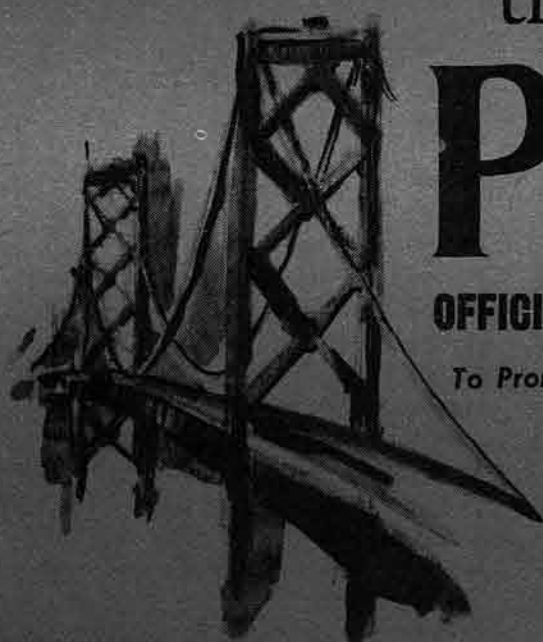


# the San Francisco POLICEMAN

OFFICIAL PUBLICATION OF THE SAN FRANCISCO POLICE OFFICERS ASSOCIATION

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



Member of COPS—California Organization of Police & Sheriffs

Member of ICPSA—International Conference of Police Associations

VOL. 8

SAN FRANCISCO, JUNE 1977

201

NO. 6

## HOOD-LUBEY REINSTATED CHIEF GAIN DIS- CIPLINARY DEFEAT

Petitioners were employed as police officers of the respondent, City and County of San Francisco, on or about July 28, 1975. Under the law, said officers were probationary officers for the first year of their said employment. They would have become "tenured" on July 28, 1976.

On or about April 1, 1976, respondent received an unverified complaint from one, De Witt Williams, claiming that petitioners had engaged in "unwarranted actions for planting a revolver and unlawful search, detainment and threats against complainant," Williams. It is to be noted that the complainant then had a previous record of assault with a deadly weapon, burglary, robbery, tampering with vehicles, unlawful use of a weapon, kidnapping, receiving stolen property, vandalism and arson. At the time of the alleged complaint against petitioners, Williams was wanted for attempted murder in San Jose, California. At that period of time, Williams had been arrested on May 4, 1976, for arson and on May 10, 1976, for carrying a concealed weapon.

Williams is currently serving a prison sentence on a charge of attempted murder which he unsuccessfully contested on the defense of not guilty by reason of insanity.

Although the practice of the police department was to give "reasonable" notice to an officer that a complaint had been made against him (which Officer Taylor testified was 24 to 48 hours), petitioners were given but seven (7) hours notice to appear before the Internal Affairs Bureau of the department without first being told that a complaint had been made against them or the nature of any such complaint.

On July 8, 1976, the Police Chief called petitioners into his office and after relating the charges complained of were given a letter dated July 8, 1976, signed by the Chief of the department, in which petitioners were notified that "effective at 1700 hours, July 8, 1976," they and each of them were terminated for misconduct on the charges made by Williams. The Chief testified that he had made up his mind to terminate petitioners at least a day or two prior to the July 8, 1976 letter which he had already prepared.

Petitioners were terminated for alleged misconduct and violation of police department rules, as well as for alleged untruthfulness. Not only were they summarily terminated for these alleged reasons, but petitioners were thereafter notified by the Civil Service Commission that they were entitled to "no future employment with the City and County of San Francisco."

Section 8.343 of the Charter of the City and County of San Francisco provides that

"... members of either (police or fire) department shall not be subject to dismissal . . . until after a fair and impartial trial before the commissioners . . . upon a verified complaint filed with such commission . . . The accused shall be entitled, upon hearing, to appear personally and by counsel; to have a public trial; and to secure and enforce, free of expense, the attendance of all witnesses necessary for his defense."

(Continued Back Page)

The SFPOA Fully Supports  
YES on Prop "B."  
See pages 6, 7, 8 & 9  
for Details, Support,  
Comments.

## MOSCONE MUST GO

by Paul Chignell

The time has come for the voters of San Francisco to repudiate the administration of Mayor George Moscone.

A grass roots petition drive spearheaded by Supervisor John Barbagelata easily qualified for the ballot on one major premise: large numbers of San Franciscans are tired and even disgusted by the leadership and policies of the former state senator.

Joseph Freitas, the District Attorney and Richard Hongisto, the Sheriff, are also targets of a cleanup of the city administration.

But the focus is on Moscone, a man who apparently does not have the capacity to lead a great city out of its vexing urban problems.

Police officers have a special knowledge of the problems that a city administration must face. We work the streets twenty-four hours a day watching the interaction of policy upon the day to day activities of criminals and law abiding citizens.

"The San Francisco Police Department possesses a vacuum in leadership", one officer told me the other day. I hear the same kinds of comments from scores of other officers both in patrol and at the Hall of Justice.

These officers believe that the present Chief and Commission are more concerned with placating alternative life-style groups and the San Francisco Bar Association than mounting an aggressive campaign against the criminal element in this town.

The actions of the Police Commission and Chief Charles Gain are indicative of the law enforcement philosophy of George Moscone.

What earth shattering issue brought members of the Police Commission to testify before the Board of Supervisors recently? Was it the muggings of our elderly citizens in the Tenderloin? No. Was it the vicious rapes perpetrated upon countless women in San Francisco? No. Was it the proliferation of prostitutes in the Hayes Valley after complaints from the poor residents in that area? NO. The great issue that stirred the Moscone Police Commission was the Bar Association's proposal for civilianization of the police internal affairs bureau. A strange priority for a Commission charged with the responsibility of running our police department surfaced before the Supervisors.

Our Commission has spent hour after hour on two issues: civilian review of the police complaint process and adoption of White Panther guidelines for witnessing police conduct.

Why doesn't Mayor Moscone fire the present Police Commission and Chief after the past eighteen months of conduct by these six people? One answer remains for all — because he supports their activities in running the police department.

## KEYS TO SB-164 SENATORS MARKS AND FORAN

by Paul Chignell

Senate Bill 164, authored by Senator David Roberti D-Los Angeles, will be the subject of a floor vote by the end of June.

This historic collective bargaining bill has passed both the Senate Governmental Organization and Revenue & Taxation Committees.

SB 164 is a sophisticated approach to labor strife in the police and fire sector. Last offer arbitration on all issues, economic and non-economic is the major condition of this legislation.

Included is a strong no-strike clause that for the first time statutorily prohibits police officers from withdrawing their labor.

The legislative counsel in a written opinion stresses that SB 164 will supersede local ordinances and enactments of city charters.

This state-mandated program will force the Board of Supervisors in San Francisco to bargain in good faith with the POA thus eliminating a repeat of the 1975 police strike.

Senator Milton Marks R-S.F. is a strong supporter of the legislation as he continues to keep an open and intelligent mind on public employee labor legislation. Marks won praise recently for his sharp questioning of witnesses who appeared before the Governmental Organization Committee. Senator Marks played a key role in the passage of AB 301, the Police Officers' Bill of Rights and is making his mark on SB 164 as well. We are fortunate to have such a friend in the State Senate.

San Francisco's newest Senator, John F. Foran also voted for SB 164 in committee. Foran is another dynamic legislator, always weighing both sides of the issue and participating actively in the questioning of committee witnesses.

Twenty-one votes are needed for passage in the Senate. The next two weeks are crucial for the police labor movement. We are fortunate to have Senators Marks and Foran in Sacramento as collective bargaining moves to a final vote in the State Senate.

Moscone himself spends his time placating White Panthers in his official capacity. Crime fighter George wrote a lengthy letter to the Adult Authority pleading for the release of two panthers who were convicted of shooting at two San Francisco police officers.

Where are the priorities in the leadership of the San Francisco Police Department?

When the Mayor's political career is ended, a new administration will make a clean sweep.

As August 2, 1977 comes closer, the citizens of San Francisco will have to make a choice.

We pray that they make the correct one — for our benefit, but more importantly for the victims of crime.

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Widows & Orphans

The May meeting was called to order by President Mark Hurley on Friday, May 13, 1977, at 2:00 P.M. in the Traffic Bureau Assembly Room, Hall of Justice, with a sufficient number of members present to constitute a quorum.

Treasurer Barney Becker reported an unusual amount of delinquents due to the number of people leaving the force through retirements or resignations.

Barney reported the following three deaths during the past month:

**THOMAS CHOPE:** Born in 1928, Tom entered the Department in 1949 at age 21. He served at Co. B and F for 5 years each, transferred to the Warrant Detail in 1958. He served there until his disability retirement in 1976. Tom was retired on a heart disability and it was this that caused his death on April 29, 1977 at age 49.

**EDWARD J. O'BRIEN:** Born in 1896 he was 31 years of age when he joined the Department in 1927. Worked at Co. M (old Bayview Station), Co. A, Co. E. The last 11 years Ed was at the Ingleside Station from where he retired in 1959 on a disability. Ed was 81 at the time of his death.

**LOUIS OLIVIER:** Born in 1892, he entered the Department at age 30 in 1922. He worked at Co. L (Western Addition Station), Co. F and for his last 20 years was at Co. E. Lou retired in 1957 on service at age 65. He passed away in April of this year at the age of 74.

The Secretary reported the following donation: **Joseph I. Wilson** one of our most faithful contributors.

The Trustees reported that the Hibernia Bank had recommended the purchase of three common stocks and by a unanimous vote said the purchases were approved. Senior Trustee **Bob Kurpinsky** reported that the Hibernia Bank had requested a meeting with the Trustees for a complete report of our portfolio. This meeting was set for Thursday, June 9, 1977 at 6:30 P.M. at the Hibernia Bank.

There being no further business to come before the membership, the meeting was adjourned at 3:15 P.M. in memory of our Departed Brothers.

