

THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

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

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SAN FRANCISCO, DECEMBER 1988

204

NUMBER 12

Deja Vu, 1975

by Bob Barry, President

It seems like just yesterday that our membership was led blindly into the slaughter house, when, for the first time in our history, we engaged in a three day strike over wages.

It was a frustrating time for us all and the call for a strike seemed intriguing and exciting, yet it had an ominous ring of uncertainty, insecurity and an obvious potential for disaster.

Jerry Crowley, then POA President who **orchestrated** that strike will tell you today that it was right and, moreover, that it was unavoidable.

The fact of the matter is that had the public and the media been informed about the pending action of the Board of Supervisors, as well as the possible consequences, then the strike could have been avoided.

Jerry Crowley, however, was enamored with becoming the eventual leader of the International Union of Police Associations, and this move put him in the national limelight with other police groups.

In retrospect Crowley's self proclaimed confrontational approach to solving labor issues was wrong then, just as his "dock side" attitudes and "bring them to their knees" tactics are wrong now.

I fully understand that the membership is upset and frustrated about the wage freeze, as I and all other city employees are, but for an individual who professes to be a labor leader, to do nothing more than proffer an oratory of fear and false claims to further frustrate the membership is the height of irresponsibility. It's demagoguery at its worst, because Jerry Crowley lacks the skills to communicate effectively at a time when those skills are most needed.

Make no mistake about it, I will stand in line with the best of them and say that I have not always made the right administrative or political decisions, nor have I yet accomplished all that needs to be done. However, I'll be damned if I'm going to sit by idly and allow Crowley and his band of malcontents to bring our Association back to an era of regressiveness. We'll lose, and we'll lose big, just as we did after the strike.

For those of us who experienced the strike and for the many officers who have since joined our ranks, let us not forget that the strike brought us not a one year wage freeze, but the total dismantling of our wage formula and a new, inferior, Tier II pension formula for over 900 officers. It also brought us three successive years of no dialogue at City Hall and continual confrontation without results.

It's deja vu, as he and his drummers are playing the same tune as in '75. Crowley's rhetoric hasn't changed one bit. He is distorting issues and supplying our members with misinformation and outright lies to further his own political agenda.

Crowley, Carlson and Toomey are actually stating that I am about to negotiate away our pay formula and institute a new "Tier 3" pension system through the process of Collective Bargaining. **Nothing could be further from the truth.**

I have consistently stated to the POA Board that in the face of having suffered a wage freeze, "bargaining" for future wages and/or benefits would be one of the most irresponsible acts any association leader could embrace. And these individuals know that to be a fact, yet they continue to generate fear and anxiety amongst the membership with these false and incredible claims.

Crowley and troupe have gone on to say that I and the POA Board are even ready to negotiate away a percentage of our salary for other benefits which would cause our retired officers to lose their salary increases. These allegations are absolutely groundless without any basis in fact.

The POA is presently negotiating a Memorandum of
(See DEJA VU, Back Page)

SAN FRANCISCO POLICE OFFICERS' ASSN.

BULLETIN

NOVEMBER 23, 1988

TO: ALL ASSOCIATION MEMBERS

FROM: RENO RAPAGNANI, SECRETARY

POA ANNUAL ELECTION NOMINATING COMMITTEE

In accordance with Article 5, Section 3 of the POA's Constitution, the following named members are hereby appointed as "The Nominating Committee":

"It shall be their duty to receive nominations and report on the eligibility of the nominees at the December quarterly membership meeting."

Jim Dachauer,

Lynn Torres,

Farrell Suslow,

Ray Portue,

Sally DeHaven,

Co. D

Mental Health Unit

Planning

Co. E

Co. D

Any member wishing to submit his/her name in nomination may do so by sending the written correspondence to the above individuals.

"Election Edition" Guidelines

by Tom Flippin, Editor

The following guidelines for political articles submitted to the Notebook are the accepted method of ensuring that all candidates are treated fairly. These guidelines have been used successfully for several past elections. The guidelines will be sent to all nominees for office.

Articles submitted by candidates for President, Vice President, Secretary and Treasurer will be limited to 1,000 words. Each candidate may also submit two (2) supporting articles by other members. These articles will be limited to 750 words.

Articles submitted by candidates for a seat on the Board of Directors will be limited to 750 words. Each candidate may also submit one (1) supporting article by another member. This article will be limited to 500 words.

Photographs will be accepted from candidates for the Executive Board (President, Vice President, Secretary and Treasurer). When the photographs appear in the Notebook they will be approximately three inches by three inches in size. For best possible reproduction, the photos should be head-and-shoulders (portrait type); black and white photos generally reproduce better, but color photos are acceptable. All photographs will be returned to the candidates.

Once again, to ensure fairness to all candidates, the limits on the length of candidates' articles will be strictly adhered to. Articles exceeding those limits will be returned to the candidates as soon as possible for editing.

The deadline for submission of articles for the January issue of the Notebook (the "election issue") will be Wednesday, 12/28/88. Articles **must** be at the POA office by 1500 hours on that day.

In order that the election issue be in the mail three weeks prior to the election this deadline will be final.

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

Deadline for January issue:
December 27, 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 2:10 P.M., Wednesday, November 16, 1988 in the Traffic Bureau Assembly Room, Hall of Justice. Trustees Otto Elvander excused. All other Officers and Trustees present. Among others Two P. Pres. James Hegarty and John Newlin.

Minutes of October meeting approved as presented to the membership in writing.

COMMUNICATIONS: Letter from R. Hamilton thanking Trustees for opportunity of presenting their offer on Trust Agreement.

NEW MEMBER: MARK McDONOUGH accepted as new member.

REINSTATEMENT: DILLON COLE reinstated.

SUSPENSIONS: 9 members suspended from the Rolls by Pres. Pardella.

Treasurer Parenti presented the usual bills for benefits and expenses — APPROVED. Treas. Parenti reported the death of DENNIS SALIDO — Born in San Francisco in 1948, Dennis became a member of the Department in 1984 at age 35, after working as a gardener for a number of years. He was first assigned to Northern Station, from there to Richmond, working in the Mounted Patrol, a job that he dearly liked. From Richmond to Communications for the stay required by all recruits, then back to Richmond, where he remained until his early death at age 40. Dennis was a victim of cancer. He was the son of retired officer, Tony Salido.

REPORT OF TRUSTEES: Timothy O'Neil and Veronica Duluk, Security Pacific Bank addressed C/D. These transactions were approved by the Trustees and

meant a Capital Gain of \$10,665, and an increase in annual income of \$2,546. Will possibly move more stocks out of the portfolio to that the account will have flexibility for making purchases of undervalued equities.

NEW BUSINESS: Nomination of Officers for the coming year: PRESIDENT THOMAS GREEN, VICE PRESIDENT - ROBERT KURPINSKY (John Newlin declined nomination for this office), SECRETARY - ROBERT McKEE, TRUSTEES - THOMAS BRUTON, GEORGE JEFFERY.

GOOD OF THE ASSOCIATION: Next regular meeting set by Pres. Pardella for Wednesday December 21, 1988, 2:00 P.M. in the Traffic Bureau Assembly Room, Hall of Justice. Trustees and Security Pacific Bank agreed to a meeting Friday, December 2, 1988 at 6:00 P.M. at One Embarcadero. This will allow Trustees and Officers to meet the people that will handle the mechanical part of our Agreement as well as seeing the office set-up.

ADJOURNMENT: There being no further business to come before the membership, the meeting was adjourned at 3:00 P.M. in memory of our departed Brother Dennis Salido.

Fraternally,
Bob McKee
Secretary

TO ALL MEMBERS IN PAYROLL DEDUCTION — When you are off: Leave, Disability, or have used all Sick Time, there are no deductions from your check, and upon your return to duty you will owe the Widows and Orphans \$3.00 per month for the length of time you were off Payroll. Notices have been sent to some members, and there has been no money sent in answer to these.

San Francisco Veteran Police Officers Assn., Inc.

NEXT MEETING: Tuesday, December 13, 1988 at 11:30 a.m. Visit with your friends and have a refreshment. The business meeting starts promptly at 12:30 p.m. followed by a great lunch. Parking is plentiful on the street and in the school yard.

PRESIDENT'S MESSAGE: ADIOS — Thank you, fellows, for allowing me to serve as your President during the year of 1988. Due to the cooperation from the Board of Directors, the Kitchen Crew, the Bar Crew, our Secretary and Treasurer, it was a pleasure. We are proud of the accomplishment of finding our new meeting place, the Immaculate Conception Auditorium.

The November Bulletin was late, probably due to election mail, and you who missed the Turkey Lunch supplied by the good ladies of I.M.C. by not knowing about it have the opportunity of enjoying the Christmas Lunch,

Wednesday, December 7, 1988. Once again, turkey with all the "goodies" that go with it. Price will be \$3.00 and well worth it. Try to make this last meeting of the year on December 13th and enjoy the companionship of your fellow members.

DEATHS: Maurice Miles, who was on the 1938 list. Rest in Peace.

SICK CALL: Barney O'Leary had surgery on his legs and is doing well. Jack Casey is ill in Santa Rosa.

NEW MEMBER: John W. Minderman was sworn in. Welcome.

CORRESPONDENCE: SFPOA Blood Drive, 12/6/88 at the Irwin Memorial ... Volunteers needed by the Court to supervise graffiti clean-up on the buses by probationers sentenced to do community service work. Please call Dennis Sweeney at 753-7800 or Tony Rinaldo, 753-7729.

COMMITTEE REPORTS: Jim Cole reported the Controller in January will be able to deduct health and dental premiums from the gross pay and then deduct the taxes due, which will reduce the taxes owed. For the retirees, this will start a few months later. Also, we are now looking for a 3.7% pay increase in 1989. Tom Dempsey says we will see a slight raise in our December checks. The new CU should be ready around February 1, 1989.

UNFINISHED BUSINESS: Second reading to donate \$100 to the IMC Association. Passed.

NEW BUSINESS: Passed a motion to donate one case of liquor to the Retired City Employees Association Christmas Party.

GOOD OF THE ORDER: The Secretary apologized for the lateness of the November Bulletin. However, it was delivered to the post office on 10/27/88 ... The Secretary for the FMSFPDLNC (Santa Rosa Luncheon) is Bill Murphy. Write to him at 4895 Devonshire Place, Santa Rosa 95405 and ask to be placed on the mailing list. Next meeting there is 1/23/89.

SPECIAL NOTE: The \$12 dues for 1989 can now be paid. Please send your blue card and a stamped self-addressed envelope to the mailing address below ... If you have moved, please send a change of address card from the post office form.

MAILING ADDRESS:
P.O. BOX 22046
SAN FRANCISCO, CA 94122

Attendance 82 Robert McKee, President
Membership 720 Gale W. Wright, Secretary

The San Francisco Police Officers' Association

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

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

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POLICE POST #456 NEWS

by Greg Corrales

I would like to wish everyone the best during this holiday season! The holiday season seems to emphasize the importance of our families. For those without an immediate family, we can count ourselves truly blessed by being members of the San Francisco Police Department family. With the exception of combat, only in the police organization such as the SFPD do we find the loyalty, allegiance, strength, and comradeship of our fellow officers to sustain us through tough times.

A number of members have been honored at recent Post meetings. Bill Langlois was presented with a plaque for his outstanding work in making San Francisco a safer place for our senior citizens to live. Also presented plaques recently were Ted Connell, Frank Otterstadt, and Walt Watson for their many years of dedicated service to the Post. During the November meeting we also conducted a turkey drawing.

The next Post meeting will be on Tuesday, 13 December, at 2000 hours. The meeting will be at the POA Building, 510 Seventh Street. Refreshments will be served at the conclusion of business. Please make an effort to attend the meeting.

As I think of the courageous job Bill Langlois has done over the last several years I am reminded of the feeling I get just being around officers like Bill, Mike Boyd, Jim Gervas, Mike Stasko, and many others who have been tested under fire and have responded heroically. Winston Churchill, I believe, best described the feeling in the summer of 1941. Sergeant James Allen Ward was awarded the Victoria Cross for climbing out onto the wing of his Wellington bomber, 13,000 feet above the Zuider Zee, to extinguish a fire in the starboard engine. Secured only by a rope around his waist, he managed not only to smother the fire but also to return along the wing to the aircraft's cabin. Churchill, an admirer as well as a performer of swashbuckling exploits, summoned the shy New Zealander to 10 Downing Street. Ward, struck dumb with awe in Churchill's presence, was unable to answer the prime minister's questions. Churchill surveyed the unhappy hero with some compassion. "You must feel very humble and awkward in my presence," he said.

"Yes, sir," managed Ward.

"Then you can imagine how humble and awkward I feel in yours," said Churchill.

On 10 and 11 December the California Vietnam Veterans Memorial will be dedicated in Sacramento. Approximately ten percent of all Vietnam fatalities were Californians (more than any other state). This tribute is twenty years too late for many Vietnam vets, but it's still "better late than never." I would urge all Vietnam era vets to attend the dedication if at all possible.

I will close this column with a request that each of you remember Michaela Joy Garecht and her family in your prayers. Michaela is the little girl that was abducted on 11-19-88 in Hayward. Let's hope that by the time this is published, Michaela will be back home with her family.



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.

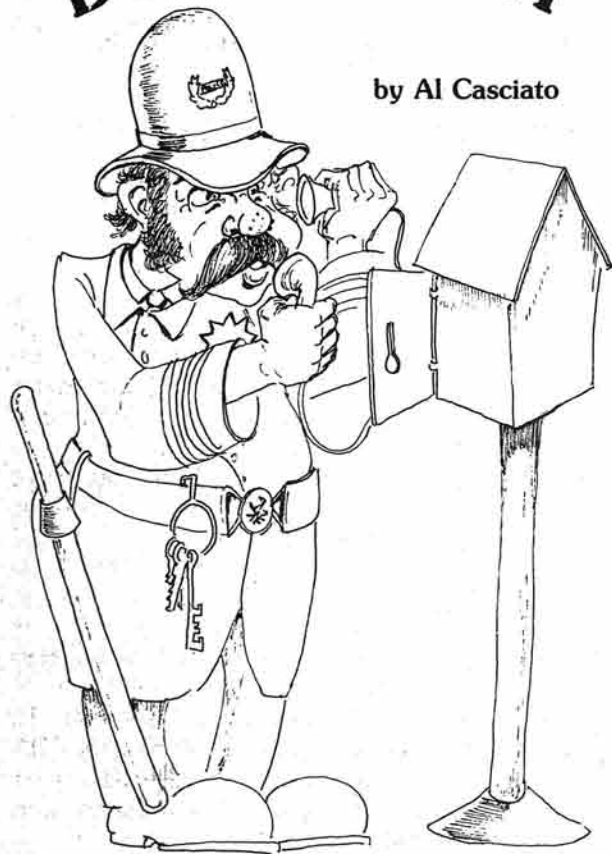
DINNER: Prime Rib or Filet of Sole in Lemon Butter, with Asparagus, Hollandaise Sauce and Bay Shrimp with Salad, Pasta, Baked Potato or Rice, Vegetable, Roll and Butter, Tea or Coffee and Wine.

PRICE: \$26.00 a person. Tickets must be purchased by Dec. 10th.

TICKETS: Day Watch — Vigil #553-1561
Swing and Midnight Watch — Huegle #553-1563

AROUND THE DEPARTMENT

by Al Casciato



Here we go again: At the November Luncheon meeting of the District Council of Merchants, Supervisor Bill Maher announced that there will (probably) be a special election in June 1989 to "...do something about city employee salaries."

Unless the P.O.A. does something soon to stop that election you can kiss two years worth of formula(\$) goodbye.

To the Airport:

Joe Reilly, Chairman of the Uniform and Safety Committee has resigned from the department to accept a Sergeant's position with the S.F. Airport Police. Joe's presence on the committee will be sorely missed and will be very difficult to replace. We wish Joe the greatest success in his new position.

When I wrote that Mike McNeill was planning to move to Modesto upon retirement, I asked the question — Modesto?

Well, retiree Mike Sugrue writes to tell me he retired to Modesto a year ago and loves it. I even received a message from the Chief of the Modesto Police G. L. McKinsey who says "I'm really happy to have S.F. Officers retire to our city, because where else can they find water, wealth, contentment and health in retirement."

At this rate these guys may even offer me a FREE trip. Hummm. I wonder if it would work if I asked Tahiti? Hawaii? Rome? Buenos Aires? Spanish Cay?

George Nazzal couldn't believe it when he heard the Traffic Commissioner double the fine (\$25 to \$50) on the fellow who was protesting his issuing of a driveway citation.

Seems that the violator had been given a break at the scene when George didn't tow the vehicle. Maybe the extra \$25.00 was for lack of common sense.

Births - Births - Population Explosion - Boom

Co. E. Tom and Bonnie Murphy welcomed their first, Liz Hannah, 7 lbs. 6 oz. - 20 inches on 11-6-88. Mom is a Dr. of Gynecology at S.F.G.H. but was unable to deliver her own though Dad says she did do a lot of directing during the delivery.

Special Operations Division Boom.

The women over the men 3 to 1 and the baby derby is over.

The Results:

Girls:

* Lauren Francis 10 lbs. 2 oz. - 21½ inches to Patty and Tony Dumont - 9-19-88

* Meaghan Casey 9 lbs. 2 oz. - 20½ inches to Linda and Brian Delahanty - 10-5-88

* Danielle Suzanne 7 lbs. 12 oz. - 18½ inches to Margie and Jim Drago - 11-4-88

The Boy

* Nicholas Gregory 8 lbs. 12 oz. - 20½ inches to Theresa and Greg Suhr - 10-3-88

Congratulations To All.

