

# 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

Member of COPS - California Organization of Police & Sheriffs

Member of ICPA - International Conference of Police Associations

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204

## S. F. APPROVES DEAL ON POLICE BIAS

### \$2.5 Million Settlement "Back Pay and Quotas" COMMISSIONER SALOMON'S

Reprinted S.F. Chronicle by Jerry Roberts

The Board of Supervisors, in a closed door caucus, voted 6 to 5 last night (April 10, 1978) to approve a \$2.5 million negotiated settlement to end a five-year-old lawsuit charging racial and sex discrimination in the San Francisco Police Department.

The settlement provides a quota system for hiring and promotion within the department for the next ten years and the payment of \$385,000 in attorneys' fees to the public interest lawyers who filed the lawsuit.

The supervisors' action last night — coupled with prior approvals of the agreement by the Police and Civil Service Commissions — paves the way for a final settlement of the discrimination suit filed by the black Officers for Justice organization and a number of other plaintiffs in April, 1973.

The suit charged that the city's police department was more racially biased than departments in Mississippi, with less than ten per cent of the officers members of minority groups.

The plaintiffs were joined in the suit by the U.S. Department of Justice in December, 1977.

A hearing in the suit is scheduled for 10 a.m. today (April 11, 1978). At that time, it is expected a representative of the city attorney's office will present U.S. District Judge Robert F. Peckham with the proposed settlement consent decree.

Peckham has the power to accept, reject or alter the decree, the legal sources said.

Details of proposed settlement were not made public. A copy of the settlement obtained by The Chronicle shows, however, that \$1,397 million of the total \$2.535 million is to be used for "back pay distribution" to blacks, Asians, Latins or women who file claims saying they were denied employment or promotion because of racial or sex discrimination.

After the attorneys' fees are paid, the remaining \$728,000 is to be divided among the plaintiffs in the lawsuit as follows:

- \$620,000 will be divided among 36 present and former police officers named as plaintiffs in the suit for "back pay distribution."
- Each of the 36 named plaintiffs will receive a \$1000 "bonus" for participating in the suit.
- The Officers for Justice organization will receive \$25,000 as a group.
- The named plaintiffs will divide the remaining \$72,000 for "compensatory damages" for any acts of discrimination or hardships they encountered specifically because of their participation in the suit.

The money is to be administered by a special master to be appointed by the court.

The consent decree also would create a system of "goals and timetables" for hiring and promotion of minorities and women that would be binding on the city for the next ten years.

The long-term goal is to raise the percentage of women and minorities on the force to 45 percent each. Police officials said yesterday (April 10, 1978) that of the current force of 1662 officers, 206 — or about 12 percent — are minority men, while 65 — or about four percent — are women.

The quotas that would be established by the consent decree are as follows:

- The city shall appoint 30 additional women plus all of the minorities — approximately 250 — on the current eligibility list for entry level police officer between now and May, 1979, when the list expires. (Continued Back Page)

## POSITION RE SETTLEMENT

Darrell J. Salomon  
Civil Service Commission

Honorable Dianne Feinstein,  
President  
Members of the Board of Supervisors  
City Hall  
San Francisco, California 94102

Dear Members of the Board of Supervisors:

As you know, the Civil Service Commission acted against the recommendation of the General Manager, Personnel, last Friday and, on a divided vote, approved the then incomplete draft of the proposed consent decree in the Officers For Justice lawsuit. The votes for the decree were cast by Commissioners Sing, Powell and Tarrantino. The votes against the decree were cast by Commissioners Alioto and Salomon.

I am writing to offer my own contribution to your understanding on this important matter.

**THERE IS NO SETTLEMENT**

**ATTORNEYS FOR THE ASSOCIATION APPEARED IN FEDERAL COURT ON TUESDAY, APRIL 11, 1978. THERE IS NO SETTLEMENT. THE ASSOCIATION HAS PREVAILED AND THERE WILL BE A TRIAL COMMENCING ON TUESDAY, APRIL 18, 1978 AT 1000 HOURS.**

The proposed consent decree institutes race quotas and timetables in the nature of quotas at all levels up to Assistant Inspector in the San Francisco Police Department for the next ten (10) years, with the goal that approximately sixty-five percent (65%) of the police force be composed of minorities and women. (See Appendix A.)

The initial draft of the decree calls for much more. It provided, among other things, that within ten (10) years, ninety percent (90%) of the police force would be composed of minorities and women. It provided that all temporary appointments would be given to minority persons. It further provided that the court would have continuing jurisdiction to intervene at any time whenever a single minority person or woman is hired, promoted, or assigned. And, it provided that interim goals, such as the sergeant rank be composed of thirty percent (30%) minorities by 1981, be met regardless of the availability of funds to make such appointments.

These provisions and many others were objected to by the Civil Service Commission, and they were substantially corrected by the City Attorney's office.

We also pointed out that no EEOC opinion letter had been obtained by the City to insulate against expected back pay awards to white officers claiming reverse discrimination. The City Attorney agreed to request such a letter. He declined, however, to condition his settlement upon the issuance of such a letter by the government.

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# WIDOWS & ORPHANS

The March meeting was called to order by Pres. **Andrew Quaglia**. Wednesday March 15, 1978 at 2:15 p.m. in the Traffic Bureau Assembly Room, Hall of Justice.

Treasurer **Barney Becker** reported the following deaths:

**JOSEPH ALBRECHT** — Born in 1911. Joe was 24 years old when he joined the Department in 1935. He was assigned to Treasure Island during both fairs and in 1940 was assigned to Co. K. In 1942 he went on military leave until 1945. When he rejoined the Department, Joe served at Co. K. fixed post detail until 1955 when he was appointed a Sergeant and transferred to Co. C. From 1956 until his retirement on disability Joe was at Ingleside Station. He received a Captain's Commendation in 1962 for arrest of an armed prowler. Joe was 66 at the time of his death.

**STEPHEN DESMOND** — Born in 1897, Steve entered the Department in 1924 at age 27. He worked various district stations until 1951 when he was assigned to Ingleside Station where he worked until 1962 when he retired on a disability. Steve received a 1st Grade Meritorius for the shooting and arrest of an armed robber in 1932 and a Captain's Commendation in 1944 for capture of an armed burglar. He was 80 years old at the time of his death.

**FREDERICK JESCHKE** — Born in 1889, Fred was 35 years old when he joined the Department in 1925. He worked various stations, being well known in the Hayes Valley area. He was assigned to the Police Range in 1947 and remained there until his retirement for service in 1951. Fred was 88 years old at the time of his death.

**JOSEPH KLOBUCAR** — Born in 1897, Joe was 27 when he joined the Department in 1925. He worked various district stations particularly the old Western Addition. He was assigned to Taraval Station in 1946 and remained there until he retired in 1959 on disability. Joe was 80 at the time of his death.

**OTTO KRUGER** — Born in 1906, Otto was 30 when he joined the Department in 1936. In 1950 he was appointed a Sergeant and assigned to Park Station where he worked for the next five years. After this he worked at Southern, Central and Northern until his service retirement in 1962. Otto was living in Oregon at the time of his death at age 73.

The Secretary reported the following donations:

**Olga Butler** — For the continuing fine work from members of Richmond Station. **Anthony Triguero** — In memory of the Mother of **John Lazarich**. **Howard Richards** — For efforts of Officer **William Wright**, Southern Station in opening his automobile. **Vera Orlando** — In appreciation of the Association's support at the time of her husband's death. **Mrs. Ida Edwards**, **Mr. & Mrs. John Connelly**, **Mrs. Florence McNamara**, **Joseph Raboli** — All in memory of Officer **Robert Hooper**, killed in the line of duty.

Under Unfinished Business, the President will contact the Police Academy for a speaking date to acquaint the new recruits as to this Association.

Under Good of the Order, the President noted that this year will be the 100th anniversary of the Widows and Orphans Aid Association. He appointed all Trustees to see if some special celebration could be arranged for this occasion.

The meeting was adjourned at 3:00 p.m. in memory of our above departed Brothers.

Fraternally,  
Bob McKee, Secretary

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## SAN FRANCISCO

# Fellowship of Christian Peace Officers

by Art Gerrans

March 21, 1978 Meeting

Our meeting started at 7:30 p.m. and San Francisco Deputy Sheriff Wayne Lewis gave our opening prayer. We had music ministered by "For Heaven Safe" of the Concord Christian Center. Jim Crowley introduced our spiritual adviser Dennis Sheehan.

Inspectors Jim Crowley and Jim Higgins gave their personal testimonies; how God brought them together and is using them as an outreach from the San Francisco Police Department.

Jim Higgins told how he became a tough hard core cop obsessed with his job as a policeman with a heart of stone, putting his job first and neglecting his wife and children. He said his obsession with being a good street cop brought frustration and stress and instead of going home to his wife and children who he had placed second behind his job, he started drinking. Jim said at the age of forty-eight he accepted Christ and his heart of stone became a heart of flesh. He began to love again, hatred turned to peace. Jim said he is still a good cop but has put the Lord and his family first, instead of the job which has made him a better man.

Jim Crowley gave an almost identical testimony of being a hard core cop giving your all and then some to being a good cop at the expense of your family. I think all good street policemen who have been around for a while can identify with this problem.

I guess the right word to use is moderation. You can be a good cop but also be a good husband and father. Some of us think that the spiritual responsibility for the family belongs to the wife while the husband takes care of the financial responsibility. A good husband and father is the spiritual leader of his family.

Our next meeting will be April 18, 1978 at 7:30 p.m. at the Bethel Lutheran Church, 2525 Alemany Blvd., San Francisco. Our speaker will be Father John Hampsch, a missionary priest. Music will be provided by "For Heavens Sake". This is an inter-denominational meeting.

## NEW BEACHCOMBER CLUB CARDS ARE HERE!

Spring is here!

Springtime means sun and fun at Santa Cruz Beach Boardwalk.

The 1978-79 Beachcomber Club cards, now available through the San Francisco Police Officers' Association, allow officers and their families substantial discounts on the Boardwalk's many rides and attractions.



Special Beachcomber Club books, containing \$5.60 in ride tickets and coupons good for discounts on food, merchandise, and entertainment, can be purchased all year round for only \$4 each.

Or, weekdays during the summer (excluding holidays) your Beachcomber card entitles you to \$1 off the price of unlimited rides. Pay only \$4 per person and ride all the Boardwalk's 19 major rides, including the Giant Dipper roller coaster and Logger's Revenge from 11 a.m. to scheduled close.

Take advantage of Beachcomber Club benefits!

The Boardwalk fronts a mile-long safe beach, and is open daily in the summer, weekends throughout the year — and — remember, no admission charge!

# RETIREMENT DINNER

LT. BILL BYRNE OFF. NORMAN MOORE  
LT. JACK GUENLEY OFF. GERALD DERHAM

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- 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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**MARKET STREET DEVELOPMENT PROJECT**

**POLICE OFFICER OF THE YEAR AWARD**

The Citizens' Awards Committee met on March 7, 1978 and selected Police Officer Gary D. Manini to receive the Market Street Development Project's Police Officer of the Year Award.

Officer Manini is a seven-year veteran of the force, currently assigned to Mission Station. Officer Manini has received numerous commendations including two separate commendations for outstanding police work for two separate incidents which occurred on the same day, February 6, 1978. Officer Manini is a graduate of a special Spanish class which he attended on his own time and is currently a training officer in the department's F.T.O. Program.