Fraternally,  
**Bob McKee**

If you need to contact the Widows and Orphans in the daytime, call Andy Quaglia at 553-1195

FIRE DANGER

Of overriding concern throughout the vacation season is the extremely high risk of fire. The director of the California Department of Forestry, Lewis Moran, has described the current situation as having the potential of being the worst fire season in 40 years. He echoes the fear of other officials when he says, "Forests could literally explode." The light rain and snow that fell over much of the state earlier this month has only pushed back the fire season, according to Moran.

The drought, largely responsible for what could become a catastrophic fire season, will hamper fire fighters, as many wells that supply water for fire crews have either already dried up or are expected to be dry before summer's end.

Against this background CSAA cautions motorists and campers to exercise extreme care through the long, dry summer ahead.

The combination of large holiday crowds and much greater than usual fire hazards could have extremely serious results unless campers and other visitors show a total sense of awareness of the critical situation.

Have you  
**MOVED?**  
Please give us  
your new address



SAN FRANCISCO  
Fellowship of  
Christian  
Peace Officers

Jim Crowley opened our meeting with joyful songs of Jesus at 7:40 P.M. on Tuesday, May 17, 1977. Mr. Wayne Lewis gave the opening prayer.

Jim Crowley thanked everyone for coming and explained our organization to those who had not previously attended. Jim Higgins reminded our group of the power of prayer. He recalled that, in our previous meeting, we prayed for our brother police officers that were indicted, and their families. It is ironic that one month later, on our meeting night, that our prayers were answered and the charges were dismissed. Thanks be to God.

Gary W. Vian, Minister of Music, Church of the Highlands ministered to us by words and music on the theme of "The Life of Jesus."

Our singing group, the "Reflections"; Stan and Rita Vian, Sheryl and Stan Way, and Laurie Warner, beautifully brought to us by song and word the message of God's love.

Don Bocci, Ministry of Tapes, purchases tapes, records our meetings and sells tapes of our Christian Fellowship Meeting. All proceeds from this Ministry of tapes, including the cost of the tapes, reverts back to the treasury of our Fellowship of Christian Peace Officers. Don does have extra tapes (\$3.00 each) of all our Christian Fellowship Meetings.

Irene Percy, in charge of our PRAYER VINE. (Ph. 583-0520), requests that anyone desiring prayers to contact her. It is also requested that we call back

to give the progress of our prayer requests. Pastor Stan Way, Church of the Highlands, instructed us to invest just 1½ hrs. in God's Ministry, and if we are open, God will change our lives.

Stan Way (Exodus Chapter 3), told us of the life of MOSES from birth, to the possibility of becoming the Pharaoh of Egypt at 40 years of age - and then from 40 to 80 yrs. of age as a lonely shepherd. However, at 80 years of age, God spoke to Moses and he became the leader of his people.

At any time in our life, God can and does speak to us. All we have to do is ask God to use us. We must approach God in bare, naked faith, trusting that God will accept us as we are, and we will come into God's presence, in faith.

MOSES Exodus Chapter 3 brought forth three signs that allows God to use our lives, all we have to do is:

- 1. reach to God in faith
- 2. get hold of your life with God's help
- 3. recognize that the "Spilled Blood" of God is for our salvation.

Jim Crowley asked for additional prayer requests to which our membership responded.

At 9:30 P.M., Ed Erdelatz closed our meeting by prayer.

Jim Crowley reminded those present that anyone seeking the help, desiring additional prayers, or consolation, could meet with Pastor Stan Way, Jim Crowley and others for special individual prayers.

Andrew Kristensen,  
Secretary

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WHY?

Why do some treat their elders  
So shabbily?  
There is definitely something out of joint  
In our present social milieu  
When we regard those of so-called  
Elder years as something vexing  
And burdensome to those of younger years.  
Lord, grant us all a deeper appreciation  
Of those our 'jewels'—if we were but  
wise to know it.  
My God! How tall they appeared when  
we were so very small!  
Lord, help us to see in that maturing face  
A precious noble breed of this poor world's  
Human race.  
They too have their story to tell.  
You can, you will, you shall discern  
If you will but only listen and learn.

Thomas Warren Powers

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

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## President's Corner

BY JERRY CROWLEY



### YES ON B: MAKE SAN FRANCISCO A SAFER CITY

The San Francisco Police Officers Association, comprising 2,400 active and retired officers, strongly endorses YES ON B.

Majority vote and balance of power within the political structure are essential if San Francisco government is to represent all the people.

San Francisco has become the breeding ground for well-organized extremist groups with a single common bond: to seize and control the legislative branch of city government.

In 1975 the San Francisco COMMUNITY CONGRESS adopted a 40-page people's program for change.

Who are these people and what are these changes? And where does the money come from to support them?

Included among the members who endorsed the PROGRAM FOR CHANGE were the San Quentin Six Defense Committee, United Prisoners Union, Socialist Coalition, Delancey Street Foundation. John Maher, director of Delancey Street, proclaimed in his biography by Grover Sales that he would take over city government within ten years—and that he had 600 fanatical workers to help him.

The money to support them comes, in many cases, from tax-exempt non-profit organizations who aren't compelled to report their sources.

Among radical changes proposed is the right of prisoners to control their destinies within the confines of prison, removing the authority now invested in criminal justice administrators.

San Francisco can tolerate groups that reflect every shade of political thought. But it will not survive domination by extremist groups who interpose themselves between the public and its protectors.

Over the past year the tragedy and terror unleashed upon the people—and their elected representatives—has been unparalleled in the city's history.

The VOTER is the only hope to restore balance to our democratic form of government. VOTE YES ON B TO REQUIRE ALL CANDIDATES TO WIN BY MAJORITY.

YES ON B MAKES CERTAIN THAT NO EXTREMIST GROUP—RIGHT OR LEFT—MAY DOMINATE YOUR GOVERNMENT.

## FEDERAL LITIGATION

by Jack Ballentine

### Temporary Appointments to be heard in State Court on June 27th.

Steven Solomon, Association attorney, will carry the fight against temporary appointments to the rank of Sergeant in State Court on June 27, 1977.

This initial hearing will decide whether the State Court shall maintain jurisdiction of the case or not. All members are requested to attend. A Bulletin will be issued when the time and court room is known. If we are successful, a trial will immediately begin in State Court.

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## LOYALTY AWARD



On Saturday, April 13th, Officer George Bonnano of Ingleside Station, Company H, received the Police Loyalty Award which was presented and conducted by the Veteran of Foreign Wars on Loyalty Observance Day.

The ceremonies took place at the Golden Gate Park Concourse and were attended by representatives of the Armed Forces, State, County and City, members of the San Francisco Police and Fire Departments, as well as many other dignitaries.

Officer George Bonnano has been a member of the San Francisco police Department for 22 years, serving at Ingleside Station. George is also a lifetime resident of the Ingleside Police District, and is loved and respected by the community in which he serves. Officer Bonnano was selected for the Loyalty Award as he best represents the true image of a police officer's dedication to duty and loyalty to the San Francisco Police Department and the entire San Francisco Community.

## MORE FEDERAL JUDGES

California will be a major beneficiary of the omnibus judgeship bill which the Senate passed the last week of May. Senator Alan Cranston (D., Calif.) stated.

He said 10 more judges will be added to the 9th Circuit Court, which includes California, as a result of his amendment to the bill (S.11).

And California will also be getting seven more federal district judges, a larger increase than any other state, he pointed out.

One of those seven new district judges will be assigned to San Francisco despite the opposition of staff members of the Senate Judiciary Committee. Cranston disclosed.

He said Californians will benefit most from the increase in appellate judges since 65% of the caseload in the 9th Circuit originates in California.

"The new judges will be of enormous help in reducing a huge backlog of California cases and will help speed the rendering of justice in the state," Cranston said.

He deplored the "inordinate delays of justice" that now occur, with delays of up to two years being "not unusual".

As originally drafted by the Senate Judiciary

Committee, the omnibus judgeship bill was limited only to increasing the number of federal district judges nationwide. It was expanded to include circuit court judges at the urgent request of Senator Cranston.

Cranston, who is Senate Majority Whip, proposed an amendment to the bill incorporating an increase in circuit judges recommended by the Judicial Conference of federal judges.

Cranston, who is not a member of the Senate Judiciary Committee, credited freshman Senator Dennis DeConcini (D., Ariz.), with persuading the Committee to accept Cranston's amendment.

He said DeConcini also played a key role in getting the Committee to reject a staff recommendation against an additional federal district judge for San Francisco.

DeConcini, who last November won the Senate seat formerly held by Republican Paul Fannin who retired, succeeded former California Senator John Tunney as the 9th Circuit's Democratic representative on the Judiciary Committee.

Cranston called DeConcini "a hard and skillful worker". "His arrival in the Senate marks the beginning of a new era

of cooperation between California and Arizona that will benefit both our states," he said.

The Senate-passed bill, which now goes to the House for action, creates 111 new federal district judges nationwide.

Besides the new district judge for San Francisco (the northern district), the bill authorizes three more for Sacramento (eastern district), one more for Los Angeles (central district) and two more for San Diego (southern district). San Francisco presently has 11 district judges: Sacramento, 3; Los Angeles, 16, and San Diego, 5.

The additions bring California's total to 42, second only to New York's 43.

The bill also creates 35 additional circuit court judgeships nationwide, including 10 for the 9th Circuit which in addition to California covers eight other Western states plus Guam.

Cranston said 2,731 appeals were filed with the 9th Circuit Court, one of the busiest in the nation, last year. "That was nearly 2½ times the caseload in 1968 and the number of judges—13—has not changed in all that time," he said.

He said the court ended 1976 with a backlog of 2,636 cases.



## AROUND THE DEPARTMENT

by Al Casciato

...S. G. Yasinitsky (Yash) I will miss you tremendously as will the many who have been faithful readers of Routine Patrol. You and your column can never be replaced. For as they do in the pro's, when a great retires so does his number, here so does Routine Patrol. It was and is your number. Thanks Yash...

...Over \$3,400 has been donated by retired police and fire officers in support of the POA's position on the Federal Litigation suit and for Collective Bargaining. Those oldtimers remember when there was just one list for promotions (litigation) and old days when an officer was a peon and had to fight for every little benefit. In those days bargaining was like shooting for the moon. Today collective bargaining is within grasp and they are contributing to see a dream come true. Thank you...