P.S. To Nicholas: It's really 4 to 1 odds in your favor. Don't feel bad, it'll be heaven in high school.

Grandparent News:

Lt. Howie Arata retires and within two weeks his daughter Ginny and husband Jack Fox make him a

Grandpa with the birth of Heather Marie 8 lbs. 4 oz. on 11-12-88.

That ever-loving fun couple John and Lee Brunner (Robbery Detail) are — yes hard to believe — grandparents. Their daughter Alexandria spilled the beans when she announced that husband Darryl Taulbe and she were the proud parents of Nathaniel Brunner-Taulbe who was born Sept. 18, 1988 at the Oakland Naval Hospital.

The Day After Thanksgiving:

Tim Louie stops a woman who has almost caused two accidents in an aborted frenzy to get a parking space. Her words "Hurry up and write the ticket, I have to go shopping!" A 5150 (nut) booking was considered.

The annual crush near Union Sq. revealed that life is not fair for traffic controllers. As I drove past Sutter and Grant, I noted that 3 controllers were able to share conversation with a checker as traffic and pedestrians were moving without a glitch. At Sutter and Stockton, I found two traffic controllers perilously in the intersection trying to maintain order as cabs, motorists and pedestrians all

Increased to \$100,000

Public Safety Officers' Death Benefits

by Bob Barry, President

In 1976, Congress amended the Omnibus Crime Control and Safe Street Act of 1968 by incorporating the Public Safety Officers' Benefits Act which provided death benefits of \$50,000 to survivors of public safety officers killed in the line of duty.

In November 1988, Congress again amended the Act which increased the benefit to \$100,000 and further provided for future increases tied to the Consumer Price Index. President Reagan signed this legislation in November.

The International Union of Police Associates (I.U.P.A.), among other groups, was one of the prime movers behind this legislation. The Act provides that the killing of a public safety officer must have occurred during the commission of a federal crime.

The following is the text of comments by one of the bill's authors, Rep. (D) John Conyers Jr., during the committee debates:

The subcommittee met, pursuant to notice, at 10:20 a.m., in Room 2237, Rayburn House Office Building, Honorable John Conyers, Jr., Chairman of the subcommittee, presiding.

Present: Representatives Conyers, Edwards, Gekas, and Fish.

Staff Present: Cedric Hendricks, Assistant Counsel; Raymond V. Amietanka, Associate Counsel; Bonnie B. Williams, Clerk; and Rosalind Jackson, Clerk.

Mr. Conyers. The subcommittee will come to order. Everybody take seats, please.

Good morning. We are here today to consider H. R. 1016 and about eight or nine other bills to amend the Omnibus Crime Control and Safe Street Acts to increase the benefit payable with respect to the death of a public safety officer.

We are going to hear testimony, starting with Members of Congress in the first panel, about these bills that relate to Public Safety Officers' Benefits Act signed into law in 1976 and provides a death benefit of \$50,000 to survivors of a public safety officer killed in the line of duty. Its purpose is to reduce the economic hardship experienced by the families of slain officers as well as to demonstrate the high value that our national government places on the sacrifice made by these obviously dedicated public servants.

Because of the high risk nature of public safety jobs, the individuals that hold them often encounter difficulty themselves in obtaining insurance coverage. On the average, they may earn \$24,000 a year, which makes it

tried to force themselves towards Union Sq. What a difference a block makes. Sutter-Grant a vacation. Sutter-Stockton worthy of hazard pay.

Sick Call:

Sgt. Vic Wode in Santa Rosa Community Hospital recovering from a heart attack that felled him the day after Thanksgiving.

Lieutenant Bob Berry at home convalescing from a gall bladder removal.

Both enjoy hearing from friends. So give a call. Vic can be reached through Richmond Station - 553-1385 and Bob through the Academy - 641-8827.

New Lawyers:

Congratulations to Jeff Barker and Rich Corriea, Richmond Station who passed the latest bar exam. Both are being interviewed by local firms and may soon be off to new pastures.

obviously difficult to accumulate enough savings to provide for future family financial needs.

Since 1976, 2,300 claims have been paid by the Department of Justice, expending about \$116 million. The average annual expenditure is about \$10.5 million.

While the number of deaths have shown a downward trend in '81, the payment of 180 claims in Fiscal 1986 and 186 in Fiscal 1987 indicates that the risk of death is still high.

Five of the bills that we consider this morning seek to increase the amount of the benefit to \$100,000. Their proponents make an argument that the cost of living has gone up 90 percent over the past decade and that this has cut the real dollar of the death benefit in half. They would like to see it restored to the 1976 level, in order to provide families confronted with sudden loss of a breadwinner the level of financial assistance Congress originally intended.

The other bills before us seek to extend the act's coverage to those officers who die from contact with poisons or from extreme physical stress, to allow non-dependent parents to receive the death benefit, to allow officers who are not killed but rather left totally and permanently disabled to receive the benefit payment.

Each of these measures would increase the level of ex-

(See BENEFITS, Page 13)



WE WOULD LIKE TO GIVE
SPECIAL THANKS TO ALL
OUR FRIENDS AND CLIENTS.



HAVE A VERY MERRY
CHRISTMAS AND BEST
WISHES FOR A HAPPY,
HEALTHY AND
PROSPEROUS NEW YEAR!

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From One Member To Another

by Steve Johnson, HQ

Thirty years ago, I shared the same interests of five other unemployed 10-year-olds in my neighborhood in that we:

- Hated our younger sisters
- Avoided weekend homework until Sunday night
- Formed an exclusive club almost daily which met on the lower limbs of my neighbor's redwood tree well-hidden from female party crashers. The Club would generally last until one of two things occurred:
We'd break up after an argument over how to spend the money we made returning empty soda bottles, or, the owner of the tree would adjourn our meeting for personal liability reasons.

Although most things have changed dramatically since childhood, some remain the same.

I recently had the privilege of serving as the SFPOA representative for the members of Headquarters Company over the past three years, and I wanted to take this opportunity to thank all of you who placed your trust in me to make the right decision while sitting on the Board of Directors.

This was not a small club of friends meeting over minor issues such as whose dog was smarter or where the imaginary goal line would be drawn on the street we played, instead this was a challenge and a tremendous responsibility representing many of you before OCC, MCD, the Chief of Police and the Police Commission.

It was also a challenge dealing with the sensitive nature of grievance procedures and the issues of fairness. And it was a humbling experience to realize that the answers to many questions weren't always the most popular.

Serving on the Board of Directors was anything but child's play - it was a serious endeavor and one which I'd like to pursue but in another position. Stay tuned.

To Control or Be Controlled Politics And Your Association

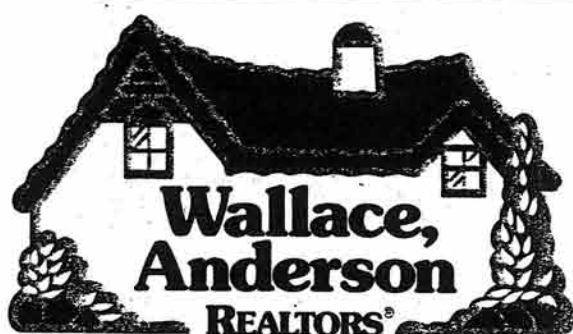
by Mike Keys, Co. C

I think this Association is at the point where we have to decide whether we want to continue on as a political association or as a police association. I feel that what started as good intentions, such as getting into politics, has gotten out of hand. I think we have created a monster. I agree that we do have to deal with politics, but at what level and what price? I think we have gone much too far. As the leader of the P.O.A., naturally you work with people who will help you gain benefits and protect the rights of the members, but some of our endorsements have puzzled me. It is obvious there are many more Democrats than Republicans in San Francisco, but at what point do you sacrifice your principles for a vote?

It is true that the Association has an open endorsement meeting for the candidates and members are invited to attend, but how many of our members attend? The system that the Association operates under today does not work. Most members won't come to any kind of Association meeting for various reasons: not really interested, work a second job, home commitments, school, whatever, but they should still have a voice in the Association. If you want to lead the P.O.A. you have a responsibility to get the members' opinions.

You, as members of this Association, have to decide if you want to have a voice in the Association or do you want someone else making your choices for you?

I assure you that if the Association leadership is changed you will have the opportunity to voice your opinion if you choose to participate. Again, it's your choice — DO YOU WANT TO CONTROL YOUR ASSOCIATION OR BE CONTROLLED??



LEN MADRID
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The POA In A Political World

by Paul Chignell, Member
Board of Directors

The San Francisco Police Officers' Association leadership has been involved in city and state political issues since 1968 but the organization became much more aggressive in the early 1970s. However, the real political involvement by the POA on a sophisticated basis was post-1979. Today, most political observers call the Police Officers' Association the most political force in city government and with the most power.

This was not accomplished overnight and it was not accomplished without defeats along the way.

History

The POA ventured into the political world in the late 1960s by sponsoring Charter amendments dealing with pension rights and attempting to get the voters to enhance these benefits. Most political leaders treated police officers in a paternal manner and would not approve fringe benefits or pension rights without a fight. The Police Department began to change in the early 1970s with the POA becoming more aggressive. The leadership understood that we had to endorse candidates for public office and support ballot measures or the politicians would take away our benefits and take us for granted.

Some of the major changes in the Department took place in the 1970s: a test for inspector, rigid seniority rules, a police strike over wages that lead to regressive measures, the passage of the police bill of rights in the State Capitol, vicious fights over the civilianization of the Police Department, major lobbying at the Board of Supervisors over a massive quota plan for promotionals, and constant controversy over a strange Chief of Police named Charles R. Gain.

In 1979 a new leadership team took over the POA which is basically intact today. This group believed that we must be aggressive in guarding the rights of police officers, but we must handle ourselves in a sophisticated manner. We operated at the Board of Supervisors and at the State Capitol with no apologies and made sure that when inimical measures came before the executive and leadership bodies of San Francisco, that we were there to fight them. The successes since 1979 have been phenomenal for police officers operating in the most liberal City in America. And those successes were not accomplished because the politicians necessarily wanted to bestow them on us, but rather through hard work.

The fringe benefits achieved, the interest monies as a result of the new payroll system, the vesting provisions, the tax law changes that will be implemented soon to increase tax home pay, the overtime delay cleanup, and many more that will be highlighted in the January POA elections, took great effort.

Defeats occurred during those ten years but not after battles with the politicians. The inept Feinstein administration saddled the entire City with a \$180 million dollar deficit that resulted in a wage freeze and caused a ripple effect within all the City departments. This ripple effect cut programs and caused misery for thousands of city employees.

Negative Forces

It is interesting that when political decisions are made as a result of external forces, the naysayers come out in full force. These negative voices decry political involvement, state that liberal politicians are their enemy and advocate a non-political organization. Those advocates are naive at best. Many of them are recipients of the very political system that they oppose; they have received the benefits that were achieved through political action and now they are hypocritical. But the most important point to note when certain police officers say, "We shouldn't get involved in politics," is that if we as a POA did not venture into the political world to protect the rights of police officers and to fight for our benefits, the politicians would do to us whatever they wanted. Conservative police officers are vehemently opposed to elected officials in San Francisco who are liberal. But in this City, the liberal politicians are not going away because we don't want them around. They are here to stay and we have to deal with them whether we like it or not.

It is the politicians who put time and a half, night differential, vesting, pre-tax benefits, interest checks, the bill of rights, supplementals for weekends rebooking for inspectors, etc. on the ballot. And they will continue to place measures on the ballot if we are a political force. If we bow out of politics by stopping political endorsements or contributions, then they will respond to different interest groups when making decisions about police officers and we are doomed.

Bulls in China Shops

Another group of police officers, though small in number, believes in operating in the political world but wants to be so aggressive that their purpose becomes lost in the rhetoric of the moment. This search and destroy group would be an unmitigated disaster for the membership. Dealing with politicians on behalf of police officers is not an easy chore. Threatening the evils of hell and talking about bringing the house down will not solve problems. On occasion, you must take tough stands but police strikes and all that that implies does not work.

November 1988 Elections

The results of the November elections in San Francisco showed that the POA clout won again. We elected two new members of the Board of Supervisors, who are highly supportive of the POA position on all issues, including wages. We passed two Charter amendments that will let our members retire early and will put many dollars in our members' pockets. And we have been careful to monitor and hopefully kill an effort to implement Proposition D, the parking czar boondoggle. THE POA SHOWED THEIR POLITICAL TALENT.

1989

The most important economic issue for next year is the securing of the pay raise in full members. Those of us close to Mayor Agnos have told him in no uncertain terms that city employees, especially police officers, will not accept anything less than the full raise. I predict this will happen without a problem but that there will be fights on other budgetary matters due to the continuing deficit.

The POA has a Board of Supervisors that we can secure votes from when it comes to the labor issues, but we must operate with sophistication and experience.

Kathleen Shy

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On Routine Patrol

by Joe Reilly

Last Column

Much sooner than I ever expected, I found myself living that fantasy we've all had at one time or another. I was resigning from the SFPD. I accepted a sergeant's position with the San Francisco Airport Police, where I had formerly been an officer. I was intent on taking some memories with me of my last few days as a Q-2. After a stop at Personnel, I found that I had some accumulated time to use up, and thus I had already worked my last day without even knowing it.

November was my month to requalify, so I thought I would go shoot for the last time and then turn in my revolver (dirty, of course). After all, I didn't want to find myself up on charges in absentia after resigning for an FTA at the range. As we were scoring our targets, an officer was embarrassed by his effort which looked more like a long range shotgun blast. "You're not locking up your arm before you shoot," someone suggested, "you're shooting limp-wrist." The room fell silent. There wasn't a sound. Nervous glances were exchanged. Terrific, I thought to myself. I don't need to be dragged into a D-17 caper just as my SFPD hourglass was running out of sand. No one seemed offended, but all it would take was a nose for opportunity and a something-for-nothing attitude. I held my breath. Was it a vicious — stress — inducing homophobic attack upon a stereotypical image designed to perpetuate discrimination and hysteria? Or, more simply, was it just constructive criticism? A few more tense moments gave way to lighter mood as the comment passed inspection for what it really was. That was a close one. I left the range shaken by my near D-17 experience.

Next stop would be "850" as the 6th floor types like to call it, where I had to turn in the remainder of my equipment. As I made my way through the parking lot, a radio accelerated past me, took a sharp turn onto 7th street and roared off weaving its way through traffic. I was already feeling a little left out, watching it disappear. But some people will never learn. I knew that there wasn't any such thing as a Code 2 response these days ... hasn't been for a couple of years. It's a "Code 1 - Code 3" world out there now, no middle ground anymore. These cops couldn't appreciate just how clear-cut this business has become lately. After giving up my star and ID card, the change was beginning to sink in. I began to recall the events which had really made an impression on me during my abbreviated tenure with SFPD. I remembered the person who wrote to the Examiner complaining about all the uniformed officers who attended Sgt. John Macauley's funeral back in 1982. I found it incredible that, under the circumstances, anyone could make an issue out of it from a taxpayer's standpoint. Of course, I had just escaped from the FTO program and didn't know any better. I soon learned that there is more than one lone insensitive jerk out there. My thoughts moved ahead to the recent past, and I recalled the shock I felt when I answered a 10-25 in the Potrero for a felony vehicle stop. No drugs or weapons were found in what turned out to be a decoy car, but all four of the occupants were wearing bullet-proof vests. Better quality than the one I wore. No explanations offered, just a routine fact of life now. Another reminder that things on the street could spill over the dam any time.

I really didn't need to be so dramatic about all this, I thought. After all, I would still be a cop where I was going. Law enforcement has really had an impact on my entire life. I've learned to balance my diet from the four major food groups, (salt, fat, sugar, and alcohol), and since I always find myself wide awake at 2 AM on my days off, coupon-clipping has helped me not only while

Radicals? Feminists? Separatists? The Real Story of W.O.N.

by Lois Perillo

The Women Officers Network's purpose is to identify professional and personal needs of women officers, to affect change and to promote camaraderie, according to a letter from W.O.N. representatives to Chief Frank Jordan.

When Jordan met with the representatives in early November, he expressed a willingness to hear their issues and an intolerance to the existence of departmental harassment and discrimination, according to W.O.N. representative Valerie Agard.

The representatives discussed the departmental transfer policy (P-1) with Jordan, who said he favors changing the policy but he has "met resistance" from the POA.

There is a lack of proper facilities and equipment for all officers, especially at Potrero Station, W.O.N. representative Lea Militello told Jordan.

"We're critically short of officers," Jordan said. "We're losing about five members per month."

According to Jordan, there is a need assessment study in progress which will assess the number of people, including commuters and tourists, who require police services and contrast it to the number of officers necessary to provide these services.

W.O.N. representative Belinda Kerr said that the community was not aware of the Police Department's low staffing. She said the results of the needs assessment study should be publicized.

When the representatives suggested implementing training incentives (to aid members in enhancing their skills) and educational requirements for specific ranks, Jordan was unresponsive.

A major concern of W.O.N. members is training, according to membership opinion.

W.O.N. member Alexis Goldner sees the network as "an information channel for educational material helping to improve officers' skills."

"I want more information on outside agency training," said member Laurel Hall, who sees W.O.N. as a support system.

W.O.N. is an independent organization with roots in the Women's Support Group of the Consent Decree Division.

