

NOTEBOOK



Member of COPS
California Organization
of Police & Sheriffs.

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 20

SAN FRANCISCO, NOVEMBER 1988



NUMBER 11

Mayor's Office Promises Full Pay Raise



by Mike Hebel
Political Correspondent

On October 18, 1988 Sam Yockey, Deputy Mayor For Budget, stated that in Fiscal Year 1989-90 City employee pay increases would be paid and would include the amount that was frozen for fiscal year 1988-89. Mr. Yockey stated that city employees, whose salaries were frozen on July 1, 1988, would receive a double increase in July of 1989.

Mr. Yockey's comments were made when he addressed a conference on "A Children's budget for San Francisco" held at the Unitarian Church.

\$180 Million Deficit

When Art Agnos took his mayoral oath of office in January 1988, he was immediately faced with the worst deficit in San Francisco's 138 year history. To balance the fiscal year budget for 1988-89, as required by Charter, some city employees were laid off, some city services were reduced or eliminated, some business taxes were increased and new ones instituted, and city employee wages were frozen. **Freezing city employee wages for one year was a \$43 Million Savings.**

\$65 Million Deficit

Deputy Mayor Yockey said that the Mayor's Fiscal Advisory Committee preparing budget estimates for FY 89-90, projected a \$65 Million short fall. This estimate included paying city employees a double pay increase. Mr. Yockey described the next fiscal year as "Looks better, but bad". He said that balancing next year's budget would be relatively easy when compared to the cuts and freezes of this year. He did caution that balancing the budget will require some cuts in existing services. He did not indicate which services nor how deep cuts would be made. He forecast that the 1990-91 budget would not require fur-

ther cuts in city provided services.

9.2% After July 1989

If Police Officer wages were not frozen for FY 1988-89, the Civil Service Commission Salary Survey of July 1988, reveals the following cumulative increases that should have occurred.

7-1-88	1.62%
10-2-88	2.66%
1-1-89	3.23%

Solo Motorcycle and Honda hazard pay would have grown from \$211/month to \$217/month.

Based on salary figures and projections obtained by POA President Bob Barry from the surveyed cities, **it now would appear that a 7.5% increase will be due to police officers on July 1, 1989.** This figure is based on anticipated settlements in Los Angeles and San Diego, but does not include wage data from Long Beach and San Jose in that these cities will probably not fix their wages by August 1989. This figure does count the 3.23% increase that should have occurred in FY 1988-89. A 7.5% increase on July 1, 1989 would raise the 4th year police officer monthly wage for \$3155 to \$3392.

Based on their historical averages, Long Beach and San Jose police officers should receive wage increases in FY 1989-90 of approximately 4%. Were they both to settle at 4%, San Francisco police officers monthly wage in FY 1989-90 would rise to \$3444 — a 9.2% increase. This additional increase would become effective on the date that Long Beach and San Jose officers receive their pay increase.

Uniform & Safety Committee Report

by Joe Reilly,
Chairman POA Uniform and Safety

On Wednesday, October 26, the Department's Uniform and Safety Committee met. In attendance were D/C Willis Casey, D/C Jack Jordan, D/C Frank Reed, Sgt. Don Blaine of the Police Range, Officer Don Woolard, Officer Jim Speros, Officer Dan McDonough and myself as representatives of the POA.

There were two major items on the agenda, including fragmentation and ricochet problems at the range. Sgt. Blane explained that there will be a certain amount of "side blast" from revolvers caused by expanding gases as the slug leaves the cylinder and travels down the barrel. A slug can also be "shaved" as it enters the barrel if that weapon's timing is off, resulting in the cylinder and barrel not being perfectly aligned. This can cause some fragmentation at a right angle to the bullet's trajectory. Most of the problems occur while firing is in progress at the 4 yard line. The mound of earth at mid-range, intended to absorb impacts from the 4 yard line, has become saturated after years of use. Some slugs are being deflected toward the backstop at an upward angle rather than being absorbed by the mound. The slugs which reach the backstop at this angle bounce off, having lost most of their energy, and tumble back toward the firing line. The solution would be to remove the mound and rebuild it with clean earth. Because of the range's construction, the job would have to be done by hand. Estimates for removal are 100-120 cubic yards of earth. In the meantime, a simple temporary solution has been found which would place bales of hay in a tight row across the entire top of the mound. This will not interfere with range operations and is expected to stop any slugs not absorbed by the earthen mound below. D/C Casey pointed out that the range will be undergoing extensive renovation in the near future as a result of the Proposition A bonds approved last year.

Perhaps the most significant topic at the meeting concerned department policy regarding semi-automatic handguns. Under G.O. B-3, on September 1 the department issued a memorandum which specified only four units of the department whose undercover members may carry a weapon other than the issued revolver. It was the position of the department that this memo was not a change in the General Order but rather a clarification of it. Consequently, plainclothes officers not belonging to one of the four units listed in the 9/1 memo must carry the revolver as their primary duty weapon. I have reported the cur-

rent disposition of this matter to the POA Board for their further action.

Interestingly enough, the subject of semi-automatic handguns did prompt the establishment of a committee to explore the question as it pertains to all undercover officers, members of the Bureau of Inspectors, and Patrol Bureau members as well. The proliferation of semi-automatic and automatic weapons found on the streets today has caused a re-examination of the use of revolvers as the traditional police sidearm. Many departments have gone away from the revolver, and others are studying the matter as the automatics have become more reliable and technologically advanced. The semi-automatic's most notable feature is of course its higher magazine capacity.

What is encouraging is that SFPD and the Uniform and Safety Committee has begun to study an issue which could result in major policy and operational changes in the future. Overshadowing the many logistical problems which can be foreseen are the tight fiscal constraints which the department continues to face. As one might expect, there will not be any quick decisions or changes made given the size of the job ahead. The committee is still being assembled, but already includes D/C Reed, as chairman, and Sgt. Don Blaine. The work has begun, and the effort is being made.

Draft M.O.U. Released

Your POA station or unit representative should have by now delivered a copy of the proposed MOU to each unit. The MOU does contain some proposed economic benefits, such as a uniform cleaning allowance and an educational incentive program. What's lacking is any mention of the 10 hour day now in effect at five of the nine district stations. Against that backdrop is the issue of one officer patrol cars. Also lacking is any provision for on duty meal periods (7-M) or on duty activity for POA board and committee members.

The MOU also proposes that a physical exercise facility be maintained at each station by the city. Along with that, perhaps the city should be asked to continue to provide a voluntary blood screen test once a year in order to promote employee health.

A very significant provision of the proposed MOU is the inclusion of an arbitration step as a last resort in the grievance procedure, should a dispute reach an impasse at the Chief of Police level.

Aside from that, there is some vague language here and there which needs to be made more direct, particularly (See REPORT, Page 20)

The Notebook Needs You

We need your articles to make this the best possible newspaper

Articles should be sent to:

Tom Flippin, Editor

SFPOA Notebook

510 7th Street

San Francisco, CA 94103

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November 28, 1988

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Widows and Orphans Aid Association

The regular monthly meeting of The Widows and Orphans Aid Association was called to order by Pres. Fred Pardella at 2:05 P.M. Wednesday, October 19, 1988 in the Traffic Bureau Assembly Room, Hall of Justice.

All Officers and Trustees present. Among others, P. Pres. Jim Hegarty.

COMMUNICATIONS: Letter of thanks from Mrs. Bloesch.

DONATION: Mr & Mrs. Albert A. Williams.

BILLS: Regular bills for benefits, salaries, etc. presented by Treas. Parenti and approved. Treas. Parenti reported the following deaths: **LESLIE DOLAN** — born in San Francisco in 1903, he worked as a chauffeur before becoming a member of the Department in 1931 at age 27. Les was assigned to Traffic Bureau, spending 5 years there. Transferred to Headquarters Company for one year, then a return to Traffic, until appointed Sergeant in 1941, when he was assigned to Northern. Granted Military Leave from 1942 to 1946, he went to Southern on his return, then to Bureau of Inspectors. Promoted to Lieutenant in 1947; Les was assigned to Taraval. A short stay there, and he went to the Bureau of Inspectors and, from there, served at various District Stations until his return in 1958 as head of the Narcotics Bureau. In 1964,

Les was appointed Captain of Traffic and remained there until his retirement for service in 1969 at age 64. Les received the following awards — 1935, 1st Grade for arrest of an armed bandit wanted for numerous holdups; 1962, 2nd Grade for disarming and arrest of an armed holdup man who had just attempted a grocery store holdup. Les was 84 at the time of his death.

MAURICE MILES: Born in Montana in 1911, Maurice, after working in sales joined the Department in 1941 at age 30. After the Academy he was assigned to Park Station, stayed there for a year and went from Park to Co K, motorcycle duty. After 6 years on the bikes, he was transferred to Bureau of Identification, remaining for ten years until being transferred to Southern. A few years at Southern, then to Potrero where Maurice stayed until his retirement for service in 1970 at age 59. He was promoted to Sergeant in 1953 and received the following awards — 1966, Capt. Comm. for 2 suspects in strongarm robbery of an elderly man; 1963, 3rd Grade for arrest of a suspect armed with a rifle who had threatened to kill people. Maurice was 77 when he passed away.

REPORT OF TRUSTEES: Board of Trustees approved the continuing of the Trust Agreement, until March 6, 1990, by Security Pacific National Bank. Trustees also approved certain recommendations by The Bank to sell some stocks and to purchase others, resulting in an estimated increase of \$7,077 in our Annual Income. Mr. O'Neill wishes Board of Trustees to meet at the Bank's headquarters so the complete operation can be explained and all people from the Bank, interested in our Account can be introduced. Trustees set date of Friday, November 18, 1988 for such a meeting.

UNFINISHED BUSINESS: Motion McKee/2nd Hegarty that 2nd reading of changing ART I, Sec 3 of By-Laws be approved. Approved. Change makes it easier for Association to have a quorum for the conducting of the regular monthly business.

GOOD OF THE ASSOCIATION: Pres. Pardella set next regular meeting for 2:00 P.M. Wednesday November 16, 1988 at the Traffic Bureau Assembly Room, Hall of Justice. There will be nomination of Officers. **ALL MEMBERS ARE URGED TO ATTEND, TO SEE AND MEET YOUR PRESENT OFFICERS AND THOSE THAT WILL BE NOMINATED.**

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

Fraternally,
Bob McKee,
Secretary

San Francisco Veteran Police Officers Assn.

NEXT MEETING: Tuesday, November 8, 1988 is both Election Day and our meeting day. Vote early, around 9:30 a.m. as there are 70 issues to decide, and come to the Immaculate Conception Hall at 3255 Folsom Street by 11:30 a.m. Business starts at 12:30 p.m., followed by a great turkey dinner. Parking is plentiful.

GUEST SPEAKERS: Vote "No on O", said Supervisor Wendy Nelder and Paul Chignell, about the two term limit for supervisors. Both the Police and Firefighters unions urge a "No on O."

PRESIDENT'S MESSAGE: NEXT MEETING NOVEMBER 8, 1988 WILL BE TURKEY DAY. A bountiful turkey dinner, cooked by the ladies at I.M.C. will be served to all members for the low price of \$3.00. Turkey, dressing, mashed potatoes, veggies and gravy, plus dessert. Wine can be purchased from the ladies, so get a table together and spring for the vino. Nomination of officers at next meeting also, so if you wish to serve contact Tom Dempsey, Sol Weiner or Bob Spotswood. New blood is always needed. Sol reported that pay raises should be in the November check, but don't spend it before you get it. We DO get our raises in spite of the "freeze". Members attending the 50 Year Lunch for the 1938 List all enjoyed a fine meal and renewed acquaintances with each other. There were 39 at the lunch — 5 of them from the 1934 list. Hope to have another after the 1st of the year.

DEATHS: Les Dolan passed away. Rest in Peace.

NEW MEMBER: Rotea Gilford. Welcome.

COMMITTEE REPORTS: Jim Cole: "The SFPOA interviewed most of the candidates for supervisor. They looked at their respective voting records, the polls for election, strength, etc. They endorsed Harry Britt, Willie Kennedy, Lee Dolson, Terence Hallinan, Angela Alioto and Bruce Lilienthal" . . . Sol Weiner said we will see a minor pay raise on the November checks.

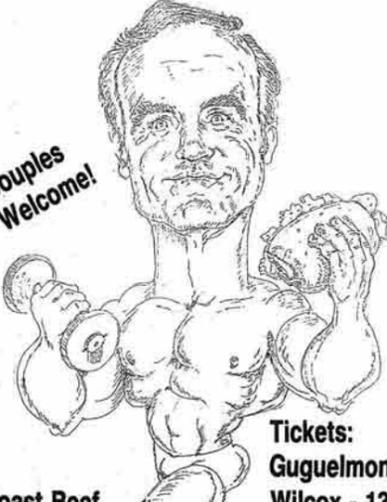
NOMINATING COMMITTEE: President McKee appointed Sol Weiner, Tom Dempsey and Bob Spotswood to accept and/or solicit candidates for office.

NEW BUSINESS: Motion by Al Perry to donate \$100 to the Immaculate Conception Hall Assn. as these meeting facilities are the best we have ever had. Motion passed, requires a second reading in November.

GOOD OF THE ORDER: Otto Evlander stated he did not believe it's right to make donations to political candidates, and the \$9 we pay to the SFPOA shouldn't be used for these donations either. Other members responded and stated that political donations is the way business is done in San Francisco.

