

THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

NOTEBOOK



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California Organization
of Police & Sheriffs.

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

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The "Fantasy" Defense

by Officer Pablo Ossio, Narcotics

First came the not guilty by reason of insanity defense. Then came the famous "Twinkie Defense". Now there is the "Fantasy" Defense. This new defense was not thought up by an imaginative public defender, or a brilliant defense attorney, but by the Honorable Mary Morgan presiding judge of Department #13 in the Municipal Court of the City and County of San Francisco.

This is how the "Fantasy" defensee originated. I prepared a search warrant asking only for the subscriber information for a pager. The pager belonged to a crook whom I met while working undercover and attempting to purchase narcotics. I talked to this crook and he offered to sell me a large amount of tar heroin. He gave me his pager number so I could get in touch with him at a later date. I called the crook the next day on his pager and he returned my call. Once again, the crook and I talked about meeting so that I could purchase heroin from him, and I tape recorded our conversation. Since I only knew the crook by his first name, I felt the subscriber information for the pager would help me identify him, and I would be able to continue my investigation. This type of search warrant is common practice. It is used to help identify crooks who use pagers to facilitate their sales of narcotics. My partner Steve Balma and I have prepared several similar search warrants in the past, and we have had no problems getting them signed by other judges.

I found out that the on duty judge for the week was Judge Mary Morgan. I went to Judge Morgan and showed her the warrant that contained the facts mentioned above. Judge Morgan refused to sign the warrant for the following reason: Judge Morgan told me that this crook might just be some crazy person who rented a pager so that he could play out a "Fantasy" that he was a drug dealer. I was so stunned by her reasoning that it took me a couple of seconds to regain my composure. I explained to Judge Morgan that even offering to sell narcotics is against the law (11352

H&S offering — Felony). Judge Morgan still refused to sign the warrant. I thanked her for her time and left.

As I was relating the story to my fellow officers, it was brought to my attention that they too have had similar experiences with Judge Morgan. Sgt. Tim Dempsey told me that he had prepared search warrants for five different locations and four vehicles. There were fifteen officers and two Lieutenants standing by to serve the warrants. Judge Morgan was the on duty Judge, and Sgt. Dempsey had her paged so she could review and sign the warrants. Rm. 201 advised Sgt. Dempsey that they had tried to reach Judge Morgan at home and on her pager, but that she had not responded. Sgt. Dempsey had to disturb the Honorable Judge William Mallen, presiding Judge of the Municipal Courts, at home. Judge Mallen graciously signed the warrants.

Officer John Monroe told me that he and two other officers effected an arrest and froze a residence. Officer Monroe then prepared a search warrant for the residence. He too had Judge Morgan paged and he was also advised by Rm. 201 that Judge Morgan did not respond. Once again Judge Mallen had to be disturbed for the signing of a warrant.

Every Municipal Court judge is rotated once every twenty weeks and scheduled to act as the on duty judge. It is the judge's responsibility to respond to the pages and make themselves available when they are needed. Even a return phone call to the person requesting the judge's presence would be common courtesy. It's about time that we start taking notice of a judge's performance. If it is not acceptable they should be subject to security by some sort of judicial review board.

Most of the judges are doing a wonderful job and should be commended. I would like to thank each of them for making themselves available when they are needed regardless of the time of the day or night. I would also like to apologize for having to bother them when it is not their turn to act as the duty judge.

Damned If We Do, And Dead If We Don't

by Bruce Fairbairn, Potrero

I have been deeply concerned over the recent events in Los Angeles. The tragedy is so far reaching in its implications and effects that I felt compelled to write this article. Whatever occurred in L.A., I will reserve my opinion on. The fate of the officers rests in the hands of the jury who will pass judgement upon each of them. But what I will address is the growing public opinion which will contribute to both that judgement, and I believe ultimately their sentencing.

Now that the war is over, the press has launched a new crusade: Police Brutality.

Make no mistake, before it has run its course this crusade will sink more than a few small boats. In order to stay afloat we must — all of us — realize that the news media is a big business. All idealism aside, just that, a business. To survive they must sell copy, and the past proven method for that is sensationalism. Anything that can be hyped to sell copy, will be hyped. Few items of news these days are as sensational or can be hyped as easily as what is going on with the local police. Our own department has not been immune from this brand of yellow journalism. In many instances the press has not been kind to us. My advice in most dealings with the press would be to simply offer the curt reply, "No comment".

As a result of this sensationalism the prevailing mood in our nation seems to be that the public now feels it necessary to police the police. This is a dangerous situation. With no background in the nature of our work, the citizenry professes a greater understanding of our job than apparently even our own administration. Given the current political climate, ultimately who will sit in judgement of us? Will we be tried in absentia by the community, convicted by the press, and sentenced by the administration? Given all of this, who among us could stand in the winds that would blow if our own conduct were to be called into question?

I show you the times.

A national retailers advisory board estimated that by the year 2000, one out of every two American homes will have a

video camera. With the advent of television shows like "America's Favorite Home Videos, 911 Rescue, Hidden Video, etc.", more Americans than ever are becoming involved in the "video craze". And with all of those video cameras turning, each of us must not only care for ourselves, but each other as well.

In absence of any clearly defined departmental policy governing either the mandate of two officer units, or mandatory back-ups for single officer units assigned to hazardous calls, we owe it to each other to make ourselves available to act as those back-ups. Unfortunately it should be, though it isn't, that as a matter of routine we roll to back each other up. At least at the level of the district stations there shouldn't be any question of this. Station supervisors should insist on this. Some do not. With all of those video cameras now being trained on officers in the field, the cameraman is not going to be focusing on a potential life and death struggle, so much as he is going to be focusing on "BIG BUCKS". And at the going rate of ONE MILLION DOLLARS per blow, who can blame him. There should be no mistake that as an offshoot of this hysteria we are being baited in the streets. What limited powers we have are now continually being challenged with the understanding that if forced to back down the challenger is made to look like a hero in front of his community and friends, but if the challenge is met then he has readily available witnesses to a police

(See DAMNED, Page 24)

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
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Deadline for May issue:
Monday, April 29, 1991

POA History

The San Francisco Police Officers' Association has been in existence since 1946. An upcoming edition of *The Notebook* will celebrate those 45 years of dedication and achievement.

The success of that issue will depend on you readers. Any stories, articles, photos, etc. recalling POA history would be greatly appreciated.

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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. Tom Bryton at 2:05 p.m. Wednesday, March 20, 1991 in the Traffic Bureau Assembly Room, Hall of Justice.

ROLL CALL OF OFFICERS: Trustee P. Maloney excused. All other officers present. Other members — Past Presidents Mike Duffy & Tom Greene.

MINUTES OF LAST MEETING: Approved as corrected by Secretary.

COMMUNICATIONS: Following donations received and acknowledged by Secretary: **COMMISSIONER JOHN KEKER** — monthly contribution of Commissioner's salary; **COMMISSIONER PIUS LEE** — monthly contribution of Commissioner's salary; **MR. & MRS. COOK** — memory of Lieut. William Becker; **JACK CARTER** — likes policemen!!!

SUSPENSIONS: President suspended 4 members under ART LL, SEC 4 of the Constitution for being in arrears for 6 months or longer.

BILLS: Treas. Parenti presented regular bills, benefits, salaries, taxes, etc. **APPROVED.** Treas. Parenti reported the following deaths — **FRED AHRENS** — Born in San Francisco in 1926, Fred worked as a guard before joining the Department in 1951, age 25. He was assigned to Taraval, after the Academy, remaining there for 4 years. Transferred to Co. K he was on fixed post detail until that was phased out. Fred went to Mission for 2 years, then to Potrero until he retired in 1965 on disability at age 39. He was awarded a Capt. Comm in 1952 for arrest of 2 suspects wanted for rape & robbery. Fred was only 64 when he passed away.

JULES DE NOOR: Born in San Francisco in 1925, Jules worked in service stations before he became a member of the Department in 1950 at age 25. From the Academy he went to Ingleside, from there to Northern where he retired in 1956 to become a member of the Highway Patrol. Jules attained the rank of Lieutenant before retiring from the Highway Patrol. He was age 65, still a young man.

FRANK LIUZZI — Another San Franciscan, born in 1956, Frank worked as a clerk before he joined the Department in 1950 at age 24. From the Academy to Richmond, remaining there for 10 years. Then to City Prison where he stayed until appointed a Sergeant in 1970 and being transferred to Northern. After 3 years, back to City Prison for 3 years, then to Richmond for 5 years, Southern for a year and Northern until his retirement for service in 1982, age 56. Frank worked security at the Hilton Hotel after his retirement. He was also a young man at his death, age 64.

JOSEPH MURPHY — A true early S.F. policeman, Joe was born in Galway,

Ireland in 1898. Worked as blacksmith both in Ireland and here before becoming a member of the Department in 1919 at age 29. He received his training working out of the Night Chief's Office, before being assigned to Co. L, which was Western Addition Station at O'Farrell & Divisadero. Promoted to Corporal, a rank abolished in 1937, Joe was transferred to Bayview Station, located at that time at Newcomb & 3rd Streets. In 1937 he was elevated to rank of Sergeant. Attempting to arrest an armed suspect he received a back injury and retired for disability in 1947. Joe returned to Ireland where he enjoyed the good life until his death in February 1988. He was 91.

JOHN O'GRADY: Born in Denver, Colorado in 1920, he worked as a Correctional Officer until he joined the Department in 1948, age 27. From the Academy to Potrero for a year, then to Southern 7 years, Mission for 4 years. John then went to Communications where he remained until his retirement for service in 1973 at age 52. In 1955 he received a 2nd Grade (silver) for arresting a robbery suspect armed with a knife, which he attempted to use on John. He was 70 years of age when he passed away.

CHARLES ROSENBROCK: Born in San Francisco in 1918, Charlie was a gardener for the City before he joined the Department in 1948 at age 29. From the Academy to Potrero, one year, then to City Prison, 5 years, Taraval a year, Central a year, City Prison a year, then to Taraval, Mounted Patrol for 10 years before returning to the City Prison where he retired on service in 1973 at age 54. Charlie was 74 at the time of his death.

REPORT OF TRUSTEES: Mr. McIntosh, Security Pacific, recommended the sale of ITT and Prime Horizon, proceeds to be used to purchase Pacific Telesis and Corporate and US Treasury Bonds maturing in 5 to 10 years. Approved by Trustees. Believes market will go down, due to unfavorable employment figures and some underpriced stocks may be available.

UNFINISHED BUSINESS: Pres. Burton appointed Tr. Hardeman to present amendment to Constitution which stops benefits for members in Armed Forces.

GOOD OF THE ASSOCIATION: Pres. Burton set next regular meeting for Wednesday, April 17, 1991, 2 p.m. in the Traffic Bureau Assembly Room, Hall of Justice.

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

Bob McKee, Secretary
LOOKING FOR ADDRESSES FOR HAROLD BURNER & GEORGE MALIM — IF YOU HAVE ANY INFORMATION CONTACT BOB MCKEE 587-4570.



POLICE POST #456 NEWS

by Greg Corrales

"When the Spartans fight singly they are as brave as any man, but when they fight together they are supreme above all. For though they are free men, they are not free in all respects; law is the master whom they fear, a great deal more than your subjects fear you. They do what the law commands and its command is always the same, not to flee in battle whatever the number of the enemy, but to stand and win, or die."

Spartan King Demaratus to the Persian King Xerxes before the battle of Thermopylae in 480 B.C.

On February 6, President Bush signed P.L. 102-4 ending more than a decade of frustration for so many Vietnam veterans. The bill confirms what VA Secretary Edward Derwinski has already recognized: there is a link between Agent Orange and non-Hodgkin's lymphoma and soft tissue sarcoma. The new law makes these specific diseases permanent additions to the list of disabilities assigned to Vietnam vets.

The bill also includes legislation calling for an attempt to resolve the continuing debate over Agent Orange by replacing the original Reagan advisory committee with the National Academy of Sciences (NAS). As NAS investigates the various maladies linked with Agent Orange, it will pass its findings to Derwinski, who will have sixty days to decide whether or not the disease should be considered service connected and added to the disability-eligible list.

In my last column I mentioned the American Legion's Family Support Net-

work for families of U.S. troops participating in Operation Desert Storm, and I gave the toll-free telephone number for the Network. I am delighted to report that over 20,000 calls were placed to the Network. The nature of the calls ranged from families in need of cash assistance caused by the deployment of their loved ones, to callers who simply needed a shoulder to cry on. The Network has been a huge success. For more specifics read the April issue of *American Legion Magazine*.

I must admit that I was not the least bit surprised to learn that the first Purple Heart of the ground war is to be awarded to a Navy Corpsman. Navy Corpsman Clarence D. Conner of Hemet, California, was with a five-man Marine patrol near the Kuwaiti border when Iraqi artillery suddenly started raining down. Conner was hit with shrapnel in the right shoulder.

"We were standing by his bedside and he said 'Please, don't send me home. I've got to get back to my unit. They're depending on me,'" said Maj. Gen. Mike Myatt, commander of the 1st Marine Division.

Mrs. Pauline Gagnon, wife of the late Rene Gagnon, has been enduring serious financial straits, including the possibility of the loss of her home which the renown Marine built following World War II. PFC Rene Gagnon was one of the six men that raised the American Flag at Iwo Jima.

The New Hampshire Department of the Marine Corps League has been attempting to come to her assistance. If you would be interested in helping them with their project, contact George R. Mottram, Commandant, P.O. Box 802, Center Harbor, NH 03226.

Try to attend the next Post meeting. Remember, the second Tuesday of every month, 2000 hours. Meetings are at the POA Building, 510 Seventh Street.

Former San Francisco Police Officer, Former Marine, and greatly-missed Joe Hession is currently teaching at Serra High School. Last November members of his

(See POST, Page 16)

Editorial Policy

It is the policy of *The Notebook* to print submitted materials from members and other contributors which reflect the ideals, the purposes, and the accomplishments of the San Francisco Police Officers' Association. However, the various opinions expressed in this publication are not necessarily those of the SFPOA or its members. Writers are guaranteed freedom of expression within the necessary considerations of legality and space. Submissions that are racist, sexist and/or unnecessarily inflammatory or offensive will not be published. Anonymous submissions will not be published. The SFPOA and *The Notebook* are not responsible for unsolicited material. The editors reserve the right to edit submitted material to conform to this policy.

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



by Al Casciato

Check your files for old pictures and articles about the SFPD. Our editor, Tom Flippin, is planning to put together an anniversary issue this summer and is busily soliciting materials. So if you have something of interest please contact the POA office, 510 - 7th Street. Phone: 861-5060...

We'll be saying "We knew him when". Co A's Steve Quon is now the proud owner of two auto repair shops — Champion located at 1062 Geary and Studio Tech Auto Body at 945 Post. Police officer by night — business man by day...

The latest transfer of personnel was handled in true SFPD fashion — Chaotic and totally insensitive to human concerns...

A Big Thank You to Supervisor Jim Gonzalez who as chair of the finance committee led the charge to include members of the Board of Supes in the Mayors Negotiating Committee strategy session. P.O.A. Pres. Al Triqueiro is convinced that Supes participation will prevent stalling tactics from being engaged in by the Mayor's negotiators.

Births...

Co D's Mario and Kathy Machi welcomed Mario Anthony Machi Jr. 7 lbs 13 oz, 21 inches on 2/22/91 at 2015 hrs. Big Sis Lauren, 6 yrs., has been a great help to Mom and Dad.

It was a New Year's baby for Co A's Bob and Sylvia Swall, who welcomed Colleen Mary, 7 lbs 15 oz. 20 inches on 1-1-91 at St. Luke's Hospital. Big sister Natalie, 4½ years, supervised the celebration. Congrats and best wishes for the future...

Communications Robbie Corley was driving to work on 101 early last month when he observed a dog trapped in the middle of the dodging vehicles. Taking a chance, Robbie slowed his car and traffic and when reaching the dog he opened the door and called to him to get in. The dog leaped in and barked something that must of meant thanks. Last report has dog and owner having been reunited. Good work Robbie...