Officer Manini is married to the former Shannon Williams and they have two daughters and reside in San Francisco.



Police Officer Gary Manini receiving his award from Supervisor Diane Feinstein at the Market Street Development Projects luncheon.

**THE WELL IS RUNNING DRY ...**

**COMMUNITY SERVICES FUND**

by Gale W. Wright

Once upon a time, the Community Services Fund was able to disburse over \$20,000 a year to many charitable institutions because almost every member of the SFPD belonged to the Fund, and helped finance it at \$1 per month per member.

In just the past few years, there has been a dramatic decline in membership due to retirements, resignations and the lack of new officers signing up for this Fund.

The Community Services Fund is one of the best bargains any police officer could hope to negotiate, that is, because all monies are 1) tax deductible 2) low cost 3) puts money into San Francisco charities as well

as several nationally known charities and 4) is excellent public relations for police officers. The bonus reason is that you can truthfully say, when solicited by other charities, "I already give through payroll deduction."

My personal involvement with Community Services came about because the only person who got anything out of the distribution of funds, was usually some zealot, but well-intentioned, commissioned officer who wrote out the checks or delivered them.

The police department became less and less interested in handling these funds, so the SFPOA took over the responsibilities. More good publicity has come about in just the past

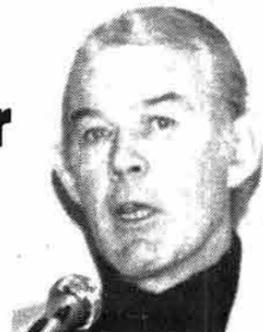
few years than we could have imagined.

But alas, if we and you do not recognize that inflation has hit everybody and everything, keeping up our good help to these several charitable institutions will die a slow death (nay—is dying, a slow death).

Within the next few weeks, the Community Services Committee will be asking you for your support to keep the Community Services Fund going with a fresh supply of money, namely to increase the \$1 per month to two dollars (\$2) per month per member. While this is only \$24 a year to you, the collective monies will allow the Committee to hold its head high and not be ashamed of the stingy amounts we now have to award.

**President's Corner**

BY JERRY CROWLEY



One day of your time will defeat Proposition A.

One day of your time will place Collective Bargaining on the November ballot.

One day of your time will elect or unelect a Supervisor or a Mayor.

Proposition A has been placed on the ballot at the request of the City Attorney's office. City Attorney Ward and City Attorney Agnost have conspired in this ultimate act of cowardice. They are willingly and elatedly jeopardizing the careers of sixteen hundred police officers, the integrity of law enforcement and the protection of the lives of San Francisco citizens.

If we stand alone because others fear Federal blackmail and pressure by local politicians, then we must work ten times harder to compensate for the fears of other groups and their leadership.

The principles of the competitive Civil Service Merit system and the political spoils system that gave rise to the creation of the Civil Service Concept are as valid today as they were a half century ago.

We shall not compromise with fairness.

We shall not trade equal opportunity for political appointments.

We will not barter effective and dedicated police service for a return to a corruptable police image.

San Francisco Police Officers are ready for the challenge of the June ballot secure in the knowledge that San Francisco voters will understand and support our position.



Gary shares the award with his family.

**JUDGES BOX SCORE**

SFPOA & COPS support Assembly Bill 2086

Existing law does not presently require the maintenance of a file on which a defendant was charged with the commission of an offense punishable as felonies indexed by the name of the superior court judge who presided over such cases.

This bill, which would be known as the Uniform Judicial Disclosure and Public Accountability Act of 1978, would require the clerk of the superior court to maintain a yearly file on each superior court judge

who presided over the final disposition of any case in which a defendant was charged with the commission of an offense punishable as a felony. Such files would be indexed by the name of the judge, would contain specified information recorded in a prescribed manner, and would be open to the public.

The public has a right to know the record of judges in criminal cases. Naturally, judges are

opposed to this kind of record keeping. The State Bar is also opposed to this bill and they are expected to lobby against it.

A group in Oakland, California was founded in 1970 and it is known as the Citizens for Law and Order. There are now eight chapters throughout the state and they do an intelligent job of court watching of judges.

This bill by Assemblyman Alister McAlister is a good one.

## AROUND THE DEPARTMENT

by Al Casciato

... Morale plummeted to even greater depths on Monday, April 10th when the Board of Supes voted to accept the monetary settlement aspects of the Officers for Justice suit. It almost seems incredible that the Supes accepted a settlement which gives \$50,000.00 a piece to approximately 45 minority officers who claim discrimination. The charges of discrimination must be aired publicly in a trial if the San Francisco Police Department is to ever have credibility within its own ranks and in the public eyes.

... I'm totally disgusted by our Board of Supes, Police Commission and Civil Service Commission for prostituting themselves for Federal Funds which come out of our pocket anyway. Maybe they're afraid of what a public trial might reveal...

... People: **George** and **Barbara Firchow** have both left our department. George is out on disability and Barbara has left the dispatcher ranks to follow her man east. They have moved to Lincoln, Nebraska and are living at 2320 Devonshire St., Zip 68520. They invite all who pass to drop in and if you can't manage that, just drop a line. They'll be around the house a lot for a lil' Firchow is on its way. Congrates...

**John Evans, Co.** A recently resigned to become an independent trucker driving the states of Washington, Oregon and California. He has two truck trailers and 3 drivers already so it looks like a promising future. John will be residing in Stinson Beach (P. O. Box 456) California so if in the area, drop by, say Hi, share some memories and have some new good times. Good luck, Buddy...

**Melinda Pengel, SCU,** receives the heads up award this month. Recently while traveling through the Southeast with **Frank McDonagh** and **Charlie Coates** they observed two TR6's parked side by side, facing opposite directions and the drivers conversing. As the crew passed, Frank commented "They look like twins". Mendi replied "They sure are right down to the same plate". A quick turn and a quick arrest...

... **Bob Vitali, Co.** I is trying to catch up with Jack LaLane. 3 weeks ago Bob did 600 dips in 1½ hours. Last week he had worked himself up to 600 dips in an hour. What next? The Guinness Book of Records...

... Retired Inspector **S. G. Yasinitsky** recently saw a burglar he's known for over 16 years exit a home in the Richmond District. Yash summoned a radio car and an arrest was made. The lab even managed to match the pry marks left on the door by the burglar's tool. I would like to say here that Yash had again removed this menace from society but such is not the story. It seems that the burglar was on both probation and parole when arrested. Naturally he was allowed to bail. Yash, being concerned and knowing that more burglaries would occur, called the parole officer hoping to have parole violated. No such luck. Meanwhile the burglar struck again. This time breaking into an auto but lo and behold, the owner arrived in the nick of time to administer more justice than this burglar has ever seen or probably ever will. Hearing of this, Yash again called the parole agent to report only to be told that the burglar was the true victim. Disgusted he called the Probation Dept. They made a motion to revoke. Sort of anti-climatic when parole really held the manner...

I've received a lot of calls on the **Jarvis-Gann initiative**. It's running about 50/50 among police officers...

The FTO Program needs more training officers. If interested call Ext. 1578. Hard work but a good career development move especially if you're looking at other departments...

**Calendar: May 18th and 19th. P.O.A. Variety Show at the Masonic Auditorium.**

... In view of all that the city has done with **Federal Litigation (OFJ Suit)** it is incumbent on all officers to work diligently to defeat Proposition A on the June ballot...

## LEGAL NOTES



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by Ralph Saltsman, Esq.

### Meet & Confer

An amicus curie brief will be filed on behalf of the California Organization of Police and Sheriffs in the matter presently before the California Supreme Court concerning the San Francisco Fire Department's demand for a meet and confer process with the Board of Supervisors for the City and County of San Francisco prior to a ballot proposition being placed before the electorate by the Board of Supervisors. The Court of Appeal said that no meet and confer session was a prerequisite, and the California Supreme Court has granted a hearing to review the opinion rendered by the Court of Appeal.

Subsequent to this amicus curie brief filed the San Francisco Police Officers' Association will file a writ of mandate requesting the court to direct the Board of Supervisors to meet and confer prior to placing a proposition on the ballot where such proposition is a matter of a policy determination concerning the Police Department and its employees. Specific reference is made to the ballot proposition "A" which will be before the electorate, if the Court so allows, in June 1978. This ballot proposition concerns the settlement of the OFJ v City and County of San Francisco Federal litigation.

### 1.75 Million Dollar Lawsuit

In March 1978 a 1.75 million dollar lawsuit was filed on behalf of the members of the Police Officers' Association based upon the Board of Supervisors failure to consider the 7.2% pay raise provided to the Los Angeles Police Department personnel. This lawsuit should be brought to trial in the Summer of 1978.

### Residency

On April 13, 1978, in Department 9 of the Superior Court, City and County of San Francisco, the Residency question will be before the Court on a Motion for Preliminary Injunction brought by the Association to prohibit the enforcement of the residency ordinance.

### Temporary Appointments

On April 12, 1978, before Judge Carter who will be presiding in the Superior Court, Napa County, the *Ruta v. City and County of San Francisco* oral argument will be heard. Judge Carter has previously received further points and authorities in support of our position and should at that time have the transcript from the October hearing before Judge Campilongo for his consideration.

### Federal Litigation

In the Federal litigation case settlement negotiations between the City officials and the City Attorney are continuing as of the date of this letter without the participation of the Intervenor Police Officers' Association. Plaintiffs have agreed to the settlement and the attorneys on all sides, exclusive of the attorneys for the Association, have agreed to the terms and conditions and the wording of the settlement. This case is set for trial before Judge Peckham on April 18, 1978, and at the urging of the Association attorneys, Judge Peckham has indicated that the trial date is firm and cannot be continued.

## COLLECTIVE BARGAINING PULLED OFF BALLOT

by Gale W. Wright

Both the Firefighters Union and the Police Officers' Association submitted their versions of a Collective Bargaining amendment to the Board of Supervisors for the June election. The issues were debated in the Legislative Committee of the Board and then finally at the Board meeting of March 6, 1978.

The six supervisors who showed a great deal of courage were Ella Hutch, Ruth Silver, Gordon Lau, Dan White, Lee Dolson and Harvey Milk. Four of the old guard voted against it — Feinstein, Kopp, Gonzales and Molinari. Pelosi was out of town. The vote of 6-4 put it on the ballot.

During the next two weeks, the Firefighters and the Association interviewed several persons who run large Public Relations firms in San Francisco to determine who we would hire to head our campaign.

Then the axe fell on Monday, March 27, 1978. Supervisor Robert Gonzales asked the Board to reconsider its previous vote on Collective Bargaining (CB).

**GREAT DAY IN THE MORNING!** What a fine opportunity to screw the cops and firefighters again. Let's do it! After a short debate, the vote was 7-5 against CB. Silver and Hutch switched sides and Pelosi was there with his No vote. Supervisor Pelosi voted against his own charter amendment.

The dailies said Police Commission President Siggins wrote a letter to the Board citing that if CB was passed, the police department could not be run in a timely and efficient manner. He (they) are not doing that now so it just might be that a great deal of improvement could be brought about with CB. But just one letter from the Commissioner did not do the job, other lobbying took place during the two weeks between passage and defeat.