Attendance 82
Membership 715
Robert McKee, President
Gale W. Wright, Secretary

Retirement Dinner
Tim Cadigan



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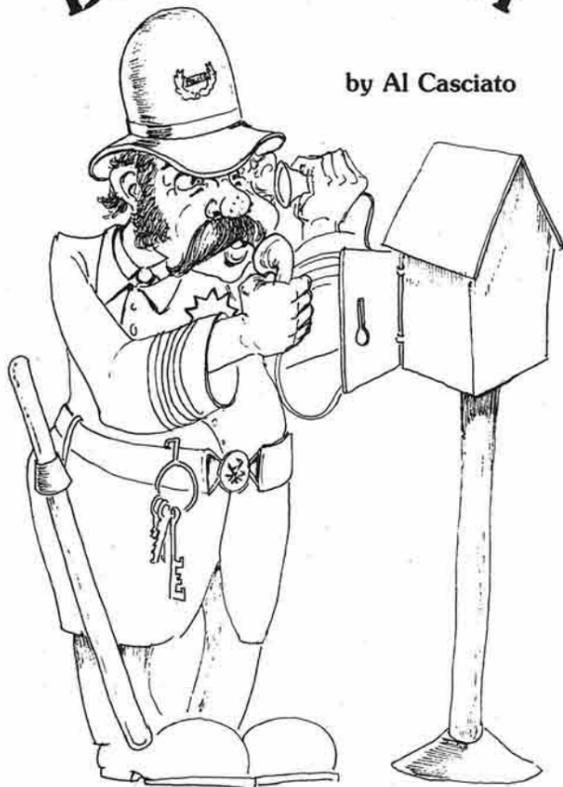
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AROUND THE DEPARTMENT

by Al Casciato



Several months ago I wrote about how retirees John Lynch and Ray Minkel were about to embark on a bicycle ride throughout New Zeland (Both Islands.).

They have reported back that their trip was marvelous, and that they enjoy retirement so much they thank God every night for the guy who invented it (retirement). In fact, they've nicknamed him Mr. Good Guy.

To occupy their time before their next next trip, John and Ray have continued the regimen of swimming a mile in the bay at Aquatic Park every morning. Well, several weeks ago Ray decided to go on a little trip alone to Reno and left John to fend for himself in the bay. Well, low and behold, while John was swimming in the bay a shark came up and bit his leg. Upon making it into the shore. John was attended by a fellow swimmer who happens to be a veterenarian — Happy to report that John is doing well but when asked to explain why the shark attack; John says with a twinkle of Irish, "I think Ray Minkel hired the shark to slow me down on the next ride."...



Can you find her? Working in the Hall is one of the youngest and most attractive grandmothers in the City and maybe (probably) in the state. Congratulate her because she is real proud of her grandchild but too embarrassed to be public here. P.S., be prepared for a few pictures.



Over 40 and Running. Legal Officer Dennis Bianchi stared at the starting clock on 10/9/88. He was preparing to run his second Marathon ever and the Humboldt

Redwood course he would have to finish in 3 hrs. 10 mins. or less to qualify for the Famous Boston Marathon. With personal fortitude Dennis ran and ran, running his heart out and crossed the finish line in 3 hours 7 mins. Quite an accomplishment. Congrats, Dennis...



Recently Ron Lim of the Sheriff's Department had his vintage Volkswagen stolen — you know — the gray classic sold to him by his brother Adrian, Muni Transit. Well, back to the story. Travelling up Market Street Mission's Bob Miller spot the VW with 3 aboard. After a short chase vehicle recovered and 3 in custody. Turns out the driver is an adult (18) and the passengers juveniles. So as the story unfolds, Bob begins to see the light, the car thief, even though he has priors as a juvenile is going to walk with a slap on the hand — probation — So in addition to booking him for the stolen vehicle, Bob also cited him for driving with never having a license and no insurance. We all thought it was funny until the next day when the stolen vehicle charge was reduced to a misdemeanor and was being pled out to probation. Bob was right, the no drivers license and insurance cites will affect the criminal monetarily longer than the stolen auto charge.



Neck on the line, but here it goes. Received a request for ID — Who is/are Meatloaf Wonton and Lacey Duck???

Dave Roccaforte claims that Felons and Lawyers were prohibited from emigrating to the American Colonies by the British. Smart people if true.



You think the City's population figures are correct? Most officers know that many city apartments & homes are overfilled. Many with illegal aliens being ripped off by their own people — One house on 23rd St. yielded 30 persons after a little fire routed the inhabitants.



Off. Allan Siegel, pillar of the Jewish Community, was investigating a crime involving some stolen jewelry. During the investigation Allan questioned a black suspect who identified himself as "Irving Feldman." Unswayed, Allan questioned him regarding cultural matters; shortly the suspect folded up and gave up his true identity in which he had 3 bench warrants.



Collective Bargaining only works when each side has something to offer. In the case of S.F. where gov't has convinced everyone that a 180 million dollar deficit exists watch out for those who now advocate Collective Bargaining. What do they have to gain?



Congrats to Charles and Donna McCullar who welcomed their first child on 10-20-88 Lil Cheryl Marie McCullar, 7 lbs. 2 oz. Also welcoming their number 1, were Jim and Cori Zerga who welcome Nicholas James Zerga 20½ inches, 8 lbs. on 10-30-88. Out at Muni Transit, Kelvin and Ann Lai were blessed with Kelly Ashley, born 11-3-88. All Dads and off-springs are doing well while Moms are resting after the experience.

No News Isn't Necessarily Good News

by Roy Hicks, Co.G

We recently sent a very strongly-worded personal letter to SFPOA President Bob Barry, expressing our dismay at his apparent inactivity and his definite lack of public statements in several areas of serious concern.

Among these were the Mayor's clearly demonstrated lack of concern about proper staffing and equipping of the Department, the ravaging of the patrol division (and especially this station) by attrition and "redeployment", and most recently the premature and inflammatory statements made by the Mayor regarding the Tac Division's handling of the anti-Bush demonstration on September 13th.

We sent President Barry a copy of a caustically hand-captioned news article, which had been posted here in the station on the Mayor's comments regarding the Tac incident, and warned him that widespread perception holds the present POA administration in collusion with City Hall interests contrary to the general welfare of the Department.

We further remarked that we were becoming thoroughly disgusted with seeing our dues money being lavished on politicians who turn around and kick us whenever it is politically expedient.

We deplored the POA's baffling silence since last November on critical matters affecting all working officers, and suggested it was about time that the Association start speaking out loudly and publicly for the welfare of its members.

To emphasize or views we pointed out that, if the current sorry condition of the Department has deteriorated to the point where respected veterans like our own POA representatives were quitting in frustration and disgust, the organization is in deep trouble.

President Barry's response (and we quote):

"If you can say anything constructive about anything, then I'll respond. Otherwise I'll continue to use your letters in the birdcage." (Emphasis added)

He further stated that the Association was "doing a lot of constructive things behind the scenes which serve the interests of (the officer involved in the Tac incident)."

Unfortunately when the Department is taking such a beating, "behind the scenes" isn't doing us any good.

We have supported President Barry every time he ran for office, but if warning that there is serious discontent afoot, suggesting we stop supporting treacherous politicians, and asking the POA to do its most fundamental job — stand up publicly in support of ALL its members — is not considered "constructive", it is clearly time for a change.

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Decree Update

by Lois Perillo, Co.D

In a surprise move, counsel for the City of San Francisco changed its position regarding the consent decree and said it would extend the decree "until such time as the Police Department has fulfilled its obligations."

At the most recent consent decree status conference before federal Judge Robert Peckham, November 5, 1988, Dan Siegel, Chief of Complex Litigation for the City Attorney, dropped his objections to extending the entire decree.

The consent decree, a federal court order, was issued by Peckham in 1979 and set goals for recruitment, retention and promotion of women and minorities police officers.

In September, Siegel initially proposed continuing only those parts of the consent decree regarding promotions.

Public Advocates, counsel for women and minorities, and the POA objected to Siegel's proposal and asked he revise it.

Siegel held his position through the October status conference where Peckham set a hearing into the City's alleged non-compliance with the decree (see City Fails with Consent Decree).

At the November status conference, Peckham reaffirmed the February 21, 1989 hearing date and he expressed "disappointment and sadness" at the lack of progress of eliminating sexism and racism from the Police Department.

"What is happening with respect to these unmet obligations?" Peckham said. The Police Department "seems to be adrift" in its efforts to comply with the federal order, said Peckham.

City Fails With Consent Decree

by Lois Perillo, Co. D

Counsel for the City of San Francisco will appear at a federal court hearing regarding its alleged non-compliance with a court order, which mandated goals for the number of women and minorities within the San Francisco Police Department.

The hearing was set by federal Judge Robert Peckham in response to a request by Public Advocates, counsel for women and minorities. The request came at the October 6, 1988 status conference regarding the court order, or consent decree.

"The City is not fulfilling its obligations," said James Wheaton, attorney with Public Advocates.

Wheaton asked Peckham for a hearing in federal court to present testimony about "failed recruitment, discrimination and sexual harassment that will show the City in non-compliance of the consent decree."

"I shudder at a ten day hearing," Dan Siegel, Chief of Complex Litigation for the City Attorney, told Peckham.

"Mr. Wheaton is practicing overly aggressive advocacy so he may put on record certain rhetoric," he said.

"Our numbers look very good" said Siegel referring to the number of women and minorities within the department, "although we were not able to complete the promotional requirement."

According to a pre-status conference report submitted by Wheaton, the department has a 27 percent minority force, with a goal of 45 percent (516/1879) and a 10 percent female force, with a goal of 20 percent (192-1879)

Siegel referred to the City's September 14, 1988 proposal which would bifurcate the decree by extending "only those aspects necessary to insure compliance with the following obligations," including exam development and scheduling; promotionals (two captains for 1988-89, 80 sergeant/inspectors for 1989-90 and 80 for 1990-91, 20 lieutenants for 1991-92 and three for 1992-93); and a cadet program.

The City's proposed four year extension did not include entry level hiring or retention obligations.

"You can not terminate one part of the decree and expect the other part to work," said Richard Ugelow of the United States Department of Justice, at the status conference after Siegel referred to the City's September 14, 1988 proposal.

"The proposal is absolutely silent on the issue of minority and female representation in the Police Department, a position which is not going to be viewed favorably by the plaintiff groups, the Auditor/Monitor or the Court," said POA attorney, Christopher Burdick, in a September 27, 1988 letter to the auditor/monitor, Nathaniel Trives, who oversees compliance with the consent decree.

"The City's proposal is so sparse, so meager, so wanting in seriousness or comprehensiveness, that it rejects itself," said Wheaton in a September 27, 1988 letter to Trives.

"The proposal says only that the City is to be relieved of all its obligations, without any penalties for failure," Wheaton said.

Both the POA and Public Advocates stated their positions in writing to Trives prior to the status conference and asked that the City provide a "more realistic and comprehensive proposal."

The City did not submit a revised proposal. Peckham set the first hearing day for February 21, 1989, at 10 a.m., 450 Golden Gate Ave., 19th floor.

Right Here In River City The Big Charade

by Bill Hemby

The elections are, or soon will be over, and all the rhetoric from both sides will slowly recede into obscurity until the next election rolls around, when the same old slogans will be dredged up and hung out for airing.

The biggest slogan bandied about this time around seems to be the old "You're soft on crime!" issue. It's interesting to note that during the non-election years, crime doesn't seem to be that big a deal. Certainly, those of us who fight crime for a living, aren't venerated during off-election years. But bring out the banners, balloons and ballyhoo, throw in a candidate or two and suddenly, every politician is our bosom buddy. Boy! We're their heroes.

Each of 'em dons their red, white and blue uniforms, mounts their white chargers and off they go, dashing into the fray and over the top. This is their time, this is their moment! Parading their banners, they proudly proclaim to the press, and all who will listen, their war on drugs, their war against criminals, their war against child abuse, and their war against pornography.

But just like Don Quixote, they chase windmills. Their's is an imaginary foe, a slogan, a sham, perceived and possibly believed by them, but none the less a sham. This is, in the end, only campaign hype . . . a way to one-up your opponent . . . a way to win elections.

When all the dust settles, and the winners take their seats, the wars against crime all of a sudden become too costly. The federal "war on drugs" is a few TV commercials asking children to "Just Say No!" and a scant number of ships intercepting a few shipments of cocaine. Individual states mount sorties against marijuana fields and pick up a paltry airplane or two load of garbage, but that's it, just a drop in the bucket.

Pessimistic? No. Just pragmatic. I've been around long enough to know it's mostly a game. In the 15 years that I've been to the State Capitol, I've seen hundreds of cops and robbers bills come and go. Those that have passed haven't really dented the crime problem. Fortunately, once in a while, there are some issues that come along that make so much sense they just have to become law, and I am thankful for that. For those, and for those legislators who really care about crime and punishment and rehabilitation, if there is such a thing, I am thankful.

The more I see, the more I am convinced the key to eliminating crime is a matter of several things all interacting: tough laws; swift punishment; incarceration for those hard asses who should never, ever be let out; the death penalty for those who really deserve it. During incarceration, education, meaningful job training, early release and job placement for those who show a glimmer of hope. For those on the verge, education, job training, job placement, summer and winter camps to take them out of the muck and mire; Big Brother and Big Sister caring, jobs and decent living conditions for the poor, and a myriad of intervention programs from PAL fishing trips, to wagon trains, to anything conceivable that may make a difference.

In Sacramento next year, when the returning warriors take their places in the Senate and Assembly, the wars will be an echo of the romantic past. There will be innumerable bills dealing with criminal issues, but most, if substantive, will never make it nor are intended to make it out of the mill. If any of these bills cost money, especially money for local police and local sheriffs, you can kiss it good-by.

Because, when push comes to shove, it is a matter of priorities where our tax dollars will be spent, and there just isn't enough tax money to go around, nor enough pressure from the public to allocate those tax dollars to wage a winning war on crime. Until that time, it will remain a game, a sham and a charade. But what the hell, if we eradicated crime, we'd be out of a job!

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On Routine Patrol

by Joe Reilly



Busted

He wasn't fooling anyone. But, there he was, out on the street, showing the boys and girls how it's done. Who could forget the toothy grin. It's the last lingering memory many of us have of those wonderful hours spent running the streets around the former Silver Avenue academy site. Today the quarry was hubologists (drug dealers) not recruits, and Lt. Billye Morrow was out from behind the desk, into the trenches, trying to make a buy. It didn't take long to lure in a drug dealing suspect who quickly asked the standard "Hey, man, you a COP?" The Lt. must have put on a good act because the suspect answered his own question right away. "Nah...you can't be...you're too OLD!" The next sound to be heard was the furious clicking of handcuffs in one of the fastest take-downs in recent memory. Now, to answer your question correctly...yes, he is a cop, and no, he's not too old. Right...well, uh, that is your chair back at the desk I hear creaking, isn't it?...

