

Minutes of the February 17, 2010 POA Board Meeting*

1. Sergeant-At-Arms Breen called the meeting to order at 1205 hours and led the Pledge of Allegiance.
2. Secretary Montoya conducted the roll call of the Board of Directors and Executive Board.
3. Dyniece Abril and Keith Rockmael of Bay Area Resources gave a presentation to the Board of Directors regarding their services. They will be holding a workshop on 3-24-10 at the POA.
4. Sergeant Mark Hernandez (Co. A) gave a presentation, which included a request for a financial donation for the Blind Babies Foundation.
5. Rep. Sorgie (Co. G.) made a motion to approve the minutes of the January 2010 POA Board Meeting. Motion was seconded by Vice President Martin and passed by a voice vote with no opposition.
6. President Delagnes gave a briefing on disciplinary arbitration which may go before the voters on the November 2010 ballot.
7. Willie Lim who is running for a Board Position with the Health Service System spoke to the Board requesting a POA endorsement.
8. Treasurer Halloran provided each Board Member with a printed copy of the current Expense Recap.
9. Rep. Rosko (Co. A) made a motion to donate \$7500.00 to the Blind Babies Foundation which was seconded by Rep. Dacre (Co. F). Motion went to a voice vote and passed with opposition from President Delagnes, Vice President Martin, Sergeant-At-Arms Breen and Rep. Imbellino (Co. F).
10. Rep. Finnigan made a motion to donate \$500.00 to the USO located at SFO. Motion was seconded by Rep. Madsen (TAC) and passed by voice vote with no opposition.
11. Rep. Rosko (Co. A) made a motion to endorse Willie Lim for the HSS. Motion was seconded by Rep. Yin (Co. G) and passed by voice vote with no opposition.
12. Meeting adjourned at 1500 hours.

Tony Montoya
POA Secretary.

**These minutes will not be adopted by the Board of Directors until the next General Membership meeting. Corrections and amendments might be made prior to a vote to enter the minutes into the permanent record. All corrections and/or amendments will be published in the succeeding issue of the Journal.*

POA Endorses Willie Lim For Health Service Board

By Mike Hebel, Welfare Officer

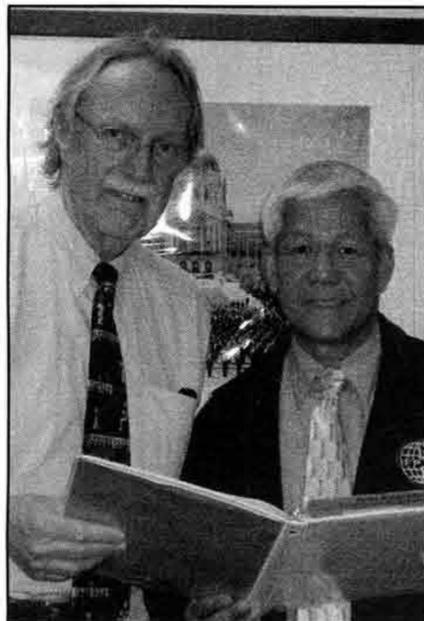
At its meeting of February 17, the POA's Board of Directors voted to endorse Wilfredo (Willie) Lim for the Health Service Board in the upcoming May election. Willie is currently the accounting manager at the SF General Hospital Medical Center. He is responsible for an annual operating budget of over \$800 million. He has been a city employee for 28 years. He is the former treasurer of the Professional and Technical Engineers Local 21 and a former trustee for this union's defined benefit pension plan.

At his presentation to the POA's Board of Directors, Willie stated that his election platform includes: protecting health care benefits and the trust fund, control of costs of health care benefits, insuring that there are at least 3 plans available to city employees (currently City Plan, Kaiser, and Blue Shield), and securing full funding for the Health Service System (currently 39 employees with a \$6 million budget).

Willie is endorsed by current employee-elected HSS Board members Sharon Johnson, Sharon Ferigno (SFPD lieutenant), and Clare Zvanski. He also has the endorsement of his union.

The election will be held from May 14 to May 28 for a 5 year term commencing in June 2010.

The POA's Board of Directors urges a Yes vote for Willie Lim.



POA Welfare Officer Mike Hebel with Willie Lim discussing Willie's plans for the Health Service System

Board of Directors Meeting Roll Call Wednesday, February 17, 2010

President	Gary Delagnes	P	Co. G	Dean Sorgie	P
Vice President	Kevin Martin	P		Dominic Yin	P
Secretary	Tony Montoya	P	Co. H	Maris Goldsborough	P
Treasurer	Marty Halloran	P		James Trail	P
Sergeant-At-Arms			Co. I	Scott Biggs	P
	Chris Breen	P		Jody Kato	P
Editor	Ray Shine	E	Co. J	Kevin Lyons	P
Co. A	Ed Browne	P		Brian Philpott	P
	George Rosko	P	Co. K	Matt Gardner	P
Co. B	Larry Bertrand	P		Corrado Petruzella	P
	Jayme Campbell	P	Hdqtr.	Bob Mammone	P
Co. C	George Ferraez	E	Narcotics	Dave Falzon	P
	Chris Schaffer	E		Frank Hagan	P
Co. D	Martin Covarrubias	E	Tactical	Dan Laval	P
	Jose Jimenez	P		Mark Madsen	P
Co. E	Jesus Peña	E	Invest.	Gavin McEachern	P
	Tim Flaherty	P		Dean Taylor	P
Co. F	Peter Dacre	P	Airport	Anton Collins	E
	Rob Imbellino	P		Joe Finigan	P
			Retired	Ray Allen	P

San Francisco Police Officers Association Editorial Policy

The POA Journal and the POA web site (www.sfpoa.org) are the official publications of the San Francisco Police Officers Association and are published to express the policies, ideals, and accomplishments of the Association. The following provisions that are specific to the publication of the POA Journal shall also be applicable to publication of material on the POA web site to any extent that is practical. Publication of material in the POA Journal or on the POA web site does not necessarily include publication on or in both instruments of communication. Nor does the following editorial policy for the POA Journal preclude a different or contrary editorial policy for the POA web site.

Member Opinions and Commentary: Unsolicited Written Material

A member or group of members may submit unsolicited written material to the POA Journal that expresses his/her/their opinion(s) and concerns within the following limitations and guidelines:

- Such material must be addressed as a letter or mail using common salutations such as "Dear POA," "Editor," "SFPOA" "Dear POA Members" etc.
- Such material must be authored and signed by the member(s) making the submission. Anonymously submitted material will not be published.
- Such material must be factually correct and presented in a respectful and civil manner.
- Such material can not be slanderous, unnecessarily inflammatory, sexist, racist, or otherwise offensive, nor can it be disparaging of any member or bring upon them unwarranted accusation or rebuke, either express or implied.
- Such material can be forwarded to the editor by electronic mail, US Mail, inter-departmental mail or other written communication, or delivered in person to the editor or to any person in the POA office.
- Upon receipt of such material, the editor shall cause it to be published in the next regular printing of the POA Journal, or in a future issue designated by the submitting member provided that the content complies with all the provisions of this policy. Such material will not necessarily appear in more than one issue of the POA Journal.
- Such material will be published in a designated section that shall be clearly titled as "Letters to the Editor," "Letters to the Journal," "Mail" or other similar title indicating that the material included therein is the express opinion of the author(s) and not necessarily that of the SFPOA or any of its elected or appointed officers.
- Depending upon considerations of timeliness and space, the editor reserves the right to withhold publication of such material for as many as two issues. The editor also reserves the right to decline to publish material beyond a date wherein the context of the material is no longer timely.
- All such material is subject to editing for grammar and punctuation. Portions of a submission may be omitted for considerations of space so long as the general context of the material is not significantly diminished or altered.
- The editor may select portions of a submission to be highlighted in a common editorial manner such as pull quotes, sub-heads, or kickers.

Other Submitted Material

All other written, photographic, or graphic material must be:

- Specifically solicited by the editor;
- Or be unsolicited material that may be published at the discretion of the editor, and in accordance with other applicable sections of this editorial policy and Article XI, Section 8(e) of the by-laws.

The San Francisco Police Officers Association

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

- Address letters to the Editor's Mail Box, 800 Bryant St., 2nd Floor, San Francisco, CA 94103.
- Letters must be accompanied by the writer's true name and address. The name, but not the street address, will be published with the letter.
- Unsigned letters and/or articles will not be used.
- Writers are assured freedom of expression within necessary limits of space and good taste.
- The editor reserves the right to add editor's notes to any article submitted, if necessary.
- Articles should be typed, double-spaced, or submitted via e-mail or on disk in Microsoft Word.

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Counselor's Corner

Solidarity

By John Tennant
SFPOA Counsel

Political strategist James Carville, widely regarded as the architect of Bill Clinton's 1992 presidential victory, once said, "I used to think if there was reincarnation, I wanted to come back as the president or the pope or a .400 baseball hitter. But now I want to come back as the bond market. You can intimidate everyone."



Carville's remark hits home these days given the damage wrought worldwide by financial markets in general. How can one not help but be "intimidated" by the overall havoc in the global economy, with its obvious ramifications for local economic conditions, that seems less the product of any one actor or cause than the seemingly unavoidable consequence of markets so volatile and chaotic that all stand virtually powerless before their onslaught?

A near collapse of the financial system in Greece, a country hardly thought to carry much weight politically or economically, recently threw European markets into a tailspin which, in turn, caused the Dow to fall below 10,000 for the first time in months. The *New York Times* described what seemed to be the pathetic efforts

of Greece's public employee unions taking to the streets in protest against the government's call for drastic cuts to public worker wages and benefits in response to the fiscal crisis: there was a "sense of resignation that megaphones were no match for volatile financial markets."

Closer to home, the impact of the market's freefall in 2008-09 has come to be felt acutely in the rising contribution rates that state and local governments find themselves now having to pay in order to keep their public employee pension systems fully funded. San Francisco projects that because of market losses it will need to contribute an additional \$20.7 million in pension contributions next year and further projects that within four years approximately \$675 million will be required annually to keep the pension fund in sound financial health — a figure that represents 27.3% of total payroll and is more than what it takes to run San Francisco General Hospital for a year. In San Jose, market losses to the pension system of approximately a quarter of the fund's value resulted in initial projections of an additional \$38 million to the City's current annual contribution of 138 million dollars. Such is the real world impact of financial market movement — the product of forces that we can scarcely comprehend, let alone influence in any meaningful way.

And so what is to be done? To borrow a metaphor from a friend and

colleague, how does one walk or even stand upright, so to speak, in the midst of such ferocious market winds that threaten to bowl us over with every fierce new, economic blast?

The answer most relevant to those of us who regard organized labor as the primary means available for human beings to confront adverse economic forces, be they large or small, lies, I believe, in labor's famous watchword: "Solidarity." Solidarity has time and again provided succor and support to a beleaguered rank and file when faced with daunting economic challenge.

But here, we can run immediately into problems. One of the least attractive features of our current age is the primacy given to a cynical, glib cast of mind over a more forthright, earnest approach to the world. Allowing a word like "solidarity" to escape one's lips almost instantly invites a patronizing rejoinder, replete with the by-now cliché dismissal of the speaker as a mere purveyor of "Kum-Bah-Yah" style naivetés.

It wasn't always this way. Not so long ago there practically existed an article of faith that you didn't cross a picket line. (I, for one at least, remember that sentiment growing up near the steel mills of northwest Indiana in the 1970's.) The seriousness of purpose and commitment to a cause larger than oneself that attend such a worldview are today regarded as almost the quaint relics of a bygone era.

But far from being sentimental

mush, the solidarity embraced, for example, by the striking workers in Poland's Gdansk shipyards and whose eponym graced the dockworkers' own union, "Solidarnosc," was nothing short of iron courage. It had to be in order for it to have hastened the fall of the Soviet Union in the 1980's.

We may count ourselves blessed that we have not had to face trials anywhere near as grave as those of Gdansk's ship workers. But that does not diminish the value of solidarity. On the contrary, principles of solidarity are critical to meeting the challenges posed by our new world of careening, out-of-control financial markets. Indeed, solidarity with others in the face of the common threat of unbridled economic volatility may be the only real defense we possess.

It may border on the perverse to compare our current struggle with Poland's dockworkers against a totalitarian state that was the Soviet Union circa 1980, but in some sense, the Poles' plight was more straightforward. At least, they could locate the enemy they had to fight. For us, the task is far more complex, as blind, irrational market forces can hardly be "fought" in any traditional sense.

And yet, solidarity — solidarity with each other, solidarity in the face of adversity — remains. If deliverance is to be found anywhere, surely it resides in Solidarity.

"Roll the Union On..."

Calendar of Events

Mark your calendars for the following meetings and events by the POA and its friends and supporters. All dates and times are subject to last minute changes, so always contact the event coordinator to confirm dates and times. If you have an event you would like posted on our calendar, contact the editor at journal@sfpoa.org.

Regularly Scheduled Meetings or Events

Event	Location	Date & Time	Coordinator
<i>Meeting,</i> Veteran Police Officers Association	3255 Folsom, SF	Second Tues. of Every Month, 11:00 AM	Larry Barsetti (415) 566-5985 larry175@ix.netcom.com
<i>Meeting,</i> Widows & Orphans Aid Association	Ingleside Police Station, Community Room	Second Tues. of Every Month, 2:00 PM	Mark Hurley (415) 681-3660
<i>Meeting, American Legion</i> SF Police-Fire Post	Old POA Building 510-7th Street, SF	Second Tues. of Every Month, 6:00 PM	Rene Laprevotte rlaprevotte@comcast.net
POA Board of Directors Meeting	POA Building	Third Wed. of Every Month, Noon	POA Office (415) 861-5060
<i>Meeting, Retired Employees of CCSF</i>	Irish Cultural Center	Second Wed. of Every Month, 11:00 AM	Reyna Kuk (415) 681-5949
<i>Retiree Range Re-qualification</i>	SFPD Pistol Range	First Fri. of each Month, 0730 – 1130	Range Staff (415) 587-2274

Specially Scheduled Events

Larry Ratti Retirement Dinner	Peninsula Italian American Club 100 No. B St., San Mateo, CA	Friday, March 12, 2010 6:00 PM	Patty White (650) 303-0441
Fellowship of Christian Peace Officers Luncheon	POA Building 3rd Floor Boardroom	Thursday, March 25, 2010 Noon	David Lazar (415) 404-4030 Chuck Bonnici (415) 587-1779
SF Police Soccer Club Hall of Fame Induction and Dinner	Harrington's Bar & Grill 245 Front St., SF	Saturday, March 27, 2010 6:00 PM	Matt Gardner (415) 309-8849
9th Annual Guns & Hoses Tourney	SF Tennis Club	Saturday, April 24, 2010	Robin Matthews (415) 553-1093
Ernie Ferrando Retirement Lunch	Cathay Hose Restaurant California at Grant, SF	Tuesday, May 4, 2010 Noon	Kim D'Arcy (415) 602-8297
PAL Golf Tourney	Crystal Springs Golf Course Burlingame	Monday, May 17, 2010	SFPAL (415) 401-4666 anne@sfpal.org

WIDOWS' AND ORPHANS' AID ASSOCIATION

PO Box 880034, San Francisco, CA 94188-0034 ♦ Established 1878 ♦ Telephone 415.681.3660

FEBRUARY 9, 2010

The regular meeting of the Widows' and Orphans' Aid Association of the San Francisco Police Department was called to order by President John Centurioni at 2 PM in the Conference Room of Ingleside Station.

PLEDGE OF ALLEGIANCE: Led by President John Centurioni.

ROLL CALL OF OFFICERS: Present were President John Centurioni, Vice President Matt Gardner, Treasurer John Fewer, Secretary Mark Hurley, Trustees Bill Gay, Mark McDonough, Bob Mattox, and Al Luenow. Excused was Trustee Harold Vance, Jr. Also attending the meeting were Junior Past President Joe Garrity and Past President Ray Crosat.

MINUTES OF THE JANUARY MEETING: There was a motion by Gay that the minutes be approved as published. Mattox seconded the motion. The motion carried.

BILLS: Treasurer John Fewer presented the usual bills. There was a motion by Gardner, seconded by Garrity that the bills be paid.

We Had One Death This Past Month.

DONALD W. BREWER, 83 years. Don was born in Blackfalls, Alberta, Canada. Don had his schooling in Yakima, Washington, and High School in Kalso, British Columbia. After High School, at the age of 17, he enlisted in the Royal Canadian Air Force (1943). He was a tail gunner. After being discharged from service, he crossed the border into the U.S. and enlisted in the Marines. After boot camp, he was shipped out to Guam. He served in Japan after their surrender and also in China. After discharge, he worked for the San Diego Zoo. He bred "Lesser Pandas." He was one of the first and most successful persons in U.S. to do this. He got his experience working

for the Hudson Bay Co. in Canada breeding Martins. Don then went to Chicago and worked for the railroad, and then joined the Chicago Police Department in 1950. He then came to San Francisco and entered the Police Academy in 1962. His first assignment was Richmond Station. After Co. G, he was assigned to City Prison. After City Prison, he was assigned to Potrero Station. Two years later, he went to Taraval, and from there to Mission. He then made Sergeant and was assigned to Richmond Station and then as Sick Sergeant. Don retired in 1989. Don was awarded the Silver Medal of Valor for his actions in disarming a burglary suspect who already fired several shots and was in a darkened tunnel hiding behind a stairwell. The suspect shouted at the two officers "If you come up here, you are dead." He then thrust his gun around and pointed it at the officers. Officer Brewer shot the gun hand of the suspect and physically subdued him. Don used to write articles that our Police "Notebook" refused to publish. So, he published his own "Don's Journal" that was interesting reading. He told it like it was. Don was a very complex and interesting man, and that's why I described so much of his life before the SFPD. He leaves behind his wife, Sergeant Nancy Brewer, SFPD.

Paolini gave a report on the condition of our account. The Fourth quarter surge of 2009 of 5.7% was the best growth in six years. Unemployment rate dropped to 9.7% in January. The Geo Political events of the World have a great effect on our investment market. China is taking steps to slow down growth. With the problems in Greece and that country's ability to finance its budget and the general debt of Portugal, Ireland, Italy, Greece and Spain come more complications. As a result, the Euro has fallen to an 8-month low against our dollar at \$1.37. They are looking at a slow first and second quarter and our S&P 500 Index being at 1275 at the end of this year. No Changes to our account.