COLLECTIVE BARGAINING FOR JUNE MAY BE MUTE, BUT IT IS NOT DEAD. SOON WE WILL BEGIN GETTING SIGNATURES VIA THE INITIATIVE PETITION ROUTE AND WILL PLACE IT ON THE NOVEMBER BALLOT. This is the only way we can ask the voters to decide the issue and bypass the Board of Supervisors.

Basically, Collective Bargaining works like this: The unions representing men and women in both forces would bargain separately with the Supervisors and their labor relations agent to achieve the best they could for their respective workers. **THUS THE BARGAINING and not just some survey WOULD HAVE TO HAPPEN. No rule of fiat, but bargaining.**

**BUT IF THE UNION AND THE SUPERVISORS REACHED AN IMPASSE,** a final decision would be made by a three-member panel, ONE selected by the Supervisors, ONE selected by the union, and ONE selected jointly by the Supervisors and the Union.

Contrary to a popular saying by Supervisor Feinstein, Jerry Crowley would not be running the police department and Jim Ferguson would not be running the fire department. CB does not change other Charter sections where it states the respective police and fire commissions appoint their chiefs. So while the saying it cute, that's all it is, not factual.

The officers of the Association and the Fire Union have to BELIEVE we can win, otherwise there would be no reason to fight so hard for the membership all of the time. A winning attitude is good, but the members too must reflect this attitude, and for the most part they do by their membership dues to finance the battles, wars and amendments.

Life is full of peaks and valleys, so don't give up now, or ever.

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by Michael G. Pera

I'll get right to the point — something I seldom do.

The central question brewing around the Northern and Mission Stations these days is: Does a recruit recommended for termination by the F.T.O. Program have a right to P.O.A. representation during the formal termination proceedings?

The answer depends on who you ask. With rare exception, the members of the F.T.O. Program say — NO. With the same rarity active association representatives say — YES. You can flip a coin as to the opinion of the general membership of the department.

I've tried to be objective in viewing this subject, but deeply felt principles do not easily submit to objectivity. After the establishment of a principle, objectivity makes only brief, facade like appearances.

I say that every member of the Association is equal and in saying so, that every member deserves equal treatment and consideration. Anything less, regardless of intent, makes that member less than equal.

The F.T.O.s have a very difficult job and a great deal of responsibility. I have personally seen, on a day to day basis, their dedicated work and concern for the department expressed in many ways. Most members that know about the program, on a first hand basis, feel it's the best thing to come along in years. Any criticism has been minor and corrective.

The F.T.O. Program has been given an extremely important function to perform. It's development and initial implementation has already brought a feeling of credibility and confidence towards this program. But, no one can honestly say that the program will be 100% pure and right forever. I don't think you can say that about anything.

The checks and balances built into the program along with checks and balances from outside of the program will assist it in being as pure as possible.

In the overall issue, there is an inconsistency I can not fully appreciate. There is as much of an expressed unity among the F.T.O.s towards the feelings that a recruit recommended for termination is entitled to representation, as there is expressed towards the feeling that the P.O.A. should not be that representative. Why? There are probably as many answers as there are F.T.O.s. But there are certain factors that either act alone or combine to cover all the responses so far.

1) The most predominant argument is, the program has adequate safeguards built into it and coupled with its expertise in the subject matter, the program is fair and just to each recruit.

2) Polarization.

3) The P.O.A. is a present threat and is less desirable than a possible threat in the future.

4) The P.O.A. is accessible to criticism since it is within (so to speak) the department.

The P.O.A. sees this question as a basic membership right. It has been sincerely complimentary towards the program. From the outset, the possibility of a conflict was present and most members realized it was only a matter of time before the circumstances would surface.

In regards to this limited defense, so far: First, not one cent of Association money has been spent. The time consumed over this matter by P.O.A. representatives has been almost exclusively private time. Private time — while we are watching T.V. or playing tennis or going to school (for personal gain) or doing any of a million things available, that private time has been used to defend a lot of police officers.

Second, if the cases are strong the recruits will be terminated. If the cases are not strong, I suppose the recruits will not, and should not, be terminated.

I have spent more time at administrative hearings both with our department and other agencies than most member. In fact, I'd be surprised if more than one or two officers in this department have more time logged at such hearings than I have during the past year and a half.

There is one major factor to consider regarding such hearings. Hearing officers are not always independent, openminded and informed. It's a fact of life and something you put up with. Therefore, the most important aspect of the hearing can be the quality of the hearing officer. A good case and/or strong evidence will have little or no value to a hearing officer of limited or distorted capacity.

The chief of our department is independent, openminded and thorough in cases brought before him. His strongest opponents even admit that. Without a doubt fair hearings will be held in this matter. I believe no one is entitled to less.

The P.O.A. has defended individual members directly and all members indirectly in many areas. It has won and lost hard fought battles that were waged in the interest of all. To limit the Association by way of its authority of case/issue selection would in fact be limiting its potential of effectiveness.

There is a definite danger in altering rights. They are usually supported by tradition. The longer they go untampered, the less tampering will be tolerated.

If you can take a portion of a right away from one person, you can eventually take that complete right away from all persons.

# NO ON JARVIS - GANN

by Paul Chignell

On June 6, the voters of this state will face two constitutional amendments relative to property taxation.

Proposition 8 will allow residential property to be taxed at a lower rate than commercial property and complements SB 1 by Senator Peter Behr.

Proposition 13, the so-called Jarvis-Gann initiative, was placed on the ballot after 1.5 million registered voters signed petitions. Proposition 13, is the manifestation of a taxpayer's revolt over high property taxes.

**The Jarvis-Gann initiative looks like the perfect remedy to onerous property taxes, but underneath the glitter breeds some dangerous provisions.**

In response to the 1977-78 taxpayers rebellion, the legislature was forced to enact SB 1 and place Proposition 8 on the ballot.

If 8 passes and 13 is defeated, homeowners will realize an annual and continuing 30% cut in property taxes. SB 1 also provides revenue tax limitations with strict schedules of reductions in tax rates when assessments climb. SB 1 also increases the renter's credits on taxes from \$37 to \$75 per year. Additional tax relief is provided for homeowners over 62 years of age.

**Contrary to popular belief, the SB 1 legislation will continue tax relief estimated to rise to 34% after the first four years.**

On the other side is the Jarvis-Gann disaster. Howard Jarvis has been an opponent of governmental spending for many years and he means exactly what he is saying.

The strict limitations on spending and loss of tax revenue will result in a seven billion dollar reduction in spending.

Some of my colleagues have said, "Great, we have to cut those social programs and excess fat". If you think we have problems now, you haven't seen anything yet. "They'd never cut the police department". Horse manure! The first services to be cut will be police and fire — look at Detroit and New York. Thousands of police officers were laid off when those cities faced the fiscal crunch. Of course, in San Francisco it will be quicker and much easier. Our current elected officials will not be reluctant to slash the departments they have held in such low esteem. I can assure you that if Proposition 13 passes, the emergency provisions of the Charter will be enacted and **no raises** will be passed for police and fire this year.

Furthermore, I predict pay cuts of up to 10% for the uniformed forces.

**SB 1 is an equitable and reasonable solution that gives assistance to renters and senior citizens as well.**

Proposition 13 gives **nothing** to renters (Jarvis is a lobbyist for apartment house owners) and gives the majority of its "relief" to commercial owners (only 35% to homeowners).

Local and state officials as well as all segments of labor oppose Proposition 13.

**As a homeowner and police officers, I urge your NO vote on Proposition 13, a YES vote on Proposition 8.**

## SELECT YOUR OWN DOCTOR

by Mike S. Hebel

In 1975 the California legislature amended the labor code to provide that an injured employee could select a physician of his own choice to treat him for the effects of the occupational injury. The employee, however, could not make this selection until 30 days after the injury is reported to the employer. An appellate court decision recently decided that this right applies to all injured employees including those whose dates of injury occurred prior to this legislative change.

### Employee Controls Treatment

An employer is required to provide all medical, surgical, chiropractic, and hospital treatment, including drugs and other medical supplies, which is reasonably required to cure or relieve from the effects of a job injury on illness. Prior to the change, the employer controlled treatment by selecting the doctor. Now the employee controls his treatment.

In the usual occupational injury case, when the injured police officer reports to the Franciscan Room he is afforded a cursory examination and then referred to a medical specialists. If the officer is satisfied with the treating physician initially provided, he usually (after the 30 day waiting period) chooses to remain under the care of this doctor. And if the officer is not satisfied with the treatment provided, he chooses and selects (after 30 days) another physician. (I have a list of physicians in various specialities including chiropractors and also the appropriate forms for notification of selection of physician.)

### Date of Injury Treatment

A 1977 legislative change now provides: **if an employee has notified his employer in writing prior to the date of injury that he/she has a personal physician, the employee has the right to be treated by such physician from the date of injury.** This personal physician must be one who has previously directed the medical treatment of the employee and who retains the employee's medical records.

This change followed a report by the California Department of Finance which concluded that allowance of free choice of medical treatment for occupational injuries did not appear to result in any additional cost to employees.

Any member wishing to notify the Compensation Division of the existence of a personal physician who will treat future occupational injuries should contact me for the appropriate form.

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# OPEN LETTER TO JOSEPH FREITAS, DISTRICT ATTORNEY CITY & COUNTY OF SAN FRANCISCO

by Officer Daniel J. Hance  
Mission Station

I am writing you this letter through our Association paper hoping you will feel some pressure to answer my questions as to the way you run your office.

On Tuesday, April 4, 1978, I was subpoenaed to Dept. 19 at the Hall of Justice. The matter concerned a case in which I was one of the arresting officers of two men accused of robbing one 67 year old woman, Emily Myers.

After arriving at Dept. 19, the Assistant District Attorney asked me about the case, telling me she had no time to read over the case as she was just assigned to present it this same day. As court time neared, we discovered neither the victim, Emily Myers or the witness, were in court.

I personally checked with the Robbery Inspector assigned the case and discovered he had received no subpoenas for either party. The Robbery Inspector further related he had already rebooked the suspects because your office had subpoenaed the victim and witness but not the officers.

Needless to say, this was a foul up in your office which you, in your campaign, promised to be "efficient", and guaranteed a hard line against "violent crime".

As usual, the case was dismissed. The two suspects left court, making it a point to smile in my face.

With this farce through, I attempted to locate someone who could give me some answers. John Dwyer was not in so I spoke with John O'Brien. Mr. O'Brien was courteous and promised me a written explanation.

I, however, have been around long enough to know a file clerk or some lesser rank will be held responsible. If enough heat is generated, someone may even be disciplined, suspended, etc. Nonetheless, this in all honesty completely falls back on you.

You promised the people of San Francisco to take a hard stand on "violent crime". Certainly this robbery was a "violent crime". Why was this done in such a slipshod manner? Please answer these next few questions.

Was the case not considered to be "dead bang" and thus received less than adequate attention?

Did you know if it was dismissed you would not have to consider it on your conviction rate which you alone rate and then present to the public?

Why was an assistant district attorney given less than a day to prepare it?

Is a person like Emily Myers, 67 years old, not a member of the feminist movement or a minority group,

or politically active, and not accountable to? How come your office wasted so many tax dollars on trying to prove whether or not Bruce Jenner eats Wheaties, and yet cannot take the proper cost and time to prosecute Emily Myers' attackers?

