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## SUMMARY KEYWORDS

san francisco, police, riot, people, police officers, city hall, gay, harvey, gain, crowd, jury, street, chief, psychiatrists, night, police officers association, castro, reporter, poa, mayor

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00:04

KPFT FM 90 in Houston is proud to present the Los Angeles Philharmonic season every Tuesday morning at 9am. upcoming programs include June the 19th. Zubin Mehta is guest conductor, directing Schubert Symphony Number two, also sprak Zion SUTA by Richard Strauss, and a clarinet concerto by John Corigliano. Featuring So Louis Michels kowski June 26. Zubin Mehta conduct Schubert Rosa Monday over to her Coffea second violin concerto with soloist, Glenn dicterow concertmaster of the orchestra and narla Symphony Number four, with soprano Daisy attack him. That's every Tuesday at 9am on a que PFT National Public Radio for Houston.



01:15

The foster family division of the Harris County Juvenile Probation Department is seeking responsible persons who wish to be foster parents or children between the ages of 10 and 17. For information on foster parenting, and they call the Harris County Juvenile Probation Department, the number is 2217877. If you're interested in becoming a foster parent, you should call Harris County Juvenile Probation Department 2217877 and get information. Another public service announcement for information regarding the national march on Washington for lesbian and gay rights. The you can call the following numbers if you wish information 24 Our toll free number is 1-800-528-7382 You may call now if you like for information regarding markets and transportation they're too 1-800-528-7382 or in Houston during business hours. You can call Ron or Bob at 8407248. Hey, young people will be holding a meeting this coming Thursday night. And in fact every first and third Thursday night of each month at Montrose Activity Center. 1414 23 Holman, Atla branch at 7pm. If you're interested in further information about the young gay people's organization, you may call right now, five to six 4000 and speak to get young people in our very presence. And that will continue with Dave's tape.



02:50

The California Supreme Court went too far. But these things happen. And it's been the law since 1966. The thing that surprises me is that people are now getting excited about it. I have pointed it out to my class over the years that it really didn't make much sense. But interestingly, the people who were screaming most about it are the Liberals now who find that it isn't enough punishment for Dan White, but regularly in the legislature they blocked doing something about limited capacity. Stanford's John Kaplan insists though that anytime in prisons

spent by Dan White will be no picnic. But five or six years in a California prison is as close to living hell as anyone should ever get to. Maverick psychiatrist Thomas is oz. Giving his colleagues carte blanche in the courtroom to prey on the minds of impressionable jurors is perhaps a good working definition of a hellish situation for the American legal system. ZAZ author of the myth of mental illness, why can psychiatrists to a kind of priesthood giving off its own special higher version of the truth or strategic untruths?



03:58

Since so called psychiatric expert testimony is legally speaking opinion. It can never be perjured. This fact this fact points to the role of the single prosecution psychiatrist in the right case. So far as I know, nothing has been made already useful has been made of his participation in this. One psychiatrist testified for the prosecution. This physician was actually stupid enough actually to examine them then right on the day of the killing. He testified that he found ways to be seen competent and responsible for his actions. But to the jury, no doubt. The jury no doubt concluded that this was an inept doctor who couldn't find the diminished capacity, so easily detected by four other doctors and the clinical psychologist. The very act, the very act of examining why it was, in my opinion, stupid and totally inconsistent with mounting a strong case for the prosecution. The fact that the DEA had right examined, must have only proof to the jury. And rightly so that there was something a psychiatrist could in principle discover by examining him that would be relevant for establishing rights courts capacity to commit first degree murder. There in precisely lies, hoax of diminished capacity. In my opinion, the prosecution should have led the jury to infer malice and premeditation, from the facts of the case. Just as a jury is supposed to infer malpractice, when a surgeon leaves a sponge in the patient's stomach. Right defense, this rested on two separate pillars, psychiatry, and the play of diminished capacity was one in a subtle but persistent appeal to the jury, anti homosexual prejudice was another this letter this letter aspects of the defense strategy has seemingly been overlooked by many of the previous commentators on the trial. Good people, I quote, good people, find people with find backgrounds simply don't kill people in cold blood was Smith's typical phrase for interpreting to the jury in the press alike, what quotes really happened to them? Right. I quote again, see Mrs. White, wrote the reporter for the San Francisco Chronicle. See Mrs. White, it was impossible for the jury not to believe that white came from a decent, hard working background, that the the jury remembers, share and admires. Repeatedly, Schmidt used the word background. Background was indeed the code word for what primarily for street as against gay and secondarily for white Christian policemen as against black Jewish deviant.