NO SUSPENSIONS

REINSTATED TO FULL MEMBERSHIP. With the payment of fines and dues. Henry Hunter and Joyce Watkins.

ADJOURNMENT: President John Centurioni had a moment of silence for our departed member and also for Fr. John Heaney and members of our armed forces serving their country. He set the next meeting for March 9, 2010 at 1:45 PM in the Conference room of Ingleside Station. The meeting was adjourned at 3:15 PM.

Fraternally,
Mark Hurley,
Secretary

REPORT OF TRUSTEES: Our investment team of Shane Hiller and Jerome

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AROUND THE DEPARTMENT

By Al Casciato



of 1975 followed by the formation of tier 2 which led to another 30 years of charter amendments culminating with the current system. There is not enough space here to fully tell you the whole story, but I really caution all our leaders to study the past and manage the budget crisis with eyes open to the future economic crisis that will follow the next economic upturn... Don't keep reinventing the wheel and fighting the same windmills every economic cycle...

...Public Safety Platform:

A number of years ago retired Lt. Jack Ballentine, while serving as POA Treasurer, would lecture all about how; "Security is always viewed as a grudge buy. We have to show that security has value." I remember very clearly that one of the local business persons took Jack's words to heart and some time later reported back that because he had valued security his company he had received a large reduction in their worker's compensation premium along with other premium reductions.

I recently had the opportunity to attend the annual conference of the National Association of Police Organizations (NAPO / www.napo.org) where former Los Angeles Police Chief William Bratton was the Keynote speaker. Chief Bratton spoke passionately about how we should not allow the economic downturn undermine the progress made in public safety. He praised the efforts being made by the Mayor of Los Angeles to maintain the police staffing levels which have led to the crime reduction in that metropolitan area.

To me, the comments of both of these gentlemen define in my mind that Public Safety is the platform upon which a society flourishes or not. Let us look at San Francisco. If we maintain an excellent public safety platform; police, fire, 911, public health and trauma center which residents and visitors are confident will protect and serve them, then other public initiatives are possible. A confident residential population will utilize public schools, parks, libraries, museums and fund them as well if they believe they are receiving quality public protection. Likewise, visitors from all over the world will flock to the City filling the hotels, restaurants, cultural and entertainment venues which are the engine of our number one industry, tourism. Thus, this will further fund our local initiatives allowing them to excel...

...Births:

The Airport Bureau is celebrating the birth of Jennifer Michele Gonsalves, 8 lbs, 19 1/2 inches, on January 15, 2010 at 2223 hours to Officer Joe and Linda Gonsalves. Grandfather is retired Sgt. John Fox (dec) Little Jennifer will be highly entertained and cared for as she was welcomed at home by her three sisters Megan, Danielle and Samantha.

Bayview Station proudly announce the birth of William Eldon Hodgin, 8 lbs 11 oz, 21 inches born January 16, 2010 at 0256 hours to Officer Shamus

and Diana Hodgin. Congratulations to all we wish you the very best...

...The Eight Ball Association:

The 8 Ball Association is a Bay Area Law Enforcement and Security Liaison Group comprised of Federal, State, Local and Private Security Departments which comes together at a monthly luncheon to hear an industry or government keynote speaker. For more information on the group contact Captain Richard Corriea at 415-666-8030 or send him a note care of Richmond Station...

...Thank You:

To Retirees Maury Rothman and Dave Toschi for the two fine articles you sent in. Our editor Ray Shine appreciates the submissions and will run as space allows...

...Silver State Peace Officers Museum:

The Nevada Peace Officers Museum is presenting a Comstock Police Collector and Restored Emergency Vehicle Show in Virginia City May 15th and 16th, 2010. For more information about the show contact Dennis Daniels (775) 265-9394 or write NevadaDFD@aol.com or visit www.peaceofficersmuseum.org information courtesy Inspector Liane Corrales, Juvenile...

...Vet POA:

If you are interested in keeping abreast of what is going on with the retirees, send an e-mail to Larry Barsetti at larry175@ix.netcom.com requesting on how to get on the mailing list. Also, the retirees citywide organization can be accessed at www.reccsf.org and the retirement system at www.sfgov.org/sfers...

...Commercial for Second Careers:

At the NAPO conference retired Chief Bill Bratton asked if he could give a commercial for the company he is now running in retirement, Allegriety. He is recruiting investigators, consultants, and teachers for several domestic and international projects. If interested, visit www.allegriety.com to learn more about what they offer...

Announcements, notices or tidbits can be e-mailed to alfrmsf@aol.com, faxed to 552-5741, or mailed to *Around the Department*, 800 Bryant St., 2nd Floor, SF, CA 94103.

...Budget:

The current budget and the upcoming fiscal year budget are everyone's focus at this time and for good reason. But; I offer words of caution having been through these cycles in the past. The first thing we must remember is that the economy will make a comeback some time in the future. With that thought in mind, decisions made during lean times should be carefully crafted to take advantage of the economic return and to help minimize a future downturn.

The best idea I've seen out of the Board of Supervisors is the proposal to have the City contribute a fixed amount to retirement system and divert that contribution to the health service system when retirement has a surplus and some day when both systems are fully funded then the surplus would go the general fund. Had this been in effect between 1995 and 2002 (when the City made no contributions), the Health Service System today would be in much better shape. Another thing to remember is our 1992 experience when we were very close to laying off police officers and fire fighters (layoff notices actually went out), and a short 3 years later we were stopping the City's contribution because of a surplus. Did anyone, at that time, prepare for the next economic downturn? No! Should we now? Yes!

Another thought to keep in mind is that when a government sacrifices its "unborn" (future hires) and creates a reduced tier (either health or retirement) we are destined to experience 30 years of charter amendments / initiatives and divisiveness between tiers as new hires move to balance benefits. This is what happened between 1940 and 1974 culminating with the creation of Tier 1 and upgrading of past retirees who were below the poverty level. Then we experienced the strike

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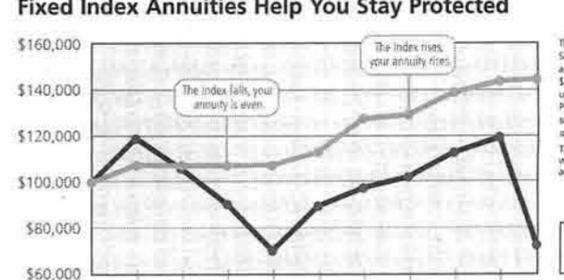
What Goes Up Doesn't Have to Come Down

The market goes up, the market goes down. And up. And down. And down again.

Sound familiar? Recent stock market volatility has left many investors feeling like they are on a roller coaster ride that just won't stop. If you are one of the passengers close to retirement, you may be looking for safer places that allow your retirement money to credit interest while offering protection from stock market free falls.

A fixed index annuity may provide you with exactly that. You get protection of principal (minus withdrawals and surrender charges) found with a traditional fixed annuity along with the potential for greater interest credit linked, in part, to the performance of a market index. When the index goes up, your contract's accumulation value may rise up to the applicable index cap rate, depending on the strategy elections you choose. If the index decreases, your contract's accumulation value doesn't lose value.

Fixed Index Annuities Help You Stay Protected



This chart compares the historical performance of the S&P 500® Index with the hypothetical performance of a fixed index annuity. It assumes an initial premium of \$100,000 and the Port-to-Port Cap Strategy with up to an 8% index cap rate. Interest Rates, Participation Rates, Index Caps and Index Spreads are subject to change. Other interest crediting strategies are also available. The contract's Accumulation Value does not reflect withdrawals, surrender charges, market value adjustment or premium tax, if applicable.

Call to discuss how a fixed index annuity may help you increase and protect your assets for retirement.

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This and That...

By Kevin Martin,
SFPOA Vice President

A Tip of the Hat...

to Officer Joseph Toomey #786 of Tenderloin Station who spent the afternoon of his regular day off visiting with a few children at UCSF this past January 28, 2010. Joe, son of the venerable Joseph Toomey of the SFPD Homicide Detail, and brother of Robert Toomey #4021 of Ingleside Station, was a big hit with the youngsters. It was great to see such dedication from one of the younger members of our department. Every once in a while, you might hear some veteran officers rumbling that the new cops "just don't get it." This complaint certainly does not apply to Joe or any of the "younger" officers of our department who engage themselves in many community-oriented activities. As often as possible, I note the volunteered and dedicated actions of our members in this column and believe me, there is no shortage of younger officers being recognized. There are also many members of our department who would prefer that their generous community actions remain unheralded.

The youngsters had a great time playing BINGO with Joe and especially when they received their prizes! Thanks again, Joe... you were really great!

Scholarships...

For the fourth consecutive year, the SFPOA and the Academy of Art University of San Francisco are very proud to announce the 2010 Summer Art Experience Scholarship Program. This generous program is being offered to the high school aged sons and daughter of POA members. This program has been just outstanding for the families of our members because of the great opportunity this presents in the world of art, but it also helps our youths forge a bit of independence and affords them a glimpse of college life. The parents and students familiar with the Summer Art Experience have voiced nothing but praises since the POA was able to join forces with Dr. Elisa Stephens, President of the Academy of Art University of San Francisco and her extraordinary staff.

The POA has been very fortunate to have established a wonderful working relationship with Dr. Stephens, and we are once again very grateful for her

overwhelming generosity.

If you would like to get a head start on this program, go to <http://www.academyart.edu/degrees/precollege.html>. This website includes the Pre-College Summer Art Experience Program brochure as well specific information about schedules and classes.

At the same time, it pleases me to announce that two (2) full-time, four-year scholarships will be awarded to two (2) members of the POA. This award has been the practice for the previous years. Once again, these scholarships will be awarded based on essays written titled "Why I Would Like to Attend the Academy of Art University of San Francisco."

The submission deadline is Friday, March 19, 2010. Essays can be turned in to Kevin Martin at the POA Office, or sent by US Mail.

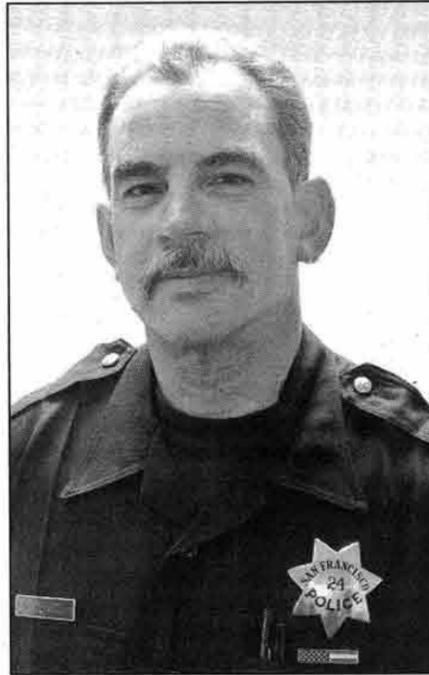
The four-year scholarship has also been a wonderful experience for our members who are looking at life beyond the police department. The previous winners of this most prestigious award have had the chance of a lifetime to receive a first-class education at one of the world's most prestigious art institutions.

Furthermore, why does Supervisor Mirkirimi think he is better qualified to run this police department than the Chief? His tactics may have worked under another administration, but the current Chief doesn't need help or input from the Supervisor when it comes to the deployment of his officers.

There will be bulletins published and distributed regarding these two scholarships. Good luck to those who apply, and PLEASE...get your application and all scholarship information from the POA and turn in all necessary paperwork in a timely manner...

A Word of Thanks...

To Chief George Gascón for taking such an aggressive stance with certain members of the Police Commission, as well as the Board of Supervisors. In recent weeks, the Chief has gone toe-to-toe and not backed down on issues affecting the members of our department, and directly affecting the rank-and-file assigned to the Field



Operations Bureau. Commissioner Petra DeJesus took on the Chief, accusing him of grandstanding and trying to circumvent the "good order" of the Police Commission by going to the press to further his goal of a "Discipline Arbitration" Charter Amendment (which in part would give the Chief of Police wider disciplinary powers) without first consulting the members of the Commission. The Chief quickly reminded the Commissioner that in fact the Chief had met with Commission member David Onek as well as Commissioner Dr. Joe Marshall. The Chief sternly stated that he had also met with members of the Board of Supervisors as well as the POA and legal counsel of the POA. The Chief quickly and sternly rebuked the Commissioner on her allegations. Then we have the matter of the "Sit/Lay (lie)" Law which would give patrol officers greater latitude in taking enforcement actions against those persons who have pretty much given up on themselves, and who apparently prefer to merely "exist" rather than to live a meaningful life. There are citizens, residents, and merchants who are tired of seeing a certain segment of society content with lying around on the sidewalk all day (any part of the city will do) while "quality of life" violations stack up in increasing numbers. It doesn't take long for one "gutter punk" sitting around on the sidewalk, (sipping a beer and scratching the belly of a chained up pit-bull dog) holding a sign pretty much telling the world to kiss off (but not before giving him/her some money to buy another beer) to be joined by four or five others of the same ilk. This activity and "expression" of "Free Speech" is a blight to our neighborhoods and becoming increasingly dangerous as these miscreants step up their "aggressive pan-handling." This has become a particular nuisance in the Haight-Ashbury where beat cops have been confronting these scofflaws for years. At first, the residents and merchants didn't seem to mind too much. After all, it is "The Haight..." But of late, the climate has started to change. The "gutter punks" have grown in numbers and became an increasing problem by blocking sidewalks and storefronts. Many are also becoming more physical and intimidating with their tactics. The police always made arrests, issued citations, and enforced the law to the best of their abilities. The officers heard the community's cry for help, but a lack of prosecution from the DA's office, opposition from the Bored of Supervisorless and the creation of "Community Courts" pretty much relegated the police effort to a mere inconvenience.

Newspaper articles in the local dailies noted the community's growing discontent of this problem and neighborhood fears of physical attacks by these thugs and hoodlums. The Chief held a news conference in the Haight to address this problem but the politicians in this town refuse to do anything without first bowing and bending over to the politically correct crowd who don't really give a damn about anything except their own agendas. The Chief is trying to take the city back from the criminals and trying to take the handcuffs off the cops allowing them to do just that. I think it is safe to say that the majority of residents and visitors in this town are backing his play. Why can't the politicians get on board and just do something for once because it is the right thing to do for the people?

Furthermore, why does Supervisor Mirkirimi think he is better qualified to run this police department than the Chief? His tactics may have worked under another administration, but the current Chief doesn't need help or input from the Supervisor when it comes to the deployment of his officers. My guess is that the Chief has just a little more experience in the area of police administration and police work in general than our esteemed supervisor.

Then of course, we have the little matter of Tasers. As most people know, San Francisco is one of the few major metropolitan cities in the United States that does not employ Tasers. Tasers are a less-lethal device that once deployed and fired at a suspect shoots wires containing small barbs that deliver a short burst of electricity designed to temporarily short circuit the central nervous system and incapacitate or disable the suspect. That brief incapacitation allows officers to handcuff or restrain the suspect. The Taser has been very affective in most cases subduing violent suspects without having to resort to lethal force. It should be noted and remembered that Tasers, like our Extended Range Impact Weapons are "less lethal" but not always "non-lethal."

At the Police Commission hearing at City Hall on Wednesday, February 17, 2010, Chief Gascón made his presentation before the Commissioners. The presentation included testimony from an American Civil Liberties Union attorney favoring Tasers, a medical doctor, and an expert in the area of Taser deployment. There was also a moving account from our own Sgt. Joe McCloskey. He testified about his own "nightmare" experience during a violent confrontation in which cops were being thrown around by a very large, angry offender and Joe almost had to employ lethal force just before sufficient help arrived to save the day. Sgt. McCloskey testified that a Taser would have offered the police another option without having to resort to discharging his service weapon.

The Chief's presentation was sound and covered all the bases. There was of course questions and discussion regarding the issue. At one point, Commissioner DeJesus asked the ACLU attorney, "Couldn't the Tasers kill people?" to which the attorney responded, "They (the officers) already have guns!"

Soon after, the various Commissioners started to weigh in, and soon moved to wait two weeks before making any kind of decision on whether or not to consider issuing the members of our department Tasers. Of course, they need to consult with their "constituents" on whether or not to even consider the matter. We all know what

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this means, in two weeks the commission meeting will be filled to the rafters with those community folks who will absolutely not tolerate a police department in "their" city who would arm themselves with such instruments of torture. Once again, the inmates are running the asylum. The actions of the commission left the Chief scratching his head in bewilderment and no doubt questioning his decision to accept this job. Rightfully so, he was frustrated by a city commission which wants it both ways...a body that does not wish its police department to resort to means of lethal force, but refuses to equip its police officers with the tools to do so. Commissioner Joe Marshall, one of two Commissioners to vote for the Tasers stated during the course of the meeting that he did not want to lose any members of the San Francisco community to lethal force as well as pointing out that he also did not want to see any police officers getting hurt on the job. So, we shall see...we shall see.

Gag Him with a Spoon...

The Chief is getting a very unpalatable spoonful of San Francisco politics and I'm sure it's enough to want to make him puke...pure and simple... But I know the Chief is resilient and not going to back down from doing what he thinks is right for this city and this department. The Chief did a very admirable job in the press conference shortly after an Officer Involved Shooting in the Ingleside Police District. In that incident, an officer was forced to employ lethal force on a mentally deranged individual armed with a machete who had earlier in the day called his doctor and essentially

said that it was going to be a kill or be killed confrontation with the police, a form of the classic "Blue Suicide."

The Chief displayed the machete, played the 911 audio tape from the individual, gave an account of the incident and then gave the lead Police Inspector the opportunity to discuss certain matters involving the case. The feedback from the rank-and-file was very positive. Many officers stated, "it's about time we got out in front on stuff like this." I did not hear one negative reaction to the Chief's news conference. I may not always agree with the Chief or understand certain aspects of his thinking, but I must say it's like a breath of fresh air to have someone in our corner stand up to the politicians and critics of police in this city. It's great to have someone other than from the POA to stand up for our members and say or do the right thing.

Monsignor John Francis Heaney...

