

A Peek Inside OCC: POA Interviews Pam Moy
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POA NOTEBOOK

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

VOLUME 30

SAN FRANCISCO, JANUARY 1998

NUMBER 1

President's Message

By Chris Cunnie, President

As we close the books on 1997, let me express my extreme gratitude to all of you for your confidence and support throughout another difficult and challenging year in the live, on-going saga of the San Francisco Police Officers' Association.

I often sit at my desk, telephone ringing, calls waiting, members sitting in the lobby waiting to speak with me, and reflect on a favorite saying of my mother: "Never a dull moment!"

Never a dull moment indeed! Leading this association and managing its affairs is pretty much a continuous Code-33 activity. There are daily emergencies and "hot runs" that must be abated as soon as possible. There are meet-and-confer sessions and meetings and legal battles enough for a whole platoon of Chris Cunnies. I could not handle this job alone, and I thank all of you for providing me with a solid and unified team of executive officers and district/unit representatives who are so selflessly dedicated to this organization.

1998 is already shaping up to be another exciting and fast-paced year over here at 510 7th Street. At the very top of our "must do" list is the development and implementation of a no-holds-barred political campaign to up-grade Tier II retirement. We have already begun the drive to achieve that end, and I have put in place a team of experienced and savvy people to steer the campaign toward



a victory in November. Thanks to your landslide mandate approving the much needed dues increase we will be able to fund an absolute first-rate campaign to achieve equitable retirement benefits for all our members.

Of course, I will continue to remain constantly vigilant to the preservation and/or improvement of the working conditions and employee rights that our members deserve. To that end I have expressed to the police administration, the Police Commission, and other employee labor groups my willingness to meet with them at any time and place to confer over any aspect of the job which will directly impact the membership of this organization. Likewise, my door is always open to any member who has a concern or who has questions about the business of their association.

Have a happy and safe new year, and please be assured that your interests are the business of this office, our staff, and the Board.

Northern Station Officers Honored

Notebook Staff Report

At the January 7th meeting of the San Francisco Police Commission, Officers Brian Watkins and Joseph Cordes received community, Mayor, and Commission commendations for their community policing activities in the Jefferson Square and lower Van Ness Avenue areas.

Both officers, who patrol the area on bicycles out of Northern Station, received presentations by community activist Ron McGlashan, Mayor Brown's Criminal Justice Coordinator, Kim Burton, and the Police Commission.

In his thank you address to the Commission, Officer Watkins selflessly touted the good and conscientious police work done on a "nightly" basis by hard-working officers assigned to patrol this city after the sun goes down. "They are the ones who deserve recognition," Watkins insisted.

The San Francisco Police Officers' Association congratulates these two dedicated officers.

We regret that photographs of Brian and Joe were unavailable at the time we went to print. — Editor

SFPD #1 in Combined Charities

By John Ehrlich, Support Services

The members of the SFPD contributed more money than any other Department in the San Francisco City and County Combined Charity Campaign. We raised more than one third more than the next highest Department. While the final totals are not yet in, over 1,000 people in the SFPD gave over \$92,000.

We have amazed people in the Charitable Community in that only two years ago we were raising only a fraction of this amount. Last year Captain Willis Garriott led over 469 people into giving around \$32,000. This year we built on his foundation.

Northern Station was the number one unit in dollars given with over 90 people donating over \$12,500. Sgt. Bill Darr did a great job in creating the atmosphere of giving. Not only was the total amount large but there were quite a few people giving generous donations.

General Investigations under the leadership of Captain Kevin Dillon and with the hard work of Lt. Greg Corales, had the most contributors with over 151 and the second highest contribution amount of over \$11,000. They also had the highest contribu-

tor rate of any large unit. This speaks well for our ace detectives who have not lost touch with the needs in the community. Last year in a different unit Greg Corales had correspondingly high totals.

Teresa Valdivia helped include the Airport Bureau in the spirit and they gave over \$9,000. They were the number three unit in dollars donated.

Judy Hogan at Communications organized a drive where over 50 of our dispatchers gave over \$4,600. All three watches participated in the 500% increase in giving from last year.

Other units also distinguished themselves. Sgt. Tom Lee had over 50 members at Bayview Station donate. Lt. Gabe Harp, Captain Greg Suhr and Mission Station's 80 contributors did well. Traffic, Vice, Consent Decree, Ingleside, and Risk Management all had above average totals.

Sgt. Joyce Watkins is the number one contributor in the SFPD. She contributes \$75 a pay period to a wide variety of causes. She also organized the drive at Risk Management.

We did quite well in the City raffles

(See CHARITIES, page 18)

San Francisco Police Officers' Association Mourns Fallen Officer

As were all members of the San Francisco Police Department, I was saddened to learn of the death of California Highway Patrol Officer Scott Greenly. Officer Greenly was killed by a suspected drunk driver on January 7th while on a traffic stop in the South bay.

On behalf of all San Francisco police officers and POA members I wish to extend our heartfelt sympathy to Officer Greenly's family, and to his fellow officers and co-workers. Just as poet John Donne wrote that "any man's death diminishes me, because I am involved in mankind;" so too does the death of any police officer diminish me, and all of us in the family of law enforcement and public service.

God bless, Scott Greenly.

— Chris Cunnie, President
San Francisco Police Officers' Association

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Widows and Orphans Aid Association

The regular monthly meeting of The Widows & Orphans Aid Association was called to order by President Kurpinsky at 2:02 p.m., Wednesday December 17, 1997 in Conference Room, Ingleside.

Roll Call of Officers: Vice President Forencich excused. All others present with members R. Crosat, L. Duffy, J. Riewerts, & J. Sturken.

Minutes of Last Meeting: Approved as presented, in writing, to the membership.

New Members: From 186th Recruit Class — Wendy Bear, Simon Chan, Albern Ciudad, Britt Elmore, Gordon Gooch, Jesse Heredia, Gregory Latus, Armando Lopez, Frank Machado, Noah Mallinger, Keita Morinaki, Timothy Nichols, Angela Reyes-Juarez, Sean Rogers, Walter Ware, Gregory Watts. From Airport Police — Elizabeth Boyle, Calvin Chow, Richard Cirimele, Thomas Cunnane, Brad Dahl, John Glischinski, Douglas Groshong, Steven Harris, Frank Higa, James Lynch, Michael Lynch, Mat Mason, Bob Massola, Lilly Ng, Beth O'Shea.

Communications: Following donations received and acknowledged by the Secretary: Commissioners Sidney and Edward Petrillo — monthly salaries as Police Commissioners. Treasurer Parenti presented usual bills-benefits, salaries, auditing etc. — Approved.

Treasurer Parenti reported the following death: Charles Yeager — Born in San Francisco in 1912, he worked as a title setter before joining the department in 1947, age 35. From

the academy to Portrero for 2 years. Charlie was then assigned to solo motorcycles. After 2 years there he was granted military leave. Upon his return he was once again assigned to the solos. Charlie spent the balance of his time in the department on the solos until his retirement for service in 1973 at age 61. He was 85 at the time of his death.

Report of Trustees: Bank of America reported to Trustees by phone — unable to appear at meeting. Portfolio still holding, Asian "Flu" has not affected it. No changes at this time.

Unfinished Business: Election of Officers — There being no contest for any of the Offices, the Secretary was instructed to cast a unanimous ballot. The following were elected: President, Frank Forencich; Vice President, William Hardeman; Treasurer, William Parenti; Trustees, Thomas Dempsey & Mark Hurley.

Treasurer Parenti reported that all notices for 1998 dues had been mailed and the response so far has been good.

New Business: None on the desk at this time.

Good of the Association: President Kurpinsky set regular meeting for 2:00 p.m., Wednesday January 21, 1998.

Adjournment: There being no further business to come before the membership, the meeting was adjourned in memory of departed brother Charles Yeager.

Fraternally, Bob McKee, Secretary
A Happy Healthy New Year to All!

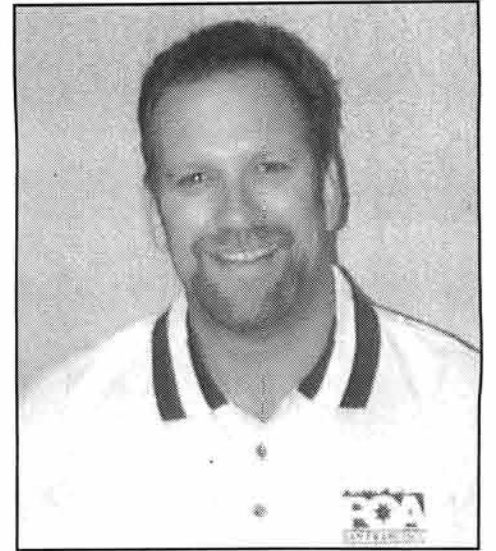
Vice President's Message

By Gary Delagnes,
Vice President

I would like to take this opportunity to thank the membership for their vote of confidence in approving the dues increase. It is not easy for us to come to you and ask for more money, and we thank you for believing in what we are doing here, and for giving us a chance to prove ourselves to you. Believe me when I say that we do not take this increase lightly, and will continue to do everything in our power to stay within the confines of our budget.

I personally guarantee you that we will run a first class campaign to upgrade Tier II, and also continue to provide you with the top legal defense available.

You need to look no further than the recent court decision exonerating two of our members, Carl Payne and Rich Benjamin. The court overruled the Police Commission and restored their good names and reputations, as well as ordering the City to make restitution in the form of full back pay and seniority. This was all made possible because we prevailed through the talent and expertise of one of our outstanding attorneys, Mr. Bob Moore, and we never let the cost of legal representation be a deterrence to our collective persever-



ance in the desire to vindicate our members.

To those few members who voted "No" on the dues increase let me say that we will continue to work hard to regain your confidence in your association. It became very apparent to us that we have to work harder at some stations because you are simply not getting accurate information from your representative. We need to make a special effort to get out and meet with you in order to ensure that you do get the correct information so that you can make informed decisions.

Again, we assure you that there will be no assessments for ballot measures, nor anything else. We can now look forward to taking on every fight that comes our way because you have given us the funds — and mandate — to carry on your fight.

Thank you, and have a safe and prosperous new year.

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.

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EDITOR
Ray Shine

SPORTS EDITOR
Nick Shihadeh

WEBMASTER
Tom Feledy

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Around The Department

by Al Casciato



...Quality time:

Mission Station's Lt. **Henry Parra** points out that too many of us lose touch with each other as the years go by. We tend to gather only at retirements, funerals, and, like in Henry's case you are laying on a gurney at San Francisco General. Your life flashing past while looking up at familiar faces. Now that Henry is on the road to recovery from an on duty car accident, he is encouraging all of us to spend some quality (fun) time with each other and each other's families...

...Club House:

On January 8th, Central Station's **Rich Benjamin** opened **Co. A Caffee**, (*San Francisco's Finest*) located at 708 Vallejo Street, one-half block from the Central Station. The opening party was a huge success and an indicator that many active and retired officers recognize that they now have a "club house" where they can visit with old friends and make new ones. Rich will be serving coffees and maintaining a deli style menu. After he retires later this year he will apply for a beer and wine license. So if you are in North Beach stop by the Caffee and say hello. Plenty of parking available (at a reasonable price) in the garage located directly above the Station...

...Second Careers:

Several years ago we tried to maintain a directory of retirees who were involved in second careers. The intent was that we would be able to put together those who were about to retiree with those who already were, thus forming a network of business and services. The effort failed because it occurred in the pre-computer age. Well we (me) are going to try it again. If you're interested in being in the directory send your information to the POA office ATT: Al Casciato or via e-mail to alcasciato@lycosemail.com. Active members who are involved in business and wish to be listed are encouraged to submit information as well...

...Retirees:

Correction; **Mike Truman, Larry MacKenzie, and Rich Oakes** have not retired. All three have pulled their papers and will remain until July to take advantage of the Post certificate pay. Central Station will honor 5 new retirees—**John Brandt, Frank Machi, Art Orrante, Dave Berti, and Rich Ramon**, on February 19, at the Italian Athletic Club. Tickets are \$32 per person, contact Mike Kangrga or John Schmolke at Co. A 553-1532 — Active members who are nearing retirement are en-

couraged to join the Veteran POA. Dues are \$15 per year. Participation in the organization helps (eases) the transition of retirement. If interested call the POA 861-5060 and leave a message for Gale Wright to send you an application...

...Births:

Paul and Evelyn Swiatko, Bayview Station, proudly announce the birth of their second son. **Alexander Earl Swiatko** 8 lbs. 12 ozs., 20 inches, was born November 28, 1997 at 0941 hours. Big brother **Nicholas** 4 1/2 years is beaming with joy at having a new brother.

Retiree **Lou Barberini** is proud to announce that last year he became a grandfather of triplets on his 66th birthday March 14, 1997. **Amber, Colette, and Louis** were a gift from his daughter Jeannie and her husband Eliot Smith. Besides grandpa spoiling the li'l ones Uncle **Louis Barberini**, Tenderloin Task Force, is also helping.

Proudly announcing the birth of their first child are Sgt. **Bob and Joanne Del Torre**, Dog Unit. **Edwan Joseph** 9 lbs. 4 oz. 21 inches was born November 3, 1997. Edwan is the namesake of **Grandpa Edwan Del Torre**. Uncle is Lt. **Tom Del Torre**, Central Station. Already dad and uncle are planning Edwan's sports career. Dad is pushing football, baseball, and bobsledding (he is a USA team member) while uncle is planning golf and basketball careers. Who will mediate this; Godfather Sgt. **Ken Sugrue**, Tenderloin Task Force, of course. Congratulations to all and our best wishes for future happiness and success...

...Home Coming Queen:

Central Station's **Jim and Mary Ellen Deignan** have been busy attending to royalty. Their princess (daughter) **Clare** was elected Home Coming Queen of St. Vincent's H.S. Petaluma, Ca. this past fall. Quite an honor and a lot of hard work. Congrats Clare...

...Trivia Quiz:

Last month we ran a trivia question (with hints) to see who could ID. the former Boston Red Sox pitcher whose nephew is POA General Counsel, **Sean Connolly**. Well no one got it. The closest guesses came from Co. K/Solo **Dennis Russell** (former Dodger). When told that the name was Bill Monbouquette Dennis proceeded to recite statistics and inform us that Bill's AKA was "THE FIRE-MAN" the first official closer in MLB history...

...Cabo San Lucas:

The annual January pilgrimage to Cabo San Lucas has taken place. Ingelside's Sgt. **Bill Dyer** reports a great success and is already planning for next year. Start saving your pennies now and maybe you can also be awarded a crossed coronas pin. Wonder if it qualifies as a battle ribbon...

...Technology Nightmare:

The new computer system has been less than successful. Now comes word that the same company Tiburon something or other will be responsible for the new 911 communications center, an 800 MHz system when other departments are already using 900 MHz technology. Just doesn't make sense...

...Younger Officers:

The POA is hosting some financial seminars. Younger officers should attend and start planning their futures today. Learn from the mistakes of those who preceded you. Take advantage of this very worthwhile association service...

...History:

Captain **Roy Sullivan** of the Traffic Company has an SFPD banner from 1908 hanging in his office. What is the history of this banner????? Why are two of the names outlined in red???? Do you know. Have a guess. Well historians drop by and see if you can solve the mystery. The banner was discovered in an old trunk by

Nick Torelli who owns Air Cool Auto Service in the Bayview District and donated to the POA via Roy.

...Wouldn't it be nice:

If the CAD system showed which officers on duty were accident trained, specialists, negotiators, bilingual, and/or 11550 trained. It would stop those nauseating all requesting one or the other...

...What does it mean??

What does the new Sick Pay provision/wellness program of the new contract mean??? How does it work??? Can we get some examples?? Please????? I'm confused are you????...

...Dues increase:

The best argument for the dues increase came out the day after the votes were counted. Co. A's **Rich Benjamin** and **Carl Payne's** exoneration and reinstatement by the Superior Court proved why we need the best legal support possible the POA can provide. The job done by Attorneys **Kathy Mahoney** and **Bob Moore** was excellent...

...Quote:

"It's the friends you can call up at 4 A.M. that matter." — **Marlene Dietrich**: How true....

Announcements, notices or tidbits can be faxed to 552-5741 or mailed to Around the Department, 510 - 7th St., S.F. CA 94103.