When the support group began in 1985, Ray Wong, Consent Decree Coordinator, provided administrative assistance through his staff, Willa Brown and Desiree Salguero.

Wong maintained a laissez faire posture with the sup-

away the hours, but balance the budget as well. Well, one more stop at City Hall and the transformation would be complete.

I turned in a stack of papers to Civil Service, and it was over. As I left the window, the next person in line inquired about an entrance test for police officer. He didn't look old enough to shave, so I thought he might have a shot at a test someday. As I walked out onto Polk St., I was ready to take my rightful place in the legions of taxpayers whom I and others had served these past few years. I would spend a few days as a civilian, to remind myself of my humble beginnings, and then start my new job. Maybe I was expecting a little more ceremony, but I also knew that one cop more or less would not bring the department to its knees. My mini-depression was interrupted by the sound of a rolling shopping cart, that sound that makes you cringe if you've just parked in a supermarket lot. The P.R. unit of the Homeless Coalition was about to descend on City Hall, complete with a shopping cart drill team. Their spokesperson declared that the "Homeless Bill of Rights," as he called it, did not go far enough. It was decreed that the struggle for equality and to take their rightful place in the great cultural mix which is The City would continue.

The chant rose, and the shopping carts crashed together. I moved upwind so I could savor the moment without distraction, swallowing hard and choking back a tear. I hadn't been forgotten after all. I was getting a real San Francisco send-off.

port group, not requiring review or approval of any of the group's actions.

Subsequently, the support group addressed concerns and effected change in issues including Dr. Steiner, the title of the POA newspaper, arrest and control technique classes, insurance of Model 19 revolvers and the reopening Paula Jones' investigation.

When Wong left as coordinator, Kathleen Hurley took the job. She also took issue with the Women's Support Group's independence within the Consent Decree Division, according to the group's minutes.

Hurley told the support group members that if they were to remain within the division and benefit from all its resources they would have to give her "right to review" and subsequent approval or disapproval of their actions.

In April, the members voted to form an independent organization, the Women Officers Network.

In August, Hurley said in the Consent Decree Division News, "W.O.N. officers can continue to utilize the Support Group's training and career development resources."

W.O.N.'s goals are:

— To support and network with women in outside agencies and non-traditional professions.

— To promote growth and development.

— To disseminate information among women in the department.

— To maintain an open line of communication with the administration.

— To serve as advocates for equal opportunity.

Monthly meetings are held on Monday or Tuesday, 5 p.m., in the Police Academy's community room.

Anyone interested in receiving the minutes, write: W.O.N., P.O. Box 410053, S.F., CA 94141-0053.

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The Birth of Jesus

by Jim Crowley, Homicide

This month people all over the world will be celebrating the birth of our Lord Jesus Christ. In the midst of all the problems we are facing in the Police Department I feel we should also reflect on the meaning of His birth to us.

All the maps of the world and all the calendars of time tell of Christ's birthplace and birthday. Jesus was born in Bethlehem of Judea. (Micah 5:2, Matt. 2:1) in the days of Herod the king. We know this place and this king. We don't have to build this story out of the imagination. We are given names and dates. Christianity is an historical religion. The Gospel does not begin with, "Once Upon A Time", but starts with Bethlehem in Judea. The town is there, and we can know the very place where Jesus was born. The time is definite, in the days of Herod the king. History knows Herod. There is nothing mythical about this monster of iniquity.

These statements are facts and no critic or unbeliever can doubt them. The Gospel narrative sets its record in the solid foundation of history. We are not building our faith on a myth, but substantial fact. This thing was not done in a corner, but in the broad way, and it is not afraid of the geographer's maps and the historian's pen.

The story of the birth of Jesus, in Matthew differs from the record in Luke. They complement each other. While there is much untold, God has told us all we need to know. Jesus' earthly life began in a stable. He came as a helpless babe. How human was our Lord! But Jesus was heralded by an archangel, welcomed by an angel choir, and worshiped by earth's wisest philosophers! How divine was our Lord! Matthew alone tells of the visit of the wise men from the East. These were Persian magi, scholars, students of the stars. They came to worship and honor a King. The holy, sacred star had halted over a

manger in Bethlehem to tell of Christ's birth. The whole world at this time was expecting the advent of some great one. Where is he that is born King of the Jews? was the question on every lip. The priests knew where Christ was to be born, but they did not know Christ when he was born. The adoration of the wise men foreshadowed Christ's universal dominion. Some day every knee should bow,...every tongue should confess that Jesus is Lord, to the glory of God the Father (Philippians 2: 10, 11).

Paul tells us in Galatians 4:45 "When the fullness of the time was come, God sent forth his Son, made of a woman, made under the law, to redeem them that were under the law. Jesus came to be the world's Savior.

Luke 2:1 "In those days Caesar Augustus issued a decree that a census should be taken of the entire Roman world. (This was the first census that took place while Quirinius was governor of Syria.) And everyone went to his own town to register. So Joseph also went up from the town of Nazareth in Galilee to Judea, to Bethlehem the town of David, because he belonged to the house and line of David. He went there to register with Mary, who was pledged to be married to him and was expecting a child. While they were there, the time came for the baby to be born, and she gave birth to her first born, a son. She wrapped him in cloths and placed him in a manger, because there was no room for them in the inn.

And there were shepherds living out in the fields nearby, keeping watch over their flocks at night. An angel of the Lord appeared to them, and the glory of the Lord shone around them, and they were terrified. But the angel said to them, "Do not be afraid. I bring you good news of great joy that will be for all the people. Today in the town of David, a Savior has been born to you; he is Christ the Lord. This will be a sign to you; You will find a baby wrapped in cloths and lying in a manger. Suddenly a great company of heavenly host appeared with the angel praising God and saying, "Glory to God in the highest, and on earth peace to men on whom his favor rests."

When the angels had left them and gone into heaven, the shepherds said to one another, "Let's go to Bethlehem and see this thing that has happened which the Lord has told us about.

So they hurried off and found Mary and Joseph and the baby, who was lying in the manger. When they had seen him, they spread the word concerning what had been told them about this child, and all who heard it were amazed at what the shepherds said to them. But Mary treasured up all these things and pondered them in her heart. The shepherds returned, glorifying and praising God for all the things they had heard and seen which were just as they had been told. (Luke 2: 1-20 N.I.V.)

God brings to pass what the prophets had spoken. Micah said that Bethlehem was to be the birthplace of Jesus (Micah 5:2-5), for He was of the family of David. But Mary lived in Nazareth, a town one hundred miles away. God saw to it that Imperial Rome sent forth a decree to compel Mary and Joseph to go to Bethlehem, just as the Child was to be born. Isn't it amazing how God used the decree of a pagan monarch to bring to pass His prophecies! God still moves the bands of rulers to do his bidding.

"Peace to men on whom his favor rests." Peace is not assured to all, but only on those pleasing to God. The Roman world was experiencing the PAX ROMANA ("Roman peace"), marked by external tranquility. But the angels proclaimed a deeper, more lasting peace than that — a peace of mind and soul made possible by the Savior. Peace with God is received by faith in Christ (Romans 5:1) and it is on believers that "his favor rests."

Do you have peace with God? If not what could be a better time to receive Jesus as your Lord and Savior? Wise men still worship Him.

"The City That Knows How?"

by Tony Novello, Traffic

In 1984, Chapter 10C of the San Francisco Administrative Code was amended. The Amendment was authored by Supervisor Harry Britt and signed into law by former Mayor Diane Feinstein. This Chapter of "S.F. Law" provides for the reimbursement of towing and storage fees to the owners of vehicles that are erroneously towed by employees of the Police Department. Therefore, if a Police Department employee makes a human error (after all, we do recruit from the human race) the "victim" of this error is able to get a waiver form and redeem their vehicle without having to front the money, then wait for a claim to be investigated and wait months for a check to be issued by the Controller's office. Fair enough. The ordinance also mandates that fees for towing and storage are paid by the City if we tow a vehicle to process it for the evidence of a crime. (Not if the owner happens to be the alleged perpetrator of the crime, however). Again, fair enough. In addition, indigents can have their towing fees paid by the City, with certain stipulations. There are sufficient safeguards built into this provision of the Chapter to ensure that there are few, if any, abuses. There is a limit to the amount the City will pay under all of the above provisions, and the amount the City is liable for is reduced by any contributory negligence by the vehicle's owner.

Then we come to Section 8-1 of the Chapter. This beauty reimburses ALL towing and storage fees incurred as a result of the recovery of a stolen vehicle if all of the following are met:

1. The vehicle is stolen and recovered in San Francisco.
2. The vehicle is reported stolen to the SFPD prior to the tow.
3. The owner, or person in lawful possession of the vehicle at the time of the theft, is a resident of San Francisco.
4. The towing and storage of the vehicle is not covered by insurance.

We are the only city in the county that does this. There is NO LIMIT to the amount the City may have to (and does) pay. There is no contributory negligence clause. For example, if the owner of a recovered vehicle arbitrarily decides to wait a month to retrieve a vehicle, the City pays all storage fees. Since this law was written, the California Vehicle Code, Section 16028, was amended wherein it is now unlawful to operate a vehicle in California without liability insurance. But, if a person applying for a waiver of towing fees under "S.F. Law" states they have no insurance whatever, the City still must pay every dime. Simply put, the City is subsidizing unlawful conduct.

Chapter 10C was written at a time when the City had a sizeable surplus of funds. Our elected leaders were funding a lot of special interest projects. One that immediately comes to mind is the paving of a whole lot of streets between major hotels and Moscone Center, whether they needed it or not. A lot of other funding was also taking place. City employees were getting pay raises. The Department was getting new vehicles. Our uniforms were paid for. The words "permanent Civil Servant of San Francisco" and "layoffs" were never uttered in the same sentence.

Unfortunately, the surplus turned into a huge deficit. Our new Mayor inherits this monumental budget deficit. There was talk about reducing Police and Fire services, closing firehouses, police layoffs, wage freezes, hiring freezes, all in an effort to bring fiscal stability to the City. Some came to pass, some didn't. The Mayor solicits help from Department heads, business leaders or anyone with solutions to the problem. Section 8-1 immediately came to mind. Eliminating this questionable give-away program would by no means make the City solvent, but, if the object of the exercise was to "trim the fat," herein was the spot to place the blade. A memo was routed through channels to the Chief. The Chief presented the issue to the Commission who passed a resolution asking for the repeal of Section 8-1 from Chapter 10C. The item worked its way to the Finance Committee of the Board of Supervisors, where sit Supervisors Molinari, Britt and Gonzales. The Committee voted 3-0 to continue to pay these fees. Case closed.

A review of these fee waivers has just been completed. For the one year period ending October 31, 1988, the City will pay about \$200,000.00 in towing and storage fees to fund this program.

I pondered over the decision whether even to write about this episode of "S.F. Law." I mean, who am I to question the logic of members of the most powerful Committee of the Board of Supervisors?

Who am I to question their priorities? They chose to continue to spend \$200,000.00 a year to subsidize uninsured motorists. If they were determined to spend 200 grand, that is their right. If they really had to spend 200 grand, they could have saved the jobs of a handful of City employees.

Shame on me for questioning their priorities. I should go to my room.



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It's In Your Court

by Bill Fazio,
Assistant District
Attorney



Contact, Detention, Arrest

This month's article will address issues relevant to non-detention "contacts." Subsequent articles will address the area of "Detention" and "Arrest."

The Fourth Amendment protects all of us from "unreasonable searches and seizures":

For purposes of Fourth Amendment analysis, there are basically three different categories or levels of police "contacts" or "interactions" with individuals, ranging from the least to the most intrusive. First, there are what Justice White termed "consensual encounters", which are those police-individual interactions which result in no restraint of an individual's liberty whatsoever — i.e., no "seizure," however minimal — and which may properly be initiated by police officers even if they lack any "objective justification." Second, there are what are commonly termed "detentions," seizures of an individual which are strictly limited in duration, scope and purpose, and which may be undertaken by the police "if there is an articulable suspicion that a person has committed or is about to commit a crime." Third, and finally, there are those seizures of an individual which exceed the permissible limits of a detention, seizures which include formal arrests and restraints on an individual's liberty which are comparable to an arrest, and which are constitutionally permissible only if the police have probable cause to arrest the individual for a crime.

Unlike mathematics the "Law" is more an art than a science. There are no hard and fast rules, there are, however, concepts that one can work into one's daily street experiences. Finding the line between these broad categories is not an easy task. It is not unusual to find different courts reaching conflicting decisions on what appear to be similar facts.

Even with this caveat in mind it can be said that innumerable contacts between police and citizens, while intrusions into the citizen's privacy, are none-the-less permissible. They arise from the officer's duty to maintain peace and security, to protect citizens from harm or annoyance and to do all those miscellaneous tasks for which society calls upon the police but which, in and of themselves, have nothing to do with the detection of crime. "Street encounters between citizens and police officers are incredibly rich in diversity. They range from wholly friendly exchanges of pleasantries or mutually useful information to hostile confrontations of armed men, involving arrests, or injuries, or loss of life." *Terry v. Ohio* (1968) 392 U.S. 1. It was artfully said in, *In Re Danny* (1981) 121 Cal.App.3d 44.

"There can be no doubt that a police officer in the performance of his duties shares the right of all persons to address another on the public street, or at least that there is no constitutional proscription of his so doing. There is nothing in the Constitution which prevents a policeman from addressing questions to anyone on the streets. And so long as his conduct does not constitute a "detention," a police officer may talk to anyone in a public place, something any person would lawfully be permitted to do. Unless there is some sort of a temporary restraint or holding in custody, there is no detention."

In the following examples there is an intrusion which led to the discovery of evidence of a crime; in none of them is there any initial suspicious activity; in none of them is there a "detention," they are examples of "consensual contacts":

- (1) A police officer knocks on a door to borrow a ladder to get a neighbor's cat out of a tree, and, when someone comes to the door, the officer observes evidence of crime within the house.
- (2) A police officer awakens a citizen to deliver a message of a death in the family, and, when the citizen comes to the door, the officer observes evidence of crime.
- (3) A police officer stops a young man from throwing a Frisbee or a football on a crowded beach or in a crowded park and notices the young man has the symptoms of being under the influence of a narcotic. A search after arrest reveals contraband.
- (4) A police officer stops a pedestrian to warn him about proceeding into a neighborhood where muggings are frequent and notices he has the symptoms of one under the influence of a narcotic. A search after arrest reveals contraband.
- (5) A police officer gets an irate dog-lover out of bed at midnight to ask him to quiet his pet, whose barking has caused the neighbors to complain, and sees, in plain sight, evidence of a crime.
- (6) A police officer stops a motorist to warn him of adverse weather or road conditions ahead and notices in the vehicle evidence of crime.

A police officer may not use the authority of his uniform and badge (color of authority) to promiscuously bother citizens. (The burden of justifying any non-warrant arrest or seizure of property is upon the prosecutor). So long as the officer's conduct is reasonably consistent with his/her overall duties of protecting life and property and aiding the public in maintaining the lives of relative security and tranquility, his contact is not a "detention."

In *People v. Warren* 152 Cal.App.3d 991 a Los Angeles police officer in full uniform in a marked car came upon an individual with fishing gear. The officer, a fishing enthusiast, commenced a conversation with the would-be fisherman and ultimately developed information which led to a detention and subsequent arrest for possession of stolen property. In addressing the issue of initial contact the court described it as a "social conversation between fishing enthusiasts."

"At the time of the 'contact' Officer Rilling did not suspect the defendant of being involved in some criminal activity and had no intention to detain him. The continuing conversation between Officer Rilling and the defendant was typical banter between two anglers. Where do you fish? What kind of fish do you catch? It was not until the strange and incredible answers supplied by defendant, evidencing defendant's unfamiliarity with the difference between fresh water rods and sea water fishing rods, and the difference between the reels for fresh water and salt water, and defendant's unfamiliarity with the lakes in the area regarding trout and salmon, and the price and quality of the different rods and reels, that Sergeant Rilling became suspicious."

Warren at 996

The court in *People v. Spicer* 157 Cal.App.3d 213 reached a different conclusion. In *Spicer* the police lawfully stopped a suspected drunk driver; they then approached the passenger and asked to see her driver's license. As she was retrieving the license from her purse the officer saw a handgun in the purse and effected an arrest. The officer testified he sought out her license to allow her to drive the vehicle if the driver was to be arrested for DUI. The Court held that under the circumstances Ms. Spicer was "detained." The Court went on to state:

"In the case at bench, Ms. Spicer was not given the opportunity to make a choice. Had Officer Meck informed Ms. Spicer he wanted to see her driver's license because Mr. Brotwell might be arrested and the car turned over to her, Ms. Spicer would have understood she had a choice to take charge of the automobile. Had the officer made his purpose known to Ms. Spicer, it would have substantially lessened the probability that his conduct could reasonably have appeared to her to be coercive."

Spicer at 220

The California Supreme Court summarizes the distinction between "detention" and "consensual or casual contact" in *Wilson v. Superior Court* 341 Cal.3d 777.

"Law enforcement officers do not violate the Fourth Amendment by merely approaching an individual on the street or in another public place, by asking him if he is willing to answer some questions, by putting questions to him if the person is willing to listen, or by offering in evidence at criminal prosecution his voluntary answers to such questions. Nor would the fact that the officer identifies himself as a police officer, without more, convert the encounter into a seizure requiring some level of objective justification. The person approached, however, need not answer any question put to him; indeed, he may decline to listen to the questions at all and may go on his way. He may not be detained even momentarily without reasonable, objective grounds for doing so, and his refusal to listen or answer does not, without more, furnish those grounds. If there is no detention — no seizure within the meaning of the Fourth Amendment — then no constitutional rights have been infringed."

