdrawal of the motion to include the new L.A. data. Done! And there it is - 1.3% in all its resplendent majesty.

Sure enough, on August 26th the L.A. City Council reaffirmed, in a public meeting its previous (and binding) executive session approval of L.A. police pay raises (10% total). Woe to us - 12 hours too late!

THANKS to Supervisors John Molinari and Wendy Nelder for their constant and continuous assistance. Even Supervisor Richard Hongisto urged higher police salaries to retain quality personnel.

ALL EYES ON "I"

POA/Firefighters sponsors Proposition "I" will appear on the November '86 ballot. It would, essentially, repeal the August 25th deadline for the salary survey. It would require the City to recalculate police/fire wages whenever the late settling (in the instant case Los Angeles) jurisdictions ratify contracts. If the late settler provided for retroactivity, then there would also be pay retroactivity for S.F. public safety officers.

If "I" passes, police officers/firefighters will receive 5.8% for FY 86-87. For now it's 1.3%.

SALUTING BOB BARRY

He did his best. It was an ultimate, not-to-be forgotten performance. You have our respect and thanks. May Proposition "I" win to vindicate your struggle for equitable police salaries.

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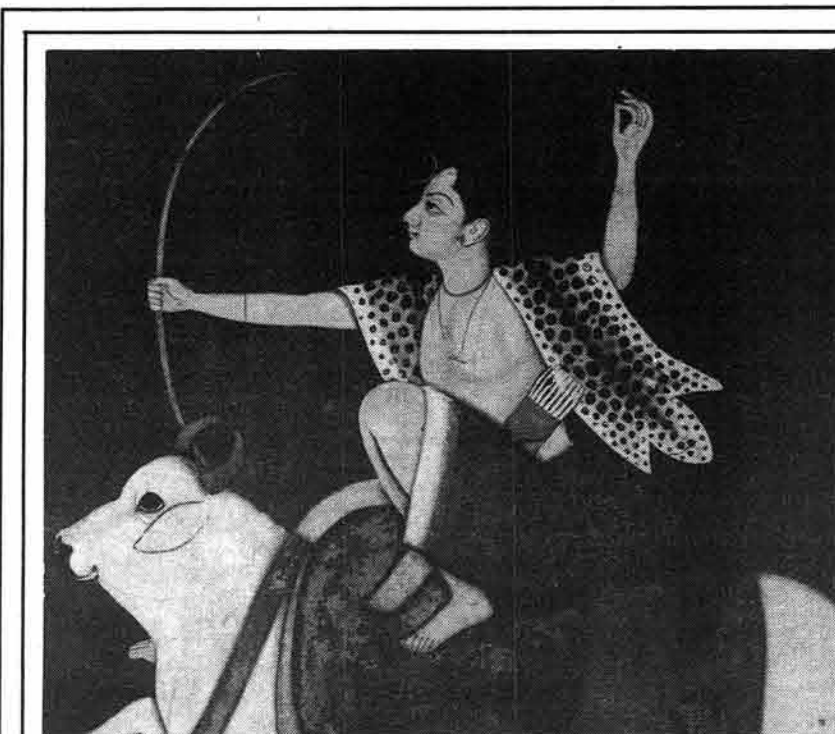
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NATIONAL DA'S ASSOCIATION ELECTS ARLO SMITH VICE PRESIDENT

San Francisco District Attorney Arlo Smith was elected vice president of the National District Attorneys' Association at the association's summer conference held July 27 to 30 in Toronto, Ontario, Canada.

The National District Attorneys' Association is composed of district attorneys, county attorneys and county prosecutors and has 5,600 members from throughout the United States. District Attorney Smith was elected chair of the Association's Metropolitan District Attorney's committee last August and was asked to remain as chair this year. The Metropolitan Committee is composed of chief prosecutors whose jurisdiction encompasses more than a half million people. The San Francisco prosecutor was also elected secretary of the association last year.

On Aug. 5, District Attorney Smith was in Washington, D.C., to attend the National District Attorneys Advisory Committee to the U.S. Sentencing Commission which was established by Congress.

**'Mr. Walter Hinton of Encore Int. Ltd.
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DA'S OFFICE COMMENTS ON 'OVERBOOKING'

"Apparently the police department and the DA's office are charged with being too tough on crime", Jerome T. Benson, Chief of the Criminal Division of the District Attorney's Office stated. "The Supervisor has misconstrued good police work on the streets with so-called intentional 'over-charging'," said Mr. Benson in response to Supervisor Nancy Walker's claim that the police were arresting too many criminals for felonies.