Mr. Freitas, will you answer these questions? From past performance I think not. That is why I am writing it for our members to read. The vast majority are already aware of your political instincts and ambitions. However, telling this to the people who already know the score is not all I intend to do. I feel it my duty, as a citizen and taxpayer in San Francisco as well as a police officer, to tell Emily Myers and the San Francisco papers what occurred and make the public aware.

I know Emily Myers is a forgotten case by now but I still recall her visibly shaken and overwhelmed after being attacked by two punks. These same two punks who smiled in my face when their case was dismissed.

However, all is not lost. One of these punks, shortly after the first robbery, was arrested again. He told an officer that he intended to go to your office and get a restraining order so I can't "harass" him anymore. Maybe you can help this punk more than you already have.

## BLOOD BANK

by Tom Vigo

The need for blood is sometimes dramatically demonstrated to us when one of our officers is wounded or otherwise injured in the line of duty. At those times the Irwin Memorial Blood Bank has no problem filling their quota of units for the day. However, there is a dramatic day to day need for blood that is much less publicized. Those in need of units on a daily basis certainly appreciate the availability of blood. Obviously police department members are numbered among these patients.

Hopefully this article will remind all members of the daily blood needs of the Irwin Memorial Blood Bank. Blood credits for the SFPD indicate that many of our members are aware of this and donate frequently. Many more members could certainly improve their donation habits.

Why should you donate blood? Although this question has an obvious answer, the fact is that until you experience the need for blood for yourself or your loved ones, the full appreciation of the availability of blood is not realized. At those times of emotional stress it is reassuring to know you can utilize the blood bank of this department. All civilian and sworn members of the SFPD and their families are eligible to use the blood bank. Of course this service extends to retired members and their families.

If the need for blood arises for any member, you can contact any of the blood bank committee. It is not necessary that a release be given prior to a patient getting the blood vital to his/her recovery. The Blood Bank Committee can only release blood during regular business hours during the week. The process of giving credit for units to patient is a bookkeeping matter that can be taken care of at a later time.

Any questions can be directed to any of the Blood Bank Committee. The below list will be available in this paper, the Association office, or Operations Center.

Tom Vigo	Robbery	1201
Jan McKay	Juvenile	1321
Berit Lemoge	Juvenile	1321
Judy Purcell	Central	1532
Jay Holle	Central	1532

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by William D. Taylor

In 1973 I was found civilly liable of **FALSE ARREST** and **FALSE IMPRISONMENT**, by a jury in the court room of the Honorable Judge Glickfield and assessed \$20,000.00 in punitive damages.

On April 3, 1978, having taken my case to the Court of Appeal, for review, I was informed that my appeal had been rejected by a panel of three judges and that I was civilly liable and would have to pay the \$20,000 in punitive damages. In making their decision the three judges stated that they did not wish to "second guess" the original jury, and that furthermore, in reviewing evidence on appeal, an appellate court will not disturb a verdict if the evidence which supports it is in conflict.

On Saturday, May 31, 1970 at approximately 2:30 a.m., while assigned to Mission Station, my partner and I observed what appeared to be a burglary in progress at a liquor store on 16th Street between Valencia and Mission Streets.

The circumstances which aroused our suspicions were as follows: 1) We observed that the front door of the liquor store had the glass broken out of it, and that there was an individual moving about inside. 2) We observed approximately 15 full bottles of liquor just outside the door to the liquor store. 3) We observed two men seated in an auto, facing east on 16th Street towards Mission across from the liquor store.

Bearing these factors in mind, my partner and I felt we had reasonable cause to stop our police vehicle and investigate. Furthermore, there were no other individuals on the street or in the vicinity at the time these observations were made.

My partner and I exited our police vehicle and approached the liquor store, at which time the suspect walked out the front door towards us, his arms filled with liquor bottles. He was immediately placed under arrest and ordered to stand against a wall next to the liquor store. While I prepared to conduct a pat search of the burglary suspect, my partner crossed the street to bring the two men in the parked car back for questioning so that we could determine whether they were involved in the burglary.

When my partner returned with the two men they were ordered to stand against the wall next to the liquor store while I completed my search of the burglary suspect. After completing my search of the burglary suspect, I handcuffed him and placed him in the back of the patrol vehicle. I then returned to where my partner was watching the other subjects and requested identification from both of them. One of the subjects

readily cooperated with me, but the other one became argumentative and verbally abusive and refused to identify himself. Identification was finally acquired from the second individual and a field check was made over the radio with Communications, and it was determined that the uncooperative subject, Skalko, was wanted on a drunk driving warrant out of San Mateo County. Equipped with this information I approached Mr. Skalko and informed him that there was a warrant out for his arrest for drunk driving, out of San Mateo County and that he would have to come to Mission Station for booking. Upon hearing this information, Skalko came away from the wall, where he was standing, and attempted to strike me in the face with his elbow. I was able to block this aggression and after a vigorous struggle with the suspect, who had become increasingly violent, I was finally able to handcuff him and place him in the patrol wagon which had just arrived on the scene. Mr. Skalko was then taken to Mission Station, along with the original burglary suspect and was booked for being drunk, resisting arrest and on a bench warrant from San Mateo County charging him with drunk driving. Subsequently all local charges against Mr. Skalko were dropped by the District Attorney's office, without any conferral with me, which is an all too common occurrence within the criminal justice system in San Francisco. After charges were dropped against Mr. Skalko, I was informed that I was being sued civilly by Mr. Skalko for **FALSE ARREST** and **FALSE IMPRISONMENT**.

The three justices completely disregarded Section 43.5a of the Civil Code which states "THERE SHALL BE NO LIABILITY ON THE PART OF A PEACE OFFICER (OR THE PUBLIC ENTITY EMPLOYING HIM) WHERE THE OFFICER ACTS WITHOUT MALICE AND IN THE REASONABLE BELIEF THAT THE PERSON ARRESTED IS THE ONE REFERRED TO IN THE WARRANT."

Since I was executing a legal warrant, signed by a judge, I am dismayed and wonder how three other judges can uphold a verdict of **FALSE IMPRISONMENT** and **FALSE ARREST** against me.

**How are we as police officers going to function in the future if we know that we will be held liable for enforcing legal court warrants or otherwise legally performing our sworn duties.**

To be continued in future issues.

## THE BRIGGS INITIATIVE

by Ray Carlson

A couple of months ago, I received in the mail a package of informational material and a questionnaire from State Senator Briggs. The poll was designed to get feedback on how the public felt about homosexual teachers in grade and high schools.

Upon completing the questionnaire, I was in complete agreement with Briggs. The last bit of material included a request for money to support an initiative.

From previous mistakes, I now think twice before committing money, time, and/or energy to a political philosophy.

I started to re-read the material and noticed a picture of Briggs and Anita Bryant, a clever way of identifying with a winner. I guess the most disturbing photo to me was that of Briggs on the front steps of San Francisco City Hall. Briggs appears to be confronted by a small number of what would be described anywhere as bizarre looking individuals. Behind Briggs is a San Francisco Police Officer. The subliminal message here is that Briggs stands for law and order. He's for the cop.

Nothing, I mean nothing, could be further from the truth. Time and time again, he has voted against legislation which the POA and other associations have endorsed.

Reading on, I realized what Briggs is doing. He is playing on emotions and flaming hatred towards the gay rights movement. He would have everyone believe that all homosexual teachers are nothing more than child molesters. Strictly from a police point of view, ask yourself how many times you have taken a child molestation report and found the suspect to be a gay teacher.

Briggs wants all homosexual teachers fired, the self-avowed and the "closeted". In a recent television interview, Briggs spoke to the subject of the "closeted" teacher, and remarked that we have our ways of finding them out. That translates into another unpleasant enforcement job for the police. I, for one, do not relish the thought of having to place any "suspected" teacher under surveillance, following him or her about, listening at hallway doors, peeking through key holes or being a decoy officer in a bar.

If the real intent of Briggs' initiative was to keep a male teacher from wearing high heels and an evening gown, or a female teacher from appearing in class bare chested, and assuring that convicted child molesters have their credentials revoked, then I would be passing the petition around, not writing this. Besides remedies for these situations already exist.

Unfortunately, Briggs is on a witch hunt, on a bandwagon attempt to achieve name recognition in his bid for the governorship.

Many times, we in law enforcement have identified a problem then without much thought jumped at the first solution offered, never taking the time to dissect the solution. This time I think I have, and I must thank Senator Briggs for asking me for money.

As for the questionnaire, I changed some answers, mailed it to his headquarters, and enclosed some specific recommendations; suggesting which particular part of his anatomy to use for a storage place for my questionnaire.

## THE RIGHT TO PRIVACY

by W. A. Tennant

Over the last three years, I have had the opportunity to work with several law enforcement agencies as well as read the many law enforcement journals, reports, research and employee organization newspapers that cross my desk.

During that time I have been discouraged by the amount of interference and restraints placed on officers on the job by the courts, city government and others. I have also been discouraged by the restraints and interference placed on an officer's private-life by many departments.

Let me give you some examples. Oakland, New Jersey, recently established a "code of ethics" which required officers to disclose such things as all property holdings, financial background, or any financial dealings with any Oakland citizens. Many officers in other cities, have been suspended or disciplined for "conduct unbecoming an officer".

A New Jersey court held that "conduct unbecoming" was any conduct "which adversely affects the morale or efficiency of the bureau (or) which has a tendency to destroy public respect for municipal employees and confidence in the operation of municipal services". Under this type of definition, the officer was fair game for disciplinary action for virtually any act or omission which displeased his supervisors.

In Phoenix, an officer was suspended because he dated a woman who was married. In Philadelphia, five officers were suspended for twenty days because, off duty, they attended a luncheon party for a friend, and while there watched X-rated films. In Atlanta, Reginald Eaves instituted a polygraph exam, which each officer was forced to take, to determine if the officer had ever had a homosexual experience.

Finally residency requirements have sprung up in many cities. In all of these cases, if the officer failed to answer questions about their life, they were then cited for failure to obey a lawful order.

All these are examples of unreasonable intrusion into the private lives of the officers. In each case there was no evidence that the behavior in question affected the officer's ability to do the job.

Part of the role of the Police Movement has been to educate officers that they do have a right to privacy, and to end administrative intrusion into their private lives.

Progress is being made.

The Oakland PBA won a major victory when a county court judge ruled the "code of ethics" unconstitutional. In New Jersey, an association went to court for two officers reprimanded for "conduct unbecoming an officer" based upon their union activities. The U.S. Court of Appeals upheld the lower court which had reversed the reprimand, and observed that the terms "unbecoming" and "detrimental to the service" like beauty, "exists only in the eye of the beholder".

In some cities, residency laws are being struck down. In Atlanta, the polygraph exam was dropped shortly before Chief Reginald Eaves was suspended for giving answers to a promotional exam to certain officers.

But the battles in Phoenix and Philadelphia and other cities remain to be fought. They are important because by protecting any officer's right to a personal life, we help to protect every officer's right to live in privacy, and to engage in their own pursuit of happiness.

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# HEALTH SERVICE BOARD ELECTION

by Mike S. Hebel

The registrar of voters will conduct the election for the term of one of the three elected members of the Health Service Board which expires on May 15, 1978.