Retiree Capt. Ken Foss has picked up his family and moved to Germany and has become very active in the International Police Assn. and will be joining a group of German officers who will be touring California this June. Expect a visit here by the group and be prepared to trade patches and uniforms... for details contact Dave Oberhoffer, Night Investigations 553-9180...

Ingleside's Sgt. Tom Shrock believes it is a first. He received a fax from Gerald Louie telling him that Francis Kang would be S.P. and Gerald a little late. Seems that

Francis and Gerald commute together and when Gerald went to pick up Francis he found him to be ill. Frustrated by trying to call the station during a particularly busy time Gerald utilized the fax and after attending to Francis, hurried to work...

The long arm of Hit and Run. Inspectors Dave Gillam and Tim Smith observed a fellow extracting money from the cash slots of the parking lot adjacent to the Hall on Harriet St. But from their vantage point on the 4th floor they were unable to take any action. The following day March 7, they observed the suspect again, but this time they were prepared and had a plan. Dave had his binoculars, Tim with pic radio, enlisted Inspectors Mike Mahoney and Tim Bosch to run down the stairs and out to Harriet St. to make the capture while they kept him under surveillance.

The suspect volunteered that he makes between 60-70 dollars per day from the parking lots and manages to beg a free meal in the cafeteria of the hall almost daily because he just wants to make enough to stay off the streets. Actually he told quite a story and if it hadn't been for the 2 No Bail Warrants, who knows; he may have been able to penetrate those callous Inspector-type hearts: Nah...

Mission Station's Jim Barron will be spending his vacation studying Russian at Leningrad University in Russia this summer. Jim enrolled in a University of Arizona language/travel program and is taking full advantage of the opportunities available...

Retirees spotted this past month...Vic Macia heading towards San Diego for a golf tournament.

Lee McVeigh enjoying life and fully endorsing retirement...

General Work Inspectors Al Duncan and Joe Toomey went out to SFGH to interview a victim. While waiting for the Doctor to finish they were approached by a nurse who mistook them for Jehovah Witnesses because of their clean-cut appearance. A great cover has been discovered — lets see what kind of response they get when canvassing a neighborhood for a suspect...

Co F's Bob Bohanan and Dan Mahoney observed a guy trying to sell golf clubs on Ellis street near Hyde. Intrigued, Bob walked over and engaged him in a conversation about golf. The fellow claimed that he played often and that he was trying to sell his clubs for some extra cash. While inspecting a 3 wood, Bob asked the fellow — Is this a driver or a passenger? To which the response "passenger" instantly turned the golf club vendor into a suspect of possessing stolen property. Further investigation revealed that the clubs had been taken in an auto burglary.

H.G.N. Update

by Michael Paganini, Co. D

People v. Ojeda
225 Cal. App. 3d
404-Cal.Rptr.-(Nov.1990)
Issue: Can a police officer testify as to the results of a Horizontal Gaze Nystagmus (H.G.N.) Test.

Rule: The court held that an officer with sufficient experience may testify, based on his or her own experience with the relationship between H.G.N. and alcohol intoxication, to an opinion that a subject was or was not under the influence.

Summary: In this drunk driving prosecution, Deputy Ringen testified that he had received approximately 13 hours training in administration and interpretation of the Nystagmus test. He administers the test every time he stops a driver or other person that he believes may be under the influence of alcohol or drugs and has found through that experiment that the test is an effective method of determining if someone is under the influence of alcohol. The deputy described how he administers the H.G.N. test, and further testified to the defendant's H.G.N. results: Defendant's eye movement as he followed the pen was jerky and there was further bouncing in the eye at the extremes of movement. The deputy also testified to the defendant's performance on several other field coordination tests. The deputy concluded that the defendant was impaired by alcohol intoxication. A sample of the defendant's blood contained an alcohol level of .10. Defendant objected as to any testimony by the deputy as to the results of the Nystagmus test on the ground that it required scientific expertise which the deputy did not have. Defendant argued the testimony was improperly admitted because the deputy was a lay witness who could not give an opinion on blood alcohol level and because the HGN test does not enjoy general acceptance in the scientific community.

The court record said that a person is qualified to testify as an expert if he has special knowledge, skill, experience, training, or education sufficient to qualify him as an expert on the subject to which his

testimony related. Expertise, in other words, "is relative to the subject," and is not subject to rigid classification according to formal education or certification.

The observation of HGN in a person and its interpretation as an effect of alcohol intoxication do not necessarily require expertise in physiology, toxicology, or any other scientific field. The Nystagmus effect can be observed without mechanical, electronic, or chemical equipment of any kind. At least in the simple form presented in this case, it requires no more medical training than administration of the other field coordination tests, such as the one-legged stand. Deputy Ringen testified, in effect, as an expert on HGN as an indicator of the influence of alcohol. His testimony met the minimum requirements for expert opinion. He had administered the test to every person he stopped on suspicion of being intoxicated, and had found it was a reliable indicator of alcoholic intoxication.

Conclusion: This court held that HGN is not inherently more "scientific" than the more familiar field coordination tests. They suggested that the principal obstacle to the admissibility of the HGN test may be its pretentiously scientific name. The court correctly stated that HGN requires only the personal observation of the officer administering it.

On the other hand, the appellate court stated that it was not holding that HGN is a reliable indicator of alcohol intoxication, or that non-scientists can correlate HGN with a particular blood alcohol level.

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Editorial

Hypocrisy On Parade

hypocrisy(hy-pok'ri-se)... The practice of expressing feelings, beliefs or virtues one does not hold or possess: *INSINCERITY*
Websters II New Riverside Dictionary

Noah Webster had the right word for it. The San Francisco Board of Supervisors and the mayor call it a homecoming parade for the Gulf War troops.

We call it hypocrisy, a cynical and offensive farce meant to further the political careers of basically insincere, anti-military local politicians who now find it convenient to wrap themselves in the flag and try to gain popularity from the blood of our enemies and allies shed during this sad war.

Many of those politicians that want to hold a welcome-home party for returning soldiers have spent their political careers pummeling the military. The mayor tacitly sanctioned unruly street demonstrations against U.S. involvement in the liberation of Kuwait until those demonstrations got out of hand.

For this group of local pols to suddenly embrace the vision of troops marching down Market Street in formation is, to say the least, surprising.

Don't get us wrong: There should be a big parade for our residents who served in the gulf.

But the parade, if there is one, should be thrown by people who actually want to welcome the troops back, not by political parasites who want the military out of San Francisco, fought against the berthing of

the USS Missouri here in 1987, and who in some cases generally despise the idea of the nation maintaining a military force.

The actions of the board majority speak clearly for themselves. Fresh off its success in expanding its own staff in times of fiscal crisis and failing to create a city budget with realistic numbers in it, it jumped into the Gulf War issue with vigor.

It quickly established San Francisco as a sanctuary for conscientious objectors and then passed a resolution telling the country that this war was not supported by the government of the City and County of San Francisco.

But the war wasn't as bloody as people thought — for the allied forces, anyway — and now the hostilities are winding down and President George Bush has a 91 percent approval rating that's enough to make any politician salivate, even the most politically correct ones.

So our non-militaristic Board of Supervisors, along with a mayor looking for reelection this November, are trying to create their own kind of "peace dividend" by hopping onto the bandwagon and waving a few flags.

We welcome the Gulf War vets back to town. But the parade for them should be led by someone other than our city's most politically expedient and morally bankrupt politicians.

*Reprinted from the
San Francisco Independent
Tuesday, March 5, 1991*

Board of Supervisors Now Involved in Negotiations

by Phil Dito, Treasurer

On Wednesday, March 27, 1991, the Board of Supervisors' Finance Committee held a public hearing on the issue of appropriating \$232,000.00 to hire the law firm of Liebert, Cassidy & Frierson to represent the City in negotiations with the Police Officers' Association, Firefighters Union Local 798, and the Airport Police Officers' Association.

Supervisors Gonzalez and Shelley voted to pass the supplemental appropriation measure to the full Board of Supervisors, but only after obtaining assurances that Board members will have the opportunity to be directly involved in negotiations throughout the process.

The Supervisors' vote came after public testimony from representatives of City labor organizations, including the Firefighters Union which condemned the spending in light of the City's fiscal crisis. The Police Officers' Association presented their objections in the form of a letter to the Supervisors, urging the Board to get directly involved in negotiations rather than permit the Mayor's office to call all the shots for the City.

Supervisor Gonzalez expressed concern that the law firm had already been bullying the small unions in negotiations, and would be causing undue expenditures of money for attorneys' fees by unnecessarily dragging out the negotiations.

Supervisor Shelley stated the City should try to reach agreement with the employee organizations rather than proceed as if arbitration were unavoidable, and that monies not spent in negotiations or in arbitration proceedings could and should be returned to the City. He also expressed concern that members of the Board of Supervisors be permitted to get directly involved in negotiations and have input into the policy decisions made by the City negotiating team.

Mr. Claude Everhart, Deputy Mayor, told the Finance Committee that there was a need to hire the law firm because the Employee Relations Division and the City Attorney's office did not have the experience necessary to handle these matters. This was confirmed by Maggie Jacobsen, head of the Employee Relations Division, and Jonathan Holtzman from the City Attorney's office. Earlier, Everhart was quoted in local newspapers stating, "You don't send rookies in to deal with sharks,"

a somewhat unflattering reference to both the City Attorney's office and the attorneys representing the unions.

Mr. Everhart assured the Supervisors that it was the Mayor's desire to handle the negotiations in an expedient manner. He also promised that the attorney contract would be on an hour-for-hour basis and that any unused monies would be returned to the General Fund. Finally, perhaps reluctantly, he invited the Supervisors to management caucuses where negotiation strategy will be determined. Both Shelley and Gonzalez took him up on this offer, as had Supervisor Angela Alioto.

Scheduled progress reports on negotiations will be given regularly to Finance Committee members. The Finance Committee had three options: pass the matter with a recommendation; pass it without a recommendation; and not to pass it at all. Supervisor Gonzalez felt that spending some monies at this time will allow the City to save at a later date, provided the conditions he and Supervisor Shelley set were met. The supplemental appropriation is to cover only the period up to June 30, 1991.

Treasurer's Report

by Phil Dito

Since I was sworn in as Treasurer, it seems it has been one meeting after another. General Membership, Commission, Negotiating and Board of Supervisors, just to name a few. I'd like to take this opportunity to thank those of you who supported us in this election and I'd like to say to all of you that I'll be working very hard to keep the campaign promises made.

We're seriously looking at the modernization of the POA office. The present WANG system has served as well but it has been in use quite a few years and is beginning to wear. Now may be the time to look at more efficient systems. We hope to be contacting outside consultants in the near future, to study our needs and make suggestions.

I can say these first few weeks have been busy and exciting. I'm looking forward to meeting with more of you, to get to know your concerns and helping when needed.

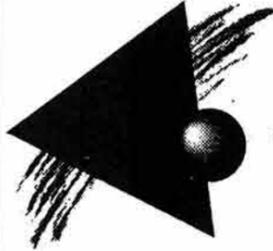
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Civil Remedies For Injuries To Policemen Under Exceptions To The "Fireman's Rule"

by Dale L. Allen, Jr.

The "Fireman's Rule" is a common law (non-statutory basis) doctrine that prohibits recovery by firemen or policemen for injuries caused by risks they knowingly and voluntarily confront in the line of duty, and worker's compensation benefits are available to pay for the job-related injury. Stated another way, the "Fireman's Rule" precludes recovery by police officers for injuries received due to the negligence of suspects. There are two exceptions to the rule which allow for civil recovery when a police officer is injured by the negligence of others during the course and scope of employment. Those exceptions are discussed below:

Independent Cause

The independent cause exception developed as a means of allowing recovery for a police officer when the negligence of another person exposes the police officer to a risk which results in an injury, and the risk was not the cause of the police officer's presence in the first place. For example, independent causes have been found to exist when a police officer was hurt chasing a suspect in a backyard and was seriously hurt when a fence gave way. Since the property owner had a duty under law to ensure his fence was safe, the police officer was not foreclosed from pursuing recovery against the landowner because he was on the property in the course and scope of his employment chasing a criminal suspect. In another case, a deputy sheriff was not barred from seeking recovery against the property owner, when the deputy fell through a defective ceiling while answering a silent alarm.

The most frequent application of the independent cause exception occurs in motor vehicle accidents. A police officer may be able to seek civil damages for injuries caused by the negligent driving of another despite the availability of worker's compensation remedies, under limited circumstances. For example, a CHP officer was injured when a traffic violator was pulled over and came to a stop, but then accidentally struck the officer from behind causing an injury. The court held that though the traffic stop was the risk assumed by the officer in the course and scope of employment, once the traffic stop had been completed the subsequent accidental striking of the police officer with the front end of the car was possible negligent driving, allowing pursuit of civil recovery by the police officer.

Statutory Exemption To The Fireman's Rule

In 1982 the legislature passed a statute creating exceptions to the "Fireman's Rule" for willful or negligent acts causing injury to police officers. There is a three part test. 1) The conduct occurs after the defen-

dant/suspect knows or should have known of the presence of a police officer. 2) The defendant violates a statute, ordinance or regulation designed to prevent the conduct and protect the peace officer. 3) The defendant's conduct intends to injure the peace officer. This has been construed by the courts and interpreted in *Redlands v. Sorensen* (1985 176 Ca3d 202).

In that case the police officer responded to a broadcast that the CHP was in pursuit of two vehicles, one of which was probably stolen. He followed one of the vehicles at high speed, flashing his lights and siren and arrived in an area where children had been playing. At this time the police officer deliberately rammed the suspect vehicle to prevent the driver from turning the corner into the street where the children were playing. The officer suffered serious injuries and later sued the driver of the vehicle he was pursuing. Under the new statute it was held his right to bring this lawsuit was not precluded by the fireman's rule. The court reasoned that though the officer was voluntarily confronting a hazard pursuant to the course and scope of his employment, the continued negligent driving of the suspect subsequent to the knowledge that he was violating the law with the officer in pursuit Code 3, created an intentional and willful risk of harm to the officer in pursuit.

Conclusion

This brief overview of the "Fireman's Rule" is meant to illustrate that there are recoveries beyond worker's compensation available for injuries incurred on the job. The reality is that many of those who are negligent are also judgement proof, meaning they have nothing to pay. But that is not always the case, and pursuit of a civil claim should be considered when appropriate in addition to obtaining worker's compensation relief. Issues such as whether insurance exists, how much insurance exists, whether the negligence is by a property owner, the driver of a motor vehicle or a third-party assailant all are factors to be considered. Statutory deadlines and the net benefit of filing a third-party lawsuit versus what worker's compensation liens exist, are also factors that must be evaluated. These and other issues will be discussed in subsequent columns. The one thought I wish to leave with you is that the civil legal system allows recovery for injuries incurred on the job, beyond a D.P. claim. The only way you will know if you are entitled to a recovery is to consult with an attorney.

(Ed. note: Dale Allen is a former officer of the SFPD who is now practicing law with the firm of Low, Ball & Lynch in San Francisco. He will be available at the POA to answer questions on Wednesday, April 17, 1991 from 12:00 p.m. to 2:00 p.m.)

Dale Allen Returns

It's been 16 months since I left the Department, and whenever I reflect back on the journey begun March 14, 1977, I dwell on my good fortune to work with and know some of the finest and most courageous people in our society, the members of the San Francisco Police Department.

I was 23 years old when I began, and over the next 12½ years shared those emotions of humankind that define the special character that make up a police officer. I shared laughter and shed tears and saw kindness of such depth few outsiders would believe. I saw poverty and misery and tragedy confronted daily by people dedicated to the ideal that they can, by their actions and not merely their words, make a difference.