"We will continue to vigorously charge serious felonies and misdemeanors as the facts of the cases may warrant," added Paul E. Principe, Supervisor of Municipal Court Operations for the District Attorney. "The police cannot be timid about protecting the public and should continue to make arrests on probable cause and keep the streets safe. After an arrest, the police properly leave the decision regarding charges to be filed in court to the District Attorney. Therefore some felony arrests are reduced to misdemeanors or are discharged after a review of the evidence that can be produced in court," Mr. Principe stated.

"Most of the dismissed cases involve crimes against victims who are transients who cannot be located to complete the police investigation or appear in court" Jerome Benson explained. "This type of criticism advocates the abandonment of these transients, the homeless and the poor of San Francisco to the street-criminal element and implies that police protection is only for the employed classes and the homeowner."

"The means of speeding up the rebooking process—namely, adding more assistant district attorneys to the rebooking departments was rejected by the Finance Committee of the Board of Supervisors of which Nancy Walker is vice-chair. Also, the budget analysts at City Hall have never endorsed keeping the police Bureau of Inspectors full-

ly open on a 24-hour basis due to the extreme overtime costs involved. It is therefore incomprehensible for a member of the Board of Supervisors Finance Committee to criticize the institutions that are seeking to provide public protection for all citizens in the face of shrinking payroll budgets," Mr. Benson stated.

In the two-tiered operation of law enforcement, the police make arrests and the DA makes the fine legal distinctions. The Police Department investigates, keeps the peace, and—if they have probable cause to believe a crime has been committed—they may rightfully arrest the person and take him or her to jail.

However, it requires more than probable cause to convict. The DA must prove the case beyond a reasonable doubt. Therefore, there will always be a number of arrests which do not result in a court case or which may result in the reduction of some charges.

"It's simplistic to conclude—like they did this morning—that the police are wrongfully overcharging suspects merely because all the cases don't end up in court", Paul Principe said. "After arrest, our deputies who staff the intake department have to determine whether there is sufficient evidence to prove the cases in court," he added.

"The statistics which state the jails are overcrowded are something that the DA's Office will not argue with," Mr. Benson added. "With a full-strength police department on the streets for the last few years, it is to be expected that the streets have been made safer by enhanced police presence. If the consequence is that more victims are protected, and more arrests are therefore made, then the police are to be congratulated, and not condemned," Jerome Benson stated.

The true measure of the effectiveness of law enforcement is disclosed by the high success rate in prosecuting the felonies that remain in the system. In contrast to the claims of overbooking and over charging of felonies, the Municipal Courts have approved for trial a 74% increase in the number of felony cases bound over for trial in the Superior Court and our success rate on felony jury trials in the Superior Court ranges between 85 and 90 percent," Mr. Benson concluded.

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YOUR TAXES

continued from page 3

GROSS INCOME or AGI.

ITEMIZED DEDUCTIONS

medical and Dental: under current law total all medical expenses, insurance premiums, glasses, etc. then subtract 5% of your AGI. Under new law do the same only subtract 7.5% of your AGI.

State and Local taxes: Under current law all are deductible, State income taxes, property taxes, personal property taxes, sales taxes, sales taxes on new auto. With the new law eliminate sales tax and tax on new auto. (Anyone considering a new auto probably should do it this year to get the sales tax deduction).

Mortgage interest: Fully deductible on up to two homes. This is provided you don't mortgage your home over the original purchase price, except when the money is used for capital improvements on the house, or a few other reasons. Example: if your house is worth \$150,000, but, you paid \$100,000 for it, you cannot borrow against your \$50,000 equity to make consumer purchases and deduct the interest.

Other interest: Credit cards, personal loans, auto loans, etc., current law, fully deductible. New law, phased out, zero.

Charitable Contributions: Fully deductible for itemizers.

Casualty and theft: No change, still subject to 10% AGI limits.

Miscellaneous deductions: Almost all would be eliminated for wage earners.

Employee business expenses: These are no longer taken as an adjustment to income, now you must total them and subtract 2% of your AGI.

Total your deductions.

Minus standard deduction: This is your ZERO BRACKET AMOUNT, your standard deduction, under current law the amount is \$3,670 for married and \$2,480 for single. Subtract this from your total itemized deductions under current law.

ALLOWED ITEMIZED DEDUCTIONS

Charitable deduction: for nonitemizers, deduct half amount of contributions.

Personal exemption: Allow \$1,080 for each taxpayer and each dependent under current law. Under new law allow \$1,950 for each. Deductions for blind and elderly are eliminated by new law.