The election will be held between April 25 and May 7, 1978. Ballots will be furnished to all members.

At its meeting of March 10, 1978 the Board of Directors of this Association voted unanimously to endorse and support the candidacy of:

**WALTER JOHNSON, Incumbent**

Walt has served on the Board for the past two years and has performed his duties well. He presently works for the Retirement System in an administrative capacity.

You are urged to vote for Walt Johnson for the Health Service Board.

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# LETTERS

## Officer says thanks

Dear Jerry & Fellow Police Officers

Dennis is unable to write at this time so I will take the opportunity to thank all of you for the beautiful plant. It is a favorite and one we will cherish as a reminder of your thoughtfulness.

Thank you for your prayers and kind thoughts. They are working for him as he is progressing a little more each day — looking forward to returning to a full and active life once again.

Sincerely,  
Mrs. Dennis (Shirley) O'Connell

## Firefighter likes our paper

Thanks for sending your publication to our fire station. It is very informative as we strive for a common goal. I don't want to miss an issue so please find enclosed my subscription application.

Best wishes to a great bunch of guys.

Fred J. O'Donnell  
Captain, Station 20  
S.F.F.D.

## Bell Gardens POA

Editor  
S.F. Policeman

Dear Mr. Wright:

As President of the Bell Gardens Police Association, I would like to tell you that I have thoroughly enjoyed your monthly newspaper. Many of the news articles have assisted our Association in many ways.

I would also like to say that our Association will be signing a contract with C.O.P.S. on this date or tomorrow at the latest. This idea to join was helped along by your newspaper.

Please accept my personal check for two years subscription to the S.F. Policeman newspaper.

Sincerely,  
Ralph White  
President, BAPOA

## Meter Collectors

Cheers, cheers, cheers!  
Cheers for you and the Department's action regarding the investigation at City Hall during the meter collectors scandal.

San Francisco has regained their confidence in the "LOYAL MEN IN BLUE."

Marjorie D. Martin  
San Francisco

## Blood donation

Editor  
San Francisco Policeman  
Dear Sir:

Words cannot adequately convey my total appreciation for the generous blood donations availed to my wife by members of the San Francisco Police Department during her recent hospitalization.

I extend special thanks to Thomas Vigo, a member of the blood committee, for all his kindness and assistance rendered.

Sincerely,  
Paul A. Lawler

## Vote against SELLOUT!

The Retired Employees of the City and County of San Francisco at our March 23rd Board Meeting motioned and approved such motion to go on record as opposing any out of court settlement of the lawsuit now in Federal Court and which was instituted by the Officers for Justice.

Very truly yours,  
Joseph P. McElligott  
Chairman,  
Executive Board  
Retired Employees of the  
City & County of  
San Francisco

## ASTRONOMY

Exploring the universe through astronomy, maximizing the use of the pocket calculator and learning self defense against rape are just a few of the tuition-free classes available at City College of San Francisco's Weekend College, which begins its second session on April 21 and continues until May 6, comprising three consecutive weekends.

Especially geared for people who would like to earn college credit but for one reason or another are unable to attend classes during the week, the Weekend College classes are offered on Friday evenings from 6 to 9 p.m.

and Saturday mornings from 9:30 a.m. to 12:30 p.m. or Saturdays from 9:30 a.m. to 4:30 p.m. Students may register at the first meeting of the class and will receive one unit of college-transfer credit for each session completed.

Brochures describing the courses offered in the Weekend College are available at all branches of the public library.

City College of San Francisco is located at Ocean and Phelan Avenues, easily accessible by bus, streetcar or BART. For further information on the Weekend College, phone 239-3328.

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This solid brass buckle commemorates the San Francisco Police Department's long history of service to the public, and is dedicated to the regular, retired and reserve officers, men and women who have proven that they are exemplary in the field of law enforcement.

Over 700 of these fine buckles have been sold to date to both active and retired members of the SFPD. Because sales have been good, we ordered, and now have 50 buckles available to fill your order right away.

Please complete the order form below and send it to Gale Wright through the Department mails, or address it to the Policeman, 510 - 7th Street, San Francisco, 94103. Each buckle sells for \$13. Be sure to include your check or money order. If you want it mailed to you, add \$1.00 for each buckle to be mailed.

Please send me . . . buckle(s), at \$13 each. (Add \$1.00 if to be mailed)

Enclosed is \$ . . . . . check money order in full payment.

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## SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

YES...I would like to subscribe/renew to the SFPOA's official publication THE SAN FRANCISCO POLICEMAN. Enclosed is my check/money order to cover ( ) subscription(s) for 12 months at \$4.00 a year per subscription.

NAME \_\_\_\_\_  
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SEND TO: THE SAN FRANCISCO POLICEMAN  
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San Francisco



**SIGHTSEEING**

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**March 21, 1978**

The meeting opened with the Pledge of Allegiance to the Flag. A roll call showed nineteen members present and none absent.

The Secretary's and Treasurer's reports were approved as printed in the Policeman. The regular order of business was suspended and our attorneys addressed the Board. First, was Attorney Stephen Bley who brought the Board up-to-date on the various cases that he is working on in behalf of our members.

Attorney Solomon then discussed the Federal Litigation and other legal matters that we are involved in. Highlights of that discussion were: On Friday, March 18th, the Association filed suit against the City and County of San Francisco in the amount of 1.7 million dollars of back pay based on the fact that the Board of Supervisors did not use the 7.2% raise that the Los Angeles Police Department received in computing our rate of pay for this fiscal year. On the Federal Litigation, the Mayor and Public Advocates have been meeting in order to reach settlement of the suit. Any settlement has to have the approval of the Mayor, Board of Supervisors, the Civil Service Commission and the Federal Court. As far as we know at this time, the only approval has come from the Mayor. The case is set to go to trial on April 18, 1978.

The President gave a Labor Relations Committee report and also explained the Collective Bargaining Ballot measure to the Board. (Note: Collective Bargaining has been removed from the June ballot by the Board of Supervisors). He also explained the ballot measure regarding Civil Service and the financial aspect of both.

The other Committee reports included, the Health Service by Bro. Hebel, Legislative by Bro. Chignell, Insurance & Publications by Bro. Wright and COPS by the President. All were approved.

The President reappointed Bros. Wright and Bell to the Insurance Committee. These appointments were approved by the Board.

Bro. Wright made a motion to appropriate \$1,000.00 to build a film developing (darkroom) room on the mezzanine of the building for the purpose of film developing. The motion was seconded by Bro. Ballentine. A roll call vote showed sixteen (16) ayes, one (1) nay and one (1) abstention. The motion passed. Bro. Chignell motioned and Bros. Schlink seconded,

that we expend \$500.00 toward the benefit for Bro. Dennis O'Connell. This motion passed by a unanimous voice vote.

There being no further business to come before the Board, the meeting was adjourned.

The General Membership meeting was basically an expanded version of the Board meeting with one important exception. The General Membership voted to assess the member \$100.00 per member at a rate of \$5.00 per pay period for 20 periods. Said funds to be used in support of proposition B on the June ballot and in opposition to Proposition A on the same ballot. (Note: The ballot will now read \$50.00 per member now that B has been taken off the Ballot). We will continue to fight against Prop. "A".

Joe W. Patterson  
Secretary, S.F.P.O.A.

SAN FRANCISCO POLICE OFFICERS' ASSOCIATION BALANCE SHEET FEBRUARY 28, 1978					
ASSETS		LIABILITIES & RESERVE			
Petty Cash	101	\$ 150.00	Payroll Taxes Pay	399	\$ 207.26
General Fund	103	( 6,619.98)	Unexpended Reserve	501	27,486.98
Legislative Fund	105	27,254.66			
Furniture & Fix.	207	2,500.82			
Leasehold Imp.	231	4,408.74			
		<u>\$27,694.24</u>			<u>\$27,694.24</u>

SAN FRANCISCO POLICE OFFICERS' ASSOCIATION INCOME STATEMENT FEBRUARY 28, 1978			
<b>INCOME:</b>			
Dues - Active	601	\$46,695.03	
Dues - Retired	603	32.23	
			\$46,727.26
<b>EXPENSES:</b>			
Administrative Expenses	703	224.25	
Annual Election	723	137.20	
Equipment Rental	728	18.05	
Insurance & Bonding	744	874.00	
Janitorial Svc	753	115.00	
Mailing	771	235.45	
Public Relations	772	25.00	
Rent	773	1,328.00	
Salary - Office	776	2,533.12	
Salary - Executive	777	1,494.00	
Supplies - Office	781	567.38	
Supplies - Admin	782	95.86	
Administrative Exp	782A	70.72	
Tax - Payroll	783	400.98	
Utilities	792	321.21	
Building (510)	794	250.00	
			\$ 8,690.22

Committee Expenses			
Board of Supervisors	810	22.75	
Civil Service	815	18.26	
Community Svc	820	39.37	
Privilege	825	36.52	
Health Svc/Retirement	830	450.00	
Insurance	835	861.60	
ICPA	840	614.67	
Legislative	845	1,736.01	
Leg - Coll. Bar.	845A	-0-	
Labor Relations	850	466.46	
Screening	860	2,000.00	
Publications	863	2,004.41	
COPS	870	2,829.50	
Dick George Pro.	885	382.44	
			10,061.99
			<u>18,752.21</u>
			<u>\$27,975.07</u>

**“DISCOVERY”**

I was recently in the court room of Judge Victorie and observed the Attorney who is defending the accused slayer of Officer Hooper.

The Attorney had filed a discovery motion to obtain the Internal Affairs files of deceased Officer Hooper, Sgt. Kazarian, and another Officer involved in the capture of the accused murderer.

The argument by the attorney to obtain the files was that if there were any complaints of excessive force or unofficer like conduct or any complaints of misconduct, that these complaints would tend to show a pattern of behavior of the officer(s) over a period of time, and that if this pattern of behavior could be demonstrated

during the trial of his client it would change the character of the incident involving the death of Officer Hooper.

Attorneys want this file because it presents a distorted view of the Police Officer, a negative view. To change this all that is needed is to consolidate the Internal Affairs file with part of your personal file.

Every good letter written to the Department, every Captain's Commendation, Meritorius Award should be included in the Internal Affairs file.

This of course would change the over-all picture that the one-sided Internal Affairs file now displays.

The above article was received unsigned. **EDITOR**

THE S. F. POLICEMAN  
FINANCIAL STATEMENT - March 31, 1978

<b>BALANCE - February 28, 1978</b>			
General	\$4,684.34		
Prepaid Ads Reserve	300.00		\$4,984.34
<b>REVENUE</b>			
Subscriptions	46.00		
Ads	213.75		
Buckles	13.00		
SFPOA Salary Subsidy	732.95		1,005.70
<b>WORKING CAPITAL</b>			
\$5,999.04			
<b>LESS EXPENSES</b>			
Commission	60.82		
Paper (Printing)	635.48		
Paper (Miscellaneous)	30.07		
Misc.	124.57		
Mailing	491.12		
Salaries (Office)	532.95		
Salaries (Exec.)	200.00		
Office Supplies	20.18		
Utilities (Telephone)	21.46		2,116.65
<b>BALANCE - March 31, 1978</b>			
General	3,648.39		
Prepaid Ads Reserve	225.00		\$3,873.39

Entertainment '78 Books are available at the SFPOA office, 510 - 7th Street, just across 7th Street from the Hall of Justice. Hours 8:30 to 4 p.m.