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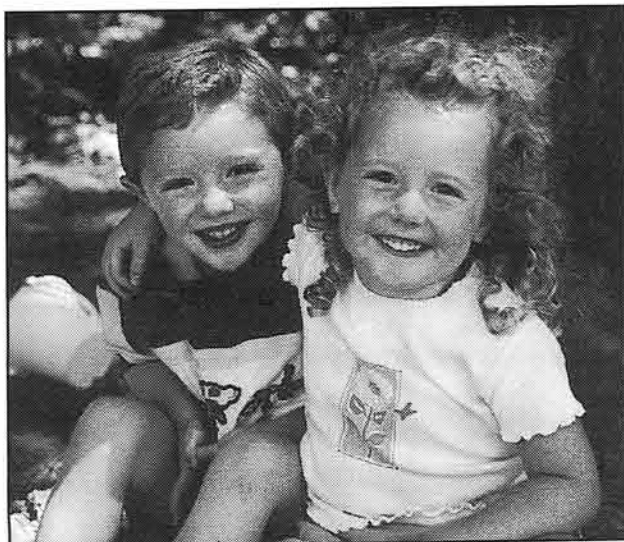
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Retired Members Column

by Mike Sugrue

Pre-Retirement Seminar

Here we are again, a brand New Year and many brand new resolutions. I found a small article in the "Total Wellness" bulletin from the City and County Health plan that I thought was interesting. It's about "Why should we be more active?"

Physical activity means using your muscles to move your body around. Following are a few of the benefits of physical activity:

- It's good for your heart, lungs, bones, and muscles.
- It can lower your risk of heart attack.
- It can help you control your weight and blood pressure.
- It can give you more daily energy.

- It can help you relax and sleep better.

Activities shouldn't have to hurt to do your heart good! Try simple activities that are good for you. You might walk, jog, ride a bike, or swim. You might rake leaves, mow your lawn, trim your hedges, pull weeds, sweep your floor, wash windows, or vacuum.

Use this checklist to make sure activities are good for you:

- Is it fun and easy?
- Can you begin slowly and dress comfortably for it?
- Does it allow you time to warm up, cool down, and stretch?
- Are you willing to stick with it?
- Does it help you meet your goals?



Participants in the first two-day retirement planning seminar held last November in Burlingame.

Retirement Planning Seminar

Two Days In Burlingame

By Mike Hebel, Welfare Officer

The Embassy Suites Hotel in Burlingame hosted the SFPD-POA semi annual pre-retirement seminar. For the first time since its inception in 1984 the seminar lasted two days (November 17 & 18), members and their spouses/partners stayed at the Embassy Suites, and the program was expanded to include a discussion of social security and medicare benefits, deferred compensation benefits, health service system benefits, and critical psychological issues presented by retirement.

Special thanks to Chief Fred Lau, Assistant Chief Earl Sanders, and Captain Dan Lawson for providing the necessary funding to expand this seminar's subjects and to allow members and their spouses/partners to reside at the Embassy Suites.

Fifty participants (members and spouses/partners) attended the lively and informative seminar which was coordinated by retired officer Mike Sugrue and his wife Cass.

The presence of Officer Bob Geary kept the class in a humorous state. Bob's question about a perspective marriage, when he had attained the age of 100, to an 18 year old lady resulted in many participants offering Bob both marital and financial advice.

The seminar was honored to have

in attendance Inspector Marty Bastiani, the department's senior member. Marty and his wife were the source of much information about the department's history and how to successfully survive, as a family, all the occupational stressors. Marty's partner, Bob Huegle, was also in attendance keeping Marty's stories in check.

Assistant Chief Earl Sanders, attending with his wife, provided the Department's perspective on the importance of retirement planning and retirement enjoyment.

Also attending with their spouses were Ed Geeter, Al Mould, Ed St. Andre, William S. Taylor served as our color coordinator and historian on the origin of retirement systems (1870's, Germany, Otto von Bismarck).

It was a most informative and entertaining two day experience. The seminar presenters kept their commitment that no question would go unanswered.

The next two day retirement planning seminar is tentatively scheduled for April 20 and 21, 1998. The seminar will be available to the first 50 people, members and spouses/partners, who contact the POA after the announcement is sent to all members with 20 or more years of service. This seminar fills up quickly so don't delay.

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Cyber News

By Glenn R. Sylvester

Happy New Year everyone!

Those who took the time to send me Holiday E-mail cards last month as a result of my article, picked up another lesson as to the versatility of the Internet. Thanks Pauline MacKenzie (FOB) and Al Wong (Co. I). Of course there were others, but Pauline and Al are relatively new to the Internet.

Are you being charged a surcharge for the use of your SF Police Credit Union ATM card at a non-participating ATM? Try visiting this site (<http://www.theco.op.org>) for a quick search of those ATM locations that charge nothing. The following states are listed and I am sure you might find one near you. (AZ, CA, CO, FL, ID, MD, NC, NH, NV, OH, OR, TX, UT, VA, WA, WI)

I have seen this site advertised in the Credit Union newsletter and never taken the time to visit, what a resource. Thanks Mike Williams (ret.) For passing this information on to me.

Ran into a member at CompUSA (my regular hang-out, right!) just this week who was buying a computer (PC) for his son. He asked if he was getting a deal. Imagine a full blown Compaq pentium system for under \$900.00. Many of us can remember buying those old PC's and 286 systems for \$2,000 at minimum. The deals are out there and for those who waited for the beginning of the new year, there's no better time than now. Intel just recently slashed the prices of their pentium chips up to 30 % in some cases, coupled with HP trying to compete with the other name brand manufacturers in the PC market, there are deals out there. The longer you wait, the further behind you become and the more you miss.

Security on the Web continued:

So you want to find someone, this is not too hard as most individuals



subscribe to an ISP, have written mail in a newsgroup, obtained an anonymous e-mail address, are listed in a telephone directory and more.

Try these sites:

<http://www.databaseamerica.com/>

If you are listed in a local telephone directory, you might be here <http://www.four11.com/> and <http://www.switchboard.com/>

These sites will search for an E-mail address of a person if they have E-mail.

As I mentioned before, this is the age of technology and information. You can not go about your daily life today without the use of some type of computer interaction, whether a VCR, coffee pot, automobile or the store you shop at. How much information about you is out there? Don't become too paranoid, because the information is needed and can be vital to your existence in society. You've heard the principle in the judicial system, "you are innocent until proven guilty", in the world of cyberspace, "you are guilty until proven innocent". It can happen and it does all the time. So a little information is all right. Your browser that you utilize to surf the web puts out information, the sites you visit obtain this information and store it in files called "cookies". Have you looked at that file lately? There are a few things that you can do about "cookies" and I will leave that for next month. Until then, happy computing!!

Next month: Browsers/cookies, push/pull/anonymity

Get On Our E-Mail List

Why wait for the Notebook to get the scoop? Receive POA bulletins and updates within minutes of their occurrence or release. We are amassing e-mail addresses for any active or retired POA member who wants to receive POA news as soon as it happens.

We are also compiling an e-mail list for non-members and POA supporters. Persons on this list may not be privy to or receive the same bulletins and news as that of the active/retired members.

You may get on one of our lists by sending us your e-mail address. For security reasons, we request that you register with us either by telephone, in person, or through regular mail. You may also register through your station or unit representative.

Our lists will be secure. They will not be released to anyone. Only President Cunnie, Webmaster Tom Feledy, Notebook editor Ray Shine, and one trusted office staffer will have access to the lists. Register in one of the following formats:

For active and current POA members:

Send us your name, star number, assignment, and e-mail address. You will be contacted for confirmation before you are registered with us.

For retired POA members:

Send us your name, assignment from which you retired, current home address, and e-mail address.

For friends and supporters:

Send us your name, any organization to which you are affiliated, and e-mail address. Friends and supporters may register via e-mail by contacting us at sfpoaoff@slip.net.

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The Redmond Family Fund

A terrible fire at 132 Westpoint Road in the early morning of December 13 quickly took the lives of six members of the Redmond family — five children, ranging in age from eight months to 14 years, and their grandmother.

Officer Steve Ford of the San Francisco Police Department, in conjunction with Hillcrest Elementary School, has spearheaded a drive to help the family with its funeral expenses and to establish a family fund. Members of the public are encouraged to join these two organizations by sending a check to The Redmond Family Fund, c/o San Francisco Police Credit Union, 2550 Irving Street, San Francisco CA 94122. Please specify account number 1352961-S5.

For more information, please contact:

Officer Steve Ford San Francisco Police Department Backgrounds Unit 553-1282.

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A Peek Inside The OCC:

An Interview With Pam Moy

In November 1997 long time OCC investigator Pam Moy resigned after spending over nine years investigating complaints lodged against SFPD officers. But, to nearly every POA rep who has dealt with her one-on-one, Pam was always considered to be one of the most respected and trusted investigators in the history of the agency. What has set Pam apart from her less respected former coworkers was her innate sense of fair play and objectivity. Although always business-like and professional, Pam was, at the same time, accommodating and approachable and, most importantly, FAIR.

Pam's sudden departure from the OCC has diminished the already failing confidence that the POA has in the OCC and its current administration. Seeking answers to many questions about the secretive inner workings of the Second Street enclave, the POA approached Pam and requested the interview that follows. The only conditions agreed to were that individuals would not be named, and there would be no reference to specific cases.

So what follows is an inside peek at the what makes the OCC tick, as well as some valuable advice on how to prepare for your next OCC interview. — Editor

POA: Is the overriding OCC philosophy established by the director, or it is more formal, and structured by charter language?

MOY: It is not structured by language. We have had maybe five directors — something like that — and the philosophy has changed with each director. I think the philosophy is formulating as we go along.

POA: During your tenure at the OCC, you witnessed some fairly dramatic changes in leadership and direction. Why do you believe the OCC cannot retain competent leadership?

MOY: The OCC I think, from the inception, has never quite gotten on track as to how the agency was to operate, so it keeps changing and modifying, and no one set down in writing what the expectations and procedures were. Right now it is the homeless problem. San Francisco is unique. It's got its own problems with its political correctness and all. I'm simply saying that their emphasis keeps changing.

POA: Is morale suffering among the OCC employees?

MOY: I would say that the morale problem shifts and changes from time to time. It has never been good. I have never, in nine years, had an atmosphere where everything was just really good for all the employees in-

that they can bring forward additional allegations on behalf of the citizens. That should be true in the sense where the average citizen does not see where a policy is not appropriate, or the training is missing. The average citizen may not see where there is an opportunity to make policy

OCC investigators are not the only people who determine the outcome of an investigation. There is a lot of input from administration and supervisors...

involved. There have been a number of things that have come into play. Originally when I got on board it was lack of funds and personnel. We had a serious deficiency in personnel. I think there were six of us. There were no funds coming in. They didn't have any equipment, like cars and such. They didn't have procedures then. They are still formulating procedures now, so that's never changed. There were too many things keeping you from doing the job effectively.

POA: How much emphasis is placed upon the sustained complaint rate? Is that seen as the moving force of the OCC mission?

MOY: Now, that's a very interesting question because the OCC sustained complaint rate has always been an underlying issue, but that's not the primary focus. It's taken a back seat to the problem of backlogged cases. It's never been an issue of the quality of the sustained cases. Now, the sustained case really has two parts. It's your investigation, and it's your coming to a conclusion. But you also should be formulating the sustained case in a way that the person who is bringing it forward to argue it is able to argue it like a prosecuting attorney. They have to base it on solid evidence and good analysis of the regulations and facts of the case. Those issues are not always clear cut, so it is a difficult job for the attorney and the investigator to bring forward something that is only an opinion without corroborating evidence. There is a need to prosecute effectively.

POA: More and more we find OCC investigators adding their own violations or complaints to that of the original complainant. These are often allegations that the investigator uncovers and are not things about which the citizen has complained. Is that philosophy and practice encouraged or expected by the current Director?

MOY: That philosophy has ebbed and flowed over the years. It has always been the philosophy of OCC

a little more clear cut where there is no regulation to cover a situation. So, investigators should be able to work that kind of an additional allegation into the complaint.

POA: I'm talking about simple things like filling out a form improperly.

MOY: Well, it has to do overall with accuracy, but it depends upon the Director and his or her philosophy. There is more inclination to add allegations to a complaint now than in the past. The way allegations are established has changed. Some have viewed it as a supervisory problem within the department. You know, you should be looking at the accuracy of your officers because if they go to court and their case gets thrown out on a technicality, it is a waste of time, so you need to fine tune that. But I don't know that past administrators at OCC were particularly interested in emphasizing that as an allegation to be sustained.

POA: The seasoned investigators at OCC know a legitimate complaint from a bogus one. Despite that expertise and their informed judgment, are OCC investigators expected to put as much effort into such cases as they do into the legitimate ones?

MOY: OCC investigators are expected to put the same emphasis on all allegations. OCC investigators are not the only people who determine the outcome of an investigation. There is a lot of input from administration and supervisors and the legal advisors.

POA: Are conclusions of an investigator very often overruled or overturned by either a supervisor or one of the OCC attorneys?

MOY: Sometimes, and more often than you might expect.

POA: For clear cut reasons, or politically generated ones?

MOY: Both, in all honesty. Sometimes I have absolutely no understanding of why they decide that a finding should go a particular way.

There are times when I have two cases that are almost identical, and in one case it is not sustained, and in the other case there is some particular reason they see that I don't to change it to a sustained, or something else.

POA: Are certain types of cases assigned to particular investigators and likewise, are certain investigators kept away from complaints because supervisors want or expect a certain outcome in the investigation?

MOY: That was not true until more recently, and then for various reasons. Maybe perhaps the style of an investigator on how they write up a report or perhaps the philosophy or something like that, a case has been shifted to somebody else.

POA: Are there written policies and guidelines that OCC investigators are expected to adhere to, and if so, are they available for review by anyone who requests to see them?

MOY: The procedures at OCC are in the state of flux, and they have never been finalized between the people that are trying to implement the procedures, and the people who are working with them.

POA: Are investigators encouraged to solicit complaints from the public? For instance, at a special event?

MOY: In the over nine years I was with the OCC, I have not had anybody say to me, "go out and touch base with those people." The only one that I can think of is like YGC sends us an abuse report. What they view is an abuse report from a medical examination and we will contact the people involved and say it appears that something may have happened which you may wish to pursue. If you are interested in an investigation, please contact us. And we have done that, I think, with other issues too, but not very frequently.

POA: The City charter mandates that OCC accept all complaints. Should the charter be amended to allow more OCC discretion as to which complaints receive an investigation?

MOY: I think that last line is very valid. I think there should be some way that you could look at a complaint and assess some validity to the complaint. As far as complaints coming forward, you have to understand that you are dealing with the public. That's a real variable. There are citizens who believe that something is wrong because, 1) they don't know any better; 2) they have no familiarity with the law; 3) it is all emotional. And you do have your 800's and 5150's that come in. And,



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 some of them have their own agenda. You know, there is a reason somebody told them they should go in and file a report. Their attorney, perhaps. Perhaps they are at risk in losing their housing or something and they go in there and file a complaint. Some people psychologically want to upset the officer who they encountered and they will use the complaint process to effect that end. Just throw a complaint at him and shake him up.

POA: Many feel that a fair and unbiased investigation of a citizen complaint is, in the end, the best way to give credibility to the officer and the department. Would you agree or disagree with that?

MOY: I agree wholeheartedly, and it would enhance the credibility of the OCC as well.

POA: Conversely, biased investigations tend to corrupt the ideal of citizen review. Would you agree or disagree?

MOY: I believe it diminishes the whole process.

POA: Many citizen complaints are generated because of an ignorance of policy and procedure — not necessarily of officer misconduct. How can the public be made more aware of our policy and procedure, and who has the responsibility to educate the public?

MOY: I think the education should be from whoever they encounter. For example, I find too many people watch too much television, like the cop shows; the ride along cop shows, and they have a preconceived conception of what's going to happen to them when they run into a law officer, and that colors their perception of what happens in reality. I mean, everything happens so quickly on television. They think the process is going to be quick and if they are delayed more than five minutes, they go ballistic on you because you have kept them out there for 20 minutes — you know, writing a citation. Officers can off-set this misconception with a brief explanation of what they are doing, and why.

POA: During your tenure, did you find the role of the POA to be overzealous and an impediment to the investigatory process? Is there a general mistrust — or even an outright dislike — of the POA by those inside the OCC?

MOY: That varies with the investigator and circumstances. I have been in an environment outside of the OCC where the union and management were constant adversaries. It was a reality, and I have been on both sides of the fence. I have been a manager and dealt with the union and took labor relation courses to prepare myself for that. The job of the union is to represent their members. Disruption? I did not experience that, but I may have been one of the fortunate few that didn't. But I think that you would have to realistically say, in some cases, yes.

POA: Do you feel more officers would suffer discipline if they were not vigorously represented by the POA?