...Get the feeling lately that a confrontation worse than the strike is in the air? An in-house fight is always more vicious and that's what seems to be brewing and it shouldn't. But apathy and gutless wonders are going to let it take place...

...A good arrest, investigation and prosecution are the result of creative law enforcement by police officers, investigators and assistant district attorneys. Today all three are working under administrative handicaps. So when you hear of a successful case, remember that the personnel involved did it out of sheer dedication...

...Remember that the Bd. of Supes is making a lot of money by not having to pay Social Security benefits for police officers...

...Sgt. Lionel Hess heard an all broadcast from Communications stating "...No response from 4C30 on all channels." Lionel called the dispatcher and informed her that if she stood up, turned around and looked at the tow desk, there would be 4C30 aka **Bill Hardeman** who had been detailed to answer phones for the past two hours. He also asked if she had read the Co. K line-up which showed 4C30 detailed. Sadly her blunder was not unusual for Communications...

...A column that's in the works. The ripoff and farce that the present department alcoholism program really is. Located on the 5th floor holding hands with the Chief and Commission...

...EXTRA, EXTRA!...Off. Phil (Rip) Povey, Co. F delivered an 8lb. 3oz. girl June 1st at 3 A.M. This was no routine delivery as he was delivering his own daughter. But his wife Celeste was not to be out done. When the ambulance crew carried her out the neighbors began to cheer and she propped herself up and assumed the victory stance ala Rocky... Congratulations Rip, Celeste and Lil' One...

...Good work should not go unmentioned. Lee and Jack of A Able Auto at 7th and Brannan recently saved me hundreds of dollars when they determined that another shop had done faulty work on my truck and though I was beyond warranty, the problem should never have arisen. When I called the other shop they gave me the run around but ceased when Jack got on the line and laid it to them in all those fine mechanic terms. Truck now running fine...

...Sgt. Ed Fowlie and Off. George Toy were walking through Union Square when a tourist stopped them and stated in a very Australian accent, "This park reminds me of the parade ground at a mental institution". But all was not lost as he explained how much he liked the rest of San Francisco...

...Central Station. Construction began before the B of A World Headquarters and completed after B of A. The station in design and location has all the makings of a serious disaster. Is the City doing anything to rectify the dangers? NO! And, they won't until someone is killed. Mark my words...

...Police work is stress filled. Divorce, alcoholism, and suicide rates attest to the fact. Yet the Mayor, Supervisors and Police Administrators continually play political games with the tragic incidents of officers that have reached the breaking point. The article which appeared in California Living (on May 22) which exalted the department's "alcoholic program" was such a farce that to tell the truth about it would probably take three editions of this newspaper. But then the article should really be taken for what it was, a political smoke screen designed to fool the voters into thinking that stress within the police department is under control...

...Recently Tom Boyd left to join the San Rafael P.D. He's found the change very satisfying, regretting only that there is no softball league there. Well, Tom, get up a team and I'm sure that games will be available here. Also Tom's wife, Sandy, is leaving to join Jack Webb's Private Eye firm, a loss of two fine people to the SFPD...

## INSURANCE

## NEWS...

We are truly sorry about the continued delays in getting the new dental brochures to you. First it was held up by contractual negotiations and now the delay is caused by their printer.

However, as of this writing (6-21-77) we are told the brochures will be in our hands by June 22. Our mailing house will address them and you should have them by the first week or so in July in San Francisco and on the peninsula and soon after that for those across the bridges.

If you are currently a member of Plan II and have no changes in your status, you will not have to submit new application and payroll cards. If there is a change, then yes, fill out the new application, etc. .

Everybody who signs up by July 30, 1977 (signed application, signed payroll deduction card, and a check to cover until payroll deduction takes over) will be eligible for dental services on September 1, 1977. This gives us time to process your material, get PDHF ID cards printed for you and mailed to you (no card, no service).

On the other hand, if you wait past July 30th, then you must get your application, etc., back to us before August 30th in order to be eligible on October 1, 1977. Clear? I hope so.

Plan I with or without dependents has been dropped. The only dental plan being offered is the complete preventive — restorative Plan II. Please read the brochure and enclosed material carefully and make a decision before July 30 or August 30th, as the case may be. This dental plan is another benefit of SFPOA membership.

by Gale W. Wright

Several members have complained that their higher salaries only push them into high tax brackets. With inflated cost of living and higher taxes, they wanted the Association to find a solution.

The Insurance Committee looked into it and discussed the problem with Ray Peterson, President of the Healy Insurance Agency.

The article on this page, DEFERRED INTEREST SUPPLEMENTAL RETIREMENT PLAN, by Richard D. Dixon, Ph.D., is our answer to inflated earnings, cost of living and taxes. We hope you will read Dr. Dixon's article and apply this valuable pre-tax dollars savings to your own retirement welfare.

### \* DEFERRED INTEREST SUPPLEMENTAL RETIREMENT PLAN \*

by Richard D. Dixon, Ph.D.

Is a comfortable dignified retirement your goal? Few achieve it! The reasons are many and although we live in prosperous times, most of us depend on out-dated rules of finance to plan for our future security. We have usually made a basic effort to consider the financial problems we see before us each day with an eye to putting some order into what may have been a modified form of chaos.

Because few men are well versed in the areas of retirement planning our Federal Government passed the Social Security Act over 35 years ago with the concept to provide a base on which people could build for retirement income. It was not intended then, and it is not intended now to provide for total retirement income as only those who are tragically attempting it today know! Pension plans are great and provide the law enforcement officer with a future security, but one must consider that these methods of saving for dignified retirement may also guarantee a reduced standard of living as you grow older and the cost of those golden years grow greater.

Spending is more fun with the development of a philosophy of planned spending; its real objective is that there should be something to invest. Thus we are also concerned with saving.

Saving may be a difficult and challenging process to most people, but nearly all men who have accumulated modest or even great fortunes tell us that it is the only way to achieve financial independence. Andrew Carnegie was frequently asked what his formula for success was, and each time he replied: "Accumulate in savings at least one year's salary as soon as you can, and then save 10 percent of all you earn the rest of your life".

How few of us follow this advice is readily apparent from a review of frequently published statistics: Only 5 men out of 100 become financially independent by age 65, and only one out of the 100 could be classified as wealthy. About 54 will be dependent on state, local, or federal aid. The remaining 41 will still be working, dependent on a full-time or part-time job until the day

they die. In many cases it did not have to happen this way, for man has the capacity to exercise considerable control over his own destiny if he will devote himself to the task.

Eventually it is up to us to do the steering of our own financial destiny. Few of us have a strong arm behind us, pushing us up the ladder; we must lift our own foot and take the next step through our own effort.

For anyone under S.S. or the Police Retirement System, it is not too late to begin planning. Through the Healy Insurance Agency, the S.F.P.O.A. Insurance Administrators and Pacific Standard Life Insurance Company, a method has been designed so that you can take that most important step towards capital accumulation. The purpose of this program is to set aside a portion of your salary until you retire and under current Federal Tax Laws, the interest gained will not be considered taxable income until it is paid to you as provided in the plan. At that time it will be taxable at ordinary income rates. The amounts you allocate will be invested and any earnings on these investments will also be deferred and, therefore, not subject to income tax until withdrawn. When you do receive your deferred form of compensation, it is possible that you will be in a lower tax bracket. These basic principles, although simply stated have tremendous significance.

One may allocate either a percentage of your salary or a stated dollar amount each month. This program provides flexibility of contributions whereby you may invest amounts as low as \$25.00 per month and increase your program based on your own personal needs and desires.

The various forms of saving are many, and where do you look for advice? You may decide that you prefer guarantees and security and place your savings in the local bank at 5 to 7½ %. And you would receive the benefits of compound interest and accumulated savings, but the Federal and State tax man wants a piece of the interest earned each year. Yes, your earned interest is then reduced due to the gain being taxed each year as ordinary income.

Thus, the recommended method that provides the guarantees against any loss, tax deferment on interest gained and preservation of capital accumulation is now made available at 7.25 percent current interest from your first invested dollar through the Healy Insurance representatives and Pacific Standard Life Insurance Company.

To illustrate the actual benefits of \$100.00 a month contribution into a Pacific Standard Flexible Deposit Retirement Annuity at age 30 and continuing to age 55, one would contribute a total of \$30,000 and have a current interest yield of \$76,744. This would provide at current annuity rates a monthly income of \$5,885 per year of \$490 per month for life starting at age 55.

There may be a situation as follows whereby "you have the money now, but suppose the well runs dry later on?" For example an officer age 29 starts the Pacific Standard Flexible Deposit Annuity program with \$1,000 per year contribution and does so for only 13 years and at age 42 he decides to quite contributing. He can draw out his cash plus interest gained or he can freeze his accumulations that will grow with compound interest, tax deferred, until retirement. He had invested a total of \$13,000 and would be able to withdraw \$20,286 at current interest, but by leaving the \$20,286 to accumulate to age 55 he would receive from Pacific Standard Life's guaranteed interest annuity a sum of \$34,231.26 which he could take in cash or receive a monthly check from his program of \$218.74 tax favored. Current interest would realize a sum of \$51,816.14 or \$331.10 a month for life starting at age 55.

Looking into the future is a pre-requisite of good planning. This simple exercise will provide a starting point for a financial plan as well as a rude awakening for those who have developed an inflated sense of their financial worth. Now is the time to utilize the flexibility of this program to guarantee your progress for economic solvency.

One important factor which should be taken into consideration and that is this plan would be qualifiable under I.R.S. regulations as a deferred income plan.

This simply means that if and when the city enters into deferred income plans, the contribution made by the member would not be included as income for that current year therefore not subject to tax, hence a double tax savings. THE INVESTMENT IS BEFORE TAX DOLLARS AND THE INTEREST IS NOT INCLUDED AS CURRENT INCOME UNTIL ACTUALLY RECEIVED.

The SFPOA Insurance Committee has authorized the Healy Insurance Agency to mail inquiries to the members so you can look for a card from them very soon. Look it over for your benefit.