On November 28, 1989, I left the Department to pursue a new career, but with an indelible mark on my soul knowing what it meant to work with people whose actions make a real difference in everyone's daily life. There are so many people I am indebted to for the positive influence on my life while a member of the Department. A special mention and thanks goes out to Ray Canepa, Bruce Marovich and John and Joe Currie; bosses that, by their example, showed one can install discipline and command respect but never at the price of selling out people. Lastly, to the three partners who worked with me during my most difficult times, Jim Selby when I was a rookie; Alex Bini, when I confronted the disappointment of the promotional, and especially Matt Hanley, who probably served his time in purgatory learning more than he wanted to know about useless law while I attended school. I will be writing these articles and offering pro bono time and advice in the hope I can give something back in appreciation for the camaraderie I experienced as a member of the San Francisco Police Department.

Dale Allen

Affirmative Action

by Carl S. Tennenbaum

After reading the point-counter point discussions between two brother officers, I felt that nothing less than a written rebuttal was indicated. It seems the potentiating factor which mitigates our correlating prerequisite is all but absent in said lengthy diatribes. Additionally and plus if you consider said articles for their punctuation, punctuality and puncture wounds it relates that said components compound said attitudes of socio-economic industry. Thus, so, and then, consequently the ramifications of discernable practitioners practiced by those practitioners and prospletygers result in the resultant results. If you observe and overview the internal medial collateral further you conclude the conclusion of the conclusionary clause, not to be confused with Santa Clause or bear clause. All of us and or everyone of us or everybody is obligated to respect the peripheral millenium from which deletions can, may, or will be evenly parcelled out and duistributed to the worthy recipients at large in non-sequential order reserved for several or on a future time frame. Finally and lastly we must all ask ourselves — how much wood could a wood chuck chuck if a wood chuck would chuck wood?

Editors's Note: It is the right of any member to state his/her point of view. However, this editor must reserve the right to make corrections of egregious errors of fact. The correct question should be: "How much wood could a wood chuck chuck if a wood chuck could chuck wood?"



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NEXT MEETING: Tuesday, April 9, 1991 (for May it will be on the 14th). Parking is ample, refreshments are available at 11:30 a.m., business starts at 12:30 p.m. and the Kitchen Crew serves lunch around 1:00 p.m. We always have 5 door prize winners.

SICK CALL: Tom Dempsey, Harvey Harrison and Tom Powers. Dan Kiely is in a convalescent home.

DEATHS: Walt Yarnell, Stan Bernal, Frank Liuzzi, Charles Rosenbrock and John O'Grady. Rest in Peace.

CORRESPONDENCE: Thank you for memoriams: Little Sisters of the Poor (McCarthy); American Heart Association (Cassaza); Jesuit Seminary Assn. (Reed); and Hanna Boys Center (Cahill)...Letter from HSS President Harry Paretchan requesting our endorsement and votes for his re-election. Harry's credentials are outstanding. He has served on the Board for the past 20 years. The election is between April 23 and May 10.

PRESIDENT'S MESSAGE: The March 12th meeting was a nice turn out of members. The count was about 127 and many of the fellows showed up from all around the Bay Area.

Our "St. Patrick's Day", feed of corned beef and cabbage was handled very nicely by the Kitchen Crew, Dick Castro, Ted Connell, Kari Johnson and extra help from Bob McKee. The Stress Lab was really going full bore, helping our members suffering from stress — like watching T.V. all day long and really doing nothing worthwhile except yelling, "I am retired".

Once again, I would like to mention the word "DUES". We still have a few members who have forgotten or are saving that one dollar a month for the bank account. Our secretary is building up his stress trying to keep the books straight, besides answering all the Association correspondence like sick call and notification of deaths, plus political subjects that come up at our meetings. The \$12 per year dues is really a small price to pay just to meet with your old "buddies". Who knows how much longer we'll get to see each other.

Time passes faster than we realize. See all you guys at the next meeting.

COMMITTEE REPORTS: Jim Cole reports the SFPOA and the City have their respective committees selected to begin negotiations under the collective law for police and firefighters...Tim Leahy reports as of the HSS meeting of Feb. 112th, (1) no decision yet on admitting "domestic partners", (2) the Retired City Employees were granted one seat on the HSS Board, (3) switching sick leave (allowing one to use another's sick time) has not been worked out yet, (4) he urges the re-election of Harry Paretchan. The election will be over on the evening of May 10th. If you do not get your ballot by May 6th, call the S.F. Registrar of Voters, 554-4375...Marty Barbero reports the work of organizing a sick committee and a funeral committee has not yet been worked out, but as more members volunteer, plans should be ready soon.

BILLS: Treasurer Ray Seyden read the bills for March. Passed.

OLD BUSINESS: Ray Seyden reminded us that we needed a second reading of a motion to donate \$200 to the ICA for Easter. Passed.

NEW BUSINESS: M/Weiner S/Wright to endorse Harry Paretchan for re-election. Passed...Charlie Petersen reported that William Harrison, Commanding General of the 6th Army at the Presidio refused two City requests to provide military bands and other units for a parade for our home coming Desert Storm men and women. The sanctuary status of S.F. is the reason. President Aguilar directed that a letter to sent to General Harrison congratulating him.

UNPAID DUES FOR 1991: Although 3 months of 1991 have already passed, we still have 161 members not paid for 1991. Check your blue card. If no entry for 1991, send your \$12 check, the card and a stamped, self-addressed envelope to P.O. Box 22046, S.F. 94122 today. If you put it off, you will remain delinquent. You can pay for more than one year, if you wish.

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Membership 836
Al Aguilar, President
Gale Wright, Secretary
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Mailing Address:
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San Francisco, CA 94122



RETIRED MEMBERS COLUMN

by Gino Marionetti & Mike Sugrue



What Retirement and the "Golden Years" Are All About

On several requests and being persistent over a long period of time I finally received a most welcome letter from one of our retirees, Former Deputy Chief Joseph L. Lordan. He hesitated in writing me as he didn't think anyone gave a damn about his retirement but as long as I requested it here goes. I want to take a few moments at this time to give you some insight on the makeup and character of this individual.

The first thing that comes to mind is that when they were interviewing potential candidates for the Chief's job, Joe was one of the leaders, but for him to have any chance at all it was necessary that he would have to move back into the city. He never gave it any any consideration or had any sleepless nights: he gave them a definite "no", as the welfare of his family came first.

Joe Lordan was one that never demanded respect but he earned it from everyone who came in contact with him. I know that there are many members of our department who feel as I do that he was one of the most liked and respected persons in the history of our department.

Getting back to Joe's letter, he has been retired for approximately five (5) years and, along with his charming wife Joan, has found the fountain of youth and the key to enjoying their golden years.

Since he has called it a career, he has never looked back but enjoys each day of his retirement. One thing he has missed are the people that he has worked with over the years and yet in retirement he has had the opportunity to get together with old friends at retirement functions in San Francisco and Santa Rosa on a fairly regular basis.

Joe loves his freedom, doing whatever he chooses, without worrying about any deadlines to meet, no aggravating commute and no disagreeable politics.

Joe and Joan are fond of travelling, having taken both long and short trips. On two occasions they have travelled across the United States, the first by train, terminating in Fly, Ohio to visit an old Air Force buddy who lived on a farm. I would love to have a video showing Joe, gathering hay and repairing a barn which was over 100 years old. Their second trip was by motor across the Northern portion of the United States from their home in Fairfax, Ca. to Washington, D.C. It took them approximately three months and they detoured most of the big cities as they had no interest in them but preferred to spend their

time in small cities. I also prefer to visit the small cities and I remember one occasion when I had an extradition trip. I went by train, but suddenly there were no more railroad tracks and I ended my journey by dog sled.

In the small cities, both Joe and his wife enjoyed talking to the so-called natives they encountered, finding them very pleasant, and seeing the sights reinforced their feelings about this great country of ours.

When they are not travelling, much of their time is spent biking, hiking, reading or doing what Joe loves so much, and has been doing for the past 23 years, coaching youth in various levels of baseball and basketball.

At the present time, Joe is coaching a team that he refers to as his Major League Team, with youngsters aged from 9 to 12. A great age group, just about full concentration on the game with only the twelve year olds starting to notice the fairer sex. Joe is so popular and well liked by the youngsters under his control that they presented him with a T-shirt with his nickname, "Bionic Arm", embossed on it.

Joe, once again my thanks for your letter and I know due to your modesty how hard it must have been but once I had your word I knew that the impossible could be possible.

Keep up the wonderful outlook you have on retirement! I only wish you could bottle the formula as it would be a wonderful example for other retirees or those contemplating retirement.

Your footnote says it all. Even Joan your loving wife enjoys having you home. That inducement is an inducement that can't be topped.

An upcoming issue of the P.O.A. Notebook will feature an article on Ralph Litnei, the oldest living retired member.



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San Francisco's Prison Ship

by Kevin Mullen

"You are without a single police officer or watchman, and have not the means of confining a prisoner for an hour."

—Inaugural address of S.F. Alcalde (mayor) John Geary, August 1849

In the first mad months of the California Gold Rush in 1849, while all looked to their own affairs in the wild scramble for instant wealth, a gang of bullies calling themselves "the Hounds" set themselves up as the guardians of the public peace in San Francisco, the main port of entry to the goldfields.

In the absence of any law enforcement establishment to stop them — there was a single constable serving the lone magistrate — the Hounds terrorized the town for months, shaking down merchants and saloon keepers under the guise of collecting money to pay for their self-appointed law enforcement duties.

On July 15, 1849, in the timeless way of bullies everywhere, they went too far. That Sunday night, after a bibulous afternoon in drinking tents along the shore, they repaged drunkenly through "Chiletown" on the slopes of Telegraph Hill, tearing down tents of Chilean argonauts, raping and robbing as they went. The next day, outraged San Franciscans formed themselves into the first of San Francisco's famed popular tribunals. They organized a volunteer police of 230 men which rounded up the ringleaders of the gang and, in the "people trial" which followed, the ruffians were convicted on a number of charges.

With no adequate jail to hold prisoners securely, most of the Hounds were banished from the town, under threat of death should they return. Their leader, who it was thought deserved harsher treatment, was sentenced to a 10-year term of imprisonment "in some penitentiary, wherever the territorial governor of California should direct."

There had been a jail of sorts in pre-Gold Rush San Francisco, but, along with other embryonic justice resources in the little trading hamlet, its capacity was completely overwhelmed by the Gold Rush flood of immigrants.

After the affair of the Hounds, it became evident that more substantial governmental arrangements would have to be made. The military governor of the newly acquired

territory set an election for Aug. 1 at which a town government was chosen. Following Alcalde Geary's inaugural reminder, the newly elected town council organized a 34-man police force to keep the peace, and set about acquiring a proper town jail.

First they looked to federal funding. A delegation of the town council visited the military governor and asked for a loan of money to build a jail. He told them he couldn't loan them money but that he would give them \$10,000 if they would match that amount with town funds to build a courthouse and jail.

The town fathers had their own ideas about how they wanted to spend municipal funds. (Their idea was to build a public wharf conveniently located near where they had prudently acquired town lots. So they explored other alternatives.)

In October 1849, councilman and lot-holder Sam Brannan announced the purchase of the brig Euphemia for \$3,500 — from another member of the town council — to serve as a "temporary" town jail. Shortly thereafter, outfitted a floating prison, the Euphemia was moored out near the new Central Wharf (now Commercial Street) at Battery. The prison ship was to see service as the town's principal post-sentencing facility for most of the next two years.

In June 1851, a group of infuriated citizens — their anger fueled by a spate of escapes from "the brig" and the equally insecure wooden jail in the police station house — organized themselves into a Committee of Vigilance. When they adjourned at summer's end they had hanged four men and banished a number more.

While the vigilantes went about hanging errant citizens, a proper stone and brick jail was opened on Broadway between Dupont (Grant) and Kearny Streets (the present day site of a bookstore). At the same time, the Euphemia, the temporary expedient of 1849, ended its service as town jail.

In June 1851, "the big brig" was towed around to North Beach where it was hauled ashore (near the current Taylor Street terminal of the cable car to Fisherman's Wharf) and where for the next several years it was the town's lunatic asylum. From there, San Francisco's prison ship apparently disappeared from history.

Mullen is author of "Let Justice Be Done: Crime and Politics In Early San Francisco."

Big 19

Each month, we are going to print the most memorable Big 19 of the previous month. Remember, these incidents occurred during a single span of time overnight... not even 24 hours. What a city; what a pity!

March 24, 1991

- 1300 **ROBBERY/SHOOTING:** 25th & Connecticut: Suspect (NM17) approached victims (2 NM's 16) who were sitting in a car, and pulled a gun. One victim ran away and one victim was shot in the leg. Suspect then fled. Case 910382495 Off. Murphy Co. C.
- 1403 **BANK ROBBERY/GUN SIMULATED:** 1541 Polk St. Suspect (WM30) approached teller (NF27) simulated a gun and demanded money. Victim complied and suspect fled. Case 910382649. Off. Wonder Co. E.
- 1434 **SHOOTING:** 1822 McAllister: Victim (Fnfd) wandered into lobby with bullet wound. No further info known. Insp. Peralde GW investigating.
- 1600 **DRIVE-BY SHOOTING:** 290 Campbell: Suspects (3 NM's 18) drove up to victim, shot him twice and fled Victim (NM 17) serious at MEH. Case 910383001. Off. Machi Co. D. Insp. Peralde GW investigating.
- 1900 **ROBBERY/GUN/MASKS:** 2861 Folsom: Suspects (3 NMA's) enter victim's (WM22) apt. beat victim and demand property at gunpoint. Suspects then flee. Case 910383813. Off. Granados Co. D.
- 2000 **ROBBERY/GUN:** 4121 19th St. Suspect enters store, displays a gun and demands money. Victim (WM41) complies and suspect (WM30) flees. Case 910383982. Off. Philips Co. D.
- 2255 **ROBBERY/GUN:** 26th & Balboa: Victim (WM30) was parking his vehicle when suspects (4 NM's 16) drove up, pointed a gun, at victim and demanded money. Victim complied and suspects fled. Case 910384457 Off. Riggle. Co. G. Insp. Camilleri/Yawczak Night Inv. notified.
- 2345 **ROBBERY/GUN:** Greenwich & Hyde: Suspects (2 NM's) approached victim (WM 36) displayed a gun, and demanded money. Victim complied and suspects fled. Case 910384695. Off. Panina Co. E. Night Inv. advised.
- 2330 **ROBBERY/KNIFE:** Polk & Austin: Suspect (NM20) approached victim (WM31) brandished a knife and demanded money. Victim complied and suspect fled. Case 910384645. Off. Terrell Co. E.
- 2355 **ROBBERY/GUN:** Filbert/Hyde: Victim (WF&WM60) were exiting their veh. when suspects drove up, displayed a gun and demanded money. Victims complied and suspects (NM teens) fled. Case 910384736. Off. Clark Co. E.
- 0010 **ROBBERY/GUN:** 3644 19th St. Suspects (4 NM's 18) approached victims (WF35&WF26) who were in their vehicle, displayed a gun and demanded money. Victims complied and suspects fled. Case 910384833. Off. Greenwood Co. D.
- 0038 **SHOOTING:** Page & Webster: Victim (NM18) was walking in area when he was shot by unknown suspect. Victim serious at MEH. Case 910384968. Off. Martinez. Co. E. Insp. Camilleri Night Investigations.
- 0048 **SHOOTING:** 122 Highland: Victim (WM20) was in his vehicle when the suspect (UNK) drove by, shot victim and fled. Victim critical at MEH. Case 910384827. Off. Cassenego Co. H. Night Investigation Lt. Madden.



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**Cops For Christ
Luncheon
Thursday, April 18, 1991
12 Noon**

**This Month's Speaker
Brent Jones —
S.F. 49ers Tight End**

Brent Jones, San Francisco 49ers great tight end, is our speaker this month. Brent led the league for most receptions by a tight end in 1990.

Jerry Rice, San Francisco 49ers great wide receiver, says "Brent Jones has the best hands on the team."