MOY: No, I don't think that is a factor. I don't think the POA is a factor in the disciplining of the officers.

POA: How about in the sustaining of the complaint?

MOY: I don't think that is true either. I think it is just — there is a mix there.

POA: So if the officer went in non-represented, his rights would be as protected as if he went in with a POA rep.

MOY: No, I wouldn't say that either.

POA: That is sort of what I meant by the question.

MOY: Okay. He is not punished for having the POA there, but he's not necessarily protected either. If he didn't have a representative, there is always an outside chance that an advantage might be taken.

POA: Do you feel that the POA is an undue political force at the Hall of Justice, as well as at City Hall, and do others in the OCC feel way?

MOY: No, I think the POA is there for the specific purpose that they were created, and they are doing what they are suppose to be doing.

POA: Is there a general belief at the OCC that police officers have too much due process afforded to them?

MOY: I think there might be a tendency to want to regulate more the individual decision making. I think there is a control factor there which comes into play which varies, depending upon the issues.

POA: Without naming individuals, do you believe there are blatant cop haters working as investigators at the OCC, and that the obvious bias is tolerated, if not even encouraged, by the management?

MOY: I can't say that I have personal knowledge of that.

POA: Do you think that the OCC is effective for what it was intended to do? Can civilian oversight of police ever be a legitimate forum for airing complaints and policy failures?

MOY: I think it could be a legitimate forum. I think that OCC is constantly working, trying to get to that point and, like I said, with all of the variables as far as directors and philosophies and procedures, who can say if it will ever come to exactly what the public meant for it to do. As a concept, there is nothing wrong with the concept. I know when I initially went in there it was perceived by a lot of law enforcement officers — not necessarily San Francisco but when I go to training I run into other groups too that say, "why should a civilian be able to make a police decision?" And, I had one of-

ficer give me a bad time one time and I said to him, well unless the doctor smacked you on the fanny and knew you were going to be a cop when you were born, you must have been a civilian at one time or the other. Now, somewhere in the process you learned to be a police officer. Anybody can put their mind to learning a particular job, whether they hold the title of law enforcement officer or not. Doesn't mean that they can't work with the principles.

POA: How can an officer best prepare for an OCC interview? What are the crucial things that he or she needs to do in order to walk into an interview prepared?

MOY: Well, I find that sometimes an officer fouls up because when they first get the notification of the complaint, their first reaction or their emotion takes over. If the emotion overrides everything, they tend to push it aside and not deal with it until the last minute. That is a very dangerous factor. Get the emotion out. Get angry. Throw it against the wall, pick it up and look at it seriously and determine what your being interviewed for. Secondly, if you have to get your reports or something to refresh your memory, or notations, get them together. Put them in an envelope and be prepared for it. Look them over. If you have to, go look at the site. Anything to make you remember what happened at that particular time because, except

are dealing with is going to create a complaint. Whether it be a simple encounter in asking and answering a question, to something where they are going to effect an arrest. If it's hairy, do something to note it down. I mean, if there is anything that was frazzled out there, note it down as soon as you can sit down and just think it through. It's like seeing an accident. You are not going to remember the details unless you write down your time and all those basic things. They are little reminders of what you have to put down for yourself. If there was some lady screaming at the top of her lungs, if you do nothing else except note the fact that she was wearing a pink dress, that's going to trigger that vision in your head of the screaming woman and what she was screaming at you. And it is like, pay attention because they are the ones that sneak up on you and throw all these curves later on and you are saying, I don't remember that happening or maybe it did happen and you are so confused by that time. And also sometimes officers will remember something subconsciously and they will give me enough information for me to pursue it. Well, they have got to do that for themselves.

POA: So, basically it is true that the more information the officer can provide the investigator, the better the officer will fair in the investigation.

I find too many people watch too much television, like the cop shows; the ride along cop shows, and they have a preconceived conception of what's going to happen to them when they run into a law officer...

for the one officer I know in San Francisco whose memory loss goes from two minutes before the interview to a year ago and he never remembers anything, the rest of the officers try to struggle through it. The struggle is that they are not prepared. I have officers who are heaven to interview because they not only looked at the complaint, they understand what the complaint is about. They go after those issues furiously and they are prepared with the information that is pertinent to make a decision. This is their opportunity to defend themselves, but to some of them it is procrastination at its finest. And when they finally have to deal with it, they are struggling, like they are in the wrong end of the pool.

POA: In the field, at the scene of an incident, are there tell tale signs that a complaint is likely to be generated and if so, what can the officers do to protect their interest and prepare for the inevitable OCC inquiry?

MOY: There are officers who instinctively know when whatever they

MOY: Absolutely. And it is better to be straight forward and say, "you know, I don't have a real recollection of that particular thing you [the investigator] are saying." And that's fine, because you are not expected to be superhuman.

POA: How often does the officer's attitude affect the demeanor of the investigator and possibly the conclusion of the investigator?

MOY: I think the officer's attitude has a great bearing on how he will be perceived by the investigator. We do go through a behavioral analysis class. There are things that are always a dead give away when an officer is trying to fly by the seat of his pants or he is trying to cover up something, and it is physical.

POA: And you are trained to spot that?

MOY: Sometimes you are sitting at the table and you are thinking, oh, my God...

(See OCC, page 14)

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Siphoning Gas

The following item is an excerpt from the book True Stories That Cops Tell To One Another by retired SFPD Tom Dempsey.

The author provides a "hint" to help identify who the tale is about:

Owner of the vehicle is a retired driver/bodyguard of several mayors; the jokester is a retired Captain of Police.

The identities of the two officers in the story titled The Tomato Juice Cure which was excerpted in the December issue of the POA Notebook are Kevin Dempsey and Mike Norman.

— Editor

Two uniformed officers worked together for many years in their radio car and were continually pulling tricks on each other. This time, one of the officers purchased a new car and was bragging how great it was—running quietly, great mileage it gets.

Unbeknownst to him, the partner had a key to the car. When the owner of the vehicle wasn't around, he drove the car to a gas pump and filled it

with gas. He did this several times.

The owner of the car was telling everyone what a great car it was and that he was getting more than 80 miles to the gallon.

After a time, the partner reversed the situation and began siphoning gas from the tank until the owner of the car was getting only 3 or 4 miles to the gallon.

The owner of the car took it to the shop where he hoped they would correct the problem of the varied gas consumption.

After many trips to the shop, and to no avail, the partner finally told his buddy what he had been doing.

"You did that to me and my new car?" He fumed and snorted but didn't get any further than, "Why, you son of a b _____," when he broke down in explosive laughter.

Hint: Owner of vehicle—Ret. Insp., Driver of Several Mayors, Jokester, Capt. of Police

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Santa Comes To Ingleside



Santa Mario Delgadillo and friends

By Ethel Newlin, SFPOA Supporter

There is a persistent rumor that Sergeant Mario Delgadillo (Ingleside Station) may actually be Santa Claus. On December 20 he got into the red suit and hosted a party for a very special group of kids.

Over the past few months Mario and the officers at Ingleside collected the names of youngsters caught in the middle of domestic violence cases, were victims of crimes, or were having a tough time of it in some way. With permission from their families, a Polaroid picture of each child was placed on the "Kris Kringle Tree", to be adopted for Christmas by one of the officers. The officers agreed to buy presents for their "special" child and to invite them to a party with Santa and his helpers.

Seeing the kids receiving their gifts and picture with Santa, eating hot dogs and having a great time made it very hard to imagine the traumatic events of their lives. Times like these remind us what community policing is all about.

Sergeant Mario Delgadillo will continue to collect donations of clothing, especially warm coats and jackets, for the children who come to the attention of the officers of Ingleside Station. For information contact him at 553-1603.

Mission Toy Giveaway



Santa Rich Pate is assisted by elves from Ti Couz Restaurant

By Ethel Newlin, SFPOA Supporter

The Fourth Annual Toy Giveaway at Mission Station was a huge success. Kids began lining up at 7 a.m. to wait for the doors to open at 10 a.m. By the time the doors closed at 2 p.m. approximately two thousand kids had received an arm load of toys and a picture with Santa. This great event was the brainchild of Commander Joaquin Santos when he was captain at Mission and he was there to enjoy the good feelings.

The Toy Giveaway has become so popular that it takes two shifts of Santas to handle the crowd. Once again Santa (Sgt.) Mario Delgadillo and Santa (Sgt.) Rich Pate returned from their regular gigs at Ingleside to play the large jolly guy in the red suit. They were ably assisted by a pair of pointy-eared elves from Ti Couz Restaurant and a small army of elf volunteers who kept the traffic moving smoothly.

The man behind the scenes in Santa's Workshop, Sgt. Larry Ratti, made sure that the volunteer officers and PAL cadets kept the toys rolling out to the anxious kids. There were some pretty magical moments, like when the little girl asked Santa for a Barbie and the helpers choosing the gifts picked a Barbie without knowing what she had requested from Santa.

The Toy Giveaway is the product of a partnership between the captain and staff of Mission Station and community service agencies. This year they were joined by the merchants of the Mission, who put together a benefit party to collect toys. Special thanks go to Jose Najar, President of the Mission Merchants Association, and to the Columbia Park Boys and Girls Club for hosting the party. Santa (as portrayed by Mission Station's Mark Brandenburg) put in an appearance to thank all those who made his job easier by donating toys.

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Superior Court Judge Rebukes Discipline Action Of Former Commission

Notebook Staff Report

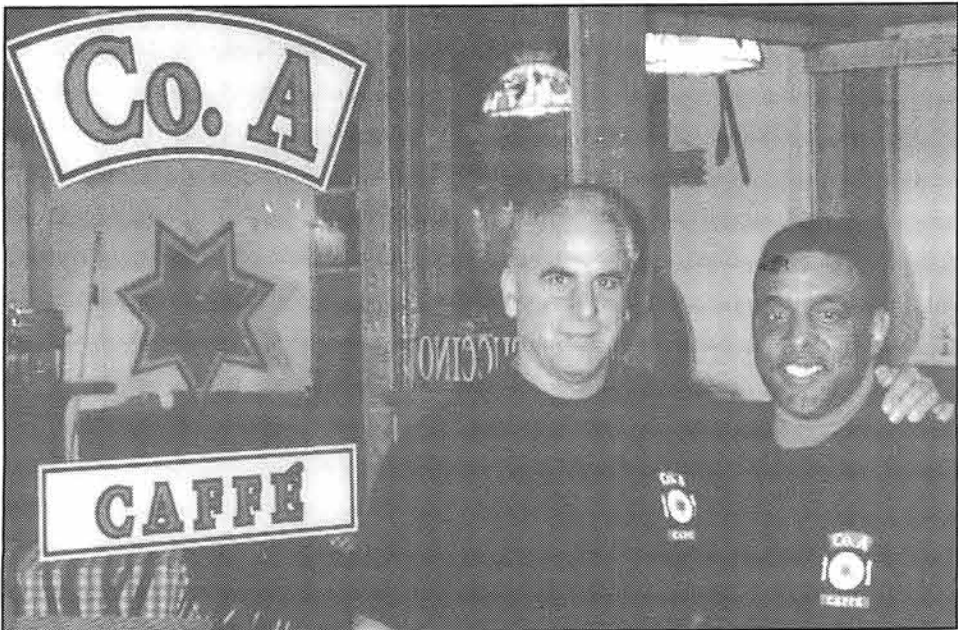
Central Station Officers Rich Benjamin and Carl Payne started the New Year off right when a Superior Court judge overturned their suspension by the Police Commission last spring.

Judge Raymond Williamson found that the officers had not violated any Department policies or rules when they booked a man for 647(f) in February of 1995. The man had an estimated blood alcohol level of three times the legal limit and no outward signs of trauma when Officer Payne and Officer Anthony Gomez picked him up at the Fairmont Hotel. They brought him to Central Station, where Officer Benjamin was the station keeper, and where they intended to hold him for four hours and release him when he was sober. Unbeknownst to the officers, the man had apparently suffered internal head injuries earlier in the night. He eventually died from those internal injuries.

In an extensive two-day hearing before former Commissioner Doug Wong, the officers represented by former POA in-house counsel Kathy Mahoney, showed that they had acted in accordance with Department training, policies and procedures at the time. The officers also showed that the Department's training for the handling of intoxicated persons at the time was woefully inadequate, and in fact fell below state standards. The evidence before the Commission showed that the Department had completely revamped its training and policies regarding the handling of intoxicated persons since this incident.

Despite overwhelming evidence in favor of the officers, the Commission voted to suspend Officer Benjamin for 30 days and Officer Payne for 15 days. The Commission did not sustain charges against Officer Gomez.

Bob Moore filed a writ of administrative mandamus on behalf of the officers and the POA in Superior Court. Judge Williamson reviewed the entire record of proceedings before the Commission, which included the complete transcript of all of the



Rich Benjamin and Carl Payne celebrate their victory in Superior Court at the Grand Opening of Rich's latest restaurant venture.

testimony presented, and found "insufficient evidence" to uphold the Commission's decision. In a written opinion, the judge said discipline was "inappropriate in this case."

The court cited as the basis for its decision the testimony of Sgt. Garrett Tom, Officer Michael Norman and Deputy Chief John Willett, all of whom testified in behalf of the officers. Deputy Chief Willett was the commanding officer of Central Station when the incident occurred.

The court was "favorably impressed" with the testimony of all three witnesses, according to the opinion. The court cited from the hearing transcript Deputy Chief Willett's conclusion that "it appeared to me that the officers did not only use the proper conduct but what I would have done in the same situation."

The court also noted the amendments, revisions and changes the Department has made since this incident regarding the handling of intoxicated persons, saying it was "impressed" with such changes. But the court also recognized what the Commission refused to acknowledge, despite the overwhelming evidence presented in the hearing.

"If the previous policies, procedures and training were so clear to every line-officer on the street, such massive reworking of those policies, procedures and training would be neither necessary nor appropriate," Judge Williamson wrote.

In addition to overturning the suspensions, Judge Williamson ordered that both officers be reimbursed with interest for all of the back pay and benefits they lost from their suspensions.

What Do You Believe???

By Steve Christie, Southern Station

I think it is time to stand by your personal beliefs. The issue I am referring to is promotional exams.

Opinion

Many years ago if a member took an out of rank appointment they were ostracized big time and widely considered animal excrement. My recent belief has been that I hold no ill will toward anyone who takes an out of rank appointment because there really is no rhyme or reason to our promotional tests. Take whatever you can get, whenever you can get it. I must admit that my attitude is now wavering. Being passed over a few times is no big deal. The thing that is bothersome is watching as others that I regard as being many times the cop that I am are passed over time and time again. If we believe solidly in the testing process it should be rank order all the way. If you think that the examinations test only your acting skills and are a huge joke, then out of rank appointments would be the order of the day. Either you have faith in the testing process and go in rank order, or you admit that the test is not worth the paper it is written on, and choose by any other imaginary criteria that is popular on that day. How have we, or worse how has our city, accepted a process that is so contradicting to itself? Funny thing is... our administration wonders why we sometimes have trouble with the line between right and wrong. Somewhat like children in a family, we are a product of our environment. Is it time to take a stand? What do you believe???

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of a
Friend

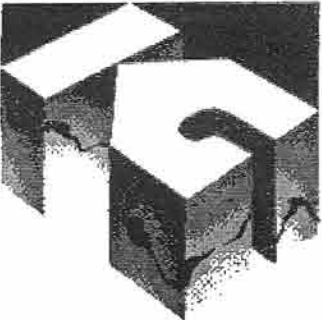
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Policing Old San Francisco:

The Frank Egan Case, 1932

By Kevin Mullen, SFPD Retired

On Friday evening April 29, 1932, Warren and Verna Louw took in "The Champ" at the El Rey Theater on Ocean Avenue, starring Wallace Berry and Jackie Coogan. As they walked toward their Kenwood Way home following the movie, about 9:45 p.m., the couple noticed a suspicious looking automobile slowly circling the area.

Thinking the occupants might be robbers, the Louws stepped into a recessed doorway and watched as the auto appeared and reappeared several times before racing off with its lights out. The couple continued up Kenwood where they came upon the crumpled body of a woman lying on the pavement near the curb in front of 150.

At first, the thought was that the victim had been struck by a hit and run driver, but responding detectives were soon struck by the fact that, though the night was chilly, the woman wore no coat or other outer garment. Neither had she been carrying a purse and contrary to the universal custom of the time, she wore no hat.

On Saturday morning, a Westwood Park neighbor identified the victim as Jessie Scott Hughes, a 59 year old widow who lived alone at 41 Lakewood Street. Public Defender Frank Egan could tell them more, the man said, for he was a close friend of Mrs. Hughes and managed her financial affairs.