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Join the thousands of families in cities across the country who go out more often, get more fun out of life, try new places and new things to do, yet SLASH COSTS and SAVE MONEY, too! With 16 successful years behind us we know we can show YOU how to have a good time for less money too!

**entertainment '78**

## PLACERVILLE POA DESTRUCTION DERBY

Dear Demented Dreamland Dweller AKA: Dumb, Dumber & Dumbest (hereafter referred to as the Big Triple D):

Once again the time has arrived for you to commence your pathetic preparations for the Annual Placerville Police Association Destruction Derby. We wish to express our appreciation to you Big Triple D's for your past efforts in providing the backdrop for the PPA's superior driving abilities PLUS their obvious good manners and chivalry in allowing various Big Triple D's to win our annual event in the past.

However, our PPA drivers grow weary of playing the roll of windmills for you Big Triple D's "Don Quoxite" in your pathetic attempts at legitimate jousts. This is known in some circles as setting the batter up with slow breaking junk and now it is time for smoke . . . the aspirin . . . the blue dart. Unfortunately we fear you might be incapable of realizing the consequences of venturing onto the field of honor in your clanky rusty hunks of American tin can products to be suddenly compacted by 9 from the sky from the now avenging and serious PPA drivers.

In past years our drivers, out of hospitality and chivalry, have permitted a variation of one of the famed Peter Principles to function, that is to say, "in a large group of competitors, UNLESS THE SKILLED APPLY THEMSELVES, and subsequently embarrass their pathetic opponents, the event will function like a septic tank . . . the big hunks will float to the top". However, if you insist on pursuing your fetish of fantasia, then prepare yourselves to assume the role of Darth Vader to be vaporised like cannon fodder to the PPA Luke Skywalkers!!! You will find Encounters of this kind need numerics that corrolate with Excedrin headache numerics after our drivers are through with you.

The date of the fifth Annual Placerville Police Association Destruction Derby will be Sunday, August 20, 1978, and as in 1977, last year, it will again be an afternoon event, with the 1st heat to start promptly at 1500 hours (3:00 p.m.). The trophies and cash prizes will once again be larger and larger (especially since we're going to keep them).

The basic derby rules are below — PLEASE READ CAREFULLY. There are some minor changes/additions/variations. Keep in mind that the rules are designed to insure driver safety and equality in vehicle preparation. The event is limited to the first one hundred entrants from **BONIFIDE** members of recognized Law Enforcement Agency Associations (if you enter, a more appropriate term would be Asylums).

Most vehicles are decorated in the manner of patrol units of the respective agencies and just prior to the 1st heat a parade lap will identify the contestants to the spectators plus permit selection of the best decorated car by the judges prior to it's untimely demise (unless it's a PPA car).

If your demented state desires data not included, direct your desires (non-physical) to us before midnight for free literature, a Captain Midnight ring and Rosary Beads.

Deadline for entries is August 1, 1978.

May you find the means to deal with your inadequacies.  
Bobbie Steele, Chairperson-Derby Committee  
Bob Collin, Derby Committee

### ENTRY FORM

Make check or money order for entry fee payable to:

PLACERVILLE POLICE ASSOCIATION  
P.O. Box 1211  
Placerville, CA 95667

NAME OF DRIVER \_\_\_\_\_ DEPARTMENT \_\_\_\_\_

HOME ADDRESS \_\_\_\_\_ HOME PHONE # \_\_\_\_\_

SHIFT \_\_\_\_\_

AMOUNT ENCLOSED \_\_\_\_\_

DRIVER'S NICKNAME \_\_\_\_\_ DRIVER'S BRIEF HISTORY \_\_\_\_\_

I PLAN TO LEAVE MY CAR WITH THE P.P.A., YES \_\_\_\_\_ NO \_\_\_\_\_

Make of vehicle \_\_\_\_\_ Year \_\_\_\_\_ Vin. # \_\_\_\_\_

Duplicate this application for additional entries.

The rules for 1978 are basically the same as for 1977, there are a few minor changes, as follows:

1. All glass must be removed, including headlights and tail lights, before arriving at the track. All burnable items, i.e. headliner, rear seat, floor mats, and burnable material from hood compartment, must be removed for reasons of fire prevention.

2. Safety equipment — helmets and seatbelts required, roll bars or protective driver cages (as well as re-inforcement of the driver's door **only**) is/are permissible but not required.

3. Battery — may be removed to driver's compartment if well secured and covered to prevent any spillage. There is to be only one battery in the vehicle.

4. Gas Tank — may be removed to vehicle trunk or rear seat area, but must be securely attached. We recommend no more than five (5) gallons of gas in the tank.

5. Vehicle must be equipped with a functional air cleaner.

6. Vehicle must remain stock; no re-inforcing, no special bumpers. Any structural modification of the vehicle designed to provide a physical and/or mechanical advantage over the other contestants will be disallowed (if removable or easily returned to stock) or subject to disqualification if unalterable or not returned to stock. Re-inforcement or alteration of suspension system and/or running gear will be grounds for disqualification. Bumper heights (front and rear) will be no higher than 20 inches measured from the ground to the bottom of the bumper. No trailer hitches. Wheel wells may be enlarged. (No locked rearends.)

7. Radiator — Must remain functioning item and in stock position; no re-inforcing, auxiliary cooling system are not acceptable and are grounds for disqualification.

8. Doors and Trunk — Must be welded **and** chained closed. Hoods **MUST** be chained. Be sure to remove all debris from trunks, i.e. spare tire and tire irons. Trunks will be inspected from rear seat area to insure there is no re-inforcement present.

9. Remove all chrome trim.

10. Repairs may be made prior to participating in an additional event. All Derby rules still apply.

11. Exhaust System — Tail pipes and mufflers must be removed and headers and header pipes must remain in stock position.

12. Deadline for entry will be August 1, 1978 **OR THE FIRST 100 CARS.**

13. All vehicles must be checked into the pits and registered by 1:00 p.m. August 10, 1978.

14. Drivers meeting in the pits at 2:00 p.m. — **MANDATORY ATTENDANCE.**

15. Numbers must be painted on the roof of the vehicle at least 24" in height and at one other location on the vehicle.

16. **NO DRINKING IN THE PITS. ANY DRIVER OR PIT CREW MEMBER FOUND DRINKING WILL RESULT IN AUTOMATIC DISQUALIFICATION OF THEIR CAR IN THE DERBY. SOFT DRINKS WILL BE AVAILABLE. Also, NO ONE under 16 years of age will be allowed in the Pits.**

17. **MUST** compete in a heat before entering Main Event.

**VEHICLES:** All vehicles except trucks, convertibles, vans, motorcycles, motor homes, tanks and/or track type vehicles are eligible. They should be painted some what like your own police vehicles if possible. (Trophy for best decorated "police car".)

**FEES:** Entry fee of \$20.00 will admit one car, one driver and support vehicle. See vehicle release for additional information.

Pit passes will be \$5.00.

General admission to the grandstand will be \$2.50 (12 yrs. and over), \$1.50 (under 12) and free if under 6 yrs.

We are trying to reduce the congestion in the pits, so **one** support vehicle only for every **1 to 3** derby vehicles for the same agency will be allowed; **two** support vehicles for every **4 to 6** vehicles from the same agency; **three** support vehicles for **6 or more** vehicles from the same agency. Support vehicles will be identified by a sticker on the windshield for easy identification by Pit Bosses. **DO NOT** bring excess support vehicles, they will **NOT** be allowed in the PITS.

**VEHICLE RELEASE:** The P.P.A. will gladly relieve you of your destroyed vehicle after the event, if you so desire, and will give you, at no extra cost a full color patch documenting your participation in our 1978 Derby (indicated by the year 1978 engraved on the patch). If you should decide to release your vehicle to the P.P.A. check the appropriate box on the entry form, and please bring the pink slip or paperwork for release of title with you.

In addition to prestige, you can win the following money and prizes:

Heat #1, 3 places — 3rd place - nice trophy  
2nd place - nicer trophy  
1st place - one super nice trophy and \$100.00 in cash!

Heat #2, same as #1  
Heat #3, same as #2  
Heat #4, same as #3

Main Event, 3 places — 3rd place - nice trophy  
2nd place - nicer trophy  
1st place - super fine trophy and \$250.00 in cash!!!

In addition to all the above fantastic prizes, etc., a trophy will be given to the Best Decorated Car. (Such A DEAL!!!)

## Yolo County Deputy Sheriff's Association

P.O. BOX 179  
WOODLAND, CALIFORNIA 95695

### RAFT RACE

THE YOLO COUNTY DEPUTY SHERIFF'S ASSOCIATION IS HOLDING THEIR SECOND ANNUAL LAW ENFORCEMENT RAFT RACE ON SATURDAY, THE 24th OF JUNE, 1978. THE RACE WILL BE HELD ON CACHE CREEK, WHICH IS IN THE WESTERN PART OF YOLO COUNTY. THE WATER IS FAST—MOVING WITH SOME SMALL RAPIDS, AND PROMISES TO GIVE A SAFE AND EXCITING RIDE. THIS IS AN ANNUAL FUND—RAISING EVENT AS WELL AS A SOCIAL DAY.

THE ENCLOSED REGISTRATION FORM MUST BE COMPLETED AND RETURNED WITH YOUR ENTRY FEE PRIOR TO MAY 1, 1978. A STARTING TIME AND MAPS OF THE AREA WILL THEN BE SENT TO YOU FOR SATURDAY. TELL OTHER DEPARTMENTS IN YOUR AREA IN CASE WE MISSED THEM BY ACCIDENT.

**FREE FOOD AND BEER (AS MUCH AS YOU WANT)** WILL BE SERVED AT 1600 AT THE CAMPING AREA MARKED ON THE MAP. THIS WILL BE OPEN TO ALL RACE PARTICIPANTS AND THEIR CHEERING SECTION. **TICKETS WILL BE ISSUED AT THE CAMPING AREA. ALSO SPECIAL "PIG" RACE T-SHIRTS WILL BE ON SALE AT THE RACE.**

ANY QUESTIONS OR PROBLEMS, PLEASE CALL ME AT THE YOLO COUNTY SHERIFF'S DEPARTMENT (916) 666-8585, MONDAY THROUGH FRIDAY, 0830-1630. AT THE LAST RAFT RACE IN JUNE 1976, WE HAD 56 TEAMS ENTERED FROM THROUGHOUT THE STATE.

SERGEANT TOM O. MUSGROVE  
COMMITTEE CHAIRMAN

### GENERAL INFORMATION

- TROPHIES for 1st through 5th Place Teams with individual trophies for 1st and 2nd Place will be awarded.
- Race observers will be spotted along the race course.
- Transportation will be provided at the end of the race course.
- A liability waiver **MUST** be signed by race participants prior to launching.
- Over night camping is available at the race site. Water, septic dump, tent spaces and trailer pads are available. The county parks department charges \$2.00 a night per vehicle for camping.
- Fair cat fishing, if interested.
- Nearest motel is 45 miles east of race in Woodland.
- Course length is 4.7 miles with running time approximately two hours.
- Make check payable to the Yolo County Deputy Sheriff's Association.
- Yolo County Sheriff's Teams will be participating in the race for time only and will be competing for their own trophies.
- Race participants are advised to wear swimming suit or cut-offs and tennis shoes.
- Rafts will also be available the day before and after the race for practice and your own recreation. The raft rental business charge \$25.00 for the use of the race 2 people only.

