

# POA NOTEBOOK

**SAN FRANCISCO POLICE OFFICERS' ASSOCIATION**  
To Promote the Ideals, Policies and Accomplishments of the Association and its Members

VOLUME 27

SAN FRANCISCO, OCTOBER 1995



NUMBER 10

## Why Brown For Mayor? He's Best Qualified

by Chris Cunnie

We have already endorsed Willie Brown for Mayor of San Francisco, and did so in large part because of the positions he has taken on issues of vital importance to San Francisco police officers. He strongly supports collective bargaining and interest arbitration for essential public services, supports arbitration of disciplinary actions involving police officers, as well as for other employees, and would also support our position on provisional appointments, recognizing it to be an accommodation of seniority and affirmative action that would take the politics out of the hundreds of provisional appointments that are being made by the current administration.

However, you need to know more about someone who aspires to be Mayor of San Francisco in the 1990's. This article is intended to provide our readers with more information about Willie Brown's record, beyond the specific issues we questioned him on before providing him with our endorsement.

Willie Brown moved to San Francisco in the early 1950's from Mineola, Texas, a small town outside Dallas, shortly after graduating from high school. He distinguished himself at San Francisco State College, and later at Hastings Law School. At the time he graduated, few large law firms were hiring black attorneys. He began practicing law in a small office, representing clients from the neigh-

borhood. To be sure, he represented a lot of criminal defendants, a common client base for young attorneys who lack connections within the legal community, and something his opponents have tried to take advantage of in this election.



Of course, when one examines Willie Brown, his record as a criminal defense attorney isn't what is most remarkable. It's what he has become, what he has been able to accomplish and what he now offers the City of San Francisco. Willie Brown knows how things get done, and how to get them done. He understands how to obtain and use power within our democratic system. And his record shows that he consistently uses that ability to improve the quality of life for those who need to work for a living or who aspires to do so. He is viewed as pro-business and pro-labor, and is both.

In Sacramento, where he has been a member of the California State

(See BROWN, Page 6)

## OCC Mediation

We now have mediation rights over certain types of Citizen Complaints. If you receive correspondence from the Office of Citizen Complaints offering you the opportunity to participate in this process (your participation is completely optional) please contact your respective SFPOA representative(s) so that we can review the issues involved. Mediation will take the place of a formal administrative investigation and is both a confidential process wherein, once concluded, a notation of "mediation" will be entered into the investigative file and no other investigation will occur involving those events covered by mediation.

## Renne Proposes To Invalidate Labor Statutes

by Al Trigueiro, SFPOA President

If you needed any further indication of the hostility of City Attorney Louise Renne and her staff to police officers, to the bargaining rights of City employees, or to labor in general, she has provided it. Her office is now challenging the widely accepted practice of binding interest arbitration in a case that does not even involve binding interest arbitration!

According to POA attorney Vince Courtney, "Renne is inviting a very conservative California Supreme Court to invalidate labor laws throughout this state that provide for collective bargaining with interest arbitration. The top priority of the firefighter and police unions and associations covered by these statutes, is to maintain them. Similarly, the top priority of the fire and police organizations that do not yet have them, is to obtain them. That's because these laws resolve the dilemma that POAs and other employee organizations have when negotiations involving employees who provide essential public services reach the impasse stage. The traditional remedy, the strike, is undesirable for all concerned. Binding interest arbitration has been the solution... and Renne's office wants to abolish it."

Interest arbitration statutes now exist under state laws in approximately half of the states across the country. Although none has yet been adopted by California's state legislature, voters in a dozen or so charter cities in Northern California have enacted interest arbitration provisions for certain essential public employees. These statutes provide for the selection of neutral labor relations experts and give them the authority to resolve labor disputes, thereby providing a reasonable alternative to strikes. The collective bargaining laws providing for interest

arbitration generally cover police officers and firefighters, but sometimes extend to other city employees. For example, by virtue of Proposition F, enacted by voters in San Francisco last November, interest arbitration is now applicable to labor negotiations involving most City employees.

Renne's attack on interest arbitration came in litigation involving the San Francisco Police Officers Association. You know this case all too well: it's the lawsuit between the POA and the City over whether Proposition D, added to the San Francisco Charter in 1990, included retirement benefits among the subjects that the Charter now authorizes police and firefighters to negotiate over with the City. (Renne also opposes collective bargaining over retirement benefits, but that is another issue.)

The language of Proposition D, and specifically Charter section 8.590-7, makes it clear that although in the event of an arbitration an arbitrator's decision would be binding on most matters, this would not be true with respect to retirement benefits. Where retirement benefits or other changes in the retirement system are concerned, the arbitrators' decision would be only advisory. The charter language requires that any arbitration award changing retirement benefits undergo further review first by the City's Retirement Board, and then by the Board of Supervisors. Even if the Retirement Board cleared the arbitrators' decision on retirement matters, the Board of Supervisors would then have to "make its own independent finding" regarding any impact the change might have on the tax qualified status of the retirement system. Thereafter, any changes in retirement benefits could not become effective without a three-quarters vote of approval by the Board of Supervisors.

(See RENNE, Page 7)

## Field Site Surveys

We will soon be conducting Field Site Surveys to determine what can be done to improve the conditions at district stations that are still awaiting remodeling or major construction projects. While the Department has made significant improvements at several stations there is still a great deal to be done to address problems such as overcrowded locker facilities, lack of shower availability and restricted parking. If you would be willing/interested in participating in this project please send your information (i.e. name/pager/work schedule) to the SFPOA c/o Steve Johnson.

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## Widows and Orphans Aid Association



## Police-Fire Post #456 News

by Greg Corrales

*"They wish to hell they were someplace else, and they wish to hell they would get some relief. They wish to hell the mud was dry and they wish to hell their coffee was hot. They want to go home. But they stay in their wet holes and fight, and then they climb out and crawl through minefields and fight some more."*

Bill Mauldin

The recent Police-Fire Post fund raiser was a great success! Thanks to your support and the outstanding job done by Mark Hurley \$1,500.00 was raised to help support the Post in their activities this year. Well done to all!

The Japanese American National Museum is located at 369 East First Street, Los Angeles. From 11-10-95 through 01-97 a major exhibit entitled "Fighting for Tomorrow: Japanese Americans in America's Wars," will be on display. Japanese Americans have served in the United States military forces since the Spanish American War. They have distinguished themselves with uncommon courage, yet their contributions are still little known by their fellow Americans. During World War II, while 120,000 Japanese Americans at

home were incarcerated in camps, men in the legendary all-Nisei (second generation Japanese American) 100th Battalion and the 442nd Regimental Combat Team were the most decorated unit for its size and length of service in American history. The 100th/442nd suffered the highest casualty rate of any unit in the history of the U.S. Army. At the same time, Japanese Americans of the Military Intelligence Service were making vital contributions to the war in the Pacific as interpreters and translators. They gathered vital information through interrogation and helped to break enemy communication codes. Their exploits were classified secret until the 1970s, and their remarkable skill and courage is still little known. The legacy of Nisei war heroes was handed down to later generations of Japanese American soldiers who served in Korea and Vietnam and who continue to serve their country today. As with their World War II predecessors, they have distinguished themselves beyond the call of duty, and many made the ultimate sacrifice.

On New Year's Day, 1946, members of the Second marine Division played football on a makeshift field located at the heart of ground zero in Nagasaki, Japan. They called their game the "Atomic Bowl." Back then they had no idea that they may have been playing in radioactive debris from the atom bomb that had leveled the city four months earlier. They were not alone — hundreds of thousands of other U.S. military person-

(See POST, Page 14)

The regular monthly meeting of The Widows & Orphans Aid Association was called to order by Pres. J. Sturken at 2:15 p.m., Wednesday, September 23, 1995 in Conference Room, Ingleside.

ROLLCALLOFF OFFICERS: V. Pres. M. Sullivan excused. All other officers present, with members P. Pres. M. Duffy & F. Forencich.

MINUTES OF LAST MEETING: Approved as presented to membership in writing.

NEW MEMBERS: Motion McKee/2nd Forencich following be accepted — APPROVED: Michael Andraychak, Richard Araujo, Carol Bolding, Philip Busalacchi, Marian Campion, Kenneth Canedo, Samuel Christ, John Conway, Michael Deely, Charles Easton, Joshua Espinoza, Paul Fong, Arline Gilmore, Michael Glickman, Jennifer Gordenev, Robert Hart, Kevin Healy, Harold Johnson, Kyotaka Hanamori, Gregory Kane, Kimberley La Salle, Paul Lee, Mateo Lopez, Lavante Mitchell, Marie Moerno-Lane, Jim Nash, Bertha Nova, James O'Malley, David On, Philip Papale, Keith Parker, Jesus Pena, Sabri Torkman, Francis Valiquette, Eric Vintero, Eric Washington, Paul Weggen-Mann, Mark Williams, James Wilson.

COMMUNICATIONS: Following donations received and acknowledged by Secretary: MR./MRS. CLIFFORD GROH — For services by members of Park Station. MR./MRS. THAYER BRAGG — In memory of their son, former Police Officer Allyn Bragg.

BILLS: Treas. Parenti presented regular bills — benefits, taxes, salaries, etc. APPROVED

Treasure Parenti reported the following deaths:

WILLIAMAYLWARD: Born in Wyoming in 1912, Bill worked as a railroad clerk before he joined the Department in 1942, age 31. From the Academy, he was assigned to Taraval station, staying there for two years. Then to Richmond for another year, before being assigned to Traffic-Accident Prevention. Bill remained there until his retirement for service in 1975 at age 63. He was promoted to Assistant Inspector in 1971, Inspector in 1975. He received the following awards — 1944 CC for arrest of a burglar; 1945 CC for arrest of armed robbery suspect; 1945 CC for arrest of several Hit & Run suspects; 1945 CC for assisting in arrest of two armed burglars; 1952 for arrest of a holdup man who had committed a murder. Bill was 83 at the time of his death.

GEORGE BUTLER: Born in San Francisco in 1902, George became a member of the Department in 1936,

age 32, after working as a chauffeur for the City. There being no Academy at that time, he received his training working in the Night Chief's Office. After training, George was assigned to Park Station. He remained there for four years, before being granted military leave to serve in WWII. Returning from the service in 1945, he went to Central, for four years, then to Northern Station where he remained until his retirement for service in 1961, age 59. When he passed away, George had attained the age of 93.

REPORT OF TRUSTEES: A night meeting with BofA was called to order by Pres. Sturken, Friday, September 29, 1995 at 6:15 p.m. in the World Trade Center. V. Pres. Sullivan & Trustee Milon excused. Present from Bank — David Bricker, V.P. Trust Investment, Gary Joe, V.P. Trust Administration & Janice Fetsch, V.P. Trust Administration. Mr. Bricker reviewed our portfolio, answering questions from trustees regarding certain investments and bond holdings. RECOMMENDED: Sale of several stocks (profit taking) with proceeds from sale being used to purchase other stocks. APPROVED by Trustees. Meeting was adjourned at 7:35 p.m.

UNFINISHED BUSINESS: Treas. Parenti presented letter from attorneys representing us in Erisa action, wanting assurance we would consult them if the Association needed further information. As there was no commitment or cost, the letter was approved.

GOOD OF THE ASSOCIATION: Pres. Sturken set next regular meeting for Thursday, October 23, 1995 at 2 p.m. in Conference Room, Ingleside Station.

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

Fraternally,

Bob McKee, Secretary

NOTE: RESPONSE ON NEW BENEFICIARY FORMS HAS BEEN SLOW. PLEASE LOCATE YOURS AND SEND IT IN. WE ARE SEVERAL HUNDRED SHORT.

To James Sturken, President

The following members should be dropped from the rolls under ART III, SEC 4 of the Constitution, non-payment of dues for over a period of 6 months:

NEIL SWENDSEN

RICHARD ESTRADA

Fraternally,

William Parenti, Treasurer



### San Francisco Veteran Police Officers' Assn.

**"Keep in touch"**

On the second Tuesday of every month, you can visit and have lunch with your police friends at the ICA Hall, 3255 Folsom St. Parking is good. Annual dues of \$15 includes a monthly Bulletin.

Attend to join or write to Box 22046, SF 94122, or call the Secretary at (415) 731-4765.