Nonitemized standard deduction: Under new law this is \$3,000 for single taxpayers and \$5,000 for married filing joint.

TAXABLE INCOME

After all the additions and subtractions you have arrived at your taxable income. Under the current law look up your income on the chart and fill in the amount. Under the new law for single filers the rate is 15% on the first \$17,600 and 28% for everything over that. For married filing joint the rate is 15% for the first \$29,300 and 28% for every dollar above. If your income is above \$71,900 many special rules start to apply.

These new rules for high income tax payers consist mostly of take aways and one must apply complex formulas to get the amounts.

Now, wasn't that simple?

It still has to pass Congress, and get the president's signature, and remember, never make important financial

FIGURE YOUR OWN TAX UNDER NEW TAX CODE

	Current law	NEW LAW
■ INCOME		
Wages, salaries, etc.		
Interest income		
Dividends		
Capital gains		
Rent, partnerships		
Unemployment compensation		
All other income		
TOTAL INCOME		
■ ADJUSTMENTS		
Employee business expense	()	
IRA deduction	()	
Married couple both work	()	
Keogh plan deduction	()	
Other adjustments	()	
ADJUSTED GROSS INCOME		
■ DEDUCTIONS		
Medical and dental		
State and local income, property, personal property tax		
State and local sales tax		
Mortgage interest		
Other interest		
Charitable contributions		
Casualty and theft losses		
Miscellaneous deductions		
Employee business expenses		
TOTAL DEDUCTIONS		
Minus standard deduction	()	
■ ALLOWED ITEMIZED DEDUCTIONS		
Nonitemized charitable deduction	()	
Nonitemized standard deduction		()
Personal exemptions	()	()
■ TAXABLE INCOME		
Tax table		
■ TAX		

TAX BRACKET COMPARISON

JOINT RETURN		
Income Bracket	Base tax	Plus this % excess
■ NEW LAW		
\$0	\$0	15%
29,300	4350	28%

■ CURRENT LAW		
\$0	0	0%
3670	0	11
5940	250	12
8200	521	14
12,840	1171	16
17,279	1879	18
21,800	2695	22
26,550	3740	25
32,270	5170	28
37,980	6769	33
49,420	10,544	38
64,750	16,369	42
92,370	27,970	45
118,050	39,526	49
175,250	67,554	50

■ SINGLE FILER		
Income bracket	Base tax	Plus this % excess
■ NEW LAW		
\$0	\$0	15%
17,600	2640	28%

■ CURRENT LAW		
\$0	0	0%
2480	0	11
2670	131	12
4750	261	14
7010	577	15
9170	901	16
11,650	1298	18
13,920	1706	20
16,190	2160	23
19,640	2954	26
25,360	4441	30
31,080	6157	34
36,800	8102	38
44,780	11,134	42
59,670	17,388	48
88,270	31,116	50

decisions without consulting your own financial adviser, each case is unique, Good Luck...

Portions reprinted from the San Francisco Chronicle.

KEY ELEMENTS OF THE NEW TAX CODE FOR INDIVIDUALS

	Present Law	NEW LAW		Present Law	NEW LAW
Tax Rates	14 rates: 11%-50%	2 rates: 15%, 28%	IRA contributions	\$2000 deduction; \$250 for non-working spouse	\$2000 deduction for those without other pension plans, or having up to \$40,000 joint or \$20,000 single income. Decreased for those up to \$50,000 joint, \$35,000 single. Ended above those levels.
Single filers		15% up to \$17,850; 28% over \$17,850			
Joint filers		15% up to \$29,750; 28% over \$29,750			
Capital gains	Long-term: 20% top rate; Short-term: 50% top rate	28% top rate	IRA interest	Tax deferred	Tax deferred
Dividends	Excludes the first \$100 for singles; \$200 for joint filers	All taxable	Tax shelters	Losses from passive investments may offset other income	Phases out use of passive investment losses to offset other income
Unemployment compensation	Some income not included	All reported as income	State and local taxes	Deductible in excess of 5% of adjusted income	Income and property tax deductible; sales tax is not
Personal exemption	\$1080	\$2000; phased out for highest incomes	Medical expenses	Deductible in excess of 5% of adjusted income	Deductible in excess of 7.5% of adjusted income
Standard deduction	Single filers: \$2480; Joint: \$3670	Single filers: \$3000; Joint: \$5000	Two-earner deduction	Yes	No
Mortgage interest	All deductible	Principal and second residence deductible	Charitable contributions	Deductible for itemizers and non-itemizers	Deductible for itemizers only
Consumer interest	Fully deductible	Deduction phased out	Income averaging	Allowed for all	Allowed for farmers only
Investment interest	\$10,000 deductible plus amount equal to investment income	Deductible up to amount equal to investment income			

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I remember driving down 16th Street one late afternoon with another policeman and he told me to stop the car. When I did, he jumped out hustled over to a guy, grabbed some dope and brought him back to the car. I was totally dumbfounded. I was in the car with this cop and I didn't see a thing. As you know, practice, an interest in the job, and persistence are three of the many characteristics that help make a good cop. If I was going to be a good cop, I was going to have to change. I would have to learn new things, I could not stay the same.