Mucho macho

Several officers were sitting in a municipal courtroom waiting for their case to be called. First, of course, there are the arraignments of those in custody which usually take some time on a Monday morning. Next there are the cases which have reached a disposition of their own, and a guilty or "no contest" plea is entered to a lesser charge. A Spanish-language interpreter was called in for one such miscreant who had decided to "cop a plea" as the saying goes. (...makes you wonder about the origin of the word "cop"...) Anyway, the judge accepted the plea and advised the defendant of the right to trial he was giving up. As the judge imposed sentence, the defendant, who looked quite dapper in his orange two-piece suit, was becoming visibly upset. He grabbed the podium and began to raise his fist, but just as quickly he winced with pain and turned in disbelief to the interpreter, who had stepped on his foot. "Take it like a man," she was overhead whispering in Spanish. Order was quickly restored, and it was business as usual and hardly anyone noticed the minor disturbance. Hurt foot, hurt pride, and good advice...

Easy rider

As he was driving to the station, an officer found himself behind a car creeping along at 4-5 miles per hour. It couldn't be tourists, not in this neighborhood. The officer saw a head pop up above the car's roofline. Thinking that the sunroof was open, he still couldn't believe that anyone would be sightseeing at that time of night. The radio car pulled out to pass, and the officer saw that there was a body spread-eagle on the car's hood with a death-grip on the windshield wipers. He motioned the car, with its determined passenger, over to the side. The officer glanced quickly skyward. The clouds obliged by parting briefly revealing, that there was no full moon. So much for that theory. While talking to the hood ornament, the

officer was told that the woman driving the car was his fiancée, and she was refusing to talk to him. The woman in the car said that he was waiting for her outside her house and wouldn't let her drive away. He jumped on her car as she finally managed to drive off. "I was driving to the police station for help; he won't get off my car." "Where do you live!" asked the officer. "Daly City," she replied. It could have been worse. She could have decided to get on the freeway and drive to the Hall instead of Company H. The woman was allowed to go on her way, and the officer drove the frustrated bridegroom-to-be to Mission Street so he could catch a bus home. "Invite me to the wedding, OK?" was the officer's parting request. The things we do for love...

No sale

All of us know someone who keeps turning up again and again. Whenever there's a problem, a disturbance, a 418 on the street, there they'll be ... right in the middle of it. One week it's a fight in a bar, the next week they get picked up on a warrant, the following week their girlfriend beats them up and they're out on the street. Such a "public figure" haunts the Haight and is well known to one Co. F officer. This character has managed to rack up most major misdemeanors, and the cops were getting quite frustrated recycling this recidivistic rascal. He was being booked for turning in a false fire alarm. "You're in here every week," the officer complained, "aren't you ever going to amount to anything?" The ready reply only took a second. "I certainly hope not," he said without expression. As Sonny and Cher used to say, "The beat goes on..."

Discrimination Study

by Lois Perillo, Co. D

Federal Judge Robert Peckham denied Police Chief Frank Jordan access to confidential information collected in a court ordered study of discrimination and sexual harassment within the Police Department.

Jordan's request came at the November consent decree status conference in federal court.

"Releasing the (anecdotal) information would have been a betrayal of those who came forward," said Laura Shukland, attorney with Public Advocates.

The survey was sent to 1855 department members: 700 were completed and returned. Of those, 630 were analyzable and used in the study whose participants were given confidentiality.

Earlier in November, controversy developed when the survey's author, Morgan Lynn, released a memo which said racism and sexism are still "deeply ingrained" in the Police Department.

"The organizational culture of the department requires a drastic overhaul," said Morgan.

According to the Chronicle (November 1, 1988), Lynn said she never intended for the Memo to appear as a summary or conclusion to the study. The strong language was intended to emphasize to Peckham the need for confidentiality of police officers who recounted specific incidents of harassment and fear of retaliation.

"I'm obviously very frustrated and upset with the memo," Jordan told the Chronicle. "It was a total surprise because the inference I had from (the court appointed auditor/monitor) was we had made positive inroads."

At the November status conference, Peckham excluded Morgan's letter from the report because "its tone was not consistent with the tone of the study," Shukland said.

The report found that the proportion of women had increased to 10 percent from 4 percent in 1979, while minorities increased to 27 percent from 14 percent.

"The department is to be commended for its recent efforts to educate supervisors on the implications of sexual harassment. It is unfortunate that the way one of the instructors selected to conduct the class reinforced sexist behavior," said the report.

In conclusion, the report recommended that Jordan communicate his genuine commitment to change to the rest of the department and fully implement the soon-to-be-released revised departmental order, D-17, which addresses discrimination and sexual harassment.

D-17 is the tool to be used now, not the confidential survey information," said Shukland.

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10851 Awards

A record 231,452 vehicles were stolen in California in 1987.

But, thanks in large part to the efforts of individual law enforcement officers, 205,132 stolen vehicles were recovered in 1987 for an 88.6 percent recovery rate.

For contributing to this recovery of stolen vehicles, 29 officers from the San Francisco and Daly City Police Departments received the coveted "10851" Award from the California State Automobile Association Inter-Insurance Bureau and the California Highway Patrol.

In addition, Officer Greg Ovanessian received a "Master" 10851 Award (for his five regular 10851 Awards) and 6 officers got Appreciation Certificates.

The presentation took place on Thursday, October 13, 1988 at 11:00 a.m. at the Police Commission Hearing Room, Hall of Justice, 850 Bryant St.

The "10851" Award is given to uniformed officers for outstanding achievements in vehicle theft recovery.

Presenting the awards were CSAA San Francisco Manager, Frank Bemis and CHP Golden Gate Division Vehicle Theft Coordinator, Lieutenant Harry Wilson. San Francisco Police Chief Frank M. Jordan was in attendance.

SAN FRANCISCO POLICE DEPARTMENT

Sixth Award:

1. Officer JAMES DUDLEY — Co. E
14 recovered vehicles
4 arrests

Fifth Award (Master 10851 Award):

2. Officer GREG OVANESSIAN — Co. G
17 recovered vehicles
3 arrests

Fourth Award:

3. Officer LEWIS BRONFELD — Co. E
11 recovered vehicles
7 arrests
4. Officer MICHAEL BURKLEY — Co. H
12 recovered vehicles
3 arrests
5. Officer RENE GUERRERO — Co. H
12 recovered vehicles
3 arrests

Third Award:

6. Officer ALBERT LUM — Co. A
20 recovered vehicles
3 arrests
7. Officer JAMES SHELBY — Co. B
9 recovered vehicles
3 arrests
8. Officer KEITH SINGER — Co. B
9 recovered vehicles
3 arrests
9. Officer WENDY FRISK — Co. C
11 recovered vehicles
3 arrests
10. Officer DEAN SORGIE — Co. C
12 recovered vehicles
6 arrests
11. Officer STEPHEN ZIMMERMAN — Co. G
12 recovered vehicles
3 arrests

Second Award:

12. Officer ROBERT CLEVIDENCE — Co. C
12 recovered vehicles
5 arrests
13. Officer EUGENE YOSHII — Co. C
6 recovered vehicles
6 arrests
14. Officer DAVID OBERHOFFER — Co. D
13 recovered vehicles
5 arrests
15. Officer ALAN PHILLIPS — Co. F
12 recovered vehicles
3 arrests
16. Officer HOYT WONG — Co. H
12 recovered vehicles
3 arrests

First Award:

17. Officer CHISTOPHER KNIGHT — Co. C
6 recovered vehicles
6 arrests
18. Officer JAMES LEWIS — Co. C
6 recovered vehicles
6 arrests
19. Officer ANNE MACKENZIE — Co. C
6 recovered vehicles
6 arrests
20. Officer JOHN PETERSON — Co. C
6 recovered vehicles
6 arrests
21. Officer PATRICK SULLIVAN — Co. C
6 recovered vehicles
6 arrests
22. Officer MARK McDONOUGH — Co. E
7 recovered vehicles
6 arrests
23. Officer RICHARD PATE — Co. E
20 recovered vehicles
3 arrests
24. Officer JILL CONNOLLY — Co. G
12 recovered vehicles
5 arrests
25. Officer ROBERT RAMOS — Co. G
12 recovered vehicles
4 arrests
26. Officer MICHAEL CAPLAN — Co. I
13 recovered vehicles
4 arrests
27. Officer CHARLES MAHER — Co. I
12 recovered vehicles
3 arrests
28. Detective ROBERT BLAZER — DCPD
28 recovered vehicles
18 arrests
29. Officer WILLIAM LANGLOIS — Investigations
28 recovered vehicles
18 arrests
30. Officer ERIC OLSEN — Investigations
28 recovered vehicles
18 arrests

Appreciation Certificate

(for 10 recoveries and 4 arrests):

31. Inspector GARY ELSENBROICH — Auto Section
32. Inspector THEODORE PECK — Auto Section
33. Sergeant DAVID ROCCAFORTE — Auto Theft Task Force
34. Officer WILLIAM BUSH — Auto Theft Task Force
35. Officer VINCENT VAGO — Auto Theft Task Force
36. Senior DMV Special Investigator MARIAN DOLAN — Auto Theft Task Force



SAN FRANCISCO

Fellowship of Christian Peace Officers

In Your Corner

by Jim Higgins, Retired

A year on the outside, a new home, an acre of land, a pick and shovel, unused muscles put into action, a challenge and captain of your own ship. Happy days with the same wife you started out with and enough money to keep you from losing weight. The word is contentment! I owe it all to the Lord Jesus Christ.

Please do not let the words I have just used stop you from reading this article saying to yourself "I have heard all that jazz before and what's it got to do with me being a cop. I have a long time to go in this business and who needs it."

Staying in touch with friends in the Police Department a lot of stories are told to me, and I have concluded that you are losing the high ground. A job which you should be justly proud of has declined into hollowness and uncertainty. Although some people in the higher echelon may assume all is well according to procedure out of the books they read, and the questionable statistics they put forth is evidence of a job well done by middle management. You, as policemen on the street, know it is the good guys against the bad guys — and good guys got to win. You are the ones who make the statistics which roll off lips of the higher echelon, and without you there would be silence. None of their books would hold the answer.

In these days in the City of San Francisco, the Police Department has become a sponge to be squeezed by every liberal, self-seeking group who can get the ear of the politicians they put in office. As these groups squeeze, the life of the policeman is affected, the dignity of the badge loses its shine, pride leaves the man making him unsure of what direction to follow. When support fails to materialize from those in command then that uneasy feeling of being hung out to dry becomes a reality. When it is you against the system, it is an uphill march and the road along the way is deserted. This writer has been there and it ain't no fun.

From all indications, and from sources I have spoken to, the moral of the San Francisco Police Department is a zero. When this situation occurs, not only the policeman suffers, but also the family feels the airs of despair. This does not make for happy times, but it is also no time to give up. You have a choice. You can sit around in groups, complain and moan; that will only magnify the condition leaving you even more frustrated. You can say "the hell with it" and wear a groove in the bar with your elbows (you really lose then).

You are not that tough or strong to go it alone. Your career will become intolerable and bitterness will make each day longer than the day before. I must say you chose the job, the job didn't choose you. There is no examination to get out — so if you want in then please read what I have to say.

There is no doubt in my mind that you have heard of Jesus Christ. You hear His name every day coming from the mouths of people, mostly in a derogatory way. That name you hear everyday is the one who was sent by the Father to minister, to be crucified, to rise again and be among His people to give them faith and hope and, most of all, an everlasting life with Him for those who believe. There is so much that could be written, and so much to be told but time and space will not permit. He changed my life and without Him I do not have any idea where I would be today. I would not have my wife, home or the love of my family. Amazing! He was there all the time, and I didn't realize it, and nobody told me. So now I am telling you. Spend some time alone, seek Him and ask Him to be Lord of your life. Once you do this you never have to walk along again.

Questions can be answered by the men in Cops for Christ. Seek them out, talk to them and you will be doing yourself the biggest favor you will ever do in your life.

Every second Thursday of the month we have a luncheon at 12:00 noon in the P.O.A. Building - see you there.

My prayers are with you guys, so hang in there!

HERBERT W. YANOWITZ
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Court Overturns Medicare Policy

Medicare beneficiaries have won a major victory in a battle with a federal agency over coverage for home health care.

U.S. District Court Judge Stanley Sporkin has ruled that the Health Care Financing Administration (HCFA) has "arbitrarily" denied thousands of valid home health care claims by restricting the definition of "part-time or intermittent" services that Medicare will cover.

By law, Medicare covers skilled care in the home by a nurse or home health aide only if it is provided on a less than full-time basis to eligible beneficiaries. HCFA has interpreted "part-time or intermittent" as meaning four or fewer days a week, although the agency never has published such a definition in a formal regulation.

Sporkin said the effect of the HCFA policy was that a person needing as many as 28 hours of care over four days would be covered, while a person needing only one hour a day over five or six days would be denied benefits.

He cited the case of Harold Galbraith, a paraplegic with severe skin ulcers who also requires a foley catheter. To remain at home, Galbraith needs help from a home health aide for an hour a day, five days a week. Medicare denied coverage for the aide.

Calling the policy "contrary to the plain language of the Medicare Act," Sporkin said Congress intended Medicare to pay for part-time home care for those not needing full-time care in a hospital or nursing home.

Sporkin said the denials "take away essential medical services from aged and sick people," forcing many of them into nursing homes when they prefer to remain at home.

Sporkin also ruled that HCFA must reopen all Medicare claims denied on the part-time/intermittent issue since the filing of the case in February 1987 to determine if benefits should be paid.

The effect of the order is that eligible beneficiaries will be covered for medically necessary part-time daily care, although HCFA is seeking guidance from the court on how it may define part-time in terms of number of hours per day. The agency could still appeal the decision.

While these issues are pending, HCFA has ordered a halt to the processing of claims that fall in the disputed area.

Sporkin said beneficiaries who have appealed denials have frequently succeeded in having the decision overturned. But, he added, the policy was "having a devastating impact" on those either too old, too sick or too afraid to appeal. They "simply fall by the wayside," he said.