Wilson at 789

A person has been "seized" — beyond "consensual or casual contact" when, in view of all the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave.

Conclusion

Until an officer exercises the power given to him/her as an officer of the law, he/she has the same "public" rights as any other citizen. "Consensual encounters" are the day-in-day-out contacts a police officer has with the public; they do not, *per se*, involve crime detection or the suspicion of criminal activity. If during the course of these "encounters" criminality is discovered or suspected the evidence will likely be admissible.



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Cafeteria Plan Reassurance

Michael S. Hebel
San Francisco Police Officers' Association

Dear Mr. Hebel:

In your letter of October 31, 1988, you requested a statement from the Retirement System regarding the effect of participation in the City Cafeteria Plan on retirement benefits. We are happy to provide that information.

All pension-related benefits, including service retirements, are determined by City Charter provisions. Currently, those provisions call for allowances to be based on the salary levels certified by the Civil Service Commission and approved by the Board of Supervisors. Participation in the Cafeteria Plan does not affect those salary levels; participation in that plan will reduce the salary levels reported to federal and state bodies for tax purposes only. The Retirement System will continue to base retirement and other allowances on the full certified salaries as it has done in the past.

I hope that this statement is sufficient for your needs.

Very truly yours,
Clare Murphy
General Manager
S.F. City and County
Employees' Retirement System

POA Politics

by Gary Delagnes, Tactical

How long will the membership of the San Francisco Police Officers Association continue to stand by while a group of about five people decide our fate on just about every issue that is of any importance to us. Political endorsements are made without ever consulting us. MOU's are written without ever asking us for our input. Decisions regarding the patrol force are made by people who don't know the difference between a 10-25 and 10-7M. We sit back and take it as our "leaders" shove art Agnos down our throat. We sit back and say nothing as our wages are frozen (He had no choice). We sit back and watch as most of the people who forced Agnos down our throats get taken care of, while we are left holding the bag. We sit back and watch as our POA supports Terrance Hallinan for supervisor, one of the most liberal, left wing, ambulance-chasing attorneys ever to seek higher office in the city of San Francisco. If that wasn't enough we had two policemen running his campaign for him. How many of the membership know that a motion was made at the last POA membership meeting to endorse Bush/Quayle for President/Vice-President. This is an endorsement that I believe would have been favored by about 85% of the members. Were we asked? The answer is no because Dan Linehan decided for the entire membership that this would not be a wise move, because we don't want to alienate all of our Democrat friends. Thanks for making my decision for me, Dan. How many great Democratic "Labor" politicians have gone to Sacramento with our blessing, and made it easier for criminals to get out of jail? How many cops have to be assassinated in the press and media before our POA will call a press conference to respond and give our side of the story. We sit back, and we do nothing, and we say nothing, because we have gotten so damn apathetic.

We can no longer sit back and watch the personal agenda of a few be accomplished at the expense of the majority. I realize that there is a political game that has to be played in this city if we are to accomplish some of our financial goals, but do we have to get into bed with these people? Do we have to run campaigns, and supply phone banks for politicians who stand for everything that we are ideologically opposed to. How many of you know that a member of our department recently went to our POA office to see Bob Barry, and was met at the front desk by Harry Britt who stated, "Can I help you."

This all has gotten way out of hand. We need cop's running our POA. The people there now may have been cop's once, but they have crossed the line. We need a level headed policeman, who can surround himself with good people, running this association. Take back your POA.



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Board Of Directors Meeting

October 18, 1988

Members present: Bertsch, Davenport, Coggan, McDonagh, Garcia, Gannon, Java, Conway, Doherty, Johnson, Friedlander, Chignell, Cole, Rapagnani, Linehan, Parenti, Barry. Excused: Flippin, Gaylor. Absent: McAlister.

President's Report

President Barry, on the advice of counsel, stated to the Board of Directors that the POA would not make any public statements regarding the Vice President Bush/Huerta demonstration involving members of the Tactical Company.

Secretary's Report

A motion by Linehan, seconded by Garcia, to approve the August minutes of the Board of Directors meeting was approved by a vote of 13 yes, 2 no and 1 abstaining. Voting yes: Bertsch, Coggan, McDonagh, Garcia, Gannon, Java, Doherty, Chignell, Cole, Rapagnani, Linehan, Parenti, Barry. Voting no: Conway, Johnson. Abstaining: Friedlander.

A motion by Garcia seconded by Chignell to approve the minutes of the September Board of Directors meeting was approved by voice vote.

Committee Reports

Federal Litigation Committee

A motion by Friedlander seconded by Conway that the Federal Litigation Committee meet on the 25th of Oc-

tober at 2:00 p.m. to evaluate the city's proposal to extend the Consent Decree and that the Federal Litigation Committee report in writing and prior to a Special Board of Directors meeting to be held on November 9th at 1200 hours. The motion passed by voice vote.

Legislative Committee

A motion by Linehan seconded by Garcia to contribute \$10,000 to the P.O.A. slate card recommendations. The motion passed 13 yes, 2 no. Voting yes: Bertsch, Coggan, McDonagh, Garcia, Gannon, Java, Johnson, Friedlander, Chignell, Cole, Rapagnani, Barry. Voting no: Parenti, Conway.

A motion by Gannon to contribute \$10,000 to elect Bush for President did not receive a second. (Note: The POA is prohibited by Federal law from contributing to a presidential campaign.)

Contributions to Defeat Prop D

A motion by Doherty seconded by Chignell to contribute \$12,500 to defeat proposition D and to utilize the P.O.A. phone bank to defeat Proposition D and to incorporate a \$250 dollar contribution to Local 790 to defeat Prop D was approved by unanimous vote.

Supervisory Contributions

A motion by Linehan seconded by Chignell to contribute \$500 or an in-kind contribution of \$500, to the P.O.A. selected candidates for the Board of Supervisors was approved by a vote of 19 yes, 2 no and 1 abstaining. Voting yes: Barry, Parenti, Linehan, Rapagnani, Cole, Chignell, Doherty, Java, Garcia, Bertsch. Voting no: Conway, Johnson. Abstaining: Gannon.

POA Turkey Shoot

A motion by Gannon seconded by Chignell to purchase 100 turkeys for the Annual POA Turkey Shoot at the Police Range was approved by voice vote.

Fleet Week Committee Contribution

A motion by Rapagnani seconded by Cole to contribute \$250 to a fleet week event for N.C.O. Navy Personnel was approved by voice vote.

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Secretary

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Right Here In River City

by Bill Hemby
COPS, Legislative Advocate

December is a month for thoughts of Christmas cheer, mistletoe, presents for the kids and assorted Christmas parties. In Sacramento it's all those things, but it's also preparation month for the return of the legislative session.

Legislators return briefly to elect their leaders in each party, introduce new members and find out about committee selection. It is also a time when we can gear up for next session by introducing bills of interest.

December will be crunch time for the Speaker of the Assembly Willie Brown, depending on the outcome of this election. The so-called Democratic Gang of Five will undoubtedly attempt a coup.

On the Republican side, their leader in the assembly, Pat Nolan, will have a rough ride. The FBI Sting operation is still hanging over him. Pat is a prime figure in that operation. He may be history come January.

COPS will be there with our legislative package. How the November elections went will in some way dictate our success rate. Since law and order and crime was an important element in most state elections, it will be remembered by both parties.

COPS presence in Sacramento will be prominent, because we were prominent in the elections, and I believe our selection rate will be better than 98%. This is important because the next election we select state-wide officers and law enforcement will again be a prime issue.

Predictions are in order this month. What can we expect to achieve in 1989 and what battles will be fought.

Well! I know there will be a total revamp of 830 of the Penal Code. That section, for those of you who aren't studying for the Sergeant's, covers status for all peace officers. 830.1 covers police officers, deputy sheriffs, D.A. investigators, Marshals and Constables (what's a constable?). 830.2 covers the Highway patrol, etc., down the chain of subsections.

There has been a great jealousy brewing over the years over where you stand on the 830 ladder. This issue is over who has what powers, who can carry a gun, what retirement you fall under, all those things.

Interestingly, at a COPS legislative forum in November, it seemed that the consensus of association leaders felt if someone had a job to catch bad guys, they should have the same powers as the rest of us. I know when I worked with the Housing police on Hunters Point, I was glad I didn't have their job.

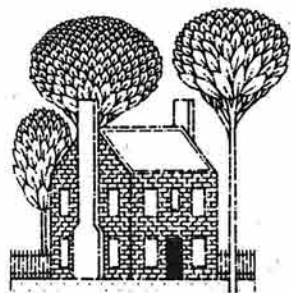
Another yearly issue to look forward to is the attempted take-aways of your worker compensation protections. High on the governor's agenda is to "reform" the workers compensation system. I always get nervous when I see the word "reform." Especially when the backers are the insurance industry and the League of California Cities. Their biggie will be to curtail stress type disabilities.

This is hard to defend because we are talking about psychological problems, such as drinking, drugs, suicide, divorce, etc. We have the best workers' compensation protections of any workers. The stress prohibitions will be linked to job discipline, transfers, assignments and internally caused stresses.

COPS will be seeking a workers' comp plus in the form of a cancer presumption. This will mean if you contract cancer it will be presumed to be job related; subject to rebuttal, of course. The fire fighters already have this protection. Our argument is that cops are the first ones on the scene at fires, explosions, toxic spills and disasters. We also bust up drug labs where toxics abound. We do not have the protective clothing or time to find out what dangers we are going into; we go anyway.

Another fight brewing is over our privacy issue. Last year, I hope you will remember, COPS pushed a bill that would have taken our home addresses out of the voter registration rolls. If you don't know, your name, type of employment and home address are a matter of public (open) record at any voter registration office. There have been cases of police officers murdered in their homes and officers served subpoenas at their homes. Well, guess who

(See HEMBY, Page 12)



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RETIRED MEMBERS COLUMN



by Gino Marionetti & Mike Sugrue

Christmas Message

As coordinators of the Retirement Planning Seminars, Mike Sugrue and I wish to express our sincere thanks to you all for making our seminars (not only this year but also for our previous seminars) a huge success. We do receive a lot of satisfaction that comes from within, but the overwhelming credit goes to all of you who have attended as well as the consideration and kindness you have shown us.

We sincerely hope that you have enjoyed reading the Retired Column in the POA Notebook, and that you found the articles to be most informative and beneficial to those contemplating retirement. Mike and I would like to express our sincere feelings for the coming Holidays.

May you and your loved ones have a Most Merry and Joyous Christmas and may your wishes and dreams for the coming year, as well as a few pleasant surprises, come your way.

May the good Lord continue to bless your home with love, happiness and wonderful health and may the love you have in your hearts for each other and as a family grow stronger with each passing day. As for the coming year, we have experienced in our daily lives the truth that life never runs smooth; we have our up and down periods with psychological detours along the way.

With that thought in mind, Mike and I would like to leave you with one last thought: that we would like for everyone to live each day to its fullest, as no one promised us a tomorrow. May God's blessings be bestowed upon all of our active, retired and deceased members.

Once again, Merry Christmas and a Healthy New Year.

Helpful Hints Toward A Happier Retirement.

The following items are brought to your attention that they may assist you in your retirement.

- (1) Eight Steps to Happier Living:
 - (a) Face reality.
 - (b) Establish warm relationships.
 - (c) Develop outside interest.
 - (d) Seek new adventures.
 - (e) Guard your health.
 - (f) Take pride in yourself.
 - (g) Learn to relax and laugh often.
 - (h) Look toward the future.
- (2) Tips for Dealing with Stress:
 - (a) Recognize stress — admit you feel it.
 - (b) Identify the cause of the stress.
 - (c) Take action. Decide what you want, then act. Indecision is one of the worst stress producers.
 - (d) Accept the fact that you can't control every situation.
 - (e) Seek advice from someone you can talk to openly.
 - (f) Exercise.
 - (g) Rest. Fatigue makes even small problems loom large.
 - (h) Try mind relaxing techniques; i.e., yoga, music, meditation.
 - (i) Avoid self medication and potentially abusive substances.
 - (j) Laugh more.
- (3) Reap the rewards of time well spent by:
 - (a) Making a daily schedule.
 - (b) Planning activities round fixed points in the day, after breakfast, after lunch.
 - (c) Committing to several activities and following through with them.
 - (d) Involving others in your plans. Enthusiasm is contagious.
- (4) Tips for writing a resume that will help get you an interview:
 - (a) Be brief, preferably one page.
 - (b) Be organized, with an easy to follow format.
 - (c) Use professional quality typing or printing.
 - (d) But don't get facy with the choice of binding, paper colors, etc.
 - (e) Say only what you need to say to describe your duties, responsibilities and skills.
 - (f) Make your descriptions results oriented. Use action verbs to describe your accomplishments.
 - (g) Don't include irrelevancies: height, weight, age, sex, health, or marital status.
 - (h) Put only positive information about yourself in the resume.

- (i) Proofread and edit your resume carefully.
- (j) Send your cover letter and resume to the person who hires for the position you want, (find this out through your network or by calling and asking).
- (5) Source of income for individuals age 65 and older:
 - (a) Social Security: 44%
 - (b) Pensions, annuities, dividends, interest, rent and gifts 43%
 - (c) Earnings: 10%
 - (d) Supplemental Security income and public assistance: 3%
- Sources: U.S. Census Bureau 1985
- (6) How an "average" older (65+) urban household spends its money:
 - (a) Housing: 33%
 - (b) Food: 19%
 - (c) Transportation 16%
 - (d) Medical Care: 10%
 - (e) Clothing and personal care: 6%
 - (f) Contributions: 5%
 - (g) Entertainment, Education, Reading: 4%
 - (h) Other Expenses: 7%

Source: U.S. Bureau of Labor Statistics, 1985.

- (7) Your local Social Security office

Before you apply for benefits, a preliminary visit or phone call to the nearest Social Security office can help you:

- (a) Pinpoint your monthly benefit amount
- (b) Determine exactly what information and material you should bring when you file for benefits,
- (c) Obtain helpful literature, and
- (d) Become more familiar with your Social Security representatives and resources.

If the nearest Social Security office is not located in your community, you can find out when a Social Security representative visits your area by calling the number listed in your phone book.

- (8) Applying for Social Security and Medicare benefits

Social Security and Medicare benefits do not start coming automatically; you must apply for them first. Three months before you retire, or three months before you reach 65 (whichever comes first), call or visit the nearest Social Security office. If it is not convenient for you to visit the office, you can complete the application process by phone and mail. The Social Security staff will tell you which forms of identification and other material is required. These usually include:

 - (a) Your Social Security card or number.
 - (b) Proof of age.
 - (c) Most recent W-2 form or a copy of your most recent Federal income tax return.
 - (d) Marriage certificate if you're applying for spouse benefits.
 - (e) Your children's birth certificates if you're applying for them.

Remember: It's important to apply for Social Security about three months (90 days) before your retirement date if you want your benefit check to start coming the same month you retire. If you delay your application, you may also delay your benefit.

Also be advised that any 65-year old qualifies for Medicare even if he/she is not retired at the time. So contact your Social Security office before you hit 65 even if you plan to retire later than that.

If you are retiring before age 65, it's a good idea to phone the Social Security office no later than January of your retirement year (you may qualify for benefit payments before your retirement month depending on your annual earnings).

- (9) Update your will

A properly drawn will can provide for orderly disposition of property and assets at your death, and it can minimize taxes and administrative costs incurred by your survivors. It's also the best way to make sure your estate is distributed according to your desires and your family's needs.

If you don't have a will, see an attorney now. Dying without a will can substantially reduce the money your spouse or children receive, leave them with staggering legal problems and create confusion.

Once you have a will, keep it up to date. You may want your will to reflect a recent change of address or marital status, birth of a child, significant change in your property and assets, instructions for a charitable donation or trust arrangement.

You can update your will by making a new one or attaching a codicil, which is a separate document altering or adding to the existing will.

Don't change a will by rewriting the original. See your attorney for a new will or a codicil.

After a will has been updated, all copies of the old will should be destroyed.

No matter how comprehensive your will may be, review it periodically to be sure it's up to date and provides the best possible tax advantage for your estate.

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Tanzania Travels

by John Ehrlich, Foreign Correspondent

Jambo — That's hello in Swahili. You reply, "Hibari" — literally "news." I ask you how you are — "Mzuri?" You say fine — "Kwaheri." To say good-bye, we say "Salaam" — peace.

After Mt. Kenya, five of us hired Alistair to take us on a two week safari to Tanzania. Al had driven his brand new Land Rover from London, 22 months before. He wanted to sell the Land Rover so that he could be home by Christmas. He decided to take people on safari to help make a bit more money. My companions were Tom, Buzz, Rowan and Mike.

Tom has taken a break from school in Seattle and has been in Africa for five months. He plans to remain there for two more years of low budget travel. Buzz quit his job as a commercial artist in L.A., then visited friends in Europe before arriving in Africa about the same time as I did. He may try to find work in travel or make a living selling paintings of wildlife. Despite being blind in one eye, he saw things in far greater detail than I could. Rowan is from Australia. He had been working in London for a couple of years and was on his way home. He had dreadlocks which the Africans loved. They were always coming up to him with big smiles, calling him Rasta man and touching his hair. Mike managed a health club in Vail, Colorado. He was heading south to a bartending job.