The 50 year old Egan was a well respected figure in San Francisco's political and criminal justice circles. A former city police officer who had passed the bar and established a private law practice in 1914, he had been appointed the city's first Public Defender in 1918 after the office was established by the State Legislature. Egan was elected to the post in his own right at the next election and reelected continuously thereafter.

Later that Saturday morning, Egan himself showed up at the Coroner's office. In answer to routine questioning he said that he was indeed in charge of Mrs. Hughes' affairs, and

mentioned that she had an insurance policy listing him as the beneficiary.

Egan said further that his client had been in the habit of going on night hikes without a hat or coat, a practice he had warned her about repeatedly. As to his whereabouts at the time of Mrs. Hughes' death, Egan volunteered that he had attended the fights that night at Dreamland Auditorium in company with Dr. Nathan Houseman, his physician and friend.

Police detectives under Captain of Detectives Charles Dullea went to the Lakewood address where they had been forced to break a window to gain entry and, once in the house, found that all exterior windows and doors were locked and bolted from the inside. The house and garage keys were found in Mrs. Hughes' purse neatly stowed in the dining room sideboard. The woman could only have left the building through the garage door which had a self-engaging spring lock. Suspicious looking stains were found on the garage floor.

By Monday morning, police located the death car in a private garage at Turk and Masonic streets. The blue 1925 Lincoln phaeton belonged to fire lieutenant Oscar Postel, who said he had lent it on the morning of the killing to a man called Verne Doran who claimed he wanted to use it take Frank Egan for a ride.

Doran, 23, a convicted burglar, indebted to Frank Egan for his release on parole, worked for the Public Defender as a chauffeur. Detectives went to Doran's sister's home where they were told that Doran had left a half hour earlier after receiving a telephone call from a man she thought was Frank Egan.

The sister thought Doran might be in the company of a recently acquired friend, Albert Tinnin. The 37 year old Tinnin was also an ex-convict, having spent nine years in Folsom Prison on a conviction for attempted murder of a woman in Tehama County. He had been paroled the preceding February, in part through the intercession of San Francisco Public Defender Frank Egan.

Tinnin was not to be found anywhere either.

The case smelled, and the taint kept leading back to Public Defender Frank Egan. On Monday night, it took an odd turn. At 9:00 p.m., Captain Dullea received a telephone call from Egan, who said that he had been kidnapped. Yet an hour later the Public Defender was seen at Powell and Geary streets by a hotel clerk and a police officer in no obvious distress. Egan then dropped from sight as well.

It was all a frame-up, Attorney Hallinan and others charged, engineered to abolish the office of Public Defender which was unpopular in law-and-order circles...

From the start, the case commanded front page attention as enterprising reporters dug into every aspect of Egan's past and police scurried around the state in response to reports of sightings of the fugitives. As in other celebrated cases, once the story broke, witnesses to unusual behavior came forward.

For one thing it soon became evident that despite the outward trappings of affluence, Egan's finances were in a sorry state. A bank had started foreclosure proceedings on the Egan home at 225 Urbano Drive to recover a \$9,000 mortgage that had gone unpaid.

And Dr. Alexander Keenan who had treated Mrs. Hughes several months earlier, said that when he had presented her bill to Egan for payment as the patient suggested, the Public Defender told him that her funds had been exhausted. According to Dr. Keenan, Mrs. Hughes seemed surprised when that comment was relayed to her.

Mrs. Hughes was not the only older woman of means connected to Egan. A decade earlier, about the time Egan was married to his wife, Lorraine Kipp, Lorraine came into a sizeable inheritance from Margarita Busch, an heiress of the Busch brewing fortune who she had served as a companion and nurse.

Within 48 hours of Miss Busch's death, a deed of gift was filed with the county recorder transferring a row of apartment houses on O'Farrell Street to Egan's bride. When Chicago relatives sued, Mrs. Egan settled out of court for one third of the \$200,000 on the advice of her attorney husband.

After Mrs. Catherine Craven died in 1929, supposedly from the effects of alcohol, her nieces examined her estate which they estimated to be worth about \$25,000 and found it to consist of real estate plastered with mortgages and an empty safe deposit box. When they contacted Egan, who their aunt said she had placed in charge of her affairs, he ordered them out of his office.

Another was Mrs. Katie Weber, who died in November 1930, leaving an estate of some \$8000 which had dwindled to \$4 under management of her friend and counselor, Frank Egan. The executor of Weber's estate said the he had been pressing Egan for repayment of a loan from the estate at the time of Mrs. Hughes'

death.

More recently, in February 1932, another of Egan's clients, Mrs. Florence Cook, was found dead in her home, also apparently from the effects of alcohol. According to neighbors, Egan visited her frequently, sometimes in the company of Dr. Houseman. Cook's divorced husband said he had given his ex-wife \$6000 in the preceding year, all of which was gone. He was put off by the Public Defender when he asked him about it, he said.

These revelations caused the press to take another look at Tinnin's conviction for attempted murder of a woman in 1918. The victim in that attack was the sister of the woman Tinnin was living with in San Francisco at the time. The two women had recently come into a shared inheritance of \$100,000, all of which would have gone to Tinnin's live-in friend if her sister were dead.

At Tinnin's trial for the 1918 attempted murder, Frank Egan had testified that the defendant was working as a process server in Egan's San Francisco office at the time of the crime and thus could not have been 200 miles away in Tehama County. The Jury evidently didn't believe Egan and gave Tinnin 10 years to life.

On the Thursday following his disappearance, Egan turned up in a private sanatorium on Steiner Street where, according to his spokesman and attorney, Vincent Hallinan, he was recovering from a nervous breakdown. Egan, said Hallinan, couldn't remember anything that had occurred since the preceding Saturday.

The following Monday, it was revealed that Tinnin had been in police custody since Wednesday, the 4th, held incommunicado at the Whitcomb Hotel where he was questioned by police. Soon afterwards, as the authorities were closing in on him, Doran turned himself in to the police. Both ex-cons were held on parole violations; Doran was sent to San Quentin and Tinnin was lodged at the County Jail.

As the web of circumstantial evidence drew around Egan and his two suspected accomplices, Egan's defenders rallied to his cause. It was all a frame-up, Attorney Hallinan and others charged, engineered to abolish the office of Public Defender which was unpopular in law-and-order circles for getting criminals off.

The latter charge was lent some credibility by efforts to place a ballot proposition which would indeed abolish the Public Defender's office. As to the former, the conviction of radical labor activist Tom Mooney a decade earlier, resulting from a frame-up engineered by public utility companies and the District Attorney, with at least the tacit complicity of the Police Department, was still fresh in the public mind.

On June 4th, as the grand jury was about to take up the matter, the

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case broke wide open. Verne Doran, Egan's chauffeur, who faced 15 years on his parole violation, and still more time if convicted of a recent garage hold up for which he was charged, decided to make a clean breast of it. He laid out the whole case for the authorities in gruesome detail.

He and Tinnin had done the killing, he admitted, at the urging of Frank Egan. Egan had told him, Doran said, that Mrs. Hughes had been pressing him for money and threatening to take him before the Bar Association. Doran went along with the plan, he said, because he was afraid that Egan would send him back to San Quentin on some technical violation.

Egan had introduced him to Tinnin a week before the killing, he said. On the day of the killing he had borrowed the automobile from Postel as Egan requested and later in the afternoon went with Egan and Tinnin to Mrs. Hughes home where Egan had Tinnin ring the bell on a ruse, so he would recognize her later, while Egan waited a block away.

Tinnin and Doran met Egan later in his office where Egan called Mrs. Hughes and told her he was bringing two friends for dinner, and later that evening, Tinnin and he went to the house while Egan established his alibi elsewhere. Expecting Egan, Mrs. Hughes opened the garage door to them, Doran said, and they drove directly in.

When the woman questioned them about Egan's whereabouts and refused to get her hat and coat to join them in going to him, Tinnin struck her several times, according to Doran, knocking her unconscious. Tinnin then placed her in front of the right front wheel and instructed Doran to drive over her which he did. He then backed over her to make sure the job was done.

They placed her in the car and drove to the Kenwood location and threw her out, then went to the Blackstone Hotel where they played ping pong until 11:30 p.m. when Egan showed up and they reported that the job had been accomplished.

The Grand Jury indicted all three suspects for murder and their trial began on August 8 in Superior Court #12, Judge Frank Dunne presiding. Assistant District Attorney Isadore Golden appeared for the people; Vincent Hallinan represented Egan, and Nate Coghlan, a leading defense attorney of the day, appeared for Tinnin.

Golden opened the prosecution by eliciting testimony from several witnesses describing how Egan had cozened Mrs. Hughes out of a house on Moultrie Street and used another woman to set up a dummy bank account through which he laundered Mrs. Weber's money. Other witnesses established the fact that Mrs. Hughes

had almost \$15,000 in life insurance with Egan as the beneficiary.

Doran was the star witness for the prosecution, repeating in detail the story of how he and Tinnin had killed Mrs. Hughes at Egan's request. There followed a string of corroborative witnesses. One of Mrs. Hughes' neighbors identified Doran as the man she saw sitting in the Lincoln in front of the Lakewood address on the afternoon of the murder.

Another woman who lived up the hill identified Egan as the man she saw standing in front of her house on the afternoon of the murder while, according to Doran, he and Tinnin made their exploratory visit to Mrs. Hughes house. Still another neighbor testified that she had seen the Lincoln back out of the Hughes' garage about 9:30 p.m.

Police criminologist Frank Latulippe tied the physical evidence together, and Warren Louw described what he had seen on the night of the murder. The final and somewhat reluctant witness was Egan's stenographer, Marion Lambert, who testified that Mrs. Hughes had frequently called Egan at his office and that two days before her death she had come in and made a pest of herself.

The defense presented a cohesive case which pretty much covered the points addressed by the prosecution — if one chose to believe their witnesses. To counter the charge that Egan had milked Mrs. Hughes' accounts, the defense brought out that on many occasions Egan had made payments for her expenses.

The main hurdle to overcome for the defense was Doran's confession. To do that they put Charles Colonna on the stand, a San Quentin convict who said that he met Doran on Mission Street a week before the murder and that Doran tried to interest him in burglarizing a woman's house out by Balboa Park. The implication was that Doran had done the killing himself during a bungled burglary attempt. Another defense witness, Doran's cellmate in the County Jail, testified that Doran had told him that he was going to give up Egan and Tinnin to save his own skin.

A Mrs. Burton Barton testified that Tinnin was with her in her room at the Californian Hotel from 7:30 to 10:30 p.m. on the night of the murder. Mrs. Egan testified she had spent the afternoon of the killing with her husband, so he could not have been with Tinnin and Doran at that time as Doran claimed.

In a bold move, Hallinan called Egan himself to the stand as his final witness. By cleverly restricting his direct questioning to the day of the murder and the one preceding it,

Bored police inspectors detailed to monitor the wire got an earful when they heard a discussion between Public Defender Frank Egan and Dr. Houseman planning the intended murder of Mrs. Hughes

Hallinan was able to get Egan's adamant denial into the record while denying the prosecution the opportunity to cross examine him about earlier events.

After rebuttal witnesses which refuted Mrs. Egan's testimony and that of Doran's cellmate, the testimony came to an end. Attorney Hallinan had mounted his customary spirited defense throughout, and finished off by going to jail, not for the last time, on a charge of contempt for interrupting Prosecutor Golden during his closing arguments.

On September 3, 1932 the case went to the jury and three days later they returned a verdict of guilty of first degree murder against both Egan and Tinnin. Their sentence was to be life in prison.

As the murder case unfolded the previous May, some had wondered at the ability of the police to move so quickly toward a resolution of what started out as a true "whodunit." After the verdict was in, the explanation was forthcoming.

It seems that in May 1931 a man shot in a beer saloon at 110 Eddy Street sought treatment from Dr. Nathan Houseman, who was known by the police to have treated underworld characters in the past. At the urging of Captain Dullea, according to a bombshell revelation reported sympathetically in the San Francisco Examiner on September 9, 1932, private investigator Ignatius McCarthy had installed a dictaphone in Dr. Houseman's Flood Building office with wires running to his Monadanock building office.

It was there several months later — and several months before the deed occurred — that bored police inspectors detailed to monitor the wire got an earful when they heard a discussion between Public Defender Frank Egan and Dr. Houseman planning the intended murder of Mrs. Hughes.

The opposition press had a field day. Their main question was: why, if the police had knowledge of the murder before it happened, they hadn't prevented it? Captain Dullea responded that he had telephoned Mrs. Hughes about the threat but she discounted the possibility. He had also, he said, sent her — for reasons never explicitly explained — anonymous notes about the danger from Egan. As the months passed and nothing happened, the police

became involved in other matters.

In the usual speculation following any major event, attorney Nate Coghlan opined that while he liked Charles Dullea personally, the captain would soon be looking for other work. Earl Warren, of later Supreme Court fame as a civil libertarian, then Alameda County District Attorney, was asked would he would have done if he were Captain Dullea. He jocularly replied that he would have destroyed the transcripts and killed everyone who knew about them.

Members of the grand jury made noises about looking into the matter and the Police Commission did entertain the issue. In the end, they concluded that the whole affair was unfortunate and that the police shouldn't go around bugging people, but that it was really too late to do anything about it. Coghlan's prediction proved wrong. Dullea went on to an illustrious tenure as Chief of Police.

At first, there was defense talk about appeals and a new trial but that soon ended, presumably because now that all was known, a second trial might have resulted in a death penalty.

Doran went to prison on a manslaughter conviction and was paroled two years later. Tinnin and Egan were to wait more than 25 years for their release. In 1957, Tinnin finally broke down and admitted that he had in fact committed the murder with Doran at Egan's bidding. It was Doran who knocked out Mrs. Hughes, he said, otherwise his crime companion's story was correct. Shortly afterward, Tinnin was granted parole.

Egan never did admit to the crime and claimed that Tinnin had confessed only to expedite his own release. Over the years, Egan had made several futile attempts to seek an executive pardon and was finally paroled in October 1957. His object, he said in a post-release interview, was to clear his name. He died four years later still protesting his innocence.

I had occasion to interview Vince Hallinan in the early 1990s, more than half a century after the most famous San Francisco murder of the early 1930s, and I asked him about Egan's claim of innocence which some still claimed to support. Hallinan just smiled and rolled his eyes.



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A Look Back...

THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION and S.F. POLICE CREDIT UNION NOTEBOOK

Excerpted from February and March 1961

The Night's Work

By Thomas E. McDonald

Advised that three men, one a known bandit, were casing a Lakeshore Plaza bar, two Taraval cars responded and stopped the suspect vehicle. Investigation turned up two automatics, a sawed off 12 gauge double barrel shotgun, silk stocking masks and "tie-up" tape in the car. One of the men, TOM BUSBY, was identified as the perpetrator of an Ocean Ave. liquor store holdup where the clerk was viciously pistol whipped. All three, arrested by Officers CURT RIDER, FRANK WILLIAMS, BILL STATHES and TOM McDONALD, face a Federal shotgun rap. The car was seized by the Treasury Dept. for transportation of gangster weapons.

It is, indeed, the age of mechanization. Potrero's DICK GARRILLO nabbed the enterprising Lorimer brothers stealing a car at 4:30 A.M. on Evans Ave. They were hauling away the auto with a tow truck.

When, at 1:30 A.M. at Ellis and Fillmore, Bob Hanry, 30, was stopped by Northerners WALT BRAUNSCHWEIG and RON JACKSON, he leaped behind a car, drew his automatic, and was going to shoot it out. When he saw that the policemen had maneuvered him into a cross fire, he dropped the gun and gave up. Bobby figures prominently in the investigation of recent stick ups.

After stopping the new Cadillac on Great Highway, Narcotic men PAUL LAWLER and BOB MARTIN nabbed Bob Jorgenson, 21, as he was trying to swallow the evidence, a bundle of marijuana cigarettes. The investigation led to a 46th Avenue "shooting gallery" where four other junkies and a large cache of illicit drugs and shooter's equipment were seized.

Short tempered Wilber Nowling, 52 told the man in the Fell St. appliance store: "Your car is parked in front of my house. Move it!" The clerk refused and Ol' Wil whipped out his knife and attacked him. Bloodshed was prevented by the arrival of INOCENTE CISNEROS and GENE MURPHY, Northern, who disarmed and jailed Nowling.

Drifter Ted Barras, 35, stopped two men on 3rd St. and offered them a set of gleaming, initialed, five dollar cuff links for only one dollar. "Are they hot?" Asked one of the

men. Ted's wrong answer put him into the bucket. The two men identified themselves as Inspectors VIC SHORT and GERRY FLYNN, Pawn Shop Detail.