AARP participated in the case in support of the parties who brought the suit, which included 17 beneficiaries denied home care benefits, several home care agencies, and members of Congress and the National Association for Home Care.

Reprinted from AARP News Bulletin October 1988

What should I do?

Produced by Annette Winter

(1.) So they've made you executor ...

My daughter will be the executor of my estate, and wishes she knew more about her responsibilities. Could you please explain the duties of an executor?

The duties of an executor (sometimes called the "personal representative") are generally the same under any will, but their complexity will vary with the size of the state and the provisions of the will itself. Basically, the responsibilities of an executor are to:

- Locate and read the will.
- Retain an attorney. (In some states an attorney is not required but is recommended for all but the simplest estates.)
- Present the will and death certificate in probate court and petition for "letters testamentary" giving the executor the legal right to act for the estate.
- Locate and inventory the estate assets and, if necessary, arrange for appraisals.
- Collect any money due the estate or deceased, pay debts — and keep accurate records of both.
- Request payment of insurance proceeds payable to the estate.
- Cancel credit cards and club memberships.
- File necessary income, estate and inheritance tax returns.
- Distribute assets to the heirs.
- Return to the probate court with an accounting of the actions taken and request that the estate be closed.

The other considerations should be mentioned: bonding and fees. Unless you include in your will a stipulation that the executor need not post bond, it may be required — an extra expense of administering the estate.

Similarly, your daughter may be required by state law to accept a fee (usually a percentage of the value of the estate) unless you stipulate otherwise in the will. If your



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daughter is getting the entire estate anyway, what difference does it make? Well, the executor's fee is taxable and must be reported on her tax return, while the estate assets are inherited without any income tax liability (although there may be estate or inheritance tax due).

AARP and Scott, Foresman and Company have just published an updated and expanded edition of *The Essential Guide to Wills, Estates, Trusts, and Death Taxes* by Alex J. Soled. It is available to AARP members for \$9.95 (\$12.95 for nonmembers), plus \$1.75 shipping and handling, from AARP Books/Scott, Foresman and Company, 1865 Miner St., Des Plaines, IL 60016-4711, or call 800-238-2300.

(2.) A tax credit for dependent care?

I am an invalid and live with my daughter. She works, and hires someone to be with me. Can she deduct this expense from her taxes?

Anyone who works and pays for the care of a dependent may be eligible for a federal tax credit.

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Care must be for a child under 15, or for a physically or mentally disabled spouse, adult child, parent or other relative for whom the taxpayer provides more than half the needed support. The credit covers most types of care; even adult day-care centers probably qualify.

To get the credit, your daughter must pay for care so she can work or look for work. Her job may be full- or part-time, in or out of the home; even self-employed persons may qualify. Volunteer work does not qualify. If your daughter is married, your son-in-law also must work unless he is disabled or a full-time student during part of the tax year.

To claim the credit, use Form 2441 (with Form 1040). For more information, call your local office of the Internal Revenue Service.

Reprinted from *Modern Maturity*, AARP
October/November 1988

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Climbing In Kenya

by John Ehrlich, POA Foreign Correspondent

I arrived in Kenya the last week in August. Nairobi, the capitol is a big city with several million people. The pace is a lot slower than Hong Kong. Prices for imported things are quite high. You can get most western goods, and film is not expensive.

In Nairobi I've been staying at Mrs. Roches. She was a WWII Polish refugee who settled in Nairobi. She runs a classic travelers place to stay. It cost \$3 for a bed in a dorm or \$2 to camp or sleep on the floor. It's in a quiet suburb with trees and flowers on the grounds. Many people who have a car stay here, as it is safe. I found out vast amounts of information: where to stay, what to see, rates of exchange, etc. There are two showers and two toilets with hot water in the morning and at night.

After a few days I went on a seven day safari to Amboseli and Masai Mara. I've already written about a day on that safari. I went on another safari with the same company north to Lake Turkana, also known as the Jade Sea. It's a poor road; it took several days to get up there. It's very dry and hot. We stayed at an oasis which was the only green for miles. The land was rock and desert with scrub grass here and there. The Samburu are a tribe closely related to the Masai. We saw some camels being herded by a couple of warriors next to the road. One of our group took out a camera to take a photo of the camels. The warrior ran along the side of our slowly moving truck yelling and brandishing a spear; we stopped and were able to convince him no picture had been taken. On our way out of Turkana we had to stop for half an hour as a herd of several thousand camels walked by. We saw some game at Samburu game reserve. Africa has an amazing variety of brightly colored birds. On all of my trips there have been at least a couple of birdwatchers.

I returned to Nairobi for only a day and then set off to climb Mt. Kenya. My companion was from Scotland and walked at a tremendous rate. We decided to go up the Chogoria Route, which is the most beautiful. We took a bus to the town of Chogoria. When we arrived, my pack was there but the other pack was gone. They had been locked under the bus. We went back to Embu and made a police report. It was late so we got a hotel room. We would meet the police the next morning and meet the bus and driver as it returned to Nairobi. They investigated around the market. To make a long story shorter, as we were about to go back to Nairobi a shady looking character reported that it was on top of a taxi which would return in an hour. The bag was returned with everything intact.

We made it to the national forest gate where there is a guarded place to camp. The next day we walked along a dirt road; there was forest on either side. We could see monkeys in the trees. I covered the first 20 kilometers in 5 hours, but it took another hour to cover the last two to the park gate where I collapsed exhausted. It was a 3,000 ft. elevation gain. The next day was a beautiful hike up another 3,000 feet. We walked along the side of a canyon with sheer stone walls, a waterfall and several glacial lakes. It was clear in the mornings. The clouds would move in about 11 o'clock and swirl around but the main jagged peaks were visible all day. We camped by a lake with beautiful views in every direction. The next day was equally nice up to the top hut at 15,700 ft. There are several glaciers. The second night it snowed a couple ches. We climbed up to Pt. Lamu at dawn to see the rising sun. There were views for hundreds of miles; we started down another route and walked all day. At 3 PM we had 18 kilometers to the road. We made it by 6:30 at a cost of a big toenail, several blisters, and very sore legs. We figured we walked over 25 miles with packs on, albeit all downhill. It cost around \$19-\$25 all things included. To climb Mt. Kilimanjaro, in Tanzania, costs over \$200 for a 5 day climb.

Kenya has been lots of fun. There is much to see and do, and I've not even been to the coast. Next I'm off to see the game parks in Tanzania.

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It's In Your Court

by Bill Fazio,
Assistant District
Attorney



"The Reverse Sting"

"If you can't beat 'em, join 'em," seems to be a call taken up by several police agencies in an effort to deal with the all-encompassing, ever-present crack trade. In a switch of tactics some police narcotic units are concentrating on taking the part of the seller and arresting the buyer. The results have been encouraging. With the movement of police agents into an area and the replacing of sellers with the agents, the trade in crack and assorted drugs generally subsides and may not again renew itself due to an absence of buyers. Once arrested, buyers seldom return to the same area to purchase dope; there remains the suspicion that the seller(s) might be police. Oftentimes the law-abiding members of the community pleased with positive police work assist and cooperate with the police/sellers. The community is rewarded with peace, quiet, and a return to a semblance of normalcy.

Experience and trial and error have demonstrated the necessity of following certain guidelines:

The police unit is composed of highly motivated street savvy officers who recognize the responsibility of making a case and following it through court hearings and proceedings.

A location is identified as an area to be "stung." The area must have a high incident of street sales of crack and similar drug transactions. The unit surveils the scene, videotaping the action if at all possible, for manner and method of sales.

When all is set, actual narcotics are removed with strict control from the crime lab and again analyzed for certainty that it is a controlled substance. Said narcotics will be dealt strictly within the provisions of 11367 of the California Health and Safety Code and the guidelines set out in *People v. Backus* (1979) 23 Cal.3d 360.

Undercover operatives then move in and move the actual sellers out; anyone not cooperating are subject to 148 PC. violations. The new sellers, aka undercover units, wait for their first buyer(s). Oftentimes a strike takes place before the bait hits the water. The undercover officer, wired for sound, ideally videotaped, provides an opportunity for the buyer to engage in the illegal action. By simply taking the place of the street seller and doing nothing to encourage the sale, the undercover officer prevents any defense of entrapment.

Assisting the police seller are additional highly motivated cover officers. These officers may take the position of cover, chase, and arrest or a combination of all three depending on the conditions, manner and location of the sales. Because the entire scenario is scripted by the police, evidence is scrupulously identified and maintained.

The buyers arrested are subject to confiscation of their vehicle and subject to felony arrests. Oftentimes those being arrested do not live in the area and are quite surprised at their predicament. They are unlikely to return.

In the continuing war on crime, it is necessary to engage in imaginative efforts at law enforcement. The "reverse sting" may provide, at least temporarily, a novel way of dealing with the cancer of drug sales. When exercised properly, it impacts upon the heart of the problem, the buyer. If the market diminishes because the buyer is discouraged from purchasing, the seller may have his market cut out from under him.

Conclusion

The "reverse sting" is an example of law enforcement tactics that assist in the war on drugs. Obviously, the situation is such that there is no single, or even several definitive answers. The problem is one that law enforcement itself is never going to totally solve. The "reverse sting" may be a viable tool to be used with guidance and direction. It's viability is only effective through a concerted effort of all those involved in the criminal justice system.

Prosecutor Known For Quality Work In Tough Arena

by David Oltman

For someone whose interest in the law was stimulated by watching "Perry Mason" and "The Defenders," William Fazio seems to have wound up on the wrong side of the legal profession.

Anyone familiar with Fazio's 12-year career in the San Francisco district attorney's office, however, knows the inaccuracy of that assumption.

Since joining the office in 1975, Fazio has gained a reputation as one of the top trial attorneys in San Francisco.

As a member of the office's homicide division, he has prosecuted a number of high-profile cases and been rumored as a possible successor to District Attorney Arlo Smith.

A native of San Francisco, Fazio has held a number of posts with the district attorney's office, including service as a deputy in the misdemeanor trial, narcotics and sexual assault and child abuse divisions. It has been as a homicide prosecutor, however, that Fazio has reached the apex of his trial work.

"He is as good a trial lawyer as there is, and I say that for both sides," said San Francisco criminal defense attorney and former police officer James Collins. "He is very, very good with witnesses, both in direct questioning and in cross examination."

Collins, who has opposed Fazio in two murder trials and in the Tara Burke kidnapping and sexual abuse case, said that Fazio is well-liked by juries and brings an imaginative style to the prosecution.

"He is always looking for some innovative way to get the best results for his side," Collins said. "Bill is an awfully tough adversary in the courtroom."

San Francisco Public Defender Jeff Brown said he, too, has found Fazio to be a resourceful prosecutor who will use all the tools available to him in trying a case.

"He prepares his cases well and has a good working relationship with the investigation team in the district attorney's office," Brown said. "During the course of a trial when something new is presented by the defense, he can bring in rebuttal witnesses that can be deadly to your case."

That fact was brought home very clearly in the 1966 Ernest Major Kirkwood murder trial in which he opposed Fazio, Brown said.

"In that case, the child of the defendant brought a gun to school and we had an explanation for it," Brown said. "He found the principal of the school, who had been transferred to Stockton, and she rebutted the testimony — that is an example of the resourcefulness and ingenuity that he has."

Fazio, 40, has served almost exclusively as a prosecutor since graduating from the University of San Francisco School of Law in 1973 and passing the bar in June 1974. He was hired by District Attorney John Ferdon in October 1975 after a year of private practice in San Francisco.

"I contacted the district attorney's office just out of a whim and asked if I could come down and do some volunteer work," Fazio said. "What impressed me about the office was that young attorneys there were trying cases right out of law school."

Worked as Pressman

Fazio earned his law degree from USF at night while working full time as a pressman for the San Francisco Newspaper Agency, which prints the Chronicle and Examiner newspapers. He worked beside his father, who

was also a pressman for the agency.

He had obtained a bachelor's degree in communications theory in 1969 from San Francisco State University and a master's in the same field from San Francisco State a year later.

That he would apply his communication skills to a career in the law seemed to follow naturally for Fazio, who grew up as the oldest child in a large Italian-American family.

"I used to like to have long discussions with my family, particularly my father," Fazio said. "He said, 'You know, not that you are argumentative, but you never give an inch. Why don't you become a lawyer.'"

When he joined the district attorney's office in 1975, Fazio worked on the investigation of alleged voter fraud among members of the police and fire departments who voted in San Francisco but did not live in the city.

"When we conducted our investigation, it turned out that the registrar of voters wasn't living in San Francisco, but was voting here," Fazio said. The law was a little unclear, but a lot of people thought that they could choose their residency as far as voting was concerned.

Fazio was then transferred to the misdemeanor trial unit and followed that with service in the preliminary hearing and felony robbery and assault units. After a stint in the narcotics section, he began prosecuting sexual assault and child abuse cases.

Hasty Preparation

While in that unit, Fazio prosecuted his first homicide, a death penalty case against Russell Coleman, who was charged with the special circumstance of killing someone during a sexual assault.

Despite having only two weeks to prepare for the prosecution after taking over the case, Fazio was able to obtain a conviction and a death penalty sentence against Coleman.

In 1984, Fazio became involved in the sanity phase of the trial of Alex Cabarga, who along with Treefrog Johnson, was charged with kidnapping and sexually abusing 6-year-old Tara Burke.

He took over that portion of the case after Judith Whitmer Kozloski, head of the sexual assault and child abuse unit, was appointed to the San Mateo County Municipal Court bench. Cabarga was eventually found sane and sentenced to more than 200 years in prison.

"One of the problems in that unit was determining whether you were going to bring charges or not," Fazio said. "I always felt that if I could somehow put myself to a higher standard than required by law, if I was convinced in my own mind beyond a reasonable doubt, then I could comfortably proceed with the prosecution."

His work on sexual assault cases was a very rewarding experience because of the trust he was able to instill in the victims, Fazio said.