### Editorial Policy

The Notebook is the official newspaper of the San Francisco Police Officers' Association and is published to express the policies, the ideals and the accomplishments of the Association. It is the Notebook's editorial policy to allow members to express their individual opinions and concerns within the necessary considerations of legality and space. Submissions that are racist, sexist, and/or unnecessarily inflammatory or offensive will not be published. Contributors must include their names with all submissions but may request that their names not be printed. Anonymously submitted material will not be published. The SFPOA and the Notebook are not responsible for unsolicited material. The editors reserve the right to edit submissions to conform to this policy.

### The San Francisco Police Officers' Association

## NOTEBOOK

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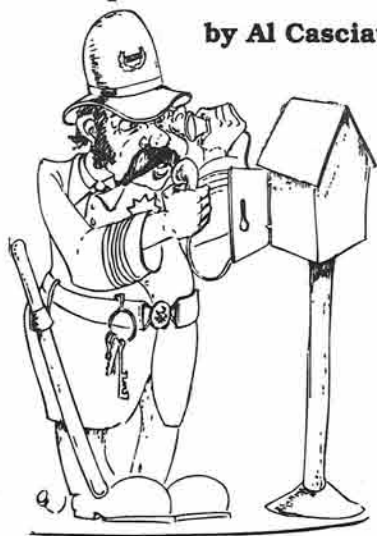
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# Around The Department

by Al Casciato



## ... Tax break:

Many units of the department are searching for cardiovascular equipment such as heavy duty tread mills, stationary bicycles, stairmasters, etc. etc. If you have a machine gathering dust and would like to donate it to a unit within the department, call or write the P.O.A. in care of this column. We will make arrangements for pick-up and delivery of a letter of receipt...

## ... Community Services:

Butler's Uniforms has established an on-site dry cleaning service which also includes pick-up and delivery to the district stations. According to P.O.A. Treasurer Phil Dito, 10% of all of the cleaning revenues are being donated to the Community Services Fund, compliments of Hal Turner, district supervisor for Butler's...

## ... Wedding Bells:

On September 30, 1995 Co. B's **Dave Albright** exchanged vows with the lovely **Barbara Vinatieri** at St. Dunstan Church in Millbrae. The happy couple is currently on a three week honeymoon in beautiful Espana...

## ... Mark your calendars:

The Second Annual Christmas Gala dinner dance at the Top o' the Hilton in the Cityscape Restaurant and Lounge will be held the evening of Saturday, December 2nd. Tickets are \$50.00 per person (when you see the fantastic spread you'll know why) and can be reserved by calling **Tom Walsh** of the Domestic Violence Unit, 553-9225 or **Jim Bosch** in Hit and Run, 553-1644...

## ... If we didn't have them:

Overheard, "Don't get angry at all those prisoners on the bench. Be nice to them. They're our annuity plan"...

## ... Hockey Fans:

For all of the fans attending the I.H.L. Spider games, look over at the gate the the Spiders enter and leave the ice. The assistant equipment manager is our own **Andre Fontenot** from Co. A. He previously held the position with the Sharks when they also played at the Cow Palace...

## ... The Hall-A Tough Place for Fish and Humans:

When **Jean McVeigh** worked on the 5th floor any fish she put in water drawn from the tap died. Communications dispatchers suffer the indignities of raw sewage when the prisoners on the 6th floor stop-up the toilets. No wonder **Willis Garriott** in Room 400 has installed an air purifier in the office...

## ... P.O.A. Scholarship Winners:

Congratulations are in order for the five young scholars who were this year's scholarship winners. \$2,000 to **Dana R. Bisordi**, daughter of **John and Marilyn Bisordi**, Administration, granddaughter of retired **Sgt. Felix Buckley** and niece of **Inspector Thomas Buckley**, night Investigations. Dana graduated from St. Ignatius College Preparatory and was accepted to Santa Clara University with distinction.

\$1,500 to **Michael Rodriguez**, son of **Ed Rodriguez**, Central Station and nephew of **Tony Rodriguez**, Central Station. Michael is now attending Cal Poly, San Luis Obispo.

\$1,000 to **Cherisse Harper**, daughter of **Sylvia and Maurice Harper** (F.O.B.). Cherisse is attending Stanford University where she is pursuing a degree in Chemical Engineering.

\$750 to **Stephanie Deignan**, daughter of **Jim and Mary Deignan**, Central Station. Stephanie is attending Santa Rosa Junior College.

\$500 to **Megan Bourne**, daughter of **Jack and Marcia Bourne**, Taraval Station. Megan has traveled to the East Coast where she is now attending Manhattan College in New York City.

## ... Retirees Formula:

On October 10th the Retirement Board sent a letter asking the Employee Relations Department to transfer the function of the yearly survey to the board. It seems that since Civil Service's **Pat Finney** retired, no one over there can get around to doing the survey. What a shame and to make things worse, this year E.R.D. types won't even return the calls made to them by Retirement Board personnel...

## ... Births:

**Mike J. Millane** (retired) and his wife **Joanne** are celebrating the birth of their first grandchild, **Michael Joseph Gomes**, 6 lbs. 12-1/2 oz., 18-1/2 inches, on August 23, 1995 at 1945 hours. Baby Michael was born to their daughter **Carolyn** and her husband **Michael**. Papa Mike is looking forward to spending many happy hours spoiling his namesake.

Tactical's **Kevin and Lynda Dempsey** celebrated the birth of their first child **Corinne Michelle**, 8 lbs. 1 oz. on August 4, 1995 at 0421 hours. Grandpa is retired **Captain Tom Dempsey** and **Uncle Mike Dempsey** if out at Richmond Station.

**Officer Pam Wermes**, Northern Station and her partner **Kim Fitzgerald** are now the proud parents of **Adam Louis Fitzgerald/Wermes** whom they can now call

their very own as the adoption papers have all been confirmed. Adam was born on September 7, 1995, weighing in at 7 lbs. 1 oz.

**Dave and Cathy Oberhoffer** Co. C are celebrating the birth of their second daughter, **Michaila Elizabeth**, 5 lbs. 13 oz., 18" born on September 18, 1995 at 2334 hours. Older sister, Jennifer, 18 months, is busy helping mom and dad.

Central Station's **Dan and Peggy Toomey** proudly announce the birth of their first child. **Nicholas John Toomey** was born on July 26, 1995, 7 lbs. 4 oz., 19 inches.

**Charlie Keohane**, Co. F and his wife **Rose**, are the proud parents of **Natalia Rose**, 21" long, 9 lbs., 13 oz., born on September 21, 1995, at 2047 hours.

All Mom's, Dad's and Lil' ones doing great. Our best wishes and congrats to all. Don't forget to start the college funds now...

## ... Pepper Spray:

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# IRS Takes Aggressive Position On Pensions

by Mike Hebel, Welfare Officer

In the July 1995 issue of the *Notebook* in an article entitled "IRS Eyes SF Police and Fire Retirees", I stated that the Internal Revenue Service wants to eliminate the tax exempt status of pensions received by disabled public safety officers (police and fire) when they reach eligibility for service retirement. Public safety officers who have been retired for the effects of disabling job incurred injury have traditionally looked to Section 102 (a)(1) of the Internal Revenue Code as well as Revenue Rulings 80-44, 80-84, and 59-269 to exclude pension payments from their taxable income.

## IRS Looks At San Francisco

During the fall of 1993 the Retirement System staff met with the staff of the Tax Compliance Division of the Internal Revenue Service. This meeting pertained to reporting requirements of tax information on the annual form 1099R. For tax year 1994 the Retirement System made some reporting changes for service pensions, but continued to enter a distribution code for industrial disability

retirements and death in the line of duty pensions which indicated that for these "the taxable amount was not determined."

A 1995 agreement between the Internal Revenue Service and the SF Retirement System requires that the Retirement System now determine the correct application of various tax codes and revenue rulings relative to the California Labor Code, SF Charter and Administrative Code to the reporting of the taxable amount, if any, of industrial disability retirements and death allowances after the date the police officer or firefighter did or would have qualified for a service retirement (QSR).

On August 18, 1995 the Retirement System met with representatives of the Internal Revenue Service (technical advisor team, Oakland IRS office). **The IRS asserted the following position: all industrial disability and industrial death benefits from the date first paid until the date of QSR (qualified for a service retirement) are fully excludable from gross income; however, all such payments after QSR are fully included as gross income and are therefore subject to income tax.**

To their credit the Retirement System took a contrary position stating that special provisions in the SF Charter and Administrative Code denote all these payments as in lieu of workers compensation benefits and should therefore, in their entirety, be excludable from gross income in the same manner that workers compensation benefits are excludable from gross income.

The SF Retirement System is to submit an authoritative position paper to the Oakland IRS office which will then request "technical advice" from the head office in Washington, DC. The SF Retirement System will remain under technical reporting review until the head office issues an opinion.

## Mabry V. Commissioner

In 1985 the Tax Court issued a decision (50 T.C.M. 335) involving an Oakland firefighter who had been awarded an industrial disability retirement for a heart trouble injury. The Tax Court held that *payments received by a previously disabled firefighter upon reaching normal retirement status were fully taxable*. The Court reasoned that Ted Mabry was no longer paid purely on the basis of his disability, but started to receive new and different payments based on his age and years of service as a fire fighter.

Firefighter Mabry was awarded an industrial disability retirement by the Oakland Police and Fire Retirement Board effective July 1, 1960. He began receiving a retirement allowance equal to 75% of his pay. He continued to receive this benefit until he attained the age of 55 at which time he became eligible for a regular service retirement. His benefit was then recomputed and the allowance was reduced from 75% to 50% of his final compensation.

Before the Tax Court, Mabry argued, in contending for continuing nontaxability, that the change in retirement benefits made by the City of Oakland was simply a change in computing the amount of his payment and had nothing to do with the nature of the payment which remained, as always, a retirement payment on account of his industrial disability. The IRS contended that a change in both the nature and amount of payment took place. The Service said that Mabry's original payments were based solely on disability, and without reference to age or years of service; whereas the subsequent payments were based on age and length of service rendering them ineligible for exclusion under Sec-

tion 104.

The Tax Court sided with the IRS. Mabry lost as did all occupationally disabled police and fire fighters in the City of Oakland. However, these public safety officers formed the Oakland Disabled Police and Firefighters Association for the purpose of responding, as a group, to the IRS. This Association hired the respected and effective SF law firm of Tierney, Walden and Watson (tax specialists) to represent their collective interests before the Tax Court and federal courts. 350 disabled police and firefighters have now asserted a "de facto" class action which will press its case in the Tax Court. The Association is seeking to reverse the *Mabry* decision. The Association is committed to pursue its position into the federal courts if necessary.

## SF Disabled Police And Fire Association

There are presently over 1320 police officers, firefighters, and their surviving spouses who are receiving monthly industrial disability retirement benefits from the Retirement System of the City and County of San Francisco. All have a vital interest in the outcome of the *Mabry* case, the *Lewis Glaeser* case (disabled SF firefighter), and the position of the SF Retirement System (non-taxability of industrial disability and death pensions).

Like their Oakland brethren, disabled police officers and firefighters have formed an association to protect and assert their substantial interests in tax advantaged pensions. Over 500 have now joined the San Francisco Police and Fire Disability Defense League. The League was organized by Anthony Sacco (retired SFFD), Robert Bergeron (retired SFFD) and Jesse Brown (retired SFFD). The Defense League is officed in Santa Rosa (P.O. Box 4584, Santa Rosa, CA 95402).

The Defense League has also retained the law firm of Tierney, Walden, and Watson to provide legal assistance to its members regarding the tax status of their disability pensions/death in line of duty benefits.

Given the aggressive position of the Internal Revenue Service at its August 18, 1995 meeting with the SF Retirement System staff, I would urge all disability retirees to join the Defense League. Further information about the activities of the SF Police and Fire Disability Defense League can be obtained from Anthony Sacco (415-587-1871), Bob Bergeron (707-538-2681), or Jesse Brown (415-488-1343).



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## Who Set Jessie Washington Up With The NAACP, And Why?

by Ray Shine, Co. K

After San Francisco narcotics officer Jessie Washington accidentally shot and killed a suspected drug dealer in the Oceanview Playground a flurry of inquiries, probes and investigations were set into motion. This was American Justice, San Francisco style, responding in all its bothered redundancies to the inevitable, media-driven search for Truth.