## Action Bulletin 1

### DAY-SWING - MID WATCHES ROTATED EVERY SIX WEEKS

Part One of the Hidden Agenda of-----

THE COUNCIL OF CHIEFS  
C. Gain—K. Mullen—C. DeAmicas  
D. Taylor—M. Amoroso  
A. Bruneman

DAILY BULLETINS TO BE ISSUED  
BOARD OF DIRECTORS  
San Francisco Police Officers' Association

GENERAL MEMBERSHIP MEETING  
June 7th—7 P.M. **Hot Line**  
861-5062

## Action Bulletin 2

SUPERVISING CAPT. BRUNEMAN  
threatens TRANSFER! of Sergeants  
& Patrolmen of Southern Station  
unless they violate Ticket Quota  
prohibition of STATE LAW!

Part Two of the Hidden Agenda of-----

THE COUNCIL OF CHIEFS  
C. Gain—K. Mullen—C. DeAmicas  
D. Taylor—M. Amoroso  
A. Bruneman

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861-5062

These Bulletins were issued so our members could learn about the "Hidden Agenda" of the Council of Chiefs, the Police Commission and the several local organizations which are heard by the Administration.

## Action Bulletin 3

### STATION OFFICERS to supervise police officers.. STATION OFFICERS to be in charge of stations ...

Part 3 of the Hidden Agenda of-----

THE COUNCIL OF CHIEFS  
C. Gain—K. Mullen—C. DeAmicas  
D. Taylor—M. Amoroso  
A. Bruneman

DAILY BULLETINS TO BE ISSUED  
BOARD OF DIRECTORS  
San Francisco Police Officers' Association

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861-5062

## Action Bulletin 4

### CENTRALIZED BOOKINGS

1st step toward elimination of DISTRICT STATIONS. Wagons will operate out of the Hall of Justice. Wagons will be manned by CIVILIANS -endangering the lives of Policemen.

Part 4 of the Hidden Agenda of-----

THE COUNCIL OF CHIEFS  
C. Gain—K. Mullen—C. DeAmicas  
D. Taylor—M. Amoroso  
A. Bruneman

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GENERAL MEMBERSHIP MEETING  
June 7th—7 P.M. **Hot Line**  
861-5062

## Action Bulletin 5

### ASSOCIATION VICTORY IN COURT

Appellate Court strikes down Loyalty Oath Ordinance as unconstitutional.  
**SIGGINS-GAIN**  
Stopped from violating POLICE OFFICERS CIVIL RIGHTS

DAILY BULLETINS TO BE ISSUED  
BOARD OF DIRECTORS  
San Francisco Police Officers' Association

GENERAL MEMBERSHIP MEETING  
June 7th—7 P.M. **Hot Line**  
861-5062

## Action Bulletin 6

### MOSCONE WAR ON CRIME

- 1) Moscone cuts 130 Police from budget.  
**INSTEAD**
- 2) Hires federally funded campaign workers through Citizen Safety Project.
- 3) Headquarters of project at **GLIDE MEMORIAL** under **CHIEF GAIN'S** direction.

DAILY BULLETINS TO BE ISSUED  
BOARD OF DIRECTORS  
San Francisco Police Officers' Association

**Hot Line**  
861-5062

## Action Bulletin 7

### POLICY MAKING SFPD 1976-77

George Moscone  
Delancy Street  
Glide Memorial  
Peoples Temple  
White Panther Party  
Bar Association  
Coyote

Judith Ciani  
Richard Siggins  
Charles Gain

**SFPD**

DAILY BULLETINS TO BE ISSUED  
BOARD OF DIRECTORS  
San Francisco Police Officers' Association

**Hot Line**  
861-5062

## Action Bulletin 8

### Gain Denies

**1ST AMENDMENT  
RIGHTS OF  
POLICE OFFICERS**  
*after*

Glide Memorial  
and  
Peoples Temple  
complain about POA Action Bulletins

**Hot Line**  
861-5062

**FLAG DAY**  
Tues. June 14





# Vote YES on Prop "B"

## FOUR ELEMENTS: A detailed analysis

- \* **The Supervisors**
- \* **The Mayor, Sheriff, District Attorney**
- \* **Commissions, Boards, Agencies, Authorities**
- \* **CAO: Lifetime Tenure vs. Six-Year Tenure**

### THE SUPERVISORS

The voters on August 2nd will decide upon one of the three methods for electing supervisors in November.

(1) **District Elections.** Elections in each of 11 districts in the city, as stipulated in Proposition T which won last November. A majority vote is not required. All 11 board seats would be up for grabs in this complete ouster of the currently elected board. But a voter loses 10 votes under district elections since he or she vote for only one supervisor rather than 11 under the other two methods.

(2) **At-Large Citywide Elections.** Citywide election of candidates who are not required to live in or represent any specific neighborhood. This is the current system which Proposition T replaced and which repealers want restored. No majority vote is required; in fact, it is impossible under this system. If this method prevails, voters in November would elect five supervisors, that being the number of terms that expire this year. And the five winners would be the five highest vote getters.

(3) **Citywide Election of Supervisors by majority vote.** Citywide election of candidates from the 11 districts who must win their seats by a majority vote at either the regular election or in a runoff. This is the new supervisorial election proposal in Proposition B, the only method which requires majority vote. Under this proposal, all 11 seats on the board would be up for grabs.

### DISTRICT ELECTIONS

Two major problems exist with district elections under the rules of Proposition T.

The first is that with no majority vote requirement, a candidate getting only 30 per cent of the vote — perhaps even 20 per cent or less — could win a supervisor's seat.

Take a look, for example, at District 7, which encompasses the Tenderloin, Potrero Hill and Bayview-Hunters Point. Of the 67,071 persons living in the district, 20,688 are registered voters — the lowest voter registration of all the districts.

During the 1975 supervisorial election, 73 per cent of the city's registered voters went to the polls. If 73 per cent were to vote in a District 7 supervisorial election, a total of 15,102 people would cast ballots.

Could a candidate getting 4,530 votes — 30 per cent — or even 3,020 votes — 20 per cent — win an election in that district?

Obviously.

Six people have already filed their "intentions" to run for supervisor in District 7, although that doesn't mean they will necessarily run. But if six or more candidates do run for district supervisor, it is even possible that less than 3,000 votes could put someone in office.

In District 5 (the Haight and Noe-Eureka Valleys), with 40,013 registered voters, 15 people have filed

intentions to run for district supervisor. If they all run, for example, and if 73 per cent of the registered voters go to the polls — 29,209 potential votes — the winner could end up with less than 6,000 votes, or 20 per cent.

How possible is it for a winner to get only 3,000 votes, or 10 per cent? With 15 candidates, that is not a far-fetched possibility.

That raises the second major problem with district elections; a well-organized minority could dominate the elections.

The same people who organized the Proposition T movement in the last election organized the Community Congress movement which will lead the fight against Proposition A, the repeal of district elections.

That means that if district elections do prevail in the August 2nd vote, the most organized political force in the city will be the Community Congress movement.

And in district elections, if Community Congress leaders back a specific candidate, they back him or her with a tested machinery that wouldn't find it difficult to drum up support from 10, 20 or 30 per cent of the electorate in that district.

So the Community Congress movement is a potential kingmaker.

And looking at the Community Congress' "Program for Change in San Francisco," adopted in 1975, that potential kingmaker is a radical kingmaker. While some people may dispute the "radical" label, what else would you call government control of industries and public utilities but radical?

District Elections, thus, are laden with great potential abuse.

## ELECTORAL REFORM:

## Confronting the erosion of San Francisco

There has always been in San Francisco a political balance of power, despite the fact that San Francisco is predominantly a Democratic city. But since that balance of power is eroding rapidly, the people will soon be left without the freedom to make valid political choices unless the city's political system undergoes dramatic changes.

Supervisor John Barbagelata put his majority vote proposition (Proposition B) on the August ballot to restore this balance of power and end the political deception that the current imbalance fosters.

At stake is not whether San Francisco should be governed by a liberal or a conservative mayor, although Mayor Moscone is claiming that is the choice the electorate faces when it votes on the proposition in the August 2nd special election.

True, Proposition B would end Moscone's mayoral term at its two-year midpoint. But the voters' real choice is whether to make key changes in San Francisco's electoral system so that no matter what a mayor's political orientation is, he or she does not give vested interests a chance to sew up the city.

Fighting for his political life, Moscone is attacking Proposition B as a vehicle for political revenge by the supervisor who lost a squeaker to Moscone in the mayoral race a year and a half ago.

But the reforms that the proposition proposes tell a different story, one that the mayor and his political allies would like to be left untold.

A brief look at the political picture during former Mayor Joseph Alioto's administration provides a necessary frame of reference for questioning the status of the city's political balance of power today.

When Alioto took power in 1968, the Democratic party had firm control of the city's political machinery. But despite this Democratic party control, the Democrats were not monolithic.

On the one hand were the Democrats aligned with Congressman Phillip Burton, a line-up that included then State Senator George Moscone and Assemblyman Willie Brown. On the other hand were the Democrats aligned with Alioto, who didn't concede anything to the Burton faction.

In fact, the mayor at one point made an unusual declaration of independence and political power by getting his Latino appointment to the Board of Supervisors, Robert Gonzales, to oppose Burton in a Democratic primary fight for his solidly entrenched seat.

No one, of course, had expected Gonzales to succeed. His challenge even appeared to be an absurd one, but by setting up that challenge Alioto put Democrats on notice to respect a political balance of power many had trouble recognizing.

For example, in the black community Willie Brown was often at odds with Alioto. But finding himself beaten time and again by the mayor, who exerted his force in the black community through political patronage, Assemblyman Brown and his followers had to give way to Alioto, though reluctantly.

When in 1974 Congressman William Mailliard accepted a Nixon ambassadorial post to the Organization of American States and Congressman Burton's brother John won that congressional seat for the Democrats, the power of the Burton in the city increased tremendously, but not to the point where they could control San Francisco's city hall with Alioto at the helm.

In fact, that double Democratic voice in San Francisco, a liberal and a moderate one, stood out conspicuously in the 1974 campaign for the Democratic gubernatorial nomination when Alioto ran unsuccessfully in the primary against Governor Brown and Assemblyman Bob Moretti, the Assembly Speaker supported for governor by Assemblyman Brown.