"When you were successful in getting a conviction in a case of that nature, the victim invariably felt some sort of catharsis, not only in the conviction but in the ability

(See FAZIO, Page 11)

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Board of Directors Meetings

September 20, 1988
September 24, 1988
October 6, 1988

Board of Directors - September 20, 1988

Quorum Present.

PRESIDENT'S REPORT: No report - POA President Bob Barry excused while attending a POA Attorney Conference.

VICE-PRESIDENT'S REPORT: POA Vice-President Parenti assumed the chairmanship of the Board meeting.

TREASURER'S REPORT: Dan Linehan presented the Treasurer's Report to the Board of Directors which was approved by voice vote.

New Business

A motion by Parenti, seconded by Garcia to post a \$10,000 reward for information leading to the arrest and conviction of the murder of police officer Lester Garnier. The motion was passed by voice vote.

Endorsement Interviews

The Board of Directors interviewed candidates for the Community College Board and the San Francisco School Board.

The meeting was continued to September 24, 1988 for endorsement interviews for the Board of Supervisors.

Board of Directors - September 24, 1988

The Legislative Committee and members of the Board of Directors interviewed the 14 candidates for the Board of Supervisors as well as the No on O Committee.

Lacking a quorum the Board of Directors meeting will reconvene on October 6, 1988.

Board of Directors - October 6, 1988

Quorum Present. Members present: Davenport, Coggan, Garcia, Gannon, Java, Conway, Taylor, Johnson, Friedlander, Chignell, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Excused; Bertsch, McDonagh, Ramlan, Flippin. Absent: Doherty, McAlister.

Endorsement for the Board of Supervisors

Harry Britt - A motion by Chignell, seconded by Cole to endorse Harry Britt for re-election to the Board of Supervisors. The motion was approved by 12-yes and 3-no. Voting yes; Davenport, Garcia, Gannon, Java, Friedlander, Chignell, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Voting no; Coggan, Conway, Johnson.

Willie Kennedy - A motion by Linehan, seconded by Chignell to endorse Willie Kennedy for re-election to the Board of Supervisors. The motion was approved by a vote of 15-yes and 1-abstention. Voting yes; Davenport, Coggan, Garcia, Gannon, Java, Conway, Taylor, Friedlander, Chignell, Fagan, Cole, Rapagnani, Linehan,

Parenti, Barry. Abstaining; Johnson.

Angela Alioto - A motion by Rapagnani, seconded by Cole to endorse Angela Alioto for supervisor. The motion was approved by a vote of 12-yes and 4-no. Voting yes; Garcia, Gannon, Java, Taylor, Friedlander, Chignell, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Voting no; Davenport, Coggan, Conway, Johnson.

Lee Dolson - A motion by Garcia, seconded by Parenti to endorse Lee Dolson for supervisor. The motion was approved by a vote of 15-yes and 1-abstention. Voting yes; Davenport, Coggan, Garcia, Gannon, Cole, Java, Conway, Taylor, Friedlander, Chignell, Fagan, Rapagnani, Linehan, Parenti, Barry. Abstaining; Johnson.

Bruce Lilienthal - A motion by Friedlander, seconded by Conway to endorse Bruce Lilienthal for supervisor. The motion was approved by a vote of 9-yes, 6-no and 1-abstention. Voting yes; Davenport, Coggan, Garcia, Gannon, Java, Johnson, Friedlander, Fagan, Parenti. Voting no; Taylor, Chignell, Cole, Rapagnani, Linehan, Barry. Abstaining; Conway.

Terence Hallinan - A motion by Linehan, seconded by Chignell to endorse Terence Hallinan for supervisor. The motion was approved by a vote of 10-yes and 6-no. Voting yes; Barry, Parenti, Linehan, Rapagnani, Fagan, Chignell, Friedlander, Taylor, Java, Garcia. Voting no; Cole, Conway, Gannon, Coggan, Davenport, Johnson.

Endorsements for the Community College Board

Chuck Ayala - A motion by Linehan, seconded by Rapagnani to endorse Chuck Ayala for re-election to the Community College Board. The motion was approved by voice vote.

Tim Wolfred - A motion by Linehan, seconded by Garcia to endorse Tim Wolfred for re-election to the Community College Board. The motion was approved by 11-yes and 4-abstention. Voting yes; Garcia, Java, Taylor, Friedlander, Chignell, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Abstaining; Davenport, Coggan, Conway, Johnson.

Bob Varni - A motion by Garcia, seconded by Taylor to endorse Bob Varni for election to the Community College Board. The motion was approved by 11-yes and 4-abstention. Voting yes; Garcia, Java, Taylor, Friedlander, Chignell, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Abstaining; Davenport, Coggan, Conway, Johnson.

Julie Tang - A motion by Java, seconded by Coggan to endorse Julie Tang for re-election to the Community College Board. The motion failed by a vote of 1-yes, 7-no and 6-abstention. Voting yes; Coggan. Voting no; Garcia, Chignell, Cole, Rapagnani, Linehan, Parenti, Barry. Abstaining; Davenport, Java, Conway, Johnson, Friedlander, Fagan.

Biggs - A motion by Garcia, seconded by Friedlander to endorse Biggs to the Community College Board. The motion was defeated by 3-yes, 7-no and 4-abstention. Voting yes; Garcia, Java, Friedlander. Voting no; Chignell, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Abstaining; Davenport, Coggan, Conway, Johnson.

Amos Brown - A motion by Chignell, seconded by Parenti to endorse Amos Brown for re-election to the Community College Board. The motion was approved by voice vote.

Endorsement for the President and Vice-President of the United States

George Bush & Dan Quayle - A motion by Garcia, seconded by Davenport to endorse Bush-Quayle. The motion was withdrawn by the maker.

Endorsement for the School Board

Libby Denebeim & JoAnne Miller - A motion by Linehan, seconded by Cole to endorse Libby Denebeim & Joanne Miller for re-election to the School Board. The motion was approved by 10-yes and 4-abstention. Voting yes; Garcia, Java, Conway, Friedlander, Chignell, Cole, Rapagnani, Linehan, Parenti, Barry. Abstaining; Davenport, Coggan, Johnson, Fagan.

Leland Yee - A motion by Linehan, seconded by Cole to endorse Leland Yee for the School Board was approved by a vote of 10-yes and 3-no. Voting yes; Coggan, Garcia, Java, Conway, Friedlander, Chignell, Cole, Rapagnani, Linehan, Parenti, Barry. Abstaining; Davenport, Johnson, Fagan.

Endorsements on the Propositions

YES on Proposition A - A motion by Linehan, seconded by Rapagnani to support Proposition A. The motion was approved by voice vote.

YES on Proposition C - A motion by Linehan, seconded by Garcia to support Proposition C. The motion was approved by voice vote.

NO on Proposition D - A motion by Linehan, seconded by Garcia to oppose Proposition D. The motion was approved by voice vote.

YES on Proposition F - A motion by Linehan, seconded by Garcia to support Proposition F. The motion was approved by a vote of 10-yes, 1-no and 2-abstention. Voting yes; Davenport, Garcia, Java, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Voting no; Coggan. Abstaining; Conway and Johnson.

YES on Proposition H - A motion by Linehan, seconded by Cole to support Proposition H. The motion was approved by voice vote.

YES on Proposition I - A motion by Linehan, seconded by Garcia to support Proposition I. The motion was approved by voice vote.

YES on Proposition J - A motion by Linehan, seconded by Garcia to support Proposition J. The motion was approved by voice vote.

NO on Proposition O - A motion by Chignell, seconded by Linehan to oppose Proposition O. The motion was approved by a vote of 12-yes, 1-no and 1-abstention. Voting yes; Barry, Parenti, Linehan, Rapagnani, Cole, Fagan, Chignell, Friedlander, Johnson, Java, Garcia, Davenport. Voting no; Coggan. Abstaining; Conway.

YES on Proposition Q - A motion by Rapagnani, seconded by Garcia to support Proposition Q. The motion was approved by voice vote.

NO on Proposition R (Missouri Plan-Agnos) - A motion by Chignell, seconded by Coggan to oppose Proposition R. The motion was approved by 11-yes and 2-abstention. Voting yes; Davenport, Coggan, Garcia, Java, Conway, Johnson, Friedlander, Fagan, Cole, Parenti, Barry. Abstaining; Rapagnani, Linehan.

YES on Proposition S - The POA has previously taken a Yes on S position.

NO on Proposition T - A motion by Linehan, seconded by Fagan to oppose Proposition T. The motion was approved by 12-yes and 1-abstention. Voting yes; Davenport, Coggan, Garcia, Java, Conway, Johnson, Friedlander, Fagan, Cole, Rapagnani, Linehan, Barry. Abstaining; Parenti.

YES on Proposition V - The POA has previously taken a Yes on V position.

NO on Proposition W - A motion by Friedlander, seconded by Rapagnani to oppose Proposition W. The motion was approved by voice vote.

Endorsement for the State Senate

Senator Milton Marks - A motion by Fagan, seconded by Parenti to endorse Senator Milton Marks for re-election to the California State Senate. The motion was approved by voice vote.

Endorsements for the State Assembly

Willie Brown, John Burton & Jackie Speier - A motion by Linehan, seconded by Fagan to endorse Assemblyman Brown, Assemblyman Burton and Assemblywoman Speier for re-election to the State Assembly. The motion was approved by a vote of 9-yes and 4-no. Voting yes; Garcia, Java, Friedlander, Fagan, Cole, Rapagnani, Linehan, Parenti, Barry. Voting no; Coggan, Davenport, Conway, Johnson.

Endorsement for the United States Senate

Lt. Governor Leo McCarthy - A motion by Garcia, seconded by Cole to endorse Lt. Governor Leo McCarthy for the United States Senate. The motion was approved by a vote of 12-yes and 1-abstention. Voting yes; Barry, Parenti, Linehan, Rapagnani, Cole, Friedlander, Johnson, Conway, Java, Garcia, Coggan, Davenport. Abstaining; Fagan.

Endorsement of the State Propositions

YES on Proposition 96 (Communicable Disease Test) - A motion by Rapagnani, seconded by Linehan to support Proposition 96. The motion was approved by voice vote.

NO on Proposition 102 (Reporting Exposure to the AIDS Virus) - A motion by Rapagnani, seconded by Linehan to oppose Proposition 102. The motion was approved by voice vote.

Submitted by,
Reno Rapagnani
Secretary



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FAZIO

(Continued From Page 9)

to get up on the stand and to gain some control — for the first time — of the situation," Fazio said.

Assistance for Victims

Fazio worked closely with community agencies providing assistance to sexual assault victims and prepared a pamphlet for the district attorney's office outlining the legal process for victims of sexual assault.

Since becoming a member of the homicide unit, Fazio has continued to espouse the rights of crime victims and attempts to work closely with family members of those whose loved ones have been killed.

"You don't really have the same types of support groups for homicides as you do in sexual assault cases," Fazio said. "There is one local organization called Justice For Murder Victims that I have been involved with."

In the latest homicide he prosecuted, Fazio was able to provide some support for the family of 21-year-old William Safian of Scarsdale, New York, who was killed last June 12 on a South-of-Market street corner.

"I felt a lot of satisfaction in helping them get through this real tragedy in their lives," Fazio said. "It was very difficult to deal with the situation, but I look upon that assistance as part of my job and felt it was very rewarding in the end."

In that case, Fazio was able to get a second-degree murder conviction against 21-year-old Pablo Imeri, a former San Francisco Conservation Corps worker, despite an argument presented by the public defender's office that Imeri had drunk 28 cans of beer and was nearly unconscious when he killed Safian.

Deputy Public Defender Mark Nissenbaum, who represented Imeri, said that Fazio displayed a keen sense of how to use a seemingly minor detail to help him with the prosecution of the case.

"During an in camera voir dire, a prospective juror said that she would have some problem with the case because a knife was used," Nissenbaum said. A knife is a much more personal weapon than a gun, since you have to be closer to the victim to use it, an argument that Fazio used during the trial, he said.

"I guess that is the sign of a good trial lawyer, to be able to pick up something that a prospective juror said and use it," Nissenbaum said. "In my estimation, he is the best trial attorney in the district attorney's office — I even told him one time that he was good enough to be a defense lawyer."

In the homicide unit, Fazio is involved with a number of cases at various stages of development at any given time. At last count, he was handling 20 homicides cases, including the Coleman case, which is before the state Supreme Court for a review of the death penalty verdict.

"In prosecuting homicide cases, you deal with some extremely competent and skilled defense attorneys," Fazio said. "I have had the opportunity of going up against some very excellent attorneys that I probably wouldn't have had doing regular types of cases."

Good at Case Evaluation

San Francisco criminal defense attorney Harvey Goldfine, who opposed Fazio in the highly publicized "Gay Bashing" trial in 1985, said that Fazio has gained the respect of the private bar through his forthright approach to prosecuting a case.

"He doesn't hold back on anything and is very good at evaluating a case," Goldfine said. If he has doubts that the evidence can sustain a conviction on a certain indictment, Fazio will

Fazio said that in homicide cases, the overriding question is often not one of guilt or innocence, but of what charge to bring against a defendant.

"We have to make a determination as to what we think the evidence supports," Fazio said. "Often times you will charge the crime of murder, because the issue is going

to be whether it is first or second degree, or one of the lesser included offenses of manslaughter. It causes you to be aware of the law as much as the facts of a case."

Fazio said that since he has been in the homicide division, his work on two murder trials stands out in his mind — the Russell Coleman case and one involving the 1985 prosecution of a husband and wife, Phillip and Velma Henderson. He was able to obtain first-degree murder convictions for both of the Hendersons for killing a man, his pregnant wife, her fetus and the couple's one-year-old son.

Being a native San Franciscan has helped with his prosecution work in the district attorney's office, Fazio said. "It sort of gives you an idea about the neighborhoods and about the people and how they act and react."

Although his work in court consumes most of his time, Fazio has been able to continue his association with local community groups and maintain an active role with the Bar Association of San Francisco.

Fazio also writes a column for a monthly magazine published by the San Francisco Police Officers Association, has served as a staff instructor in police department training sessions and lectured on sexual assault and child abuse for a number of organizations throughout the state.