And Truth did surface, if not a preconceived version of it, rising above the common, rhetoric-laden political tides of various interest groups. It surfaced quickly in the wake of a unique personal meeting held between the distressed officer and a representative of the NAACP. Even more unusual was the fact that this meeting occurred even before the officer had spoken to homicide investigators. Really a confession more than an explanation, this meeting will prove to be a premier event in the annals of the San Francisco police-community relations and serves as a notable example of the outstanding calibre of command level officers that still exist in the police department.

The novelty of the idea — indeed, the sheer audacity of it — that a distraught, guilt-ridden police officer might actually sit face-to-face with a representative of the NAACP and recount to that person in his own terrifying words his killing of a black man was both a brilliant community relations move as well as a respectful display of fraternal compassion. Credit for the idea goes to Captains Tim Hettrich and Greg Corrales, two of this department's more creative leaders. Also credit the signing off on the idea by Chief Ribera and POA Vice President Gary Delagnes. Collectively, their bold and innovative approach surely headed off major community unrest, routine suspicion of police cover-ups, and a fine officer's undue demoralization.

Yet there are those who believe

that this was not such a good idea, that a dangerous precedent was set, that we are now embarked on an irreversible course of needless public scrutiny that may jeopardize officers involved in similar incidents in the future. Over time or under different circumstances these fears may prove well founded. But if you are not the man adrift in the eye of the present storm, do not rush too quickly into judgement.

Jessie Washington is that man. Perhaps one of the most genuine people to ever pin a seven-pointed star on his chest, he is also a man who unabashedly wears his heart on his sleeve. He is a man devoted to his community, for reasons at once lofty and ideal, as well as intensely personal. A moral man. A man of conviction and faith. A man who, when he buried his mother just last year, lost the most loved and influential person in his life and was left utterly alone with his own agony. Even though he remained surrounded by friends and comrades, he was alone, lost on a tumultuous inner sea of remorse and guilt.

Give that same man — that same floundering, drowning man — an opportunity to refloat his spirit, a chance to talk, to unburden himself to an honest ear, to confess his transgression to a kindred soul, and then ask of a precedent thus set: Was the price too dear?

For his commanding officers and his confidants to have suggested to Jessie at that vulnerable time that he might wish to tell his story to the NAACP showed a keen sense of empathy and compassion for his needs and well-being. Despite all the racial implications, the developing community reactions, the looming legal jeopardy that existed, they rose to their duty and to the needs of their fellow officer in like manner: diligently; considerately; and, most importantly, in unity.

I salute their commitment and insightful courage.

## Right Here In River City

by Bill Hemby,  
COPS Legislative  
Advocate



### Willie Brown Jr. As Mayor?

Depending on the outcome of the November elections, San Francisco may have its first black mayor, and a return to the "strong" mayor system.

If Willie Brown Jr. is elected mayor of San Francisco, you can look forward to a stimulating four years. Having worked at, or near, the State Capitol for the past 19 years — 15 of which, the Assembly was under the leadership of Willie Brown Jr., I can say the man is indeed "interesting, provocative and highly seasoned."

My involvement with Willie Brown Jr. was one of a lobbyist who from time to time would have to approach him asking for favors. Never did he turn me or my organization down. It was never "I'll think about it" like I get from many other politicians, it was "What do you guys want?" In almost every case, we got what we wanted.

Willie Brown Jr., if elected, will bring back to San Francisco a strong, determined, skilled and able leader. No Board of Supervisors will be able to control or upstage him. He will not brook interference from his Board of Supervisors. Those who work with him will advance in political circles, those who do not, will find themselves out in left field.

The man is vain, articulate and flashy, but under that, you will find a canny, intelligent leader who can mediate and facilitate better than

any other person I know.

Willie Brown Jr. is no saint. If he finds it in his best interests to go along with the opposition, then you will lose out. But, with those losses will also come gains. He will use smoke and mirrors and whatever he must to get the job done.

In the areas of civil rights and community relations, be prepared for some criticisms and changes. Be prepared for San Francisco's first black police chief. He or she may come from outside the Department. Regardless of the outcome of affirmative action in the rest of the state, it will grow and flourish in San Francisco. Look for a move to bring more San Francisco Police Officers back to living within San Francisco.

The officers of the POA must be prepared to work with him — you cannot be his enemy and expect to win gains for your constituents. You will find Willie Brown Jr. to be a strong no-nonsense leader. You will not be able to play games with him. If you have a legitimate gripe and are straightforward, he will go to bat for you, if you screw him around, watch out. I have found Willie Brown Jr. to be a man of integrity, but upon occasion, when all the cards are against you, be prepared to lose and be gracious. You can always come back later on.

The members of the POA overwhelmingly endorsed his candidacy, so for good or bad, you better be prepared to go along for the ride. That ride may have its ups and downs, but I promise you, it will be exciting — and at the end, I believe you will score many more gains than losses.



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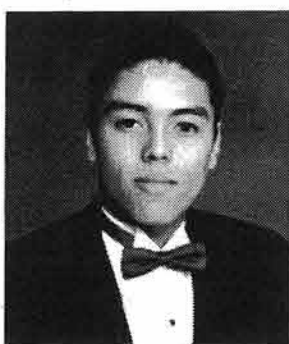
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# Willie Brown Discusses the Million Man March

Assemblyman and Candidate for Mayor Willie Brown discussed his views on the Million Man March on the steps of Raoul Wallenberg High School before giving a lesson Civil Rights to a civics class of 31 students.

Regarding the March, Mr. Brown said:

"I am not participating in the Million Man March.

"While I support the concept of promoting pride and self-empowerment in the African American community, I vehemently object to the racist and sexist comments uttered by the leader of this March. I believe that such views are against every

principle that I have lived by and intend to live by.

"It would be impossible for me to separate those words from the March itself, and therefore I cannot support the March.

"Moreover, if unity and solidarity are truly being pursued, then there cannot be any exclusion of women, of gays and lesbians, of persons of different religions, or of persons of different races.

"My life has been about building coalitions to promote unity among all people. I choose to express these beliefs today through teaching, because education has been key to my own fight for equality."

## BROWN

(Continued From Page 1)

Assembly since 1964, and speaker of that legislative body since 1980, he is generally credited with having been significantly or primarily responsible for legislation which:

- brought more business into the state by creating the California World Trade Commission to help generate new jobs and create a greater market for California Trade (AB 1723, 1983)
- helped property owners to protect themselves against earthquakes. This bill (AB 1001, 1992) authorized counties to issue bonds providing low interest loans for seismic upgrading
- secured funding for San Francisco schools by creating the first local sales tax in California to support public education (SB 482, 1991)
- strengthened financial aid programs by revising how Cal Grant (student financial aid) funds are allocated among the state's five higher education segments and distributed among eligible student applicants (AB 2227, 1993)
- created "Pass-to-Play" policy which established a minimum "C" average for students in grades 7 through 12 as a requirement for students who participate in extracurricular activities (AB 2613, 1986)
- supported local police officers by writing legislation to assure local governments throughout California that public safety funding levels will be maintained (AB 2788, 1994)
- equipped the Highway Patrol with safety and protective equipment (AB 4329, 1976)

This is a very small sampling of Willie Brown's legislative record, a record which has earned him nu-

merous awards, including:

- PORAC's 55th Annual Conference Award (California Peace Officers' Association)
  - Man of Principle Award, in recognition of leadership, friendship and dedication from the California State Police
  - Most Effective Freshman Legislator, Capitol Press Corps, Sacramento
  - Special Service Award, in recognition of legislative achievement on behalf of California's handicapped citizens, California Association of the Physically Handicapped, Inc.
  - Legislator of the Year, California Applicants Attorneys Association
  - Recognition Award, for contributions to the health field, John Hale Medical Society, Inc.
  - Recognition Award, for outstanding contribution in education on behalf of disadvantaged youth, California Association of Compensatory Education
  - Human Rights Award, "Thank you, Willie Brown for your courageous six-year struggle to enact into law the Consenting Adults Bill" (AB 489), Gay Rights Chapter, ACLU, Los Angeles
  - Appreciation Award, for legislative service on behalf of California's young children, California Association for the Education of Young
  - Outstanding Leadership Award, National Alliance of Black School Educators
  - President's Distinguished Service Award, in recognition of his outstanding service to his community, his state, and his nation, San Francisco State University
- We have made an excellent choice in endorsing Willie Brown for Mayor. He is clearly the most qualified person for this very difficult job.

# Tax Advantage... Take Advantage

by Duane Collins, Tax Consultant

Thanks to the excellent series of real estate articles by Marci Strange, there seems to be a renewed interest in real estate ownership. I continually receive questions about the tax advantages of home ownership and the advantages of rental property. Without getting too technical, I will try to answer some of the most commonly asked questions.

## Principal Residence

When you buy your own home, it is usually with the intent of living there. Under tax law, this is your principal residence and, because of this, there are some rules that apply only to this purchase. When you buy your own home, after making the down payment, you will have to borrow the bulk of the purchase price from your credit union or some other financial institution. The interest you pay on this loan, called a mortgage, is tax deductible against your income. Let's use a \$200,000 home as an example. If you put 10% (\$20,000) down, you will need to borrow \$180,000 to complete the deal. If you pay 7% interest on the loan, you would have \$12,600 in interest write off against your income for the year ( $7\% \times 180,000 = 12,600$ ). If you earned \$50,000 the year of the purchase, you would only be taxed on \$37,400 ( $50,000 - 12,600 = 37,400$ ).

Along with the mortgage interest, you can also deduct the property taxes on your home from your income. Property taxes are generally 1.2% of the purchase price of the home. ( $1.2\% \times 200,000 = 2,400$ ) This \$2,400 is deducted from your remaining income ( $37,400 - 2,400 = 35,000$ ).

When you borrow the money for your mortgage you will more than likely be charged points on the loan. A point is 1% of the amount borrowed, and a fee of 2 points is standard for this area. If certain requirements are met at the time of purchase, you can write off the points further reducing your taxable income ( $2\% \times 180,000 = 3,600$ ) ( $35,000 - 3,600 = 31,400$ ).

As you can see, in the first year of purchasing your home you have lowered your taxable income from \$50,000 to \$31,400 through a reduction of \$18,600 and a tax savings of \$5,222. That's tax advantage, meaning \$5,222 in your pocket, not the IRS's!

## Vacation Home

One often over-looked area of tax savings is a second or vacation home.

The rules covering mortgage interest and property taxes are the same for a second home as for your principal residence. Points are not deductible on a second home. You do not have to own 100% of the property to take advantage of the tax write off. Many families pool their resources and buy a family summer home at the lake or in the mountains. This can be done with Mom and Dad, Brother, Sister, or your children; you don't have to be related. You can do it with friends, neighbors or radio car partners. Many people think they cannot afford a second home. When you factor in the tax advantage, you may be surprised how affordable a second home can be.

## Rental Property

Much has been written about the tax write offs associated with rental property. As in the two examples above, with rental or income property you can also write-off the mortgage interest and property taxes. With rental property there is the added advantage of depreciation. How does depreciation work? Depreciation is the write-off allowed for wear and tear on a business' assets. With rental property, depreciation is the cost of the "improvements". If you buy a \$300,000 residential rental duplex, you can depreciate the improvements, i.e. cost, less land value ( $300,000 - 100,000 \text{ lot value}$ ). You can not depreciate the cost of the land. You now have improvements valued at \$200,000 which the I.R.S. allows you to write off over 27.5 years ( $200,000 \text{ divided by } 27.5 = 7,272$ ). So, in addition to mortgage interest and property taxes, you get to write off \$7,272 in depreciation every year, plus, you can write off any expenses associated with the property: management fees, insurance, utilities, repairs, etc. That's tax advantage!

A word of caution, when you get into second homes and rental properties, you run a very high audit risk and the rules become quite complex. Anyone contemplating these types of investments should contact a tax professional before buying. You need to keep good records and have a professional as a buffer because you will be audited the first year these depreciable assets appear on your tax return. Don't be afraid to take advantage of these tax advantages — just be careful!!

Duane Collins is a tax professional serving active and retired police officers and their families since 1983. He can be reached at COLLINS TAX CONSULTING (1-800-400-9054).