Being a good cop, lawyer, carpenter, or any profession is learning and refining those skills.

Ask any supervisor and he will tell you that it is easier to change a person's work habits than the personality of the person.

Habits, attitudes and characteristics of people are difficult to change; in fact, many people have the view that "this is the way I am, accept me or reject me." But the Word says that in accepting Christ the old man is passed away and you are a new creature. The anger, the impatience, the selfishness, greed, etc. can be changed; it may take time, but you will see changes. We are never finished being re-worked, but if we put our faith and trust in Jesus, He is faithful and will, if you let Him, change habits and attitudes. Ask and you shall receive, seek and you shall find, knock and it shall open. Seek the change, ask Him, and see if He isn't an incredible God.

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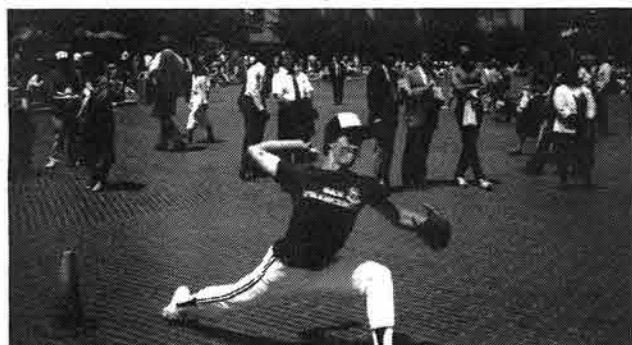
POLICE ACTIVITIES LEAGUE

by Herbert P. Lee
Executive Director



PAL FOOTBALL TO BEGIN

PAL Youth Tackle Football will begin in September with three divisions represented in the PAL Pop Warner League of Marin County. The Midget Division consists of boys 13-14, the Junior Midgets (11-12) and the Pee Wee Division (boys 9-10). All will be known as the PAL Seahawks with headquarters out of Kimball Park, Geary and Steiner Streets. The Commissioner of the PAL Football Program is Inspector Kelly Waterfield (Recruitment and Retention). About half of the 10 game schedule will be played in San Francisco. Out of town locations will be Ukiah and Marin County cities.



PAL Baseball Star Pitcher Paul Anderson letting fly one of his fastballs in an exhibition of pitching held recently at M. Justin Herman Plaza. The occasion was a fundraiser to send the PAL Baseball Allstars to Wayne, NJ for the National PAL World Series. (Photo by Herb Lee)

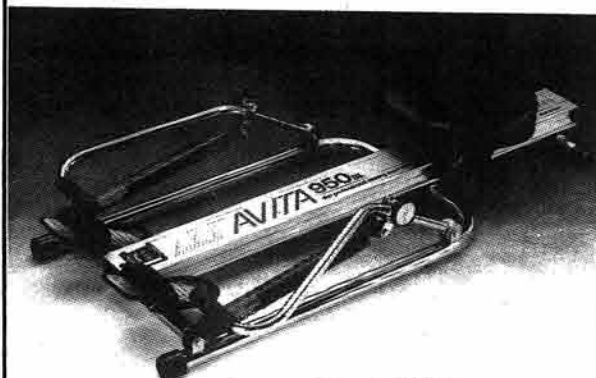
NEW LAW ENFORCEMENT CADET CLASSES TO BEGIN

The new PAL Law Enforcement Cadet Semester will begin in October, 1986. Any boys and girls in the 10th, 11th, or 12th grades in high school are invited to participate. Call PAL Headquarters (821-1411) for signups. In addition, any young men and women between the ages of 18-21 are invited to sign up for the PAL Law Enforcement Senior Cadet Program. Call the same number as above for signups.

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PAL JUDO AND BOXING

PAL Judo and Boxing are offered to youngsters between the ages of 7 thru 18 at the PAL Armory Facility located at 14th and Mission Streets. Call Officer Joe Mollo (552-7495) for signups.