The six of us packed up the Land Rover and headed off toward Arusha. The second day out of Nairobi, the alternator died. We spent a few days at a campsite at Lake Diluti, just outside Arusha, while we searched for a new alternator and put it in. It isn't easy finding spare parts in Africa, so a few days rest was really quite short in comparison to how long we might have been delayed. When we got going again, we headed to Arusha. It is the gateway town for safaris and safari companies which tour the game parks of northern Tanzania. It sits at the base of a volcano, and Mt. Kilimanjaro is only an hour away.

Our next day out we drove north to Lake Norton near the Kenyan border. It is a seven hour drive on a bad dirt road. While driving down to El Donyo Lengai, the Mountain of God, another part of the car, the tappet guide, broke. We were in a very hot and dry area of low grasslands. The nearest water was several miles away, and the first tree was much further. We would see the Masai driving their herds of cattle miles away.

The Masai warriors would watch us from dusk to dawn as they also watched their herds of cattle. They planted the semi-blunt end of their spears into the ground and considered us their entertainment. They felt that it was the natural order of things that we should give them the things of ours that they wanted. They were neither apologetic nor deferential.

Lest you think they were corrupted by tourists, the first expeditions to the Masai in 1895 also complained that the Masai demanded or just took items. The idea of giving gifts is not part of the Masai culture. During our days at Natron, we got to know some of our watchers. Some spoke English. All lived simply. They wore colorful manufactured cloth draped like a Roman toga. The warriors carried a 5-foot long spear, a short sword or knife in a red leather scabbard, earrings, and beads around their necks.

While the Masai watched, Alistair spent a day diagnosing the car problem and the rest of us climbed the mountain nearby. The next day, unable to find water, we drove on 3 cylinders to an unused campsite by a village. It had shade and was near water. Lake Natron is a soda lake, so it had a soda factory, but there was little else except for a small store in one of the huts. We had only a small amount of food. We explored ways of leaving the village, knowing that Al and one other would have to remain behind to guard the car and our things from the Masai.

We learned that a truck from the soda factory would go to Arusha the next night. It was a ride I will not forget, though the Africans did not find it exceptional. The truck was a flatbed with a two foot high metal railing around the sides. The four of us got to the factory at 9 p.m., half an hour before the truck left. There were some sacks, barrels and other supplies in the bed along with some 50 Africans. There was about as much space as on the 38-Geary at rush hour. We squeezed ourselves in, and I sat on my pack. I could usually find a place to put my feet; sometimes over or under someone else's. I could not rest my back against the railing as we hit a bump about every ten seconds, and I could have easily hurt myself.

The truck left on time, the night was warm, and the people were friendly. So much for the good news. It was a bad road, even for Africa. Around midnight, we got stuck in the sand for an hour. Then, shortly after getting free, we had a flat tire. After we fixed it and set off again, I tried to sleep to make the time pass, folding myself over my knees. Every time I would doze off, the truck would hit a large bump tossing me a few inches in the air.

The trip started to assume a surreal, dreamlike quality. Mike, who was not used to rigorous travel, started to call it "the journey through hell." He was then hit by a tree branch, stunning him. The branch scratched across his forehead and cheek, narrowly missing his eye. It bled for about ten minutes, and, as I was sitting near him, I gave him my handkerchief to mop up the blood. Fortunately, my handkerchief was red. I wondered what would make the trip any worse and thought how glad I was it wasn't snowing.

We had another flat tire. The hours dragged on. Finally it was light. Around 10:30 a.m., we discovered that the truck wasn't going to Arusha, but only after it turned off the main road. When the truck broke down again a few minutes later, we got off. Finally, we were lucky and were able to hitch a ride to Arusha in the back of a small pickup truck. One good thing about trips like this is that they put a 20 minute traffic jam on the Bay Bridge into perspective.

Buzz searched Arusha for the parts for the Land Rover and then set about finding a ride back to Natron. He found a safari driver who was leaving in three days. Two of our group, Rowan and Mike decided that they couldn't wait, but Buzz and I felt we had enough time. We took the car parts back to Al and Tom, fixed the car, and a week after the car had broken down again we were off.

The first game park we saw was Tarangire. We could afford to stay in the lodge there. The lodge consists of a main building and a string of cabins along a bluff about 150 feet above the plain. The cabins had concrete floors and a bathroom. The bedrooms are large fixed tents with mosquito netting. Each cabin had a front porch and a great view. There was a muddy waterhole about half a mile away. A river ran through the plain toward the lodge, curving away at the bottom of the bluff. This time of year is the dry season. The animals cross the plain to drink at the river. We sat on the porch drinking beer and watching herds of wildebeasts, zebra, antelope and elephants walking in lines to the river. One afternoon I counted 50 elephants drinking. The next day, two lions sat by the river. They made two abortive attacks on game. At night, I heard the lions roaring. We had such a great time that we stayed a night longer than we'd planned.

Next we went to Ngorongoro Crater. This is the one game park to see if you can only go to one. It's a 12 mile wide enclosed crater with 2,000 foot walls. It is mostly low grasslands with some forest and two soda lakes. The views from the rim are spectacular. There are two luxury hotels and a \$6 per person campsite on the rim. There are \$30 per person campsites in the crater and another hotel with no view of the crater. We stayed at the campsite on the rim.

Driving through the crater was an unforgettable experience. In addition to herds of wildebeast and zebra, there was an amazing assortment of antelope and birds. We saw pink flamingos in one lake. We had lunch by the other lake and saw hippos. A rhino lay in the mud nearby and next to a marshy river a lioness played with and nursed her three cubs. We drove close to several groups of lions.

Big cats, like lions, cheetah and leopards generally ig-
(see TRAVEL, Page 15)

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Salary and Pension Benefits

by Bob Barry, President

The following information is intended to bring you up-to-date on significant issues affecting: 1) Projected Salary increase for July '89, 2) Proposed City Ordinance allowing more favorable tax treatment on your Pay Check, 3) Vesting of retirement benefits for Tier I members and, 4) To dispel myths and rumors regarding Collective Bargaining for salary and fringe benefits.

I. 1989-90 Salary Projection:

Based on my current research involving the 4 cities in our salary formula, we are projecting a **minimum 7.5 percent increase** effective July 1, 1989. At this point in time, two (2) jurisdictions, Long Beach and San Jose are not expected to resolve their contracts until late in '89. Assuming each will receive a 4 percent increase, we will eventually pick up the bump, thus increasing our percentage to a maximum 9.2 percent.

Although you have been bombarded with negative flyers from my political opponents intimating that the raise may not be forthcoming, because the mayor has yet to state publicly that we will receive the raise, the facts are quite different.

The recent wage freeze expires on June 30, 1989, and our charter mandated wage formula will be reinstituted effective July 1st. **There is absolutely no discussion at City Hall about another freeze.** Further, having discussed the situation with a majority of the Board of Supervisors, there is absolutely NO desire or need for another freeze. And, any such charter amendment must come from the Board of Sueprvisors (6 votes) and not from the mayor. So look forward to your increase and disregard the negative political rhetoric.

II. Proposed Ordinance affording you more

favorable tax treatment. Potential to nearly double your net wage increase.

Your annual **net increase** from the projected 7.5 percent salary boost will nearly double. See chart below. (Only Active officers will receive the chart).

Proposition H was placed on the November ballot by the Retirement Board to allow the Supervisors, by ordinance, to change certain provisions within the Retirement System to comply with federal tax laws. Prop. H passed. The 2nd provision of Proposition H allows, by ordinance, all city employees to obtain more favorable tax treatment for the money they contribute to the City's Retirement System. The concept is similar to the recently enacted IRS 125 "Cafeteria Plan".

In August '87, I proposed this concept to all labor unions in San Francisco, and again proposed it to The City during the wage negotiations this past spring. The language was approved by the Supervisors and incorporated in the above amendment.

The financial analysis below covers the rank of Police Officer, both retirement systems, single and married status and claiming 1 or 3 exemptions. All ranks and exemptions, however, are covered — these are merely examples.

EXAMPLE A depicts a single member with one or three exemptions and **Example B** depicts a married member with one or three exemptions.

Column 1 "Current Pay" shows Annual Salary, less state and federal taxes and less the member's retirement contribution. The bottom line is your Net Annual Pay.

Column 2 is the projected 7.5 percent increase. Again, it depicts all tax and pension deductions. The bottom line shows your Net Annual Pay, the dollar increase over cur-

rent wages as well as the net percentage increase.

Column 3 depicts the same projected 7.5 percent increase, however, you'll notice that federal and state tax deductions are less than in Column 2. The reason is that once the proposed ordinance is adopted by the Board of Supervisors, The City can declare, for **Tax purposes only**, that the employee's retirement contribution is "Employer Paid", even though the employee actually pays it. The effect is that the employee's retirement contribution is deducted **before taxes**, rather than **after taxes** as it is now. Thus, the gross salary on which taxes are based (again, for **tax purposes only**) is less. Therefore your annual taxes are less. The result is obvious. Compare the net annual pay and percentage in Column 3 with the figures in Column 2. Depending on rank and deduction status, net annual pay over current net is nearly doubled.

The taxes on the pension contribution that we don't pay now would be paid as we receive the monthly benefit upon retirement.

San Jose recently enacted this proposal for all employees, as did as our own Community College teachers. State teachers have long enjoyed another version of this concept and all state employees are enrolled in the program as well. The money we could save now could be a tremendous boon for all employees. We are currently drafting the Ordinance and plan to introduce it at the Board of Supervisors in early January.

Footnote: Although you will be taxed on less gross income, your pension benefits will continue to be calculated on the full gross. This benefit is merely a deferral of some taxes until you actually receive your retirement benefits. The concept is analogous to the Deferred Compensation Plan which many of our members have elected to participate in.

III. Vesting Benefits (Tier I Members).

This amendment (Proposition J), sponsored by the Firefighters and POA, will allow any member in the Tier I pension system (Pre-1976) the option of leaving the department at any time prior to reaching normal service retirement (age 50 and 25 years service); leaving your funds in the system, and upon reaching age 50, the member would begin collecting the vesting benefit.

The members' benefit and subsequent raises will be calculated based on the number of years service the member had at the time of vesting.

Example: If a member has 20 years of service and wanted to leave, the calculation would be as follows:

20/25ths of 55 percent of salary being paid at the time the member left the department. At the time the benefit is received (commencing at age 50), the member would receive the annual raise calculated in the same manner (20/25ths of the raise).

Members who opt for the vesting provision will be allowed to "roll over", into the next calendar year, any payment for vacation and comp time (for tax purposes).

Additionally, members who elect the vesting provision and who are not yet 50 years of age will not retain membership in the Health Service System. However, upon reaching age 50, membership will be reinstated.

IV. Collective Bargaining for Salary and Fringe Benefits.

Once again, as I did with the salary information above, I want to emphatically state that there is absolutely NO intent on my part or the POA Board of Directors to negotiate away our salary formula or to create yet another Tier in our pension system.

You have been inundated with "fear" articles that "Secret" deals have been struck with the mayor to bargain away our salary in order to institute Collective Bargaining. Nothing could be further from the truth, and for these disgruntled members who are suggesting that such a scheme is afoot is an act of total irresponsibility.

The POA is, in fact, negotiating a Memorandum of Understanding and there is, in Section 6, language regarding "Salary and Fringe Benefits". The language states: "The Employer and the Association agree to meet and confer in a timely manner on proposed San Francisco Charter Amendments to provide for alternate methods of establishing appropriate levels of salary and fringe benefits."

This language was placed in the M.O.U. to ensure that The City meet with the POA should "The City" propose any such charter amendments. Even though the law dictates that The City must meet with us on any proposed changes, our attorneys felt that the added language would serve as better protection for the membership.

The language can easily be withdrawn if there is one iota of confusion about it, but there is **NO intent** to bargain away any benefits. Certain individuals are merely manufacturing issues because they are running against me in the forthcoming POA election.

PROPOSED TAX ORDINANCE						
(See Salary and Pension Benefits, Section II)						
SAN FRANCISCO POLICE OFFICERS' ASSOCIATION						
SALARY ANALYSIS						
4th Year Police Officer — Tier I						
Column	One Exemption			Three Exemptions		
	-1-	-2-	-3-	-1-	-2-	-3-
Example A						
<u>Single</u>						
Gross Salary	\$ 37,715	\$ 40,704	\$ 40,704	\$ 37,715	\$ 40,704	\$ 40,704
Federal Income Tax Withheld	(7,384)	(8,268)	(7,384)	(6,292)	(7,176)	(6,292)
State Income Tax Withheld	(2,106)	(2,366)	(2,106)	(2,002)	(2,262)	(2,002)
Pension	(2,640)	(2,849)	(2,849)	(2,640)	(2,849)	(2,849)
Net Annual Pay	\$ 25,585	\$ 27,221	\$ 28,365	\$ 26,781	\$ 28,417	\$ 29,561
Inc. In Net Annual Pay Over Current Net		\$ 1,636	\$ 2,780		\$ 1,636	\$ 2,780
% Inc. In Net Annual Pay Over Current Net		6.39%	10.86%		6.10%	10.38%
Example B						
<u>Married</u>						
Gross Salary	\$ 37,715	\$ 40,704	\$ 40,704	\$ 37,715	\$ 40,704	\$ 40,704
Federal Income Tax Withheld	(5,278)	(6,162)	(5,278)	(4,316)	(5,070)	(4,316)
State Income Tax Withheld	(1,146)	(1,360)	(1,146)	(931)	(1,118)	(931)
Pension	(2,640)	(2,849)	(2,849)	(2,640)	(2,849)	(2,849)
Net Annual Pay	\$ 28,651	\$ 30,333	\$ 31,430	\$ 29,828	\$ 31,667	\$ 32,608
Inc. In Net Annual Pay Over Current Net		\$ 1,682	\$ 2,779		\$ 1,839	\$ 2,780
% Inc. In Net Annual Pay Over Current Net		5.87%	9.69%		6.16%	9.32%
(1) Assumes 7.5% increase						

SAN FRANCISCO POLICE OFFICERS' ASSOCIATION						
SALARY ANALYSIS						
4th Year Police Officer — Tier II						
Column	One Exemption			Three Exemptions		
	-1-	-2-	-3-	-1-	-2-	-3-
Example A						
<u>Single</u>						
Gross Salary	\$ 37,715	\$ 40,704	\$ 40,704	\$ 37,715	\$ 40,704	\$ 40,704
Federal Income Tax Withheld	(7,384)	(8,268)	(7,384)	(6,292)	(7,176)	(6,292)
State Income Tax Withheld	(2,106)	(2,366)	(2,080)	(2,002)	(2,262)	(1,976)
Pension	(2,829)	(3,053)	(3,053)	(2,829)	(3,053)	(3,053)
Net Annual Pay	\$ 25,396	\$ 27,017	\$ 28,187	\$ 26,592	\$ 28,213	\$ 29,383
Inc. In Net Annual Pay Over Current Net		\$ 1,621	\$ 2,791		\$ 1,621	\$ 2,791
% Inc. In Net Annual Pay Over Current Net		6.38%	10.98%		6.07%	10.49%
Example B						
<u>Married</u>						
Gross Salary	\$ 37,715	\$ 40,704	\$ 40,704	\$ 37,715	\$ 40,704	\$ 40,704
Federal Income Tax Withheld	(5,278)	(6,162)	(5,278)	(4,316)	(5,070)	(4,316)
State Income Tax Withheld	(1,147)	(1,360)	(1,147)	(931)	(1,118)	(931)
Pension	(2,829)	(3,053)	(3,053)	(2,829)	(3,053)	(3,053)
Net Annual Pay	\$ 28,461	\$ 30,129	\$ 31,226	\$ 29,639	\$ 31,463	\$ 32,404
Inc. In Net Annual Pay Over Current Pay		\$ 1,668	\$ 2,765		\$ 1,824	\$ 2,765
% Inc. In Net Annual Pay Over Current Net		5.86%	9.71%		6.15%	9.32%
(1) Assumes 7.5% increase						

Financial data covering ranks other than Police Officer is not included due to space limitations. Complete data is being mailed to each department member.



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HEMBY

(Continued From Page 8)

also gets that information? That's right, the defendant! How long do you think it will be before a "Hit List" is published of your home address. This bill was torpedoed by Senator Bill Lockyer (D) of Alameda.

Senators Barry Keene and John Garamendi (also Democrats) voted against that bill, along with Quinton Kopp (I) and a host of Republicans. Their objection was, and still is, that they won't be able to mail their campaign literature directly to your home.

The Republicans, I can forgive. They seldom support us anyway. But, our friends whom we support every year, especially when they run for re-election, are the ones who upset me the most. As far as Quinton, well, he hasn't been much of a friend to COPS either. Right now he is playing both sides of the fence, but come time for his re-election I'll bet he jumps into the Democratic camp. Independents don't last long.

It's time we send a message to our so-called "friends." If you have never written a letter to a politician, now is your chance. The bill they voted against was AB 1393 by Assemblyman Floyd. If you would like to voice your concern, write: Senator Barry Keene, Room 313, Senator John Garamendi, Room 4078, and Senator Bill Lockyer, Room 2032, State Capitol, Sacramento, CA 95814. Another thing you can do! If you know any cops in other cities, give them a copy of this article.

COPS is planning a few surprises, if our friends insist on knocking us in the creek. You see, several of these Senators come up for re-election in two years. That gives us enough lead time to develop our own campaign. Remember what I said about law enforcement issues this time around? In two years we'll be ready!