This month's column is dedicated to the great memory of Monsignor John Francis Heaney, former Chaplain of the San Francisco Police Department who passed away this past January 29, 2010. Monsignor was one of the most beloved members of this department. He had such a great influence on many police officers and their families. Monsignor Heaney was a native San Franciscan, born and raised in St. Paul's parish in the city's Mission District. He graduated from St. James High School and soon after joined the priesthood entering the seminary at St. Patrick's in Menlo Park. Msgr. Heaney during his career service to God and man served as Chaplain to the students of Sacred Heart High School, where he became involved in coaching football, and

served under the tutelage of legendary great, William Henneberry. Msgr. Heaney later moved on to Marin Catholic High School where he served in similar capacities. Father Heaney also spent time at America's greatest Catholic University, Notre Dame, before becoming a Chaplain to the SFPD. Needless to say, the Monsignor's Wake/Rosary and funeral mass were well attended. The aforementioned legendary San Franciscan and father-in-law of Lt. Kevin McNaughton of Co. H., William

Henneberry, spoke quite eloquently at Msgr. Heaney's wake. Among the rather colorful stories shared that evening, it was not lost on those of us who knew that the good Monsignor, although a "Man of the Cloth," was just as apt to offer a left hook or a right cross just as he would offer a prayer for a needy soul or give a person down on his luck the proverbial "shirt off his back." Godspeed, Monsignor Heaney... keep us in your thoughts and prayers... See you guy's next month...

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Juli Ayers, a licensed Property Casualty and Life Insurance Agent with Liberty Mutual will be available by phone, email and in person at events and on-site visits to provide you with quotes, policy services and guidance when selecting your policy. Juli will be contacting each individual station to set up on-site events beginning in March.



Juli Ayers

Liberty Mutual is a huge supporter of law enforcement and participates with other organizations in the Bay Area including the Oakland Police Officers Association, Deputy Sheriff's Association of Alameda County and the Pleasanton Police Officers Association just to name a few.

SFPD Combined Charities Extraordinary Effort in 2009

By James Dudley

I would like to extend special recognition and my personal thanks to the San Francisco Police Combined Charities Campaign Chairman, Captain Greg Corrales and Sergeant Mark Hernandez of Central Station for their extraordinary efforts.

Every year the City and County of San Francisco mounts efforts to request that all City employees donate a portion of their annual earnings to a charity or charities of their choice. As a former Department Combined Charities Chairman, I can tell you it is no easy task. This past year was especially difficult in raising funds.

Despite the unstable financial climate, the SFPD champions of our annual combined charities drive yielded extremely generous donation totals. Department wide, the SFPD generated over \$225,000! As a department, the SFPD had over 40% participation rate. We rose over \$20,000 more than last year.

Captain Greg Corrales of Mission Station, our department chairman, is a tough man to say "no" to. Under his leadership for the past three years, the San Francisco Police Department has been in the top three of all city depart-

ments who contribute to Combined Charities. Of course, the good captain could not carry the cause alone. Sergeant Mark Hernandez has also been a Station Combined Charities Captain for the past three years and has made Central Station one of the top three stations contributing each year. Sgt. Hernandez rallied the Central Station troops in 2009 to contribute a department leading amount of \$22,646, roughly 10% of the Department-wide total. \$16,614 went to the Blind Babies Foundation alone.

Each year, the top three SFPD contributors have been Central Station, the Traffic Company and Ingleside Station, with a hearty annual contribution from the Airport Bureau as well. Our top charities selected by members include the Blind Babies Foundation, UCSF Children's Fund and close to home charities such as PAL, Operation Dream, Wilderness Program, Fishing Program, and SAFE, Safety Awareness for Everyone.

A sincere thanks again to Captain Corrales, Sergeant Hernandez and the rest of the department's combined charities captains at each station and bureau. Remember, it's not too early to begin thinking about this year's recipients of your generosity.



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Retirements

The San Francisco Police Officers Association congratulates the following POA member on his recent retirement from the SFPD. This veteran will be difficult to replace, as he takes with him decades of experience and job knowledge. The most recently retired POA member is:

- Officer Perry Hollis #4006 from Medical Liaison





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POLICE-FIRE POST 456 NEWS

By Greg Corrales

"There is a true glory and a true honor, the glory of duty done, the honor of the integrity of principle."

— General Robert E. Lee

Super Bowl scoop! New Orleans quarterback Drew Brees has revealed the super-secret pregame chant he used to pump up his team before games, including their February 7 Super Bowl victory. It was a chant he learned from Marines during a USO trip to Guantanamo Bay Naval Base, Cuba. While at the base he trained with Marines and heard them reciting several call-and-response chants.

"I took one of those chants, made it applicable to us as a team, and that's what we chant about," Brees recently told the Kansas City Star. Until after the team's Super Bowl victory, the chant was kept under wraps.

The Stolen Valor Act is facing First Amendment challenges in California and Colorado. Lawyers in both cases have made similar arguments against the act, which makes it illegal to falsely claim military medals. The lawyers argue that lying is protected by the First Amendment unless it does real harm.

Xavier Alvarez of Pomona, California admitted he falsely claimed he received the Medal of Honor, the nation's highest military decoration. He also claimed to be a retired Marine who served 25 years, though he never served at all. A judge rejected a motion to dismiss the charge on free speech grounds. Alvarez has appealed.

In Colorado, Richard Glen Strandlof is awaiting trial on charges of falsely claiming he received a Purple Heart and Silver Star. He also allegedly claimed to be a man named "Rick Duncan" who was a wounded warrior and former Marine captain. He pleaded not guilty. The judge in Strandlof's case hasn't ruled on motions raising the free speech argument.

Attention all officers. Your captain may not be so bad, after all. The Navy Times has reported that the commanding officer of a Japan-based cruiser was relieved of duty January 13 after she was found guilty of abusing her crew. Captain Holly Graf, who commanded the cruiser Cowpens, was brought before an admiral's mast and punished for "cruelty and maltreatment" by Rear Admiral Kevin Donegan after an inspector general's investigation found problems with her "temperament and demeanor vis-à-vis her subordinates," said Cmdr. Jeff Davis, a spokesman for the 7th Fleet.

Davis said he could not elaborate about what the IG had found about Graf's alleged treatment of her crew, but he said it took place "over a length of time." Specifically, Donegan found Graf guilty of violating Article 93 of the Uniform Code of Military Justice, which covers "cruelty and maltreatment," and Article 133, "conduct unbecoming an officer," according to information provided by Davis.

Glen W. Bell, a former Marine and



the founder of Taco Bell, died January 17 at his home in Rancho Santa Fe, California. He was 86. Bell, a corporal, served in the Marine Corps from 1943 through 1945. He was assigned to the 3rd Marine Amphibious Corps while in the Pacific Theater during World War II. He was a rifleman, but his duties included cooking and serving food.

After leaving the Corps at 23, he returned to Southern California and began a hamburger and hotdog fast food restaurant in 1948. He soon decided to add Mexican food to the menu to differentiate his business from his competitors. After several years, he parted ways with his business partner, founded another successful chain and in 1962 finally started Taco Bell, which he sold to PepsiCo in 1978 for \$130 million.

In recognition of February being Black History Month, I would be remiss if I didn't mention the recent banquet and awards ceremony held in Atlanta by the Montford Point Marine Association. The Association honored six of the original Montford Point Marines, the nation's first African American Marines who were permitted to enlist in the United States Marine Corps during World War II. They did not train at the Marine Corps' traditional Recruit Training facilities at San Diego or Parris Island, SC. Instead, they trained in a segregated facility called Camp Montford Point near Camp Lejeune in Jacksonville, NC.

The theme for the evening was "Preserving the Legacy," with guest speaker Lieutenant General Ronald S. Coleman, USMC, presenting the evening address. Lieutenant General Coleman, who retired in late 2009 as Deputy Commandant for Manpower and Reserve Affairs, is the second African American to reach three-star general in the Marine Corps.

The Montford Point Marine Association was established as a non-profit veterans' organization in 1965. The motto of the association is to "promote and preserve the strong bonds of friendship born from shared adversities, and to devote ourselves to the furtherance of these accomplishments to ensure more peaceful times." There is an effort under way to award these pioneers with a Congressional gold medal. For more information about the Montford Point Marines, visit www.montfordpointmarines.com.

A young man was very unhappy about being drafted into the Army. He vowed that he wasn't going to make life easy for anyone. During his physical, the doctor asked softly, "Can you read the letters on the wall?" "What letters?" the draftee answered slyly. "Good," said the doctor. "You passed the hearing test."

The post is anxious to recruit our newer veterans, particularly female veterans, into the organization. If you have any questions, please contact me at Mission Station.

Your Dialect May be a Lifesaver!

By Insp. Rod Nakanishi,
Hostage/Crisis Negotiation Team #3

Tom Strentz (FBI, Forensic Behavioral Services, ret.) wrote in his book *Psychological Aspects of Crisis Negotiation*, that the most common law enforcement option in dealing with non-English speaking subjects in a crisis situation is the use of an interpreter who knows the language but might not fully appreciate the culture or the social class of the subjects.

During a critical incident, effective communication is everything. The words, the meaning, the tone of voice are all focused on diffusing the situation, controlling it and facilitating an end with no injury or loss of life.

Unlike an interview or interrogation that most of the Department's interpreters are wonderfully adept at performing, a critical incident is drastically different. Face-to-face interactions are usually not the norm. Because of this, body language which comprises a majority of our everyday communication is non-existent. We totally have to rely on the spoken word. And in the case of non-English speaking parties, we depend on the interpreter.

I cannot think of a more stressful

situation for an interpreter. Imagine walking into the command post of a hostage/crisis incident and being expected to interpret with a subject who might be holding themselves or others at risk. The H/CNT members are trying to convey both the words and tone of what they want projected. The interpreter suddenly realizes that one side or both do not totally understand each other. Imagine the stress!

There are presently more than 450 members of this Department who are on the list at Operations Center as being proficient in another language. However the list only designates the general language.

I would like to develop a list for the H/CNT teams that would take into account the nuances of your proficiency. I ask that if there is a dialect, region or something else that you deem important for us to know that has a bearing on your capabilities, to please contact me and I will note that for our teams. This will lead to a more efficient deployment of personnel when time is of the essence. And hopefully avoid putting you in a situation that no one would want to be in.

My email address is rod.nakanishi@sfgov.org

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Owning a Home in Distress

By Keith Rockmael

For those officers, family and friends involved in a distressed property situation (late mortgage payments) who want answers and solutions to deal with housing crisis or for those interested in buying or investing, the POA will host four educational seminars (10 a.m., 12 noon, 3 pm, 8 pm) on March 24th at the POA headquarters.

Owning a home used to be the American dream but for millions of current distressed homeowners it has become the American nightmare. Bay Area homeowners including many police officers, firefighters and other civil servants continue to feel the pressure of rising and adjustable mortgage payments, Notices of Default being placed on their doors, loan modifications that take upwards of six months to complete that end up being declined, as well as continuous run-around by banks that refuse to give a straight answer. Add the fact that overtime pay continues to be cut and many situations seem to be spiraling downward.

For the police officers who own homes, tension arises from the confusion or lack of knowledge regarding the myriad of potential options including loan

modification, forbearance, deed-in-lieu, bankruptcy, short sale, or foreclosure.

On the other side of fence, officers who think that they cannot afford to live in San Francisco or who just wish to take advantage of the decrease in Bay Area real estate prices and low interest rates may want to take advantage of the opportunity who think that they cannot afford to live in the City. Speaking for interest rates, most reliable sources say that rates WILL increase, probably by mid-April. The Government has announced that they will STOP buying mortgage-backed securities starting March 31st 2010. This fact is what has kept the Conforming Rates so low since Q4 2008. The media is starting to report this so just a little heads-up. You can expect rates to go back to the 6% range or higher. A lot of buyers that can qualify at today's rates of 5% will not qualify with this increase. Police officers should also remember that some Downpayment Assistance Loan Program (DALP) funds still exist as well as the Police in the Community Loan Program (PIC) funds.

For officers who have interest in keeping their home, selling their property, investing, or buying a small condo the following info highlights some of the current questions about the current market.

Foreclosure vs. Short Sale (Sellers)

Short Sale Benefits — Appetizer

- Seller remains in control of the sale, not the bank.
- Seller may sleep better knowing who is buying your home.
- Alleviate the social stigma of the "F" word, foreclosure.
- Contrary to popular belief, sellers can be current on their payments and still effect a short sale.
- The home sale will be handled like any other home sale.

Short Sale vs. Foreclosure — Meat & Potatoes

Buying Again After a Short Sale

If a homeowner has never fallen behind 30 days late and the lender does not require that the homeowners pay back the loan, Fannie Mae guidelines may allow the homeowner to buy another home immediately. The wait for an FHA loan is 3 years.

If a homeowner's payments are in arrears yet a short sale is granted by the lender, the homeowner may qualify to buy another home with a Fannie-Mae backed mortgage within two years, regardless of whether the home is a primary residence.

Buying Again After a Foreclosure

With certain restrictions, a homeowner may be eligible to buy another home in 5 years if the home was the primary residence. Without restrictions, the wait is 7 years.

If the homeowner was an investor and did not occupy the home, the wait to buy with a Fannie Mae insured loan is 7 years.

Affects on Credit Score After a Short Sale

A short sale is not a derogatory mark on a homeowner's credit because credit bureaus do not show the word "short sale" on a credit report. It may say "pay as agreed" or "paid as less than agreed," among other categories. Some people have reported negative FICO score drops from 50 points to 130 points.

The point drop is typically due to being in default, that is behind on the payments.

Affects on Credit Score After a Foreclosure

A number of sources have reported FICO score drops from 200 to 400 points after a foreclosure. Generally this credit score will remain on a homeowners credit report as a public record for 10 years.

Deficiency Judgments After a Short Sale

Judgments are often negotiated between the seller and the short sale bank. In some cases, such as California, if the home is a personal residence and was financed through purchase money, then *deficiency judgment* will exist.

Deficiency Judgments After a Foreclosure

Banks are unwilling to negotiate deficiency judgments with the homeowner after a foreclosure. In California, for example, according to the California Association of REALTORS, a deficiency judgment may be filed regarding a hard-money loan if the lender forecloses under a judicial foreclosure versus a trustee sale or if the second loan is a hard money loan and the sale takes place as a trustee's sale.

Loan Application Questions After a Short Sale

Loan applications do not ask questions about a short sale. Prospective homeowners may report that you sold your home.

Loan Application Questions After a Foreclosure

Homebuyers are required to answer the question: "Have you ever had a property foreclosed upon or given a deed-in-lieu thereof in the past 7 years." If the bank sees you have had a foreclosure, the loan will most likely be denied. Anyone caught lying may be subject to investigation by the FBI for *mortgage fraud*.

Length of Time to Move After a Short Sale

A homeowner who has had a foreclosure notice filed may be able to postpone that action while the bank considers the short sale. The wait for *short sale approval* can be from 2 to 3 months, or longer.

Length of Time to Move After a Foreclosure

Unless prior arrangements have been made, the bank may want the homeowner to immediately vacate the property and can commence eviction proceedings.

Taxation After a Short Sale

A personal residence is exempt from mortgage debt relief until the end of 2012 on a federal level. Some states will still tax homeowners unless they

qualify for an exemption. An investor is not exempt from *mortgage debt relief*, subject to certain conditions.

Taxation After a Foreclosure

Same as with a short sale. Except some lenders immediately send out 1099s, even if the owner is exempt.

Security Clearance After Short Sale

On its own, a short sale does not challenge most security clearances.

Security Clearance After Foreclosure

Foreclosure is the most challenging issue against a security clearance outside a serious misdemeanor or felony conviction. If a client has a foreclosure and is a police officer, in the military, in the CIA, security, or any other position that requires a security clearance, in almost all cases clearance will be revoked and position will be terminated.

Purchase of Short Sales, Foreclosures (BUYERS)

Informed, patient buyers and take advantage of current market.

For the motivated, educated and prepared buyer, Foreclosures and Short sales represent the opportunity to purchase a house or condo at below market prices. Some people may say that the downturn in the real estate market has not affected San Francisco. Although San Francisco has not taken a real estate market hit like some other Bay Area cities, some might be surprised to hear that City by the Bay currently has over 200 foreclosures (or Roes as people often refer to them). Of those numerous foreclosures here in the City, many will be surprised to know that these properties do not just exist in the downtrodden areas but the opportunity to purchase upscale foreclosures condos in SoMa and South Beach exist and continue to come on the market.

Because of pressure by the government, in 2010 Short Sales will offer an even greater opportunity than REOs.

Most buyers, no matter what the economic condition want "a deal". Both short sales and foreclosures properties can be purchased at bargain rates but buyers need to be aware of some factors that don't normally occur during the purchase of a "regular" home.

Caveat Emptor — Buyers Beware

Short Sales

- The purchase price will likely change a few times during the transaction. Just because a buyer has a ratified contract to purchase a short sale home doesn't mean that the final sales price will be the one originally offered. The banks and agents must negotiate a final price, which could take several rounds of negotiation.
- Buyer must be aware of how many liens exist on the property. If more than one exists, than the buyer and their agent may need to negotiate with more than one lender. That can alter the time frame and final purchase price.
- Patience is a virtue! Although many banks have streamlined the short sale process to as little as 45 days other banks continue to maintain a long approval process which if not prepared can cause uninformed buyers to become impatient and cancel the transaction.
- Oftentimes, homeowners occupy the short sale property and for investors or buyers who aren't in a rush, arrangements can be made where the sellers maintain occupancy of the house and pay rent to the new buyer, a situation that can benefit both parties. This circumstance can work for houses with in-law spaces as well.
- Short sales can represent a better deal for the buyer because oftentimes the condition of the house remains in better shape than compared with foreclosure properties that often suffer neglect or abuse.
- Regular sales — Don't overlook "normal" sale opportunities. Homeowners selling in this market need to be competitive with the distressed properties so often buyers have a great chance to purchase a well maintained home at great price and in more straightforward and smoother transaction.
- New Construction — Don't ignore new construction, as developers also need to compete with the distressed properties and offer deals in a down market. An agent with a solid relationship with the new construction sales team can negotiate lots of credits and upgrades - anything from paid HOA dues to fancy window coverings.
- Interest rates — It's not all about purchase price. Currently, interest rates can't get any lower. In fact, they will go up soon. Consider not just the purchase price but instead the monthly mortgage payment as method to determine the affordability and value.

Long-Term Investing

The Benefits of Partnering With and Selecting a Professional Investment and/or Financial Advisor

By Edwin K. Stephens,
The Stephens Group

A man's true wealth is the good he does in the world. — Mohammed

Prosperity makes some friends and many enemies. — Vauvenargues

Is it wise to partner with and seek the guidance of a professional investment and/or financial advisor?