On one of Brent's touchdowns he outran Dian Sanders, the Atlanta Falcons defensive back and carried him the last 10 yards into the end zone.

Brent will share his personal testimony.

The Cops for Christ Luncheon will be held at the Police Officers Association Building at 510 7th Street near Bryant Street. The cost of the luncheon is \$6.00. Please notify one of the below of your intention of attending. Bring a guest. Jim Crowley 553-1500, Ed Erdelatz 553-1148, or Dan Hampton 553-1101.

Can A Cop Be A Christian?

by Jim Crowley, Homicide

What do you think? I am talking about a serious, committed, devoted Christian. Do you think a police officer can be that kind of a person and at the same time be a good cop?

This is a question I have frequently been asked. My answer is unquestionably yes.

Many people have the wrong idea of what it means to be a Christian. One problem has been with a misunderstanding of the word "meek." "Blessed are the Meek, for they shall inherit the earth." (Matt. 5:5) Some people believe this means to be overly submissive, spineless and dull. This of course runs contrary to everything we find about the men and women of God on the pages of Scripture. They were strong, vocal, and often brilliant. The word "meek" does mean "humble" and "gentle" but the definition can not stop there. Biblical meekness does not call for the object surrendering of one's character or personal integrity. It calls for a total yielding of control of one's life from the individual's hands to God's hands. The meek exercise discipline which results in their being kept continuously under God's control.

Thus, a meek man is a disciplined man who is under the control of God. Moses was a strong, bold leader who at the same time was described as the meekest man on earth. (Numbers 12:3 K.J.V.)

Governments are ordained by God and police officers are described as ministers of God (Romans 13:1-7; 1 Peter 2:12-17).

Sure, police work involves almost constant contact with the negative and destructive elements of humanity. Yes, men and women tend to become calloused and hardened after repeated exposure to "bad experiences", frustration, anger, suspicion are definitely a very real part of a seasoned police officer's character.

But does all of this mean that Christianity is incompatible with the role of a police officer? It certainly does not.

In New Testament times, the Roman empire maintained numerous frontiers; regions under the jurisdiction of Rome but geographically quite distant from Rome itself. The cities of the frontier were "policed" by Roman soldiers. A "Centurion" was a "supervisor" of a specific police squad usually numbering about one hundred men.

The Centurion and his men were responsible to enforce the established law, ensure public safety and perform various civil services. In other words, these men were in fact the closest thing to what we would now call "police officers."

Did you know that the Bible mentions

several of these ancient policemen, the Centurions? In each occasion where one of these historic policemen is referred to in the New Testament, he is given a most favorable recognition. It is almost as if God were, by such mention in His Word, putting his Divine stamp of approval specially on this class or segment of society; God seems to like police officers!

As for personal piety, consider the officer in Acts 10:22 "Cornelius the Centurion, a Just man, and ONE THAT FEARED GOD, and of a good report." Consider also the remaining Bible references: In Matthew Chapter 8, a Centurion acknowledges the Lordship of Jesus Christ; in Matthew Chapter 27, a Centurion bears witness to Christ's righteousness and Deity at the crucifixion; in Acts Chapter 10, a Centurion gladly receives from the Apostle Peter the blessed message of the gospel; in Acts Chapter 22, a Centurion is responsible for the Apostle Paul's release when he was to be "examined by scourging."

In other words, what I am pointing out to you is that the police officers (some, at least) of the ancient world with all its crass and crude and raw elements found Christianity warm and welcome and workable in their personal lives.

Today the times have changed but men are the same. We still must deal with the ugly, the violent criminals and the illicit people and places in our cities.

Are there any godly Centurions, Christian cops, in our modern metropolises? There are many! During my 27 years of work in the San Francisco Police Department I have known and worked with dozens of such Christian police officers in both the San Francisco Police Department, the FBI, the California Highway Patrol, the Secret Service, and other Police and Sheriff's Departments in California and in other parts of the United States.

In the ancient world and in the modern world, in old cities and in new cities, there have been and there are now sincerely Christian men and women in law enforcement. Rather than being contrary to Christianity, police work is complementary. The love, the power, the realness of Jesus Christ seems to be particularly potent for police officers. Not only does the Bible bear this out, but history and contemporary experience bear further witness to this fact.

For those men and women who must face the ravages and crimes which sin has brought into the human arena, the redemption of Christ is extraordinarily suitable. The cleansing grace and eternal wholesomeness of Christ is not only welcome to police officers but surely needed by them, and very very available.

Yes, a cop can assuredly be a Christian.

**Grievance Of
Anti-Union Action**

For all of the reasons set forth above, the Arbitrator finds that the D-17 investigation of the grievants Joan Madden, Daniel Eilola and Judith Hogan during May, June, and July, 1989 violated their rights under Section 6(b) of the Memorandum of Understanding. The grievance is sustained. The San Francisco Police Department is hereby ordered to cease and desist from discriminating against bargaining unit members on the basis of their union activities. By way of remedy, the Department shall distribute notices to all managers in the Department and shall post these notices on employee bulletin boards throughout the bargaining unit stating that it is Department policy not to interfere with, intimidate, restrain, coerce or discriminate against any employee because of his/her Union activities and that neither General Order D-17, nor any other Department procedure shall be used improperly to retaliate against or intimidate bargaining unit members because of the exercise of their protected right. These notices shall be posted for a minimum of 30 days beginning 10 days after the issuance of this Award.

IT IS SO ORDERED.

Wilma R. K. Rader
Arbitrator

Date: Feb. 25, 1991

**Department
Responds**

To: All Commanding Officers
From: Willis A. Casey
Chief of Police
Date: March 4, 1991
Subject: Union Activity

The purpose of this memorandum is to state that it is the policy of the San Francisco Police Department not to interfere with, intimidate, restrain, coerce or discriminate against any employee because of his/her union activities and that neither General Order D-17 nor any other department procedure shall be used improperly to retaliate against or intimidate bargaining unit members because of the exercise of these protected rights.

All Commanding Officers are ordered to deliver to every supervisor or employee who oversees the work of subordinates a copy of this memo. In addition this memo is to be posted on employee bulletin boards for a minimum of 30 days.

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Board Of Directors Meeting and General Membership Meeting March 19, 1991

Call to Order
Pledge of Allegiance
Roll Call: Present: Machi, Co. A; Deignan, Co. A; Macaulay, Co. B; Keyes, Co. C; Barsetti, Co. D; Sylvester, Co. D; Goldberg, Co. E; Paulsen, Co. E; Tennenbaum, Co. F; Murphy, Co. G; Rosko, Co. H; Knighton, Co. I; Shine, Co. K; Fulton, Hdqts.; Lindo, Hdqts.; Sullivan, Invest.; Lemos, Invest.; Donovan, TAC; Fagan, PBTF; Java, MTPD; Cole, Ret.; Dito, Treas.; Johnson, Sec.; Delagnes, V-Pres.; Trigueiro, Pres.

President's Report

President Trigueiro urged Board members to try to attend the Police Commission meeting scheduled for Wednesday, March 20, 1991, to show support for Captain Richard Cairns who is presently facing disciplinary charges for events that occurred during a demonstration on October 6, 1989.

President Trigueiro also reported on the current status of contract negotiations (Internal Commission will be issuing updated bulletin) and the progress that the Mayor's Disciplinary Committee is making with the POA participating in the active role.

At the President's urging, a motion was entertained (Motion Deignan, 2nd Dito) to allow for an amnesty membership recruitment period with a 60-day open enrollment to the SFPOA at a cost of \$200.00 per person with the understanding that no representation would be provided for retroactive actions that might result in a member facing disciplinary charges.

The enrollment period was tentatively scheduled for April 1, 1991 to May 31, 1991 (inclusive), but due to the requirements inherent in the POA Constitution, both formal notice and a mailed membership vote must take place which will temporarily postpone new enrollments.

The President received assurances from Chief Casey that no member of our department would be required to sign any document that would relieve them of any labor right(s) in order to participate in any specialized assignments.

Chief Casey is also on record guaranteeing that should any member grieve the pending personnel order (once given the reason for their transfer) that the grievant will not be transferred until the grievance procedure has been exhausted.

The Board of Directors then discussed the pending probationary officer transfer and unanimously adopted a motion (Motion Goldberg, 2nd Paulson) that the SFPOA Board of Directors formally objects to the untimely transfer of probationary personnel especially in light of current contract negotiations and that individual grievances will be filed upon request.

Vice President Delagnes then reaffirmed the Board's commitment to follow through on any grievance filed in regards to anticipated changes involving personnel.

Secretary's Report

Secretary Johnson submitted his minutes as published in the February 1991 Notebook for approval with the addendum of the following motion that was passed at the February meeting: POA Executive Board shall have the authority to make necessary personnel and operational changes to enhance and streamline operational procedures of our Association. M/Delagnes, 2nd Johnson. Motion passed unanimously.

Motion Java, 2nd Michi to approve the minutes as published along with the addendum. Motion passed unanimously.

Secretary Johnson also stated that consideration will, once again, be given to hiring a public relations firm for POA interests.

Treasurer's Report

Treasurer Dito submitted the monthly financial analysis for discussion and approval. Motion Donovan, 2nd Lindo to ac-

cept the statement as submitted. Motion approved unanimously.

Committee Reports

Federal Litigation Committee: (Willett, Chair; Sullivan, Co-Chair)

Co-Chair Sullivan reported that there is still no word as to when Judge Peckham might issue a decision on the "banding" issue pertaining to the 050/035 exam.

The Federal Litigation Committee is attempting to pursue the current guaranteed promotion vacancies (25 Q-50) positions, 15 Q-35 positions, yearly) through the life of the Consent Decree (1992). Further updates will be forthcoming.

The lieutenants examination is still "on line" for either July/August 1991 and the Consent Decree staff reported that they have completed the job analysis portion.

S.L.E.S. Committee: (Shine, Chair)

Chairman Shine reported the following: There is still some confusion over the 14-hour limitation on overtime worked at Candlestick Park and Chairman Shine will be issuing a clarification bulletin.

All EWW (voluntary) is now being tabulated into the earnings of every member signed up for 10-B overtime work.

President Trigueiro will be submitting correspondence to the department administration requesting a list of all 10-B overtime assignments for clarification purposes.

Dual Rank Overtime: Since no agreement has been reached with Department officials in regards to dual rank individuals having the ability to work 10-B overtime assignments a motion was made (motion Johnson, 2nd Delagnes) to request a response from the Department Administration and if we do not receive a reply expeditiously, we shall resort to alternative measures. Motion passed unanimously.

Legislative committee: (Benson, Chair) Mr. Alexander Pedersen III, a candidate for the Health Service Board was given an opportunity to address the members of our Board of Directors petitioning an endorsement for his candidacy.

A general discussion was held following Mr. Pedersen's presentation during which time President Trigueiro introduced the recommendation made by our Legislative Committee to formally endorse Mr. Harry Paretchan for the Health Service System Board of Directors.

Motion Deignan, 2nd Rosko to endorse Mr. Paretchan for the HHS Board. This motion passed unanimously with the supporting vote reflective of the Board's realization of Mr. Paretchan's 20 years of service to the Health Service System.

Building Committee: (Lemos, Chair) Chair Lemos reported that his committee is looking at all possibilities for appropriate utilization of the POA Building at 510 - 7th Street and he will be conducting a survey requesting input from all members.

There was general agreement that the exterior of the building needs immediate attention and a motion was entertained. Motion Dito, 2nd Tennenbaum to obtain the best bid to paint the front of the building. Motion passed unanimously.

New Business

Presentation by representatives from VALIC, a deferred compensation company.

Representatives from the VALIC Corporation submitted a proposal involving a deferred compensation plan that will be reviewed by all members of the Board of Directors until next month when a decision

will be made as to whether or not the SFPOA should "sponsor" (i.e. recommend) their services to the City Retirement Board for review and possibly being made available to City employees in the near future.

Financial Requests

Police/Fire Memorial Mass: The annual Police/Fire Memorial Mass will take place on April 28, 1991 at St. Cecilia's Church and a request was made for a monetary donation to provide for refreshments following the service for those attending. Motion Deignan, 2nd Tennenbaum to allot \$250.00 for this purpose. Motion passes unanimously.

District 8 Democratic Club Annual Dinner:

A motion was made (Motion Machi, 2nd Java) to serve as a 'Donor' at the District 8 Democratic Club Dinner on March 20, 1991 at cost of \$100.00. Members of this organization have been very supportive of our efforts in the past. Motion passed unanimously.

Fundraiser for Senator Quentin Kopp: Motion Sylvester, 2nd Lemos to renew the SFPOA membership with Senator Kopp's "Good Government" Committee at a cost of \$25.00. Motion passed unanimously.

Fundraising Event for Assemblyman John Burton, 17th District: Members of or Legislative Committee and Executive Board attended an event held as a fundraiser for the Assemblyman to maintain the good liaison our Association now shares with both Assemblyman Burton as well as many other representatives of labor organizations in San Francisco. Cost: \$200.00. Motion Deignan, 2nd Machi to approve the expense. Motion passed unanimously.

C.O.P.S. Golf Sponsorship: The California Organization of Police & Sheriffs is sponsoring a golf tournament on June 7, 1991 and requested a donation of \$100.00 to help pay for expenses. Motion Donovan, 2nd Machi for approval. Motion passed unanimously.

General Membership Meeting

President Trigueiro did not suspend the regular order of business to convene a General Membership meeting as there was no quorum to do so.

There being no further business, the SFPOA Board meeting for the month of March 1991 was adjourned at 1930 hours.

Steve Johnson, Secretary

*Best wishes
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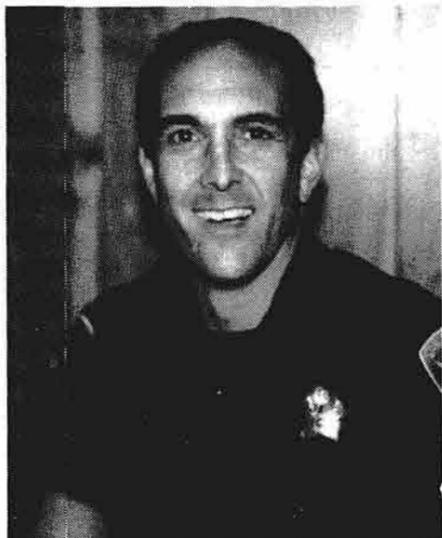
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FROM THE PRESIDENT

On Saturday, April 6th, the POA held a day-long seminar for its newly elected representatives involving topics ranging from issues of welfare and representation at OCC and MCD to the filing of timely grievances through the procedures outlined in our MOU.

The Seminar was well attended and received generally high marks from all involved; yet, during a discussion that occurred that day with one particular Board member, a comment was made that I have heard on more than one occasion. The Board member expressed the feelings of

one of his co-workers who indicated that the only reason for belonging to the Association was for the legal representation provided during times of personal trouble. After a moment's reflection and with the vast experience of one full month as the Association's President from which to draw, I found myself disagreeing with this attitude, simply because it no longer is true.

Prior to Proposition D and under the authority mandated by the Meyers-Milias-Brown Act, the City and the Department were obligated to meet and confer with the POA whenever changes in our working conditions occurred. However, neither the City or the Department were required to definitively settle any issue, but only to meet and confer with the POA. Our Association changed this procedure dramatically with the passage of Proposition D, which now mandates that the City and the Department arrived at a resolution through contractual negotiations whenever changes in our wages, benefits or working conditions are proposed.

As an example, our Association is now moving along with relative speed in its most recent negotiation sessions with the City, discussing monetary and benefit proposals that until November 6, 1990 could never have been addressed except through waging an expensive campaign to influence the necessary Charter change. Our Association now looks to the future with the hope and promise that we'll someday soon be able to pull ourselves up from the dismal position of 92nd lowest paid Department in the State, attained two years ago, to a position which befits our stature as one of

California's premier law enforcement agencies.