"I also think it is real important as a prosecutor that you don't lock yourself down here in these granite walls of the Hall of Justice," Fazio said. "It is very important that you get out of here and mix with people who have nothing to do with the criminal justice system just to get another perspective on life."

For Fazio, some of that perspective has come through his involvement with local Democratic Party issues. He worked in the campaign for Mayor Art Agnos earlier this year.

As for his own political ambitions, Fazio admits that he has been approached about a possible run for the top spot in the district attorney's office.

"People have talked to me about the job and it is very flattering," Fazio said. "I have considered it but decided obviously that the time was not right the last time."

Fazio said that Smith has always treated him fairly and

is doing an excellent job of running the district attorney's office.

"That doesn't mean, however, that there might be some changes in my future," Fazio said. "If Arlo decides to move on to bigger and better things, if he decides to run for Attorney General or to retire, and if people are still interested in me, then I think you can be assured I would still be interested in the position."

Fazio said that he was approached a few years ago by private litigators about a possible re-entry into private practice. "It has crossed my mind, but I can't really say that I have thought very seriously about it," he said.

For now, prosecuting those charged with committing the most serious crimes committed in San Francisco is his number one priority, Fazio said.

"I am still really excited about the job and have never had any problems with getting up in the morning," Fazio said. "Fortunately, the job has not interfered with my personal life."

An ability to keep his personal and professional lives separate comes from leaving his work at the office, Fazio said. "A lot of those I prosecute are real bad people who have done horrible things to other people, but I tend not to take it home with me and worry my wife and family about it."

Away from the office, Fazio enjoys vegetable gardening, although the cramped backyard of his San Francisco home and the city's persistent fog make that hobby somewhat difficult. Fazio and his wife, Peti, a native of Samoa, have two children, Tarita, 10, and Tommy, 6.

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As the threat of Collective Bargaining takes on an air of reality, our retired members must realize how it will impact and affect their lives.

Without protective language in any Collective Bargaining agreement, the retired member will be the one who is caught out in the cold, holding an empty bag.

As the active membership opt for non taxable benefits and forego yearly salary increases, the retired member suffer the most. Pensions are based on salary paid to active members.

We are on record as being vehemently against any form of Collective Bargaining. It may be impossible to stop this run-a-way monster, orchestrated by the Moyer and our present POA leadership, we make this pledge and promise to our retired brothers and sisters. "We will do everything possible to insure that **any package** bargained for SHALL be calculated as salary for the purpose of RETIREMENT BENEFITS."

Our concerns for retired members are as strong today as they were in 1974, when we were successful in changing the pension (Prop M) for those who have gone before; and our widows, who were barely existing, on a pension which paid less than poverty level subsistence.

History has a bad habit of repeating itself. We all lose under Collective Bargaining; the active member gets a new pension plan; the retirees get a reduction in retirement benefits, finding themselves in a pre- 1974 situation.

A united front, working together, we will be able to overcome the common enemy — collective bargaining, which does **not** protect retirement benefits of both active and retired members



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Joe Andres, Gen. Mgr.

A New Pension Plan?

by Ray Carlson

Editor's Note: At times it is necessary to print the following disclaimer in conjunction with an article: Opinions expressed are not necessarily those of the SFPOA or the SFPD. The accuracy of facts therein are the responsibility of the author, not the Notebook.

The threatened lay-offs, "Pay Freeze" and budget cuts were used in part as an elaborate diversion, agreed upon by our POA leadership and the Mayor to draw attention away from the real issue, Collective Bargaining. If Collective Bargaining is allowed to happen, the City nets **47 million dollars** by reducing their Retirement contributions, and our members get a "new" pension plan.

While we worried about economic survival, they were collectively working at passing City ordinances and sponsoring Charter Amendments which have a dramatic effect on our future.

FACT: The Board of Supervisors in Ordinance No. 275-88; provides for reciprocity between the Retirement System and other Public Agency Pension Plans (PERS). Free movement from one pension system to the other without loss of time.

FACT: Prop. "J" on the November ballot, when passed, will allow Tier I pension plan members to vest after 5 years of police or fire service.

What this means, **Vesting is a Two-Edged Sword.** The theory, once the City allows an employee pension vesting rights, your pension benefits are protected to date, **only.** Any earned pension benefits **can not** be taken away retroactively, however; future down-grading in retirement benefits can occur, i.e. Tier II for all, or more likely be a new plan, PERS.*

FACT: Tier II already has a vesting right, so under the same theory, Tier II can also be changed: Vesting to date, PERS in the future.

FACT: The most recent cost to the City for police pensions was 81.5% of regular salary or, 62.4 Million Dollars, an amount which **must** be paid to the Retirement System annually.

FACT: The San Francisco Sheriffs, Housing, and Airport Police are members of the PERS pension plan. The City pays **less** than 20% on each dollar earned to PERS. When all members of the SFPD are in PERS the cost per year would be 15.3 Million Dollars.

FACT: When comparing pensions, even Tier II is the clear winner, a far better plan than PERS "2% at 55 Plan" (50% with 25 years @ 55 yrs. of age or up to 75% with 38 yrs. of service)

FACT: Mayor Agnos has publicly stated that he is in favor of collective bargaining ... as long as everything is on the table, which includes the charter protected PAY FORMULA and PENSION BENEFITS.

FACT: THE MASTER PLAN CALLS FOR DOING AWAY WITH TIERS I & II. The City saves 47 million in police pension contributions the first year alone. **We** got a reduction in future retirement benefits.

PROOF: Our POA leadership is presently "selling" the membership a poorly and hastily written MEMORANDUM OF UNDERSTANDING (MOU), a document which in Section 6 reads in full:

"Section 6 Salary and Fringe Benefits

The Employer and the association agree to meet and confer in timely manner on **proposed San Francisco Chapter Amendments** to provide for alternate methods of establishing appropriate levels of **salary and fringe benefits."**

The term fringe benefits includes pensions. The Collective Bargaining Amendment. (It must be stopped)

Each of the above facts are like a piece in a puzzle, being secretly and slowly constructed, hoping that none of us would realize or recognize the dismal picture it portrays of our future.

We have some hard choices to make! We can bury our heads in the sand, pretending that all is fine; the City and our POA leadership would never do this to us. Or, we move in a realistic direction. **First**, rejecting the proposed MOU, in its present form. **Second**, electing a POA leadership team that knows the score, knows the rules of the game, and have a proven record of getting the job done. A team who have opted for a career in the SFPD, **not** pseudo politicians, or well meaning, inexperienced "nice guys" to speak for us, and to protect what little we have left; our **Salary Formula and Retirement.**

The issues are clear: the choices are yours!!

*If Prop "J" does not pass on the Nov. ballot we have a little room to breath before this is tried again.

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Just Say Yes!

by Jerry Crowley

As an association we cannot afford to wait until March, April, or May of 1989 to be told that a fiscal crisis is again upon us, and that collective bargaining will be a trade off for salary increases.

The following petition being circulated by Joe Toomey, Ray Carlson and myself clearly states our position on both the 1989 mandated pay raise and on proposed collective bargaining amendments to the charter. It also asks the Mayor to simply state his position on these two positions.

If the Mayor's response is less than positive then we know that we must prepare an alternative source of funding to achieve what is legally ours.

We feel that the Mayor's early response to these questions is critical, because it will allow us the time to put into place a program of alternative funding such as the membership supported hotel tax transfer.

The fear of looking squarely ahead and trying to find out what lies before us is actually one of the most significant factors in creating a crisis such as what occurred last year and has the potential for occurring again in 1989.

Knowledge and foresight are among the association's most invaluable weapons. We have not used these leadership qualities in the past. We cannot afford to elect leadership who will not use them in the future.

**Members Petition
 1989 Pay Guarantee
 From Mayor**

We the undersigned members of the San Francisco Police Officers Association acknowledge the probability of an extension of the "Pay Freeze" or charter change(s) in our pay formula.

Therefore, we direct President Bob Barry or in his absence or refusal, Vice President Ron Parenti, to call on the Mayor of San Francisco, Art Agnos, to state publicly that the charter mandated wage formula for the year 1989-1990 will be adhered to and be paid in full.

And, we further direct the president or vice president to request, from the Mayor that he (Mayor) withdraw his support for any collective bargaining charter amendment that includes the present salary formula and pension benefits.

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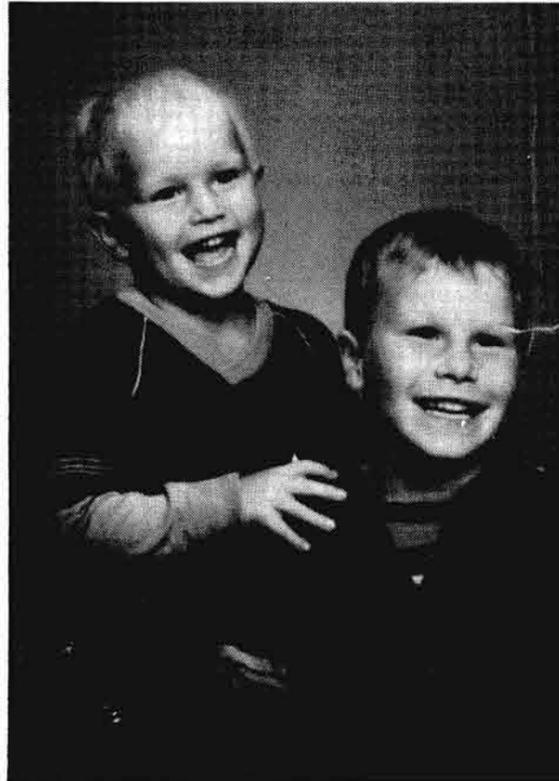
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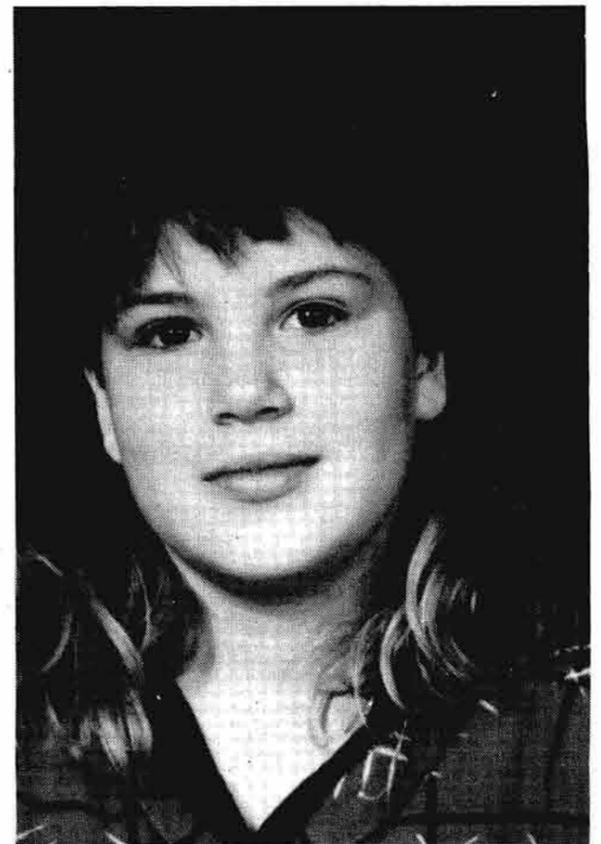
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Date of Birth: 7/24/76
Identifying marks: Strange left thumb and white spot on tongue
Missing since: 12/14/87
From: Shelton, WA



Case #1577 A/B
Name: A Shawn Steven Romine
B Brandon Ray Romine
Hair color: A Brown - B Blond
Eye color: A Blue - B Blue
Height: A 4' - B 3'4"
Weight: A 42 - B 34
Birth Date: 4/19/81 - B 10/22/83
ID marks: A Birth mark on belly,
B Has chicken pox scars
Missing since: 7/20/88
From: Spokane, WA



Case #1617
Name: Jessica Mae Kinney
Nick/Alias: Baby J, Jasmine Kelly Smith
Hair color: Med. Brn.
Eye color: Hazel
Hgt: 5 foot
Wgt: 130 lbs
Identifying marks: Stocky build, gap between teeth
Date of Birth: 1/25/77
Missing from: Tri-Cities (may be in Seattle)
Missing since 8/15/88
Other: Jessica Kelly, Jasmine Kelly, Jasmine Shanta Kelly

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Letters

Wake Up

Mayor Art Agnos
City Hall
San Francisco, California

Dear Mayor Agnos:

Now the security at City Hall is out of control. It serves the City right for what's going on because of the lowering of the standards in the Police Department and the Fire Department so the punks could qualify. And now Judge Patel feels the punks can do the job according to promotional exams. Why should the good cops (and there are plenty) suffer for what the punks do?

In Ireland, the Police Department is called the "Garda." Both men and women have to have five years of College, speak English and Irish, height 5'8" — (no pip squeaks like here) — and weigh accordingly.

Now for your friend, Huerta: I hear she is always involved with C. Chavez in demonstrations. You people don't believe there is citizens brutality against police officers!

Well, you had better start looking into this side. Maybe there wouldn't be so many officers on disability and having to be at desk jobs. I haven't been going to the C.R. meeting at the stations for years for nothing: I see and hear both sides; so no one in his or her right mind would believe the news media or T.V. when it comes to demonstrations. They are always blown out of proportion.

Sincerely,
Mary T. Kelly

Thanks

Bob Barry, President
SFPOA

Dear Bob:

Thank you very much for your endorsement which I deeply appreciate. It will be extremely helpful in the campaign.

I am grateful for your confidence and faith in me and look forward to working together to achieve the goals we cherish.

Cordially,
Milton Marks

P.S. Please give my thanks to the members of the POA.

Mr. Robert Barry
SFPOA

Dear Mr. Barry:

I am writing to personally thank you for your contribution to my campaign for Supervisor.

I know how financially demanding this time of year can be, especially for individuals like yourself who are so dedicated to the issues that are important to us.

I would also like to thank you for supporting me in my effort to represent you at City Hall. I look forward to working with you as Supervisor after the November 8th election.