Answer: Yes. The financial and investment markets in the U.S.A. have changed. And, it is essential for a person to design a financial plan that is tailored to meet their particular long-term, intermediate and short-term goals.

Selecting a Financial Advisor

At some point in a person's life the question may arise, do I need to get my personal finances in order? If the answer is yes, then the next question is who do I turn to for professional financial guidance?

Many people rely on friends, family and acquaintances to refer them to a professional investment and/or financial advisor with whom they like, trust and have had a good long-term working relationship. Other people do research on a particular financial advisor and make their selection based on that advisor's successful track record. Still others may consult with various professional organizations or trade associations to see if the investment advisor has an expertise that is compatible with the prospective client's desired financial goals.

When a person selects a financial advisor you should make your decision based on some of the following observations;

1. Do I feel comfortable working with this person?
2. Is the financial advisor a member of the Better Business Bureau? Or, a professional organization that I can get an unbiased background check on them?
3. How many years has this advisor been working in his profession?
4. Has the advisor published any articles on investing and/or financial planning that I can review?
5. What is the advisor's formal education and areas of investment expertise?
6. How is the advisor paid? Fee-based, hourly, commissions, etc.?
7. How can I measure the progress of my investment goals? Benchmarks, etc.?
8. Will the advisor partner with me and design a financial plan that will help me to achieve my desired life and/or family goals?

Once you have done your due diligence on the financial advisor, and you are satisfied with your selection then you will want to know how their process of engaging you as a new client works.

In The Stephens Group Practice, I often work with retirees and person's who are planning to retire from their careers within a year. I like to work with people who have 15-30 years on their job and they are between the ages of 35 to 65 years old. I specialize in the areas of designing conservative portfolios that seek long-term capital preservation and growth based on the



client's comfort level with accepting and tolerating certain market volatility and risks.

For illustrative purposes, I am going to provide the reader with a hypothetical client profile. It is my intent to show how a newly retired couple would like some guidance to put together a financial plan for themselves as they begin to live as retirees.

The retired couple would like to leave a legacy and/or inheritance for their children, grandchildren, close relatives and favored charities.

Hypothetical Client Profile

Lieutenant Charles "Chuck" Berry is 62 years. He recently retired from the San Francisco Police Department after 37 years of distinguished service. Lt. Berry seeks to enjoy his retirement years with his wife of 40 years, Lucille.

Chuck Berry is a semi-professional electric guitarist. He seeks to pursue his life-long ambition of playing the electric guitar at small music festivals and on a part-time basis help to manage his rhythm and blues club, Johnny B. Good in the Inner Mission. Lucille Berry, age 60 is a retired elementary school teacher. The Berry's want to travel the country in their recreational vehicle (RV), attend music festivals and visit family members throughout the United States.

In 1963, Chuck and Lucille Berry bought a small starter home in the Mission District after Chuck graduated from the San Francisco Police Academy. In 1983, the Berry's moved to a larger home in Diamond Heights with their two young children.

Chuck's father helped him with the down payment on the \$300,000 house and in 2010 the home had a current market value of 1.5 million dollars.

Since Chuck and Lucille are fiscal conservatives, they kept the Mission District starter home and made it into a rental income property. In 1993, the 30-year mortgage of that home was paid off and it has a positive cash flow of \$2,500 a month. The rental income from the starter home helped to finance the Berry's two children's college education. The Berry's son B.B. "King" Berry is 30 years old and a Walgreens pharmacist. Their daughter, Tina is 25 years old, works part-time at Johnny B. Good's and is a biotechnology doctoral graduate student at the University of California, San Francisco. Lt. and Mrs. Berry are helping to finance Tina's graduate studies.

Chuck Berry earns approximately

\$25,000 a year as a part-owner from Johnny B. Good's Rhythm and Blues Club. In 2005, Chuck and Lucille established the Berry Family Revocable Living Trust. They are seeking the assistance of a financial advisor to help them to better understand how they can protect their family's estate, avoid probate and pass their assets on to their children and future grandchildren. Chuck is also the executor of his parent's five million dollar estate. Charles "Big Chuck" Berry, Sr.'s estate consists of a palatial home in St. Francis Wood, cash, stocks and bonds.

Chuck and Lucille Berry each have a good retirement pension from their respective former employers. They are able to live off of their retirement incomes, save money and maintain a comfortable standard of living. Lt. Berry retired with 300K in his SFPD 457 Deferred Compensation retirement account and he received another 150K from the DROP program. Mrs. Lucille Berry has 100K in her 403 (b) teacher's retirement account. The Berry's are conservative investors. Chuck and Lucille are looking to preserve the principal in their employer sponsored retirement accounts if possible, but they would also like to get some diversification and achieve some long-term growth. Chuck and Lucille are in a high tax-bracket based on their total household income. The Berry's would like to minimize the taxes on their passive income. They would like to explore investing in both tax-free and tax deferred investments.

Lt. Berry wants to diversify his 457 SFPD retirement and his wife's 403 (b) retirement account for growth and income. The Berrys who are 62 and 60 years old, are aware that when they turn 70 1/2 years old the Internal Revenue Service (IRS) will require them to start drawing down on their retirement accounts by taking a Required Minimum Distribution (RMD) based on their age and life expectancy. Chuck and Lucille want to put together a financial plan that is consistent with their lifestyle goals and family objectives.

Designing the Financial Plan

First, the Berry's would meet with the investment and/or financial advisor and then the advisor would explain his approach to investing and how he

works with clients.

Second, a discussion of how the prospective client would like to live and a fact finding or inventory of all of the assets, debts, contingent liabilities and overall estate value would be discussed and noted.

Third, a financial plan or narrative is designed for the Berry's based on their lifestyle goals and objectives. The overall information used to create the financial plan is based on the client's risk tolerances, age, assets to manage and the desired annual rate of return on their "ideal" portfolio. Finally, a review of the financial plan is discussed with the client to determine if he is satisfied to move forward with the intended plan. If so, a client agreement is signed outlining the contractual relationship between both parties.

Assets will be transferred into a secured client account with the investment firm's broker/dealer. The financial advisor and the client will discuss selecting the appropriate investments with the hope to achieve the desired goals of the client's financial plan.

Measuring for Results

Once the financial plan is designed and assets are transferred, periodic statements whether quarterly, semi-annually or annually will be sent to the client to measure how the investments are performing. And, the overall health of the investment and/or financial plan will be subject to the various stock and bond market conditions. But, there will always be room for making changes in the portfolio based on the clients current and changing financial needs. There are many benefits to partnering with and selecting a professional investment and/or financial advisor. The great American Statesman Benjamin Franklin said, and I paraphrase "it is not prudent to be penny wise and pound foolish" when it comes to seeking the assistance and direction from a professional financial advisor.



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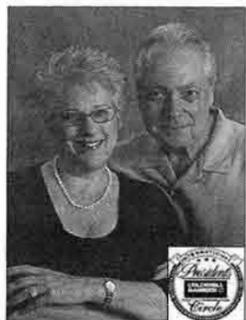
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Ask Mike...the Retiree's Corner

By Mike Hebel
POA Welfare Officer

CCSF Retirement System's Trust Fund

Q. Mike, in your articles you have talked about the "Great Recession" of November 2007 to March 2009. How was the Retirement System Trust Fund, which pays our pensions, affected?

A. Let me begin my response with some basic facts about our Retirement System. It currently issues monthly benefit payments to over 22,000 retirees and beneficiaries amounting to \$56.8 million a month. And it is in no danger whatsoever of not being able to continue to make these monthly payments. As of January 1, 2010 the Trust Fund had assets of approximately \$13.4 billion invested in stocks, bonds, real estate, alternative investments, and other domestic/international securities. On June 30, 2009 – just 6 months ago – the fund assets were valued at just over \$11 billion. So the last half of 2009 saw a "roaring back" of the value of this ever so important trust fund. On June 30, 2008 the ratio of the actuarial value of assets to actuarial liabilities was 103.8%; by June 30, 2009 that number had declined to 97%. But note that the actuarial value of assets is smoothed in order to mitigate the impact of investment performance volatility on the employer (CCSF) contribution rates. Without the impact of smoothing, the ratio of the market value of assets to actuarial liabilities declined from 103.1% to 72.3% during the 2008 – 2009 fiscal year. I prefer the use of the market value of assets as a more realistic value and therefore conclude that the "Great Recession" did considerable damage, but did not impair, the ability of our Retirement System's trust fund's ability to meet its continuing monthly obligations. The damage inflicted did cause the employer's (CCSF) annual contribution rate to rise from 4.07% to 13.56% and, equally important, the "Great Recession" negative investment results are expected to cause a continuing increase in the employer's (CCSF) annual contribution rate for the next four years. It is this fact that is driving the Board of Supervisor's to propose, on the June 2010 ballot, a 3rd Tier of retirement benefits for new employees.

Blue Shield Health Plan

Q. Mike, I am member of the Blue Shield of California health plan. In your last column you wrote that Blue Shield may be eliminated by the Health Service System Board because of its proposal

(the second offered) to increase active employees and non-Medicare retirees monthly rates by 13% and Medicare retirees' rates by a factor of 24.5% to 39.4%. What has happened?

A. Currently the Health Service System offers 3 health plans for active and retired members and their dependents/beneficiaries. The 3 are: Blue Shield of California, Kaiser Permanente, and the City Health Plan administered by United Healthcare. Despite its very expensive proposal, the Health Service Board's Rates and Benefits Committee did accept Blue Shield's second proposal. The elimination of Blue Shield would have left only 2 alternatives for FY 2010-2011 – a situation that the HSS Board always seeks to avoid. Blue Shield first proposed a 14.6% premium increase for actives and non-Medicare retirees and a 30% to 39.8% increase for Medicare retirees for FY 2010-2011 (effective July 1, 2010). The Rates and Benefits Committee told Blue Shield in very direct terms that this was totally unacceptable. Blue Shield's second proposal was a 13.9% increase for actives and non-Medicare retirees and a 24.5% to 39.4% increase for Medicare retirees. The Rates and Benefits Committee will be seeking competitive bids from other, more affordable providers for the next fiscal year, 2011-2012. So a very expensive Blue Shield alternative will remain available. Note that the City Plan, usually the most expensive of the HSS plans and the only option for most retirees living outside the Bay Area, came up with a lower premium increase than Blue Shield; for retirees, the range is from 15% to 27%. The bright side is Kaiser with retiree rate increases of 1% to 3%. Also single retirees with Medicare who are enrolled in Kaiser or Blue Shield will pay no premium.

Average CCSF Retiree Pension

Q. Mike, I am about 2 years from retiring from the Police Department unless I decide to participate in the DROP program. I have just heard that the average City employee annual pension is about \$33,000. If this is right, should I consider DROP to improve my retirement planning? Note: if I retire in 2 years, it will be at 90%.

A. Let's work through your question so as to help with your decision on participation in the DROP Program. You are correct with regard to the average City employee annual pension. Data released to the Retirement Board at its January 2010 meeting by Cheiron, an actuarial consultant hired by the

Board, showed that the average annual pension to the 22,292 retirees/survivors is \$33,867. The Cheiron data is presented for 10 age groups starting with retirees/survivors under age 50 (209 members) all the way to those over 90 years of age (994 individuals). It is further presented by occupation: police, fire and miscellaneous (general). Police and fire annual pension are much larger than the average ranging, for police members and depending on age, from a low of \$41,401 (ages 90 and above) to a high of \$73,670 (ages 55 to 59). But remember that these are just averages. Let's focus on your situation. If you retire within the next 2 years with a 90% pension, your first years' pension will be in the range of \$100,000 when factoring in the anticipated pay increases over this period. The DROP program, unless extended by the Board of Supervisors, will terminate on June 30, 2011. I urge all members to at least consider DROP because of its potential to create a large supplemental retirement fund. But it means up to 3 more years in the SFPD. Inadequacy of pension should not be the primary issue in your DROP participation decision.

Health Care Reform

Q. Mike, I am an 84 year old SFPD retiree fully depending on the Health Service System to meet my medical care needs. In your January 2010 column you wrote about President Obama's efforts to overhaul health care. At that time you said that a recent analysis of this legislation conducted by our Health Service System noted that approximately 45% of City retirees who receive Medicare are currently in Medicare Advantage plans which both the House and Senate plans would scale back. This scaling back would have a significant financial impact with likely increases in premiums paid by retirees. What's happening to this proposal?

A. Health care reform is fizzling as the U.S. Congress, unsure about how to proceed, shifts its focus to legislation that would help employers create more jobs. While Democrats aren't giving up on health care, they want time to ponder a new strategy. The election of Scott Brown, a Republican, in January as the new



Senator in Massachusetts and the emerging "tea party movement" changed the Democratic agenda. Voters expressed their anger over deficits, uncontrolled spending, and unemployment as well as over the health care overhaul plan. The Democrats need to start over and embrace ideas that have broad-based support like, cost control, affordability, eliminating denials of insurance coverage, and expanding health care coverage for low income children. The proposed "excise tax" on so-called Cadillac plans will probably be stripped out as well as any scaling back on Medicare Advantage plans. In my opinion focus should be on obesity and smoking. Recent studies show that three things – smoking, diet, and lack of exercise – cause 40% of premature deaths in the U.S. They contribute to 70% of the chronic diseases like emphysema, diabetes, and heart disease. And these chronic diseases amount to more than 50% of health care spending. A wellness focus will be needed if medical care costs are ever to be restrained.

Mike Hebel has been the POA's Welfare Officer since January 1974. He is an attorney and a certified financial planner. He has received awards/recognition as a Northern California "super lawyer" and included amongst "America's top financial planners." He represents POA members at the City's Retirement Board and at the Workers' Compensation Appeals Board. He also advises on investment matters pertaining to the City's deferred compensation plan. He is currently the chairperson on the SF Police Credit Union's Supervisory Committee. Mike retired from the SFPD in 1994 after a distinguished 28 year career. He is a frequent and long-time contributor to the POA Journal. If you have a question for Mike, send an e-mail to mike@sfpoa.org or call him at 861-0211.



Photo courtesy of Insp. Matt Perez

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POA MAIL



Editor —

Subject: Chief Charlie Gains

There are very few people left in the SFPD. that were around when the City Fathers chose to bring in the first outside Chief. Charlie Gains made it clear from the beginning he was going to make sweeping changes within the department. At the time I was a police cadet. I had no clue as to what the effect of these changes would have on the police department. I knew it wouldn't affect me as a cadet. But slowly I saw the change within the department. I worked in the record room. So daily I would see the Inspectors come in to get copies of reports or criminal records. More and more inspectors seemed to be retiring. What I didn't realize was that the same retirements were happening with the patrol force. At the time I assumed the Inspectors were just at that age to retire and took advantage to leave on an up note. However, after today I think I know why the backbone of the department chose to leave.

You see Charlie Gains owed no loyalties to any of the Patrol Force, Inspectors or Command Staff. He hadn't grown up in the City, played sports or gone to school with any of the department's members. None of his family had been SFPD. He wasn't related to anyone within the department. He didn't share the same life experiences with other members of the department. Those good times and bad we all live through in our careers. The friends we make and sometimes lose to tragedy or violence. He hadn't worked in a cold wet radio car on the midnight shift in the TL or walked a beat south of Market. He never stood with a squad for hours on end making sure that demonstrators didn't have their civil rights violated. He may have performed these tasks as a police officer in another city. But not in San Francisco! Most importantly he had never been a San Francisco Police Officer. He had no knowledge of the character or characters of department. He had no understanding nor did he care about the traditions of the SFPD.

Today I attended the funeral for Monsignor Heaney at St. Paul's Church. It was a packed house. The event was a Sea of Grey. Retirees, active members and friends of the Monsignor packed the church. They all came to honor the man who dedicated his life to God. They also came to honor the man who dedicated his life as the San Francisco Police Chaplain since 1968. To honor John Heaney a man who received the highest award offered by San Francisco Police, The Medal of Honor!

After the ceremony I ran into a member who asked me if the escort

problem had been worked out. I had no idea what he was talking about. As I exited the Church I noticed the obvious...No Solo's for an escort. Lots of Brass, VIP's, a former chief and mayor, numerous church officials... but only two Solo's at the end of the block. I walked up to one of the Department Brass and asked what was going on about an escort for the Monsignor? His response was "The Department is really changing, the Chief only authorized two Solos for the escort." I could only say "you have to be kidding me." (I cleaned that kidding thing up for Fr. Heaney) Guys would have come in on their days off or switched their days around for Fr Heaney. The funeral director then told me that he had an email from the Chief that stated he authorized a bag piper, an honor guard, and Solos to escort to the freeway. However he only authorized two Solo's. I looked down the street at the lines of vehicles waiting to go to Holy Cross. Easily this could have been a 100-car escort. I then talked to someone from Traffic who had shown up at the church. That person (who I will not name) told me that they were warned that if any other Solos (other than the two motorcycles who were detailed) were involved in the escort they could be brought up on charges. I walked away and thought I am ashamed of what this department has come to represent.

All that I wrote above is true. You can replace the name of Charlie Gains with San Francisco's New Police Chief George Gascón.

The two Solos took the procession to the Freeway. Father Heaney was taken to Holy Cross for burial. More over the San Francisco Police Department lost more today then a great friend and mentor in Father Heaney. We lost a little of what makes us who we are! Not much by most people's standards I guess. We lost some of our heritage today when we lost the right to honor those who have served so long and so well in faith and fellowship as members of our Law Enforcement Family. What have we become now? Is this the heritage we intend to leave the next generation?

And for the Brass who stood by while this travesty was allowed to occur, I pray that when your time comes to leave this world that the words "Tradition" and "Honor" are not categorized as four letter words!

Dan May,
Retired SFPD Solo

Dear SFPOA —

Mary's entire family would love to thank you for the most beautiful spray for the Rosary and funeral services. Thank you to all of those

who were able to come and make her service one to be proud of. It was wonderful to have so many of Mary's friends there in her behalf.

We appreciate all you've done.

Sincerely,

The Family of Mary Cafferata

Dear SFPOA —

Thank you so much for the beautiful azalea and your very kind thoughts. I appreciate your demonstration of concern and look forward to our continuing efforts to work together cooperatively.

Thanks so much!
Donna Salazar

Dear SFPOA —

Thank you for the Christmas gift. You helped make it a good Christmas for me and my family. I hope you had a good Christmas, too.

Love,
Alexis Schneider

Dear POA —

Thank you for the Christmas present you sent me. I was very surprised when I opened the envelope. It meant a lot that you thought of my family and me on Christmas. I hope you all have a merry Christmas and a Happy New Year.