With the recent direct involvement of the Board of Supervisors in the negotiating process, as a result of a POA generated plea to the Board for just that type of approach, negotiations, which had fumbled around for several bargaining sessions over the simple issue of ground rules, were clearly headed in the desired direction. In fact, at the first bargaining session following Supervisor Kevin Shelley's request for direct Board involvement, the City which, heretofore, had not agreed to any POA proposed time-line, returned to the table with one of their own. The City's time-line mirrored our own version and, therefore, our Negotiating Team agreed to it.

As shown, the POA is now involved directly in the setting of policy on issues affecting wages, benefits and working conditions; but what else does it do?

The past several weeks have been frantic around the POA as the Administration began to employ its strategy of mass transfers of Q-2's and Q-50's for purposes of "revitalizing" the Department. Chief Casey asked his captains for lists of likely candidates for transfer accompanied by the proper reasons for each. It was the Association's contention that the transfers were made exclusively for punitive purposes and that each would be grieved.

Chief Casey, acknowledging that there would be disagreements, allowed the individual officers to grieve their respective transfers or, as an alternative, to accept another assignment at a mutually agreed upon station. Many accepted the latter option, but approximately a dozen officers opted to grieve their transfers. Vice President Gary Delanges and Secretary Steve Johnson handled all of these grievances, receiving high marks from both the Chief and from the aggrieved officers.

Both Gary and Steve were exceptionally successful at the Chief's level of the grievance procedure, coming to a satisfactory resolution in most cases. There are several officers who will continue to carry their grievances forward to the next step which will be arbitration as outlined in Civil Service Rule 18.

Despite the POA's objections to these

transfers and to any future punitively based transfers without the administration adhering to the appropriate steps of progressive discipline, I must at this time, credit Chief Casey for his professionalism and fairness throughout these grievances and other disciplinary matters. Armed with our Proposition D vehicle and a willingness to maintain a good working relationship with the current administration, our POA has been able to resolve a number of recent grievances including many of the issues surrounding the SLES Candlestick Detail. One aspect of the Candlestick grievance, which thus far, has eluded resolution, deals with the administration's position of not allowing Q-35's to work in a supervisory capacity. The Association will continue to meet with the administration to discuss these and other questions regarding the status of Q-35/380's.

Officer Ray Shine and his SLES Committee must be commended for that stick-to-itive spirit behind which they have hammered out agreements beneficial to all POA members. The SLES situation is far from satisfactory, but I'm sure that the Association's SLES Committee will plug away to see to it that an equitable solution is eventually achieved.

On a more somber note, our POA attorneys avoided proceeding to arbitration with the law firm of Carroll, Burdick & McDonough, released by the POA by the Keys Administration, over the issue of a court ordered settlement regarding attorney's fees. The case involved in excess of \$90,000 of POA monies which had been held in an escrow account until the recent resolution of the dispute. The money was originally awarded to the POA by the Court several years ago; however, the Carroll, Burdick & McDonough law firm which represented the POA during the Barry, Parenti, Linehan Administration claimed that the money belonged entirely to them as indicated in their contract.

When witnesses to the contract were sought in the early stages of this dispute, they either ignored our attorney's calls and/or conveniently couldn't recall the contract's details. However, as arbitration drew

(See PRESIDENT, Page 17)

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WHAT? NO PHOTO CAPTION CONTEST?!

That's right, folks. My secret source of hysterical... uh, historical photos has been tapped dry. I'd love to keep this thing going, but I'm going to have to rely on you readers (and especially those of you who only look at the pictures). If you have a likely photo send it to:

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The owner of any photo used in the contest will receive a POA hat (official... even). Let's get those photos in!

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 Submitted by Mike Stasko, Fencing Detail

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The Light Duty Officer

by Mike Hebel,
Welfare Officer

Presently there are over 108 San Francisco police officers holding light duty positions within the San Francisco Police Department. This is more than 6% of the department's sworn personnel. Forty-nine hold permanent light duty positions; 59 temporary positions; and numerous others are on short-term (less than 30 days) light duty.

Many of them have very substantial disabilities. Many wonder what are their rights and responsibilities as well as if they will ever become eligible for an industrial disability retirement.

San Francisco Charter

The City charter, with regard to industrial disability retirements, provides: "Any member of the police department who becomes incapacitated for the performance of duty by reason of any bodily injury received in, or illness caused by the performance of duty, shall be retired."

Disability retirement is a benefit program. It is not a program to compensate for injuries; this is the province of the Workers' Compensation program under the California Labor Code. Because of this distinction, it is not sufficient for an employee to simply suffer from an injury to qualify for retirement benefits. Rather, that injury must substantially impair the ability to perform the usual duties of a police officer's classification.

The California Courts of Appeal have

continually stated that "To be incapacitated for the performance of duty" means the substantial inability of the applicant (police officer) to perform his or her usual duties. In determining usual duties, both applicants and employers frequently offer as evidence their own versions of job descriptions or job performance standards.

Unlike Workers' Compensation benefits which are directly related to the percentage of disability, retirement benefits are "all or nothing" situations. Therefore, for retirement purposes the courts recognize that retirement is not to be granted simply because a police officer (or other public safety officer) suffers an injury. Rather, that injury must significantly impair the person's ability to perform the range of duties normally expected of his or her classification.

Light Duty Assignments

The San Francisco Police Department operates like many public employers. It will relieve an individual from the normal duties of a position and assign the officer to light/limited duties which conform to the medical restrictions placed on the individual by the attending physician or the police physician.

The California Courts of Appeal, since 1971, have consistently taken the position that where there are permanent light duty assignments, a person should not be retired if he or she can perform in one of those assignments. As the court stated, once again, in the 1974 case of *Craver vs. City of Los Angeles*: "Where there are permanent light duty assignments... that person should not be retired if he can perform duties in a given permanent assignment within the department. He need not be able to perform any and all duties performed by firemen, or in the instant case policemen. Public policy supports employment and

utilization of the handicapped. If a person can be employed in such an assignment, he should not be retired with payment of a disability retirement pension." This has become known as "the permanent light duty doctrine."

In determining if an individual is substantially incapacitated for the performance of his or her usual duties, the courts look to whether the public employer has permanent light duty assignments. The court uses the employer's policy when evaluating cases for disability retirement. If the employer formally recognizes and provides for permanent light duty, then an individual (police officer) is not entitled to an industrial disability retirement if he or she is able to perform in a light duty position. However, if an employer does not recognize and does not have permanent light duty positions, then in determining whether an individual is substantially incapacitated for his/her usual duties, the courts look to see if the injured employee can perform the normal range of duties rather than the more restricted range of limited duties.

For 10 years the San Francisco Police Department has had a light duty policy which does recognize and provide for permanent light duty positions.

Light Duty Rights

In *Stuessel vs. City of Glendale*, 1983, the Appeals Court held that where an employee retains his police officer classification, continues to receive the same salary and fringe benefits, and has the same promotional opportunities as other employees in the police officer classification, he may be placed in such available permanent modified light duty positions even though he no longer has the right to carry a firearm or make arrests as a police officer.



Mike Hebel

Light duty officers are entitled to: (a) same salary, (b) same fringe benefits and, (c) same promotional opportunity.

Light duty officers can have their weapon carrying privilege withheld and can have their police officer powers suspended.

The S.F.P.D. Policy

The department's policy is found in Information Bulletin 86-133 (issued 11-10-86). The Police Commission found that the department best meets its law enforcement/safety services mission when all police officers are capable of performing full police duties. It enunciated that the purpose of a light duty policy "is to permit the San Francisco Police Department to retain members who had been injured but will recover to resume normal duties within the reasonably foreseeable future and to utilize their services."

The Commission established the policy that a sworn member who sustains a disabling injury or illness and who is limited from performing the normal duties of his or her classification shall, after certification by his or her attending physician or the police physician, with the concurrence of the Chief of Police, be released to light duty within the department. Members released to light duty shall be assigned to positions within the department consistent with their medical restrictions, rank, job skills, and the department priorities as defined by the Chief of Police.

The policy provides that members with serious disabilities who have failed to convalesce to full duty many apply to the department's duty evaluation committee for a review of their work status. If the com-

(See LIGHT DUTY, Page 14)

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COMPARISON OF CALIFORNIA POLICE DEPARTMENT BENEFITS May 1991

Police Dept.	Top Salary	Educational Incentives	Uniform Allowance	Health/Dental inc. Family	Retirement
1. Oakland 7/7/90 (+2% 1-5-91)	\$3785 (P&F) \$3604 (PERS)	1% Int/ 4% Adv/ 1% AA/ 4% BA/ 5% Masters (no "pyramiding")	\$600/yr	100% Kaiser rate D/City 90% (\$73.30) mo toward D (\$329)	City Pd to PERS 15.081% employee cont 9.00%
2. Anaheim	\$3614	Masters Int 7.5% (POST cert) Masters Adv 10.0% (POST cert) Sr/Masters Int 10.0% (POST cert) Sr/Masters Adv 12.5% (POST cert)	2 pants 2 sum shirts 2 win shirts	100% Kaiser rate D/City \$25 mo towards (\$355)	City Cost 14.469% +9.00% emp portion (prior to 11/85) +7.00% emp portion (after 11/85)
3. Fresno	\$3696	BA 3% — MA 5%	\$500/yr	\$261/mo	Prior to 8/27/90 - 51% of total salaries - emp cont 5.75% after 8/27/90 - employer 18% employee 9%
4. Santa Ana	\$3660	Sr. PO I - 7.5% 5 yrs experience 60 units Ed/Train approval of Chief	2 pants 2 sum shirts 2 win shirts + replacements	Sole coverage City 133.32 mo after 10/88 city pays 50% of increase over 133.32/mo Dep coverage City \$255/mo after 10/88 city pays 50% of inc. over 255/mo (\$365)	15.008% +9.00% emp portion
5. Long Beach	\$3260	Program I \$105/mo Program II \$260/mo	replacements as needed	\$382/mo	City costs: prior to 4/90 33.866% +9.00% emp portion after 4/90 11.434% +9.00% emp portion
6. Sacramento	\$3656 (E step)	POST 7.5% adv POST 7.57 BA degree 5%	\$650/yr	\$334/mo	City cost 14.09% emp 9.00% just signed 3 yr contract 1st yr city pays 3.00% 2nd yr city pays 6.00% 3rd yr city pays 9.00%
7. San Francisco	\$3490	none	city 2 pants/1 shirt or 1 pants/2 shirts	Max 142.24/mo City pays 100% Kaiser, Bridgeway & Heals No City dep cov dental - none	City cont: emp cont 7.5% City does not pick up employee contribution

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LIGHT DUTY

(Continued From Page 12)

mittee, after an informal hearing, determines that the disability is serious, permanent and stationary, and without prospect of recovery, the member is reassigned to a temporary, non-budgetary assignment pending separation. The police department then certifies to the Retirement Board a recommendation for disability retirement of the member. For a disability to be serious, it must be rated or ratable at 50% or more according to the Workers' Compensation Appeal Board's permanent disability rating standards or must be rated or ratable at substantially 50% with factors of disability or other relevant factors clearly establishing the seriousness of the disability when considered in light of the police occupational duties. For a disability to be without prospect of recovery, it must result in at least 18 months of light duty work and it must, in accordance with reasonable medical probability, result in no reasonable prospect for a return to full duty prior to a member's earliest retirement date.

Other Departments

In April 1990 a limited duty policy survey

of the nation's 21 largest police departments conducted by the Philadelphia Police Department revealed that: 1. 74% allowed limited duty for more than 6 months; 47% have an unlimited period policy (San Francisco's); 2. 79% use a private physician's recommendation reviewed by a City physician; 3. 37% require monthly review of light duty officers' medical condition; most require much less frequent review; 4. 63% provide unlimited positions for those assigned to limited duty (San Francisco's policy); and 5. for the year 1989, the numbers of police officers on restricted duty range from 1% to 5.4%.

The Industrial Disability Retirement

In the case of a San Francisco police officer, an industrial disability retirement is awarded only in cases where: (1) the police officer has sustained an occupational injury or illness; (2) that injury has resulted in the inability of the officer to perform usual police officer duties; and (3) most critically, the injury has also disabled the officer from performing a light duty assignment within the department or if the officer is working light duty has resulted in a disability rated or ratable at 50% or greater.

With these three stringent tests to be met, it is indeed difficult to obtain an industrial disability retirement.

African-Americans With Different Views

by Lou Calabro

African-American Booker T. Washington was born out of wedlock and into slavery back in 1856. Mr. Washington founded the Tuskegee Institute notwithstanding the many barriers facing a poor black man of the south during those times. He grew to be a man well regarded and respected by his peers and the establishment.

Mr. Washington, commenting on those seeking "preferential treatment" during his time from the government's Reconstruction era giveaway days, had this to say:

"Among a large class there seems to be dependence upon the government for every conceivable thing. The members of this class had little ambition to create a position for themselves, but wanted the federal officials to create one for them."

He and Shelby Steele, African-American professor at San Jose State, agree that using race, be it black, white or brown, to claim any right is not something to be proud of. Mr. Washington:

"I have always been made sad when I have heard members of any race claiming rights and privileges, or certain badges of distinction, on the grounds simply that they were members of this or that race, regardless of their own individual worth or attainments."

Shelby Steel and Tom Sowell, African-American professor at Stanford, are in

agreement that doling out "preferential treatment" on the basis of race or gender to the select few willing to accept it does great damage to the many who already have and are willing to make it on their own. They believe that a person should be judged on the basis of the "content of their character" and not on the basis of the race or gender they were born into.

A young African-American San Francisco Police Officer holds a much different view. Although he was born in the United States of America, a country almost overburdened with rags to riches stories; resides in the State that is the most prosperous of them all; has opportunities for free education and anti-discrimination laws at the Federal, State and Local level he still feels that he can't cut the mustard without the help of "preferential treatment". This is his view:

"I strongly believe that minorities and women can reach higher achievements without affirmative action only if we can totally abolish discriminatory, racist and sexist practices which have been perpetuated throughout society."

To deny that there is and has been discriminatory, racist and sexist practices in society would be incomprehensible but to deny the beliefs of Booker T. Washington, Shelby Steele, Thomas Sowell and the other thousands of minorities and women who have cut the mustard and made it on their own is equally incomprehensible.

And lastly to deny that "Preferential treatment" for minorities and women has not been destructive to the careers of innocent white men, as well as good relationships between minorities and women, is also incomprehensible.

Editor's Note: The opinions stated in this article are those of the author and do not necessarily reflect those of SFPOA or the San Francisco Police Department.

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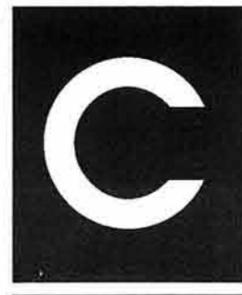

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Thelma Williams — Still in the Baseball Game

by Susan Herbert
San Francisco Independent
March 5, 1991

Thelma Kulander Williams is still in the ballgame. She's 81, a little stoop-shouldered, and has Parkinson's disease — but she's still part of the city's youth baseball scene, as she has been for more than four decades.

Honored over the years, feted with praise and glowing tributes, the remarkable woman refuses to rest on her laurels.

"I can still help," she said. "I can help get things organized and act as a catalyst, settling those minor disputes that can arise between players or teams."

Williams has coached baseball's youngest fledglings for more than 35 years, taking over her husband's team in 1955 when he got into an imbroglio with coaches and was ejected from the scene.

"My husband was a baseball nut," she said, "but he really didn't have the temperament for it."

Thelma Williams proved to have the right stuff.

Sitting in the living room of her cottage-like home in the Glen Park District, Williams talked about her family, her teams and her legion of friends.

A widow since 1982, Williams raised two sons and three daughters. Her offspring now include 13 grandchildren and six great-grandchildren, with four more on the way.

"I got interested in baseball when my boys were playing at Glen Park in the youth league," she said. "And I've never stopped."