07:42

Reasoning, which the prosecution never challenged, and hence, which the jury readily accepted. And they might say parenthetically, that I completely agree with Carol Silver's remarks about the nature of the jury trial and how the jury was simply misled in this case. If this reasoning which the prosecution never challenged, and then hence the duty federally accepted, is allowed to stand. No heterosexual married policeman jogger will ever be convicted of first degree murder in America.



08:25

Needless to say, homosexuals, unmarried men and men is poor personal habits, or we're not policemen, such men will of course be liable to conviction for first degree murder. This discrete skill, Schmidt successfully replaced the reality of den white, the moral actor on the stage of life, these abstractions of rights, diminished capacity and the so called background and then instructed the jury to focus on those fictions and ignore the facts.



09:01

Thomas czars speaking to a predominantly gay audience at a Libertarian Party forum at San Francisco's Mission High School, czars would rather see psychiatrists banished from the courtroom altogether, or given the same role as a priest minister or rabbi. Dr. George Solomon is one of those psychiatrist who testified for the defense in the Dan White trial. Dr. Solomon takes a less radical view of the need to alter the role of Psychiatry in the courtroom.



09:28

Well, I don't like the way photography is used in a court but I don't but I think the the problem is much has to do with our whole criminal justice decision. In other words, you'd have to change the laws about murder if a person if you define first degree murder as being able meaningfully and materially to premeditate and deliberate and, and if you have insanity as a as an exculpation, and so forth. I don't see how you can deal with expert testimony. not have expert testimony, what I feel would be the ideal situation would be to keep psychiatrists completely out of the courtroom in terms of whether the person did something or didn't do something. And of course, in this case, there was no issue about that, because he admitted, he obviously had he admitted it, but then try to bring in experts in terms of how best to serve society's interests in terms of protection and punishment as well. I'm not against punishment. And and in terms of the potentiality of rehabilitation, and but do you see that if we did that we'd have to change the whole criminal justice system? Because that has that is not, that is not the adversary process. And the other thing is, if we tried to do you know how we can best serve society's interests, and also possibly come out with someone who can function in society, we'd have to have a variety of resources to put people in, in after after conviction, and we don't have those sorts of resources. So it means major changes in the criminal justice system. And I think there could be very desirable changes and I don't like the way psychiatry is used but don't forget, psychiatrists are members of society. Just like I just said, and assets we are required to, to participate as society defines our role.



11:39

Thomas czas would dispute the notion that psychiatrists are merely fulfilling society's expectations of them in the courtroom,



11:46

I maintain that American psychiatry is right and complicit in crime. While right, pull the trigger on the gunner that kills Moscone and milk. American psychiatry pulls the wool over the eyes of lawmakers and journalists and the public, leaving to the courtroom scenario of psychiatrist

lying through their teeth and have enjoyed life legitimize record as quote, expert medical testimony.



12:23

On Mondays, Wednesdays and Fridays, the psychiatric liars, go to court, exonerating the guilty. That is called a psychiatric defense or the Senate defense on Tuesdays, Thursdays and Saturdays, the same liars go to court, incriminate things innocent. That is called civil commitment. The lawmakers, the judges and the attorneys usually for both sides. All shamelessly use these higher layers, because each of them is usually reluctant to expose and demolish the psychiatric F reluctant to expose and demolish the psychiatric defense of the guilty as he is to expose and demolish the psychiatric incrimination of the innocent.