Sincerely,
Bruce W. Lilienthal

San Francisco Police
Officers' Assn.
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Dear Friends of Hospice:
On behalf of the patients and families we serve at Hospice, thank you for your generous donation of

\$200.00. Your gift will be used to provide services and programs for those in need.

Providing compassionate care and support to dying patients and their families is the mission of hospice, but providing that care and support is only possible through the generosity of organizations like yours.

Thank you for your continued support and encouragement.

Sincerely,
Theresa L. Dangaran
Executive Director
HOSPICE BY THE BAY

SFPOA
510 - 7th St.
S.F., CA 94103

Dear Members,

Although this note says "Thank you" in just this simple way, there's special meaning in these words to all of you today, for the thoughts behind this message are especially warm and true, and words cannot express the special thanks this brings to you.

Thank you for the beautiful floral arrangement. Your thoughtfulness is deeply appreciated.

Kay Brannigan

Robert Barry, President
SFPOA

Dear Bob:
On behalf of the officers

of Local 798, I would like to express our appreciation to you and to the motorcycle officers you made arrangements with to escort Rita Sacco's funeral procession.

It meant a great deal to Tony and added to the tribute paid to Rita.

Thank you again!

Sincerely,
Michael J. Pera
Secretary
San Francisco Fire
Fighters Local 798

Bob Barry, President
SFPOA

Dear Mr. Barry and
Members of the POA:

Thank you for the support you have given me these last few months since the death of my husband, Jim Bloesch. Thank you also for the check you sent for my children.

I'd like to mention that Michael Hebel has been not only supportive, but informative and efficient in the many things he's done for me. I thank him, also.

Please allow me to thank all of the members of the department and their families who opened their hearts to my family. I'll always remember what so many of you have done for me.

Very truly yours,
Stephanie Bloesch

Northern Station Christmas Party



Northern Station's Christmas party will be held on Saturday, December 17th, at Fort Mason's Officers Club, located at Bay and Franklin Sts., between the hours of 6:00 P.M. and 1:00 A.M.

COCKTAILS: 6:00 P.M. to 7:30 P.M.
DINNER: 7:30 P.M. to 9:00 P.M.
DANCING: 9:00 P.M. to 1:00 A.M.

DINNER: Prime Rib or Filet of Sole in Lemon Butter, with Asparagus, Hollandaise Sauce and Bay Shrimp with Salad, Pasta, Baked Potato or Rice, Vegetable, Roll and Butter, Tea or Coffee and Wine.

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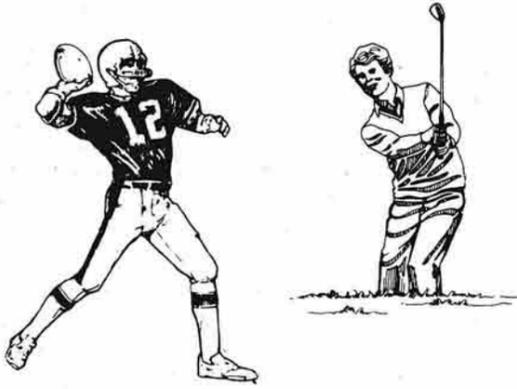
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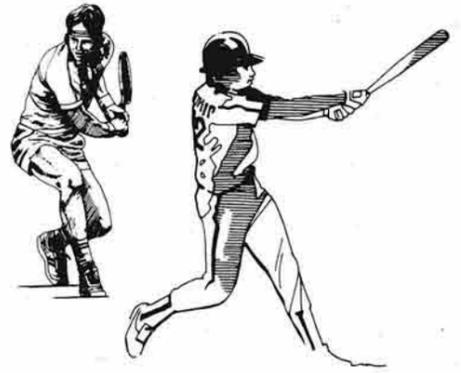
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SPORTS



S.F. Cops Climb to the Top at the Brass Pole Run

by L. A. Perez, Co. D

The S.F.P.D. Beatmen ventured forth into World Series-mad Oakland to defend their police team championship title at the 12th Annual Brass Pole 10K (6.2 mile) Run. This was a special race, because it was the first indication that the S.F.P.D. Running Team had blossomed into contenders in the highly competitive public safety division. Last year's champs were without the services of heavy hitters Dennis Bianchi (Legal) and John Payne (Northern). Bianchi was recovering from a personal best 3.07 marathon a few days before this race, and Payne pulled out at the last minute with a back ailment.

Bailing out the team were veteran runners Sgt. Dennis Gustafson (Community Relations) and Mike Mahoney (Co. C). Gustafson and Mahoney are exceptional runners who are constantly victimized by various injuries. It was a rare occurrence to have them both healthy and in the bullpen. Their combined presence put the Beatmen in contention for the race. A sore and injured Lou Perez (Co. D) was there to give it his all for the team. The day before, I competed in and won a lengthy, hilly run/bike biathlon in nearby Pinole. At the end of the race, I "crashed and burned" when I crossed the finish line on my bike. I flipped over the top of my bike's handlebars and pulled my calf muscle in the process.

The rest of the runners included Steve "Mad Dog" Mulkeen (Co. D), Insp. Marty Walsh (Juvenile), Lt. Walt Garry (Communications), Stan "The Man" Buscovich (Mounted), Insp. Jeff Brosch (Homicide), Insp. Mike Shubin (Auto) and new addition Walt Scott (Backpacking Program). Walsh, Garry, Buscovich, Brosch, Shubin and Scott represent some of the "Master Blasters" of which the team is primarily composed. They are each 40 plus years of age but run like they're 20 plus. They are the heart and soul of the running team and an inspiration to all. Most of them work in the Hall, burdened by a volume of caseloads and other management responsibilities, yet they still find the time to train and compete for this department.

State Senator Quentin Kopp and media personality Wayne Shannon started the race off and sent the runners on their way. Kopp and Shannon rode in the lead pace car while the entire field huffed and puffed behind them. The Beatmen settled into their running paces with a determined look towards the finish line. The intersections were manned by numerous Oakland PD and Oakland FD personnel who shouted their support to the S.F.P.D. runners.

Thanks to the help of some of this spirited cheering, I eventually caught the lead runner that I had been trailing for five miles. I went on to win the race, providing the team with a big lead in the police division. Mulkeen, Gustafson, Mahoney and Walsh followed to round out the first S.F.P.D. team. Walsh turned in a superb performance that also netted him first place in the 50+ Grandmaster division. Mulkeen finished in the top twenty of the race with an impressive 14th overall. Garry, Buscovich, Brosch, Shubin and Scott represented the second S.F.P.D. team. Garry's run time placed him second in the 50+ division, next to the surprising Marty Walsh.

At the awards ceremony, both of the S.F.P.D. teams swept the police team division with first and second place finishers. Mulkeen, Gustafson, and I stole the three top spots in the police individual division. The San Francisco Fire Department also emerged as the top team in the First team division, providing S.F. County with the top public safety teams in the Bay Area.

Brass Pole Run Results:

First Police Team: Walsh, Mahoney, Gustafson, Mulkeen, Perez

Second Police Team: Scott, Shubin, Brosch, Buscovich, Garry

Police Individual: 1) Perez 2) Mulkeen 3) Gustafson

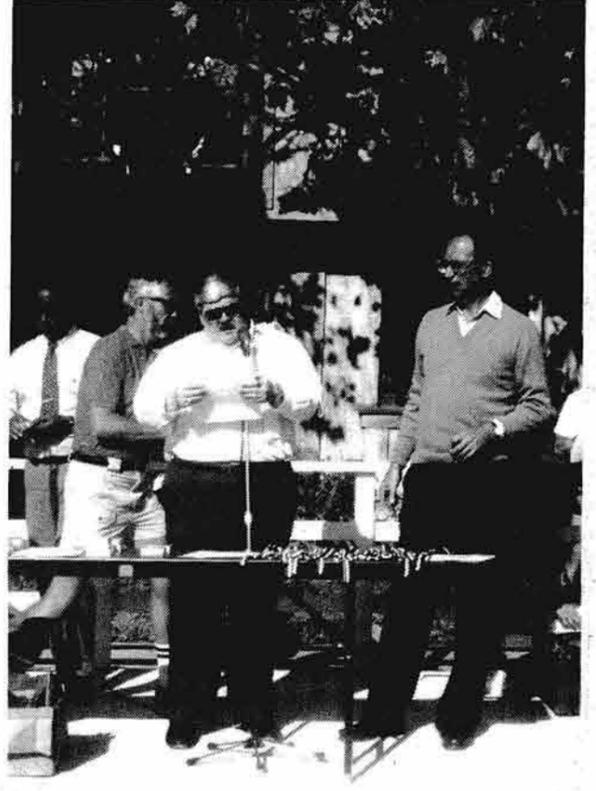
Grandmaster Division: 1) Walsh 2) Garry



A smiling Walt Scott waves "Hi" and "Goodbye"



Auto Inspector Shubin puts it into overdrive.



Wayne Shannon and Senator Quentin Kopp handed out the awards.

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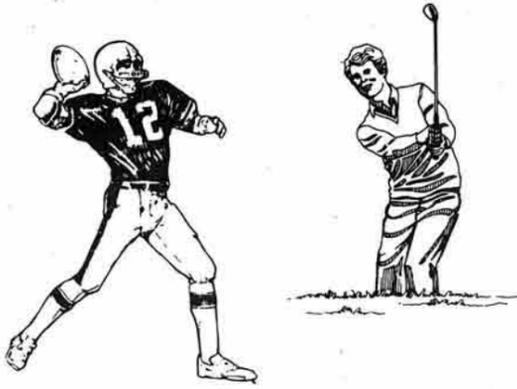
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SPORTS



Tossin' Some Shoes Around

by Dennis Bianchi, Legal

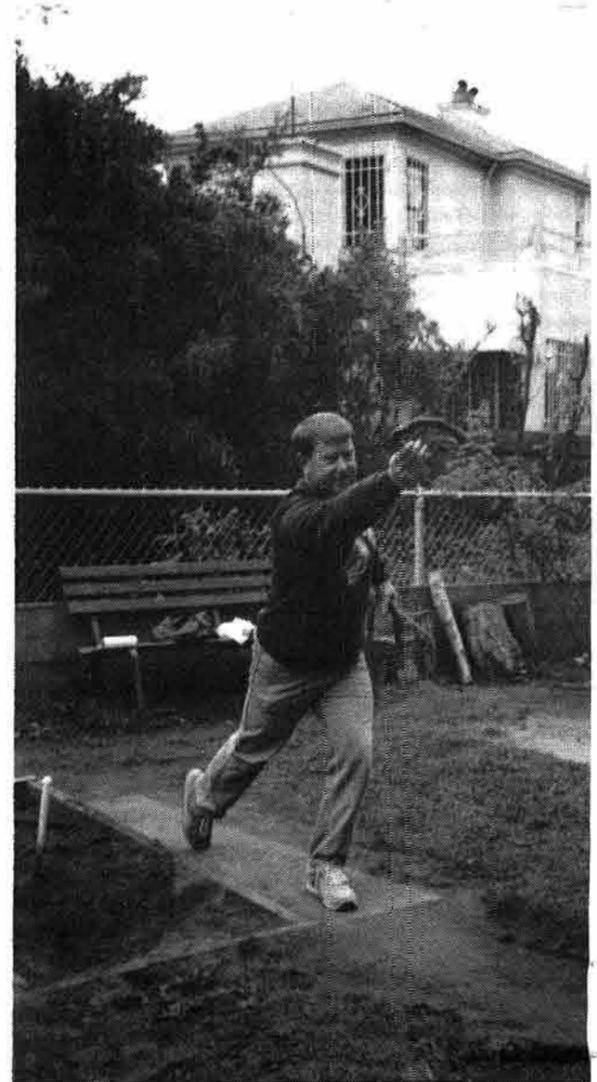
For the last few months I have described to you activities from the Police Olympics that required more than the average amount of speed and strength. This time we'll look at a sport that requires only the strength to toss a U-shaped piece of metal weighing no more than two pounds, ten ounces or less than two pounds six ounces a distance of 40 feet. Of course you must throw it very accurately. You must also throw it with enough touch and technique to have this U-shaped piece of metal loft in an arc and nestle down surrounding a very thin metal post. Of course, we're talking about the unheralded sport of horseshoes.

San Francisco was most ably represented in Bakersfield this year with three doubles teams. Denny McClellan of the Mounted unit ("horses and their shoes are my life") teamed up with recently retired Joe Stone to toss themselves into the finals, only to come up a bit short. The same fate awaited Mike Travis of TAC/EOD and City Hall stalwart Sam Watt. The District Attorney's Investigators, Mike Kish and Bruce Austin, however, came up with a Bronze Medal. Kish readily acknowledges that Austin carried their team. Thirty-six teams competed in this doubles event. By the time the doubles and singles competitors were over the competitors were out in the hot Bakersfield sun for eight hours. To make matters worse, two time-honored traditions of horseshoes — imbibing your favorite "bone-balm" and making little "side wagers" — were prohibited. Nonetheless, when the final results were posted, Mike Travis had a Bronze Medal and Denny McClellan was in sixth place in the singles, with Bruce Austin hanging in there to the finals. Travis is no

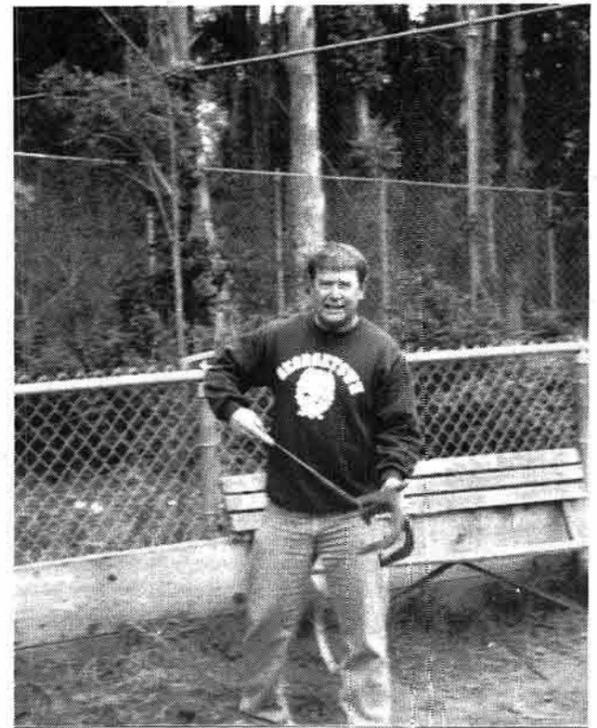
stranger to the medal-winner's circle. He and his long-time partner Sam Watt have won numerous medals, including a third place in Austin, Texas in the International Police Olympics a few years back and a third in the Police-Fire World games. This year was special for Mike as he won a Bronze in singles for the first time. Nice going, Mike!