Williams has probably coached more than 2,000 youngsters in her long career. Now retired from active coaching, she pitches in regularly to help the two women who coach the 8 and 9 year olds at the neighborhood park.

"Thelma is a top-notch coach and motivator of children just beginning their athletic endeavors," said Mayor Art Agnos, who watched his boys play under Williams' tutelage.

"It take a special range of talents that range from mothering to instructing," he said. "In the midst of it all she leaves a lifetime of memories not only for the teammates, but for the cheering parents as well."

Thelma, too, is reaping memories. On April 6th, just before the new season starts, the Glen Park baseball field will be dedicated in her honor. A ceremony is planned to recognize her devotion to the youngsters and to baseball.

Leafing through a prized, well worn photo album, Williams reminisced about her years on the sidelines and in the spotlight.

"Here's Emerald Yeh at my 80th birthday party," Williams said, pointing out the local television newscaster in a family-studded phot. "She did a special report on

me, and so we invited her to my party. I was so happy that she came."

Williams talked about her awards in a matter-of-fact way. Her moments of fame have far exceeded Warhol's obligatory 15 minutes.

She was chosen as the California Police Athletic League coach of the year in 1989, the national volunteer woman coach in 1990. She threw out the first ball for the 1989 Bay Bridge Giants vs. A's series. She's been written up in the local papers innumerable times and appeared on local television. She's even been a guest on the Joan Rivers show.

"She's a little shorter than I am," said five-foot-tall Williams, referring to Rivers. "And she's real sweet."

Williams tries to get out of her house at least once a day. For years she walked the few blocks to Glen Park or bussed it if she had to lug the baseball equipment. Now she frequently takes taxis.

"It's this Parkinson's," she said. "It causes tremors in the middle of the day and I have to come home and rest and take my medicine."

The medicine quiets her but leaves uncomfortable side effects. Sleeping doesn't always come easily and many nights find her awake and reading or doing crossword puzzles until the wee hours. When she finally falls asleep, she said, the medicine often brings on unsettling dreams.

"The rest of me is OK," she said. "But this disease is hard to live with."

Williams pulled out some newspaper clippings — the column she wrote for the now-defunct Progress, feature stories in the major dailies, a full-color spread in Modern Maturity magazine.

"I never played baseball, myself," she said. "I just learned on the job."

PAL Junior Golf

The Jr. Golf Program starts its second year of instruction to children ages 7-12 this month. Children can sign up for the class by calling the PAL Office. We have expanded the program this year in an effort to accommodate the various parent schedules and will offer the class each day of the week from 4-5 p.m. For example, if you sign up for Monday class, you will meet every Monday for six weeks.

Harding Park Golf Pros will provide the hour of instruction to a limited class of 15 students. Each pro will be assigned a week-day to teach the program to the same group of youths for six weeks. Golf clubs, range balls, one round of golf on the 9 hole Jack Flemming Golf Course and eligibility for Junior Golf Tournament Sponsored by Harding Park during the summer are included in the \$25.00 fee. We will conduct three 6-week sessions during the summer with the first session being for beginners. The second session will have 3 beginner classes and two intermediate classes. The third session will have 2 beginner, 2 intermediate and 1 advanced class. Each student completing a 6-week program will receive a certificate of completion signed by the golf pro.

The following is the schedule for the 6 days of the first session:

Day 1 — Introduce the game of golf, learn to make golf swing, safety, practice swing with swing trainer, practice swing without ball.

Day 2 — Review golf swing/grip/hand action, introduction to aim and alignment, practice swing with balls.

Day 3 — Learn chipping and putting.
Day 4 — Review swing/target, introduce golf swing principles, demonstrate/explain center and arc (practice), practice swing with balls.

Day 5 — Review swing/target/center/arc, introduce path/plane, clubface position, practice toe up to toe up, practice golf swing with balls.

Day 6 — Review previous day's information, introduce golf rules and etiquette.

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Part One

10-7 End Of The Trail

by Bill Langlois,
Retired

Our goal of retirement is reached not so much because it is sought but because it is inevitable. Each of our careers is not "because," but "despite" of what we do. A career of drama and surprises!

We start out in questionable shape, lacking true knowledge of our profession. Everything we learn is surprisingly slanted, needing much harmony and physical vigor. Most of what we experience is emotional-

ly ambiguous and complex. We witness the strangest and most private, the funniest, the grimmest, the most touching, the most tragic...therefore the most fascinating and challenging.

We can tumble through the years in dejection and rejection or experience acceptance and loyalty. We lose our innocence early. We are determined not to notice shadows but are confronted by them just the same and by life's realities that will not go unnoticed. Catastrophe comes without warning. We are forced in tenths of seconds to determine to assert ourselves brutally and take away some persons' liberty or life, or instantly act to save lives or liberty. Strange.

Some of us have distracting natures that treat the disciplines of our profession with a derisive yawn. Most of us accept this paradoxical business with no naivete and try, with the accompaniment of our Brother and Sisterhood, to desperately do that which we swore to do. We accept "death knocking at the gate" in our lives; this sinister glimpse of evil that is constantly near us. Without fanfare we cope. We learn. We experience. We calm and keep the peace of our society.

That is our job.
"WAR" blasts the recent headlines!! The populace is suddenly aware of its ARMED FORCES in foreign lands doing this Country's bidding. The "Republican Guard," who were neither guards nor Republicans, who

are instead the World's greatest track team, have demonstrated how good our military is. Our citizens now have to be made more aware that "WAR" is not new to us! We have been at WAR with the "enemy" every hour of every day since the American "Civil War"!

Now, after half my life of serving with you and finding it somewhat difficult to just

"walk away," I have accepted the request of some younger Officers to pass on some tidbits of advice that might help them remain inextinguishable! With humility and with your patience, I will try to do just that in the next issues. Hopefully, it will assist others see the light at the end of the tunnel and realize that it is not always an oncoming train. Till then, I'm 10-7.

POST

(Continued From Page 2)

Junior English class wrote poems to commemorate the Marine Corps Birthday. I would like to share several of them with you this month and next month.

*In November, Seventeen seventy-five
There was a group of brave men
Who started something that was live,
A place to do more than peel potato skins,*

*It wasn't for squids like the navy,
But for real men who want to fight
Because Marines have never been known to be lazy.*

*They always work hard because its right
They're not like the Army with all the lameos*

They're strong and tough and there's not much you can do

When they are picking on you because they beat up Rambo

*So don't think it impossible to eat a shoe.
But if you're not strong you're out of luck
If you're a wimp in the Marines you're f—ed!*

Marc Bailey

*The number of men were four
They gathered in the Tun Tavern Bar
They decided to form the Marine Corps.
Thus, men and women began to gather from afar.*

*They would now sleep in bunks for beds,
And for breakfast there would be no more chex.*

For now these people were Jarheads,

*And other names such as leathernecks...
They were portrayed on T.V. by John Wayne*

*But the Marines are larger than that.
So all of his acting and efforts were in vain*

The Corps will keep you from being fat.

Now it is the most elite of the armed forces

*For the Marines are as strong as horses.
Chris Callegari*

*It all comes down to one single date
While three men were drinking in Tuns Tavern*

The birth of the leathernecks and none too late

With muskets in hand, picks, shovels, and lanterns

November 10, 1775 was the moment of glory

From the Halls of Montezuma we did sing

From the sands of Iwo Jima came our story

From Belleau Wood, Bells of victory did ring

The few, the proud, the men of bright Marine blue

*we honor those like Puller and Daly
Who fought and died so very gallantly*

On Mayaguez were Marines stuck like glue

*We protect our shores till the day we die
Long live the Corps and forever Semper Fi.*

Eric R. Wood

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Memorial Day Camp-Out

For many of us the Memorial Day Camp-Out at Les Frost's Ranch near Red Bluff has become a beautiful tradition. However, sad to say, many 1st "Mardivvers" never experienced the sincere camaraderie and stirring inspiration of this very Patriotic and heartfelt get together. This year, more than ever, we Former Marines and our families should participate.

On Memorial Day (Monday, May 27) a

very impressive commemorative ceremony is being held at a hilltop on the Ranch. When I say "impressive," I don't mean rousing Marches with Souza and impeccable Parades in Dress Blues while Civic, Religious and Military leaders are trying to outdo each other with appropriate speeches. Impressive because it is a highly emotional experience to stand there on this hill top and reflect on the sacrifices that

were made by those who gave their most prized possession, i.e. their Life so that we could continue to live in Liberty and Freedom.

We stand there, a rag tag collection of Former Marines and their families. A firing squad where every man has his own ideas of dress. A few words by Col. Lee Erickson and the Chaplain. Sometimes there is a song by Jane Wilkinson (nee Frost), drifting away in the distance or a guitar rendition by an "artistic" Marine and the sounds of the (canned) Taps, echoing over the hills. The placing of a wreath at the simple Cross, it all adds up to a moment of great solemnness and gratitude of being a part of it.

THIS is what Memorial Day is all about and by some spontaneous fluke of dedication this all came together at the Frost Ranch in an unforgettable moment of time.

Saturday and Sunday are the "Fun" days! The Dutchman is 'running' a (VERY) makeshift Bar for the 'Oldies' with the (again) canned sounds of Glenn Miller, Xavier Gugat and other oldies but goodies. (Tip' monies go towards the Chapter). Refreshments are limited to the basics of Gin, Whiskey Rum and Wine and whatever the crazy Dutchman can dream up with a few mixers.

The next day Tom Frost whips up a VERY mean brew, which he calls "a Scorpion." (He ain't kidding, whew!!!) This bash is for a younger generation (Like Vietnam) and with more contemporary sounds. (Funny thing is that the 'Oldies' like it too!) and the place is jumping!

Sometimes Tom organizes a Hayride for the kiddies (They are not the only ones who like it). Target practicing with the M-1 (doesn't THAT date us?) Colors; good Barbecues (Les in an expert); games; Horseshoe pitching; the Bevy Beauties in action (!); splashing around in the Creek (with beer of course).

When John Loomis makes it all the way

up, he stirs his 'special' before breakfast and that'll really set you up. Gill Belcher may or may not bring an old airplane or antique car with him to park at "Belcher Field." Great for photo ops.

Furthermore lots of War stories in the big, BIG Barn cum Mess Hall/Game room/Auction Hall/Dance floor. Take your RV, Camper, Bus or pitch your tent. Bring the children and enjoy a true Memorial weekend in the good old American spirit!

One thing, however, since Les and Ellie are already doing a Helluva job, we all must pitch in and clean up after ourselves, while keeping an eye on the children. This of course goes without saying, because we're all good Marines and anything less may be fine for the other services! Let's come all on May 24 or 25 to the FROST MEMORIAL DAY CAMP OUT!!

Call or write Les, so he knows how many steaks to put on the Barbie. (Like 100 or 200) (916/529-0307 or 165 South Main Street - Space 62 - Red Bluff, CA. 96080)

See you there and have fun (and maybe a tear or two on Monday).

PRESIDENT

(Continued From Page 10)

near, witnesses contacted on behalf of the POA began to find a sudden recollection of the contract's intent. Those "POA" witnesses sided with the Carroll, Burdick & McDonough firm's contention that all awards of attorney's fees would belong to this firm in light of their "inadequate"

\$9,000 a month retainer agreement. Nevertheless, our present firm, hearing of the last minute change in recollection by POA member witnesses, decided wisely to settle the dispute before proceeding to arbitration. The POA's share amounted to approximately \$45,000, and that money will more than likely be used in part to replace our present aged Wang Computer System.

Finally, the POA is beginning to become proactive in its relationship with the community it serves, and is hoping to sponsor, in conjunction with labor organizations such as the Teamsters, MEBA and SEIU and with our City's real estate and business concerns, a dinner honoring all City employees who were called to active duty and served our country proudly during Operation Desert Shield and Desert Storm. This event will take place on May 30, 1991 and will be well worth attending. The membership will be kept informed of the dinner's development and the evening's agenda.

Now let me see what else the POA does...

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Thanks

Mr. Al Trigueiro, President
S.F. Police Officers' Association
510 - 7th Street
San Francisco, CA 94103

Dear Al,

I would like to take this opportunity to thank you and your members for endorsing me for re-election to the San Francisco Health Service Board of the City & County.

I appreciate your help in disseminating this information of the endorsement, through the Notebook and whatever other methods at your disposal. It is extremely important that the ballots be filled out and returned to the Registrar's Office no later than 3:00 PM Friday, May 10, 1991.

I would also like to reiterate my position of continually working on the behalf of all our active and retired members to the betterment of their health care.

Sincerely and Fraternally,
Harry Paretchan, President
S.F. Health Services Board

Dear Al:

Thanks to you it was a fantastic success!

Our reception at the Concordia Club could not have been more fun. The turnout of many great friends like you was overwhelming.

My appreciation for your generosity is enormous.

Please know that I will work very hard in my new role as Chairman of the Finance Committee. I value your confidence and support.

Your friend always,
Jim Gonzalez

Camp

Tom Flippin, Editor
SFPOA Notebook

Dear Tom,

I am enclosing copies of the FIRST MARINE DIVISION ASSOCIATION, Northern California Chapter information about our annual campout at the Frost Ranch. The Frost Ranch is located half way between Red Bluff and Corning just to the west of Highway Five. The map depicts the approach from Red Bluff; however, if one wishes to attack from the south via Corning for a General SCHWARZKOPF end around you may give Joe Manzella a phone call (863-3690) or arrest or detain him at the Hall of Justice when he is trying to beat one of the H&S 11352 cases.

The Frost Ranch is a little under eighty acres, about twenty acres are flat with the Elder Creek running through the flat land. At this time of the year, there is plenty of water, with pockets of about three feet of water. The kids like to raft down stream in the wild white water. The hike back to camp is not in the plan; however, the OP order may include a pick-up down stream by the transport unit.

The rest of the Ranch is gentle rolling hills. Located on the Ranch is a Camp Matthew type rifle range if you wish to bring your fire arms to squeeze off a few rounds.

There are a few lakes near the Ranch and the good Rangers permit us to have a fishing party for kids.

This year we will honor the warriors of DESERT STORM.

The Frost Family hosts the two evening meals, breakfast and lunch by the volunteer Chinese cook with certified MOS. We kick in a dollar and or donate eggs, bacon etc. Mess cooks are welcome for the high skill labor. One evening is pot luck dinner.

We have COLORS at or about 0800 hours with a reading of plan of the day, if any. Some time before the cocktail time/dinner time you may swap stories about "how you won the WAR all by yourself" after we have evening retreat.

If you wish, you may phone me at 863-3690.

Sincerely,
Joseph Manzella

Friends

Mr. Al Trigueiro, President
Police Officers' Association
510 7th Street
San Francisco, CA

There is a trite, but true saying, "You don't find out who your real friends are until you need them." Over the last two years, we have definitely found that we had a lot of friends in and out of the department and within the POA rank and file as well as its leadership.

When our problems started in May of 1989, the first person on the telephone to us was POA Secretary, Steve Johnson, who quickly lined up our team of attorneys and supported us throughout our ordeal. Other members of the POA leadership worked hard to insure that we would get equal justice in the criminal and administrative realms.

There are so many people to thank for their personal and professional efforts that they would not all fit here. But there are a number who must be mentioned. Our attorneys, Jim Collins, Jim Lassart, Carole Seliger and Steve Whitmore — anyone who saw these barristers argue our case in Superior Court or before the Police Commission, knows the quality of counsel we had just does not get any better. They were both professional and personable. They quickly became not just our attorneys, but our friends and confidants. District Attorney, Peter Avels for his honesty and fairness in the Grand Jury investigation. And, last, but not least, our wives and families who believed in us and supported us as these events disrupted our private and professional lives.

Even after 20 years in the police department, we all sometimes wonder, what does the POA do for me between elections? This was a tough way to find out, but there are now three more members who can tell you exactly what the POA does for its members! Each of us has over 20 years in the police department and not one of us ever imagined that we would need the services of the POA to represent us in any disciplinary matter. We have always obeyed the rules, so why would we need these services? That was for someone else. It appears that we have joined a growing list of officers who could never have imagined their need for POA service in disciplinary matters.