Love,
Ashley Schneider

Dear POA —

Thank you for the Christmas present. You guys are nice to think of us at Christmas time. We had a good holiday and hope everyone at the POA had a merry Christmas and Happy New Year too.

Love,
Michael Schneider

Dear POA —

Thank you for the present. I am going to put it in the bank and save it. That was really thoughtful of you to do that. Thank you so much!

Love,
Hanna Schneider

Dear SFPOA —

Thank you so much for thinking of me on Christmas. Your gift was so generous. You are all so special to me. I am going to put it toward my college education fund. Thank you again for everything that you do for my family and the community. Have a wonderful New Year.

Love always,
Brittany Sugrue

Dear POA —

Words can't express my appreciation for all that you have done for my family and me. Every year, you continue to bless us with your warm wishes and kind words. Thank you for the generous gift, and I am so happy to be part of the SFPOA family.

With love,
Vince Sugrue

Dear SFPOA —

Thank you so much for all the wonderful things over the years. I am still attending AAU. I love all my classes (and selecting them from a huge catalog!). When I feel thankful, I think of the SFPOA at the same time!

Happy New Year!
Jolene Blessing

Dear SFPOA —

I want to thank you for the exceptional donation to the ADA (American Diabetes Association) Tour de Cure bicycling event.

Your generous donation has brought me to 55% of my chosen goal and it is an inspiration to my family that the POA is an organization that truly cares for its members.

Thank you again,
Justin Madden, Co. G

Dear SFPOA —

On behalf of the staff, Board of Directors and especially the participants of the Janet Pomeroy Center, thank you for your support of Sean Elsbernd's Crab Fest on February 13, 2010. Due to Supervisor Elsbernd's generous support of The Janet Pomeroy Center this event has greatly benefited our programs. Thank you for being part of it.

More than 560 men women and children with developmental disabilities such as autism, Down syndrome, cerebral palsy, traumatic brain injury, and mental retardation are served each week by the Janet Pomeroy Center.

Once again, thank you for your support of our work at The Janet Pomeroy Center.

Sincerely,
Jeffrey G. Snyder
Chief Executive Officer
The Janet Pomeroy Center

Dear SFPOA —

Once again, the San Francisco Police Officers Association's generous contribution has assisted the auxiliary in bringing Christmas joy to the residents of Saint Anne's Home. Because of your kindness our residents and three nuns spent a delightful evening at the Tonga Room at the Fairmont Hotel. They enjoyed themselves so much that they didn't want to go home. This is an evening that will not be forgotten.

The auxiliary is so grateful to your organization for all of the wonderful things you do for our residents. Without your assistance, we would not be able to provide the many social activities that are so important to the elderly. We have enclosed pictures of the Tonga Room event so that we can share the joyous evening with all of you.

Thank you for your generosity.
Very truly yours,
Maureen O'Shea
Andrea Rago
Event Chairpersons
Auxiliary of Little Sisters of the Poor
of St. Anne's Home

Dear SFPOA —

Thank you for your generous gift in support of our Strong Communities Campaign. Your gift will bring joy to children as they learn to write their names, go on fun and educational field trips, and race each other to the far end of the playground. Your gift will bring warmth to older adults when they greet their friends each day, enjoy a hot and nutritious meal, and share the joy of companionship. Your gift will bring comfort to families knowing their loved ones are healthy and safe.

Last year the Mission YMCA worked with over 3,000 local fami-

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lies to provide quality before and after school care, teen enrichment programs, summer camps, and social and recreational opportunities for older adults. Thanks to your support, we will use these funds to continue to provide these vital services to our children, families, and seniors.

We deeply appreciate your gift to the Mission YMCA of San Francisco in these turbulent times and are very grateful to you for helping to build strong kids, strong families and strong communities.

Warm regards,
Tanya Bluford,
Executive Director
 Mission YMCA
 Strong Communities Campaign

To All at SFPOA—

On behalf of the CPO Foundation 2010 Golf Committee, thank you very much for the Hole Sponsorship once again from the San Francisco Police Officers Association of our 23rd Annual Survivors' Golf Tournament taking place on Monday, May 3, 2010 at Cache Creek Casino Resort.

We assist more and more Correctional Officers and Families in need every year, and we couldn't do it without friends like you helping us keep our Survivors' and Catastrophic Assistance Programs well funded. The longtime support from all of you at the San Francisco Police Officers Association is greatly appreciated.

Sincerely,
Pat Bjorklund
Correctional Peace Officers
 Foundation Survivors Golf Tournament

Dear SFPOA —

Thank you for your generous contribution to my campaign for Judge in 2010.

As you may know, early money is worth twice as much as later contributions, so I have twice as many reasons to be grateful to you for your help.

I look forward to hearing from you during the campaign, and I look forward to serving as Judge in a manner which justifies your support.

Yours truly,
Harry Dorfman

Dear SFPOA —

Thank you for your generous donation of \$100 to our free pantry program for hungry seniors. Many poor, elderly people will benefit from your kind act.

Sincerely,
John Meehan
Executive Director
 Groceries for Seniors

Submitting Obituaries and Memorial Tributes

Any member may submit a separate memorial tribute to a deceased member. Any such piece will not appear in the matrix, but will be placed in the Mail section, or, with prior approval of the editor, as a sidebar piece. The Journal will also accept and publish in the Mail section short letters about a deceased member written by a person in the immediate family. However, the Journal will not reprint obituaries or photos that were published in any other print media, web site, or Internet blog.

Dear Friends —

On behalf of all of us at the Chinatown Community Development Center, I am writing to express my appreciation for your generous contribution given on January 10, 2010 for general support. Your continued support makes a big difference and helps to strengthen our programs.

We are currently developing three more affordable housing projects in San Francisco. One will provide housing for families on Broadway and Sansome Streets and another will be for seniors near the Civic Center. Our buildings offer residents a safe and clean place to live in dignity. Translation services, tenant field trips and health referrals are provided by our Tenant Services Department in buildings under our management.

The third building is in partnership with Swords to Plowshares to provide 76 units of permanent, affordable rental housing for homeless senior veterans. On-site supportive services will be available to help tenants be self-sufficient and lead more independent lives.

Our efforts to improve the quality of life in Chinatown, the Tenderloin, the Western Addition and North Beach since 1977 are only possible through the loyalty and generosity of our neighbors and friends like yourself. Thank you again and we wish you and your family a very happy new year!

Sincerely,
Kathryn Reuter
Interim Director
 of Resource Development
 Chinatown Community
 Development Center

Dear SFPOA —

On behalf of the youth, families, staff, and board of Seven Tepees Youth Program, thank you for your generous donation. We are so pleased that you are partners with us in serving San Francisco youth.

With your support, our youth have been able to experience countless possibilities and accomplishments. Through intensive academic support, engaging environmental education, positive mentoring, and interactive enrichment sessions, our program has flourished through your kindness and commitment over the years. To help articulate our gratitude, we wanted to share a few words from our youth.

We are truly gratified and inspired by friends like you who have continued to be so giving, even during trying times. Thank you again for your important investment in our youth and their families.

Sincerely,
Lana Costantini
 Seven Tepees Youth Program

Book Review

Outliers: The Story of Success

By Malcolm Gladwell
 Reviewed by Dennis Bianchi

Malcolm Gladwell is a Staff Writer with *The New Yorker* magazine. As such he writes not only frequently, but exceedingly well. With four books of non-fiction to his credit he can't quite be referred to as prolific, but all four books have been on best-seller lists at one time or another, and recently three of them were on different best-seller lists at the same time, a very rare event. What makes him sought-after is his ability to think of so many things from many different perspectives.

We all want to believe that we, our children or relatives, have the opportunity to achieve the greatness that they dream of. But is that true? What is it that makes some folks successful and others less so?

There is the immediate reaction to believe that Mr. Gladwell is a genius, which brings us to his book, *Outliers*; he spends more than forty pages, in a 300-page book, discussing what is and isn't genius.

This is Mr. Gladwell's third book and, although it has been highly approved, it has its critics. That's what happens when you have to follow great acts: the bar gets set very high and is difficult to reach.

The idea of the self-made man is directly connected to the American dream. As such, it is an idea that one needs to be very chary about critiquing. We all want to believe that we, our children or relatives, have the opportunity to achieve the greatness that they dream of. But is that true? What is it that makes some folks successful and others less so? The title comes from, "outliers — those people whose achievements fall outside normal experience." Mr. Gladwell uses a mode of thinking, a certain logic perhaps, that will, at the minimum, make you re-think many assumptions we all make on a daily basis.

A sampler: Using both the rock group, The Beatles, and computer pioneer and enormously wealthy Bill Gates, Gladwell comes up with an idea that circumstances pushed both of them into situations where they could practice — and practice — and practice, until their skills outshone any of their competitors. He recognizes that

the skills were present but needed honing. He calculated that the exceptional circumstances into which both Gates and The Beatles were born and forced into, resulted in them practicing somewhere, in the neighborhood of 10,000 hours. This 10,000 hour figure comes up over and over in his examinations of successful people. Gates had access to very early models of computers that very few people had at the time, and he took advantage of those opportunities. The Beatles were forced into performing in bars in Hamburg for hours upon hours, with few if any days off. They likely played more "performances" in one year than current entertainers play in their lives. But their persistence, as well as Gates', resulted in success and the creation of icons.

Mr. Gladwell looks at demographics as influential, pointing out how certain Americans born during a certain decade, say the 1830s or the 1930s, will have had opportunities that hundreds of millions of other Americans would never have in pursuing the life of an entrepreneur. He touches on not-so-obvious advantages of where and when one is born. He further explains that these two elements of fate will probably always be influential upon one's ability to achieve success.

Critics have complained that Mr. Gladwell "cherry-picks" to provide a result he is seeking. Perhaps. But if good writing can be described as writing that makes the reader think, then the least one can say about the book is, this is good writing. Some critics have complained of the lack of proper scientific references, that Gladwell steals ideas, that he states the obvious. This book is obviously written for the general public and as an entertainment, not a textbook. He points out that I.Q. numbers reach a point of diminishing returns and that past a certain point, say 130 the intelligence levels are exceedingly close enough to all be referred to as "smart enough." Some critics seem to want to demonstrate that they disagree; they are smarter.

The last chapter is devoted to his own set of fortunate circumstances. His great-great-grandmother was a slave who was purchased in Jamaica. She was purchased by an Irishman named Ford who found himself smitten with her. Their union produced a son. Unlike slave owners in the United States, most Jamaican owners were open about their relationships with their concubines. It was this difference that allowed certain individuals in Mr. Gladwell's family to be placed in times and situations that allowed them to succeed. That chapter alone was worth the price of the book. I am eager to read more from his previous body of work. He makes me see things differently, and I like it.

Deaths

The POA Journal was notified* of the recent deaths of the following POA or SFPD members, sworn (s), non-sworn (ns), active duty, or retired:

Name of Deceased	Date of Death	Age	Status	Notification by:
Louis Reyff, Jr.	February 16, 2010	Unk	S, Retired	Rene LaPrevotte
Joseph Mullin	February 19, 2010	84	S, retired	Maggie Ortelle

*Notifications are made by a POA member, family member, or other reliable source. The POA Journal believes the information to be true and correct, however the staff or employees of the SFPOA make no official confirmation.

San Francisco Saint Patrick's Day Parade Set For March 13

The 159th Annual San Francisco St. Patrick's Day Parade, one of the City's largest, most popular and colorful annual events, will take place this year on Saturday, March 13 at 11:30 am. The theme of this year's Parade is "Unite Ireland Now"! Well over a hundred colorful floats, Irish dance troupes and marching bands, including thousands and thousands of participants, young and old alike, will electrify Market Street and Civic Center Plaza. Building on the success of the last several years, the organizers of the Parade are predicting it will be one of the best Parades in memory.

The San Francisco Parade is the largest Irish event west of the Mississippi, and no wonder with over 4 million people in our state having Irish heritage. Over a million of them in the Bay Area! This year's Parade is honored to have John Burton as its Grand Marshal, recognizing the California Democratic Party Chairman for his lifelong commitment to Irish issues.

The St. Patrick's Day Parade celebrates and showcases our Irish community, Irish culture and character in all its forms. In recent years the Parade has grown to attract an estimated 200,000 people. Featured groups from throughout the Bay Area's Irish community including schools, youth organizations, labor unions, cultural groups, as well as the San Francisco Police and Fire Departments in addition to many of our political leaders will proudly march up Market Street.

You don't have to be Irish to join in the fun. St Patrick's Day is often referred to as the nearest thing to a public holiday that isn't actually one

and this is reflected in the diversity of the audience and a good number of the Parade floats and marching bands.

Again this year, the popular Irish Festival will be held at Civic Center Plaza, in front of City Hall before, during and after the Parade. The Festival provides attendees an opportunity to learn more about Irish history and culture while having fun experiencing the day. This year's Festival features, Irish cultural and retail booths, a healthy selection of Irish food, bars, live music from rock to traditional Irish music and a multitude of activities for children such as pony rides, bouncy castles and much more.

The Festival will cover more area than it ever has before. "We have been getting more and more people every year," said Diarmuid Philpott President of the United Irish Societies of San Francisco, who is chairing the Parade. "This year we hope to get more display and retail booths, and more entertainment, especially for the little ones. Whether you're Irish or

not, St Patrick's Day is a truly family orientated occasion."

The San Francisco Saint Patrick's Day Parade is a great day out for everyone. It is a welcome time to celebrate the City's civic heritage and the place of the Irish in this nation's history. So

mark your calendars for March 13 and be Irish for a day. The Parade starts at 11:30 am on the corner of Market and Second Streets. For more information check out sfstpatricksdaysparade.com or call the parade hotline at 415-395-3417.



St. Patrick's Day Parade

Saturday, March 13

Market at 2nd • 1100 hours

All SFPD members are invited and encouraged to participate

The San Francisco Bay Area Law Enforcement Emerald Society will host a reception following the parade for all uniformed participants and their immediate family members.

Contact Marty Halloran for tickets to the reception.

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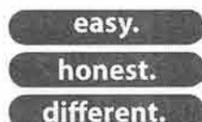
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Tulsa Firefighters Save Jobs By Agreeing to Pay Cut; Police Refuse Similar Cuts, Suffer 124 Lay Offs

From The Tulsa World, February 1

TULSA, OK — Tulsa firefighters voted overwhelmingly to save 147 jobs by agreeing to a 5.2 percent pay cut and other benefit concessions, union officials announced Sunday night.

"There's nobody else trained to do what we do," said Stan May, president of Tulsa Firefighters Local 176. "If we took 147 firefighters off the streets, we would put this city in serious risk."

Union members voted 442 to 177 to accept the mayor's proposal, which includes a 5.2 percent salary cut for 17 months, eight unpaid furlough days in the next fiscal year and the elimination of benefits such as fitness pay and a clothing allowance.

The announcement comes days

after 124 Tulsa police officers and 59 civilian employees were laid off after both their unions turned down pay cuts in lieu of the job losses.

In a statement Sunday night, Mayor Dewey Bartlett thanked the firefighters for helping the city.

"We can now get on with the business we were all hired to perform, to deliver quality services and protection to the citizens of Tulsa," Bartlett said. "We offered a very good plan to the fire union members in order to retain all our workforce, and our collaborative discussions with the fire union leaders were obviously productive."

Bartlett also said he appreciated the firefighters' faith in his administration, something Tulsa police officers

said they lacked when voting down his proposal for their department.

Bartlett said the union's "ability to promote their members as a true example of brotherhood and sisterhood is a breath of fresh air."

May said firefighters "voted their heart" to keep Tulsa safe.

The pay cuts could be revisited in a year if the budget gets back to where it was at the beginning of this fiscal year, he said.

Firefighters began the voting process Tuesday. It included three days of member education and three days of voting to allow for all three 24-hour shifts to participate.

The Fire Department has a budget gap making up \$2.5 million of the city's \$10.4 million shortfall for this fiscal year.

On Friday, 124 Tulsa police officers were laid off after the Tulsa Fraternal Order of Police overwhelming voted down a similar proposal from the mayor Wednesday. At the last minute, 31 jobs were saved as city officials revised their number crunching.

Also Friday, 59 civilian employees were laid off. Their union also voted against a 5.2 percent pay cut for all, although their decision was not binding on the mayor.

The firefighters who received layoff notices Jan. 22 would have been off the

job immediately had the union voted down Bartlett's proposal.

James Fuller, 26, a firefighter on the chopping block, said he was grateful to his colleagues for accepting the agreement. At lot was riding on the voter for Fuller, his wife and two children, a toddler and a 2-month-old.

"I'm thankful it passed," Fuller said as he took a celebratory swig from his beer bottle at the firefighters union hall, where a news conference was held announcing the firefighter vote.

"I'm thankful I get to go to work tomorrow morning, get on the engine and do what I do."

Proposal highlights

- 5.2 percent salary cuts
- Concessions on fitness pay and clothing allowance
- Department restructuring that eliminates some positions through attrition
- Deal runs through next fiscal year
- Saves all 147 firefighters at risk

Union voting

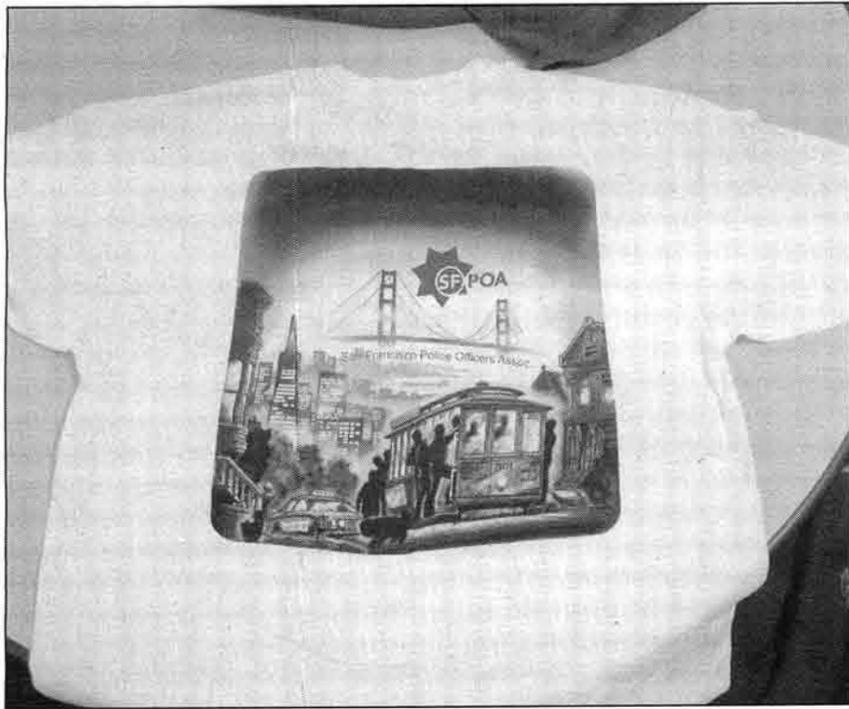
- Tulsa Firefighters Local 176: 442 for 177 against
- Tulsa Fraternal Order of Police: 583 against 66 for
- American Federation of State, County and Municipal employees Local 1180: 533 against 196 for.