Fidel might be a bad guy but the local Cuban Consul is a gentleman. After the recent break with that country, a 24 hour, uniformed, stand up, detail was placed in front of his Taraval St. home. The weather was icy. The Consul, noting the chilled plight of the men on the detail, provided an electric heater and hot coffee.

RAY HANSEN, the one man Insanity Warrant Bureau, was told that Sun might be a difficult case as he would probably resist apprehension. How true! Hansen found his man in a China town flat. Sun drew a gun and the fight was on! Ray wrestled the man to the floor and relieved him of two .38s; two large knives; a hammer and 68 bullets.

Detectives JACK WEBB and JIM HURLEY caught a Pine St., bartender serving liquor to a minor. As the bar keep was about to sign the citation, customer Henry Teschner shouldered in and shouted: "You don't have to sign anything for these damn Gestapo men!" Hank was warned to stop interfering but kept it up. He now awaits trial.

An auto involved in a 518 had broken a shop window of Lightstone's Dept. Store at 24th and Mission. Sharp eyed JIM SHANNON, Mission, noted a raincoat clad lad loitering near the broken window. The bulging stomach of the boy did not seem to match his otherwise lean appearance. The bulge turned out to be a shirt stolen from the window.

Fagins Manuel Torres, 30, and Murial Diaz, 34, had enlisted the aid of three teen age girls to assist in an early morning grocery store burglary. The crime class was interrupted by Potrero radio car men VERNON WARE and RAY KRUTT who drove up and nabbed the quintet as they were carrying out boxes of plunder from the store.

It was 9:30, Saturday night; Mom and Dad were out and the fifteen Cats and Chicks in the Grove Street home were really swingin'. Little Willie had brought along his zip gun and, for kicks, blasted 17 shots out the back window. Attracted by the shooting Park's CHAPMAN RIESE creamed the bash and YGCed the whole mob.

Tax Law Changes (Part 2)

Lou Barberini, Co E

In addition to the new tax laws on selling your residence, the TAXPAYER RELIEF ACT of 1997 provided additional changes that will immediately affect us as taxpayers. The following are three of the most significant new tax law changes:

Reduced Capital Gains Tax

Under prior law, if you sold a piece of capital property (land, building, stocks, mutual funds etc.) your gain was assessed a federal 28% capital gain tax which was basically the same income tax rate you paid on your wages. To stimulate investment in real estate and stocks, the new tax law decreased the capital gain tax rate from 28% to 20% for property held for at least 18 months.

The new tax on capital gains should affect the way you allocate assets within your deferred compensation plan and/or IRA. This is because stock mutual funds held outside a pension plan receive the new capital gains tax benefit, while those same stock mutual funds held inside a pension plan lose the capital gain benefit. When you eventually take cash out of your pension plan by liquidating stock mutual funds, your cash distribution will be taxed at approximately 28% - no capital gain tax break. If instead, you held those same stock mutual funds outside of your pension plan, liquidation of the stock mutual fund would trigger a more favorable 20% tax rate - because of the capital gains tax break. For stock mutual funds held for at least 5 years, the capital gain rate drops to 18% in the year 2005.

If you are going to diversify your investment portfolio and invest in CD's, bond funds or guaranteed contracts, it is preferable to hold them in your deferred compensation plan. These types of interest paying investments, do not receive the reduced 20% capital gains tax break that stock mutual funds may receive. At the same time, shift your stock mutual fund allocation outside your pension plan so that they can benefit from the 20% capital gains tax break.

The final benefit to holding stock mutual funds outside of your pension plan is that, if you die holding the stock mutual funds, your heirs do not have to pay any income tax on the years of appreciation (asset growth) during your lifetime. Those same stock mutual funds held in your deferred compensation plan will trigger an income tax for your heirs.

Increased Estate Tax Exemption

Under prior law, if a parent died,

\$600,000 of assets could be left to their children without triggering an estate tax. Over the next 9 years, the new law gradually increases the exemption from \$600,000 to \$1,000,000. If you own more than one piece of property or have a sizable deferred compensation plan, you probably have an estate worth over \$600,000.

When you pass away, the first dollar of your estate over the \$600,000 exemption amount immediately jumps to a 37% estate tax rate (i.e., \$600,001 - \$600,000 = \$1 x 37% = 37 cents). Without estate planning, this exemption is available only on a per couple basis. If you plan your tax affairs correctly, both the husband and wife can qualify for this tax exemption - effectively doubling the exemption to \$1,200,000 and leaving more of your hard-earned dollars for your children.

Roth IRA

A Roth IRA, named after the Delaware senator who invented it, is a new personal pension plan. With a traditional IRA, you receive a tax deduction for contributions and then have to pay tax when you withdraw the money in retirement (similar to the City deferred compensation plan.) With a Roth IRA, you do not receive a tax deduction for contributions, but when you retire and take the money out, the distributions are TAX FREE!

An important feature of the new Roth IRA provisions is that starting in 1998, taxpayers can convert their existing IRA's accounts to Roth IRA's. To accomplish this, the taxpayer rolls over his current IRA to a Roth IRA and pays a one-time income tax on this rollover. When the taxpayer retires and takes distributions, the distributions will be tax-free!

Passage of the Roth IRA, created significant analytical work for accountants on whether it was beneficial to cash out your current IRA, pay the one-time tax, and then rollover the proceeds to a new IRA. One of the best non-analytical comments I have read addresses Congress's intention with the Roth IRA, "Congress is trying to raise an ounce of flesh now rather than a pound later." Congress is allowing taxpayers to pay the Roth rollover tax over a four-year period which will paint a misleading, rose-colored, four-year budget picture. Future Congress's budgets will be forced to pay the bill for the Roth act. This may become a pronounced budget problem when the massive baby-boom generation retires and does not have to pay tax on liquidating their Roth IRA's. Take advantage of the Roth IRA.

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and its Community Efforts!**

OCC

(continued from page 7)

POA: And, it is quite obvious?

MOY: Yeah, it is like a cartoon playing itself out.

POA: Are there a number of officers who tend to generate the greatest proportion of complaints and if so, what percentage of the complaints are generated by that number of officers? Roughly.

MOY: It runs in cycles. I found some strange patterns over the years.

POA: Such as?

MOY: Butch Cassidy and the Sundance Kid. Uh, undercover officers have worked in pairs. Some of them play off of each other and they tend to get into more beefs, simply because of the nature of their personalities. It is not necessarily something horrible and evil. It's just — if the cookie jar is going to get broken, it's going to be those two. And, sometimes it is their assignment. Their assignment is one of those things that you get stuck in — it seems to be a perfectly normal assignment and because of some little quirk — I won't name names, but we had an individual who decided to become an advocate for the homeless and made an officer who was assigned to Park, absolutely nuts. Fourteen complaints were filed against the same officer in one day. Drove him around the bend, and that was the purpose. They were just 14 little, stupid things about drinking in public and dogs off leash but that's what his assignment was. And then sometimes the officers are told to do certain things like say — clear those homeless people who are sleeping in the park. They are told to do that but then the department won't back them when push comes to shove and all of a sudden people are jamming complaints down the officer's throat. Every time he turns around there is another complaint and he is just doing what he is suppose to be doing. That's another horror story. We've got the warning system and he has already got seven complaints from a week in the park. A week in the park and that's seven complaints.

POA: Is there any particular unit within the department that tends to generate an inordinate percentage of complaints?

MOY: I have watched it rotate between districts and between departments and it is very strange because like this week it's Northern and then next week it's Tenderloin and it will go like that for a while and it is like, I am not picking on you guys. It is just very weird that everybody is coming in from that particular area and filing complaints and every time a person comes in and sits down, the moment they give you their address, you go, oh God, not another one. You can just picture the captain going crazy. What are these things on my desk?

POA: Does the age of the officer or length of service tend to effect the number and the kinds of complaints generated over the course of that individual's career?

MOY: No, I think it is the assignments, and I think it's who he is dealing with.

POA: Is the district, sector, or beat in which an officer is assigned factored into his or her complaint ratio? In other words, would an officer working nights in the Bay View district be shown a greater leeway by an investigator than an officer working days in the Richmond district?

MOY: No. Definitely not.

POA: What sort of tracking does OCC do on individual officers?

MOY: Well, they have their multiple card, you know, their complaint file. We have access to all their personnel information. We don't track it, but I will say that there are things that are useful when you are an investigator trying to identify who the officer is and you wish you knew a little more about what kind of assignments they have had, and that's all in the personnel file. Sometimes those have to be gotten from several different sources. But, a lot of times I put together a profile and I'll take a look and say, well, how long has this guy been here. Why wouldn't he know that. Questions like that arise. Why wouldn't he know that this particular area is a problem or this park is a problem or how much experience has he had with seniors walking their dog off leash. Things like that.

POA: What role does training play in decreasing the complaint ratio?

MOY: A lot, I think. A lot.

POA: Is the SFPD deficient in their training?

MOY: I think the SFPD is. I would like to see them have more training and utilize more of the available training. Not reinvent the wheel. They don't have to create their own training in order to really be trained, but I think that they have a tendency not to utilize established training because it is somebody else's opinion. It is networking. Maybe there is an idea in there that you can apply to your environment that hasn't really been brought to your attention and I think that they are missing out on some of that. If they find there is a really interesting training or something that pertains to something they are doing, they should send at least several officers to try it out and see if it is worthwhile. Some of the training, I understand, is not that expensive, and it is close by. A well trained officer makes better decisions.

POA: Is there a process for tracking the work product of individual OCC investigators? If complaints are received about individual investigators, are those complaints reviewed and their complaint history tracked within the OCC office?

MOY: Yeah. Complaints against OCC investigators are tracked.

POA: What are the biggest failings in the current management of OCC?

MOY: I think it is the procedure problems. They are constantly changing.

POA: They are not consistent?

MOY: Well, they are not consistent. They change. It is like one day this is how you are going to do your report, and then two weeks later another report comes in so you start to do it and you use that one as an example. I mean, that makes logical sense, right? You got that one through the system, let's use that as an example and you send it through and it's like, no, no, no. We are going to do it this way, and it is going to look that way, and we are going to add this information, and delete that information. And, I have no idea who is reading this, or what we need the information in there for.

POA: How closely does the management of OCC work with outside interests, such as Cop Watch and the ACLU? How much influence do those agencies have on the management of OCC?

MOY: I know they are in touch with the OCC quite frequently. I don't know to what extent they influence the agency, but I would tend to say that sometimes emphasis appears to be connected to those communications.

POA: How closely does OCC work with Management Control?

MOY: They work with them fairly steadily. I don't know how closely they work.

POA: Do politics affect the conclusions and recommendations of OCC and if so, to what extent?

MOY: I would tend to say they probably do. I wouldn't have an estimate of how often, or to what degree.

POA: As an insider, and a resident of San Francisco, what is your opinion of the caliber of officer who patrols your city? Is the SFPD a professional and effective department, and do you feel that the OCC plays any part in that perception?

MOY: OCC does have a part in the perception. As a San Francisco taxpayer the quality and caliber of the police officer is improving over the years. I grew up in this City. I was born and raised in this City. My family has always been in contact with various officers over the years and I think that the officers now are — I don't know how to put it — they are more professional. They are more professional. They are not as neighborhood friendly. I think there is a reason for that politically. They are not allowed to be. I mean, they don't drop in for a cup of coffee any more.

POA: When an investigator is hired by the OCC, what characteristics do the people who conduct the hiring look for in a candidate?

MOY: We change panels each time we do the hiring and the panel is made up of a cross section of the management and investigators. Several interviews are involved as well as the human resources input. So, they do look for people with more investigative background. When I first went on board, they couldn't do that because investigations were kind of limited as far as where you would draw from and I think now there are more applicants with law background, investigative background. Something more pertinent. They are not as much the run of the mill

citizen any more. They are not a neighborhood person. They are not exactly a bureaucrat, but they are not private sector people either.

POA: Are they required to be City residents?

MOY: No.

POA: Wouldn't you think they would be — that would be a necessary requirement to judge City officers?

MOY: It would be nice, but I think it has the same limitations as requiring an officer to live in San Francisco. There are economic issues, and labor issues, and I don't think we can narrow the band that much.

POA: Are the OCC investigators, as an employee organization, are they represented as well as the POA represents its membership?

MOY: Absolutely not.

POA: And, is that representation deficit something that becomes sort of a thorn in the claw of an investigator?

MOY: Oh, yeah. Sometimes it is absolutely — it's mind boggling.

POA: In your opinion, how effective is the POA as an employee representative?

MOY: I think they do a good job with representation. An excellent job. I encourage officers to utilize their representation. I never did like interviewing an officer and feeling that he might be at a disadvantage. It just didn't seem fair.

POA: Has there been a systematic purge of OCC investigators perceived to be too pro-police, or too pro-POA?

MOY: I look at it this way: Every administration has the option of selecting their cabinet, and I think over the years the makeup of the OCC has changed because this is utilized more.

POA: However, it appears to some within the POA that those investigators who are regarded as the fairest and most objective have inexplicably been run out the door. Is that a correct perception?

MOY: I think that it has been too short a time to make that an actual historical statement, but I think that time will tell.

POA: Have any OCC investigators revealed — in chitchat around the office — that they have been victims of police abuse and if so, was that a motivating factor for their becoming an OCC investigator?


MOY: I don't think we have too many people on board who actually had personal experiences with an officer in a negative fashion. I can only think of one person off hand. People coming into the office though, may have their own perceptions of how the police operate or how they interface with police in general.

POA: In closing, do you have any words for the POA membership?

MOY: Words for the membership. Take care, stay well, and be prepared for your OCC investigations.

POA: And on behalf of the POA, I would like to thank you for the fact that you have been a fair and objective investigator, and have the reputation as being so, and certainly we wish you well in your future endeavors, and we hope you will remain a POA supporter.

MOY: Well, I am glad I succeeded. Thank you.

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Letters

December 15, 1997

Dear Memorial Supporter:

I want you to know that your concern and support for the National Law Enforcement Officers Memorial is deeply appreciated.

Last year around this time, I was very pleased to report that the number of law enforcement fatalities for 1996 (116) was the lowest in nearly 40 years. Unfortunately, while the final figures will not be known for several weeks, the number of line of duty deaths in 1997 has skyrocketed. In fact, our preliminary records indicate that we had more officers killed during just the first nine months of 1997 (129) than we did through all of 1996.

Thanks to your loyal support, though, we will be able to honor those men and women by inscribing their names on the National Law Enforcement Officers Memorial this coming May. In fact, you have helped to ensure that nearly 1,800 new names could be added to the Memorial since it was dedicated in 1991.

As you know, this is the time of year that we always reach out to our longtime supporters and ask that you consider making a donation to the Memorial Fund. We want to continue our important Memorial maintenance, research and education programs and we rely exclusively on private donations to conduct our work. While you are certainly under no obligation to make a contribution, any amount of support that you can afford would be greatly appreciated. A reply form and return envelope are enclosed for your convenience. Thanks.

Sincerely,
Craig W. Floyd
Chairman

National Law Enforcement
Officers Memorial Fund, Inc.
605 E Street
N.W., Washington, D.C. 20004

Brother Cunnie and
SFPOA Members,

Your thoughtfulness was appreciated.

Sincerely, Pat Ford & Family

SFPD Range Staff-Simply The Best
To: Sgt. Mickey Griffin
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Officer Dennis Bonnel
Officer Charlie Coates
Officer Jim Drago
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Officer Mike Furusho
Officer Lou Stafferoni
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Officer Gordie Taylor

Keeping officers well-trained in combat shooting situations is no easy task. Our Range Staff is responsible for this training. They have done an incredible job of providing each of us with excellent training throughout the years.

Recently, I attended the 40 caliber conversion course and was extremely impressed with the entire staff. We were provided with techniques in officer survival, officer safety updates and superb instruction in the conversion course.

In October and November of this year, four officers in two separate incidents were ambushed. Thanks

to their training at the Range all four officers survived!

In the last few years I was involved in two separate shootings. In both instances, superior training enabled me to come out on top.

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There is absolutely no doubt that you are one of the BEST RANGE STAFF'S in the COUNTRY!