But when Mayor Moscone took office in 1975, only a single political voice prevailed. And the prospects for any challenging voice to rise up effectively are dimming. Such a political situation is unhealthy, and the current electoral system is designed to keep it unhealthy.

Here, briefly, is the way the political balance of power looks today:

\* Moscone appointed former Supervisor Roger Boas as Chief Administrative Officer, a lifetime appointment.

Herb Caen reported about the appointment: "The way Jerry Burns (Chronicle political reporter) figures it, the answer to the musical question, 'Why Roger Boas for Chief Administrative Officer?' is that the Burtons and Moscone owe him one after he stepped aside in '74 to let John Burton run against (and beat) Tom Caylor."

Proposition B would limit the CAO to a six-year term rather than a life-time tenure.

\* Supervisor Robert Mendelsohn nominated by President Carter to be undersecretary in the Interior Department.

Both Senator Alan Cranston and Congressman Phillip Burton pushed for the Mendelsohn Interior

nomination. Burton's position is very clear: (1) With Mendelsohn going to Washington, Moscone would have his first appointment to the Board of Supervisors, and (2) Mendelsohn was the only one of the 11 member Board of Supervisors who endorsed district elections for supervisor last November, a measure strongly pushed by the Burtons and Brown as a means of controlling all of city hall. \* Although Moscone didn't publicly endorse Proposition T, the district elections measure, last November, he nonetheless supported it and his administration worked for it. Since its passage, the people behind district elections have found a comfortable home in Moscone's city hall.

No surprise, of course, with the Burtons and Brown behind the scenes.

But the disturbing points:

\* With district elections, a candidate getting as little as 20 or 30 per cent of the vote could win a seat on the Board of Supervisors, making it possible for a strongly organized minority to control the legislative branch of city government.

\* With the Community Congress setting up the "right" platform for district candidates, new vested interest is aiming to assume power in the city, with the approval of Moscone, the Burtons and Brown.

That vested interest is radicalism, with such ideas as rent control, unionization of prisoners and the creation of publicly-owned industries financed by government among the key points in the Congress' program for change in San Francisco.

With the repeal of district elections, Proposition A, also on the August ballot, an overriding issue appears to be one between the new system and the old system of electing supervisors.

But what is being overlooked by repealers is that the old system they want restored has drawbacks which make it as unpalatable as the district elections. Thus the reason for including in Proposition B a new approach: citywide elections for district candidates who must win a seat on the Board of Supervisors by majority vote.

Despite all these points, a cloud hovers over Proposition B.

The whole question of a majority vote in the proposition — a reform for the election of the sheriff, the district attorney and the supervisors — has gotten no attention. The media focus has been on Moscone's claim that the proposition is really a recall initiative, with the mayor effectively using that claim to avoid discussing the merits of electoral reform in San



# and why you should

SAN FRANCISCO POLICEMAN Page 7 June 1977

## CITYWIDE ELECTION OF SUPERVISORS BY MAJORITY VOTE

This method of electing supervisors, proposed in Proposition B, overcomes the flaws in (1) district elections and in (2) citywide at-large election of supervisors.

\* Candidates under this method have to win a supervisor's seat by a majority vote, that is, 50 per cent of the vote plus one.

\* For the first time in a citywide election for supervisor, candidates would be facing specific candidates. In this case, from each of the 11 supervisorial districts. But the voters regain the right to vote for 11 supervisors rather than just one supervisor under district elections.

\* District candidates under this system would be forced to take strong stands on district issues and city issues. The candidates would have to confront each other on district issues to prove they are qualified to represent the district; at the same time, they would have to confront city issues because they are seeking electoral support from the city as a whole.

This, in fact, is the only supervisorial election method which would make the election a **true exercise in democracy**, for what prevails here are issues — and without any limitations on what is or what is not relevant.

\* Although a candidate would have to raise more money for a citywide election than for a district election, the money used in this citywide election of supervisors by majority vote would have to be used in large part to get through a candidate's views on issues as well as promote name recognition.

\* With all these factors at work, a small, well-organized political force faces a stiffer, though truer test of its political ideas and programs.

## THE MAYOR, SHERIFF AND DISTRICT ATTORNEY

The most controversial part of Proposition B calls for cutting in half the four year terms of the mayor, sheriff and district attorney.

While Mayor Moscone has called the proposition a "recall" measure, the proposition is really a charter reform that would require the sheriff, district attorney, city attorney and treasurer to be elected by a majority vote instead of a plurality.

Why then was the mayor, who is the only city official who has to win office now by majority vote, included in the proposition?

Since Moscone supported Proposition T, which passed last November, and the mayor's aides and allies worked for the district election measure which cuts in half the terms of six supervisors, Supervisor Barbagelata decided it was only fair for the mayor to be in the same position as the six supervisors he helped oust from office.

Along with the sheriff and district attorney, they were all elected in November 1975, to four-year terms. Both Sheriff Richard Hongisto and District Attorney Joseph Freitas, Jr., won without a majority vote.

If Proposition T survives the repeal, all 11 supervisorial seats will be up for election under the district electoral system. With the offices of city attorney and treasurer also to be filled in the November vote, it seemed logical to make it an election of the 16 top city officials rather than just 13.

(Only two other city officials in San Francisco are elected—the Public Defender and the Assessor. They weren't put under the majority vote rule because they are offices chiefly run by state and court guidelines. Both offices will be on the November, 1978, ballot.)

If Proposition B wins on August 2nd, the 11 supervisorial seats to be filled will be part of a completely new system involving city-wide election of district supervisors by **majority** vote rather than district elections or citywide at-large election of supervisors (the old system).

Moscone's claim that interrupting his term of office as well as the sheriff's and district attorney's is unfair and disruptive suffers from the fact that he and his administration were instrumental in ousting the entire Board of Supervisors through Proposition T.

Records show that Donald Bradley, Moscone's campaign manager during the mayoral race and his campaign manager now in this special election, lent \$1,500 to the Proposition T campaign.

*Examiner* city hall reporter Russ Cone wrote the day after the November, 1976, election:

"Moscone did not campaign for Prop T, but he noted he has favored such a plan over the years. His closest political allies campaigned for it.

"Moscone's executive deputy, Bernard Teitelbaum, and his sewer project coordinator, Richard Sklar, worked election day at get-out-the-vote headquarters."

Furthermore, political allies such as Assemblyman Willie Brown and the Congressmen brothers, John and Phillip Burton, pushed hard for district elections.

It is thus strange then to hear Mayor Moscone warn the Commonwealth Club on May 18:

"Do not allow San Francisco to become known as a city in which the legitimately elected leadership is forever on guard against sudden special elections and mid-term efforts to topple lawful officials."

The key reform in Proposition B is majority vote for all top city officials.

Under Proposition T or under the old system T replaces, the election of supervisors does not call for a majority vote. Proposition B does. (Continued on Pg. 8)

## co's political balance of power

San Francisco Smart politics!

But once the merits of reform are discussed, the question of a balance of power, which has to be raised, leads to the question of resulting political deception — questions that deal not with the mayor's standing as a liberal (that is, his ideas) but with the political ways of running city hall.

**The Moscone administration, of course, will deny that the mayor's political affiliation with the Burtons stifles effective political dissent in San Francisco.**

But look at dissent in this way: How do you dissent when you don't know what's really happening?

A case in point is the **Community Congress**, the vehicle behind the district elections.

Ed Slevin, who managed the campaign for the winning city council slate in the recent Berkeley election, has been named manager of the Proposition B campaign, announced Supervisor John Barbagelata.

Joel Tlumak, former Examiner reporter, will be press director for the campaign.

Slevin, whose political management firm is in the Jack Tar Hotel, has managed 24 political campaigns in the Bay Area. Twenty-one have been winners.

Last year Slevin ran State Sen. Milton Marks' successful re-election campaign against Supervisor Robert Mendelsohn.

Headquarters for the Proposition B campaign are located at 276 Claremont St., at Claremont and Ulloa, a block from the West Portal streetcar tunnel.

When an estimated 200 people showed up for the citywide Community Congress meeting May 5th at Lone Mountain College, moderator Jack Webb warned the delegates to put their ideologies aside when they campaign in the neighborhoods against the repeal of district elections and against the majority vote proposition.

Why did Webb have to make such a warning?

A look at the program for change in San Francisco that the Congress adopted in 1975 tells why.

"In order to develop an economy based on full productive employment, we must establish three types of public production, with the residents of San Francisco," states Point Five of Section Three of the "Program for Change in San Francisco."

Noting that "public ownership can take three forms," it proposes:

\* "Citywide projects operating under grants from Federal, State and Municipal governments to purchase, rent or construct plants, machinery and raw materials;

\* "Community corporations based in neighborhoods and more oriented toward more localized needs and resources, **to be funded from the same sources.**

So it wouldn't be strange if anyone was puzzled that the leaders of the district election movement are getting ready to fight (and deny) the charge that their movement is radical.

As Webb made it clear, district election campaigners won't win supporters against the repeal or against the majority vote proposition by revealing their radical leanings. So you can bet that the campaigners won't talk about "public ownership" of industries to most residents of San Francisco.

Another question they obviously won't raise in many neighborhoods is rent control, especially after the sound defeat of the rent control initiative in Berkeley in April. Here, however, is what the Community Congress' "Program for Change in San Francisco" says about rent control:

"The city must adopt a rent control ordinance, which provides for rent rollbacks to levels which are just and affordable, which places a reasonable limit on rent increases, and which prohibits arbitrary evictions."

Another subject that won't be aired completely by the Community Congress campaigners concerns jails and prisons. Its program for change says this, for example:

"The right of prisoners to organize, to collectively bargain with the prison administration, to support convict initiated change, to seek redress for grievances, and to regain their civil and human rights as outlined by the Prisoners Union; the right to a prevailing wage and an end to economic exploitation must be recognized."

But what must also be recognized is the prevailing direction of the Congress' ideas for change in San Francisco. Another good bet is that its campaigners, if they talk about jails and prisons at all, won't touch on the question of unionizing prisoners for fear of alienating voters.

Few people in fact, really know what the Community Congress' program for change actually proposes. For that matter, few people know anything about the Community Congress itself.