POA Clothing Now Available

By Chris Breen

The latest line of POA T-shirts, ball caps, and thermal shirts is now available for purchase. Contact Courtney at 861-5060 to place your order.

- T-shirts with design on the back \$20.00
(Available in black, brown, burgundy, white, and blue)
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- Tank top with design on back \$15.00
- Long sleeve thermal shirts with POA emblem (gray only) \$30.00
- Polo shirts (blue only) \$35.00
- POA baseball hats (black only) \$15.00



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Continued from page 1

had forgotten to buckle his seatbelt following his stop earlier that morning by a California Highway Patrolman who gave him a speeding ticket.

The motorist simply stared straight ahead and did not respond when the officer asked him if he knew why he had been stopped. He complied, however, with the officer's orders to turn down his radio and pull over to the curb.

When the motorist stepped out of his vehicle, he was agitated, and yelling gibberish and hitting his thighs, clad only in his boxer shorts and tennis shoes. The federal appeals court found that it was undisputed that he did not verbally threaten the officer, was standing twenty to twenty-five feet away, and did not try to flee. While the officer later asserted that he had told the motorist to stay in his vehicle, the motorist claimed not to have heard this instruction.

The officer later testified that the motorist took one step towards him, but the motorist denied this, and the appeals court said that physical evidence indicated that the motorist was facing away from the officer. Without giving any warning, the officer then shot the motorist with his Taser ECD in probe mode deployment.

One probe from the ECD lodged in the side of his upper left arm, and the motorist was immobilized by the ECD's delivered electrical charge. This caused him to fall face first into the ground, suffering injuries which included four fractured teeth and contusions on his face. He was taken to the hospital by ambulance, as well as arrested for resisting and opposing an officer in the performance of his duties, charges later dropped after a trial resulted in a hung jury.

The motorist subsequently filed a federal civil rights lawsuit asserting that the use of the ECD against him by the officer constituted an excessive use of force in violation of his Fourth Amendment rights. The officer asserted a defense of qualified immunity.

A federal trial court denied the officer qualified immunity and he appealed. For purposes of its review, the federal appeals court construed the facts in the light most favorable to the plaintiff.

Utilizing the objective reasonableness test of *Graham v. Connor*, #87-6571, 490 U.S. 36 (1989), the court sought to examine whether the officer acted reasonably, taking into account the facts and circumstances confronting him. To do this, the court had to balance the amount of force applied against the need for that force.

The court noted that the ECD caused the motorist to experience both paralysis and intense pain throughout his body, as well as resulting physical injury from his fall. It further noted that federal courts, including the Ninth Circuit have held that ECDs and stun guns fall into a category of non-lethal force.

Non-lethal, the court cautioned, however, does not necessarily equate to non-excessive, since all use of force, whether lethal or non-lethal, must be justified by the need for the specific level of force deployed. The court further reasoned that not all non-lethal force is the same, and that a blast of pepper spray and blows from a baton are not constitutionally equivalent levels of force simply because they are both non-lethal.

The court found that the high levels

of pain, physiological effects, and foreseeable risk of physical injury caused by the ECD and similar devices caused it to conclude that they are a greater intrusion than other non-lethal methods of force we have confronted.

Such devices, the court acknowledged, can play an important role in law enforcement, giving an officer the ability to defuse dangerous confrontations from a distance without the need to use deadly force.

Such devices are an intermediate, significant level of force that must be justified by the presence of a strong government interest compelling its use.

In the immediate case, the appeals court stated, while the motorist's volatile and erratic conduct could cause an officer to be wary, there were no objective facts indicating that he posed an immediate threat to the officer or a member of the public.

He was unarmed, made no verbal or physical threat against the officer, did not attempt to flee, and was standing some distance away without making any move towards the officer. (The court rejected, for purposes of the appeal, the officer's claim that the motorist took a step towards him, although the officer is free to attempt to convince the fact-finder of this at trial).

But even had the motorist taken the single step towards the officer that was claimed, the court said, this would not have turned him into an immediate threat justifying the level of force used by the officer. Additionally, the motorist had been stopped for a relatively minor traffic offense of failing to wear his seatbelt, which is punishable only by a fine, rather than for a serious offense more likely to justify the need for significant force.

Even if the officer, following the stop, reasonably came to believe, as he stated he did, that the motorist had also committed misdemeanors of resisting him, failing to comply with a lawful order, and using or being under the influence of a controlled substance, the court asserted that none of these were inherently dangerous or violent, and he posed little to no safety threat.

While the officer also argued that he believed the motorist may have been mentally ill, the court believed that, if true, the officer should then have made greater effort to take control of the situation through less intrusive means. The purpose of detaining a mentally ill person, the court reasoned, is to help him, not to punish him, so that the justifiably use of force is different both in degree and kind from that justified for use against those who commit crimes or pose a threat to the officer or others. Accordingly, a finding of mental illness would also not justify the use of the ECD in the court's view.

The sole noncompliance alleged on the part of the motorist, exiting his vehicle against the officer's instruction, hardly constituted resistance at all, according to the court, and did not justify the use of the ECD, particularly in light of the officer's failure to provide a warning that the motorist would be subjected to the ECD if he did not comply with an order to remain in his car.

We thus conclude that the intermediate level of force employed by Officer McPherson against Bryan was excessive in light of the governmental interests at stake. Bryan never attempted to flee. He was clearly unarmed and was standing, without advancing in any direction, next

to his vehicle. Officer McPherson was standing approximately twenty feet away observing Bryan's stationary, bizarre tantrum with his X26 [ECD] drawn and charged. Consequently, the objective facts reveal a tense, but static, situation with Officer McPherson ready to respond to any developments while awaiting backup. Bryan was neither a flight risk, a dangerous felon, nor an immediate threat. Therefore, there was simply no immediate need to subdue [Bryan]' before Officer McPherson's fellow officers arrived or less-invasive means were attempted.

The court also found that the motorist's right not to be subjected to the level of intermediate force represented by the ECD under these circumstances was clearly established, depriving the officer of a qualified immunity defense, despite the fact that there was no direct legal precedent dealing with this precise factual scenario. This, the court stated, was because where an officer's conduct so clearly offends an individual's constitutional rights, we do not need to find closely analogous case law to show that a right is clearly established.

The appeals court concluded that:

No reasonable officer confronting a situation where the need for force is at its lowest — where the target is a nonviolent, stationary misdemeanant twenty feet away — would have concluded that deploying intermediate force without warning was justified. We thus hold that Officer McPherson's use of significant force in these circumstances does not constitute a reasonable mistake' of either fact or law.

This is an important federal court decision, but it also clearly is one that may not be as big a departure as it might initially seem. While asserting a new category of the intermediate use of force for ECDs and similar devices, the court framed all of its particular application of the law to the facts in the context of the now familiar objective reasonableness framework of *Graham v. Connor*.

The use of a particular level of force must be justified by the need for the force, looking at such factors as the seriousness of the offense, the level of resistance of the suspect, and any threat the suspect poses to the safety of the officer or members of the community.

Application of these principles, as set forth by the court in *Bryan*, is very much fact specific.

The case serves as a valuable reminder that each use of force must be justified by a need for it, and that officers must consider the risk of inflicting pain and injuries from falls in deciding whether the use of the ECD is appropriate under the circumstances confronted, and, when possible, an officer should consider whether less intrusive tactics can be utilized to control an individual and carry out a seizure, with particular application to special circumstances discussed in the opinion, such as encounters with mentally ill persons.

The court also acknowledged the difficulties that officers often face in making split-second decisions concerning the need to use force. Good training on the use of force, both the practical and legal aspects of it, is key to preparing officers to be able to make the best and safest decisions possible within the limitations of the time available, based on familiarity with a variety of possible scenarios and the prior caselaw.

Michael Brave, a prominent police trainer and national litigation counsel for TASER International, summarized the lessons of the *Bryan* case as:

1. Taser devices are not risk free and

officers need to take into consideration the risk of secondary injuries from incapacitation and falls in determining when and how to deploy a Taser device.

2. Taser devices, while non-lethal, are an intermediate or medium, though not insignificant use of force and every trigger pull must be justified as a separate use of force.
3. In any use of force analysis, an officer must consider the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.
4. When circumstances allow, giving a Taser warning and an opportunity to comply is very important prior to discharging a Taser device.
5. An officer must consider other less intrusive tactics that would have been available to effect the arrest and be able to articulate them in an arrest report.
6. An officer must ensure that commands are clear, are being heard and the suspect has the opportunity and ability to respond.
7. Understanding the difference between active and passive resistance and the different levels of use of force that can be applied in those different circumstances is very important for all officers no matter the use of force involved.
8. Officers need to understand what constitutional rights are clearly established in light of the specific context of the case in order to avail themselves of the protection of qualified immunity in excessive use of force claims.
9. This case highlights the importance that smart use training can play in teaching officers the proper use of a Taser device in accordance with judicial guidelines.

As for the fourth point above, the giving of warnings before using the ECD, the court says that warnings should be given when feasible. It is, of course, entirely possible that there will be circumstances where the need to make a split-second response to a threat will render the giving of such a warning either not possible or not suitable under the circumstances.

In *Mattos v. Agarano*, #08-15567, 2010 U.S. App. Lexis 694 (9th Cir.), in which the court's chief judge was on the per curiam panel, the court cited *Bryan* and applied its principles in determining that the use of a Taser ECD against a husband in a domestic violence case did not violate his rights, given the close quarters in which the officers and the plaintiffs encountered each other and the intoxicated state the husband was in, which indicated that the officers faced a very real threat of immediate harm.

The appeals court's ruling in *Bryan*, it should also be recognized, is not the final result of the lawsuit. It is merely a decision that the defendant officer was not entitled to summary judgment on the basis of a defense of qualified immunity. Such a defense, when successful, eliminates the need for a trial. In deciding whether the officer could prevail on this basis, the appeals court was required to resolve all arguable inferences in favor of the plaintiff and against the officer. Since this defense was unsuccessful, a jury will now be confronted with the task, after viewing the evidence, of deciding whether the officer acted in an objectively reasonable manner, under the circumstances he faced at the time.

Continued on next page

New Findings From FBI About Police Attackers and Their Weapons

Sobering Data About Police Slayings

Source:
FBI Intelligence Report 12-3-09

Submitted to the Journal by
Steve Johnson, Retired SFPD

New findings on how offenders train with, carry and deploy the weapons used to attack police officers have emerged in a 5-year study by the FBI research summary called *Violent Encounters: A Study of Felonious Assaults on Our Nation's Law Enforcement Officers*.

Data reveals that most would-be cop killers:

- Show signs of being armed that officers miss
- Have more experience using deadly force in "street combat" than their intended victims
- Practice with firearms more often and shoot more accurately
- Have no hesitation whatsoever about pulling the trigger

Violent Encounters also reports in detail on:

- The personal characteristics of attacked officers and their assaulters
- The role of perception in life-threatening confrontations
- The myths of memory that can hamper OIS investigations
- The suicide-by-cop phenomenon

From a pool of more than 800 incidents, the researchers selected 40, involving 43 offenders and 50 officers, visited crime scenes and extensively interviewed surviving officers and attackers alike.

Weapon Choice

Predominately handguns were used. All but one were obtained illegally, usually in street transactions or in thefts.

None of the firearms in the study was obtained from gun shows.

Only one offender handpicked a particular gun "because he felt it would do the most damage to a human being."

None of the attackers interviewed was "hindered by any law — federal, state or local — that has ever been established to prevent gun ownership.

Familiarity

Several of the offenders began regularly to carry weapons when they were 9 to 12 years old, although the average age was 17. Gang members especially started young.

Nearly 40% of the offenders had some type of formal firearms training, primarily from the military.

More than 80% regularly practiced with handguns, averaging 23 practice sessions a year usually in informal settings like trash dumps, rural woods, back yards, and street corners in known drug-trafficking areas.

One spoke of being motivated to improve his gun skills by his belief that officers go to the range two, three times a week to practice.

In reality, victim officers in the study averaged just 14 hours of side-arm training and 2.5 qualifications per year.

Only 6 of the 50 officers reported practicing regularly with handguns apart from what their department required, and that was mostly in competitive shooting.

Overall, the offenders practiced more often than the officers they assaulted. The offender quoted above about his practice motivation, fired 12 rounds at an officer, striking him 3 times. The officer fired 7 rounds, all misses.

More than 40% of the offenders had been involved in actual shooting confrontations before they feloniously assaulted an officer. Ten of these "street combat veterans," all from "inner-city, drug-trafficking environments," had taken part in 5 or more "criminal firefight experiences" in their lifetime.

Only 8 of the 50 LEO victims had participated in a prior shooting; 1 had been involved in 2 previously, another in 3. Seven of the 8 had killed offenders.

Concealment

The offenders said they most often hid guns on their person in the front waistband, with the groin area and the small of the back nearly tied for second place.

Some occasionally gave their weapons to another person to carry, "most often a female companion."

None regularly used a holster; 40% at least sometimes carried a backup weapon.

In motor vehicles, they most often kept their firearm readily available on their person, or, less often, under the seat.

In residences, most stashed their weapon under a pillow, on a nightstand, under the mattress all within immediate reach while in bed.

Almost all carried when on the move and strong majorities did so when socializing, committing crimes or being at home.

About one-third brought weapons with them to work.

Male offenders said time and time again that female officers tend to search them more thoroughly than male officers.

In prison, most of the offenders were more afraid to carry contraband or weapons when a female CO was on duty.

On the street, however, both male and female officers too often regard female subjects as less of a threat, assuming that they are not going to have a gun.

Researchers concluded that more female offenders are armed today than 20 years ago.

Shooting Style

Twenty-six of the offenders claimed to be instinctive shooters, pointing and firing the weapon without consciously aligning the sights.

They practice getting the gun out and using it. They shoot for effect. Or as one of the offenders put it: "We're not working with no marksmanship. We just putting it in your direction, you know. It don't matter long as it's gonna hit you. If it's up at your head or your chest, down at your legs, whatever. Once I squeeze and you fall, then if I want to execute you, then I could go from there."

Hit Rate

Offenders delivered at least some rounds on target in their encounters.

Nearly 70% of assailants were successful in that regard with handguns, compared to about 40% of the victim officers.

Efforts of offenders and officers to get on target were considered successful if any rounds struck, regardless of the number fired.

The offenders might have had an advantage because in all but 3 cases they fired first, usually catching the officer by surprise. Indeed, the report points out, 10 of the total victim officers had been wounded and thus impaired before they returned gunfire at their attackers.

Missed Cues:

Officers would less likely be caught off guard by attackers if they were more observant of indicators of concealed weapons.

These include manners of dress, ways of moving and unconscious gestures often related to carrying.

Officers should look for unnatural protrusions or bulges in the waist, back and crotch areas, watch for shirts that appear rippled or wavy on one side of the body while the fabric on the other side appears smooth.

In warm weather, multilayered clothing inappropriate to the temperature may be a giveaway.

Because they eschew holsters, offenders reported frequently touching a concealed gun with hands or arms to assure themselves that it is still hidden, secure and accessible and hasn't shifted. Such gestures are especially noticeable whenever individuals change body positions, such as standing, sitting or exiting a vehicle. If they run, they may need to keep a constant grip on a hidden gun to control it.

Just as cops generally blade their body to make their sidearm less accessible, armed criminals do the same in encounters with LEOs to ensure concealment and easy access.

Mind-set

Thirty-six of the 50 officers in the study had experienced hazardous situations where they had the legal authority to use deadly force but chose not to shoot.

They averaged 4 such prior incidents before the encounters that the researchers investigated. It appeared clear that none of these officers were willing to use deadly force against an offender if other options were available.

The offenders were of a different mind-set entirely. In fact, the study team did not realize how cold blooded the younger generation of offender is. They have been exposed to killing after killing, they fully expect to get killed and they don't hesitate to shoot anybody, including a police officer. Offenders typically displayed no moral or ethical restraints in using firearms. In fact, the street combat veteran offenders survived by developing a shoot-first mentality.

Officers never can assume that a criminal is unarmed until they have thoroughly searched the person and the surroundings themselves. Nor, in the interest of personal safety, can officers let their guards down in any type of law enforcement situation.

Taser® Electronic Control Devices

Continued from page 18

* *Nomenclature: Various writers refer to the instrument as a CED or CEW (Conducted Energy Device or Weapon), or an ECD or ECW (Electronic Control Device or Weapon), or an EMD weapon (Electro-Muscular Disruption), or an electroshock weapon or stun-gun. Like Xerox® and Kleenex®, T.A.S.E.R.® (Thomas A. Swift Electric Rifle) is now the popular name for all hand-held, electric-discharging muscle immobilizers, even though a single manufacturer dominates the world market [Nasdaq: TASR]. For simplicity, AELE refers to all conducted energy weapons as Tasers.*

Resources

The following are some useful resources related to the subject of this article.

TASER International Training Bulletin 15.0. (Oct. 2009).

Website of TASER International, Inc.
Electronic Control Devices Legal Resources website.

Institute for Prevention of In-Custody Deaths website (in particular the articles page).

Prior Relevant

Monthly Law Journal Articles

Civil Liability for Use of Tasers, stunguns, and other electronic control devices—Part I: 4th Amendment claims for excessive force, 2007 (3) AELE Mo. L.J. 101.

Civil Liability for Use of Tasers, stunguns, and other electronic control devices—Part II: Use against juveniles, and inadequate training claims, 2007 (4) AELE Mo. L.J. 101.