Phil McKnight

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M.O.U.

by Lois Perillo

The current draft of the Memorandum of Understanding, an agreement between the POA and the City, has not been generally available to the membership it will affect.

In an informational meeting held by Steve Johnson, Headquarters POA representative, and attended by about a dozen department members, Johnson said he wants to see all members equally informed about the MOU "especially before they vote on it."

The MOU is a contractual agreement between the POA, as a legal bargaining agent for sworn members of the Police Department, and the City.

It sets standards and reiterates department policies about specific issues including employee rights, maternity leave and transfers.

When many of those at the meeting said they hadn't seen the memo, Johnson volunteered to provide them copies.

Johnson said he wants members to review the memo and make suggestions to better it.

"Guarantees for (scheduled) equipment replacement, including vehicles and pic radios, is an example of what should be added to the memo," Johnson said.

Unlike most major departments, the San Francisco Police Department has been operating without a MOU for about 10 years.

The MOU is being written by Bob Barry, POA president, POA executive board members and Dave Clisham, POA attorney, according to Johnson.

When asked about the ratification process and time frame for implementation, Johnson said it was a multiple-step procedure involving the drafting of the memo, approval by the members, review and editing by the City and re-approval by the members.

"I will get more information," Johnson said, "and hold another meeting before the membership votes on the MOU."

Anyone interested in obtaining a copy, contact your POA representative or Steve Johnson at 553-1551.

Suggestions regarding the MOU may be made to Dave Clisham, c/o POA, 861-5060, and/or sent to the Notebook for publication.

CSAA Offers Ski Reports

Details on 1988-89 ski season conditions and weather information for the Sierra Nevada will be available to winter sports fans who call the California State Automobile Association's ski phone (415) 864-6440.

During the CSAA ski phone's 32nd years, the AAA-affiliated auto club is providing a daily recorded telephone summary of skiing and weather conditions throughout the ski season. The report service is available 24 hours a day, with a recorded update each weekday morning by 10 a.m.

Reports indicate how much snow has fallen, total amount of snow on the ground, condition of the skiing surface, the number of ski lifts operating, and the number of kilometers of cross-country set track open at ski resorts.

Ski areas include most major resorts within convenient driving distance for ski fans in northern and central California and Nevada. The areas range from Lassen in the north to Mammoth in the southern Sierra, with particular emphasis on the resorts in and near the Tahoe basin.

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BENEFITS

(Continued From Page 3)

penditures made annually under the Public Safety Officers' Benefit Act. Therefore, the critical question before us is whether, in this period of fiscal austerity, the Congress should spend more money on these programs at a time when others are likely to experience severe cuts.

I realize that the action taken by this subcommittee on these bills will be of critical importance to the future recruitment and retention of public safety officers, and



Representative John Conyers

the members of this subcommittee are very deeply concerned about this subject.

I can assure you that my colleagues strongly support the thousands of men and women who responsibly carry out their duties in law enforcement, fire fighting, rescue and emergency activity. The protection of the public is a difficult and challenging profession. All of us share a commitment to provide those who elect this service the necessary legal authority and funding to maintain the high level of performance that we have come to expect.

POA Election Victories

by Mike Hebel
Political Correspondent

November 8, 1988 was a very auspicious day. City voters, by large majorities, voted to maintain the Mounted Unit, allow Tier I members to vest their pensions, and passed enabling legislation which can lead to favorable tax treatment of monies contributed to the City's Retirement System.

These victories were very encouraging. A Charter Amendment to improve benefit provisions of the Tier II Retirement System was withdrawn by the Board of Supervisors from the June 1988 ballot, at the request of the POA, due to the City's \$180 million budget deficit for fiscal year 1988-89. The huge November "Yes Percentages" demonstrate voter receptivity to POA Charter Amendments.

Proposition J received a 72% vote; Proposition H a 83% vote and Proposition V a 89% vote.

Proposition J

Proposition "J" will allow Tier I members (in Retirement System prior to November 1976; did not take 1981 buy-out) to leave police service, keep their money in the Retirement System, and receive, at age 50, monthly retirement benefits based on their years of service.

Vesting of benefits was the one, and only, provision in the Tier II system which was superior to the Tier I system. Now Tier I members can vest and leave police service prior to reaching normal service retirement eligibility (25 years service and age 50) and begin collecting a monthly pension check at age 50.

The member's benefit and subsequent "cost of living" raises are calculated based on their number of years' accrued service bears to 25 years. The closer to 25, the larger both the initial monthly benefit and the subsequent annual adjustments.

Conceptually, vesting is a resignation with a right to receive retirement benefits at age 50. Therefore, accumulated, unused sick leave which is vested (acquired before December 5, 1978) will not be paid upon separation. Vested sick leave is only paid when a member retires for service or disability or dies prior to such retirement (Civil Service Commission Rule 22.6). Also a member so vesting would not receive a retired police officer identification card with an endorsement to carry a concealed weapon (Penal Code Section 12027).

Importantly, members who resign, vest, and opt to receive benefits at age 50 are entitled to resume membership in the City's Health Service System as soon as they

begin receiving retirement benefits. This is important protection in that the City does make monthly payments toward retired person's Health Service System costs.

This Charter Amendment is likely to be certified (and therefore legally effective) by the Secretary of State on or before January 1, 1989. Already numerous Tier I police officers are preparing to leave police service with now vested pension benefits.

Proposition H

This Charter Amendment will allow the Board of Supervisors, by a two-thirds vote, upon recommendation of the Retirement Board, to change the city employee retirement plan to meet changes in federal laws and to obtain tax benefits for employees at no cost to the City.

This amendment was first conceived by POA President Bob Barry in August 1987 when involved in discussion at the Labor Council. Through his negotiation skill with the City's Employee Relations Division this measure was placed on the ballot despite the opposition of the Retirement System.

Through Barry's intense political lobbying at the Board of Supervisors, the measure received enough votes to be placed on the ballot.

This amendment - a tremendous and important financial boost for all city employees - was a one person effort in concept, construction, lobbying and campaigning. That person was Bob Barry.

This victorious proposal will allow all city employees to obtain favorable tax treatment of monies they contribute to the Retirement System. Presently, contributions to the Retirement System are made with "fully taxed dollars." Ordinance is now being drafted which will allow these contributions to be made with "untaxed dollars." The next result is a noticeably larger bi-weekly pay check.

Proposition V

86% of the City's electorate approved retention of the Department's Mounted Unit. This policy statement received more favorable votes than any other proposition or candidate in recent history.

Full recognition must be given to the efforts of police officer (also pugilist and thespian) Bob Geary who started the campaign to protect the 114 year old Mounted Unit from budget cuts. Well done, Bob - Thanks!

The Future

1989 will bring one ballot opportunity with 1990 bringing an additional two.

POA President Bob Barry anticipates a Tier II benefit enhancement measure on the November 1989 ballot to be followed in June 1990 with a full police officer staffing proposal. November 1990's ballot will contain a measure pertaining to city made employee (and family) health care payments.

Graham Wins Decisive Victory In Race For Judge

by Alex Neill
Independent Journal reporter

A shoe-leather, door-to-door election campaign by Steve Graham of Strawberry for a seat on the Marin Municipal Court paid off Tuesday night as he posted a 12,000-vote triumph.

Graham, 43, an assistant U.S. attorney in charge of West Coast drug prosecutions, tallied 51,257 votes. His opponent, Randy Heubach, 46, of San Anselmo, got 38,973 votes.

"It was a matter of a lot of hard work by a lot of good people," said Graham, surrounded by several dozen supporters at his home.

Graham tirelessly went after the judgeship, attending neighborhood meetings, sometimes several a night, and going door to door to make his pitch.

Heubach was disappointed but relaxed as he mingled with a crowd of about 40 supporters at his election night headquarters at Whistlestop Wheels on Tamalpais Avenue in San Rafael.

"I can't say I'm not disappointed, but it's going to be a relief to get on with life," he said, sipping coffee from a Styrofoam cup.

Graham and Heubach were thrown into a runoff for the \$74,000-a-year job in June when neither managed to win a majority in a three-man contest.

Graham edged Heubach in the June primary by 202 votes. The third candidate, Jack Govi of San Rafael, was eliminated and endorsed Graham in the runoff.

Graham, who works in San Francisco, had to overcome local name recognition enjoyed by Heubach, a commissioner of the Marin Municipal Court who has spent nearly his entire career in local legal and political circles.

Graham also spent at least \$59,000 on his campaign, including \$20,000 of his own money.

The figures do not represent money spent after Oct. 23, the deadline for the most recent filing period.

Graham cited Govi's endorsement as important to the campaign as well as the endorsements of numerous law enforcement agencies.

"Steve Graham has a tremendous amount of respect with law enforcement," said Paul Chignell, San Anselmo city councilman, San Francisco police officer and aide to Mayor Art Agnos.

Heubach said he was not certain about whether the low profile he maintained during the campaign — he posted

few road signs and sparingly mailed campaign literature — was a mistake.

"It may have been too little, too late," he said. "But this is a little early to get into Monday-morning quarterbacking."

He also declined to comment on whether his campaign manager, San Rafael lawyer Steve Kline, was too busy with other political campaigns to properly manage his.

"I can't say that; I'm not going to point the finger of blame at anyone," Heubach said. "I really just feel that in this case there's no one to blame."

Kline, who was also managing the campaigns of Marin Hospital District Board candidates Jann Dorothy and Peter Eisenberg, said he was not stretched too thinly to do the job.

"I liken a campaign manager to a coach and there's no doubt in my mind that when you win, you're a hero; and when you lose, next season you may be looking for a job. I accept that," he said.

Kline said he felt the Heubach campaign failed to raise enough money — \$45,000 was raised by Oct. 23 — and did not reach enough voters through the mail.

Reprinted from the Independent Journal,
November 9, 1988



Motorola Supports Memorial

The group responsible for building the National Law Enforcement Officers Memorial announced today that it has received a major commitment of \$30,000 from Motorola, Inc.

"We are proud to have Motorola as one of our leading corporate sponsors," declared Craig Floyd, the Chairman of the National Law Enforcement Officers Memorial Fund (NLEOMF). "It joins a growing list of corporate sponsors and more than 110,000 individuals who have already contributed to the Memorial project."

Robert J. Mueller, Vice President and General Manager of Motorola's State and Local Government Markets Division, stated, "Of course we will support the public safety community which has been so supportive of us over the years. We believe the Memorial will honor all local, state and federal officers at a point in our history when it is essential to reinforce the efforts of these men and women who make America a safe place to do business and enjoy life."

The site for the Memorial has been selected and approved. It is Judiciary Square, a 4.5-acre plot of federal park land in the heart of our nation's capital. The property, which has been donated by the federal government, has a commercial value of \$21 million. It has strong historical and present-day ties to the law enforcement profession, and it is located just a few short blocks from the U.S. Capitol and the National Mall.

The Memorial, which has been designed by architect Davis Buckley, 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 shine skyward from the Memorial grounds at night.

Tax-deductible donations to the Memorial Fund should be made payable to NLEOMF and sent to 1360 Beverly Road, Suite 305, McLean, VA 22101 (phone: 703-827-0518).



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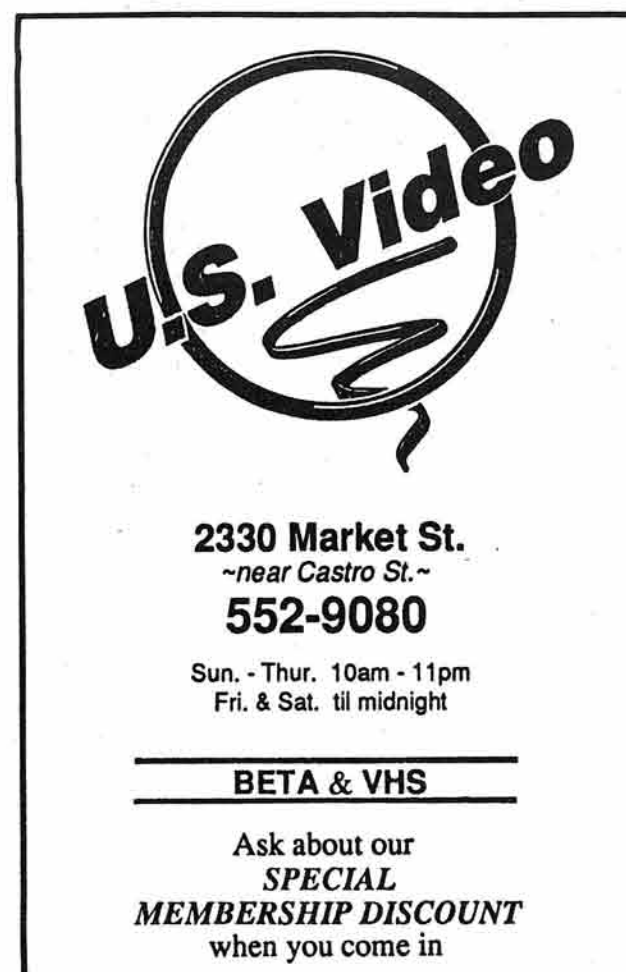
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The Last Petition

A Clear Signal To
P.O.A. Leadership
And Mayor

During the past eight months the membership have stated their position on testing, salary, budget, political endorsements, and collective bargaining by exercising their constitutional right to use the referendum and petition process.

The membership have used the petition process to articulate their outrage at being used as political pawns in the Mayor's budget strategy. These petitions have been dismissed, disregarded or held to be unconstitutional by Barry, Parenti, Linehan and Rapagnani.

The membership, in signing this petition, have sent a final clear signal to the leadership of our association. The final petition demands that the President and Vice President of our association request that the Mayor state his position on the charter mandated pay raise for 1989 as well as future collective bargaining amendments.

Membership Demands Answers
400 Membership Petitions
Submitted To Pres. Bob Barry

Membership Update:


Individually signed petitions demanding the POA President or Vice President to "Call on the Mayor Art Agnos to state publicly that the charter mandated pay raise for 1989-90 will be paid in full, and that he withdraw his support for collective bargaining" were presented at the Nov. 22, meeting of the Board of Directors.

The membership now await long delayed action on the part of our President.

For the past 8 months petitions from the membership have been ignored. This is one petition that will not be avoided, the answer to which you are entitled!!!

The membership now await an answer from the Mayor regarding their request.

If an affirmative answer is received from the Mayor it will **only** be, because of the active involvement and pressure of a participating membership!!!

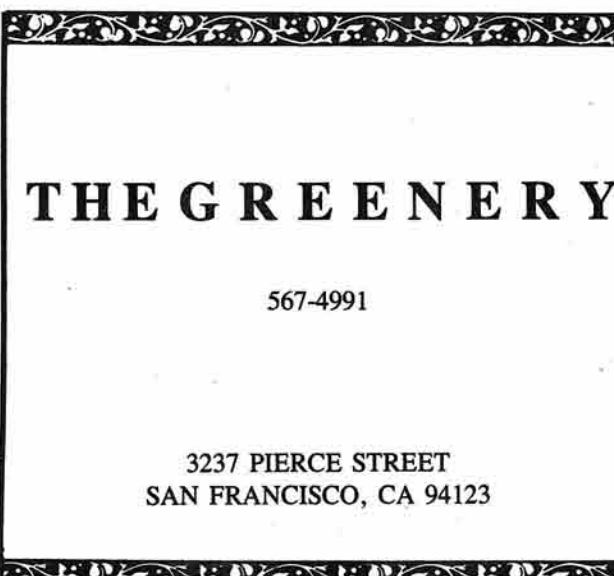


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Time For Change

by William Carlin

Several months ago, I submitted an article to the Notebook that generally pointed out how I felt that the present POA leadership fails to provide leadership and is not representative of the members, who are paying dues and expect some kind of backing and/or representation from those in the positions of leadership in our Police Officers Association.

Well, the response that I received both in person and by several notes delivered to the station was just as I suspected. Many members seem to agree that our POA leadership is not representing the membership and are only looking out for their own personal or political gain. It seems that many POA members can see that we are being led "down the garden path" by the present POA representatives. There seems to be much agreement that as members, we are getting nothing for our monthly dues.

I believe that the entire membership of the POA is ready to make a change in the leadership and direction that our POA is headed. I feel that now is the time to clean out the entire POA leadership and put persons in those positions who will represent the members and our concerns. Now is the time to end our POA leaders catering to the mayor, the board of supervisors and to themselves, and turning their backs on the membership.

Our POA needs some leadership who will focus their energy on the interests of the men and women officers who are paying the monthly dues. We are ready for representation looking out for our salary and pension benefits, our Memorandum of Understanding, the legal defense of our members who require that help, and for future promotional fairness in the police department. We need leadership who will input into job conditions, officers safety, department training and equipment.

In January, we will get the chance to redirect the leadership of the POA and put persons in leadership who will represent OUR concerns. It will be a chance to elect representatives who are not afraid to stand up for the members and are not obliged to the mayor or other city hall elected officials. We can place someone in office who knows how to get things done and will represent all of the members of the POA.

This January, we can return the POA to the members.

Crowley

To ignore the lessons of 1988 would be criminal.

To accept the future without asking the mayor for an honest answer would be stupid.

To fail to prepare a program for 1989 would be irresponsible.

As an association we cannot meet today's crisis tomorrow. As members we cannot afford to elect leadership who feel that they can pick and choose when and what they will do at their own personal convenience. Unless we immediately face the potential for an extended pay freeze, loss of our salary formula and future large budget cuts, we will not have the time to recognize and exploit new opportunities such as the hotel tax alternative.