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# Union News

## Scholarship Winner

by Phil Dito

After careful consideration, the SFPOA Community Services Committee has selected Dana Bisordi to receive first place in this year's SFPOA Scholarship contest. Dana is enrolled at Santa Clara University this fall.

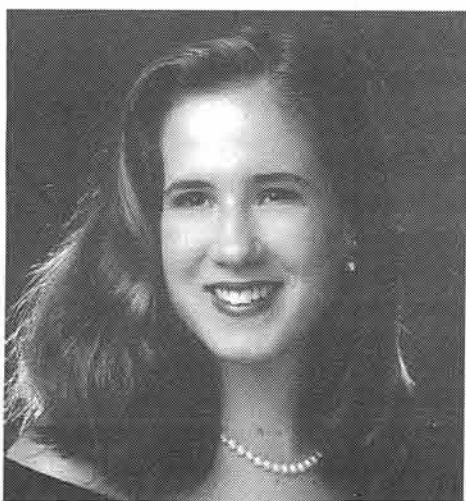
The contest is open to all graduating high school seniors of the SFPOA members, active, retired or deceased. The Scholarship is funded through the efforts of our annual Golf Tournament. Here is Dana's winning essay. The question asked was, "What is the most serious negative influence confronting young people today?"

Congratulations to Dana and her father, Sgt. John Bisordi, of Administration.

In today's intense society, young adults must face many pressures and obstacles while trying to achieve their goals. The negative influences come from a variety of outside sources, the most prevalent being the diminishing importance of family values and support throughout recent decades.

As we move closer to the Twenty-First Century, it seems that the amount of importance we, as a society, place on family is decreasing. With the common occurrences of single-parent families, a majority of which are headed by working women, young adults often do not have stable role models to depend on. Because there may not be a father present, and because the mother must work, children are often left home, unsupervised. Their exposure to drug or gang-related influences may be unrestricted, and therefore likely to become involved in an unhealthy environment. Also the instances of domestic violence occurring in households is high. Witnessing violence in the home reinforces children's beliefs that it is a normal part of life. Instead of seeking help from a trusted adult, young adults feel their only option is to run away, join a gang, or resort to drug use in order to escape the troubles at home. Unfortunately, the problem is very common and widespread. Many young adults do not feel as if there is anyone in their lives whom they can trust. Positive reinforcement and support start from childhood, in the home. If this crucial part is lacking in a child's life from the beginning, then the child may be more prone to the negative aspects of society and its pressures.

Another major influence on the structure of the family is the me-



Dana Bisordi

dia. Everyday, graphic and violent images are flashed across the television screen, depicting horrors occurring across the world. In the meantime, a majority of films released in theaters show similar violence, but that which is seen a "cool" and heroic. By the time a child sees the evening news, he is immune to the suffering, because he's seen it all before, in so-called entertainment. He cannot differentiate between fact and fiction, and when he does learn the difference, it no longer affects him. It is a scary situation in which so many youths are desensitized to the problems of the world around them.

There is no absolute method to eliminate negative influences from society, but there are ways to get around them. With the help of those who are eager and willing to work with disadvantaged children, or those from troubled families, there may be a way to encourage education rather than violence. If young people understand that there are more options available to them the other, they might choose a more rewarding path. I just finished reading a book about two young African-American boys growing up in the South Side of Chicago. They lived in the projects, dodging gunfire and gang wars daily. Often, their mother didn't have enough food for her five children living with her. Despite the odds being drastically stacked against them, both boys did relatively well in school and later attended private schools in order for them to flourish. The book's author, who followed them around in their daily lives for three years, attributes the boys' success to their mother's support. She always believed in her sons, and drilled into their heads that they would go somewhere. A story like this is enough to convince me that there's hope for young adults who are struggling, and positive influences do exist.

## RENNE

(Continued From Page 1)

Last month, the POA petitioned the California Supreme Court for review of the Court of Appeal's August decision that Proposition D makes police and firefighter retirement benefits nonnegotiable and nonarbitrable. (The impact of this decision, if allowed to stand, would be that a new Charter amendment would be needed to improve the retirement and death benefits of "Tier Two" police and firefighters — all those hired since November 1976. As you also know all too well, the retirement benefits of San Francisco's Tier Two police are the worst of any sizable jurisdiction in the state.) The high Court had vacated an earlier Court of Appeal decision that had reached the same conclusion, but on remand the same appellate court panel issued an opinion that was practically identical to its earlier decision.

Not only has the City opposed a second round of review by the California Supreme Court; the City Attorney has gone on to propose that if the Court does again accept the case for review, it should also examine an additional question. This question, according to the City Attorney, is whether binding interest arbitration either is prohibited under the state's Meyers-Milias-Brown Act (the basic state law governing collective bargaining and employee representation in local government) or constitutes an "unconstitutional delegation of legislative [i.e., the Board of Supervisors'] power" to a body that supposedly has no accountability to the Board.

To begin with, the suggestion that binding interest arbitration specifically authorized by a city charter could be unlawful under either the MMBA or the state's Constitution is simply and clearly wrong. The California Supreme Court under Justice Tobriner disposed of such contentions more than twenty years ago, in its *Fire Fighters Union v. City of Vallejo* decision of 1974. By now, the high courts of a number of other states have similarly rejected suggestions that binding interest arbitration amounted to an unconstitutional delegation of legislative power.

But what is especially offensive about the City Attorney's argument is that — since under Proposition D interest arbitrators would not have the final say over changes in retirement benefits, as spelled out above — the current case does not even involve binding interest arbitration. As a result, the POA's retirement benefits lawsuit is not an appropriate case for analyzing the legality of binding interest arbitration even if that were still an open question, because courts are not supposed to decide "abstract questions." Moreover, the City Attorney is well aware of this: the POA has pointed this out several times in earlier rounds of this case. The City Attorney is simply reaching to attack an important tool for California public employees, and she knows exactly what she is doing. Courtney explained: "Her office is asking the California Supreme Court, now dominated by Republican appointees generally regarded as more inclined than their predecessors to roll back employee rights, to overturn long standing precedent upholding the validity of interest arbitration. She isn't asking the Court to apply the law, she's inviting it to change the law, something it has been all too inclined to do."

The POA has submitted to the California Supreme Court a strong legal argument against granting review of the City's "question", in which we contend the Court should determine that it is completely inappropriate to consider the validity of binding interest arbitration in this case. But that should not be the end of the matter. We need to make a point of letting other labor organizations know that San Francisco's City Attorney is not only hostile to police and firefighters: she is grossly insensitive to the needs of public employee unions and has allowed her office to go out of its way to jeopardize fundamental labor interests throughout the state. Why the City Attorney of San Francisco chooses to go on record as opposing interest arbitration, the only fair alternative to public employee strikes, is anybody's guess; but her efforts to turn back the tide of over twenty years of progress in labor relations will not go unnoticed.

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## RETIRED MEMBERS COLUMN

by Gino Marionetti & Mike Sugrue



### The History And Organization Of The Apostleship Of The Sea Part II

by Gino Marionetti

The passing of Monsignor Matthew Connolly occurred in April of 1979. The Reverend Archbishop John Quinn chose the parish priest at Saint Rita in Fairfax, Father John Heaney. A man of class, honor and dignity. A perfect choice to continue the work at The House That Matt Built.

Father John Heaney was also appointed the Catholic police chaplain by Chief Thomas Cahill that year. Sunday mass was held in the chapel. Father Heaney's reputation and popularity grew as the parishioners grew in number. Faces that were once strangers became familiar, friendships developed and we became a family. His sermons were meaningful and amusing. After mass the parishioners would gather in a spacious room where they were served orange juice, coffee and snails.

A memorable evening occurred on November 18, 1988. A celebration was in order for the Apostleship of the Sea being in existence for a quarter of a century. A benefit dinner in the memory of and honoring Monsignor Matthew F. Connolly, "The

House that Matt Built." Dignitaries throughout the city attended. The Reverend Archbishop John Quinn congratulated Father John Heaney and his staff on the completion of 25 years in "The House That Matt Built", that beautiful home away from home for needy merchant seamen stands as a living memorial to your predecessor, Monsignor Matthew Connolly, and as a constant reminder of the church's concern for his seafaring sons and daughters. Archbishop Quinn extended his wishes for many more years of success in extending the hand of Christ's charity to those in need.

There was a Proclamation by Mayor Art Agnos of our city. It read as Whereas: San Francisco is proud to recognize and celebrate the 25th anniversary of its famed Apostleship of the Sea, founded and nurtured by famed Monsignor Matt (Big Red) Connolly to answer and serve the spiritual and material needs of San Francisco merchant seamen. Whereas: This quarter century of caring and compassionate service to San Francisco merchant seamen, their families, and our community of all San Franciscans. Therefore, Be it Resolved, Mayor Art Agnos do hereby in recognition of its 25th Anniversary and record of leadership and community service proclaim Novem-

ber 18, 1988 as Apostleship of the Sea Day in San Francisco.

Father John Heaney expressed his feeling that memorable evening by using the phrase that life it seems is full of "tradeoffs." As traditions fade in the past, new ones always seem to develop and become as strong and lasting as those they replace. Such a "tradeoff" took place on the night of September 5, 1962 and the following day September 7 on Friday, September 6, 1992 Saint Mary's Cathedral was completely destroyed by fire. But on the day following the destruction of the repository of so many beautiful memories the present assembly of the Apostleship of the Sea was officially dedicated and began immediately to produce moments and events which in turn have begun the stuff of which tradition is made. We call it "The House that Matt Built."

This was the dream of Monsignor Matt Connolly and it became a reality not only because of the generosity of the citizens of San Francisco, but because of the remarkable show of solidarity by many of the local unions whose members donated thousands of hours of volunteer work. Father Heaney knew of no other incident in San Francisco history when labor and management came together so harmoniously. The Apostleship from virtually every port in the world where merchant seamen have been able to find food and shelter when times were hard and jobs were scarce. Seafaring men of every race and creed found here a friendly port. A place to wait out economic storms before returning to the sea. The list of members of our support groups whose generosity has matched that of the original builder read like "Who's Who of San Francisco and we are glad to have you members this evening as we honor "The House That Matt Built." Father Heaney continued the fine work of the Monsignor Connolly. It did not go unnoticed as the good Father was given the title of Monsignor John Heaney.

A newspaper article appeared one gloomy afternoon informing the

Apostleship of the Sea that it was going to close its doors. It was a sad Sunday morning. The parishioners were up in arms, committees were formed. Plans went into effect. Ron and Paul Schneider who grew up with Monsignor informed the congregation that Father Heaney had sustained a stroke and was taken to the hospital. They returned to inform the parishioners that the stroke had caused impairment to the Monsignor's vision and speech. Surgery was performed on his carotid artery, (main artery that sends blood to the brain). The good Lord was on his side as he has fully recovered. One Sunday as he walked into the chapel he was greeted with an overwhelming applause. He apologized for the growth of beard but it was wonderful sight to hear him read from the bible without any hesitation. Monsignor Heaney informed us of a meeting he had attended. The good news was that he would continue to live at the Apostleship of the Sea for the next two and a half years at which time he will be eligible to retire.

Sunday Mass will continue at the Apostleship of the Sea until his retirement. What will happen after that is not known at this time. We can continue our prayers so that merchant seamen can be taken care of in their hour of need. We can ask our Divine Lord and Savior Jesus Christ who calmed the waves to look with favor on our endeavor. Pray that all men of the sea, like Peter, Andrew, James and John, Christ's chosen ones, will live their lives at sea and ashore according to His Holy Will. Plead for the powerful intercession of his mother. The Blessed Virgin Mary, Mother of God, Patroness of seamen, under the beautiful title, "Star Of The Sea."

Pray for the blessing of God on the amazing Apostleship of the Sea, a noble world with the happy Maxim: "Give, and it shall be given to you...." (St. Luke 7.38)

To be continued.

## POST

(Continued From Page 2)

nel were exposed to atomic radiation without their knowledge. Now, five decades later, after many ex-military developed cancer that they and their families say was caused by exposure to radiation, they are fighting for compensation from the government.