Formed in 1975, the Community Congress is the basic organizing vehicle for district elections and a valuable campaign resource for district candidates who

echo the Congress' program for change. If there are district elections in November, that is, if both Propositions A and B lose, the Community Congress with its power base in the neighborhoods will play a key roll in each district.

But how representative is the Community Congress, either the citywide Congress (its 1977 issues convention has been postponed until after the summer special election) or the district Congresses?

At the cityside Community Congress meeting May 5th at Lone Mountain College, called to plan the fight against Propositions A and B, of the estimated 200 delegates, there were only three blacks and a few orientals. Nearly everyone was young and white, with only five per cent middle-aged or older.

How representative is that of San Francisco's neighborhoods?

In fact, how representative of the moderate to liberal feelings of most San Franciscans are such ideas as rent control, public ownership of industries and unionization of prisoners?

In other words, the case of the Community Congress is a perfect example of political deception in San Francisco — and deception resulting from the erosion of the city's traditional political balance of power.

"Up to now, San Francisco has been, for the most part, a city of moderates," says Supervisor Barbagelata. "The philosophy of its elected officials — liberal or conservative — has been closer to the middle rather than extreme left or right. The healthy friction between the legislative and executive branches has provided for 'checks and balances.' The city has managed to survive its administrators."

At least until now.

**The Moscone administration has created a favorable climate for radicals in fragmented groups to form a coalition throughout the city — a coalition of which the Community Congress, with its program for change, is its visible expression. But what is invisible are the radical elements of that program.**

As we said earlier, the people behind district elections have found a comfortable home in Moscone's city hall.

Planning Commissioner Susan Bierman, for example, is the neighborhood contact person for the District 11 Community Congress. An appointee of Moscone's, Commissioner Bierman was one of the main speakers at the citywide Community Congress meeting May 5th at Lone Mountain College.

(Continued on Pg. 8)



## COMMS, BOARDS, AGENCIES

There are 394 appointed officers on 38 city boards, commissions, agencies and authorities in San Francisco.

Proposition B cites 12 boards, commissions and agencies whose members' terms would end on January 8, 1978, the day a new mayor would assume office if the proposition passes.

Therefore, this measure is not a "recall everyone" initiative as Moscone claims or as the media has pictured Proposition B.

"He (Barbagelata) doesn't like the color of my commissioners, the sexual determination of my commissioners or the economic stances of my commissioners," Moscone said before the San Francisco Young Democrats.

"He would return control to the white, middle-aged executives who have run this city far too long"

What a misreading of Proposition B!

Actually, Proposition B is no different than the current charter when it deals with six of the 12 board and commissions that the measure cites.

But Proposition B goes further: it would give him or whoever else is mayor the unusual power to appoint new members of the Airports Commission, the Public Utilities Commission, Port Commission and the Redevelopment Agency.

That would be only a one-time power, since the members of those commissions cannot be removed at will, at any time by the mayor. Then they would be appointed by the mayor, with confirmation by the supervisors.

Why give the next mayor this one-time power?

Barbagelata believes that Moscone should have had that power when he took office.

The reason the supervisor thinks a mayor should now be able to replace those four commissions complete, if he or she wants to, is that they control important developments in the city at this time:

\* The Airports Commission. It is spending hundreds of millions of dollars expanding the airport.

\* The Public Utilities Commission. It is undertaking crucial improvements in the Muni, which has been a mess.

\* The Port Commission. It is trying to turn the port around.

\* The Redevelopment Agency. It is, at last, about to undertake the longstalled crucial Yerba Buena project.

Not only is Proposition B not a "recall everyone" measure, but it is seeking reforms to positively promote the city in four key areas, no matter who becomes mayor. And furthermore, Proposition B calls for the important reform that women shall be appointed to each commission, board, agency and authority.

## CAO: LIFETIME TENURE VS. SIX-YEAR TENURE

When the city charter, more than 40 years ago, created the position of Chief Administrative Officer, with lifetime tenure, city reformers separated from the mayor and the Board of Supervisors city department that were fertile areas for corruption.

Such as the Public Works Department, the Health Department, the Finance Department and the Registrar of Voters.

The Chief Administrative Officer, under whom all those departments exist, was given lifetime tenure to make him politically independent—and thus not as susceptible to corruption—from elected politicians.

But a lifetime appointment?

Lifetime tenure means the CAO would not change with every new mayor. What happens if a CAO is not corrupt but incompetent or a bad administrator?

What can be done about that?

Nothing.

Removing a CAO is practically impossible. Charges have to be brought against him and a trial conducted by the Board of Supervisors, which confirms the CAO appointment.

A two-thirds vote of the supervisors would be required to remove a CAO.

What is the alternative to a life-time appointment that could hurt the city as well as help it?

Proposition B is the only responsible alternative.

A six-year term is long enough for a CAO to accomplish something. It is longer than a mayor's term of office, thus giving a CAO some degree of independence. And a CAO, under Proposition B, could be reappointed.

To have an untouchable city official, the second most powerful official in city government who has control over huge sums of money and important city services, would be unthinkable to most Americans. It should be unthinkable here too.

## AT-LARGE CITYWIDE ELECTIONS

The current method of electing supervisors, which Proposition A seeks to restore, is far from a flawless system. In fact, its flaws make this method as faulty or even more faulty than the district elections for supervisor.

In the past, candidates running for supervisor never ran against anyone specifically. In a field of, say, 20 supervisorial candidates, the five or six top votegetters won. Since there weren't a set number of candidates vying for a specific seat, campaigns hardly touched on issues. The huge sums of money raised by candidates were targeted chiefly for name recognition.

When voters went to the polls, they may have known generally, though often vaguely, what the major candidates stood for. But those major candidates, usually the incumbents, had positions that never underwent the scrutiny that a candidate's views undergo when he or she runs against someone for mayor or for an assembly, state senate or congressional seat.

As a result, the political process in San Francisco became stagnant. Incumbent usually won, and the issues of the day never got beyond political expediency. And since incumbents didn't represent any neighborhood or district, they didn't have a specific constituency watchdogging them. No wonder the electorate last November voted to change the system!

What prevails in this system are: a widely known name, such as Supervisor Ronald Pelosi had (he was a Planning Commissioner) when as a non-incumbent he won a seat on the board; the support of the mayor who appointed a supervisor, as in the case of Supervisor Robert Gonzales, and money from vested interests who realize they can buy a candidate whose only trump card in a supervisorial election is the means to get his or her name implanted in the voters' minds.

Supervisorial elections have never changed city hall. Under the old system, city hall underwent major changes only with a new mayor. Supervisorial elections were really only pro-forma elections. The entrenched status quo remained entrenched.

In fact, the really disturbing thing about the citywide election of at-large supervisors is that, in effect, not much of an election takes place.

And what makes the restoration of that system even more frightening today is the new politics in San Francisco.

Although money will still be an important factor if the city-wide-at-large election of supervisors returns, campaign spending limits have put a greater emphasis on strong political volunteer forces—in other words, campaign bodies.

One such political force developing in San Francisco is the Community Congress movement. Another is Delancey Street, the powerful rehabilitation center for ex-convicts and drug addicts.

## ELECTORIAL REFORM

continued

Key Community Congress leaders Nancy Walker, Sue Hestor, Douglas Engmann and Dean Anderson found themselves on either the Morrison Commission that recommended to Moscone appointments to various city commissions or on the Mayor's Yerba Buena Committee. And another Congress leader, Calvin Welch, was a paid consultant to the Mayor's Yerba Buena Committee.

Although "no one can label Mayor Moscone an extremist, he is a traditional liberal," notes Barbagelata, "the mayor nonetheless is beholden to the coalition, which wields tremendous power because it's able to deliver blocs of campaign workers and votes to a candidate."

In 1975, when the Congress leaders were organizing the Community Congress, they delivered those blocs of campaign workers and votes to Moscone in the mayoral race. And the mayor is counting on them to help him defeat Proposition B.

One argument the mayor is using against Proposition B is that since it is not a recall initiative (**strange how sometimes it is, sometimes it is not a recall**), it is unfair to interrupt an elected official's term of office with an electoral reform. Why not propose such reforms during the next mayoral election?

While Moscone claims that trying to cut short an elected official's term of office is an unprecedented move in San Francisco, he conveniently forgets the district election initiative which he supported last November did just that to the duly elected Board of Supervisors.

The additional claim that passage of Proposition B would make San Francisco government unstable, thus hurting the business and economic life of the city, was something Moscone didn't put forward last November when Proposition T was calling for the ouster of the present Board of Supervisors.

And that didn't make government unstable, in his opinion, did it?

This argument adheres to Moscone's campaign strategy of concentrating on emotional issues to take attention away from the proposed electoral reforms.

How can he argue, for example, that a sheriff, district attorney or supervisor in San Francisco shouldn't be elected by a majority vote?

Why is he afraid to defend the lifetime tenure of the Chief Administrative Officer?

Keeping his pitch strictly emotional, Moscone tries to picture Supervisor Barbagelata as a vindictive person by claiming Proposition B is not only trying to oust the mayor, sheriff and district attorney but disrupt city government by ousting all appointees to city boards and commissions—in short, a "recall everybody" measure.

But, in fact, Proposition B only affects six boards and commissions—Airports Commission, Public Utilities Commission, Recreation and Parks Commission, Port Commission, Parking Authority and the Redevelopment Agency—or only 34 commissioners out of 394 on various boards, agencies and commissions. It isn't going to be easy to separate fact from fiction in this campaign. But, hopefully, in the next three months the voters will see through the screen of fiction that the mayor is pulling over the city.

## RETIRED OFFICER

Glenn Baldwin joined the San Francisco Police Department in February 1955. After his training at the Police Academy, he was assigned to the Park Police Station where he worked for the next 13 years before he was retired on a service disability.

After his retirement he had to have three operations before he finally got some relief from his back injury. These three operations were spread out between 1968 and 1973.