Civil Liability for Use of Tasers, stunguns, and other electronic control devices—Part III: Use Against Detainees and Disabled or Disturbed Persons, 2007 (5) AELE Mo. L.J. 101.

Electronic Control Devices: Liability and Training Aspects, by Edmund Zigmund, 2007 (5) AELE Mo. L.J. 501.

References (chronological):

Michael Brave and Mildred K. O'Linn, Bryan v. McPherson — A New Standard for the Use of Electronic Control Devices? The Police Chief Vol. 77 No. 3, March 2010.

Strote, Jared; Walsh, Mimi; Angelidis, Matthew; Basta, Amaya; Hutson, H Range, Conducted Electrical Weapon Use by Law Enforcement: An Evaluation of Safety and Injury, The Journal of Trauma, 22 December 2009,

John M. MacDonald, Robert J. Kaminski, and Michael R. Smith, "The Effect of Less-Lethal Weapons on Injuries in Police Use-of-Force Events" Am J Public Health, published 21 October 2009, 10.2105/AJPH.2009.159616.

Report of the Nova Scotia Panel of Mental Health and Medical Experts Review of Excited Delirium (June 30, 2009). Discusses the phenomena referred to as excited delirium in the context of the use of conducted energy devices (CEDs) on persons displaying agitated, aggressive, irrational conduct.

"Compliance Report. Wisconsin's Electronic Control Device training compared with USDOJ recommendations made to Orange County, Florida," Wisconsin Department of Justice Training and Standards Bureau. (May, 2009).

"Comparison Report. Wisconsin Electronic Control Device training and Amnesty International recommendations," Wisconsin Department of Justice Training and Standards Bureau. (May, 2009).

"A Multi-Method Evaluation of Police Use of Force Outcomes," University of South Carolina TASER ECD Three-Year Study. Summary. Full NIJ Report.

Report of the American Medical Association (AMA) Council on Science and Public Health on "Use of Tasers by Law Enforcement Agencies." (June 15, 2009).

William P. Bozeman, William E. Hauda, Joseph J. Heck, Derrel D. Graham, Brian, P. Martin, James E. Winslow, Safety and Injury Profile of Conducted Electrical Weapons Used by Law Enforcement Officers Against Criminal Suspects, Annals of Emergency Medicine April 2009 (Vol. 53, Issue 4, Pages 480-489)

Taser® Electronic Control Devices: Physiology, Pathology, and Law (Hardcover), by Mark W. Kroll (Editor), Jeffrey D. Ho (Editor), List Price: \$119.00. (Springer, March 15, 2009).

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The purpose of this publication is to provide short articles to acquaint the reader with selected case law on a topic. Articles are typically six to ten pages long. Because of the brevity, the discussion cannot cover every aspect of a subject.

The law sometimes differs between federal circuits, between states, and sometimes between appellate districts in the same state. AELE Law Journal articles should not be considered as legal advice. Lawyers often disagree as to the meaning of a case or its application to a set of facts.

Sports



NICK'S NOTES

By Nick Shihadeh,
Journal Sports Editor

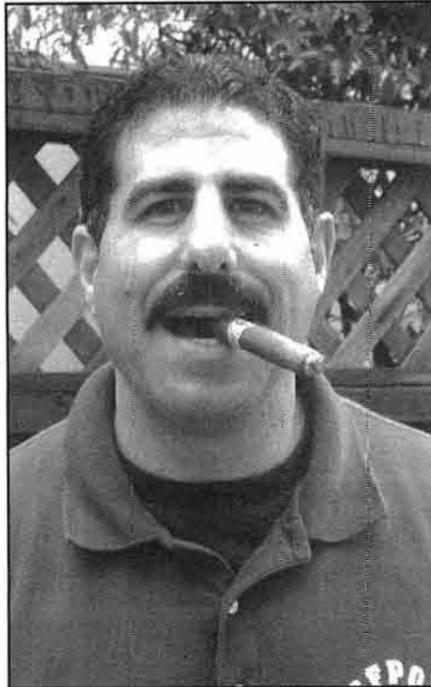
SFPD Represents Well At Oracle Arena Law Enforcement Night

CHECK IT OUT: Hearing once again from super commish Steve "Yeah, Yeah, Yeah" Coleman about department basketball, I was able to find out how we did in the Bay Area tourney that took place at the Oracle Arena the afternoon of Wed. Feb. 10th before the Warriors took on the Clippers at the 3rd Annual Law Enforcement Appreciation Night. According to Coleman: "The SFPD sent two teams comprising of their top basketball players to compete that day in a ten team tournament. SFPD #1 opened up the tourney against East Palo Alto PD and EPA looked like a force to be dealt with as they practiced before the game. They had "break away" warm-ups, they looked sharp when they ran drills to prepare, and they brought a large contingency of loud fans to cheer them on. SFPD #1 got off to a quick start though with a pressure "man to man" defense while catching the EPA team off guard. The games were only 10 minutes long, and SFPD #1 put the Oracle Arena crowd on notice by going on to route the EPA team 24-8 despite their show and glitter. Standouts for SFPD #1 were: Gerry Newbeck, Jake "Big Country" Fegan, Jason Johnson, and Tommy "No Relation to Bugsy" Moran.

SFPD #2 would play their first game against the Marin County Sheriffs. There was a bit of controversy during the game due to Marin using current collegiate players as well as a scoring error that was made giving Marin an extra basket. SFPD #2 battled through these set-backs to the end but came up just short to lose by 2 points. SFPD #2 played its second game against the defending tournament champion from last year, Oakland PD. The "Oaktown" team consisted of players from their Police/Fire Games team; they were tall, athletic, and had a deep bench to boot. OPD showed their experience during the game by running numerous different offensive and inbound plays.

The SFPD #2 team got the crowd into the game and were hoping for an upset when they took the lead late while surprising OPD. It wasn't to be though, as OPD bounced back and gave SFPD #2 another tough loss in the final moments. Standouts for SFPD #2 were: Brett "Give Me The Pill" Thorpe, Mikey "My Favorite" Costello, Kevin "Bradshaw" Murray and of course Brian "The Machine" Guiney.

Back to SFPD #1 who had advanced to the semi-final round of the tourney



— they were to face the very tough OPD team. The Oakland players had a look of exasperation on their faces as SFPD #1 took the ball strong to the rim and began to pull away early on in the game. Unfortunately, SFPD #1 was unable to convert on its final few possessions and Oakland would prevail. OPD moved onto the finals but were then upset by the Santa Clara Sheriffs in another close game."

According to Commissioner Coleman, playing at the Oracle Arena was quite an experience: playing under the big lights, playing on the pristine court, and shooting at the softest rims in the Bay Area. It was a good experience for the players and an even better one for the families of the the fallen officers that were memorialized that evening. With our own Sgt. Jerry D'Arcy singing the National Anthem superbly as usual, it was a good night to be out.

Department Hoops Playoffs Ready To Start

According to Steve Coleman, there's less than a week left in the regular season at the printing of this column. "Different teams are vying for the final playoff spot. During the last month, teams beat each other up as they fought for playoff position. The hottest team in the league at the moment is GTF, but they're looking at the playoffs from the outside. Ingleside took a couple of recent losses which hurt its push for a playoff spot.

The Park Islanders will be playing the Bayview Pit Bulls in a "do or die" season finale. If Park wins its final game, they make the playoffs; otherwise, Ingleside advances. Whichever team advances, they'll have the #1 seeded SF CHP team waiting for them in the first round. Ingleside played a close game vs the CHP during the regular season and will look to challenge them again if they make the final playoff spot. Every team that will be

League Leaders

as of 02/8/10
(mimimum 4 games played)

Total Points

- 165 — Fong (Bayview)
- 149 — Tiffe (Mission)
- 140 — Murphy (Park)
- 139 — Fegan (Narcotics)
- 124 — Cross (CHP)
- 127 — Moran (Park)
- 123 — Chew (Ingleside)

FTA

- 44 — Tong (HOJ)
- 35 — Fegan (Narcotics)
- 35 — Moran (Park)
- 34 — Chew (Ingleside)
- 34 — Cross (CHP)
- 32 — Barton (Daly City)
- 28 — Knight (Northern)

Average Points

- 24.8 — Cross (CHP)
- 20 — Barton (Daly City)
- 18.3 — Fong (Bayview)
- 17.6 — Chew (Ingleside)
- 17.4 — Fegan (Narcotics)
- 16.7 — Thorpe (Northern)
- 16.6 — Tiffe (Mission)
- 15.9 — Moran (Park)
- 15.6 — Murphy (Park)

FTM

- 32 — Tong (HOJ)
- 29 — Moran (Park)
- 28 — Cross (CHP)
- 26 — Chew (Ingleside)
- 22 — Barton (Daly City)
- 19 — Fegan (Narcotics)
- 17 — T. O'Connor (Central)
- 17 — Knight (Northern)
- 16 — Tiffe (Mission)

3's Made

- 27 — Murphy (Park)
- 23 — Tiffe (Mission)
- 20 — Solarzano (TTF)
- 20 — Fong (Bayview)
- 19 — M. Costello (Central)
- 18 — Moran (Park)
- 17 — Fegan (Narcotics)
- 17 — Labanowski (GTF)

FT% (min 15 att.)

- 83% — Moran (Park)
- 82% — Cross (CHP)
- 77% — Chew (Ingleside)
- 73% — Tong (HOJ)
- 73% — Tursi (Northern)
- 72% — M. Costello (Central)
- 72% — Murphy (Park)
- 69% — Barton (Daly City)

playing in the post season is capable of beating any other, and the playoffs being played this March look to have some exciting, entertaining, and hard fought games."

SF Police Soccer Hall of Fame Dinner/Alumni Game

This a reminder of the Hall of Fame/Alumni day taking place on Sat. March 27th where department soccer players past and present are encouraged to participate. First is an alumni game that will be played at noon at the fields at Silver Terrace (Bayshore & Silver Ave.) This will be a game played for fun so former players and their families can attend and renew old friendships. Following that game is another match between the department's number one soccer team and a team visiting from the Vancouver Police Department. A barbecue will be taking place during the these two games so anyone wishing to attend should contact Steve "Cang" Caniglia (Northern Station) at (415) 317-1166. Later that evening is the club's third Hall of Fame Dinner taking place at Harrington's Bar and Grill in The City with the cost being \$55.00 American. The inductees will be John Connefrey, Joe Boyle, Steve Roche, John Anton, and Don West and the special guests will be the "Cannucks" from the Vancouver Police Soccer Club. More details for this exciting event including contact information are in a flyer in this same sports section. Hope to see you there...

Retired Member Lou Barberini Chimes In

I recently received a note from retired Sgt. Lou Barberini who was

SFPD Standings

as of 2/19/10

Teams	W	L	GB
CHP	10	0	-
Narcotics	7	4	3.5
HOJ	6	3	3.5
Central	6	3	3.5
Bayview	6	4	4
Northern	6	4	4
Daly City	6	4	4
Park	4	6	6
Ingleside	4	7	6.5
GTF	4	7	6.5
Mission	2	8	8
TTF	0	11	10.5

a 30 yr. veteran who retired in 1983. He is also a father of Lou Barberini of Narcotics, and he wanted to point out that another retired member's grandson currently plays in the NFL for the Buffalo Bills. The retired member is Jesse Byrd who I believe was on the motorcycles back in the 70's and early 80's, and his grandson is Jaius Byrd who was a starting rookie "free safety" last season for the Bills. He was drafted in the 2nd round in the 2009 draft and had an outstanding year with nine interceptions. Byrd was elected to the Pro Bowl as a reserve on defense but wasn't able to participate because of a hip injury. Never-the-less, he's an impressive ball player who has hopefully many good years ahead of him in the NFL. I also enjoyed hearing from Lou Barberini and wish him a Happy New Year.... That's all for now; so See Ya next month...

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The Loons Nest Report

By Ed Garcia, Co. A

Ching & O'Connor Victorious in Two man, Best Ball Tournament

The Loons Nest Golf Club got its 24th season off to a fine start on February 3rd at the Monarch Bay Golf Links in San Leandro. Sixty players comprised thirty teams ready for competition. El Nino had brought rain on four of the five previous days, but the Loons were very lucky to catch a sunny day with only slight afternoon winds. Players arrived in warm clothing, with foul weather gear and umbrellas, and happily did not need any of it.

The day started off with a breakfast buffet and practice on the range, and off to the first tee everyone went. Three teams got off to a fast start, posting net team scores of thirty strokes on the front nine. Tom O'Connor and Kyle Ching, two traffic company veterans, started the day with team eagles on the first and second hole en route to a team score of thirty strokes. The Central Station team of Ed Carew and Norm Rice found their way around



the front in thirty strokes. Carew had a birdie on the par three fourth hole for a net team score of one. Carew also made a natural par on the seventh hole (a tough par three), and he posted a team net birdie.

The Carew & Rice team would have been the leaders at the turn, but they ran into a team bogey on the fifth hole. Steve Moss of the Airport Bureau and Pat Armitage of Sausalito P.D. also covered the front side in thirty strokes, as they had five team birdies and no bogeys. GTF's Bob McMillan and retired member Harry Pearson were one stroke off the pace at thirty-one strokes.

Five teams posted front nine scores

of thirty-two strokes. Solo Steve Roche and the Mounted unit's Jeff Roth posted thirty-two along with GTF's Dean Ries and Chris Muselman of Document Management. Central's Ed Anzore teamed with CIU's Scott "Buddy, Buddy" Warnke for a score of thirty-two as well as former Two-Man champs Ed Garcia of Co. A and Tom Hanacek.

As the leaders came around the home stretch, scores stayed tight; after seventeen holes the teams of Carew & Rice and Moss & Armitage were in a dead heat. The Ching & O'Connor team was one stroke behind. Carew & Rice posted a net birdie on the eighteenth hole to finish at sixty-one strokes. Moss & Armitage finished with a team par and a total of sixty-two strokes. As Ching & O'Connor reached the eighteenth in one of the final groups they knew they needed a big finish, as they looked at the scoreboard and heard the buzz from the crowd around the eighteenth tee. Kyle Ching responded with his best hole of the event, as he sank a 32-foot birdie putt for a net eagle. This dramatic finish brought their team in at a net score of sixty-one, tied with the Carew & Rice team.

The USGA tiebreaker was applied and Ching & O'Connor became the 2010 Two Man, Best-Ball Champions. Carew & Rice took second, and Armitage & Moss took third place. Fourth place went to the Central Station team of Mark Milligan & Mark Yesitis. Milligan & Yesitis tore up the back nine, as they were the only team to cover the back in thirty strokes; this left them with a net sixty-four. Yesitis would finish his day with a natural birdie on the eighteenth for a net eagle.

There was a log-jam of six teams tied for fifth place with a score of sixty-five. The U.S.G.A. tiebreaker went to the Ingleside team of Kris Shinbori and Dan Owens. The five other teams at sixty-five were the Central Station's Costello Brothers (Mike & Tom), Anzore & Warnke, Garcia & Hanacek, Lee & Chang, and Lum & Wong.

The Long Drive winner was Ed Anzore. The twelfth hole, a long par five hole with an uphill grade was used for the contest. The drive required a shot over a canal to a damp fairway. Anzore pumped his ball two hundred and seventy yards with a blast that left the spectators in a hush.

In "close to the hole" action, the shot of the day came from Loon's founding father Tim Hettrich (retired Captain). Tim left his ball only two feet, three inches from the cup on the tenth hole. There were several fine individual scores posted on the day lead

Loons Nest Score Board Two Man, Best Ball Championship Monarch Bay G.C.

O'Connor-Ching	61
Carew-Rice	61
Moss-Armitage	62
Yesitis-Milligan	64
Owens-Shinbori	65
Costello-Costello	65
Hanacek-Garcia	65
Lee-Chang	65
Lum-Wong	65
Warnke-Anzore	65
Sullivan-Carlson	66
Landi-Fischer	66
Schmolke-Morimoto	67
Honniball-Ting	67
Muselman-Ries	67
Enright-Ochoa	68
Roche-Roth	68
McMillan-Pearson	68
Watts-Hettrich	68
Taylor-Siebert	69
Johnson-Newlin	69
Mahoney-Mahoney	69
Valentini-White	69
Guiney-Toomey	70
Finigan-Treweiler	70
Fontana-Meyers	74
Pinotti-Ballard	76
Vernengo-Fong	77
Martinez-Geraty	77
Sorgie-Gonzalez	80

Long Drive Winner

Ed Anzore 270 yards

Close to the Hole Winners

Hole # 4	1st	Garcia	6'9"
	2nd	Milligan	12'4"
Hole # 7	1st	Wong	15'4"
	2nd	Lee	15'9"
Hole # 10	1st	Hettrich	2'3"
	2nd	Garcia	2'5"
Hole # 17	1st	Moss	11'10"
	2nd	Anzore	14'

by Steve Moss with a seventy-five. Tim Lee had a seventy-six, Tom O'Connor had seventy-seven, Harry Pearson was at seventy-eight, and Ed Anzore was at seventy-nine.

The Loon's next event will be the Spring Championship at Monterey. We will play at Monterey Pines on March 31st and Blackhorse on April 1st. Hope to see you there.

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Former San Francisco Police Officer
Former San Francisco Assistant District Attorney (1979-1997)

The SF Police Soccer Club (SFPSC)

Third Hall of Fame Dinner

Saturday March 27

Harrington's Bar and Grill

245 Front St. in The City.

No host cocktails at 6 pm and dinner at 7:30 pm

Choice of Prime Rib, Salmon or a Vegetarian Dish.

Cost \$55.00

Inductees

Steve "Ocho" Roche Johnny "JC" Conefrey
Joey "Stretch" Boyle Johnny "Tippy Tap" Anton
Donald "Wild Wild" West

Special guests: the Vancouver Police Soccer Club

RSVP by March 17 to

Steve Caniglia (Northern Swings) 415-317-1166

Matt Gardner (Traffic Co. Days) 415-309-8849

Johnny Sheehan (Tenderloin Swings) 415-345-7300

Mike or Tom Costello (Central Swings) 415-315-2400

Nick "Someguy" Shihadeh (Lake Merced Range) 415-587-9251

This event isn't just for former and present members of the Police Soccer Club but for anyone who knows the inductees and wishes to attend.

Alumni Game

Noon the same day, March 27, the strictly-for-fun Alumni Game.

Alums: come out to play — renew old friendships.

The main event follows — the SFPD vs. the Vancouver PD.