There does not seem to be an adequate expression in the English language to show our appreciation of the POA and its membership. Thank you just does not seem to convey our feelings. God bless each and every one of you for your thoughts, words and support. We wouldn't have made it without you and we won't forget you.

Bill Welch
Tom Lang
Jim Hall

Letters

Desert Storm

Tom Flippin, Editor
SFPOA Notebook

Tom,

Joe Kennedy and I received a Desert Storm post card from Mickey Griffin. I'm sending you a copy. I thought that reprinting what Mick had to say (in the Notebook) might be of interest to people who know him.

As people might know, Mick is a major with the Army National Guard MP unit, and their assignment is to run the prisoner of war camps. It's hoped that he'll return once they repatriate all their Iraqi prisoners. The card was post marked March 1st and we received it on the 20th.

Thanks,
Roy Sullivan

To: Roy Sullivan/Joe Kennedy
Arson Task Force
850 Bryant St.
San Francisco, CA 94103

Hi guys,

Sorry I have not written sooner. I have been real busy. 16 to 20 hour work days with no days off since mobilization. Not even overtime or night differential pay! Ha!

I can't tell you where I am except it is in a tent in the middle of a desert. The show is interesting, i.e., artillery, B-52 thunder, Scuds vs. Patriots Overhead.

This place is not on my next vacation list!

I am doing fine out here. I hope you guys are well.

I will write again, sooner than later. Hope to see you guys soon.

Mickey

P.S. There are camels roaming all over the place, kind of like wild horses in the U.S.

Call Ann for my address.

SB 22

Mr. Al Trigueiro, President
San Francisco Police Officers' Association
510 Seventh Street
San Francisco, CA 94103

Dear Mr. Trigueiro:

Thanks for your letter of March 22, 1991, expressing support of SB 22, the bill I have introduced relating to Alcoholic Beverage Control funding. I appreciate the endorsement of the San Francisco Police Officers' Association.

SB 22 will be heard on April 9, 1991 at 9:30 a.m. in Room 3191 in the State Capitol by the Senate Committee on Governmental Organization. You may wish to attend or send a letter of support to that committee, Room 5048, State Capitol, Sacramento, CA 95814.

Sincerely yours,
Quentin L. Kopp

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Letters

Shame!

Letter to the Editor
San Francisco Examiner
110 - 5th Street
San Francisco, CA 94103

Dear Editor:

We at the San Francisco Police Officers' Association have reached the point where we feel it is incumbent upon us to respond to the ludicrous and unwarranted attacks directed at our officers by the editorial staff at the Examiner. We recognize the recent Los Angeles incident to be reprehensible and join with other police departments throughout the country in condemning such behavior.

However, it is high time that we respond to the biased and irresponsible editorials you have put forth criticizing our police department, while rarely having your facts straight. You have tried and convicted an officer in the press during the Huerta incident; proclaiming his guilt despite the fact that every agency that investigated the case found him innocent of all charges, with the exception of the Office of Citizen-Complaints. You continually harken back to an incident, now nearly three years old, in an attempt to magnify non-existent problems in our department. Your continuous attempts to characterize police officers as a threat to society rather than as protector(s) has resulted in an irresponsible effort to polarize us from the community we serve.

From our perspective, it reached the breaking point with your editorial article on March 8, 1991, entitled, "Beating Up Minorities." While referring to the unfortunate incident that occurred in Los Angeles, you make the statements, "The Police and many private individuals continue to believe it's OK to beat up members of minority groups," followed shortly thereafter by the equally idiotic remark, "Cops and individuals must learn that racial and sexual minorities are not fair game." It amazes us as police officers that the press is repeatedly guilty of the same transgressions of which we are accused. To paint all police officers with a broad brush that implicates all of us every time there is an incident of police misconduct, anywhere in the country, is extremely unfair.

How would I, as a police officer, be viewed by the press if I characterized all blacks or hispanics in a bad light because of the act of one. What if I castigated the entire "Gay" community because I witnessed a particular gruesome crime perpetrated by one gay person on another. What if I classified all protestors as "out of control" because of the acts of a few. We have never denied that cops make mistakes, just as doctors make mistakes, just as politicians make mistakes, just as news reporters make mistakes. But we refuse to stand by any longer and be the dart board for irresponsible editorials.

Sincerely,
Gary Delagnes
Vice-President

Thanks

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

Dear Members:

Thank you sincerely for sharing our sorrow. Your thoughtfulness is appreciated and will always be remembered.

The Frank Liuzzi Family

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

Dear Members:

Thank you for being so thoughtful. Your memorial gift to the American Heart Association is truly appreciated.

Sincerely,
Edward Casazza's Family

January 21, 1991

S.F. Police Officers Association

I would like to thank you for sponsoring my tribute dinner. It was a success, and really appreciated.

God Bless You,
Julius Zamacona

Editor:

I would like to openly thank all of the members who generously took their time to contact my son Marcus with letters of support and/or packages while he was serving in the Gulf War with the U.S.M.C. The thoughtfulness and support shown by the S.F.P.D. was overwhelming. My heartfelt thanks go out to: Inspector Harry Walwyn, Sgt. Jerry Salvador, Inspector Mark Sullivan, Dispatcher Debbie Dauenhauer, Sgt. Jere Williams, Inspector Jim Dudley, and Dispatcher Lynda Andriotti. Marc and his entire unit (Charlie Battery) were elated at the support shown, and they expressed to me that it was a real boost to their morale.

Many thanks also to all of the other members who took the time out of their busy schedules to call or drop by Burglary to express their concern and well wishes. It has meant a great deal. Sgt. Bill Davenport, thanks for the flag.

Marc departs from the big sandbox on Friday, March 8th, for his base station in Hawaii. Marc's unit reported no injuries, no casualties, and more than their fair share of citations and commendations. We've been blessed with good fortune.

Sincerely,
Inspector Lou Bronfeld

COURTESY OF A FRIEND

Missing Him

Mr. Tom Flippin, Editor
SFPOA Notebook
510 7th Street
San Francisco, CA 94103

Re: 4T95
Officer Joe Mignola

Dear Sir:

Years ago, when I heard that Officer Joe Mignola was leaving the Central to become a part of the Tac Squad, I was disheartened. As a Dispatcher, I hated losing this 'working cop'!

I should have known that wherever Officer Mignola went in the Department, he would represent that unit with the same diligence and professionalism in which he served the Central.

"4T95" — the call sign that summoned the voice that always answered, "10-4" and "98"! (The voice that always told you that this was Joe. There was never any mistaking that voice!)

Officer Joe Mignola was known to all Dispatchers as the 4 Tom Dog Unit, who would always save the day. Not only did he handle most of the alarms and conduct a search of the premises, but when there were no available officers to respond on those blinking 'A' priorities — (a Dispatcher's nightmare) — it was 4T95 who volunteered.

There was never any hesitation when another officer needed a backup. Joe was there!

I am sure that Officer Mignola had no idea that, more than once, it was he who lifted the pressure from the dispatcher and made an otherwise stressful situation one that ran smoothly and efficiently.

Oh, how this officer will be missed; and how sorry I am that I never let him know that throughout the many years of working with him — how very much he was appreciated and how highly thought of he was, by all Dispatchers.

We will miss this fine officer! Officer Joe Mignola.

Sincerely,
Sandra M. Cherniss
Police Dispatcher

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Pride

To the Editor:

I'm an Inspector in the San Francisco Police Department. Over the years, I've had to take some calculated risks to do my job. Life threatening situations were infrequent, but I know what they are.

A thought, a feeling, if you will, has occurred to me (there may be other members in my department who feel as I do, however, I'm speaking only for myself). I feel a need to express that thought.

If, through contributions of time and financing, my organization were to do something like rent a hall or a restaurant and to host a dinner or banquet for as many returning Persian Gulf Theatre heroes as said facility could accommodate — why, then, I would feel that a proper statement would have been made to show the admiration due those people. Something akin to showing pride.

On the other hand, there is the City-sponsored "ticker-tape" parade, a proposal ostensibly to be in honor of those who recently put their lives at risk. Certainly they deserve recognition and perhaps such an event may even serve as a public absolving. The idea of attending this City-sponsored event, though, leaves me not with a sense of pride. Because the City seemed, when it was fashionable, to go out of its way to discourage our military — even if it meant at the expense of the very people now to be honoured — I'm left with a sense of embarrassment at the shameful hypocrisy.

Respectfully,
Robert J. McAllister



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SPORTS



Note to Those Who Read the Sports Section

by Dennis Bianchi

The last several months have seen the Sports Section dwindling. It's up to you to pick it up. For over two years I have taken great pride in this section of the paper as a place to put aside bickering and complaining and give some well-earned recognition to those of us who either compete or at least participate with consistency, both of which I view as winning. To be involved in athletic events in any positive manner is to broaden one's world view and fill your life in a positive manner. Like many other positive experiences, the experience is enhanced and more joyful when it's shared.

If the event you prefer is not one in which you personally participate, you just observe and admire; so be it. Put together a photo and six lines of text and get it in to the paper. This year's entire basketball season was not reported and that is a loss. Hundreds of members participated, shared some healthy fun and profited by the experience. They deserved at least a few lines of recognition. Don't let this happen again. I know for certain that there are plenty of "wannabe" sports reporters out there. Please, help me and the rest of the Department enjoy your experiences.



What a team!

SFPD Dominates Nordic Events

by Steve Venters

San Francisco's Nordic Ski Team took the phrase, "You're not getting older, you're just getting better," to new heights at this year's International Police Winter Games held at South Lake Tahoe.

Led by the "ultimate Ironman" Jeff Brosch, Homicide, SFPD dominated the cross country competition, which consisted of three events: biathlon, 5K and 10K race. Jeff captured three Gold medals in the Grand Masters Division, while Stephen Venters, Co. E, had three Gold medals in

the Veterans Division. Duane Otis, Robbery, had two Silver medals and one Bronze in the Grand Masters Division, while Ed Kenney, Homicide, had two Bronze medals in the Masters Division. Walt Garry, Retired, was only able to attend the 10K race because of Military obligations and won a Bronze medal in the Grand Masters Division. We had one final competitor, Gary Jimenez, Narcotics, who had come up to Tahoe to just ski the Alpine events. After much verbal abuse we were able to talk Gary into trying the 10K race. Although it was the first time Gary had ever been on XC skis, he was able to win a Bronze medal in the Masters Division.

The youngest racer on our team was 39 years old (ME) but we were still able to dominate the competition. A perfect example of this was in the biathlon competition. Jeff Brosch had the second fastest time of the day. The amazing thing was that the man that beat Jeff was twenty-six years old, a Summer Games triathlete, and he only beat Jeff by **One second!**

Hopefully next year we can get some young blood on the team and really show everyone how good we can be. I learned something this year that I have been missing all the past years; these old guys can cook. Brosch whipped up a spicy Stir Fry, Kenney a zesty Pasta and Jimenez a rib sticking Chili. It was almost as good as home cooking!

SFPD Scores Big In Alpine Events

by Steve Venters

San Francisco's Alpine Ski Team had another very successful year at the annual International Police Winter Games held at South Lake Tahoe. Although the snow was thin the members worked hard and brought home more than our share of medals in the three Alpine events: Slalom, Giant Slalom and Super Giant Slalom.

The best and probably the most improved performance was turned in by Bill Sweeney, Co. F, who had two Gold and one Bronze medals. There was speculation among the observers that it was a change in race outfits (sweatpants to Levi's) that had such a big impact on Bill's improvement. The other medal winners were: Duane Otis, Robbery, one Silver, one Bronze, and one Gold for the combined Nordic/Alpine; Stephen Venters, Co. E, two Gold medals - one for combined Nordic/Alpine; John Geraty, Co. F, two Bronze medals; Les Tom, Co. G, one Gold medal; and Bob Gillaspie, Juvenile, one Bronze medal. Bob Sleadd and Howard Kyle, both retired, won medals in their respective events, but at this time I do not have their results, and I apologize. Gary Jimenez, Narcotics; Mike Farrell, Co. G; and Bill Miller, Co. C, all competed in very tough brackets and had excellent performances.

In a related area, Les Tom, Co. G, repeated as best dressed on the slopes. Les had dominated this field in the past, and again showed excellent taste with this year's award winning outfit; matching Hawaiian print shirt and shorts - he was the stand-out in his class.

Well, hopefully next year we will have more snow and more people participate. It is really fun, and everyone has a good time no matter what your skiing ability.



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SPORTS



by Dennis Bianchi

Swim Team News

by Don Matissek

Recently I have seen or heard from several of the department's swimmers. From the land of knockwurst and beer, Herr Ken Foss informs me that he is swimming a lot trying to keep the weight down. Howard Kyle has stepped up his training program and plans to swim in the state games in Oakland. Don Matissek is swimming and hopes to improve his times in Memphis in June and in the state games in August. Frank Petuya looks fit for Memphis and Oakland. New member of the grand masters division Mike Trueman is putting in a lot of time in the water getting ready for Oakland. Morgan Peterson is swimming at the beautiful, state-of-the-art pool at USF, but at present doesn't know if he will swim this year.

Master division swimmer Kent Dalrymple has been seen pushing a lot of water around improving his butterfly and probably will swim at Oakland. There are several good swimmers who haven't let anyone know if they will compete in the state games, or the world police and fire games at Memphis.

Rumor has it that we have some fine competitive female swimmers in the department but they haven't made their presence known to the team yet.

The team needs swimmers in all ages, but at present we have no one at all in the Open division or in the women's division. The grand masters division would like to defend their first place medals in the relays, won at Vancouver B.C., but need another swimmer to make it possible.

There have been feelers out to swim at Las Vegas, Nevada and the Northwest Police and Fire games, but we need some more swimmers.

If anyone in the department, active or retired, wants to swim, please contact either Frank Petuya, Co. B, 553-1373, or Don Matissek, Co. K, 553-1621. It would be nice to have a good turnout for the state games in Oakland, close, or the world games in Memphis.

Ladies, the other departments keep asking us where are your female members? Men, they also ask, doesn't your department have any young swimmers? Start now — get in shape.



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San Francisco Prep Hall Of Fame

Eleven San Francisco Prep Hall of Fame awardees will be honored at the 9th Annual SF Prep Hall-of-Fame Banquet to be held at the University of San Francisco, Tuesday, May 28, 1991.

This year's honorees will include eight former prep athletes, two coaches and one special recognition person.

Heading the list are Dr. Robert "Bobby" Brown, President of the American League and the late Robert "Bob" Ferrick, University of Santa Clara head basketball coach and later coach, General Manager and director of personnel of the San Francisco (Golden State) Warriors. Ferrick passed away in 1990.

SF Prep Hall-of-Fame President Erv Delman in announcing this year's honorees said, "We are delighted at the selection. We are the only program which annually honors student-athletes, coaches, officials and media persons who have contributed to San Francisco's interscholastic athletic programs. To date more than 126 persons have received this award."

This year's awardees are: (current residence in parenthesis after name)

Alex Athanasopoulos (South San Francisco) - Coach, George Washington High School, 31 Academic Athletic Association (AAA) basketball, track, baseball championships:

Richard Baptista (San Francisco) - Galileo High School baseball, soccer player.

Dr. Robert "Bobby" Brown (New York, NY) - Galileo High School baseball player.

Roy Diederichsen (Menlo Park, CA) - Mission High School basketball, soccer,

tennis, baseball player.

Robert "Bob" Ferrick - Lowell High School basketball player. Family lives in San Jose.

Joseph Gualco (San Rafael, CA) - St. Ignatius High School baseball player.

Daniel "Danny" Hayes (San Rafael, CA) - Riordan High School football, basketball, baseball player.

Pamela Kurrell-Ascariz (Pacifica, CA) - Abraham Lincoln High School - Special Recognition Award - Women's track/field.