PAL GIRLS AND BOYS BASKETBALL

PAL Girls and Boys Basketball Program will begin in October. Although most of the 6th, 7th, and 8th grade teams will return as teams, any boy or girl in the 6th, 7th, or 8th grades may call PAL Headquarters (821-1411) for signups. We will try to place you on a team closet to your home.

BANTAM BASEBALL

by Leo Guillory

The 1986 Bantam baseball season, filled with excitement and accomplishment, has come to an end. The Bantam League consisted of two (2) divisions, a total of 13 teams, and over 200 players aged 11-12. The total league schedule was over 80 games, from April through June, with tournaments in July and August. The 13 teams and their coaches were:

Angels	Ray Lerma
Tigers	Carlos Chavez
Panthers	Bob Babick
SeaHawks	Stan Chiarucci
Phillies	John Holtz
Royals	Barry Johnson
Seals	Bill Fahey
SuperSox	Dave Tucker
Express	Tila Ta-ape
Candlesticks	Mike Bradley
Portola Reds	Jerome Wysinger
S.F. Senators	C.W. Wise
MBC (Mission Boys Club)	Norm Robinson

In what had been termed a "rebuilding year" by Stan Chiarucci, the defending champion SeaHawks were surprising winners of the Western Division and came into the

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Championship Game on June 21st to meet the powerful Eastern Division winner, the Angels of Ray Lerma. After all the dust had cleared, the fine pitching, heavy hitting, and good defense of the Angels resulted in a decisive 14-6 win and the crowning of a new Bantam League Champion. The annual Pete Franceschi All Star Game was a very well played, exciting contest eventually won by Ray Lerma's Eastern Division All Stars, 10-6, in 9-innings.

An invitation to participate in the annual Treasure Island Youth Baseball Tournament was extended to the PAL Bantam League and response was overwhelming. An official PAL Tournament team was selected by Directors Guillory and Chiarucci and an additional two Bantam teams elected to enter the Tournament: the Royals and MBC. The PAL teams acquitted themselves quite well, finishing third, seventh, and ninth, in what was their first effort at an All Star Tournament. All tournament participants received a trophy acknowledging their participation and achievement.

Everyone connected with the Bantam baseball program has worked very hard to ensure the success of the program. Directors Guillory and Chiarucci wish to thank the PAL Boosters for their help, Executive Director Sgt. Herb Lee for his support and enthusiasm, Baseball Director Pete Franceschi for always being there, Izzy & Maggie Martinez, and Vera Rogulsky, without whom we would be unable to do all we do. The new season is in the planning stage at this time, and we look forward to welcoming some of you next season in our continuing effort to expand and better the program.

INTERMEDIATE BASEBALL

by Leo Guillory

The 1986 Intermediate (13-14) League Champions are the S. F. Senators, coached by Bob Serrano. Through-out what was a very competitive season, the clutch hitting of Mark Serrano, Derrick Garrett, Ernesto Hernandez, Orlando Holmes and Bradli Shepard was instrumental in allowing the Senators to remain a step ahead of the pack. With ace pitcher Ben Thomas bouncing back from a streak of wildness, the Senators were able to win the round robin title and gain the "point" for the championship game. In the semi-final game, a stirring come-back by the T. I. Angels fell short and the SeaHawks held on to win in eight innings, 5-4, and qualify for the Championship Game. In the Championship Game, played at West Sunset, the Senators took an early lead behind RBI singles of Shepard, Garrett, and sacrifice fly by Serrano. In the fourth inning, the SeaHawks, behind Danny DelRio, Joey Hayden, Franco Calzola, and Derrick Thompson finally broke through to Ben Thomas and scored 5 times to take the lead. In the Senators half of the inning, the roof fell on the SeaHawks, the Senators sent 15 men to the plate, 11 scored, and the Senators won 17-6 to gain the Championship. The teams and coaches of the PAL Intermediate League were:

S. F. Senators	Bob Serrano
T. I. Angels	George Dewey
SeaHawks	John/Matt Freeman
Pirates	Art Williams
Royals	Barry Johnson
Cubs	John Shirley
Warriors	Tim Roff

For the first time in many years, an Intermediate All-Star team was selected by Director Guillory and coaches for post-season play. Home and home series were scheduled with the SSF Colt League All Stars and the FLAME Pony All Stars. In the FLAME series, both games were hotly contested, but the FLAME All Stars prevailed eventually. In the two game series with the SSF Colt League All Stars, the results were the same, but friendly athletic competition and interaction was the goal and we feel we reached our goal. The stand-out performers for the PAL All Stars were Derrick Garrett, Mark Serrano, Danny Del Rio, and Brandon Troyer with a superb 9 inning effort at catcher. We feel this season was one of accomplishment and we look forward to the 1987 season, when we hope some of you will join us in our efforts to again make the PAL athletic program SECOND TO NONE!