Submitted by Sgt. Bob Del Torre,
CPC/Canine Unit

Dear Editor,

Following my article in the November issue of the *Notebook* regarding the plight of our daughter Lily I have been the fortunate recipient of communications from numerous individuals throughout the Department. Fifty-two people sent checks to me, totaling over \$2000, for the Arthritis Foundation research into Juvenile Rheumatoid Arthritis. I am extremely grateful to each of you who responded so generously and will not forget your thoughtfulness. I realize now that there was a deal of confusion between my request for donations and the efforts of the Combined Charities Campaign that was underway at the same time. I would have been more specific about the goals of my campaign to solicit funds if I had realized that the CCC was imminent, but the end result was impressive nonetheless. I wish in particular to acknowledge the participation by the members of Mission Station who were responsible for pledging over \$3000 that I know of to the Arthritis Foundation in response to the solicitation. Whether the funds were sent directly via payroll deduction or through me, the beneficiaries nominated will be the many children who suffer the hardships of arthritis. On their behalf, and that of the team at UCSF who work so diligently to ease their burden, I thank all of you who took the time to participate.

Ronan Shouldice #2054
Crime Scene Investigations

Quentin L. Kopp Esq.
2171 Junipero Serra Blvd.
Suite 530
Daly City, Calif. 94014

January 9, 1998

Senator Kopp;

I am in receipt of your letter dated January 5, 1998 wherein you informed me that you will introduce legislation to make it an offense to sell/wear/possess official police uniforms by person(s) not specifically authorized to do so.

As you are probably aware, just days after my original correspondence with your office, a disturbed citizen named Mr. Troy Smylie was arrested in this city after several weeks of impersonating a San Francisco Police officer, having made traffic stops of unwitting citizens and even responding as a "back-up" officer on several police/criminal confrontations. At this time, anyone so disposed is free to purchase official police paraphernalia at various supply houses and carry on in Smylie's absence.

In your latest correspondence, you related that you were advised by Legislative Counsel Bion M. Gregory that the proposed legislation to prohibit the general public from purchasing official police uniforms and equipment might be a violation of the 1st Amdt., U.S. Const.; Sec 2, Art. I, Cal. Const. which guarantees freedom of speech.

Sworn peace officers are permitted by law to carry a concealed firearm whether on or off duty while this conduct is illegal for the average citizen. In addition, peace officers are permitted to violate certain vehicle code sections in the course and scope of their employment that would net an ordinary citizen a traffic citation. Police officers drive distinctively marked vehicles which if copied by a private citizen would be a violation of California Vehicle Code Section 27605 and subject the driver of the look-alike police car to arrest. I don't see any distinction between the above prohibited conduct and a prohibition against misuse of police uniforms. There is no constitutional guarantee allowing the deception of the tax payer by pseudo police officers.

My colleagues and myself thank you once again for carrying this issue before the Senate on our behalf.

Sincerely yours;
Sgt. Rene LaPrevotte
San Francisco Police Department

Sergeant Rene LaPrevotte
San Francisco Police Department
850 Bryant Street, Room 150
San Francisco, CA 94103

January 5, 1998

Dear Mr. LaPrevotte:

In accordance with your previous suggestion that I introduce a bill to regulate the selling and wearing of police officer uniforms, I have drafted legislation that will do so. I enclose a copy of the legislative draft.

The Legislative Counsel of California has advised me that such legislation, if enacted, may violate the state and federal constitutional protections accorded activities that constitute free speech. I enclose a copy of the opinion for your consideration.

I would appreciate receiving your views with regard to the enclosed legislative draft, and whether you believe, as an actual law enforcement officer, it will be feasible of enforcement. Please write or telephone my office at your earliest convenience to discuss the matter with my aide, Nathan Paxton.

Meanwhile, if there are other issues which concern or interest you, I invite you to give me the benefit of your views accordingly, and if I can ever assist you personally, at the State Capitol or otherwise, just notify my staff or me.

Sincerely yours,
Quentin L. Kopp

Dear Chris,

Thank you and your members for the plaque and your attendance at the testimonial dinner for Jim Ferguson and me. Thank you to Mike Hebel for his fine presentation.

Together police officers and firefighters have come a long way in improving working conditions over the years. Together much

more may be accomplished. Please convey my thanks and appreciation to Mike, the Executive Board and your membership.

Sincerely,
Tim O'Brien

December 18, 1997

Clare Murphy, General Manager
City & County of San Francisco
Employees' Retirement System
1155 Market Street, 2nd Floor
San Francisco, CA 94103

RE: 457 Deferred Compensation Plan

Dear Ms. Murphy:

At the meeting of the POA's Board of Directors held on Tuesday, December 16, 1997, we discussed the article contained in the *Money Magazine* December 1997 issue entitled "Protect Yourself From America's Flawed Pension Plan." Specifically, we discussed the issue of fees, service, education, and performance. It was brought to our attention by POA welfare officer, Michael Hebel, that the Retirement Board will be considering the awarding of its 457 plan contract in calendar year 1998 since the present contract with the Hartford expires on December 31, 1998.

The Police Officers' Association is aware that its members constitutes, by Department, the largest contingent of participants in the deferred compensation plan. On behalf of our members, the following motion was passed. "Resolved: That the Police Officers' Association, on behalf of its members, urges and requests the commissioners of the Retirement System as well as the general manager to select, on behalf of San Francisco's 24,000 City employees, - solely on its merits a deferred compensation plan which best suits the requirements of city employees." The Police Officers' Association urges the commissioners and its general manager to consider such criteria as plan sponsor safety, past performance, fees, education and service. Specifically, we urge that no consideration be given to lobbying and solicitation efforts that are not solely and specifically directed to the merits of the plan.

This Association will support the commissioners and general manager in selecting the most suitable and appropriate 457 plan on the merits of the sponsors. We also intend to be, to the extent permitted, an active participant in the selection process.

The Board of Directors further instructed Mike Hebel to attend an upcoming meeting of the Retirement Board in order to convey this motion and the support for the commission and its general manager.

Sincerely,
Chris Cunnie
President
San Francisco Police Officers' Association

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Got A Beef With OCC? The form reprinted below is available at your station or unit. Complete the form and forward to Carl Tennenbaum at the POA Office

**SFPOA Complaint Form
RE: OCC Misconduct**

Member's Name

Date of Incident with OCC

Member's Unity

OCC Investigator(s) Involved

Member's Unit or Pager Phone #

OCC Case Number

Member's Watch

I, the above noted member, hereby confirm that the OCC and/or its investigator(s) acted inappropriately during the course of the investigation in this case as described in my narrative below and/or as described in the attached, descriptive sections including: section(s):

SECTION: _____

NARRATIVE (Optional): _____

(signature)

(Date)

Return to: SFPOA, 510 - 7th St., San Francisco, CA 94103

Types of OCC Misconduct

Section 1—Improper Scheduling

- 1(a). Insufficient advance notice of interview (please note the number of work days notice).
- 1(b). Failure to accommodate the Department's work demands.
- 1(c). Failure to treat my request for rescheduling in a reasonable, respectful and/or professional manner.
- 1(d). Failure to reschedule my interview upon reasonable request.
- 1(e). Failure to accommodate for the POA representative's scheduling conflicts.

Section 2—Improper Interview Techniques

- 2(a). Discouraged me from seeking or utilizing my chosen representative.
- 2(b). Sought to circumvent my representative by speaking and/or writing to me directly, outside the presence of my representative.
- 2(c). Sought to circumvent my representative of record by failing to give him/her written notice of a scheduled interview and/or copy of the OCC findings in my case.
- 2(d). Asked one or more significant questions which were confusing in form or otherwise tended to confuse the facts.
- 2(e). Refused to allow either myself or my representative an opportunity to clarify the facts generally and/or clarify misunderstanding as they occurred.
- 2(f). Was rude, discourteous or unprofessional in his/her treatment of either myself or my representative.
- 2(g). Asked questions that were beyond the scope of the investigation.
- 2(h). Asked for opinion rather than for factual information.
- 2(i). Asked for specific information related to Department Rules & Procedures without providing me the benefit of referring to the appropriate resources so that I could provide an adequate answer.
- 2(j). Never provided me with a copy of the complaint before the interview and ordered me to answer questions without knowing anything about the allegation(s).
- 2(k). Purposely misled me into believing I was only a Witness Officer rather than a Named Officer and, as such, took advantage of the fact that I did not have a representative of my choice present during the interview.
- 2(l). Interviewed me as a Witness Officer when the OCC Investigator already knew that I was implicated as a Named Officer.
- 2(m). Failed to confront or inform officer of evidence against him or her.

Section 3—Failure of Investigation

- 3(a). Failed to interview either myself or other significant witnesses in a timely fashion when memories were still fresh and/or evidence was readily available (please note number of months after incident).
- 3(b). Failed to interview significant witnesses.
- 3(c). Failed to secure significant documents or other evidence.
- 3(d). Failed to document and/or secure exculpatory evidence.

Section 4—Improper Findings

- 4(a). Failed to reach a determination in a timely fashion. (Please note the number of months after incident, particularly if two or more months passed.)
- 4(b). Made credibility resolutions against officer(s) and in favor of persons inherently biased against officer (e.g. a friend of suspect, etc.)
- 4(c). Failed to give proper consideration to important issues outside the complaint, such as public safety, officer's safety, the departmental mission, etc.
- 4(d). Failed to give proper consideration to the special circumstances surrounding the incident.
- 4(e). Failed to substantiate findings of "no finding".
- 4(f). Failed to substantiate findings of "sustained".
- 4(g). Failed to defer to constitutional law, case law, statutory law or court orders in issues of legality.

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Turning a New Leaf

By Daniel Hampton

This year flew past us quickly. Now heading into 1998, we should set our eyes on new goals for our family, job, and relationship with God. All of us need to reassess our priorities regarding these three institutions so our community and society can be a better place in which to live.

Our relationship with God takes place in the community of believers in which we worship and pray. The ideal of loving God with all of your heart, soul, and strength; and loving your neighbor as yourself can be fostered first at home and then at the place where we have community worship. If we practice doing for oth-

The ideal of loving God with all of your heart, soul, and strength; and loving your neighbor as yourself can be fostered first at home and then at the place where we have community worship.

ers what we would want others to do for us, there will be harmony at home and in society. In the Bible it says that real worship is helping widows and orphans in their time of need. Do you know a single mom hurting financially? Let's help them financially and invite them and their children to our homes for Christian fellowship this new year. Let's put the worship of God and His Son Jesus Christ at the top of our priority list, so God can pour out His blessings on all of us.

Our immediate family is second on the priority list of importance. How close are you to your spouse? Have you told your spouse that you love him/her every day? Do you tell your children that you love them every day? Do you pray over each family member and ask God to bless and protect them before you go off to work? Have you helped with the household chores every day? Have you helped your children with their homework and taken an active interest in the activities in which they are involved? Have you taken your spouse out on a date so you can discuss the family's goals that should be set for the new year? God has put you on earth to have close relationships with

immediate family members. This means a substantial investment of your time to develop a lasting relationship with each member of your family. The goal is to raise godly children that will not only be a blessing to you and your spouse but also for society.

At the job is another family in which we have influence. We work at the job for 10 or 8 hours and the persons we work with have expectations from us. Those expectations are: that we handle the assignments given to us professionally; that each of us be a team player for the common good and completion of a goal or task; that we have respect, care, and concern for each other; and finally in what ever we perform or do in the name of the Department we will not bring discredit upon it. These standards are achievable when we put others first and keep in focus the saying, "It is more blessed to give than receive."

Dear Heavenly Father, as we enter this new year I ask that you bless all the members of the Department. That you will help us set our priorities correctly and that we will draw much closer to you, our families, and with each other. Keep us from evil and losing faith in You and each other. Amen.

At our December luncheon we enjoyed the festivity of celebrating Our Lord's birthday. We had Felipa Cahill play her accordion as Reverend Tom Hernandez led us in singing Christmas Carols. Reverend Joe Landi shared how God reached out and touched him in such a way that he dedicated his life to God at the age of thirty-five and joined the seminary! It was a great testimony how God transforms a person of worldly values to become a child of God. That transformation results in Christian service towards God and your fellow man.

Chief Fred H. Lau, of the San Francisco Police Department will be our next guest speaker on Wednesday, February 11, 1998. Did you know that Chief Lau received a plaque from the Salvation Army for his involvement in the community. I know the Chief appreciates the dedication, compassion, kindness, goodness, and self control our officers display in service toward the citizens of our city. Watch for the Chief's flyer regarding this luncheon. Most of all show your support for him by attending the luncheon.

God Bless You All in 1998!

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Fellowship of Christian Peace Officers

Theme: "The Relevancy of Christian Virtue in Police Work"

Special Luncheon: Wednesday, February 11, 1998

Time: 1200 hours

Location: Police Officers' Association, 510 - 7th Street, (7th and Bryant Sts.)

Guest Speaker: Fred H. Lau, Chief of Police, S.F.P.D.

Chief Lau joined the Department in March 1971. The Chief is an Alumnus and Adjunct Professor of San Francisco State University, and has a teaching credential from the State of California. He was born and raised in San Francisco and attended the City's public school system. His career spans the Patrol Force, Community Relations Unit, Police Academy, Sergeant and Lieutenant of Patrol, Commanding Officer of Department Specialists, Night Supervising Captain, Captain of the Tactical Company, Commander of Patrol, Deputy Chief of the Field Operations and Administration Bureaus, and Chief of Inspectors in charge of Criminal Investigations.

Chief Lau's compassion and concern for his officers is well known. He is approachable, humble and admired by all of us. His philosophy is, "I have a tremendous responsibility to my three families; my law enforcement family, my Community family, and most of all my actual family." **Please attend and support Chief Lau at this luncheon.**

Reservations:

Cost: The cost for the luncheon is only \$10.00 (ten) per person. You must pay in advance for this luncheon (**Not Tax Deductible**).

If you pay by check make it payable to: Daniel Hampton and send the check to Daniel Hampton, Planning Division, 850 Bryant Street Room 500, S.F., Ca. 94103. If you pay by cash hand deliver it to Dan.

There are no refunds for this luncheon, the caterer must be paid in advance to prepare for the meals. Bar-B-Que Ribs, Beef, and Chicken will be served by Brother-in-Law (a private vendor).

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Nine Steps to Retirement Success
Your Personal Retirement plan

Session 3 — Putting Your Dollars to Work — Equity Investments

Common Stock • Preferred Stock • Mutual Funds
Inflation Proofing Income — Systematic Withdrawal
Investing in Mutual Funds on a Tax-Deferred Basis
Direct Participation Programs
Portfolio Hedging with Tangible Assets
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Session 4 — Risk Management

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Bulletin

Being charged with directing the Department's preparations for New Year's Eve, 1996, and then witnessing the events of an evening that resulted in too many of you being injured only made me more determined to prevent a reoccurrence on New Year's Eve, 1997.

With that mission in mind, I asked many more of you to contribute to that effort than in years past, and as a group, you responded as I expected you would. If a reduction of injuries to officers was our only measure, then your efforts were highly successful. However, though there were only two serious injuries this year, that's still two too many.

As is the case with similar events, we faced the need to balance our response in light of the lawful expression of an individual's rights. In this case, it was the public's right to celebrate versus the need to manage that celebration to prevent serious injury and other criminal acts. I expected you to be aggressive and intervene early to prevent minor problems from becoming more serious as the evening progressed, and the reports I received from the various venue command staff members confirmed that we are well on our way to gaining firm control of this annual event.

Though I have been able to thank a number of individuals for their roles in formulating and then executing plans for specific venues, I wanted to express my sincere gratitude to each of you who contributed to our efforts. I know that it wasn't easy to have your day off canceled or your shift changed, but imagine how much more difficult the job would have been without you!

The Department has already begun to plan for New Year's Eve 1998, with an eye toward even greater improvement. Regardless of what sort of event is held next December 31st, I look forward to working with each of you again to ensure a safe event for everyone involved.

With sincerest thanks, I remain

Sincerely yours,
Deputy Chief Richard Holder

CHARITIES

(continued from page 1)

winning both grand prizes. Judy Doss of Communications won the trip for two to London. Sgt. Phyllis Ford at Northern won 2 round trip airline tickets through Northwest Airlines. Patrick Burke of Northern won a \$125 at the Fairmont Hotel. Lt. Alan Mould won a weekend stay and breakfast at the Marriott. Ralph Whitten of the Crime Lab won lunch with the

Mayor. Jeff Roth of Northern won a Pier 39 fun pack and in the early bird raffle a Yerba Buena membership. The Police Department raffle for \$130 contributors will be held later on in January.

I would like to thank Sgt. Watkins, Captain Garriott, all of our unit organizers, and all of you who contributed. You have demonstrated once again the quality of the individuals who make up the San Francisco.