There is no question in the minds of the membership that the Police Association leadership of Barry, Parenti, Linehan and Rapagnani are well aware of the mayor's intention to use charter revision to replace the city's system of automatic pay raises with collective bargaining. Our leadership clique now hotly deny their partnership in this plan because an angry membership have clearly stated their position on this issue. Their denial of complicity in this political bargain is a necessary strategy in their forthcoming association election campaign.

There is one lesson that came out of the catastrophe of 1988 which we had better remember, for if we do not, a recurrence of those fears and indignities will most certainly destroy our organization. That one lesson is that we cannot reelect association leaders who joined hands with the mayor and allowed the indignities of 1988 to occur.

We must return to the basics.

We must stabilize our economic future and rebuild our association based upon those principles that gave it birth, respect and prominence.

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MICHAEL McKENNA
MANAGER

TRAVEL

(Continued From Page 10)

nore cars, but we found an exception. Al drove close to one lion who seemed bored. Lions who are not actually asleep look as though they soon will be. Buzz took a couple of pictures through an open window. All of a sudden a gleam came into the lion's eye, and she started to get up quickly. It was obvious that she had decided Buzz was food, and she wanted a serving. Luckily the motor was running; Al engaged the clutch, and we drove off.

We spent a full day in the crater, going in at 8:00 a.m. and leaving at dusk. It is wonderful to see wild game with the walls of a volcanic crater in the background.

Our next stop, Oldevai Gorge, has been a magical name for me since I learned about the Leakeys discovering the bones of early man. The Leakeys dug at Oldevai for almost 30 years before they made their major discoveries. It took a lot of perseverance. Man has lived in Oldevai for millions of years, but it is no garden spot. The gorge is in the middle of a hot, dry and windy plain of low grasslands. The gorge itself reminded me of a miniature badlands with soft eroded dirt. There is an excellent small museum, and a guide gives an informative talk. Most tours stop here for an hour.

Buzz knows Tim White, a major league archaeologist from UC Berkeley. He did a lot of work at Oldevai, so we were able to spend the night at Leakey's camp. It was a neat feeling to camp at such an ancient place. The archaeological sites are not much to look at.

Adjoining this area is the Serengetti plain. We arrived in the golden light of the late afternoon. The animals covered the plain around Seronera. I saw my first large herd of zebra. There were thousands of zebra in the herd; it was amazing. In addition to zebra, were also huge herds of wildebeast and buffalo.

The Serengetti is an immense grassland plain with granite outcroppings called kopjes. The kopjes rise about 75 feet and are partially covered with trees and bushes. All of the bushes of the Serengeti are covered with thorn. There are a few trees along the rivers.

Most of the animals migrate seasonally from one part of the Serengetti to another following the availability of food and water. This is true of many of the African game parks. The Serengetti is divided into several parts: the Masai Mara in the north in Kenya, the Western Corridor toward Lake Victoria, the Lobo and the Seronera.

If you plan to visit the Serengetti on a tour, make sure you'll be spending time in the areas where the bulk of game is located. It differs depending on the year and the season. Seronera almost always has game because of its water supply. On my trip, there was game at Seronera and Masai Mara, but little in the area in between, the Lobo. Although we did not go there, people told us that the Western Corridor was teeming with game.

The lodges at Seronera and Lobo are superb. They are modern and of similar design. They are each built into a kopje. They have lots of wood, glass and stone and have views over the plain. We slept at a campsite at Seronera. I slept, as usual, on the metal storage compartment on the roof of the Land Rover. We parked under a kopje and could hear the roar of lions close by. I knew they were within a few hundred yards and did have a few second thoughts, but then, people rarely get eaten.

One morning at Seronera, we followed a cheetah for half an hour. Quite a few jackals and hyenas prowled about. We saw many large herds and several prides of lions. Near dusk we saw a leopard and followed it for almost two hours. It walked around, climbed a tree and then came down. It stalked a baby giraffe. The wind must have shifted because suddenly the giraffe parents quickly moved their baby away from the leopard.

Each of the big cats has a distinct air: Lions give the impression of strength; Cheetah radiate explosive speed; Leopards have power and speed but mostly give the feeling of stealth.

One day, we saw two lions by two kills 20 yards apart. One kill was fresh, and the other was older. The lions lay next to the carcasses to guard them from the hordes of vultures and other carrion birds hungrily eyeing the corpses.

After several days in the Serengetti, Tom left to go south to Harare. He was one of the first people I met in Africa. I spent 24 hours a day in his company for over a month. It's hard to know if I'll see him again.

Al, Buzz and I drove north to Lobo, but there was little game. We crossed the border into the Masai Mara in Kenya. Once again, we saw large herds of wildebeast and buffalo. Just north of the park, we saw quite a few giraffe. The largest herd had 17 giraffe. We had an easy drive back to Mrs. Roches in Nairobi through the Rift Valley. Our two week safari took over 5 weeks, but it was certainly worth it. Salaam.

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Law School Professor Scheduled To Speak

Why Law School For Police Officers?

Noted faculty member, Bernie Segal, expert on Criminal Law at Golden Gate University School of Law, will speak on the topic, "Why Law School for Police Officers?" on Tuesday, January 10, 1989. This informal lunchtime presentation will be held in the auditorium, 6th floor, at the Hall of Justice from 12:00 to 1:00 PM.

GGU School of Law, as part of its new outreach program, is endeavoring to answer questions of all those individuals who are re-thinking career goals and have considered law school. The Law School is working closely

with Morgan Peterson of the Employee Assistance Program, SFPD, to bring you this presentation.

As a representative of the Law School, Mr. Segal will touch on GGU's Programs, particularly its flexible Part-Time Program designed for working professionals, its mature studentbody, and a very supportive faculty. He will share his expertise in Criminal Law and will be ready to answer questions.

Career opportunities for the police officer with a law degree will be covered extensively.

Response to Carlson's "Facts"


by Jim Speros Co. A

I read, with interest, the article by Ray Carlson in the November issue of the Notebook. In review, there are two major points I must take exception to and clarify. The reciprocity agreement that only took 1½ yrs. for San Francisco to finalize between us and the State is simply a contract enabling employees from other cities and retirement systems to transfer their time in service to our system without losing any. At the same time, when San Francisco employees (of any classification) transfer to another system, they can carry their benefits and "buy in" to that particular system. This brings us into the 1980s and the semblance of a "Lateral Transfer" system, which has been needed to bring fresh blood into the Department. It does not mean that all Members can be arbitrarily transferred into PERS. That requires a petition by the Members and a majority vote by the Members.


The next point is the example of PERS that Brother Carlson used in his article. That is the basic State Employees plan. The Public Safety or "CHP Plan" is normally 2% at age 50, with a 75% maximum, (Tier 2 only gives 70% with 25 years minimum at age 50). Also, the CHP Plan has several levels, which vary depending on the amount paid in by members. It can increase to 2½% at age 50 which means a 20 year retirement; it can have a 4% to 8% per year increase after minimum time and age are reached. Theoretically, a patrolman could retire by age 53 at 75% of his final year's salary. This is currently used by Santa Clara PD (who also pay longevity and additional benefits to the tune of \$3900.00/mo).

Personally, I feel we must keep our options open and act to take care of the Membership and our families, because the City sure is not going to do it.

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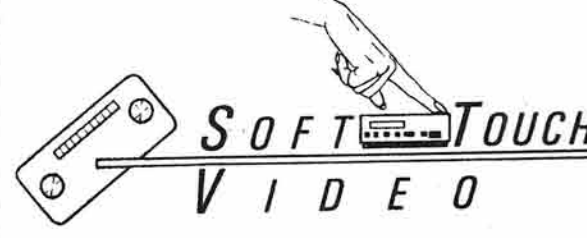
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St. Anthony Prepares For The Holidays

"What's the best Thanksgiving and Christmas you've ever had?" a stranger asked Fr. Floyd Lotito. "Oh that's easy," he replied. "I spend my holidays at St. Anthony Dining Room and they're all the best." Fr. Floyd has spent his last 20 Thanksgiving and Christmas days at St. Anthony's.

St. Anthony Dining Room will serve its 39th annual FREE THANKSGIVING DINNER on November 23, 1988, and its 39th Christmas dinner on December 25. Both are delicious turkey feasts with all the trimmings. Each begins at 10 AM and continues until everyone has finished eating, usually by 4:30 PM. A comfortable family style atmosphere prevails. In recent years there have been as many as 5,000 guests at each of these holidays.

Long known as "The Miracle of Jones Street" and "The Cafeteria Without A Cash Register", St. Anthony Dining Room exists to feed the poor. Guests include the homeless, the aged, the disabled, women and children in distress, the unemployed. Guests are not questioned. There's no preaching, no discrimination as to race, religion, language, heritage, etc. Friendly courtesy is extended to all. Meals are served **every day of the year**, 10 AM until 12:30 and beyond.

The Dining Room is only one of the activities of St. Anthony Foundation helping people to break out of the vicious cycle of poverty. The Foundation recognizes three levels of charitable service.

The First Level is Direct Aid: Food, Clothing, Medicine, Shelter. In addition to St. Anthony Dining Room, this includes the Direct Services Department, St. Anthony Distribution Center (free clothing and furniture, Thrift Shop), Bethesda Project (sanitary facilities, showers, laundry, barber), St. Anthony Free Medical Clinic, and the Adult Benevolent Association, and Senior Centers, Spring Gardens, and The Living Room.

The Second Level is Rehabilitation, helping people to prepare for employment, learn skills, get a job, become self-supporting. This is done through St. Anthony Free Employment Office, the Work Force, and a Rehabilitation Program to overcome chemical dependency. Participants train at the St. Anthony Farms in Sonoma County and at Covenant House in San Francisco.

The Third Level includes Reconstruction, Prevention, Advocacy, efforts to change condition and structures that cause poverty, and keep people in it through Justice Education and the Advocacy program.

The work of St. Anthony Foundation is continuous throughout the year yet only one general appeal is made annually, at the holiday season.

Turkeys and other food can be delivered to St. Anthony Dining Room at 65 Jones Street. Donations can be mailed to P.O. Box 777, San Francisco, CA 94101.

Driving Safely On Snow And Ice

As skiers and other winter sports fans head for the Sierra Nevada, the California State Automobile Association (AAA) offers tips for driving safely on snow and ice.

The CSAA urges drivers to follow these winter driving suggestions:

- For better traction, use approved snow tires or chains.
- Be sure to reduce speed when driving with chains or snow tires.
- Before leaving for a trip, give your car a winter check-up, with special attention to the brakes, battery, defroster, lights, windshield wipers, tires, exhaust system and anti-freeze strength coolant.
- Avoid over-acceleration, over-steering and over-braking, which can produce a skid on wet, icy or slick surfaces.
- To start the car in the snow, accelerate gently and very gradually.
- Acceleration is slower in higher altitudes because your car's engine loses some efficiency. Signal your intentions to stop or turn much earlier than normal.
- Remember that it takes additional time and distance to stop on snow or ice so try to allow extra spacing between cars.
- NEVER let the air out of tires to obtain better traction.
- On long downgrades, don't ride your brakes. Use second or low gear to help slow the car.
- If braking is necessary, squeeze the brakes just to the point of locking, then release and repeat. (Pumping brakes, once recommended, is now considered unsafe, since it can cause wheels to lock, resulting in a skid or spin).
- On long, snowy drives, check periodically for an accumulation of ice or snow under the fenders, which can make steering difficult or even impossible.
- Be sure to scrape ice and brush snow off all windows, mirrors, headlights and tail lights.
- Remove snow from your car's roof and hood so that the snow won't cover the car windows during travel.
- Beware of icy patches on hills, shaded areas, bridges, underpasses and overpasses.
- Watch for and observe special speed regulations and warnings on road conditions.
- Be sure to stay on your side of the road, especially on curves.
- A slightly opened window will help to keep you alert and dispel danger from the build-up of exhaust fumes in the car.

2/14/89

SF Police C.U. Board Elections

by Joe Reilly

The SF Police Credit Union will celebrate its 35th year at the Annual Meeting in February. A few short weeks afterward, the SFPCU will move into its new headquarters at 26th & Irving Sts., marking its most tremendous advance in a history of steady, strong growth. We, as members and owners of the Credit Union, have an opportunity to insure continued growth by electing DUANE COLLINS to the Board of Directors. Duane is a familiar name to SFPOA members since he served us on the POA Board for seven years, five of those years as treasurer. During his tenure as treasurer, the POA expanded its asset base and developed a strong fiscal structure which remains with us today. Duane is a licensed tax preparer, and teaches financial planning to the recruit classes at the Academy. He is currently one of only three active San Francisco Police Officers serving us at the credit union, where he volunteers as a member of both the Credit and Loan Committees. Duane's instinct and insight into credit union issues coupled with his experience will serve us well on the Board of Directors. Celebrate our 35th year by attending the Annual Meeting, seeing your friends, and casting your ballot for DUANE COLLINS, Board of Directors, SF Police Credit Union.

Letters

Bills

Paul C. Chignell, Member
Board of Directors
SFPOA

Dear Paul,
Now that the 1988 legislative session has adjourned, I would like to take this opportunity to update you on the status of both AB 808 and AB 923, measures about which you expressed interest last year. Although I did support and vote for AB 923, regarding employee time banks, when it came before the Assembly, the measure did not gain the support necessary to pass out of the Senate Appropriations Committee.

AB 808, regarding the discipline of public safety officers, did not pass out of the Assembly Public Safety Committee so I did not get an opportunity to vote on this measure.

I do appreciate the benefit of your opinion on all issues important to police officers and the people they protect and served. Please continue to contact me on these matters.

All the best,
K. Jacqueline Speier
State Assemblywoman

Thanks

Bob Barry
SFPOA

Dear Bob,
Thank you for your thoughtfulness extended over the recent loss of my mother. Your expression of condolence on behalf of the POA members is greatly appreciated by myself and my family.

Tom Horan

Bob Barry
SFPOA

Dear Bob:
Thank you so much for helping me out with all of your hard work on the No on Proposition O campaign. With your diligent efforts, we defeated Prop. O 58% to 42%. It wouldn't have happened without you!

I can now look forward to continuing to work with you through 1990!

Again, my deepest thanks and appreciation for your commitment and support.

Sincerely,
Doris M. Ward

Protest

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

An Open Letter to Mission Police Station:

I am currently a San Francisco cop working full time, on the street, making arrests, and having lots of public contact. I also have a full blown case of AIDS and have been diagnosed with that condition since Feb. of this year. The Department's compliance with state law, Civil Service regulation, and its own issuance of a progressive, humane general order (D-19) has allowed me to continue to work and support myself so as to benefit the Department and our community. Most importantly, the genuine compassion shown to me by both the civilian and sworn members of the Department has permitted me to maintain my sense of self value and has helped me fight back at the disease. I can't count the number of times that members of this Department, especially those officers at Mission Station, have hugged me, kissed me, stopped by to give me a word of encouragement, or offered me help and hope. I can never repay these kindnesses but I can thank you all.

Recently I heard that "Act Up" planned to protest at Mission Station. Another concerned officer and I tried to get them to change their target, and we spoke to them about all the good things this Department and Mission Station have done during this crisis. We must have had some impact because apparently the demonstration was smaller and less violent than originally planned. I was there that Saturday afternoon, off duty, to protest the protest. The demonstrators were surprised to see me and were very surprised with my willingness to talk...to them, to the press, to anybody I could get near. I told them about my condition, the Department's policy, the number of AIDS-related runs handled effectively and compassionately, the off duty time and monies freely given by police officers. I told them that "Act Up" had picked the wrong target. The demonstration broke up after 15 to 20 minutes and left the area. I'm not used to being a "protestor," and it gave me a very odd feeling to be one. However, I couldn't stand quietly by and watch the people who are helping me to live with dignity be maligned just for the sake of political convenience. I know the frustration felt by the officers at Mission Station and hope that nobody mistook my presence as being part of the demonstration.

Thank you again for all the support and encouragement you've shown me.

Sincerely,
Bob Almstead,
Vice Crimes

W.O.N.

**Women Officers Network
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Letters

No Smoking

Tom Flippin, Editor
SFPOA Notebook

Dear Editor:

I would like to take this opportunity to publicly thank Captain Paul Kotta for taking the necessary action in making Richmond Station the only station that I know of to have a strict smoking policy in force. So many officers and sergeants that I know have long been critical of smokers in our workplace but have not had any supervisors to enforce the policy that is not only a Chief's order but is also the law. At Richmond Station we now have designated areas that are smoking and non-smoking. This is not only fair to the smokers, but also to the non-smokers who have had to suffer through the long years silently with little or no recourse. Hopefully, the administration will take notice of this progressive move on the part of Captain Kotta and finally move to assure the rights of all non-smokers throughout the department. Any officer that cares to know more about how to make your station or office a smokefree environment, please feel free to contact me at Richmond Station. I have copies of the Chief's order, as well as copies of the City Ordinance enacted by the Board of Supervisors

making it a law. For difficult situations, I also have information of who to contact within the City's health department to ensure proper compliance with the law.

Frank Donahue
Richmond Station

St. Anthony

Mr. Tom Flippin, Editor
SFPOA

Dear Tom Flippin:

Peace and every blessing! A question I get asked frequently is: "Are things getting better or worse?" I have to honestly answer, "I've been living and working in the Tenderloin for 20 years, and things are getting worse. There is more alcoholism and drugs, violence and vandalism, despair and depression. The streets are dirtier; more people are suffering. More and more are joining the ranks of the poor."