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SPORTS

TOUR DE TAHOE '86

By Bill Cooke

Well, the 4th Annual Tour de Tahoe is growing nearer, and I've been busy making the proper arrangements. The departure date from S.F. will be Tuesday, Sept. 9th. We'll meet that morning at a central location and, for the riders who need their bikes transported, we'll load them into a trailer which will be towed to Southshore by our Sag wagon. Everyone will then fill into various cars, and we'll caravan our way up.

The actual bike ride will take place on Wed., Sept. 10th. After a night of celebrating, our return will be Thursday morning, Sept. 11th.

Hopefully, everyone has been doing some cycling for proper preparation. By now you should be practicing with 10-15 mile rides, twice a week. If not, you still have time, but don't delay much longer. As you get better, try building up to 25-30 miles once in awhile.

It appears we'll have between 40 & 60 men participating this year with maybe as many as 20% of the cyclists using mountain bikes. Because of the expected large turnout, we might have two Sag wagons. It'll depend on further response. The Sag wagon crews will be handing out food & refreshments as needed as well as responding to any mechanical or physical breakdowns.

I also hope to have a few guys on motorcycles accompany us to help monitor traffic and slower cyclists.

Our lodging will be at the Tahoe Sands Vagabond Inn located at 3600 Hwy 50, (916) 544-3476. Some of you might note this is different from the past years. The reason for the change is simply that the Vagabond has much bet-

ter facilities. A larger pool and jacuzzi as well as a coffee house, meeting room and a bar! We'll be rooming 2 guys to a room.

The cost for this excursion will be \$50.00. This includes 2 nights lodging, refreshments around lake, t-shirts, water bottles, gas for Sag wagon, rental and insurance of trailer for transporting bikes, after-ride beer and a damn good time!

A non-refundable deposit of \$25.00 is needed by August 7th. The reason for this cut-off date is the fact that the Vagabond is giving us a discount price for the rooms provided they're secured in advance. If you want a room after that date, they up the price \$10.00 per night, plus no guarantee of a room, so you can see the importance of being prompt.

I also need to know if you plan to be a bicyclist, Sag wagon crew member or a motorcyclist. So when sending deposit please include: (1) check made out to "Bill Cooke/Tahoe ride" for \$25.00, (2) your participant role, (3) your home phone and your work number with hours.

While planning this trip these past few months, I've accumulated many names, either on my own or thru friends, of people who might be interested in participating. Nevertheless, it's impossible for me to know or remember everyone, so please share this information with friends, family or other policemen, and then contact me immediately.

Once I've received your deposit, I'll send you more detailed info for schedule and departure.

If any further questions or suggestions, please contact me at home, 333-2753k or at Co. A, Swings, 553-1532.

SFPD "WHITE" TAKES OLYMPIC SILVER

By Marcel Burton

The SFPD "A" soccer team made its 7th consecutive trip to the final match in the annual California Police Olympics, but for the first time the opponent wasn't the Los Angeles PD. After finishing in 3rd place for the last six years the LA Sheriffs Department added some new faces to their lineup and took the Gold Medal from defending champs San Francisco. The final score was 1-0 at the Cal Irvine campus. LAPD settled for 3rd place after a 5-3 semifinal loss to the Sheriffs.

The SF "Whites" had an easy road to the final match collecting 4 shutout victories. The first match was against a hopeful San Jose PD who had stomped Santa Ana PD 6-0 the previous day. San Jose's defensive tactics held SF scoreless for the first 20 minutes but a Steve Glickman header off of a John Conneffry pass broke the ice. Steve followed with 3 more goals to make the final score Glickman 4, San Jose 0.

The next game for SF was against Santa Ana. Steve Roach opened the scoring and Brian Delahunty quickly added 3 more. Ken Sanchez added another and Roach finished the scoring to make the final 6-0.

Match number 3 was against Oakland PD. Sixteen minutes into the game a Delahunty to Eric Hipp to Roach combination made the score 1-0. After a Glickman goal, back-to-back headers off of corner kicks by Delahunty and Tom Burton made it 4-0. Eric Hipp then displayed his

speed and skill and scored the final 2 goals. Final score 6-0.