Starting in 1988, Congress passed three laws heralded as major steps to aid ailing veterans, providing benefits to "atomic veterans" and their widows. The problem, veterans say, is that the laws are so restrictive that few qualify. The government estimates that 200,000 U.S. soldiers were exposed to radiation in nuclear tests, where some pilots were ordered to fly through mushroom clouds to determine how much radiation their planes, and their bodies, could withstand. As of April, 1994, 15,818 veterans and survivors had filed claims for compensation. The VA granted benefits in only 414 cases, according to figures provided to Congress by VA Secretary Jesse Brown.

Widows, parents, siblings, children and guardians of deceased veterans buried in permanent American overseas gravesites may apply for a no-fee passport to visit the gravesite or tablet commemorating a veteran killed in action. There are 24 overseas cemeteries providing a final resting place for more than 100,000 Americans killed during World Wars

I and II. The American Legion Overseas Graves Decoration Trust pays for flags and other decorations to be placed at these graves.

Family members planning to visit an overseas gravesite should contact the American Battle Monuments Commission, Room 5127, Pulaski Building, 20 Massachusetts Ave. NW, Washington, D.C. 20314-0001.

A coalition of more than 50 veterans groups is organizing "The Nation's parade," to be held on Veterans Day, 11 November. The Defense Department has designated the parade as a closing event in America's commemoration of the 50th anniversary of the end of WWII. The parade "will honor all those who served their country in the armed forces and also those who toiled in factories, mines, farms, and shipyards to ensure our final victory in 1945," said a statement from the United War Veterans Council of New York.

Please make a serious attempt to attend a Post meeting. Post 456 meets on the second Tuesday of every month. Meetings are at the POA Building, 510 Seventh Street. Meetings start at 1800 hours. At the conclusion of business refreshments are served.

Question: How many lawyers jokes are there?

Answer: Only three. The balance are documented case histories.

Semper Fi, Jack.

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# THE MEMBERS SPEAK

## Less Qualified Minorities Appointed as Provisionals?

by Tom Feledy, Ingleside Station

How many of you have read section 10C of the Consent Decree?

For months, I've been discussing apparent discrimination in the provisional appointments. Then, a few weeks ago, I called the POA's law offices to ask about the Chief's provisional selections, and the perception that less qualified officers were being promoted because they belonged to a minority group or were women.

The reply was that not only were less qualified appointments allowed — they were *required* by the language of the Consent Decree.

After I recovered my breath, I was read Section 10C of the Consent Decree, which states:

**"Nonpermanent Appointments:** In the absence of civil service eligible lists, future nonpermanent appointments from the next lower rank in the uniformed force shall be based on experience (which may include seniority), demonstrated performance, and potential to fulfill the requirements of the position to which the appointee will be assigned but shall be made without regard to seniority as a sole criterion and, consistent with the foregoing, reasonable efforts shall be made to give leadership experience to minorities and women."

I was told that the Department interprets the last phrase to mean that the Chief must *purposely* select less-qualified minorities and women to give them experience and a better shot at the real promotional exam to come. And, I was told that the POA will no longer contest this issue.

Instead, I was reminded of the POA's recent victory getting the Department to agree to future provisional appointments by seniority. Unfortunately, it's a hollow victory, because they also agreed to keep all appointments consistent with the Consent Decree — which takes us back to section 10C.

Section 10C is to be implemented by setting aside a certain number of appointments for minorities, and then within each minority group, appoint on the basis of seniority. Thus, a certain percentage of new sergeants would be asian, a

certain percentage black, a certain percentage women, etc. And there will undoubtedly be candidates who don't get appointed even though they are more qualified, because their racial or gender quota has been filled.

Perhaps the reason you weren't aware of this is that the POA bulletin describing this "victory" uses only vague references to "the provisions of the Consent Decree". The term "set-aside" is not used at all.

Although the POA is no longer willing to fight the Consent Decree — or the Department's implementation of section 10C — don't tune out just yet.

Recently, the US Supreme Court ruled set-asides to be illegal, and the Justice Department is now reviewing its affirmative action programs to see if they comply with the new Supreme Court ruling. In California, there will soon be a ballot initiative to eliminate "affirmative action" quotas, preferences, and set-asides, and of course, the UC Regents recently voted to eliminate these same factors in student admissions.

In spite of the increasing public debate, none of the POA board members I've talked to want you to focus on affirmative action and the Consent Decree. Although they know that the majority of the POA members do not support the Consent Decree or the practices of quotas and set-asides, they remain unwilling to publicize this because they fear being it would divide the Association and earn it a racist label.

Perhaps because of this "head in the sand" attitude, we now apparently have at least *some* less qualified sergeants serving the public and supervising our officers, to further the racial and gender goals of the City — and if the "juice" rumors are true — to further the political and personal agenda of the Chief.

Too bad he insists on keeping all the provisional ratings secret. We'll never know which provisionals were "Qualified" and which were not — leading to endless speculation, and further racial and gender divisiveness within the Department.

Do you still think "affirmative action" works?

## Yes, We Have No Morale, Do You?

by John Sterling

Making noises from the bottom of the pit doesn't do much of anything, but it's a healthy exercise, and who knows, someone may be listening. I'm glad more and more people are making noises even when they're put up to ridicule. Like me with my previous peccadillo, Steve Ratto touched a sore spot. If not, then what for all the squawking? And like me, the squawking was overkill. Satire only works if there is some semblance of truth. I guarantee it. So here's more noises from the pit. Not a day goes by it seems without a new police unit being introduced to the public, fanfare and all. Task force this, task force that, housing this, housing that, community this, community that, gang this, gang that, rapid deployment this, rapid deployment that. The U.S. Army had fewer divisions during the invasion of Normandy. But of course, these units look good on the organization chart. A string of little boxes that looks like grandma's charm bracelet. Where do all these people come from? Surely, not from the bloated staff of all the field marshals around. No, they come from the stations where the numbers get smaller but the workload gets heavier. Working at the stations used to be easy, but now as more responsibilities devolve downward, one has to be a traffic accident expert, a family counselor, a psychiatrist, a preacher, a referee, a neighborhood guru, a Samson and a Solomon all in one, a computer hacker, a medicine man, and a decipherer of police policies written by gnomes who wouldn't recognize a bad guy from Mr. Magoo. And oh, yeah, write them tags and tow them cars. Since you have to be always available, better have your ears pinned to the radio. Just to eat, you have to ask permission. Your sergeants cap on you when you take too long for a run. When you make an arrest, usually alone and after a fight with back-up coming late, you have to explain it thoroughly before getting it approved. You have to account for all your activities daily and tally them up to the minute each month. Another brilliant idea brought to you from the gnomes who no longer do what you do.

Now, if you can get away from all that, more power to you. A good gig is a good gig. Relax and laugh all the way to the bank, and kiss all the suckers goodbye. If you get into these specialized units, that's okay. We luv you baby, you're still one of us. Don't go a-changin', you still look familiar, but we just don't see you anymore. You've become a stealth bomber. If you need to whine back, smile when you do it. The gripe is against those who make it happen. When the results of what they do lowers morale, they find the need to cheer-lead. They come around the stations with lots of rah-rah-rah, shish-boom bah, wham-bam-thank-you-ma'am, then they leave. We'd rather hear a rap song from the boys in the hood.

How about telling us that specialized units are there to relieve us from responding alone to dangerous housing projects. Or that these units will alleviate the problem of responding to calls of neighborhood drug dealings only to have the thugs behave as choirboys at the sight of a black and white. Lacking the luxury of time and resources, the radio car is sent to another run, the activity resumes, and the citizen callers do a slow burn. We want to be told that relief is in sight from these unrelenting calls and not 'Deja vu' all over again. We want to be told that there is a purpose for creating new units and that they will be around and be seen. Since we have to account for what we do, show us the effect of what they do. If there is none, disband or replace. I asked one of them what do they do when they're not arresting criminals. He said they train and they train and they train. Station people can't be spared for training. Station people can't even get a day off, station people even lose the days off they earn. For training, their sergeants toss them packets written by the gnomes and they are told to read or else. If they are lucky, they get film at eleven....back to you, Bob.

Next time there is an indication of low morale, spare us the jive, Clyde. If it's the same snake oil as always, we just roll our eyes and turn to each other and say... "Houston, we have a problem." Yeah, beam us back to Earth, Scotty.

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**O**fficer Kevin Dempsey recently became a new dad and, even though he preferred to have the opportunity to stay at home and enjoy the beauty of his newborn daughter, Corinne Michelle, who was only a few days old, he also realized he had an obligation to both his partner, **Officer Dino Zografos**, and the rest of the Tactical Division team of which he was a member.

This was an especially important time for the members of Headquarters Company, since they had been assigned to an enforcement program targeting the neighborhoods where strongarm robberies were taking place.

Officer Dempsey and his partner Officer Zografos were briefed on the latest statistics and target areas and proceeded to their plainclothes assignment, which happened to be in the Western Addition. Both officers, veterans of many years with our department, simultaneously keyed on an individual who was making it pretty obvious that he was looking for a victim. So, Kevin and Dino separated as planned utilizing surveillance techniques that only partners who know each other better than family can understand.

Officer Dempsey managed to follow the suspect on foot as Officer Zografos provided mobile cover. The suspect slipped around the corner of Fell and Gough and, when Kevin turned the same corner, he saw the suspect across the street from his position, pummeling a woman to the ground with his fists. The suspect then grabbed the woman's purse, and continued to kick her while she was on the pavement. Kevin rushed to the woman's aid, calling for back-up. The suspect turned and saw Kevin coming up on him. Kevin identified himself as a police officer, and the suspect turned and ran. Just when Kevin came within reach of the suspect, the coward turned and faced off on Kevin. Kevin grabbed at the suspect's arms to take him under control, and the suspect expertly reached under the right side of Officer Dempsey's open flannel shirt and grabbed his gun. Kevin heard his holster unsnap as he immediately grabbed the suspect's hands. The suspect started screaming at Kevin, "I've got your gun. I'm going to

kill you!". The struggle for control of the weapon went to the ground and then between two parked cars. Kevin, a Tactical Division entry team member, was in excellent physical shape but was getting a little apprehensive trying to control a 200 lb suspect. Especially because he was trapped on the ground between two parked cars, making it even more difficult for responding units to find him. The woman victim was lying on the pavement across from the struggle, unconscious. A male subject, next to her in a wheelchair, could only call for help (Kevin later found out that this was the victim's boyfriend). It was at this point that the suspect managed to fire the gun that the two were struggling over. The round narrowly missed Officer Dempsey's spine and went through his shirt. Only moments later, **Sgt. David Pollett** arrived along with Kevin's partner, Officer Zografos, and the suspect was restrained.

I had the opportunity to speak to Officer Dempsey a few days after his encounter, and I can't help but wonder how much his will to survive was influenced by his love for his newborn daughter. Then again, I think he may have had some extra help from someone very special, since the last person who happened to arrest this very same suspect for the very same crime was — **Officer James Guelff (Officer James Guelff was killed in the line of duty on November 14, 1994, at Pine and Franklin Streets. Jim was shot by a heavily armed suspect who held a large contingent of officers at bay for several hours until he was finally killed. Officer Guelff was married and had two young children.)**

Just about the same time Officer Dempsey was fighting for his life in the Northern Police District, **Officer Troy Peele** and **Officer Frank Harrell**, recently assigned to the Potrero Police District, teamed up as partners. Frank was planning to leave the single life and get married while Troy was already busy raising his three children ages 9, 3, and 2. The officers were driving in the area of Connecticut and Dakota Streets when they heard gunshots fired in their direction. **(It's nothing unusual**

# CLOSE ENCOUNTERS

by Steve Johnson

**for the officers in the Potrero District to be the targets of gunfire since, unfortunately, an overabundance of narcotic dealing and other gang activity takes place routinely in the neighborhood. So the officers and, just as bad, the residents, have to somehow manage to survive their own close encounters.)**

This particular incident was different, however, since the bullets fired at the officers actually struck their police car. I saw the pictures of the damage, and, while one of the rounds skimmed off the roof of their vehicle, the other bullet drove squarely into the passenger side door. Officer Harrell was in the passenger seat and was extremely fortunate. The bullet meant to kill him was instead blocked by the car's frame. Officer Peele managed to maneuver their vehicle to a point of safety, but in the Potrero, for police officers, very little is safe.