During those early retirement years he studied

for and received his real estate license and eventually moved the family to South Lake Tahoe where he now sells realty for the Ed Phelps Realty Company. He is completely familiar with the whole



Glenn Baldwin

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## View From the Middle

*Herb Caen is one of the most influential writers in San Francisco. He is the purveyor of "3-dot" journalism and writes a feature column for the S. F. Chronicle on the social and political life of San Francisco, tinged with sarcasm and humor.*

*Reprinted from S.F. Chronicle, June 12, 1977*

NOW THAT the Dade County Follies are behind us, so to speak, we may look forward with trepidation to the next dyn-o-mite election, right here in Baghdad-by-the-Gay. That would be on August 2, when San Francisco's wildly assorted voters go to the polls to face the simple complexities of Propositions A and B, whose initials, you will note with gasps of surprise, anger or bliss, are those of Anita Bryant. There, however, the connection ends.

San Francisco is not Miami (all rise to shout "awrrrrright!") and the issues are not the same, although gay-connected to a degree. Proposition A is simple. Vote yes and Proposition T, which provides for Supervisors to be elected by district, is dead at birth, despite heavy voter approval last November.

Nobody asked me, but I'd like to see T given a chance. The arguments against it — "This is a small town. Supervisors should be elected at large. Prop. T would bring ward politics to San Francisco" — don't add up to much. This is a small town, yes, but infinitely varied, and too many segments have never had representation in City Hall. We've had "ward" politics for years — one ward — run by a powerful politico-economic coalition, pronounced "Downtown".

This is not to knock the Supes, present and past. They do a difficult job with little thanks, less pay and lots of abuse. Entre nous, I don't know why anybody would WANT to be Supe; even as a stepping stone, it's slippery. That we have so many first-rate hard workers in the job is a miracle. But don't be conned into thinking that Supervisors by district is some kind of new and/or "radical" approach to the political process.

In fact, so far as I can find out, San Francisco is the only county in California that DOESN'T elect Supes from the district they live in. It's old hat, but the way we have been operating is even older and apparently just fine with those interests who believe they "control" the Board. They don't like Prop. T for that obvious reason.

PROP. B as in Barbagelata is an entirely different — well — proposition. You can get rational people to talk rationally about Prop. A but when B comes up, they fall strangely silent, or become evasive. "I don't know, what do YOU think" is the usual response to a question about Barbagelata's radical proposal which, in effect, would recall a mess of people — Mayor, CAO, D.A., Sheriff, Supes, Commsrs. — and force them to run again in November. As Ex-Mayor George Christopher has put it, it is a vote of confidence, an old ploy in Britain but something new here.

The main reason people are hesitant about "discussing" Prop. B, I believe, is that they don't want to expose their innermost feelings about San Francisco Today, or their attitude toward gays and other minorities (if they are indeed minorities), or their instinctive responses to this city's world-renowned if not always justified let-it-all-hang-out style — from street "artists" to scruffy layabouts and onward to hookers, pimps, hoods and the dope scene.

Even the most uptight San Franciscan, in most cases, doesn't want to be known as one. It is part of the picture, partially media-induced, that this city is liberal, permissive, accepting and anti-redneck. As the tolerant argument goes, over a martini at the club, we were born in the turmoil of the Gold Rush, we have

seen the best (the Bonanza Kings) and the worst (the Barbary Coast) living side by side, we have survived disasters and we are, in fact, one big if difficult family — San Franciscans All!

THAT MIGHT HAVE washed once. Maybe. But even a cursory reading of history shows this city to be conservative at heart, dominated economically by reactionaries, and studded with such ugly chapters as "The Chinese Must Go!", vigilantism and hoodlums, the last word invented here. The nabobs tolerated, and in fact profited from, vice as long as it was kept out of sight, on the old "Coast" or in Tenderloin hotels and deadfalls. It was all right to be a "character" — i.e., Norton — as long as you played the Establishment game. Those who pushed too hard soon found themselves shanghaied aboard a hellship.

Today, the winds of change are blowing hard, and the chill can be felt in high places. That's why Prop. B is instructive, and thus valuable. We will learn a lot about San Francisco 1977. Barbagelata's brainstorm, whether induced by envy or sincerity, will give the ultras a chance to come out of the bushes. They can stand up and be counted in the anonymity of the voting booth — the lawnorder types, the gay-haters, the anti-blacks, those who blame all the ills of the city on the bleeding hearts.

It is classically, a liberal vs. conservative issue — with a few undertones. Much of Big Labor, offended by Moscone's limp attitude in the City strike will vote with Barbagelata, despite the latter's anti-labor record. The police will vote for it. Them As Has (and would like to keep it) will vote of it. When I first heard about Prop. B, I thought Barbo had made a mistake by including too many targets, but now I see his astuteness. If you don't like Moscone OR Hongisto OR a certain Supe, you will vote "Yes"; you are less likely to vote "No" just because you like Freitas. The turning point FOR Prop B may have been Hongisto's trip to Miami, with Moscone's backing.

I'D LIKE to think some more about Prop. B, and I may have to go elsewhere to get a perspective. Have a nice vacation. See you when I get back.

## AN ACCOMPLISHMENT OF THE IMPOSSIBLE

by Bob Barry, Chairman  
Legislative Committee

As you know, "Proposition B" has qualified for the ballot on August 1, 1977. In just six weeks, 31,000 signatures were collected, but that was just the beginning. Now comes the hard part of making sure that each and every voter in the city understands the importance of the success of "Proposition B".

We must now start formulating our ideas on the education process that is required to make "B" a winner. In this vein, the Legislative Committee of the Police Officers' Association is asking for volunteers to assist in the campaign work.

This campaign is a "grassroots" effort and each one of us have alot at stake. We must insure its passage. The present administration, i.e., the Mayor, Police Chief and the Commission have formulated procedures that will eliminate promotive positions to the rank of Sergeant and will ultimately lead to fewer Lieutenants and Captains.

For example, there's a proposal presently sitting up in Sacramento waiting to be funded that will establish 154 Para-Police Professionals (civilians) to be incorporated into the Police Department. They will fill the positions of Station Keeper, Patrol Wagon Driver's and "Report" cars. They will also receive training in the use of firearms. The cost for this program is approximately \$2.5 million.

There are many other issues involved such as unwarranted mass transfers, adoption of radical initiated proposals and much much more.

Therefore, it is imperative that our people "get involved" and NOW! It's not often that an issue of this importance arises, so for the benefit of all concerned "LET'S STAND UNITED" and fight for a decent city to live in and the suppression of radicals from taking over City Government.

What we need is a small amount of your free time to hang signs, answer telephones, the use of your pick-up trucks and the distribution of literature.

If you are able to make a contribution of your time, however slight, please contact your station representative and commit yourself or call our special "ELECTION LINE" and leave your name and number. Family and friends are welcome.

I am making a special plea for help from the wives and husbands of police officers. It is imperative that a massive phone campaign be started. I request that any police officer's spouse who has time to spend, either at home or at campaign headquarters, contact us immediately at 626-5999.

Thank you in advance for your support in this vital campaign.

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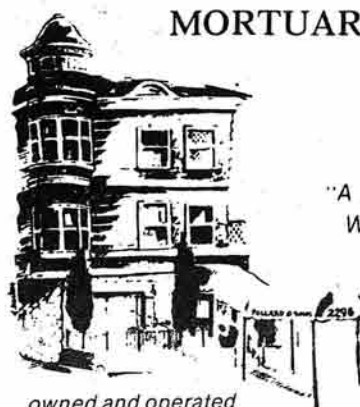
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SPORTS

POLICE OLYMPIC BOWLING

The qualifying rounds for this year's Police Olympic Bowling Teams were completed May 28th. Without a doubt this year's competition was the most difficult of any held in past memory. It took a 174 average to qualify for the 15th spot. Twenty-four games were bowled during this competition.

High Series for 6 games:		High Game:	
Bill Thiffault	1207	Lou Ligouri	248
Gary Bertucci	1194	Gary Bertucci	244
Ken Waite	1192	Ed Castiglioni	243

The bowlers representing the S.F.P.D. at Santa Ana this year are as follows: To find their average divide their total pinnage by 24 games.

1st Team		2nd Team	
Ken Waite	4593	Les Adams	4392
Gary Bertucci	4550	Vernon Ware	4363
Mike Farrell	4469	Bill Thiffault	4349
Rich Weidinger	4463	Wally Jackson	4337
Sam Moore	4403	Bill Wilson	4288
Third Team		1st Alternate	
Vic Bertucelli	4260		
Frank Petuya	4246	Dolores Casazza	4115
Ed Castiglioni	4187		
Roger Farrell	4187		
Lou Ligouri	4178		

GOLF CLUB NEWS

On Wednesday, May 25, 1977, seventy-nine members and twelve guests played golf at Half Moon Bay Golf Links.

We were all impressed by what a nice course this is, even those such as myself who didn't play very well. The weather was a little windy but not nearly as bad as it sometimes gets.

Tom Gordon had the days low round a 76, and it was reported that he even had two balls out of bounds. Even Lammers had 77 as did Leo Martinez a guest from the S. F. Fire Department.

Low net winners were Gary Bertucci with a 94 minus 28 net 66. Second was Pete Alarcon with an 82 minus 13 net 69.

Flight winners were: first, Even Lammers; second, Dick Klapp; third, Frank Watson; and fourth, Rene Aufort.

As far as the hole-in-one competition, I must apologize for picking such a difficult hole. The winner was another guest, Joe DiMaggio who was 34'5" from the hole which is probably the furthest

winning distance since the club began. The second place went to Vic Rykoff at 42'7" and third place went to Lee Clark at 48'6". Lee, I think, was trying to prove something to me because of the rotten comment I made in last month's column about skulling his winning shot. Sorry Lee.

In the combined guest flight (for both members who haven't as yet received a handicap and non-members) the winners were: first, Leo Martinez; second, Mike O'Connell; third, Pete Buckley; fourth, George Zletnich; and fifth, John Gordon.

The club's membership reached an all time high (four years) of one-hundred and thirty members. Any S. F. Policeman either active or retired is eligible. If interested, call either me as below or Lt. Vic Macia at 553-1553.