San Francisco's semi-final opponent was the team that had upset them in the 1985 World Games, the C.H.P. SF quickly got revenge, however, when Steve Roach rocketed a thirty yard shot into the corner of the net. A flick over the goalie's head by Delahunty off a Liam Frost throw in made the score 2-0. John Conneffry later beat the defense and the onrushing goalie to make it 3-0. Fullback Mike O'Brien made a goal saving clearance late in the game to preserve the shutout. That made it 6 hours of soccer without giving up a goal for the fullback line to Tim Dempsey, Liam Frost, Jim O'Shea, Don West, Brian Olcemen-dy, and Mike O'Brien, along with goalies Phil Dito and Kevin Dempsey.

On Saturday at noon, the gold medal game matched the two undefeated teams, SFPD "White" and the LASD. SF had scored 19 goals in their previous 4 games but several missed opportunities by both of the evenly matched teams resulted in a scoreless first half. Midway through the second half a LASD wing tapped in crossing ball and the score was 1-0. The LA defense made the one goal stand up and captured their well deserved gold medal.

Congratulations to both the SF "White" and the Killer B's who also took home a medal (5th place Bronze) and to the coach of both teams John Anton. John's appreciation for the game of soccer has rubbed off on everyone who has had the pleasure of working with him in the past five months.

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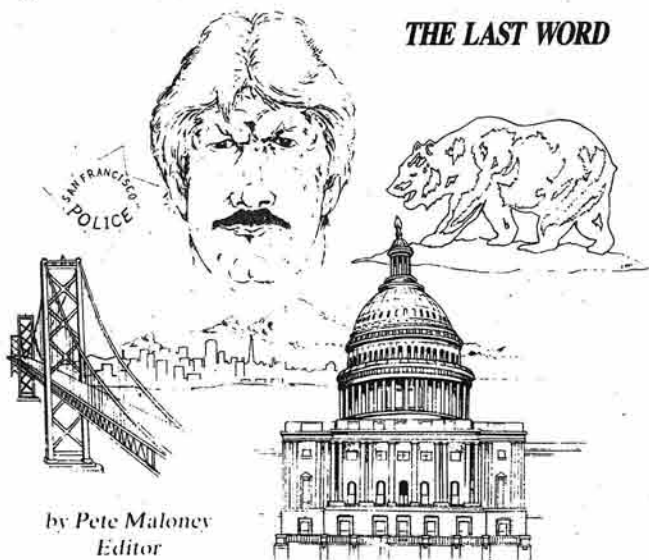
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THE LAST WORD



by Pete Maloney
Editor

Gann watchers will be glad to know that the courts have decided that the cost of implementing Proposition 61 will appear in voter pamphlets as seven billion dollars as opposed to a proposed saving of only a quarter of one billion dollars. Be joyful but vigilant; we know clearly that this measure will change the face of civil service at all levels of employment. The actual and planned retirements will rob every category of endeavor of maturity and job experience. Not to mention depriving many hard working people of the dignity of ending their careers in the manner their service entitles them to.

It is interesting that the first and the loudest voice in opposition to Prop. 61 wasn't from civil servants but a taxpayers association. This group normally opposes measures we are interested in from a labor point of view. Their leading participation should help the voters realize that it is a dirty piece of work on both ends of the stick.

This will be the elderly Mr. Gann's first defeat at the polls. I am told that he is not wealthy and lives modestly. I hope his retirement is secure and comfortable. And I wish he understood that for us that is the issue and recognize his error in judgment.

I was present when Paul Gann and others debated the measure where Mr. Gann and his chief aide stated clearly that he had no idea that public safety and transportation and all others of that type would even be affected. But, by the time he found out he decided it was O.K. with him.

Legal advice holds that the legislature can't direct the effect nor interpret the original intent of the author in anticipation of its passage. Which means we must defeat it, or turn, in the alternative, to the State Supreme Court. No one can predict what the courts will do but it is clear that a defeat will produce the desired results.