I still don't understand why the City representatives who are negotiating our contract renewal fail to understand the need to provide for an equitable retirement plan for the families who will be left behind the next time a police officer is killed in the line of duty. And, unfortunately, our friends at City Hall know that it will happen again.

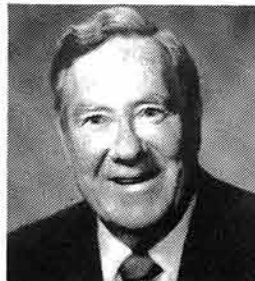
**Officer Jim Escobar and Officer Pam Wanek** were coming up on gunshots in the area of 18th/Mission streets and, as they turned the corner from 18th onto Mission, there was the shooter who still had the gun in his gloved hand. But Jim and Pam were too quick for him to react. Just like a deer in the headlights, the shooter froze and ended up staring at the officers' guns, complying with every request Pam and Jim made. (Gang members now wear a glove on their shooting hand to eliminate prints and powder residue.)

**Boundaries?? What boundaries?**  
**Sgt. Ed Callejas and Officer Jay Dowke, Tactical Division**, responded to a bank robbery the other day and managed to track the suspects all the way to Redwood City.

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Unfortunately, because of the distance involved and radio transmission limitations, the officers lost radio contact after a certain point and were all on their own when the suspects rammed their car into the officers' vehicle. A foot chase followed with Ed and Jay calling out to bystanders to phone the police. But they never did need the extra back-up as they captured both suspects and recovered all the money stolen.

Robbery suspects entered the Selix Tuxedo Store in the Taraval at 4:30 p.m. the other day armed with an assault rifle and shotgun and proceeded to rob the employees and a customer. The suspects escaped in a van, and, in their eagerness to get away, they committed a few traffic violations. **Officer John Flaherty**, a solo motorcycle unit, conducted a traffic stop on the van after he noticed that the driver failed to stop for a red light. (Officer Flaherty was not aware of the earlier broadcast describing the van and just prior to his stopping the van several suspects left the vehicle. As far as John knew, he just had an errand driver to deal with.) Fortunately, **Officer John Anton** and **Officer Jerry King** responded to back-up Officer Flaherty. When the driver was removed they discovered all the stolen money, tuxedos, and the assault rifle and shotgun...both loaded! If Anton and King had not shown up when John stopped the van, with all that weaponry available to the driver, who knows what might have happened.

Meanwhile, **Officer Gregory Dare** and **Officer Renota Martinez** found a second suspect in the immediate area of the traffic stop who was later identified as the one wielding the shotgun during the robbery.

**Sgt. Joe Garrity**, **Officer Andrew O'Mahoney**, **Officer Rickey Terrell**, **Officer Ben Vigil**, and **Officer Richard Quesada** from Northern Station, were in charge of monitoring the activities at the Polk Street Arts and Blues Fair, an annual event that draws thousands of people to our City. It was already hot enough (96 plus degrees) as the officers were

watching a crowd of over 400 people on one block when a fire broke out at one of the food booths. It quickly spread to adjoining arts/crafts tables, working its way into an inferno from which the officers had to calmly move the throng of people who wanted to stay and watch. Suddenly, a huge explosion rang out as a propane tank blew up, the resulting fire setting other propane tanks off. A large cast metal grating was blown up onto a nearby roof by the force of the blast. Although the officers were initially knocked down and hit by flying debris, they managed to maintain fire lines and safely evacuated the crowd from the area. Only 3 vendors received minor burns, thanks to the actions of the officers present.

**Officer Tim Louie**, **Mission Station**, went searching for three suspects who were reported to have been brandishing a weapon while driving near Mission High School. Didn't take Tim long to locate the 3 suspects, still in the car, and, with the assistance of other police back-ups, the suspects and loaded weapon were all taken into custody.

**Sgt. Lou Perez**, **Officer E. DelCarlo**, **Officer Mike Androvich**, **Officer J. Etcheveste**, **Officer Pat Tobin**, and **Officer Y. Grajeda** from **Ingleside Station**, were investigating the possibility of a gang shooting planned to take place somewhere in the area of Highland and Mission Streets. The officers, through the assistance of a helpful and very observant citizen, managed to locate the suspects' vehicle and found inside it, a loaded **MAC II assault weapon**. The suspects were taken into custody, also charged with possession of a large quantity of narcotics that they were preparing for sale.

**Officer George Cima** was parked on his motorcycle in the area of 6th/Harrison monitoring the busy intersection for traffic violators when an individual driving a Volkswagen van failed to stop for the red light and continued through the intersection, southbound on Harrison Street. Officer Cima attempted to make a traffic stop at 7th/Harrison, but the van took off. Officer Cima was now in pursuit heading towards the Mission

District. **Lieutenant Kevin Cashman** and **Officer Mark Laherty** were close by and took up a position at 14th/Valencia Streets. The suspect drove right where Kevin and Mark figured and, after he failed to negotiate a turn, he hit a parked vehicle. He left his damaged ride and started running. The suspect was carrying a small black satchel with him, but he didn't get very far with the three officers closing in and he was soon in custody.

A search of the black satchel revealed a fully-loaded, .380 Sig Sauer (with 2 extra clips). **When the officers inventoried the suspect's vehicle, they found a high-powered rifle, with scope, mounted on a tripod.**

When you make 80 felony arrests, seize 6 loaded guns, and book over \$50,000.00 in cash in one night you would think it had to be from a narcotics search and arrest warrant service operation...not necessarily. It was about 1:30 a.m. when **Sgt. Ed Dullea**, **Sgt. Steve Bosshard**, **Officer Dan Cunningham**, **Officer Clifford Cook**, **Officer Robert Hart** and **Officer Richard Struckman** assisted the members of our city's Animal Control unit in their investigation of a South of Market warehouse where all of the above contraband and suspects were taken into custody while attending an illegal pit bull fight.

This event was touted as one of the largest ever championship pit bull fights to take place in San Francisco. There was no doubt, considering the number of arrests and cash recovered, that the officers interrupted a major illegal operation. **(Real sportsmen, these gamblers. They let the dogs fight to their deaths and then just stacked their bodies in a vacant room.)**

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Mr. Al Trigueiro, President  
SFPOA  
510 Seventh Street  
San Francisco, California 94103


Dear Al,

I wanted to thank you and the POA for your help during my recent bout with the City over repayment of the non-withheld Medicare tax. The City has agreed to repayment at \$35.00 per pay period. I am still upset with the Controller's Office because they still have not answered my question regarding how the repayment amount of \$60.00 per pay period was calculated. The \$35.00 per pay period appeared to be an offer by the City as a way to make the situation go away rather than trying to justify their original request. However, upon advice from Vince Courtney, I accepted \$35.00 amount.

Thank you again for you support. The negotiation definitely got easier when the POA got into the picture.

Sincerely yours,  
Jones K. Wong

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S.F.P.O.A.

Dear Editor,

My personal compliments to the P.O.A. and their support for Jessie Washington. As a chaplain for the department, I am very concerned that we be supportive of each other while serving a community which wants to scrutinize our every move. The tragedy at Oceanview Park merely reflects the desperate state to which our neighborhoods have descended and the good people of San Francisco need to know that the City's finest include officers of the quality of Jessie Washington.

The P.O.A.'s support sends a positive message to our department members that no matter how intense the media's pressure, A.C.L.U. inspection / uninformed criticism, etc., we will back our people and support them for doing the job they have been sworn to do. My compliments as well to the T.I.R.T. and Msgr. Heaney for their rapid response on the day of the incident.

I am honored to be associated with people the quality found in the S.F.P.D.

Sincerely,  
Rev. Mike Ryan  
Police Chaplain

SFPOA  
510 Seventh Street  
San Francisco, California 94103

Dear Friends:

On behalf of the men and women of the U.S. Secret Service, I would like to extend my thanks for your generous contribution to the Oklahoma City Field Office Relief Fund.

I am sure you will be pleased to know that the families of the victims have already received checks from the Fund to assist them with their expenses. It has been a tragic time for these families and for our agency. We are grateful for your kind support.

Sincerely,  
Eljay B. Bowron  
Director, United States Secret Service  
Department of Treasury

SFPOA  
510 Seventh Street  
San Francisco, CA 94103

Dear Mr. Trigueiro:

Thank you for your generous cash donation for the Justice for Murder Victims Golf Tournament. Your continued support is greatly appreciated. As a Hole Sponsor you will have your name and association posted at one of our holes along the golf course. You will also receive special recognition in our tournament program and in our monthly newsletter to our membership. On behalf of Mike and Harriet Salarno and the Justice for Murder Victims Golf Committee, thank you again.

Sincerely,  
Michael Daly

SFPOA  
510 Seventh Street  
San Francisco, California 94103

Dear Mr. Al Trigueiro and Scholarship Committee,

I would like to thank you for selecting me as a recipient for one of your financial awards. The scholarship means a great deal to my family and me, and it will help

# LETTERS

significantly with the costs of attending Santa Clara University this year. It was an honor to be chosen by your committee and I appreciate the opportunities this award will give me.

Sincerely,  
Dana R. Bisordi

SFPOA  
510 Seventh Street  
San Francisco, California 94103

Dear Friends,

I would like to take this opportunity to thank you for your generous and heartfelt gift to the Schiff family in memory of their daughter, Crystin. It is gratifying to know that so many of you responded to the Schiffs in their time of loss. It is ironic that such a sad occasion makes me aware of the depth of warmth, compassion and support of all those around me.

Once again, please accept my sincere thanks.

Very warmly yours,  
Joaquin Santos, Captain  
Mission Police Station

Al Trigueiro, President  
SFPOA  
510 Seventh Street  
San Francisco, California 94103

Dear Al:

Just thought you would like to know, Senate Bill 282, by Senator Petris couldn't muster the votes to pass the Senate, so he made it a 2-year bill. It can be taken up again next January.

Prognosis: if Republicans gain a few more Senate Seats, and a Republican majority in the Senate, we can kiss all labor bills goodbye. Even now, Conservative Republican Senator Rob Hurtt has taken over as minority leader and has vowed no labor bills will ever get out of the Senate.

Look for a rocky time of it for the next few years—unless that is, Democrats get back the majority. See you in the trenches.

Fraternally,  
Bill Hemby

Editor  
The Notebook  
510 Seventh Street  
San Francisco, CA 94103

Re: "Getting Benched" by Steve Balma

Editor:

The recent opinion column by Steve Balma merits a spirited defense by those of us who work with police officers day in and day out towards one common goal: to ensure that criminals are brought to justice.

Steve Balma writes in his column, "Well, I'm writing this article because I haven't been completely fair to the DA's office, and I want to publicly apologize." He should have stopped there. But he didn't.

Those of us who spend our careers with the Office of the District Attorney work with a tremendous group of San Francisco police officers. In working with those officers, we share the frustrations of dealing with certain judges, we share the misery of dealing with criminal defense attorneys who have far different views of the criminal justice sys-



# LETTERS

tem, we share the grief of watching some San Francisco juries reach their not guilty and often wrong conclusions, and we share the demands of certain members of the press who cut us up with little opportunity to respond.

But we believe that our hard work, our perseverance and our unified approach to making the streets safe serves the community well.

We also know that there are differences between probable cause to arrest and conviction beyond a reasonable doubt. We know and believe that the vast majority of police officers understand those concepts. There is no hidden motivation in the Office of the District Attorney to discharge cases because of some strange motivation of "reluctance or refusal" as Balma writes in his recent

The decision to discharge a case, whether a narcotics case or not, is always a difficult one. But it is based upon a number of factors that relate to the successful prosecution of the case, not the arrest of a suspect.

It is ludicrous to take cases to preliminary hearing or to trial that will not see the light of day due to a bad search or lack of corroboration. If that was our posture, there would be no court rooms available for the difficult and good cases that are filed every day. Furthermore, our office is always open to discuss any case with any officer on the merits which we do numerous times a day.

What is particularly galling about Balma's article is the fact that as complimentary members of the criminal justice system, we don't publicize the failings of police officers and their cases. He criticizes our office for suggesting that corroboration is needed for convictions in certain cases, he suggests that all marijuana cases should go to jury trial, and he says that the standard of proof for a trial is that the elements of the crime are met and there is "sufficient" evidence (wrong).