Right Here In River City

by Bill Hemby,
COPS Legislative
Advocate



The Art of Grandstanding

Each year there are some 2,000 to 3,000 bills introduced in Sacramento. Of those, about 200 affect law enforcement in some manner. Most of these bills are important to increase the effectiveness of law enforcement in the state, establish new programs and new laws and to help reduce the crime rate. Many though are simple penalty enhancements. While some are needed to make the threat of incarceration real, a lot are just "batting average increases".

A politician will introduce a bill to say, increase the penalties for child molesting another 5 or 10 years. This is a hot issue, so will garner public support, and media attention. The author knows the bill will do little to stop child molestation, but it will raise his "batting average" of law enforcement issues he has supported, when he runs for re-election.

For every year a penalty is increased, so is the cost of imprisonment. At approximately \$70,000 per inmate, per year, if you raise the penalty five years, that is, let's see, \$350,000 per enhancement. Let's say there are 500 suspects convicted each year — well, you can see these penalty enhancements can run into millions.

There is a down side to enhancement bills too. The money must come from somewhere, and no politician wants to raise taxes. With each raise in prison cost, there is a reduction in some other law enforcement program. For instance, if POST wants — and they really do — to establish state of the art law enforcement emergency driver training facilities to teach officers how to drive defensively and possibly prevent accidents, the money comes from the same pot. There is only so much money available for police services and because the enhances are "sexier" they invariably win out over training, or some other needed tool.

Nothing is more important to a politician than to get re-elected. So the art of "grandstanding" is part of the game each year. That is why, for the past few years, I have been very selective of the penalty enhancement bills COPS supports. One of our prime concerns is "where will the money come from to support this penalty enhancement, and is this increased penalty really needed?" If the bill looks like a grandstander, I move on.

It is extremely difficult for a law enforcement organization such as COPS to not support every crime bill that comes over the desk. It would be very easy to go along with the flow. Just like the politician, we would look good to our members, but with a limit on spending, where will the other foot drop? Can we for instance, afford a cut in the \$100,000,000. that goes to law enforcement services each year in the special (COPS) program. I doubt it.

This year being an election year, you can bet a number of crimes will be offered increased penalties. the circus just goes on.

Dramatic Increase In Police Deaths During 1997

Nearly 160 law enforcement officers lost their lives in the line of duty in 1997, which is almost 40 percent higher than the number of police deaths recorded in 1996, according to preliminary figures released today. Five of those law enforcement fatalities occurred in the District of Columbia and Maryland.

There were 159 federal, state and local law enforcement officers killed in the line of duty during 1997, compared to 116 police fatalities during 1996, according to a joint announcement issued by the National Law Enforcement Officers Memorial Fund (NLEOMF) and the Concerns of Police Survivors (COPS). The 1996 death total was the lowest since 1959. Prior

to this year, there had been an average of 151 law enforcement fatalities annually during the 1990s.

For the fourth straight year, California was the deadliest state in the nation for the law enforcement profession, with 14 police fatalities. California was followed by Texas with 10 deaths, Illinois with nine, Florida with eight, and Indiana and Georgia with seven each.

Of the 159 officers who died in 1997, 70 of the officers were shot to death, 40 died in automobile accidents, 17 were struck by vehicles, nine succumbed to job-related illnesses, six were killed during falls, five were knifed to death, five lost their lives in aircraft accidents, four died in motorcycle accidents, one was strangled, one officer died in a bomb-related incident, and one officer was struck and killed by a train. Three of the officers killed during the past year were women.

NLEOMF Chairman Craig W. Floyd said the rise in police fatalities was due to "a sharp increase in firearms-related deaths (70 v. 56 in 1996), an unusually high number of traffic fatalities (57), and 10 multiple death incidents resulting in 22 officers killed."

"Despite a five-year downward trend in violence across this nation, this latest news on police deaths reminds us that the price for a safer America is being paid for by the blood of our law enforcement officers," observed COPS President Sharon Felton.

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Winged O Foundation

Carol Kaufman, Winged O Foundation, presented Captain Richard Cairns. PAL president with a grant for \$5000.00. This grant will be used in San Francisco PAL outreach programs for children ages 9 through 13 who participate in basketball, baseball and soccer.

The Winged O Foundation was organized by the Olympic Club in 1992. Its goal is to encourage participation and excellence in amateur sports and to foster amateur athletics, thereby developing future community leaders. Over the years the Winged O Foundation has supported many programs, the most notable being The East Palo Alto Junior Golf Program, PASS (Promoting Achievement in School through Sports), the

National Junior Tennis League of San Francisco and, of course, the San Francisco PAL.

The Winged O Foundation is committed to Bay Area youth sports and serves as a hope for young athletes who have limited resources. The various organizations that the Winged O Foundation is able to support reaches youngsters who would otherwise not have this opportunity.

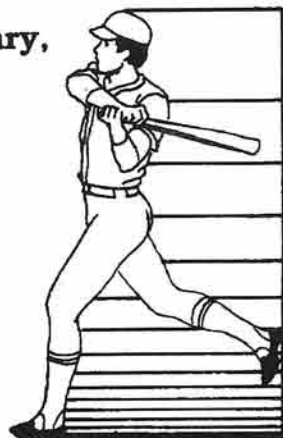
The Foundation receives funds from members of The Olympic Club and from annual fund-raisers such as the Golf and Tennis Classic.

The San Francisco PAL is grateful to the members, officers and Board of Directors of the Winged O Foundation for this most generous support.

San Francisco Police Activities League 1998 Schedule of Activities

Baseball: Call S.F. PAL in January, 695-6935 for sign ups.

T-Ball I: 5-6 years
T-Ball II: 7-8 years
Pinto: 7-8 years
Mustang: 9-10 years
Bronco: 11-12 years
Pony: 13-14 years



Basketball: Boys & Girls

6th Grade, 7th Grade, 8th Grade
Season: October and November
December playoffs

Football: (Ages 8-14) Cheerleading: (Ages 5-15)

Sign-ups April, May & June; Practice/Conditioning - August
Season: September, October & November

Judo: Boys & Girls 7-18 years

Tues/Thu: Ages 7-9 5:00 to 6:30 pm
Ages 10-17 7:00 to 8:30 pm
PAL Gym, 3309 26th Street
NCJA affiliation fees: Ages 7-17 \$60/year



Soccer: Boys and Girls

Season: April, May & June
For team and individual sign-ups,
call 1st week in February.

Law Enforcement Cadets

High School Sophomores, Juniors & Seniors
Ages 14-21
Meetings every Wednesday, 6:00 pm
Police Academy, 350 Amber Drive

PAL Basketball

The San Francisco PAL Basketball championship games were held on December 4th, 5th and 6th. The following teams are the winners:

6th Girls - Vikings
6th Boys East - Cougars
6th Boys North - Jaguars
6th Boys South - Rebels
6th Boys West - Running Reds
7th Girls - Rebels
7th Boys North - Salesian
7th Boys South - Warriors
7th Boys West - Contact
8th Girls - Knights
8th Boys East - Warriors
8th Boys North - Earthquakes
8th Boys South - Hawks
8th Boys West - Excesior

WANTED - WANTED - WANTED

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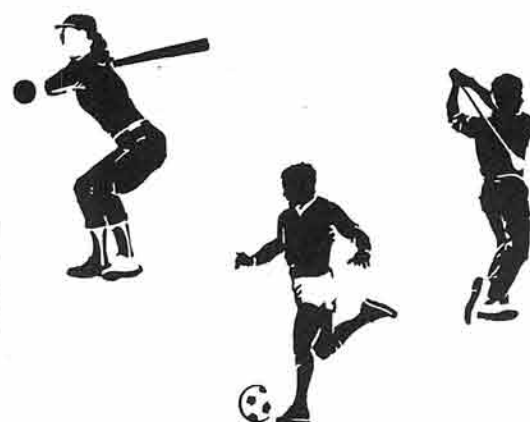
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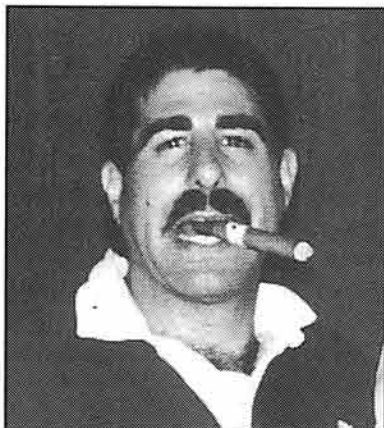
Nick's Notes

By Nick Shihadeh, Sports Editor

Check It Out—

Too bad about those Niners. The loss to the Packers was some what of a disastrous end to a good season. It was a bitter pill to swallow for me as I eat through the mess at "the Stick" with a screaming cheesehead girl two rows behind. In fact, there were Packer fans in abundance throughout the stadium. Shame on those people who gave up their seats to allow these fans wearing their puke green and yellow colors to infiltrate our Niner territory in the stand. I tell you, I was super wet on the outside from the constant rain; being wet on the inside did not help deal with the frustration of the Niner offense not being able to put points on the board. It was like that guy Trestmen (last year's offensive coordinator) was back on the sidelines. Oh well, we'll get over it. At the very least it's nice to know that the Dallas Cowboys didn't get even close to being in the playoffs. On to Super Bowl XXXII and let the Broncos somehow prevail.

Going back to the regular season, that Monday night Denver game was really one for the ages. I was there and will always cherish being able to witness the retirement of Joe Montana's number at half time. The speech by Bill Walsh, the great ovation for and speech by; Eddie DeBartolo, and of course the very humble speech by Montana when he eventually got his chance after all the hoopla. I'm proud to say that I've probably seen almost every pro football game that Montana has ever played in either in person or on the tube, and obviously it doesn't get any better than that. It was also very exciting during that game to watch the amazing Jerry Rice spark the



team toward victory against the Broncos despite the fact that he re-injured himself.

One glitch in that Denver game was that capital "K" for Knucklehead Bill Romanowski spitting in Terrell Owens' face. I was never big on that guy even when he was with the Niners; in fact, I believe he had a lot to do with the Niners getting beat by the NY Giants back in that fateful NFC Championship game in Jan. of '91. After the Roger Craig fumble, it appeared that Romanowski was a detriment to the defense and helped allow the Giants to easily move down field to kick the game winning field goal. I was at that game as well and considered it to be one of the most heart wrenching losses I've ever witnessed.

More Niners related items: I was recently browsing through books at the Borders and Books San Rafael store and came across the Bill Walsh title that was discussed in The Chron on Thurs. Jan. 8th. It's called *Finding The Winning Edge* and it's a hard copy that Walsh did with Brian Billick and James Peterson. Sifting through the pages of the book I was reminded of a college text format. The book basically goes over step by step the way to build a successful football program from hiring a staff and evaluating and acquiring talented players to designing a winning game plan and motivating the team week in and

week out. It appears to be a good one and is now 30% of the \$29.95 asking price at that same store that I was at.

Another Cool title that I came across was Joe Montana's book *The Art And Magic Of Quarterbacking* that he did with the help of Richard Weiner. Montana pretty much discusses how he became the successful quarterback that he was: items such as throwing mechanics, footwork, handoffs, sprint-outs, short and long passes, reading defenses, calling audibles, finding the open man, and even how he engineered some of his game winning drives. This is also a hard copy and is running for about \$25.00 these days.

Shame on those people who gave up their seats to allow these fans wearing their puke green and yellow colors to infiltrate our Niner territory in the Stand

Finally moving away from football I'm ready to discuss those Giants now. I'm very happy with some of the off season moves especially the one acquiring Orel Hershizer (did I spell that right?). He might not be able to win any post season games, but I believe he can at least get us there. Hershizer is an old salt who can lead the staff with his many years of experience when it comes to winning and playing on successful teams. It will be interesting to see.

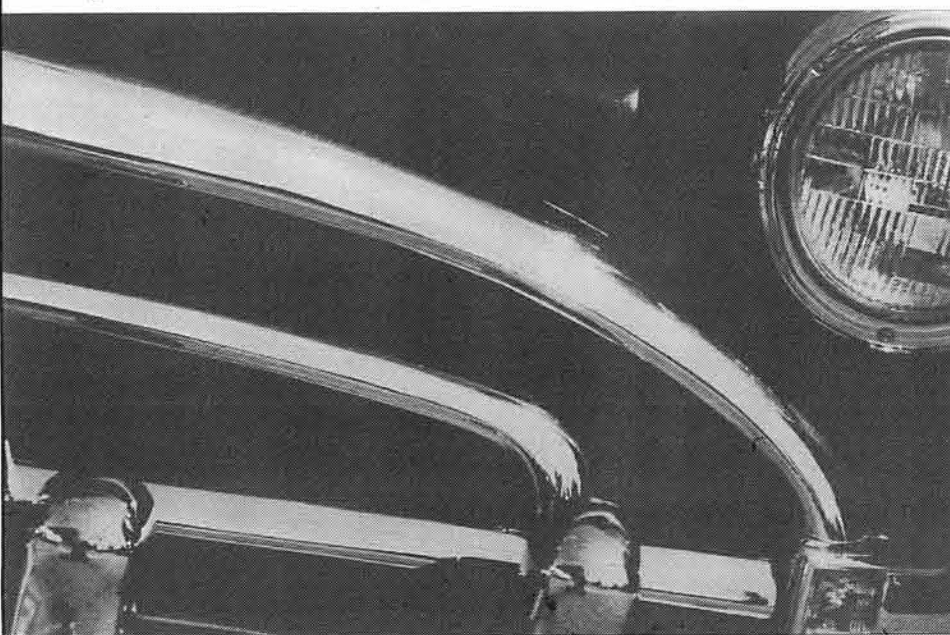
The Sharks are playing inspired hockey lately; good for them. The Warriors? Who cares. The Raiders? It doesn't break my heart that they ended up the way they did. I don't think it broke too many other hearts either.

When it comes to department hoops, I do know that the Northern Gnats are doing all right with a 4-win, 3-loss record in the very competitive B Division. The Gnats have an influx of young blood helping them along. This includes Vinny "Don't Call Me Vince" Etcheber, Kirk "The Human Flea" Edison, and Mark "Muscle Bound" Williams who all complement seasoned vets Chris Knight, Ben "Hansi" Vigil, and Mark "Slim" Ballard very well. The only problem is, they can't make lay-ups. The Gnats have always had problems with two-footers over the years, and unfortunately that reputation isn't going to be changed anytime soon. For more on hoops, check out my buddy Eddy Del Carlo's article. Speaking of young Ed, he is a good son who goes to lunch with his dad (Eugene) at Joe's of Westlake anytime he can.

The SFPD Roller Hockey team put in a good effort despite losing the Bladium Championship game in overtime 5-4 on Wed. Jan. 7th (see article by Chris Knight). Apparently the star of the team Scott "Woody" Kendall wasn't his usual self that day and couldn't lead the team to victory. Even the very talented Danny "I Hang Out With Sean Penn" Manning couldn't pull the trigger and help the club like he usually does.

Be advised that softball season is around the corner. As "Commish" of the department softball league I'm announcing the managers meeting to be on Tues. Feb. 3rd at 11:00 a.m. at the POA Office. Assistant Commish Brian Olcomendy and I have set the start of the season for Tues. March 17th (aka: St. Patrick's Day)...So See Ya...

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SPORTS



By Rene LaPrevotte

Temperatures have plummeted, rain has become the necessary evil that allows us to once again flush without guilt. I guess Winter really is necessary, but it sure does make motorcyclists reconsider our favorite means of turning point-A into point B.

Many of us are a bit weak of constitution when three layers of clothing become necessary to travel that thirty miles to work, so the motorcycle gets stuffed into a corner of the garage between the ten speed bicycle and that rowing machine that hasn't felt your increasingly flabby backside for several years. The difference is, if certain precautions are overlooked when that motorcycle is stored for a long Winter rest, it won't greet Spring with the same fervor that you might expect of it.

The two systems on a stored motorcycle that degenerate with storage are the electrical (battery) and fuel systems. Stored gasoline turns to a varnish in a matter of a few months that will necessitate a complete carburetor(s) rebuild come spring if not cared for properly prior to storage. The bike's battery, if simply left unattended will refuse to wake up when riding weather returns...so what to do.

Certainly, it is much more to your bike's liking to be stored in a heated garage than outside under a tarp. Park your cycle away from electrical sources (D/C motors, etc.) to prevent ozone damage to tires and other rubber parts. Your total monetary investment in preparing your scooter for hibernation will be about twenty bucks. You'll need a bottle of fuel system stabilizer (Sta-Bill is one brand) and an inexpensive 1 amp battery charger, as well as a cheap security timer used to turn on interior home lighting when you're on vacation.

Change your engine oil and filter prior to storage. This removes the combustion acids that accumulate in your motor oil when the engine is repeatedly warmed and cooled. These acids can damage your engine's interior if left for three or four months during storage.