### REGISTRATION FORM

PLEASE PRINT:

MAIL TO:

SERGEANT TOM O. MUSGROVE  
YOLO COUNTY SHERIFF'S DEPARTMENT  
P.O. BOX 179  
WOODLAND, CALIFORNIA 95695

Number of Teams entering \_\_\_\_\_ Amount enclosed \_\_\_\_\_

Agency Team Name \_\_\_\_\_

Agency Team Address \_\_\_\_\_

Name of Person in charge \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

Approximate Number for Food and Drink \_\_\_\_\_

Reserve Camping Space: YES \_\_\_\_\_ NO \_\_\_\_\_ Which Nights, FRI \_\_\_\_\_ SAT \_\_\_\_\_

This form must be returned to me by MAY 1, 1978, sooner if possible. Upon receipt of your registration form and entry fee, a detailed map will be sent to you along with your starting time.

### RACE RULES

- ENTRY FEE PER TEAM RAFT: \$50.00. You may enter as many teams as you like, but an entry fee is required for each team raft.
- The race is open to Peace Officers designated under Section 830 of the California Penal Code and those non designated Peace Officers who are directly involved in Boating Safety. This also includes sworn Reserve Officers.
- The craft used will be a Two Man, avon inflatable, 3 Chamber Raft supplied with paddles.
- ALL entrants **MUST** wear a coast guard approved Type I Life Preserver during the race.
- ALL equipment used for the race will be supplied by the Yolo County Sheriff's Association.
- ALL entrants will use the same equipment.
- TWO MAN TEAMS ONLY (or two persons team)
- Each team will race against the clock.
- Whitewater Helmets are optional, not provided.

# SPORTS

## GOLF CLUB NEWS

On Friday, March 24, 1978 sixty-five members and nine guests played Harding Park Golf Course. The weather was excellent, even if the scores were not. The course was in beautiful condition so I guess there aren't any excuses left.

Only two players shot in the seventies. **Tom Gordon** was the low gross winner with a seventy-nine. **Joe Buckley** who also had a seventy-nine was the low net winner. His 12 handicap gave him a net 67.

The flight winners were: first flight — **Dave Minner** 83-11—72, **Pete Alarcon** 84-11—73, **George Eimil** 85-12—73 and **Jerry Cassidy** 83-7—76. Second flight — **Joe Moser** 91-21—70, **Larry Minasian** 93-21—72, **Bill Grosword** 90-17—73, and **Ken Davis** 90-16—74. Third flight — **Jim Kirwan** 92-23—69, **Bill Terlau** 90-26—70, **Rich Racine** 94-22—72 and **Tom O'Hara** 97-21—76. Fourth flight — **John Daly** 97-28—69, **Harold Schwarts** 98-29—69, **Frank Otterstedt** 98-27—71, and **Carl Klotz** 101-20—71.

The guest flight was won by **Nick Eterovich, Jr.** followed by **Paul Silva, Bill Wilson, Ed Garcia** and **Bob Belous**. Some of our members play in the guest flight until they play enough games to establish a handicap.

The hole-in-one was won by **Bill Grosword** with a shot 12'9" from the hole. **Charlie Barca** was second 15'7", followed by **Joe Buckley** at 16'5 1/2".

The club has as of this date, one-hundred and eighteen members in 1978. The club is open to all active and retired members of the S.F. Police Department. Anyone interested send the \$5 dues to me as below and I will send you all pertinent information regarding schedules, etc.

\* \* \*

### POLICE OLYMPICS:

Anyone interested in representing the San Francisco Police Department at the California Police Olympics at Humboldt in late July and early August. Anyone that is interested must let me know by April 30 so that the teams can be arranged. If there is a large number we may have to have qualifying rounds. Don't come around in May and say you weren't notified.

Jerry Cassidy, Secretary  
S.F. Police Golf Club  
Rm. 150, Hall of Justice or  
237 San Marin Dr., Novato 94947

\* \* \*

It is late Thursday night the sixth of April, 1978. This has been one of the longest days of my life. Early this morning Vic (Macia) and I sat in the car at Lake Merced Golf and Country Club trying to decide whether or not to go ahead with the April Tournament. It was an overcast, rainy day that was predicted to clear. We decided to go ahead with the tournament and fifty-six out of seventy-nine players showed up and were rewarded by playing under relatively clear skies. All in all, it was a good decision except for the fact that I personally played the worst game I've played in the last eight years. And apparently I wasn't alone as almost everyone played poorly.

The low gross score was 82. **Grant Fahs** and **Dennis Martel** both had this score with Grant getting the nod after matching scorecards. **Bill Terlau** was the only player under par with his net score of 67.

The First Flight was won by **Pete Alarcon** with **Dennis Martel** second. The second flight was won by **George Gamble** a late entry, with **Jim Labao, Jr.**

coming in second. The third flight was won by **Henry Kind** with **Larry Minasian** second. The fourth flight had **John Ryan** first and **Frank Otterstedt** second.

**Larry Minasian** won the hole-in-one with a shot 12'1 1/2" from the hole. **Dennis Martel** was second at 17'6" and **Dick Sanden** was third at 19'3".

In the guest flight **Jim Cook** of the San Rafael P.D. was first with **Hugh Curley** second and **Pat Paxson**, our competent Hall of Justice guard, third.

The course was in beautiful condition and the weather wasn't so bad as to cause the high scores, it must have just been one of those days.

As of now we have one-hundred and twenty members in the club this year. The schedule is not as yet complete but almost. If anyone is interested, the club is open to all active and retired San Francisco Police Officers. Anyone interested call either myself or Lt. Vic Macia at 553-1553. Or send \$5 dues to me and I will send you all pertinent information.

Jerry Cassidy

## RUNNING THROUGH MY MIND

by Walt Garry

The results of the Christmas relays have arrived. The Department was well represented with six 7 man teams, plus a team from the Transit Police. Space won't allow the mention of everyone who ran, but I would like to give credit to the Southeast team that placed highest among the Athletic Club entries. **Mike Mahoney, Jim Pera, Mark Hurley, Dan Inocencio, Jim Brown, Jerry Sarin** and **John Murphy** (SFFD) turned in a great team effort.

Two other teams, I feel, should be recognized for the spirit and enthusiasm shown throughout the race. Neither had any Hot Shot runners, but drew from the entire watch, from 40 plus years of age Sergeants, to recent Academy graduates. Each man putting out a maximum effort on their respective legs.

Both the Mission A-1 team of **Macaulay, Kovaleff, Bianchi, Simmons, Hall, Mould, Shubin** and the A-2 team of **Clarke, Tovani, White, Dempsey, Ellis, McMillan** and **Petrie** displayed the comradery and good times that I remember were common to the stations back in the sixties. Keep up the running guys, there are more relays coming up.

March 19th, the Marin County Chapter of the Red Cross sponsored a six mile run from San Marin High to Stafford Lake and back. It promised to be a fun event. Well at the three mile mark there wasn't anyone there to point to the turn around, so the front runners just kept on going, most being unfamiliar with the area. Some I would guess were half way to Petaluma before the CHP came by and told them to turn back.

Much confusion, complaining and cussing, I haven't seen so many angry people since I ran through Berkeley with my Ed Davis for Governor T-shirt. Since then, the sponsors have rectified their mistake and have mailed an invitation for a re-run, to all entrants, promising "this time or else".

The Lake Merced Relays on March 13th had four, five man teams entered from the SFP/AC. The Southeast team of **Mahoney, Pera, Walker, Inocencio, and Gustafson** placed 60th. The Hall of Justice team of **Cunningham and Prentice, BSS, Nestor Co. B, Elsenbroich Oper. Ct. and Zamagni Co. C** were 91st. The masters team of **Seyler, Garage, Ryan, Service Station Green and Barberini Co. K and Minkel Co. I** placed a respectable 105th. A second master team of **Foss Co. B, Rodgers H&R, Bailey Homicide, Davis BSS, and Schneider GTF** were close behind.

Congratulations to **Hugh Emerson Co. K Solos**, he completed his first marathon. **Hugh and Marty Walsh** ran the 1st Annual Clear Lake marathon on April 2nd. They both crossed the finish at 3:31 just two seconds apart. Great time. The field had only 160 runners which is unheard of in these days of marathon mania, and to top it off, all entrants were given complimentary night lodgings for themselves and their families in the Clear Lake area. Can't beat that deal. For the first-time marathoner this would have been the race to enter. Oh well, back to the training miles, waiting for the time when you try to take on the big 26.

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## POLICE EDGE FIRE DEPARTMENT IN BROOM HOCKEY THRILLER

Before a crowd of 7,986 hockey fans, the Police Broom Hockey Team slided by the Fire Department Team by a score of 1-0.

The 5 minute game was played as the main event in between periods of the S.F. Shamrocks vs. San Diego Mariners on March 10. The attendance on hand was a Pacific Coast League record for a hockey game.

Instead of hockey sticks, skates and a puck, the broom hockey players used tennis shoes, brooms and a volley ball. Needless to say, the crowd loved every bit of the excitement on the ice as it was nearly impossible for the players to stand up let alone play hockey.

The game was a 0-0 tie for 4 minutes with both teams playing superb defense. **Jerry Donovan** the P.D. goalie, made an outstanding save as it was the only shot attempted by the Fire Department.

The Police, led by **Mike Chase, Bob Del Torre, Mike Lawson, Ray Shaffer** and **Ron Ward**, stopped any offensive threats in a hurry by their aggressive performance.

With one minute remaining, the crowd going wild, the ball was slapped out from a crowd of players by **Mike Lawson**. A race for the ball by an unidentified fireman and **Bob Del Torre** ended with Del Torre winning, knocking the ball down to the elusive **Mike Chase** who was 50 feet down ice. Chase took the ball about 10 feet and spotted **Ray Shaffer** making a break to the goal. Chase passed to Shaffer who was being guarded by a defender, and the goalie was getting set for a possible shot. **Bob Del Torre** in the meantime recovered from crashing into the sidewall (after his pass to Chase) was now speeding down center ice toward the goal. Shaffer, controlling the ball with his broom headed toward the goal and made the play of the night with 30 seconds to go in the game. He made a picture perfect pass to **Bob Del Torre** who then from 15 feet away fired a slapshot pass the goalie for a score. The team went wild as did the 8,000 spectators and the Police went on to win their first broom hockey game ever.

## GRAPEVINE STOMPERS OPEN INAUGURAL SEASON

The Oakland Stompers got their North Bay debut off to a positive start Sunday, as the first-year club defeated the rival San Jose Earthquakes 1-0 in a tiebreaker shootout. The game was watched by a North American Soccer League record crowd of 32,104.

"I was very pleased with the way our defense played the game and constantly stopped San Jose's scoring threats," noted Stompers head coach **Mirko Stojanovic**. "And, of course, **Shep Messing** (Stompers goalkeeper) was outstanding."

Messing was called upon six times during regulation time to stop Quakes shots at the Oakland goal. However, it was in the tiebreaker shootout that Messing walked away a hero.