Let's say hypothetically that Balma is correct in his assertions, (which he factually is not), do you hear prosecutors writing articles about the fact that many cases are not appropriate for preliminary hearing or a trial because officers wrote lousy police reports without the elements of the crime present, that officers conducted questionable searches under the Constitution, that requests were made for further investigation to make a case and we never hear from the officer again, that a simple interview of the defendant at arrest should have been done but wasn't, that the officer blew a case by not showing up in Court, that an officer's testimony contradicts his or her police report or any other number of errors that are made by police officers, and therefore a prosecution was lost.

**NO**, you don't see that from our office and you won't. We don't like to discharge cases, but mistakes are made by police officers. We recognize that sometimes you get the bad guy the next time.

The prosecution of narcotics cases in a liberal City like San Francisco is tough. But my team

of prosecutors works hard at the tasks, and our records of convictions is high. Additionally, we get convictions and we will use our discretion with some marijuana cases. It is also important to note, that prosecutors have an **ethical** obligation under the law to not charge cases when the search is bad or the case cannot be proved beyond a reasonable doubt. These tenets of the law are beyond the issues of simple probable cases to arrest.

We speak with the same community groups and leaders that Balma says he does, and we deal with the same frustrations. But our frustration can be more difficult because the standard of proof is higher for a prosecution than an arrest.

Our approach to the community should be unified. It is not appropriate for police officers, however well-intentioned, to be giving a legal discourse to community members, just as prosecutors should not be waxing eloquent about police matters they may not know about. If Balma has attained his law degree and has a number of jury trial convictions under his belt, we could reconsider.

We are in this together. If any officer has a question about a discharge, we will discuss it in a professional manner. Let's work together—we are on the same team.

Very truly yours,

Donna Lee  
Assistant District Attorney  
Chief Narcotics Unit

Mr. Al Trigueiro, President  
SFPOA  
510 Seventh Street  
San Francisco, California 94103

Dear Mr. Trigueiro:

Re: BURNS, Steven C-20341

This will acknowledge your letter to the Board of Prison Terms (Board) regarding Steven Burns.

The Board is required by statute to conduct parole consideration hearings for persons serving a life sentence with the possibility of parole. As it must consider the comments of all persons concerned with the granting or denial of parole to a prisoner, I am forwarding your correspondence to the institution for staff review and referral to the next Board panel that will hear this case on October 17, 1995.

Please be assured that your comments will be given every consideration.

Sincerely,  
James W. Nielsen

Chairman  
cc: Classification and Parole  
Representative  
California Medical Facility

The Honorable Pete Wilson  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

## AB 1355 (Knowles): Request for Veto

Dear Governor Willson:

The Service Employees International Union urges you to veto AB 1355 (Knowles) which would reduce the immunity for child welfare workers, juvenile court judges, juvenile court social workers, peace officers and other mandated reporters of child abuse (teachers, doctors, etc.)

The need for AB 1355 was created based upon the faulty assumption that child welfare workers enjoy absolute immunity. This is not accurate. Current case law provides child welfare workers with civil immunity on in the event that they are engaging in quasi-prosecutorial functions of the court. This immunity is provided to allow child welfare workers to function on behalf of a child without the pressure of undue lawsuits.

AB 1355 is highly flawed and poorly drafted. The bill fails to provide any protections against the filing of frivolous lawsuits. Thus, leaving counties vulnerable to burdensome costs of defending unsubstantiated lawsuits. In addition, the bill fails to provide definitions for the terms "fabrication of evidence" or "exculpatory evidence" within the context of dependency law.

Proponents of AB 1355 argue that the current system lacks recourse for parties who believe their legal rights have been injured. The current system does provide adequate measures of recourse, including: appealing to the deciding juvenile court judge, filing a complaint with the county welfare department, suing the county for negligent hiring and supervision, or filing a motion for recusal of a worker. There also exists several means of discipline for child protective workers who act outside of their scope of duties, including among others, bringing a complaint before a county civil service commission or the Board of Behavioral Science Examiners.

Finally, this bill is extremely dangerous to abused and neglected children.

Again, we strongly urge you to veto AB 1355.

Sincerely,  
Michelle A. Castro  
Legislative Advocate  
cc: Assembly Member David Knowles

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## Limit Body Armor

Kurt Skarjune  
Oak Park, MI 48237

Dear Kurt:

You can count on the support of the San Francisco Police Officers' Association in your attempt for passage of federal legislation regulating the sale of body armor.

Unfortunately, until your letter, I was unaware of the introduction of legislation named on behalf of Officer Guelff. This Association will be contacting our representative, Nancy Pelosi, for additional information regarding the legislation. Once that is accomplished, letters of support will be sent to all of California's representatives. This Association has a close working relationship with Senator Dianne Feinstein who, I know, will be supportive when the legislation reaches the other side of "The Hill".

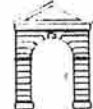
This Association will also be in contact with other police representative organizations to make them aware and gather their support.

On behalf of our members and the memory of Jim Guelff, thank you for your work in making this type of necessary legislation a reality. Please call me should you need further help.

Sincerely,

Al Trigueiro, President  
SFPOA, SEIU Local 911

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## Your Assignment

by Daniel Hampton

**H**as anyone told you lately that your assignment is important, and helps in the smooth operation of the Department? If you haven't been told this lately by your boss, God sure has in the scriptures. The functions they have given you to perform no one else has been assigned to do, and many of these functions are mandated by local, state, or federal laws. So, if the Department has assigned you to perform a task that is necessary, and in the performance of your job you attempt to do the very best to provide service to others, as if you were serving Jesus Christ Our Lord, you are to be commended and thanked by the citizens of San Francisco, by the Administration, and by the members of the rank and file.

Now in the Department we are one body. And within this body there are different members of the body that perform various functions. There are the members of patrol who patrol the streets, the first responder to critical incidents, handle all calls from communications, investigates criminal activity, and protects lives and property. There are members of special operations who provide protection and escort service for dignitaries, provide assault teams (s.w.a.t.) at critical incidents, provide squads for crowd control during special events, patrol high crime rate areas whether on solo motorcycle, dirt bike, on horse, or in undercover decoy assignments. There are members of investigation who investigate assigned cases, gather evidence, secure and serve warrants, and present evidence against criminals in court. There are members of special investigations who suppress criminal activity involving narcotics, gang related activity, Muni, Housing, and vice. There are members of administration who handle the budget, legal matters, general orders and special orders, information systems, telecommunications, crime statistics, personnel, and police misconduct.

You can see the Department has many members executing different functions, but we all belong to one body. Now, what if the members of patrol said they didn't need the other members of the Department. Who would perform the following functions: train recruits and advanced officers, provide range requalification, lifting finger prints and evidence gath-

ering, administer a lie detector test, background investigations, rebookings and presenting cases in court, gather crime statistics, bring out barricades to special events, store property for evidence in Property Control, investigate suits against officers (about 800 cases per year), investigate complaints against officers, provide psychiatric help to members, investigate OSHA complaints, take care of the vehicles at the stations and at the Thomas J. Cahill Hall of Justice, provide dignitary escort service, develop general orders and rules and regulations, pick up prisoners from other counties, monitor taxi cab violations, and etc... As you can see the functions are endless but important for the smooth operation of the Department. In the New Testament 1 Corinthians, chapter 12 verses 12 to 31, it relates to what I have just shared with you. In the body there are many members with different functions but all are equally important and necessary to the whole body. Another supportive scripture is found in the Old Testament 1 Samuel, chapter 30 versus 1 to 31. It relates a battle which David and his men fought against their enemy the Amalekites. The Amalekites made a raid on David's camp while he and his warriors were away and took captive all the women and children. David and 600 warriors (the infantry) went in pursuit of the enemy to rescue those kidnapped. 200 of the warriors became fatigued and couldn't go on with David and the 400. When David and the 400 warriors destroyed the enemy, rescued their wives and children and took spoil or loot from the enemy it says that wicked and worthless men among the 400 who went with David said, "Because they did not go with us, we will not give them any of the spoil we recovered, except to every man his wife and children, that they may lead them away and depart." David's answer to this was, "For as his share is who goes down to the battle, so shall his share be who stays by the baggage; they shall share alike." David gave equal worth to those who went into battle as well as those who stayed behind to stay with the baggage. Did you know in the armed forces whether it be the Army, Navy, Air Force, or Marines their members have different functions also? Some are in transportation, telecommunications, logistics, infantry, special forces, intelligence, training, and administration. All these functions or tasks intertwine in a spirit of team work to fulfill the department's objectives. Now why did I write this article? This article is to build up every man and woman who works in the Police Department. It's to give you thanks for a job well done. Thank you for all your hard work, keep up the good work. Amen.

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## PAL CORNER

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### "The Program"

by Bob Twomey

The San Francisco PAL Hayes Valley/Western Addition Program continues to exceed all expectations. To paraphrase a popular commercial, the Program keeps growing and growing and growing and growing and growing. . . . At last report the San Francisco PAL Viper Camp 95 was winding down. Over 100 inner-city children enjoyed activities including basketball, soccer and computer training during the 10-week summer break. While the initial focus was to provide quality summer programming for Western Addition youth, the long range goal was to prepare the kids for participation in existing fall soccer and basketball leagues.

On opening day of the Viking Soccer League in early September, the San Francisco PAL was able to field five teams. The U10 division has two entries, HVV Venom coached by Dennis Brady and HVV Copperhead coached by Kelly McCray Calentino. Three teams participated in the U8 division: HVV Cobra (Dennis Brady), HVV Diamondback (Bob Twomey) and HVV Coralsnake (Robert Berry). Early season blowouts by the Cobras (8-0, 6-1) forced the U8 commissioner to move the team into a higher

division. After 3 weeks of play, four of the five Viper squads were 2-1 with the exception of the Coralsnakes who have yet to win a game although they have shown dramatic improvement since their first game. The U6 HVV Rattler (coached by Steve McDonald) is not entered in league play but the 4 and 5-year-olds continue to practice on a weekly basis. Scrimmages with U6 Viking League teams are planned in October. A total of 70 Vipers are currently registered with the California Youth Soccer Association. At the recent CYSA District I meeting, Commissioner Cary Jones allocated \$3,000 to the San Francisco PAL Soccer Start Program to offset some of the PAL's costs of sponsoring this program. Continued outreach efforts have detected more children eager to participate in this new Soccer Start Program. Early projections reflect a need to form additional teams for the Spring 1996 San Francisco PAL soccer program.

On the Hoop front, 5 Hayes Valley/Western Addition Program teams entered the San Francisco PAL Basketball Invitational League. Teams include two 7th grade Viper squads (boys coached by Marcus Stall and girls coached by Bob Twomey), 6th grade Vipers (coached by Loren Moye), a 6th grade girls team from John Muir School (coached by Barbara Moore) and a 6th grade girls team

from Golden Gate School (coached by Bob Twomey). The number of rostered basketball players is 52 bringing the total fall participation for the San Francisco PAL Hayes Valley/Western Addition Program to over 120 children.

If you would like to help and are interested in volunteering, please contact the S.F. PAL Office, 8 a.m. to 4 p.m., Monday through Friday at (415) 695-6935.

### PAL Cheerleading

The San Francisco PAL Cheerleading Program is directed by Sophie Isom with Tonia Woodson as the assistant director.

Participants between the ages of 5 and 14 years of age are taught the basic fundamentals of cheerleading techniques. The program places an emphasis on scholastics, citizenship and sportsmanship. All participants cheer for the San Francisco PAL Youth Football in the Pop Warner Junior Football Conference. They participate in the Annual Redwood Empire Conference Cheerleading competition and have also been requested to participate in several community events.

This year there are 75 cheerleaders. For the first time the San Francisco PAL Youth Cheerleading Program has a male cheerleader. Nitty Thomas is 13 years old. He has outstanding cheerleading techniques and has added a great deal of spirit and fun to the program.

On October 21, 1995, all participants are scheduled to participate in the annual Redwood Empire Jr. Football Conference Annual Cheerleading Competition in Ukiah, California. If any of the squads place as first through fourth place winners they will have an opportunity to participate in the Regional and Invitational Cheerleading Competition in Reno,

Nevada on November 24, 1995.