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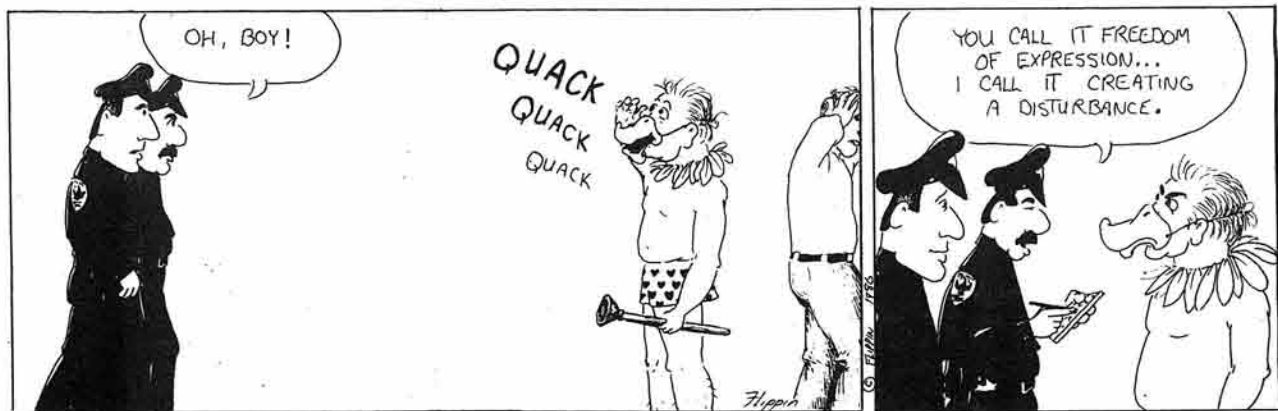
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GANN INITIATIVE

continued from page 1

agencies who are expected to provide those services.

Thus I am convinced that the quality of law enforcement services in California will inevitably suffer under Gann. This measure can only result in reduced safety on the streets for each and every resident of California.

Effects on the Courts and the Department of Justice

The disastrous effects of Gann will also extend to district attorneys' offices, the courts, and the State Department of Justice.

Many district attorneys' offices will suffer seriously under the initiative. For example, I understand that at least 28% of the deputy district attorneys in Los Angeles County will lose pay — virtually all of the senior experienced prosecutors in the office. If "compensation" is affected, rather than "salary," fully 60% of the Los Angeles prosecutors will suffer pay cuts.

We all know what that would mean. The higher paid prosecutors are the ones we rely on to handle the most sensitive cases such as those involving the death penalty, serious violent felonies, and massive financial frauds. Some of these sharp criminal prosecutors will seek better compensation as sharp criminal defense attorneys. Thus not only will we lose our best people, we may face them working for the other side.

All California judges will also take huge pay cuts. Regardless of what we might think of some particular decisions, judges work in a tough legal environment for a fraction of what they could command in private legal practice. Were we to slash their salaries — and, by extension, their retirement benefits — we would end up with a caliber of judge that we could really complain about.

In my own office, the Department of Justice, Gann will be an unmitigated disaster.

1. Out of 530 attorneys in the Department of Justice, a total of 319 — my most experienced and qualified staff — will have forced "salary" reductions imposed by Gann. If "compensation" is the measure, 463 will face reductions. If Gann Passes, I am quite sure that virtually all of my senior deputies will leave for private practice. Many of the best and most experienced among them are likely to find jobs that will put their experience to use in litigation against the state.

2. I should mention here that the prohibition of leave-accumulation may also cause an extraordinary and unan-

anticipated financial impact. It cuts off sick leave and vacation time which has already accrued on January 1, 1987. Accrued vacation time is a vested benefit, and sick leave probably is as well. Vested employee benefits are constitutionally protected from seizure by statutory fiat. They cannot be taken without compensation. We calculate the cost to our department alone at roughly \$42 million for vacation time and sick leave.

If our department's per capita figures were representative of the entire state work force, the total cost could be more than \$2.9 billion. Other estimates place the state cost at \$1.3 billion to \$1.7 billion.

And that is only for state employees. Similar extraordinary financial obligations may also be imposed on every city, county and special district in the state.

3. The contracting provision will limit our ability to contract for legal services where highly specialized and costly legal expertise is needed to protect state financial interests. Just one example: our use of Washington, D.C. counsel to protect the state's interests in federal agency proceedings — like those in which California recently won almost \$200 million in restitution for oil overcharges.

Conclusions

Let me give you my conclusions on the impact of this initiative.

The measure seriously threatens to undermine law enforcement in the state of California, including police on the street, district attorneys, the court system, and the office of the Attorney General.

It will force qualified people from governmental employment, make it virtually impossible to attract the most qualified to public service, and seriously reduce the quality of service provided to the public.

It will make California non-competitive in the marketplace for law enforcement, technical, professional, and managerial skills.

It may require payments of \$1.3 to \$2.9 billion to state employees for accrued vacation and sick leave time on January 1, 1987, and smaller amounts each successive January.

It has a number of undefined or ambiguous provisions which will lead to years of litigation before they can be completely understood.

In short, it is difficult to imagine a measure more disruptive of morale and service within law enforcement, and in state and local government as a whole.

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