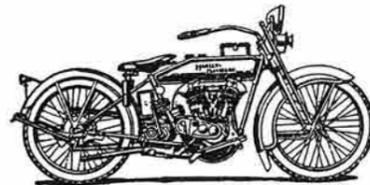
This event will be held at the fields at

Silver Terrace (Bayshore & Silver Ave.)

Families welcome. Food provided with a sensational barbecue.

All drinks complimentary.

RSVP for this event to Steve Caniglia at 415-317-1166.



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Fourth Annual POA Sports Hall of Fame Induction Dinner

Don't Miss This Spectacular Event Honoring the Best Athletes in the San Francisco Police Officers Association, Past and Present

Coming in April 2010

Look for the list of outstanding athletes to be announced in the next issue of the POA Journal

SFPOA Sports Hall of Fame Nominations

The SFPOA Sports Hall of Fame Committee is accepting nominations for the 2010 Sports Hall of Fame induction ceremony. Nominations will be accepted by sending in a nomination form. The form should be sent to the SFPOA Office (Attn. Sports Hall of Fame Committee) no later than **March 14th, 2010**. No nominations will be accepted after this date. In nominating an athlete, it is extremely important to remember that this is not a popularity contest. An athlete should not be considered because he/she played a few years and was a good athlete. A nomination should be made for an athlete who:

1. Was outstanding in the sport.
2. Contributed to the sport in a positive way.
3. Represented the SFPD on/off the field in a professional manner.
4. The nominee must be a member in good standing of the SFPOA.

The induction ceremony is scheduled to be in April 2010. More information on the induction ceremony in next month's *POA Journal*.



San Francisco Police Officers Association Sports Hall of Fame Nomination Form

Name of Nominee (please print): _____

Address: _____

Phone#: _____

Active _____ or Retired _____ Station/Detail _____

This nomination is only for SFPD Athletes who competed in sanctioned police events. This would include the Police Olympics and SFPD Department Leagues. Nominees must be a SFPOA member.

After the sport, please list the number of years the nominee played.

Please list if the athlete was on a Championship Team, won a Medal (Police Olympics) and any other pertinent information that would support your nomination.

Basketball: _____

Football: _____

Soccer: _____

Softball: _____

Police Olympic Events: _____

Other Sports: _____

Comments: _____

Submit additional information if needed.

Date submitted: _____ Your name: _____ Your phone: _____

Submit this nomination to:

SFPOA Attn. Sports Hall of Fame Committee • 800 Bryant St., 2nd floor, San Francisco CA 94103

Forms must be received by the Committee before March 14, 2010.

Word Search

Created by Officer Michelangelo Apodaca, Chief's Office

Enjoy this relaxing and fun-to-solve puzzle! If you've never solved a puzzle like these before, it's a good idea to read this before you begin.

Each puzzle has a grid of letters that conceals words reading in different directions — forward, backward, up, down, or diagonally — but always in a straight line. The words, abbreviations, or phrases one must find and circle are listed below the grid in capital letters. That's all you need to know before you sharpen your pencil and begin your search!

Look up what happened in history for each calendar day in March . . . the people and words listed below may give you a clue. Enjoy!

- | | |
|-----------------------|---------------|
| CENSUS (March 1) | GOLDA MEIR |
| SAM HOUSTON (March 2) | SCHICK, INC. |
| FLORIDA (March 3) | BALI VOLCANO |
| JESSE JAMES (etc.,) | HENRY IV |
| BOSTON MASSACRE | ALCATRAZ |
| DRED SCOTT | STAMP ACT |
| ARMY | US MINT |
| OLIVER W HOLMES | OIL SPILL |
| ANNE FRANK | RCA |
| DANIEL BOONE | WALT WHITMAN |
| DOUGLAS MACARTHUR | PONCE DE LEON |
| GIRL SCOUTS | EISENHOWER |
| URANUS | JOHN TAYLOR |
| ALBERT EINSTEIN | ALASKA |
| JULIUS CAESAR | OKLAHOMA |
| PATRICIA NIXON | |

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W	E	N	D	E	L	A	M	O	H	A	L	K	O

Classified Ads

Hunting Trips

Colorado Deer/Elk Hunts. Private ranches, Tresspass Fee Only. Contact Bob Brodnik, (415) 320-0628.

Speaker For Sale (auto)

One-12" Super Woofer speaker (Auto) Case size-13"x14"x18 \$200 OBO (415) 566-6734

Vacation Rental

HAWAII — MARRIOTT'S MAUI OCEAN CLUB — one bedroom two bath ocean front unit (accommodates 5 persons) Check out the location and all the amenities at Marriott's web site: www.marriott-vacations.com/travel/resorts/marriott-maui-ocean-club/overview.html Date available: Friday July 16th 2010 for 7 nights. Asking: \$2300. email: mcoffey@dslextreme.com or call Mike or Sue at (530) 265-9199

LAKE TAHOE- EDGELAKE BEACH CLUB on the lake at Tahoe (web site: www.ta-hoedgelakebeachclub.com) units are seven night rentals with complete kitchens, available. One bedroom unit July 17th (\$1000.) and a two bedroom unit August 13th (\$1200.) Call or email for all the details: mcoffey@dslextreme.com or Mike and Sue 530-265-9199

PUEBLO BONITO, EMERALD BAY Vacation rental 2010 for 7 nights. Master suite, Sleeps 6-8, 2 bath & showers, full kitchen, 2 TV's, 3 pools, sauna, dining, much more 5 Star resort. (\$125, 7 nights) Go to www.pueblobonito.com and view Mazatlan, Emerald Bay. Contact me @ SFPD1067@astound.net

Vacation Rental

RELAX IN CARSON VALLEY! Carson Valley Golfers Retreat Vacation Home Rental. Gorgeous Views of the Sierra Mountains, 4 Bed, 2.5 Baths, 2300 s.f. SFPD/SFPD Member Rates: \$150 night or \$900 Week Call Vince at (415) 302-2500

KAUAI — KIAHUNA PLANTATION, POIPU BEACH! Owner direct rental rates 50% plus discount. Beautiful 1 bedroom/1 bath sleeps 4. Unit overlooks the Moir Garden at the only "beachfront" condominium project in Sunny Poipu. Email Rpmapriest@aol.com or call Patty or Roy at (925) 676-0568

MAUI — KAPALUA GOLF VILLA RENTAL. 1700 sq.ft. 2 bedroom, 2 bathroom Villa is located on the 10th Fairway of the famed Kapalua Bay Golf Course! Enjoy the fabulous sunsets from our lanai, as well as views of the islands of Lanai and Molokai. This exclusive resort community has 4 swimming pools, 2 golf courses, golf academy, zip lining, 10 lit tennis courts, and many more amenities, which is associated with the Ritz-Carlton Hotel. Free shuttle service is available throughout the resort. Pictures and additional information is available at www.VRBO.COM listing #276140. SFPD members receive discount on posted rates. Contact Alan Honniball at (415) 298-7205.

TUCSON ONLY \$125 PER NIGHT. 1,100 sq.ft. 2 bedroom, 2 bath condo newly renovated and refurbished at 5500 N. Kolb. Ideal for that family getaway. 2 pools and workout facility on property. 2 full golf courses nearby. Unobstructed view of the Catalina mountains from the patio. Bookings on first come, first served basis. Call Chris (707) 337-5514

Vacation Rental

SOUTH LAKE TAHOE VACATION RENTAL Looking for a rustic cabin in the woods with a big screen TV? Take a look at this home perfect for families and larger groups. With sleeping for up to 10, a large living room with 50' TV and dining area, this property is wonderful for the vacations with budget in mind! Located just 4 miles to the casinos and less to the beaches and Heavenly Ski Resort. This home features 3 bedroom, 2 baths with 1600 square feet of room. Each room has a television with either a dvd/vcr player. Gas fireplace and nice wrap around deck to enjoy the scenery. Phone Maricela at 415-260-3484 or visit <http://www.vacationhomerentals.com/41600>

GOLF GETAWAY IN THE REDWOODS. This beautiful two bedroom, two bath home is right on Northwood Golf Course (the fourth hole is your backyard). The amenities include complete kitchen, VCR, cable television, deck and hot tub. There is a third room with bunk beds unattached from the house. Call Mike Siebert (415) 342-2241 for more information.

ENJOY THIS 2 BEDROOM, 2 BATH CONDO in sunny old town Scottsdale AZ. Just steps away from the Giants Spring training stadium. This gated community offers 2 swimming pools, 2 spas, large fitness room and is next to the community golf course with bike/walking paths. ENJOY, NBA, PGA, NASCAR, NFL SUPER BOWL, NHL. Washer/dryer in unit, with plenty of storage. Pictures available on Scottsdalesprings.com. Contact Patti and Gary (650) 355-7770. SFPD OWNED

Wanted

S&W CENTENNIAL SERIES, Model 40, blue steel; Model 60, Stainless. Contact retired #1771 (415) 648-4332

I AM INTERESTED IN PURCHASING POA Journal issues Aug. 08, July 06, Apr. 05 and Notebook issues Apr. 98, Apr. 97, July 96, Feb., Mar., & Dec. 95, Aug. 90, Jan., Feb., May, & June 89, Nov. 88 and any prior to January 1988. Contact Greg Corrales at (415) 759-1076 or at gc1207@comcast.net. Thank you.

"OLDER" MODEL COLT GUNS. Contact Thomas Moore at (415) 648-4332.

Free Classified Advertising Available for POA Members

The POA Journal has free classified advertising, a no-fee service available to our active and retired members. Buy, sell, or trade in the Journal and reach 5500 readers each month. The following rules apply to Classified Ads:

- To place a free classified ad, you must be an active or retired POA member.
- A member may run only one classified ad per issue. However, a member may repeat the same ad in three consecutive issues. An ad may run for three additional issues upon request of advertiser.

Ads must be typewritten and submitted to the POA, attn: Journal Advertising in any of the following ways: US Mail, to the POA office; Interdepartmental mail, to the POA office, Email to journal@sfpoa.org

2010 POA Journal Deadlines

April	March 23, 2010	September	August 23, 2010
May	April 21, 2010	October	September 21, 2010
June	May 19, 2010	November	October 20, 2010
July	June 22, 2010	December	November 19, 2010
August	July 21, 2010	January 2011	December 20, 2010

Monday, May 17, 2010
Crystal Springs Golf Course
Burlingame



Shot gun start: Noon
\$195 for golf, cart, lunch, and dinner
\$750 for foursome*

***Special: If two foursomes sign up from the same station by April 15, both foursomes pay \$700. Prize for station with best team-score.**



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foursome or for
sponsorship information.

Close Encounters

By Steve Johnson,
SFPOA

There was a very frightened 13-year old who was on the other end of the phone describing a fight that was taking place between a friend of her family and another man at the front door of their home. **Police Dispatcher Dana Granby** knew that she had to get it right the first time or she might lose the scared caller and not be able to keep her safe until help could arrive. Dana kept coaxing the young woman to remain calm and tell her what was going on but she could also hear yelling in the background and then what sounded like several gunshots and people screaming. She could only hope that her young caller was safe. She was. But Dana didn't know that for at least 45 minutes. "45 minutes of sheer torture and that was my first night on the phones." Dana related.

Dispatcher Dana Granby is a member of an elite group of people, 164 total, who work in a building filled with technology on Turk Street. They handle thousands of emergency calls a year, dispatch fire, police and medical teams and are expected to handle anything that reaches them through the 9-1-1 phone lines. They are also charged with making sure the men and women of the San Francisco Police Department go home safe at the end of their watch, and that's what landed them in this column.

Dana has been doing the job for the past 6 years. She was recently commended for noticing an emergency activation on the Tow Channel. She accessed the channel (one that they don't normally monitor) and heard a Parking Control Officer was in trouble being assaulted by several suspects. All of Dana's units were tied up so she switched to another channel to arrange for help. Without her involvement the officer could have been seriously injured.

A few days later she was running information on a traffic stop an officer made when it turned out the subject driving the car was wanted for a homicide. Shots were fired and it was up to Dana to coordinate all responding units and make sure they all went home safely. She accomplished both.

"It's a tremendous responsibil-

ity and we only get one shot to get it right. There's no second take." explained **Lorrie Serna**, Operations Manager at the Turk Street location. Lorrie takes a special interest in her job overseeing those who watch over every emergency unit in San Francisco because her dad, Bruce Lorin, is a retired San Francisco Police Lieutenant, her two brothers, Gary and Phil, were both San Francisco Police Officers, and Lorrie is married to Sergeant Jim Serna, who is currently running the Megan's Law Division within SFPD.

It's a busy place . . .

Dispatcher Stephanie Chacon was working on December 6, 2009, when she heard **Sergeant Will Escobar, Ingleside Station**, call for assistance when he was caught up in the crossfire of two rival gang members. Will stated he did not have cover so Stephanie immediately stepped up the response of all units and made sure neighboring police districts were aware of what was going on as well. She handled the channel and the many police units responding with exceptional care. And, let's face it. That's not easy.

We asked a few Dispatchers what the most frustrating part of their job was. Rude and abusive callers top the list. There's no need for that. These professionals are the lifeline for everyone. Another huge problem was being emotionally attached to a situation, usually involving a critical incident, but maybe never being able to see the people you've just helped. Dispatchers usually don't have the luxury of time to re-group after dealing with the matter because there's another call waiting.

Dispatcher Alysa Trujillo is the perfect example. She received a call from woman who couldn't locate her husband. He was not answering his cell phone and he was way overdue by not returning from an earlier errand he had left to handle a few hours ago. Alysa ran the vehicles registered to him, then checked to see if the car had been towed for any reason — no hits. She then checked for traffic accidents in the area and whether or not there were any medical or police calls to the home address — again, nothing. Alysa then remembered there was a violent assault at the Office Max parking complex located at

Geary and Arguello earlier in the day where a man was stabbed and was in critical condition. She checked CAD and learned that the victim had died so she called the medical examiner's office to make an inquiry - the victim had identification that matched him to the husband who was missing. The medical examiners now had the name of the wife and would be able to make proper notification. Alysa was commended by Judith Hogan, Operations Coordinator for, "going the extra steps to help the victim's wife in her time of need. **Your dedication and good heart speak to your character, both as a Public Safety Dispatcher and as a human being.**" But there still needs to be closure.

Nothing is ever predictable at the consoles where the Dispatchers sit... the call came in from the father of a 14-year old who was choking. **Dispatcher Clarence Hom** was on the other end. Clarence had a medical team responding in seconds and was trying to keep the father calm as he explained exactly what to do to implement the Heimlich Maneuver. Clarence finally got through to him and the procedure worked. **The responding Paramedic Captain personally called Dispatcher Hom to let him know that his actions saved the victim's life.**

The emergencies are always there

Dispatcher Suzanne Borg answered the 9-1-1 call of a hysterical woman requesting an ambulance. She was screaming that her nephew, a baby, was not breathing. Suzanne had medical on the way and, in addition, she immediately began to explain pre-arrival CPR instructions. There was a language barrier, a bad connection, and an interrupted conversation but Suzanne hung in there until the much relieved caller told her that the baby was breathing again.

Then there's the "Channel from hell" . . . that's the one shared by both Mission and Bayview units. **Dispatcher Kimberley Tuyay** was monitoring it one night when the officers were chasing armed suspects through backyards. She initiated the Code 33 because of the danger involved. This was a fast-paced incident that involved multiple units and constant radio traffic. Kimberley kept control of where the units were, status of suspects, obtained further resources, performed a role call to check on all of the units at the scene and, when the incident was given a Code 4, 3C107 came up on the air and thanked Kimberley for doing such a great job. A round of applause broke out on the Dispatch floor as well!

It can take a great deal of stamina to monitor a prolonged emergency event and that's exactly what **Dispatcher Kayleigh Hillcoat** exhibited when she

handled a bank robbery with four suspects all armed with guns. **Kayleigh ran the incident for over 2 and ½ hours** keeping track of multiple police units, relaying updates as they occurred, and remaining calm. Officers in the field later praised Kayleigh for her outstanding work.

These professionals also take care of the Fire Department like the time that **Dispatcher Marissa Manalo** was monitoring a 3-alarm fire at Hamilton and Felton. Marissa was assigned to the Fire console but kept an ear on the SFPD TAC Channel as well. Good thing she did. **She picked up a muffled broadcast that sounded like a firefighter was down.** She reported it immediately to Fire Dispatch who activated a RIC (Rapid Intervention Crew) — teamwork.

And the beat goes on...

Dispatcher Florinda Picazo dispatched a medical team to an individual who didn't think he needed help — he did. Florinda's training and outstanding decision-making ability made the difference. **Dispatcher Florian Taylor** was honored for her consistent expertise in handling multiple situations involving Fire, Police, and EMS units. **Dispatcher Susan Quock** would not release the call of a seriously depressed individual until she knew help was on scene. **Dispatcher Ron Davis** somehow kept Fire Command operating even though there was a major electrical power failure at the Center.

And **Dispatcher Charlie Caparas** was instrumental in capturing a suspect who was threatening to harm South San Francisco Police Officers.

Let's face it, these people could land a plane in the Hudson . . .

Most Police Officers have been in situations where all hell is breaking loose when a call for assistance can sometimes mean the difference between life and death. The Dispatchers who sit at those emergency consoles listening to your request are some of the most conscientious and dedicated people you are ever going to meet. One of their other concerns, besides dealing with rude callers and trying to navigate the emotional roller coaster they ride every day, is the fact that they sometimes feel that there is a disconnect between them and the men and women in uniform they assist.

While their primary goal is to make sure you finish your tour of duty safely there's nothing that prevents you from taking a drive by the Turk Street command center sometime and stopping in to thank them in person. They'd like that . . .

(P.S. Jim Serna stopped by to thank Lorrie Lorin 15 years ago . . .)

St. Patrick's Day Parade

Saturday, March 13 • Market at 2nd • 1100 hours

All SFPD members are invited and encouraged to participate in the St Paddy's Day Parade.

This is the 159th Anniversary of the St. Patrick's Day Parade in San Francisco. Let's continue this fine tradition with a good showing of members.

Class A uniform for all non-commissioned officers and Class AA uniform for all commissioned officers. Gore-Tex jackets if rain is imminent.

The San Francisco Bay Area Law Enforcement Emerald Society will host a reception following the parade for all uniformed participants and their immediate family members.

Contact Marty Halloran for tickets to the reception. (POA) 861-5060 #14 or (pg) 804-3662

No Ticket, No Entry, No Exception!