All coaches and assistant coaches are committed to the youth of this program. They all work full-time and dedicate their time and effort to this program after work hours and on the weekends.

**MASCOTS:** Ages 5 to 7. Coached by: (Head Coach) Regina Johnson, Paulette Washington, and Ciara Johnson.

**JR. PEEWEE:** Ages 8 to 9. Coached by: (Head Coach) Sonya Francois Hardy, Sheila Johnson-Hannah, Lacreia Logan, and Clara McDaniels.

**PEE WEE:** Ages 9 to 10. Coached by: (Head Coach) Ava Garrick, Francena Crenshaw, Lynn Collins, Carol Oliver, and Tenille Singleton.

**JR. MIDGETS:** Ages 11 to 12. Coached by: (Head Coach) Tonia Woodson, Marilyn Jackson, and Shamillah Ivory.

**MIDGETS:** Ages 13 to 14. Coached by: (Head Coach) Sophia Isom, Kathryn Branch, Tanisha Cooks, and LaShonti Woods.

### PAL Basketball

The San Francisco PAL Basketball Invitational League kicked off on October 5th with 106 teams. Boys and girls in the 6th, 7th and 8th grade play on Thursdays, Fridays and Saturdays at All Hallows, Buchanan YMCA, Columbia Park Boys Club, Mission Recreation Center, Presidio Middle School, St. John's, San Francisco Boys Club (Keystone Club E.I.), and SOMA (South of Market) gyms.

Officer Mark Ballard, Co. E., directs the program with help from Kevin McInerney, Oscar Jimenez, Kevin Murphy, Ron Sipiora, Ben Henderson, Mike Jones, Sean Warren and Bob Twomey.

If you are interested in officiating, please call the PAL office.

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# SPORTS



## The Loon's Nest Report

### Lou Landini Wins Club Championship

by Ed Garcia, Co. E

On September 5th, the Loon's Nest Golf Club held its 9th annual Club Championship. Tournament director Glenn Mar searched for a course that would put the Loons to the test for our championship. Oakhurst Country Club in Clayton was selected and it provided a true championship challenge.

The first flight played from the "Black Tees", which provides 6,739 yards of rolling hills and a slope of 132. The 2nd flight and guest flight used the "Gold Tees", playing to 6,275 yards and a slope of 127. Clear skies and temperatures in the middle 90's greeted the Loons. As the Loons arrived, they received tournament towels and tee prizes, along with complimentary range balls prior to a shotgun start.

After the front nine was completed, two players were sitting at four over par. Lou Landini from the San Francisco District Attorney's Office and Warren "The Big Bopper" Omholt from Personnel were in a dead heat at the turn. Bob McMillian from Robbery was two back at six over par, as was defending club champion Mike Renteria from T.T.F.

As players went into their second nine, temperatures rose and the greens got faster. On the 540 yard 12th hole, Landini picked up a birdie and also posted four pars on the side to finish the back with a 41. Omholt had birdied the 2nd hole, which is

the course's number one handicap hole. Landini finished at 81, two strokes ahead of Omholt. Mike Renteria picked up 3rd low gross with an 85.

In first flight low net, Gordon Lum took 1st place with a net 77. Jeff Dort and Ed Garcia finished with net 78's. Cards were matched from the number one handicap hole to break the tie, giving Garcia 2nd and Dort 3rd place. In second flight play, Northern Station's Mike Dudoroff ran away with low gross honors. Mike shot an 85 with sides of 43-42. Starting off on the 9th hole, Mike finished his first side at 5 over par. Dudoroff finished six strokes ahead of 2nd place finisher Bob Voeth. Voeth shot a 91 to finish one stroke ahead of 3rd place finisher Mike Siebert of Park Station.

2nd flight low net winner was Gordon Lee. Gordon and Gary Maupin finished with matching net 69's. The tie breaker went to Lee. Lee picked up birdies on the 7th and 11th holes en route to his 1st place finish. Dan Everson from General Works picked up 3rd place with a net 72. In the Guest Flight, a net 65 to take the flight by a four stroke margin.

The first flight winner in the Long Drive contest was Gary Lorin of Co. E. Lorin, who recently won the Spring Championship at Franklin Canyon, ripped a 307 yard drive on hole number one. Al McCann of Co. K was the second flight winner, as he drove his ball 274 yards down the first fairway.

The "Closest to the Hole" winners

were Richmond Station's Charlie Anzore and Ted Cordery of Redwood City. Charlie had a shot stop 4'5" from the pin on the 8th hole. Cordery took the prize on the 13th hole with a shot an even six feet from the pin. The second place finishers on the respective holes were Joe Allegro from Park Station and Gary Maupin.

After the completion of play, the Loon's were served a prime rib dinner on the clubhouse veranda. The veranda overlooks the Clayton Valley and surrounding hills. This provided a great setting for the dinner and awards ceremonies.

Our next tournament will be the 1995 Turkey Shot to be held in November. Watch your mail for additional information.



Lou Landini, 1995 LNGC Club Champion

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# SPORTS



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**San Francisco  
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Saturday, December 2nd  
333 O'Farrell

5:30 cocktails - 6:30 dinner

The price is \$52.00 per person which includes the following: extravagant Christmas buffet; wine with dinner; two cocktails per person, door prizes and dancing.

Seating is limited so get your checks in now. Send checks payable to Tom Walsh at the Domestic Violence Unit Room 561 at the Hall of Justice. 553-9132.

The party will be in the Cityscape Restaurant, which has a 360 degree view from the 47th floor. The Hilton will offer a special reduced room rate for overnight guests. If you wish to acquire room information or book a room contact Jim Bosch at the Hit and Run detail at 553-1641.

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Number Attending: \_\_\_\_\_ x \$52.00 = \_\_\_\_\_ (check enclosed)



by Rene LaPrevotte

Sunday, October 22nd is the 1995 Ride For Kids. The start location is the Solano County Fairgrounds on Highway #37 in Vallejo (across from Marine World Africa USA). Registration starts at 08:00 and closes at 09:45. The ride begins at 10:00 sharp with a police escort through the Napa wine country. The slow scenic ride lasts about an hour and a half and ends up back at the fairgrounds where they serve a light lunch and there are awards

presentations and a raffle for a 1996 Honda motorcycle. \$35.00 a head gets you a continental breakfast, the ride, lunch and a chance at the motorcycle raffle. Most importantly all proceeds benefit pediatric brain tumor research, which is trying to find a cure for the leading killer of American children. If you can't attend and would like to contribute to this charity, send a check to me payable to "Ride For Kids" and I'll deliver it myself on the 22nd. Any interested riders call me at (415) 557-6747 or (415) 883-9092.

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# SPORTS



## Pacific Association Youth Division

Officer Billy Ray Smith (SFPD Special Operations Division/Housing Task Force Unit) is the newly elected President for the United States of America Track and Field (USAT&F) Pacific Association — Youth Division. The Pacific Association is made up of approximately 80 youth track clubs located in Northern California and Southern Nevada (from Modesto to Reno, Nv.). Officer Smith, a San Francisco peace officer for 17 years and a level 1 certified USAT&F coach for 10 years, has always lived and worked in the community.

From 1985-1994, Officer Smith coached San Francisco based Billy Hutton Track Club. Under Officer Smith's leadership, team member Tonia Broden set a world record (Japan) in the 200 meters hurdles for girls 13-14 age group. In the past years, the team won 1st place in several events and placed many times in final events, at the annual USAT&F Junior Olympic Track & Field National Championship Track Meet. Many of the youth today are attending major colleges and universities around the country.

Presently, Officer Smith is the program coordinator for "The Mayor's Academic Sports Pros—Educational, Conditioning and Training Program."



Officer Billy Ray Smith (right) with Cmdr. Richard Holder

The program was established by Officer Smith for boys and girls ages 6-12, in 1994.

On Sat., Oct. 7, 1995, the program began its third year. The program will conclude on July 31, 1996 at the University of Houston, in Houston, TX.

The program is an established full scale, long term, year round educational program which includes 26 workshops in a classroom environment.

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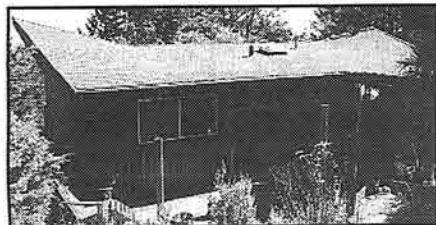
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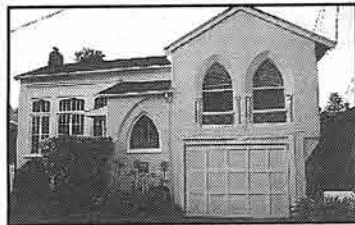
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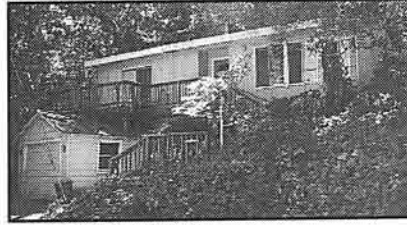
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# ON THE STREET/ Tom Flippin



## Funny ... But True

by Tom Flippin, Editor



Most of us in the law enforcement community feel that most prisoners have more of the comforts of home than they really deserve. Jailbirds across the nation have a very different viewpoint, however. Their complaints about the way they are treated in prison are illustrated perfectly by looking over a few of the 30,000 inmate lawsuits filed for civil rights violations. Among these "terrible injustices": one prisoner sued for a million bucks because guards wouldn't refrigerate his ice cream snack and let him eat it later; one sensitive victim of prison abuse claimed that his toilet seat was too cold to use; a legal-beagle type insisted that, because his prison job was as a paralegal in the joint's law library, he should be paid the same salary as lawyers on the outside; many of the lawsuits were about the food served in jail...one suit (for \$129 million) pressured prisons to offer salad bars...one captive gourmet whined that the cook scrambled his eggs "too hard"...and another poor guy complained that "limiting the number of Kool-Aid refills constituted 'cruel and unusual punishment'."

A different (and really goofy) bunch of drug addicts has been identified in India. Prakhas Chandran, a therapist at a drug rehab center in Paloarivattom, claimed that these particular druggies are allowing themselves to be bitten on the tongue by a venomous snake. Chandran, who would not identify the species of snake used, said that the drug high could last for as much as 16 hours...he also warned that the snake's bite is often fatal. Drug-dealing entrepreneurs in Bombay and Goa are now offering snake services...for a price, customers can step right up and be bitten.

Another weird case involving snakes comes to us from San Diego, courtesy of "The True Scoop"...in SDPD's paper, *The Informant*, a doctor called police when he heard a patient's story about how he was bitten on the lip by his pet rattlesnake after he sneezed (the patient sneezed...not the snake). When the doc found out that this weirdo had been treated for a snake bite under similar circumstances before, he got suspicious. He found out that some people become obsessed by the tongues of snakes...they think the snake is showing sexual desire when its tongue flicks out. OK, now in addition to the snake bite, this guy was being treated for burns on his face. It turns out that the goof ball's roommate told him snake venom could be neutralized by running an electrical current through the affected area. The two rocket scientists went out to their car and hooked up jumper cables to our hero's lower lip. His pal turns on the engine and kicks back for awhile. When the cops asked him how long his friend was flopping around and frying, he said he wasn't sure 'cause the hood was up and he couldn't see anything that happened. The reptile recidivist lived but lost most of his lip.

One poor crook (who shall remain nameless) recently held up a bank while he was apparently wearing one of those phony old "big-nose-and-mustache-with-glasses" disguises. Surveillance cameras in the bank provided clear photographs of the robber, but, when police distributed the pictures to the media...and asked for help in identifying this crook despite his clever masquerade, they received several anonymous calls saying that the false nose and glasses were, in fact, the real McCoys. Following up on these tips, the local boys in blue quickly located and arrested a really ugly bank robber.

Fremont police picked up a man who evidently is living in the past...way back in the past to the days of the Old West. Frank VanLoock was charged with aggravated mayhem after attacking his girlfriend. The woman, who had been dating VanLoock for about a month, sustained a serious head injury when he allegedly tried to scalp her in the middle of the night. She told authorities that her boyfriend had tried to do the same thing once before, but that assault failed because his knife was too dull to do any scalping. The official report failed to mention whether or not ol' Frank also was wearing warpaint during his nighttime raid.

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