Albert "Cappy" Lavin (Ros, CA) - St. Ignatius High School basketball player.

Morris "Mushy" Silver (San Bruno, CA) - George Washington High School basketball player.

George White (Belmont, CA) - Coach, Galileo and Balboa high schools, football and track/field, 20 track championships, 15 football championships.

Tickets for this year's banquet and program are now available at \$25 per person (includes dinner, wine, tax, tip and program). Tables can be reserved for \$250 per table.

For reservations and further information contact: Saul Madfes, SF Prep Hall-of-Fame, Secretary-Treasurer, 75 County Club Drive, San Francisco, CA 94132 or phone: (415) 566-6712.

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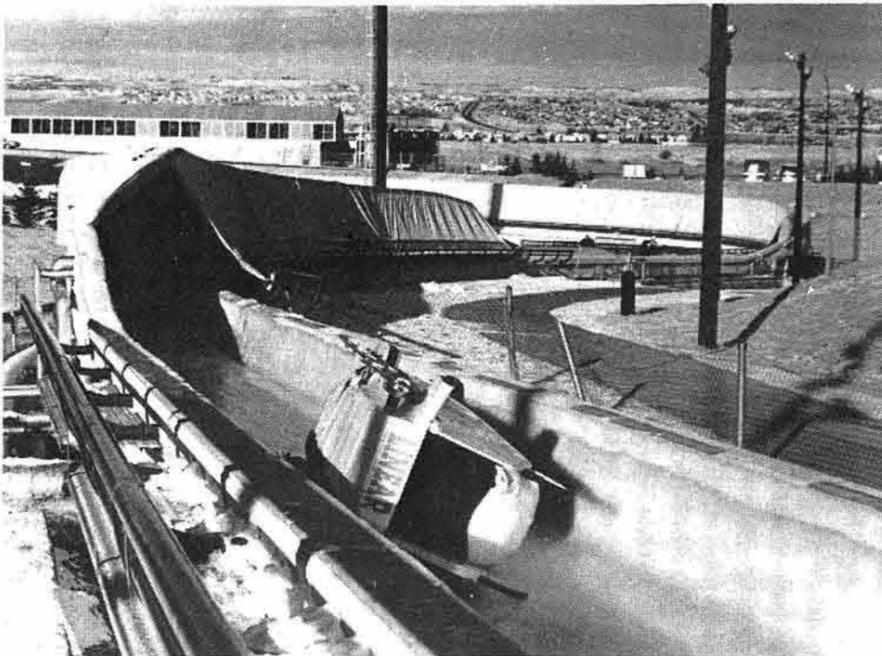
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A photographer captures on film the spectacular January 27, 1991 crash. The sled was travelling at 65 mph when it crashed, pinning the SF team between the sled and the ice track.

Highway To The Danger Zone



Stu Morse, Canada, and Bob Del Torre, USA, ranked as the top drivers in international driving school, January 1991.

Bob Del Torre officially began his season as a bobsled driver on Jan. 10, 1991. Bob attended his third international driving school coached by the Canadian National Team coaches held at Canada's Olympic Park in Calgary, Alberta. This driving school had 18 athletes being taught to pilot a 2-man sled down a 1 mile course at 70-75 mph.

Bob and his close friend Stu Morse (Calgary Police Officer) were ranked as the top 2 drivers in the elite school. Stu is a member of the Canadian National Team. He was a brakeman for 3 years and is now pursuing his career as a driver in the sport. Both men trained hard in the freezing weather (-35 °C) for 2 weeks and qualified to race in the Alberta Cup 2-Man Race.

This race would be Bob's first race as a driver since his spectacular and almost fatal crash last January on the same course. Bob remembers the accident well. Entering turn 6 of the 14 cornered course, Bob made a slight driving error. Travelling at 50 mph, the sled flipped completely over on Bob and his brakeman Bob Squeri. Pinned under the 500 lb. sled, the crew picked up speed and was clocked at 65 mph upside down. The team travelled for 3/4 of a mile upside down for 1 minute 5 seconds with their heads and shoulders hitting the ice.

The team eventually crossed the finish line upside down. Badly bruised and shaken, Bob asked the first paramedic rushing to their aid, "Did we cross the finish line?" The paramedic answered, "Yep, but you two nearly bought it." Crossing the finish line with both crew on board was all that mattered — it meant they weren't disqualified! To the disbelief of spectators, coaches and officials, the SF team continued to compete over the next two days, finishing all of the heats, placing 10th in the race. Now that's a competitive spirit.

After this year's driving school, Bob focused his 2 weeks of training to getting more proficient on each and every run down the 1 mile course. His times were decreasing on every run. On Jan. 19th, Bob was the pilot of his 2 man-team in the Alberta Cup Race. He was one of only 2 drivers from the school that qualified to race (there were 18 drivers in the school). He successfully competed in the race and his time down the course was his personal best.

The SF Bobsled Team is having a fundraiser to assist the team's financial burdens. All of the expenses have come out of Bob's own pocket. He used a large amount of vacation time also to pursue his goal of being the best he could be. Even if you cannot attend the fundraiser, donations are welcome and greatly appreciated. The fundraiser will be held at:

Dooley's Pub
2526 Lombard St. (at Divisadero)
May 25, 1991
5 pm - 2 am
Dancing — 9 pm - 2 am
Hors d'oeuvres
Raffle

Team caps, T-shirts & pins will be available
Tickets available at
Dooley's Pub
(\$15 per person)

or
Contact Bob Del Torre
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SF Bobsled Team

Competing in the Alberta Cup 2-Man Race and representing the USA, Bob is now a member of the U.S. Bobsled team.

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SPORTS



Loon's Nest Report

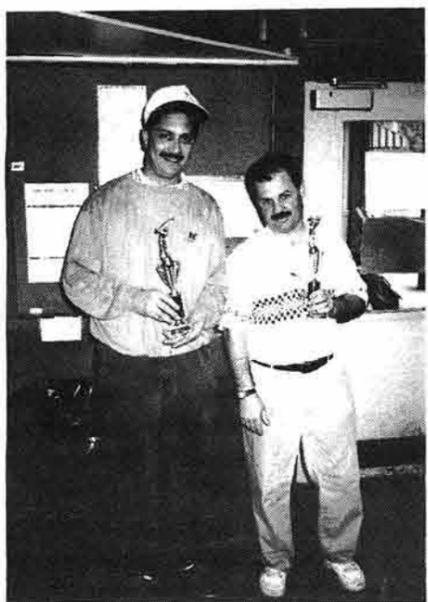
by Ed Garcia

As the first of this year's storms blew in over Solano County, 44 members of the Loon's Nest Golf Club battled the elements to play the Loon's first Two-Man Best Ball tournament. The Loons teed off under cloudy skies at the Blue Rock Springs Golf Club, only to have the rain come pouring down. Not one golfer failed to complete his appointed round, as Mike Brady and his guest firefighter Don Whitney came around with a team best ball score of 60. Hot on their trail was the Northern Midnight team of Glenn Mar and Mike Dudoroff. Glenn and Mike went off in the next to last tee group and had to play the 14th through 18th holes under pouring rain. Mar and Dudoroff's team score of 62 is a tribute to their determination and true sense of sportsmanship, as they played through the most adverse conditions.

Bruce Lorin and Tom Del Torre teamed up for a score of 64, taking third place in the two-man event. Bruce Lorin fired a very tough 77, giving him the individual low gross honors. Bruce is well known among golfers in the Bay Area as a very tough tournament player and has caused many fine golfers to go to their wallets to pay off friendly wagers. One stroke out of third place was Stellini and his guest, firefighter George Garcia. They came around the course in 65 strokes. It seemed to be a good day for firefighters, as two played as guests and went back to the firehouse with trophies. On the day, four other teams came in with team score under seventy. Those include Dan & Mike Mahoney, Harry Pearson and John Payne, Tim Hettrich and Ron Parenti, along with John Mino and Brian Canedo.



Glenn Mar and Mike Dudoroff, 2nd place winners.



George Garcia and Art Stellini.



Mike Brady and Don Whitney show off their first place trophies.

To The Nines

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The Third Annual Trinity Engineering / Loon's Nest Golf Club Tournament

Windsor Golf Club • June 17, 1991

1 p.m. (1300) shotgun start

4 man scramble (minimum combined handicap of 40)

\$65 T-Prize

Individual trophies and gift certificates for the players of the first five placed teams.

Individual trophies and gift certificates for the four closest to the pin holes (the 2nd, 4th, 14th and 16th holes).

Individual trophies and gift certificates for the four longest drive holes (3rd, 9th, 11th, and 17th holes).

Dinner at Smitty's in Rohnert Park After Golf

(where awards will be given).

You will need an N.C.G.A. or S.F. Police Golf Club handicap to play (if you don't have a handicap and you still want to play, contact Ed Garcia or Warren Omholt at Northern Station at 553-1563).

This year we will be playing with a handicap system which will be based upon the total combined handicap of your team. (Example: if your individual combined total handicap for your team is 46 to 53, your team handicap will be 1. If your combined total handicap is 54 to 61, your handicap will be 2, etc.). Any questions, give us a call.

So, get your team together and make your check out to the Loon's Nest Golf Club. Mail it to either Warren Omholt or Ed Garcia at Northern Police Station 125 Fillmore Street, San Francisco, CA 94115. (If you are just a single, that's OK too).

Get your money in early to be assured of a spot (besides that, it makes it a lot easier on us to put this together). It should be even better this year than last.

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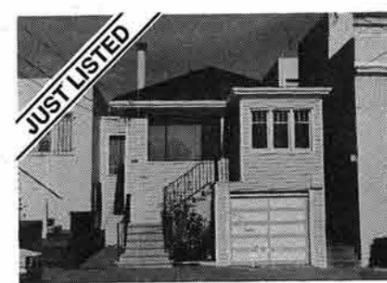
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ON THE STREET/Tom Flippin



Funny ...But True

by Tom Flippin, Editor



DOUBLE TROUBLE: Two men were recently found guilty of assaulting a police officer, and one of them, in addition, was found guilty of mayhem.

There was a bit of confusion in the court (and in the officer's mind) about which defendant had committed the mayhem... in this instance, biting off part of the cop's ear.

The problem stemmed from the fact that the two defendants are identical twins... and San Jose Police Officer Davis Storton couldn't be sure which twin actually bit his ear off. He had testified that he could tell the difference between them, but then the twins showed up with identical haircuts... obliterating any physical difference.

Only a last-minute admission by one of them saved the court a substantial amount of trouble... and maybe a charge of double jeopardy!

I SAID I WAS SORRY: A woman was being held in jail after stabbing her husband three times. The 68-year-old husband, in serious condition at Santa Rosa Memorial Hospital, hadn't been "playing around"; he wasn't a wife beater; and he didn't criticize her looks. His mistake was to complain about a serving of overcooked rice.

His 69-year-old wife became so incensed at this outrageous behavior that she hauled out a knife and punctured him three times, including one hole in his spleen (that'll teach him to "vent his spleen").

Lt. Robert Williams, Santa Rosa Dept. of Public Safety, said she wasn't happy about the stabbing after the "fact". "She said she was sorry," he repeated.

HOW DID I GET THESE HOLES IN MY ARM? Despite dramatic testimony on the witness stand, a jury recently convicted a Massachusetts woman of possession and use of heroin.

Police testimony established that the woman had 67 bags of heroin and \$13,000 in cash when arrested.

Norma Roman claimed to have multiple personalities and said that her normal personality could not control another personality — Vicky, a street-wise drug dealer/user. Roman took the stand and appeared to exhibit several personality

changes for the unconvinced jury. Roman, and all the rest, was... uh, were sentenced to jail after four hours of deliberation by the jury.

REACH OUT AND PUT THE TOUCH ON SOMEONE: Lynne Roser, Miami, called the cops when her car was stolen... then she called the thief.

As a police officer was making out a report on her stolen car, she had an idea: why not dial the cellular phone in her car? When the thief answered, the officer took the phone and went into his "fence" act: "I hear you've got a car to get rid of."

The thief agreed to a meeting to allow the "fence" to check out the car and decide on a price. Five minutes later, police arrested Thomas Peedin for auto theft.

TAKE THAT, MR. POTATO HEAD: The family of Joe Grieco, whose death was ruled a suicide and whose body was cremated, admitted to Florida police that he had, in fact, been murdered by his wife, Mary.

Ann Grieco, the murdered man's daughter, told police that the family was going deep into debt, but all Joe Grieco did was sit and watch TV. She said her father was "a cranky couch potato", but that "I didn't really want him dead. I just wanted him to stop being miserable."

Police say the family (Mary, Ann, and Ann's boyfriend Melvin) tried several times to kill him before succeeding. They spiked a chicken dinner with LSD and put cocaine in his wine to induce a heart attack, but the drugs only made him laugh. They searched for poisonous mushrooms but couldn't find any, and they discussed putting explosives in his car.

Finally Mary crawled into bed with her sleeping husband and shot him in the head.

I GUESS YOU'RE RIGHT, SHERLOCK: Alabama authorities "solved" a three-year-old mystery recently. For three years, state and federal prosecutors have been searching for Blan Stewart, whom they believed faked his death to collect \$4 million in life insurance and to avoid prosecution for fraud and theft.

The mystery was solved when Stewart's wife financed a private search which culminated in the discovery of an airplane sunk in an Alabama lake. The airplane contained the body of a man. Forensics experts said dental records confirmed that the body was that of Stewart. Authorities admitted that Stewart hadn't faked his own death... he's really dead!

LOCAL CRIME BUSTIN' OUT: Thursday, Feb. 28: 1:21 p.m. — A man reported to the police that he and another employee, who worked in the vicinity of Locust Street and Mt. Diablo Boulevard, had been approached by a transient.

6:06 p.m. — The director at the Walnut Creek Homeless Shelter, located at 2404 N. Main St., reported a 49-year-old female resident at the shelter who was apparently grabbing people and talking to herself. Police contacted the resident. She was given a BART ticket.

Ed. Note: I'll bet I can guess where the BART ticket was too!

6:08 p.m. — A man living in the 1000 block of Sheppard Road reported finding a dead chicken stuffed in his mailbox.

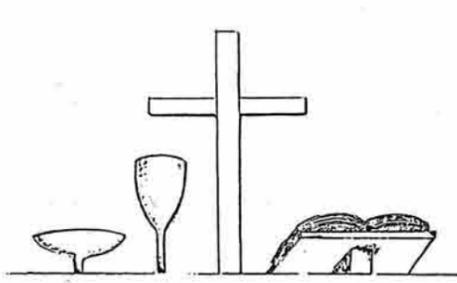
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(Continued From Page 1)

brutality claim and a possible multi-million dollar law suit. This in turn calls into question the very heart of the matter, our use of force policy. Our administration's policy objectives seem to be dictated by political rather than practical considerations. I would not want to accuse them however, of operating in an ideological vacuum, but they do seem out of touch with what is happening on the street. This is clearly reflected in our escalation of force policy which is antiquated at best. Speaking from first hand experience there have been times when had I not skipped a few rungs on the "ladder of escalation", I would have been beaten, perhaps had my gun taken away, and maybe even shot. Though I feel confident in my own mind that the level of force I used was justified, given the current

political climate, imagine trying to convince a jury of that. Now factor in, if you will, the impact a video tape would have on those same twelve men and women calmly watching in the quiet, and sterile atmosphere of a courtroom. could I prove my actions justified, it scares me to think. Imagine trying to convince this same jury, that YOU really didn't have time to pull YOUR baton. Or that YOU felt that the use of mace on such a suspect would be useless. or that given his size YOU didn't think a wristlock would work. another sobering thought to remember, and one which doesn't translate well on video tape, is that anytime an officer is wrestling with someone, he is wrestling a man with a gun. It's enough to frighten any of us. We therefore owe it to ourselves to be there for each other. The nationwide hysteria will continue to build, but we shouldn't allow this to freeze us into inactivity, for if we did, we would then truly be damned.

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