We realize that there are 33 million poor in the U.S. and we're only able to serve thousands. We have eight programs here at St. Anthony Foundation to try to get people out of the vicious cycle of poverty, to help make some difference in our society.

Now is the Holiday Season, a season when much focus is given to the problems of the poor and homeless. Much giving takes place and we are hap-

py for this. But we know the problems continue throughout the year.

We appreciate your helping us so we can keep helping others to help themselves. Your fine coverage of the programs of St. Anthony Foundation does much to make this possible.

Joyful Thanksgiving. Merry Christmas. Happy Holidays — all!

Fr. Floyd A. Lotito, OFM
Director of Public Relations

No-Win

Police Commissioners
850 Bryant St.
San Francisco, CA 94103

Dear Sirs:

It's a sad day when the powers of the Police Officers are being taken away by their own Police Commission. It looks as if the A.C.L.U. and John Crew are running the city.

If San Francisco followed the practice of other cities and protected its own taxpayers with strict screening laws, we would not be the City that is known, nationwide, for its "free lunch" policy. Our lack of any procedure toward the incoming jobless acts like a conduit to attract some of the most undesirable.

No one likes to see homeless families with children, but wouldn't it be more beneficial for them and the City to control those allowed to stay, send the others back to their home states (to collect

welfare there) then take proper care of those we have here?

It's a no-win policy the way things are going now. There must be guidelines set up so that the police can maintain order. Then our parks and neighborhoods wouldn't be fast changing into undesirable and sometimes dangerous places to live, work and play.

Thank you.

Sincerely,
Mary Kelly

Thanks

Bob Barry, President
SFPOA

Dear Bob:

My sincere appreciation goes out to the San Francisco Police Officers Association and yourself for endorsing my re-election efforts this fall.

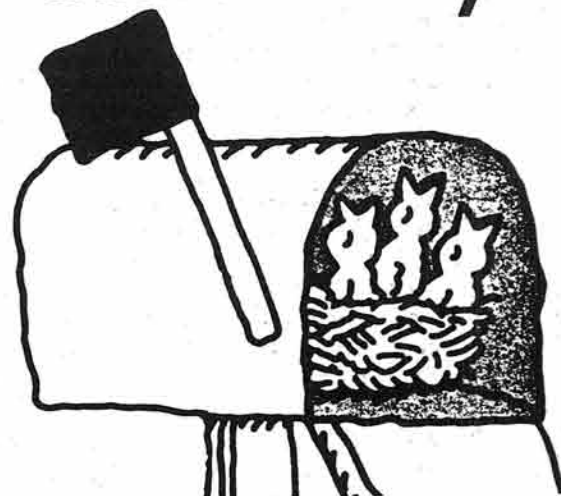
The support that I've received from Law Enforcement organizations (the P.O.A. in particular) over the years is a very useful indicator that my legislative agenda is consistent with your goals.

Once again I thank the Police Officers Association for your support.

Sincerely,

Willie L. Brown, Jr.
Speaker,
California State Assembly

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SPORTS



Down Under and Wet

by Dennis Bianchi, Legal

"Welcome to the International Police Olympics. Now receiving the Gold Medal for the 100 meter butterfly, Grand Master Division, representing the United States of America, from San Francisco, California, Sergeant Frank Petuya of the San Francisco Police Department." Such was the announcement that brought the rush of elation and a tear to the eye of our very own Frank Petuya, Sergeant at Southern Station. The handsome, silver-haired Petuya was to be similarly greeted for a total of five medals while competing in Sydney, Australia with a four-man team. Consisting of himself, S.F.P.D.'s retired Howard Kyle, Don Matisick, and retired CHP officer Norm Chavez, this was the culmination of an outstandingly successful race season.

Beginning in June at the California Police Olympics in Bakersfield, Frank won a Silver Medal in the 100-yard freestyle, 100-yard individual medley and the 50-yard butterfly. He then joined the above-mentioned team members in Las Vegas, Nevada on July 25 for the National Law Enforcement Olympics. Representing the State of California (take that, L.A.!), these four men won 16 Gold, 9 Silver and 3 Bronze medals during a two-day swim meet.

The team then flew 10,000 miles - almost halfway around the world - to compete in the International Police Olympics in Sydney, Australia. The competition began on October 13. For the next two days the men were com-



Frank Petuya accepting the gold medal for the U.S. and for the S.F.P.D.

peting from 0900 to 1500, which translates for a competitor into 0800 to 1800; to compete and wait, to compete and wait and again to compete. The events were held in a 25-meter pool for the first time, so all times posted became records; the benchmark for those following. The team compiled a total of 6 Gold Medals, 2 Silver Medals and 6 Bronze Medals.

Interviewing Frank Petuya was a pleasure. As most everyone who has met him agrees, he is always a gentleman. He is also a quiet, determined competitor.

Since 1969 Frank has missed only one California Police Olympics, gathering a total of approximately 60 medals. Most of those medals were for swimming, but he has a Gold Medal in bowling and a Gold and a Bronze Medal in Team Triathlon as well.

Frank works out consistently and vigorously, compiling approximately 10,000 yards a week when there is no immediate race and builds up to 20,000+ yards when preparing for a specific meet. This adherence to a regular and challenging work-out schedule has kept the 56 year old Petuya youthful in his appearance and outlook. However, he registered his concern that more of our younger officers have not joined the fun. Frank is in his 25th year with the Department and welcomes any swimmer's questions or competition. He normally works out at Indian Valley College, but he is more than willing to pass along a few hints for upcoming S.F.P.D. swimmers as to where and how they might train.

Frank's future plans include the California Police Olympics in Oxnard for 1989, the World Police and Fire Games in Vancouver in 1989, and to enter and win again at the International Police Olympics in Edmonton, Canada in 1990. As his past record indicates, Frank will not go away empty handed. As his tremendous physical condition and positive mental outlook demonstrates, swimming has great potential for good health, good looks, and good times.

As a member of the Department, I would like to thank Frank for representing us nationally and internationally with such class, success, and sincere good spirit; the marks of a real champ.



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SPORTS



How Far is Far?

by Dennis Bianchi, Legal

The phone at my desk rings. The voice on the other end sounds like it belongs to a seasoned police investigator. "Bianchi?" asks, almost demands, this serious, no-nonsense, fellow. Before I can reply, the voice identifies itself; "Walsh! What's happening?" I am pleased. I now know that one of my favorite things in the world will be discussed with one of my favorite people.

I had mentioned to Inspector Marty Walsh (Juvenile Bureau) that I intended to trek to Garberville for the Humboldt-Redwoods Marathon in early October, and Marty had expressed some interest in doing the same. We were now at the stage where we knew we were going! It was time to pay some dues and get in some long runs. How far? Let's see.

I had surprised myself recently with a couple of 10k times that were at least respectable. Mind you, not fast like Perez, Gustafson, Payne or Mulkeen, but respectable, all the same. But a 10K is only 6.2 miles. Four of those do not a marathon make. A marathon is twenty six and two tenths miles long. It takes a long time to finish, even if you're fast. To train for such an event requires you to accept that. The only way I know how to prepare for this is to practice running for a long way, and that takes a long time. Does this description sound dreary? It can be, unless you're the sort that accepts mindless repetition and occasional pain and the desire to do something physically and mentally challenging. The dreariness can also be abated by selecting your place for running. I have the good fortune of living in the Bay Area where the terrain is varied and usually beautiful. How does the Nebraskan train in the winter? I'm sure I don't want to find out! I have one more asset; one more ace up my sleeve. I have great running partners.

On more mornings than I care to remember, Stan Buscovich (Mounted Unit) would be there, almost anywhere, to train, to sort out our problems, to run away from those problems, at least for awhile. Stan has run numerous marathons, and I wanted to listen to his tales of San Francisco and New York. We still laugh when we

recall him training for the S.F. Marathon in only four or five weeks, yet he had one of his better times. Not his best and probably one of his most painful, but he did it!

But Stan was hurting. A tennis game had altered his foot in a negative fashion. He couldn't join Marty and me at the Humboldt. But Marty had committed himself. I joined him and long-time runner, Lt. Walt Garry, for a long run up Mt. Tamalpais. What a view! What a location! What a nice run with outstanding company! Positive. Always positive. That's what you hear when you're with these two.

Then Walt couldn't make it to Humboldt with us, but Marty was committed. An important birthday was coming up for Marty and rather than fold up his athletic banner upon this birthday's arrival, Marty unfurled a new spirit.

One afternoon, after a long run near Pt. Reyes, we were riding back and bam!...Marty locked up the brakes. Everyone in the van was puzzled as Marty jumped out and ran back along this country road to rescue a turtle. I knew this guy liked animals but spotting a turtle in distress at 45 miles an hour! More of this was to be discovered later.

After many, many miles of training on roads and byways later and after hours of discussing the human condition and many educational talks about the area in which we were running, I had grown to know and respect this saviour of turtles, this insightful investigator, this methodical, efficient runner. The time for talk and had run out, and we were at the Humboldt. My excitement was barely contained, but Marty was cool, calm and positive. "Come over to our room. We have something I think you two will like seeing." Laura and I readily accepted. Marty was right, as usual. We really liked what we saw. On the bottom of their bathtub crawled — a turtle! "Not again! You found another?" Nope. This one was purchased to replace the lost one, who had made good his escape to a more watery environment.

The turtle. Marty. The marathon. They are all connected. The marathon, like the turtle, and like Marty, go on. How far? As far as it takes. How long? As long as it takes. The Humboldt is run along "The Avenue of The Giants" and is truly a natural wonder of beauty and majesty. I know that not everyone will visit this place, and I guess that's O.K.; but if you can, you should, if only to walk a mile or two. You will be better for it. If you want to try a marathon I highly recommend this one.

To return to just how far is far, you had to see the smile on Marty's face at the finish. It seemed to say, "That's how far, at least for today." But the training road goes on, and so will we. As we prepared to leave for the hotel Marty was asking, "Have you thought about an 'ultra'?" You know, maybe 40 to 50 miles." Right, Marty. How far? Let me get back to you on that.

C'mon Sports Fans

We need some wannabe sports writers. Dennis can't do all the work. Let's hear from some of you roundball players about results from the Department Basketball League.

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ON THE STREET/Tom Flippin



Editorial Comment

by Tom Flippin

Point — Counterpoint

I received the following letter from Mr. Walter Johnson, Secretary-Treasurer of the San Francisco Labor Council. His letter is in response to my editorial and cartoon regarding the violent demonstration against George Bush at the St. Francis Hotel on September 14th and the events that followed.

Dear Mr. Flippin:

The October 1988 issue of the POA NOTEBOOK contained an editorial comment and a cartoon entitled, "On the Street." The aforementioned information was the subject of discussion during the October 24 meeting of the San Francisco Labor Council. A motion instructing me to direct a communication to your attention was passed unanimously by the delegates in attendance. Specifically, I was instructed to express our anger and displeasure regarding the contents of the editorial comment and cartoon.

Certainly, all of us have at one time or another been involved in emotional situations that create an atmosphere of high tension. Experience is our best teacher. Therefore anyone who is to be involved in emotional demonstrations must be well trained, not only in how to control crowds, but trained in how to control themselves. If such is not the case, unpleasant results will surely be the order of the day. I personally appeared before the Police Commission, and I'm quite sure a review of my testimony would clearly indicate that I did not make any judgements.

We held a fund raiser for Dolores Huerta. I received calls from your organization and the Mayor's Office. The callers were concerned that the Jackson rally would be a cop-bashing gathering. Again, such was not the case, much to the disappointment of the news media in attendance. The incident is now following proper procedures through legal channels, therefore, it is inappropriate to add to the already inflammatory situation that exists.

We appreciate our police force, however, appreciation does not always mean agreement nor should the courtesies regarding appreciation and respect be abused.

Sometimes it is necessary for each of us, no matter what our position in life may be, to admit mistakes in actions and behavior. The following statement hangs on my office wall:

"When we are given our rewards, I would prefer to have erred on the side of grace rather than judgement; to have loved too much rather than too little; to have forgiven the undeserving rather than refused forgiveness to that one who deserved it; to have fed a parasite rather than to have neglected one who was truly hungry; to have been taken advantage of rather than to have taken undue advantage; to have believed too much in my brother rather than too little; having been wrong on the side of too much trust than too much cynicism; to have believed the best and been wrong, than to have believed the worst and have been right.

I believe the statement provides guidelines for all to follow.

I have known and respected Dolores Huerta and Caesar Chavez for many years and am well aware of their non-violent personalities. I hope some day you will have the opportunity to meet them.

None of us can walk alone, therefore, it is extremely important that we build bridges in order that we can stand up to those who want to make drastic changes regarding Civil Services, etc. We need unity. Statements and cartoons such as appeared in

the October issue serve as divisive instruments.

Since the possibility exists that there are points in this letter you may disagree with, please feel free to give me a call or, if you prefer, I will make arrangements for you (and anyone you may want to bring with you) to appear before our Executive Committee.

Yours truly,
Walter L. Johnson
Secretary-Treasurer

Although Mr. Johnson graciously offered me the opportunity to respond to his letter in person or before his "executive committee," I have chosen to respond through the pages of the Notebook. First, because he seems to be speaking more to his constituency than to me; so I'd rather let you members see his letter and my response. Second, because he and his council seem to read the Notebook assiduously (Gee, I hope they saw all the "Buy Union Made" notices I put in the paper).

To begin with, I'm a little confused over the Labor Council's "anger and displeasure." I don't remember taking them on! My comments reflected negatively on the law-breaking demonstrators (there were hundreds of lawful demonstrators there that I didn't pick on ... maybe the union members were all on the other side). I also took on the media for its distorted reporting and a certain politician for his inflammatory remarks (I guess Mr. Johnson sent them letters condemning remarks which "add to the already inflammatory situation ...", but I seem to have missed those letters).

Mr. Johnson also seems to be a little off track when

he implies that the officers in front of the St. Francis lost control of themselves. Even the OCC had to admit that the officer who allegedly "beat" Ms. Huerta was, in fact, using correct procedure as taught by the academy. I would hope he doesn't insist that we "admit mistakes in actions and behavior" when all the officers on the line controlled both the crowd and themselves exactly as taught.

I believe Mr. Johnson's call for unity in the face of attacks on employee rights is appropriate, but he should remember that we are charged with the responsibility of keeping the peace and protecting the public from the illegal actions of others. As someone who has been on the line, at numerous union demonstrations, I would ask Mr. Johnson to speak to his constituency about the need for appreciation and courtesy he mentions in his letter.

As a postscript I must make a few comments on the cartoon of mine that drew the Labor Council's "anger and displeasure." When doing a cartoon, the artist usually takes a certain situation and, through the use of sarcasm, farce and exaggeration, makes the situation funny. It is difficult to exaggerate beyond reality these days. For example, I showed an imaginary tactical officer holding a "Nerf" baton, but there have been serious suggestions that officers be forbidden to carry batons at all! I also showed the TAC uniform with the star number sewn on in large numerals. The Grand Jury made just such a suggestion as part of its recommendations. In the face of such insanity, we had better start worrying that another sarcastic, imaginary bit of equipment I included may be taken up by some group or another. I refer of course, to the wrist shackles I put on my poor TAC officer.

DEJA VU

(Continued From Page 1)

Understanding, yet it does not affect salary and/or pension benefits. The language in this section dealing with these topics is protective language for our membership to ensure that should The City propose any changes in our benefits, that the City agrees to meet and confer with the POA before proposing any such changes. Otherwise, aside from the POA inserting language in the MOU requesting additional monetary benefits, there is absolutely no intent to bargain away anything.

Due to the fact that Crowley's so-called Hotel Tax Concept is not taking shape, he is now hypothesizing that we will not receive our salary increase for next fiscal year. This, he says, is because the Mayor has not yet made any statement about our wages, and if the Mayor does state that we will receive our increase, then it's only because he (Crowley) forced the issue. Again, delusions of grandeur.

Why the Mayor hasn't made any statement are reasons only known to him. I suspect in due time he will, as the Charter dictates that The City has to pay. The Board of Supervisors will not hold a special election in the spring because there isn't any desire or votes to do that. Absent

that, wages will be paid despite Mr. Crowley's hyperbole to the contrary.

Mr. Crowley makes mention in some "slight of hand" way that I may have some "self interest" with the Mayor, which is cause for me for not demanding a statement on the wages. When I need to speak out against the Mayor, I will certainly do so. And let's be clear about something, Mr. Crowley: I didn't support the Mayor, and, in fact, I waged a strong campaign against him. Therefore, even if I had the same delusions you are experiencing, and remotely thought about self interest, the reality of benefiting from the Mayor is something very different. I'm not interested.

Self interest, though, (on Mr. Crowley's part) is another kettle of fish. Crowley is quite familiar with "self interest," yet seldom discusses his prior "self interest" payoff from former Governor Jerry Brown.

While Crowley was POA President and the President of the California Organization of Police & Sheriffs (C.O.P.S.), he was the driving force behind delivering C.O.P.S. endorsement to then Governor Jerry Brown. It was a "big one" for the Governor. In return, Brown appointed Crowley to the State Narcotic Evaluation Board. The pay: \$36,000 a year for a one day a week job. Now that's self interest or political patronage at its best, and I'm sure Jerry Crowley would love to explain that one to the membership.