San Jose first sent forward **Paul Child** to face Messing in the shootout and the goalie who graduated from Harvard

blocked **Child's** attempt. Next, forward **Peter Ressel** went to the line and his shot was partially blocked by Messing, but rolled into the net for a score. That was all San Jose could muster against Messing as the Stompers goalkeeper blocked the final three shots of **Ilija Mitic, Dick Lukic** and **Victor Kodolja**. Meanwhile, the Stompers found the net twice in the shootout. After forwards **Geoff Wegerle** and **Mike Flater** failed to score against San Jose netminder, **Mike Hewitt, Andy Atuegbu** and **Franz Smuda** scored in succession to lock up the Stompers victory in their NASL debut. In the tiebreaker shootout, one goal is awarded to the team which scores the most goals.

The crowd set a league standard for an opening day gathering for a first-year franchise, breaking the mark of 18,192 set by the Philadelphia Fury the day before.

## \$2.5 Million "Deal" Continued

- Subsequently, the city shall appoint minorities to at least 50 percent of the entry level openings each year and women to at least 20 percent of such openings.

- The city shall promote women or minorities to the rank of sergeant on a one-to-one basis with white males.

- The city shall promote one minority member to the rank of assistant inspector for every three non-minorities promoted, until the current eligibility list expires. After that, women are to be promoted "in proportion to their representation in the qualified applicant pool" and minorities are to be promoted so as to make up 40 percent of the inspectors bureau when the consent decree expires in 1988.

- The city will not conduct an examination for promotion to the rank of lieutenant until all of the women and minorities eligible to become sergeants then become eligible to become lieutenants.

The city will the "conduct an extensive review of the selection procedures . . . to attempt to minimize or eliminate adverse impact on minorities and women."

- The city will create a special recruitment program to hire 29 bilingual Chinese-speaking officers by 1984. Under the consent decree, the city will also agree to:

- "Make all good faith efforts to ensure the passage" of Proposition A on the June ballot. Proposition A would change the rules for promotion in the department. Among other things, it would eliminate credit on civil service examinations for seniority.

- Develop a "full-scale and effective program specifically designed to recruit and train minorities and women for hiring and prepare them for promotion."

The program "will be staffed with qualified persons, including Officers for Justice members wherever possible and appropriate, according to the settlement.

- Assume "reasonable costs, including salary, fringe benefits, para-professional and secretary service, office space, Xeroxing, travel, postage and other related costs" for the special master to administer the settlement and for an auditor to monitor the city's compliance.

One legal problem that may arise before the settlement is accepted is that the Police Officers' Association, which represents a majority of the officers on the force, and is an "intervening" party in the suit, bitterly opposes the settlement.

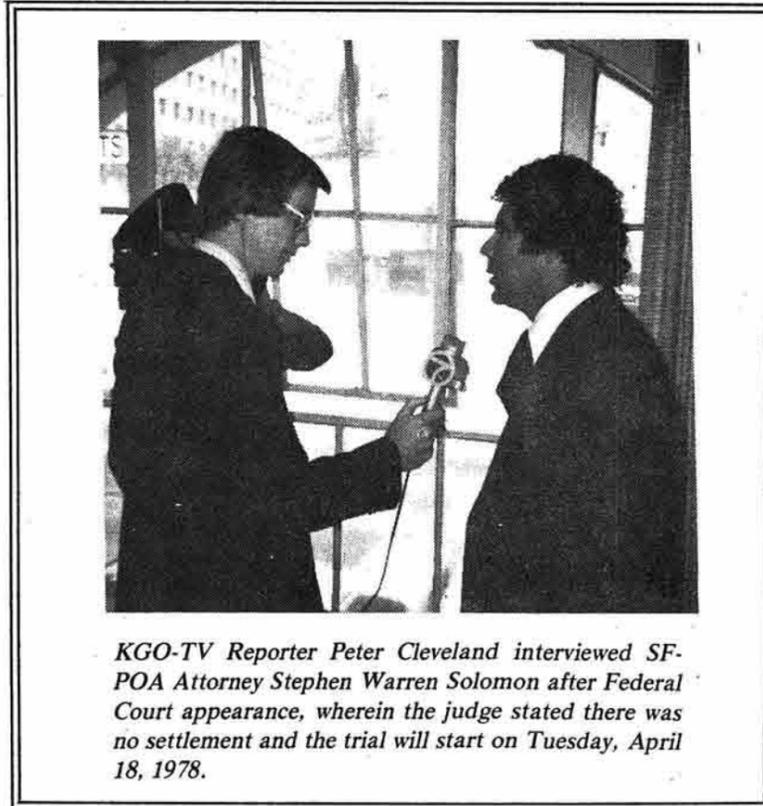
Although the POA's opposition may not be enough by itself to stop the settlement, the group also has a \$1 million cross-complaint pending against the city, charging that white are discriminated against because of hiring and promotion quotas.

A POA official said last night "this is not the end of anything — this is the beginning of a new phase" and warned that the POA would go into the U.S. Court of Appeals if Judge Peckham approves the settlement.

The supervisors approved the settlement after little more than an hour of closed door debate.

Voting in favor of the settlement were Supervisors Robert Gonzales, Ella Hill Hutch, Gordon Lau, Harvey Milk, John Molinari and Carol Ruth Silver, sources said.

Opposing the settlement were Supervisors Dianne Feinstein, Lee Dolson, Quentin Kopp, Ronald Pelosi and Dan White, sources said.



KGO-TV Reporter Peter Cleveland interviewed SF-POA Attorney Stephen Warren Solomon after Federal Court appearance, wherein the judge stated there was no settlement and the trial will start on Tuesday, April 18, 1978.

## Comm. Salomon's Report Continued

He said there might not be time to obtain it.

The settlement includes \$2.25 million dollars, or as much as \$25,000.00 for some plaintiff officers, and \$385,000.00 in fees for their attorneys.

The litigation claims racial bias in Civil Service testing dating back to 1969. **Significantly, no claim is made by plaintiffs that test questions are culturally biased in any way. All that is claimed is that not enough minority persons passed the tests.**

Under the Supreme Court's decision in *Washington v. Davis*, the plaintiffs must meet an almost insurmountable burden of proof: that the Civil Service Department intentionally discriminated in drafting its examinations prior to 1973.

After 1973, the City administered only two examinations to police officer candidates: the 1974 Q-2 entry level examinations, and the 1976 Sergeant's and Assistant Inspector's examinations. As to these examinations, where a diverse impact to minorities is shown, the City must prove that the test questions were job related. **With respect to the 1974 Q-2 examination, there was no adverse impact upon minorities. Thirty-nine percent (39%) of the persons receiving passing scores claimed minority status.** According to the latest census, the work force of San Francisco is composed of only thirty-eight percent (38%) minority persons of all ages. The Court has already signaled his substantial approval of this examination. (F.1)

**The 1976 Sergeant's exam did result in adverse impact. That is, a substantially smaller percentage of minority persons passed the test. Yet, the examination was the product of a thorough job analysis paid for (ironically) from funds \$15,000.00 donated by the Police Officers' Association.** Subsequently, the City hired another validation consultant who would testify that even if certain claimed non-job related questions were deleted from the scoring, the racial impact would be approximately the same. The examination itself was composed of questions taken from a series of law enforcement books assigned by the Police Commission. *The test questions were written by a Civil Service staff member named Jesus Berrigon, a Latino. Mr. Berrigon is a member of an organization by the*

*name of "Latinos for Affirmative Action." He is a named plaintiff in a lawsuit currently filed by that organization claiming test discrimination against minorities by the City. It is a measure of the madness of this litigation that anyone could seriously claim that this minority person would sit down and write an examination adverse to minorities.*

The City Attorney has warned, in support of his argument to settle the OFJ case, that the court may impose greater financial penalties upon the City than the 3 million in recovery and fees contemplated by this decree. I find it hard to believe that Judge Peckham would order financial and non-monetary relief more onerous than what is proposed here. Apparently I am joined in this thinking by the plaintiffs' attorneys themselves. **If plaintiffs' attorneys thought they could win substantially more by proceeding to trial on April 18th, they would proceed to trial on April 18th.**

But even if the settlement ultimately saved a few cents on the tax rate; even if Mr. Gnaizda's real strategy, by this decree, was not to create in Judge Peckham's court room, as I strongly suspect, an entirely new form for brand new lawsuits and new demands for damages and attorneys' fees throughout the next ten years; even if there were no appellate relief available from an adverse ruling by Judge Peckham after an open and fair trial, a non-economic question persists: at what long term social cost do we settle on these proposed terms?

**By this decree, race quotas are implanted into virtually every level of the hiring and promotion procedures applicable to the San Francisco Police Department. These quotas are the product of a series of secret meetings in the Mayor's office as to which even Commissioners and members of this honorable Board have been continuously excluded. No representatives of the non-minority police officers have been accorded the courtesy of so much as addressing their public officials with respect to this decree which will affect their career opportunities for the decade. I contend that if such quotas are to come to San Francisco, they should come by way of a judgment of a court, after a full and**

**fair and public hearing, not as the result of the decision of public officials acting behind closed doors.**

It may be that the police officers of our department would respect the judgment of a Federal judge imposing limited quotas after they have been accorded their day in court. They will never accept or respect a settlement worked out in this closed process.

**There is too much politics in this consent decree.**

The City will rue the day it imposed race quotas upon our police force. Race preferences contained in this decree will sow the seeds of internal hatred for years to come in our Police Department, pitting one group against another, demoralizing the department and weakening its protective effectiveness. The non-minority police officers correctly believe that they are entitled to their day in court before their career opportunities are so drastically curtailed. Police Department morale is an important factor in protecting the lives and property of our citizens.

I am as interested as anyone in recruitment programs, job restructuring, a declining utilization of written exams in favor of skill tests and oral board reviews and other methods designed to open opportunities more completely for women and minorities. But in the absence of a court order to the contrary, our commitment must be to preserving a system in which selections are made in a racially neutral way; in which men and women can rise or fall in Civil Service upon their own competitive merits.

**Our Charter is colorblind. Yet our records on minority employment, without quotas, is a good one, notwithstanding the myth to the contrary. In 1964, approximately twenty-five percent (25%) of City employees were racial or ethnic minorities. In 1971, minority presence has increased to thirty-two percent (32%) of the City work force. In 1972, the Civil Service Commission adopted new procedures and policy related to equal employment opportunity. In the five-year period since adoption of these new EEO policies, minority work force presence has increased from thirty-two percent (32%) to forty-six percent (46%), or an approximate three percent (3%) annual increase. The presence of females in the City work force has increased some twenty-seven and one-half percent (27.5%) in 1971 to thirty-eight percent (38%) in 1977. For the past three years, nearly fifty percent (50%) of all appointments from regular eligible lists have been made to minority candidates. It is not a bad record for the merit system. (Emphasis added)**

## APPENDIX A

The protected class goal is 45% minorities and 45% women, with minority women courted twice. Thus, if minority women are hired in the ratio of their presence in the available work force (16%), the long term goal of total departmental representation of minorities and women would substantially exceed 65%.

1. The San Francisco Civil Service exams for Q-2 officers developed at a cost of hundreds of thousands of dollars, using outside industrial psychologists, has been deemed so job-related and defensible in EEO litigation that two other major West Coast cities have purchased the examination for their own use.