Your next move is to add your fuel stabilizer to a **full** fuel tank. Run the engine for a few minutes, then turn the fuel petcock to the "off" position and let the engine run until the carbs run dry and the engine dies. This process will prevent fuel from evaporating via the floatbowl vents, which turns the carb interiors to a gucky mess. A **full** fuel tank negates an air space in the upper part of the gas tank that can rust the tank's interior.

Your battery is the final component that must be cared for. Any battery left unused loses 1% of its charge every 48 hours. If your bike is parked in December and not used until April, 60% of the battery's charge is history. A battery left in a discharged condition will short-out due to sulfation and won't recharge next Spring. The cure? Remove the battery from the bike and place it on your workbench attached to a 1 amp "trickle charger". But even a 1 amp charger can overcharge the battery if left on indefinitely so you need to plug the charger into your new timer, set to turn on for an hour a day. There is now a charger on the market (sold by most motorcycle accessory stores) called a "Battery Tender" which while a little pricey (About \$50) cannot damage your battery by overcharging. The "Battery Tender" also is the only charger recommended for the new "gel" or maintenance-free batteries.

If you are too lazy, or too clumsy with hand tools to remove the battery from the motorcycle for charging, you can charge it in place on the bike if you make certain that the battery vent tube is unobstructed and clear of any portion of the motorcycle or else the gases vented by boiling sulfuric acid will destroy painted and polished surfaces. Also make certain the battery is properly filled with distilled water prior to charging.

When Spring dawns, simply turn the fuel petcock on, replace the battery, check the air pressure in those tires and you're off!

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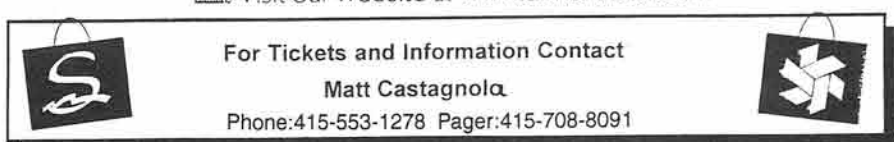
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December 15th

Southern #2	41	F.B.I.	50
Daly City P.D.	36	Southern #1	45
Honniball 18, Ortiz 16 pts in, Southern #2 win—what a struggle		Jay Broadrick 31 pts, 11-12 ft's Lucas w/10 pts. Co. B No Big Kelly. Tong 15 pts, Carl 14 pts in close loss.	
Park	44	Airport #1	50
Inspectors	32	S.F. Fire	49
Rector 15, Lynch 13, Obot 11 pts as Co. F rolls on in second place. Big Joe no passes, only 5 pts!		Murray leads airport in fires 1st loss. 19 pts for Murray, Thomas 12. J. Carey fouls younger bro, Carey in last minute.	
Ingleside	70	C.H.P. SF	65
Taraval - T.T.F.	61	D.P.T.	49 36
No stats - can't read scorebook—according to book Co H 111, To Taraval/TTF 96?		Bradely 18 pts, J. Kallas & Ruben 12 pts. C.H.P. rolls on undefeated D.P.T. Big Laual 16 pts in loss.	
Narcotics	75	Southern #2	46
Potrero #2	30	Airport #2	38
Guerrro 25 pts, Alexander 15, + Harry "Hat" 11 pts in win. Narco's move up to 4th place.		Honniball 26 pts, Co. B rides the Honniball train. Airport, Fracmia 11 pts, Mike Keane 8 pts.	
Northern Gnats	Win	Southern #1	Win
Central	Forfiet	S.F. Sheriff	Forfiet

Hoops League Play at Half Court

By Ed Delcarlo, Bayview Station

The Basketball season is at the midway point. The "A" League team to beat at this juncture is the SF Fire Department, last year's runner-up. They have only one loss thus far, and that was handed to them by the Airport team. Potrero 1 is tied with the SFFD for first place, followed by Southern 1, Airport 1, the FBI, and Mission. This year the "A" League is stacked with some good talent, and the teams are evenly matched. The Sheriff's team has dropped from the competition.

Here are some of the highlights from the "A" League chronicles.

A minor upset occurred when the Airport beat SFFD. The Airport team was led by Kevin Murray with 19 points to his credit. Teammate Thomas contributed 12 points.

In the battle for first place SFFD beat Potrero 1 by only 3 points. There was a controversial call made by the refs which resulted in a technical foul levied against the Bayview homeboys. Potrero was led by Brett Thorp and the "mad bomber" Darren Nocetti.

I don't have much information on the "B" League, but I was able to get an exclusive interview with Dan Manning, the player/coach of the Potrero 2 boardmen. Dan told me that he is a little disappointed with his team's performance. The over-achieving squad is 0-5. He said that injuries have devastated the team. Budding superstar Lavante Mitchel has been on the DL all season, and center Jim O'Malley can not score all the points single-handedly. The "Pride of Fremont", Steve Blair, has also been scoring and catching his share of rebounds.

The CHP is in first place with a 5-0 record, followed closely by Park at 5-1. Ingleside and Narcotics are tied for third place with 4-1 records. Park has been paced by newcomers Bassey Obot, Kevin Rector, and Jason Lynch. Ingleside is manned by the "Pride of the Sunset", point-man Brian Schafer and veteran Wilfred Williams.

Narcotics has a good mix of veterans and first year players, but their Big Man, Brian Pegler, has yet to make an appearance.

The surprise team of the "B" League is Taraval/TTF. Eddie Anzore was coaxed out of retirement by hall-of-famer Charlie Mahoney. They are 3-2 going into the last half of the season. (A little known bit of trivia: Charlie is the only member of the league who happens to be in the POA Basketball Hall-Of-Fame as well as the Sacred Heart High School Hall-Of-Fame.) Also on the combo team is future Hall-of-Famer Jerry D'arcy.

San Francisco Police Basketball League Standings 12/20

A League	Wins	Losses
S.F. Fire Dept	5	1
Potrero #1	3	1
Southern #1	4	2
Airport #1	3	3
F.B.I.	2	2
Mission	1	3
S.F. Sheriff Dept	0	5
B Division	Wins	Losses
C.H.P.		
San Francisco	5	0
Park	5	1
Ingleside	4	1
Narcotics	3	1
Northern Gnats	4	2
Southern #2	4	2
Taraval/T.T.F.	3	2
Inspectors	2	3
Central	1	3
D.P.T.	1	5
Daly City P.D.	0	3
Airport #2	0	4
Bayview #2	0	5

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SPORTS



SFPD Hockey Rolls On

By Chris Knight

The SFPD roller hockey team recently concluded its Fall/Winter league season at the Bladium, South of Market. The season ended with a 5-4 overtime loss to a team called the Plague, in the championship game of the Wednesday day league. But before we get into the details, let's recap the season.

The season began shortly after the California Police Summer Games, in which we made a string showing. We started slow, losing the first two games. However, in the following weeks we were able to regroup and strung together an eight game winning streak. Our 8-2 record gave us a number one seeding going into the playoffs. We opened up against the SFFD "Jakies." The Jakies are a new team that has improved enormously over the last several months. However, we are going into our second full year. We were also coming off a strong finish to the season. With everyone skating well we were easily able to polish off the Jakies 10-0.

Then came the two week lay off, over the holiday season. Finally the day came, on Wednesday, January 7. It was time for the championship game. SFPD verses The Plague.

The game opened up as expected, a closely fought battle that was scoreless midway through the first half. We broke through first when Muni's Curtis Wong found the back of the

net with a high slap shot from the right slot (top-shelf Baby!). The Plague answered quickly with a goal of its own a couple of minutes later. In the final minutes of the first half, Northern's Vinny Etcheber was twice able to beat The Plague goalie. The Plague answered one goal and we took a 3-2 lead into halftime.

Although it was a heart breaking loss in the championship, I felt we had a great season.

The second half opened up much like the first half. After a tension filled first few minutes, The Plague scored first to tie the game at 3-3. That's when Cliff Schlink from the Sheriff's Department found himself on a break away. He was easily able to beat their goalie and we went up 4-3 late in the second half. The Plague was able to tie the score when a shot from the right side tipped off Steve Griffin's glove and trickled in the goal. Steve is at Northern and has been a rock in the goalie position.

The game was tied at 4 and that's the way overtime started. Unfortunately, two minutes into the overtime period an errant pass led to an open shot in the cress, for The Plague.

The shot got past our goalie and The Plague pulled off a 5-4 overtime victory.

Although it was a heart breaking loss in the championship, I felt we had a great season. Some newcomers to the team that helped contribute to our success were; Bayview's "Big" Ed DelCarlo (he's even bigger with skates), and Kevin "Lab" Labanowski (he's our back-up goalie, looking better with every outing). Also there is Park's Carl Fabri (soon to be Mr. Denise Flaherty). He's got prior experience in ice hockey and will be a good pick up. That is if he's able to pull himself out of bed after working a midnight shift.

The Winter/Spring season starts the last week of January. We're looking forward to another shot at The Plague. We're also looking for new talent, so don't wait. We would love to put together a second team.

Contact Northern's Chris Knight if you'd like to play the coolest game on earth.



We Need Photographers

The Notebook needs interested members to photograph the activities and events of the POA and the Department. Contact Ray Shine, Editor

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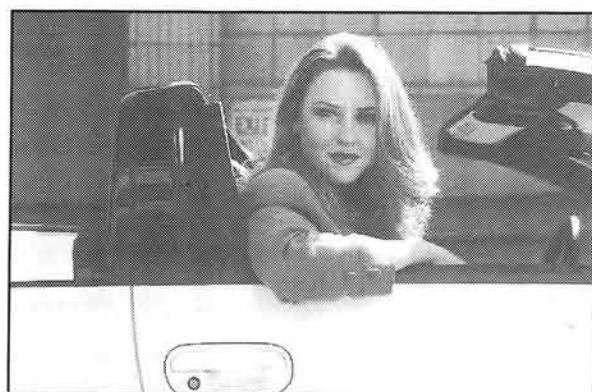
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Funny ... But True

By Tom Flippin, Park Station



Oakland police arrested a prime candidate for Dumb-Crook-Of-The-Month recently. George Shaun, a 33-year-old Oakland resident was pulled over by Officer Dave Cronin for a minor traffic violation. Officer Cronin learned that Shaun had a suspended license and called for a tow. During his search of the vehicle, Cronin found some evidence that Shaun was dumb enough to be carrying around with him. The evidence was a simple little note that read, "This is a robbery. Give me stacks of 50s and 100s." Investigators found enough similarities between that note and a note left behind at a bank robbery in October that Shaun was arrested for robbery. Shaun also matched the photo of a bank robber caught on a surveillance camera in a May robbery. Shaun, who has a prior conviction for bank robbery, wasn't talking, but the cops are hoping to match him to several other bank jobs...all because of a little scrap of paper.

Key West cops caught a burglar who jumped off a 55-foot cruiser that he was looting...but not by telling him to "Freeze!" Officers were called to the Ocean Key House marina after people reported a boat bashing into other boats there. As police arrived a man appeared on the boat's bridge, saw the cops and immediately dove into the water. Rather than engage in a watery chase or try to stop him with the old "Freeze!" stand-by, the resourceful officers yelled, "Sharks!". The burglar rapidly turned around and swam for shore...into the waiting arms of the Key West cops.

This item was submitted by Jim & Mary Greely, SFPD Retired since 1969. My thanks to the Greelys.

Another smooth cop caper was pulled off a couple of days ago by members of the force in Keene, New Hampshire. An officer there learned that a convicted felon, well-known to the cops, had gotten hold of a firearm. Since this is illegal, they decided that the bad guy, Eric Witover, should go directly to jail, not passing Go or anything else. They knew that Witover worked in a local pizzeria, but they didn't want to make the arrest there because of the possible danger to customers. So they phoned in an order for a small cheese pizza to be delivered to the police station. When Witover made the delivery of-

ficers relieved him of the pizza and placed a pair of handcuffs on him instead.

A San Francisco crook is another candidate for Dumb-Crook-Of-The-Month. Co. F Officers Kane and Muselman responded to an apartment burglary, and the victim told them that the thief had stolen some cash, credit cards...and several items of clothing. It was a very rainy evening, and the bad guy seems to have gotten wet during the break-in. The victim told the cops that he found a pile of sodden clothing lying on the floor of his apartment that did not belong to him. During a search of the discarded apparel Officer Kane found an SFPD booking form and an orange plastic SF Sheriff's jail wrist band...both in the name of David Eddy. Park Station officers have requested that an arrest warrant for burglary be issued for said David Eddy.

Thank God for the Internet (the following items were gleaned from a web site called *News of the Weird*)... Bank robber Duane Babcock's luck was nothing but bad following a Portland, Oregon stick-up. He took a taxi to the bank, robbed it and had the waiting cabbie drive him away. The cabbie didn't know about the holdup until he was questioned by the FBI, after witnesses identified the taxi. That evening, Duane called the same cab company for a cab and got...the same driver. This time the cabbie called the FBI after dropping Babcock off. When the Feebs arrived, unlucky Duane was still carrying his holdup note.

Alabama authorities took Carlos Perez into custody following an encounter with a local sheriff. Perez wasn't just unlucky; he was duuumbb! First, Perez parked the stolen car he was driving (which had no plates) and questioned the first person he saw about getting a driver's license. That person happened to be Sheriff Larry Amerson, who was in full uniform. When Amerson asked him for ID, Perez produced a birth certificate in the name of Matthew Nowaczewski (Perez is a dark-skinned Hispanic). Some of the information on the birth certificate also had been erased and rewritten in ballpoint pen...including the place of birth: "Mississippi."

An army MP, Daniel Bowden, was arrested in Virginia after he attempted to deposit \$3,000 in cash into his credit union account. The luckless MP was recognized by the teller as the same man who robbed the credit union two weeks earlier, taking nearly \$5,000 from her window.

Cops in Wichita, Kansas were completely oblivious to a car parked in front of a liquor store (they were

staking out a convenience store next door. Oblivious, that is, until one of the car's occupants decided to get rid of a pistol he was carrying. As the guy pulled the gun out of his pocket it discharged. The bullet hit him in the leg, went through the front seat and hit the car's other occupant. Police watched as the goof limped from the car and threw the pistol over a fence. The inadvertent shooter was booked for illegal possession of a firearm.

Kenneth Curtis could give a course on how to get away with murder. Curtis avoided trial in 1987 for the murder of his girlfriend because of mental incompetence. A judge found him incompetent because of a brain injury caused by a failed attempt to commit suicide by shooting himself in the head. Two years later, another judge released him from a mental hospital saying he had almost no chance of ever regaining his faculties. An appeals court removed an order that he be retested each year. Recently, a TV news team discovered that Curtis is enrolled in a pre-med course at Southern Connecticut State University and maintaining a B average. They also found that a state agency had provided Curtis with some \$1,000 in tuition assistance.

On the other side of the coin, Ricky Wassenaar could give a course on how NOT to conduct a criminal defense. Wassenaar was caught by cops in Tucson, Arizona after a lengthy car chase. He was found to be in possession of stolen money, guns, a ski mask, and a bullet-proof vest. At his trial, Wassenaar acted as his own attorney and told jurors that a man named Jim slipped a date rape pill into his drink at a bar and then forced him into the vest and put him into the car. Explaining away the car chase, Ricky said he was just trying to get out of the officers' way so they could chase whomever they were really after. The jurors found him guilty of assault and robbery.

In September, inmate Michael F. Schmitz, 45, serving two years in the Kentucky State Reformatory for drunken driving, filed a \$1.9 million

lawsuit against the Lexington (Ky.) Police Department complaining that officers were too nice when they arrested him in 1996. According to the lawsuit, when police found a loaded assault rifle in his car and could not figure out how to dismantle it, they uncuffed the obviously inebriated Schmitz and had him take it apart. Schmitz said he "could have shot most everyone standing around" "could have shot most everyone standing around watching this escape" and thus contends that the police endangered the public.

Shawn S. Warren, charged with arson in June in Anderson, Ind., denied he actually started a fire in a garage. Instead, according to the town's chief fire investigator, Warren said, "I probably thought about that fire, and it just happened." Said the investigator, "(Warren) did tell me sometimes he thinks about things and they happen."


Weird Weapons:

Frozen chicken legs (woman pelted her boyfriend for carousing, Broward County, Fla., September); slow-moving train (robber rubbed victim's head into to convince him to give up the money, Orlando, Fla., October); red peppers (Ebensburg, Pa., cook laced the luncheon special of a police officer who had given her one too many parking tickets, July); dildo (one female Pittsburgh student hit another, knocking her unconsciousness, May).

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