Jerry Cassidy, Secretary  
S. F. Police Golf Club  
Co K E&I  
Solo M/C Rm 150  
Hall of Justice (553-1336)  
or  
237 San Marin Dr.  
Novato (897-0226)

FIRST INVITATIONAL TOURNAMENT SUCCESS

by Jim Diegnan

The first S.F.P.A.L. Invitational Basketball Tournament was a success. The tournament was held at Kezar Pavillion and hosted eight teams from Northern and Southern California. There were three fire teams — Oakland Fire, S. F. Fire 1 and 2 and five police teams — S.F.P.D., S.F.I.A.P.D., Berkeley, Long Beach and L.A.P.D.

The San Francisco Fire Department #1 Team played outstanding basketball, winning the tournament by beating their opponents handily. They placed several players on the All Tournament Team.

The S.F.P.D. played well enough to finish second and also placed several players on the All Tournament Team. They were engaged in a very exciting semi-final game against our Los Angeles counterparts, winning 104 - 90. Gerald Calgaro played an outstanding game, scoring 29 points.

The L.A.P.D., after losing in the semi-final game, came back to capture third place by beating the 1976 California Police Olympic Champions - Berkeley P.D.

A special thanks to the San Francisco P.O.A. for their kind donation to assist us with our hospitality room. Also a "Special Thanks" to all the people that pitched in and gave a hand. Our bartenders - Dan Gardner, Bob Foley, George Freothy (proud proprietor of the Shamrock Bar located across from the hall). Al Casciato who assisted with our hospitality room. Bob Pots score keeper, Joe Curtin, John O'Connell, Bob Barnes, Willy Purkin who all kept score and worked the clock while also helping judge the All Tournament Team.

M.V.P.	STANDINGS
Gary Bradford S.F.F.D.#1	1st S.F.F.D.#1
SINGLE GAME HIGH	2nd S.F.P.D.
Rich Agard S.F.I.A.P.	3rd L.A.P.D.
- 44 points	CONSOLATION
TOURNEY HIGH	L.B.P.D.
Jim Johnson - L.B.P.D.	
ALL TOURNEY	
Tom Kuhn - S.F.F.D.#1	
Steve Flaherty S.F.F.D.#1	
Jeff Barker - S.F.P.D.	
John Kemp - S.F.P.D.	
Gerry Calgaro - S.F.P.D.	
Jerry Stokes - L.A.P.D.	
Sterling Gordon L.A.P.D.	
Jim Johnson - L.B.P.D.	
Charles Blackwell - Berkeley P.D.	
Rich Agard - S.F.I.A.P.	

S.F.P.D. DEFEATS GAYS

by Al Casciato

In a fund raiser for the Special Olympics, the San Francisco Police Athletics Club Basketball team made a dramatic come from behind effort to defeat the Gay Community All Stars, 100 to 85.

A crowd of approximately 1,200 people watched the event as Jeff Barker, Co. F led the police department from a 15 point deficit in the third quarter to a 15 point victory margin at the end.

Gerry Calgaro and Ed Rodriguez with 19 and 18 points respectively, assisted Barker's 21 (game high) in a fine team effort over a Gay team which was loaded with former college ballplayers, including a 7'1" former USF star.

Approximately \$6,500 was raised for the Mentally Retarded Children who participate in the Special Olympics. They were the true winners in this event.

In a free throw contest between the players of both teams, Ed Rodriguez of Co. A won the Swish Award in a sudden death playoff. Greg Cloney of Co. A served as the police master of ceremonies and delivered his usual amount of zingers to everyone present. need I say more.

SOFTBALL LEAGUE FINAL STANDINGS

by Dave Maron

	W	L	GB
* Inspectors	10	2	0
* Ingleside	10	2	0
* Airport	9	3	1
* Park	9	3	1
* Southeast	9	3	1
* Central #1	8	4	2
C.S.T.F.	6	6	4
Southern	5	7	5
Richmond	5	7	5
Mission	4	8	6
Central #2	2	10	8
Taraval	1	11	9
SCU	0	12	10

\* Clinch playoff spots

PLAYOFF REVIEW

Inspectors Bureau — The surprise team of the year. Led by veterans Frank Falzon, Gary Lemos, Bob Huegle and helped along by newcomers Brad Nicholson and Tom Bruton this winning combination led to a first place finish. Mike O'Brien gives them the long ball threat.

Ingleside — Something strange happened to Ingleside on the way to the playoffs this year, they lost a couple of ball games. The result has produced a hungry ball team. The hitting is there led by Dave Maron, Kevin Hicks, and Bob VanDis. Bob Crosat is playing a fine third base with Charlie Mahoney and Jack Minkel turning in key double plays. Dan Ferretti leads a fine group of outfielders.

Airport Police — An impressive team at bat and on the field. Andy Fracchia, Pat Wetteman and Mike Fauss to name a few, will lead this team into playoff competition. They lost to Park Station in last year's championship game and will be out to even the score.

Park — With an infield anchored by Tom O'Connell, Jeff Parker and Mark Porto, coupled with the pitching of Roger Farrell, last year's champion will be tough to beat. Outfielders Bob Barnes and Joe Curtin not only field but are clutch hitters. The off field hitting of Barker and Porto should give other team outfielders trouble.

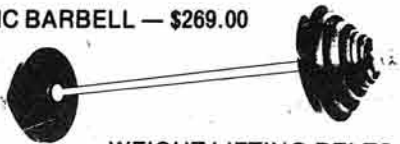
Southeast — For too many years Layne Amiot and Frank Walker have hoped for the right combination of players to put them over the top. This year looks like they got their wish. Dave Herman, Al McCann, Mike Keyes, John Payne and others have made Southeast a top playoff contender. The unfortunate loss of Dave Herman for the playoffs will be felt.

Central #1 — The key to this team's success seems to be the pitching of Nick Eterovich and the clutch hitting of Walt Scott, Ed Rodriguez and Joe Allegro. Despite the loss of key players through preseason transfers, their winning record indicates they are for real.

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# POLITICAL PRESSURE TO FREE CONS?

by Bob Barry

On June 2, 1977, a special meeting of the Police Liaison Committee to the Human Rights Commission convened with only one item on the agenda: A request of the White Panther's, through Starr Posner and Ronald Landberg, to have the HRC endorse the Panthers' "Political campaign" to secure the release of their "comrades in arms", Tom Stevens and Terry Phillips.

Stevens and Phillips were the two White Panthers that were convicted of assault with a deadly weapon on Police Officers Jerry DeFilippo and Frank Harrington, both of whom were assigned to Park Station at the time of the assault.

The Police Liaison Committee heard testimony of the proposed endorsement for release and after much discussion, they voted 3 - 2 in favor of the CONS and forwarded that recommendation to the HRC for their consideration. But the local papers failed to print the make-up of the committee and the way each individual voted. Present at the hearing were John Morrissey, Chairman of the HRC, John Oppenheim, Public Defenders Office, Ken Babb, Director of the OR Project, Ken Wheeler, Police Community Relations and Michael Seybold, Asst. Legal Officer, Seybold and

Wheeler both voted against the endorsement, while the remaining three took the position of the White Panther Party, that the CONS should be released from jail.

**WAS THERE POLITICAL PRESSURE TO SECURE THIS ENDORSEMENT?** Although I don't have any direct knowledge that pressure had been placed on any one individual or group(s), it certainly is consistent with past practices. After Phillips and Stevens were convicted, the HRC, by resolution, forwarded a request to the Police Commission for a hearing and an investigation to determine the facts of the case. The commission ultimately denied that request on the grounds that the case had been investigated, that the defendants had been convicted of the charge(s) and that the commission was satisfied with the results. So the Panther's went back to the HRC for more help and thus, the Police Liaison special agenda item.

During the course of events that followed the conviction through, the White Panthers apparently had communication with the Mayor and on January 14, 1977, the Mayor sent Mr. Howard Way, Chairman of the California Adult Authority a three-page letter of support for Stevens and Phillips. Department of Corrections numbers B-65678 and B-65731 rep-

sectfully. In the Mayor's letter (which was printed in the Policeman) he stated "I am convinced that the law and society have been served through the lessons that have been learned by each of the defendants over the course of the past 20 months." He went on to say "I would give greater weight to the individual who, while admitting legal guilt, sincerely professes that the circumstances in which the crime was committed appeared to justify the action subsequently adjudged criminal."

Why all this pressure coming from the Human Rights Commission and above all, the Mayor of San Francisco? Does the plight of Stevens and Phillips fall into the guidelines established for the Human Rights Commission as outlined in the Administrative Code? I think not. And did the Mayor take it upon himself to write such a letter or did he look upon it politically, in that the White Panther Party and other such groups make up a substantial voting block that is so vital to his very existence?

## HOOD - LUBEY REINSTATED

cont'd

The petitioners were "members of the . . . police department" charged with misconduct and other offenses, even though they were not yet "tenured" members of the Department.

Respondents urge that under section 8.340 of the Charter of the City and County of San Francisco, petitioners being probationary employees, Chief Gain had the absolute authority to terminate respondents without any cause being shown and without a hearing.

Petitioners assert that under section 8.343 of said charter "members" of the police department "shall not be subject to dismissal . . . for any breach of misconduct, except for cause, nor until after a fair and impartial trial before the Commissioners . . ." That said section 8.343 does not limit "members" by any qualification such as probationary or tenured "members".

Petitioners have shown that since April 17, 1974, the Police Department has been operating under a "Memorandum of Understanding" collective bargaining agreement under the terms of which petitioners, as "sworn members" of the Department, and as members of Police Officers Association, they are and were entitled to a full and complete hearing before the Police Commission before they can be terminated as in said Memorandum of Understanding provided and as provided in "General Order No. 9" adopted by said Department.

LET A WRIT OF MANDATE ISSUE HEREIN directing that petitioners be reinstated to their respective positions; that they be restored to all rights and benefits to which they would have been entitled but for the order of respondent, Chief Gain, dated July 8, 1976;

IT IS FURTHER ORDERED that this cause be remanded to respondents to take such action, if any, as is consistent with section 8.343 of the Charter of the City and County of San Francisco and the Memorandum of Understanding between the said Police Department and Police Officers Association adopted by said Department and all provisions thereof which are consistent with said Charter section 8.343.

Counsel for petitioners is directed to prepare a decree consistent with this Intended Decision.

s/ Byron Arnold  
Judge of the Superior Court



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