These competitors have begun to prepare themselves for next year's Police Olympics. Denny hopes to improve his accuracy percentage up to 50%, or least at the level of his partner. Practice is imperative and Denny can be found doing just this at the practice pits in Stern Grove or Golden Gate Park. He welcomes any questions and new competitors and can be reached at the Mounted Unit. Mike Travis has the same steady practice habits and expects to bring back medals from Oxnard in 1989. Mike also welcomes new tossers and can be reached TAC/EOD. Kish and Austin have been known to give up a meal at lunch to get a few practice tosses in. They definitely have plans of moving up from their 1988 finish.

Mike Kish deserves a special note of attention. He represented San Francisco in the first body-building contest in the California Police Olympics. Although this pioneer venture did not bring Mike a medal, he looked damn good and he has set the example for others. Thus far, I have heard rumors of at least two woman officers preparing for this event in 1989 at Oxnard. The event in Bakersfield was fun and when the audience got into the spirit of everything it got downright exciting. Now is the time to start adding plenty of bulk so that come April or May you can chisel out that cut and rippled look. I know there are plenty of lifters out there who could not only put on a respectable showing of themselves but also have a fun time.



A ringer?



McClellan picking up another round.

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Correction

In the October issue of the Notebook a photograph on page 16 was captioned incorrectly. The fourth member of the relay team was, of course, Vivian Williams (not J. Witham). The Notebook staff apologizes for this error.

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SPORTS



A Most Unusual Marathon Man

by Dennis Bianchi, Legal

Ten years ago in Piedmont spectators to a race were treated to a most unusual event by a most unusual racer. An auto smashed broadside into a parked police car along the race route and the four occupants left their auto. As the occupants were running away, one of the competitors left the race route and caught one of them. He then convinced two other runners to hold this suspect, then gave chase after another suspect. Not surprisingly, the racer, Dennis Gustafson, caught the suspect and turned him over to the Piedmont Police. Sgt. Gustafson then finished the race.

The officers of this Department who race all know Sgt. Gustafson. He might be considered our "running epic." Stories like the one above abound when runners get to talking about Gus, as he is known to most folks. There's the time he and a friend wanted to run two races that were scheduled on the same day, back in 1978. So, they ran one and just kept running to the next race and then ran it! Impressive, huh? Well, the first race was just under seven miles and the second race was the old YM-CA/Golden Gate Bridge Marathon!! That's 33 miles, five cities and two bridges in just a little over four hours. Now that's impressive. However, that's not the farthest he's raced. He has competed in the Western States 100 Mile Race twice, completing it once and having to stop when injured at mile 66 in the other. He once raced from Brighton, England to London: 53 miles. Distance isn't all that's impressive, however.

While attending U.C. Cal, Berkeley in the early sixties he ran a 4:04 mile. Since entering the Masters running division (when over 40 years of age) he ran an unofficial 4:28 mile. This man is a runner.

Gus ran his first official AAU race at the age of 12. Later that same year he ran his first of 162 Marathons. He ran his first one in under 3:30. Of the 161 others he has finished over 3:00 hrs. only 5 times. 162 Marathons is almost beyond my ability to imagine. Of those 162 he has included almost every major city marathon, including Boston, New York, Los Angeles, Chicago, Houston, San Francisco, and he has raced in seven foreign countries. He has competed in triathlons, including one uncompleted Hawaii Ironman Triathlon.

Obviously, Gus has been born with talent, but he has also worked as hard or harder than any amateur runner along with a full-time police career. He has also taken adversity and turned it into an asset.

In 1980 Gus was in an on-duty auto accident and fractured four vertebrae. He spent one full year recovering, without undergoing surgery. Thirteen months after the injury his competitive nature guided him to take up race walking. At first, one-quarter of a mile was painful but Gus drove himself and in three months he was walking an eight minute mile pace. He found two coaches, Bill Ranney and Walt Jaukwith, who were both members of the 1968 U.S. Olympic race walking team. Under their tutelage and driven by his desire to excel he didn't just improve, he became a nationally ranked racewalker, rank-

ing as high as fifth in 1983. His personal record was a 6:05 mile at the "Examiner-Footlocker Games" in 1983. He was invited to and attended the Olympic Trials where he placed eleventh. There have been days, however, that he beat the best of those ten ahead of him in the 5K and 10K distances. This sport is often referred to as the "ugly duckling of track." Gus fits that image with his familiar billed cap and rotating gait. As a racewalker he has compiled personal records of Marathon — 3:28, 5K - 22:04 and 10K - 43:10. Those are good times for a runner!

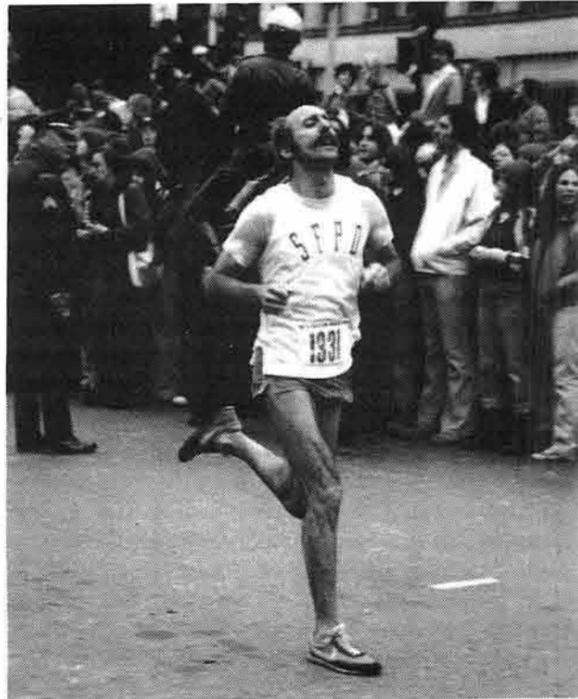
As a runner he has posted personal best times as follows:

	OPEN	MASTER
1 Mile	4:04	4:28
5K	16:11	16:36
10K	31:02	33:45
Marathon	2:24:07	2:46:00

His personal accomplishments are complemented by his many acts of helping other runners do their best. He and his long time buddy, Mike Mahoney, can be seen anywhere, anytime, training. With Gus as his partner and mentor, Mike has always run his best times. Gus has helped several other first-time marathoners and is most eager to discuss running with anyone who wants to. A word of warning, however, to any of you who want to train with him; He runs and runs and then runs some more. Gus believes in work-outs.

As you can easily see, Gus is a most talented and exceptional runner and race walker. He can also be inspirational. He and I may not always agree about every idea, but his record and his performances have always inspired admiration from me and others. During this interview I asked Gus what future goals he has set for himself. His immediate intentions are the 1989 Boston Marathon and the 1989 Police Olympics in Oxnard. This December he will be teaming up with Mike Mahoney, Steve Mulkeen and Lucio Perez to defend our Department's title at the Christmas Relays at Lake Merced. Look for that team to win their division.

His long distance plans are even more challenging; running the mile in under 4:30 again as a masters runner, and going to Greece to trace the original route of Phid-dipeds in the race to the city of Marathon. Based on his past performances, he'll be up-front with his billed cap, S.F.P.D. singlet, and his long, smooth fast stride.



Gus finishing a 2:39 Marathon in Boston.

Viareggio

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ON THE STREET/Tom Flippin



Editorial Comment

by Tom Flippin

Musing On The M.O.U.

I've been going over the proposed Memorandum of Understanding recently, looking for evidence that it is the "pact with the devil" that some members have been calling it. The MOU is **46 pages long** and contains more than 30 sections and an appendix. The devil must be a lawyer (that makes sense, come to think of it).

I haven't found any traces of fire or brimstone...it doesn't appear to have been written in blood...and, all in all, it seems to be a fairly good deal for us. There are a few sections which I think are written a little vaguely, and one or two sections which I don't like much at all. Anyway, here is a review (a **personal review**) of the most significant parts of the proposed MOU.

The memorandum opens with a statement that the POA agrees to forego a strike or slowdown by its members. In return, the City and the POA will try to develop an "impartial...arbitration" procedure. I take this to mean collective bargaining with binding arbitration (I would prefer that the language was more precise). This could be history in the making.

Section 10 incorporates G.O. P-1 as written and as it may be amended. The only problem with this is that we need some language in P-1 that allows for regular movement between units based on members' requests.

Section 12 is an important commitment by the City to a fully staffed Department...the problem with that being the lack of money. And Section 13 commits the Department to full staffing on Holidays: Wow! Section 14 says court time won't be diminished during the term of the M.O.U. I'd rather we got back what we've lost recently!

In Section 15 the City agrees to keep work areas clean and safe and to improve facilities (including facilities for women and exercise facilities) at each station...Alright! It's about time.

Part of Section 16 states that all members will receive a monthly \$20 cleaning allowance starting 7/1/89.

Section 18 addresses the rights of individual members during disciplinary action. Most importantly the OCC investigations of off duty officers are limited.

Section 21 puts the SFPD into line with modern policies for officers who become parents. Maternity and childcare leave, at last!

Sections 24 and 26 provide a little economic relief for the troops. 24 provides for meals after 4 hours of demo duty, and in 26 the City agrees to sponsor a charter amendment for educational incentive pay. Every little bit helps, right?

Section 30 memorializes the grievance procedure pretty much as it is set up now, but with one important addition: After the chief's review, if the grievance is not resolved, the grievant can appeal for arbitration. The arbitrator will be an impartial person from **outside** the Department. I predict some POA grievance victories soon.

So there you are. Overall, I think the membership has done fairly well with this MOU, but each of you should be reading it and looking for problems or hidden snags. That's the only way we can maintain a strong position when our committee members sit down with the City and Department representatives.

REPORT

(Continued From Page 1)

with respect to salary and fringe benefit negotiations. The current city fiscal crisis makes it imperative. Take the time to review this document and talk it over with your fellow officers. It is in your own best interest to be familiar with an agreement which affects your working conditions. And by the way, the uniforms **ARE** covered.

Design Unveiled For Memorial To Honor Nation's Fallen Law Enforcement Officers

Design plans for the National Law Enforcement Officers Memorial were unveiled on Oct. 5, 1988, marking a major milestone in the effort mandated by the U.S. Congress to honor the nation's 30,000 law officers who have died in the line of duty.

The Memorial will be highlighted by a tree-lined oval pathway featuring the names of fallen officers, and bordered by a 16-foot high stone colonnade. The Memorial's large open center space will contain a raised plaza where the statues of five symbolic law enforcement figures will stand. The Memorial's unique feature will be a crystal blue laser beam that will shoot 400 feet skyward from the Memorial grounds at night.

"The blue light will serve as a dramatic reminder of the life and death drama that unfolds for our law officers every hour of every day and a symbol of the thin blue line those officers form while preserving order in America," said Craig W. Floyd, Chairman of the project.

The design announcement was made at a public ceremony held at the Ariel Rios Federal Building in Washington D.C. The building is named after a federal law enforcement officer who was shot and killed during an undercover drug operation.

Among those speaking at the ceremony were the U.S. Attorney General Dick Thornburgh; U.S. Senator Claiborne Pell, Honorary Chairman of the Memorial project; U.S. Senator Alfonse D'Amato, a member of the Memorial's National Sponsoring Committee; Vivian Eney, President of Concerns of Police Survivors and the widow of a fallen U.S. Capitol Police sergeant, Stephen E. Higgins, Director of the Bureau of Alcohol, Tobacco and Firearms; and Floyd.

U.S. Attorney General Dick Thornburg called the Memorial an important "step forward in honoring those who have fought and died to preserve and protect America's ideals, not on foreign soil as others have been called to do, but here in our streets, in our cities, in our neighborhoods and communities.

"While our memories of these fallen heroes can serve as private testimony of our appreciation, it is only right that we manifest publicly our tangible gratitude as a nation for those who have given their lives in the line of law enforcement duty," continued Thornburg.

Vivian Eney, President of Concerns of Police Survivors

spoke of the significance of the Memorial to the family and friends of the 30,000 officers who have failed to answer role call. "While this monument can't replace our loss," said Eney, "it will give us great comfort and peace to know that our nation has begun to acknowledge the debt it owes to those in law enforcement. Acknowledging not only those who have died for you and me, but acknowledging those officers who continue to live daily to keep us safe."

The designer of the Memorial is Davis Buckley, a Washington, D.C. architect whose works include the USA Today Building in Rosslyn, Virginia.

According to FBI statistics, one law enforcement officer dies in the line of duty every 57 hours in our country. Last year 155 law enforcement officers were killed, 63,842 were assaulted and 21,273 were injured. In the course of our nation's history, approximately 309,000 law officers have died in the line of duty.

Groundbreaking for the Memorial is tentatively scheduled for Spring 1989. Completion and dedication ceremonies are tentatively set for Peace Officers Memorial Day, May 15, 1990.

W.O.N.
Women Officers Network
 will sponsor
a POA Candidates Forum
in January 1989.

All candidates interested in addressing the concerns of women officers are encouraged to contact W.O.N., P.O. Box 40053, SF, CA 94141-0053

THANKSGIVING TURKEY SHOOT

The POA will host the
Annual Thanksgiving Shoot at the Police Range
 on the following dates and times:

One hundred turkeys will be given away to those **POA MEMBERS** qualifying

0900-1100
November 14 (Monday)
November 15 (Tuesday)
November 17 (Thursday)

Members who are scheduled for their regular re-qualification 0800 & 1300 hrs on the above dates will be able to participate in the turkey shoot during the regular requalification times.