13:17

But time is Monday May 21, just after 530 in the afternoon. But this will not be an ordinary rush hour in San Francisco, as the news of the Dan White verdict hits the street about the same time as the commuters. But news of the voluntary manslaughter verdict travels fast, especially through the gay Castro village. Castro has been the launching pad for practically every major gay and lesbian march in San Francisco for at least the past two years. Have you melt believed that the marches helped to vent anger and frustration over civil rights, defeats and other forms of injustice inflicted on gay people this night would not witness that type of safety valve March hotter. This evenings march on city hall would quickly develop into what the San Francisco Examiner headlined the next day as a night of fury. Wyatt's in some respects are like the human equivalent of earthquakes, and they are about as easy to report in any kind of coherent linear way. What follows are impressions from the scene from reporters, Peter Laufer, Errol Chisholm, and David Lampo



14:23

I was on Castro Street in the Castro Valley and quickly a mob formed at first it was just a parade and headed down Market Street and I met up with the reporter Chisholm, at that time reporter Lampo was down at the city hall watching as more people assembled from various parts of the city other than the Castro Valley and on Market Street reporter Chisholm and I saw the parade as a crested a hill there were very few police in evidence at that time, and the community itself was blocking traffic off of Market Street you have to realize that Market Street is a very wide Eighth Street eight lanes wide and the entire street this is the main drag through San Francisco blocked off as this crowd of 1000s crested a hill blowing whistles and chanting various slogans headed towards City Hall. Of course, it wasn't shortly after that, that it was a full fledged riot.



15:19

Definitely a moving riot. What you have here it's it's one ugly, messy scene, I'll tell you that. I just happened to have been fortunate to get a telephone so I can see it as a company and report it to you. I can tell you a crowd of a few 1000 Several Iraq, but they were leaving it

looked like they were all going and then it stopped. And then that violence flared up. And in fact, I became a target of the rioters throwing stuff away and we have been apparently partially picked out. I'm out here with Jeff Jarvis, a reporter from the examiner. And he and I managed to get to this balcony and stuff are starting to come our way. There's no question about people are looking at us. And we're just kind of crouching behind



16:08

the barricade. Why don't you light a candle Peter?



16:11

I don't think that would be appropriate. I mean, this is not a crowd. I'm going back to what's being thrown Peter, bear with me for a second when I come inside because that's just



16:26

a little bit too weird with meanwhile, reporter Lambo watch police cars burned a



16:30

whole bunch of cars and we later found out that they were mostly police cars. On the van Avenue side of the building or the posts we tried. Excuse me, the Polk Street side of the building went up anywhere from 10 to 14. I'm not certain but it was quite a scene at one point. You could see nothing but a row of flames along one of the edges, maybe the northern edge of the City Hall Plaza. The one had had its spillover effects into nearby neighborhoods. Some of the trashing appeared selective that directed against some banks and other institutions of authority and power. Other incidents appear to be mere punk trashing. As the evening wore on Peter Lawford looked out from the glass covered front steps of City Hall.



17:14

And in the backdrop the eerie sounds of burning squad cars I'm standing on the steps the folk street steps of San Francisco City Hall in the background that squealing you hear the shorted out sirens of what could easily be a dozen squad cars burning on Golden Gate Avenue and one of them on Polk Street the boom you just heard in the background a gas tank exploding. It looks like a warzone out here. There's no question about it. Erie as the fires burn, right here in the heart of San Francisco people still mingling on the streets but for the most part this point their passers by at least that's the way they look. Their passive attack squad moved on Miss crowd finally after hours of the crowd, damaging the City Hall breaking windows starting fires, taunting the police.



18:04

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One's view of the city hall White was often a matter of luck. I had been marching along with a crowd holding up my cassette recorder hoping to capture the sounds of the kind of gay March I had heard so much about the mood of the crowd marching down Market Street was obviously a mood of anger and frustration. There were a few hints as to just how that anger would express itself. The head of the march made it to City Hall about eight o'clock, I made the decision to go inside and fill in a quick report back to my station in San Jose. By the time I returned from the second Hall press room, all hell had broken loose.



18:40

Okay, you can hear it now. There's a violent demonstration outside of the San Francisco City Hall. windows have been broken. They're attempting to kick the door down. The San Francisco tactical squad is here in full riot gear. They're standing inside the city hall. It's an ugly scene right at this moment. It's hard to say at this particular moment how many of the cloud are involved in this particular aspect of the demonstration. This is not what the people who led this demonstration down to City Hall wanted to see happen. It is happening. It's ugly. It's dangerous right at the moment. It's about 830 at night.



19:23

Police in full riot gear are gathered by the metal detector where people are normally searched for weapons when they enter city hall. There's an angry crowd outside. Not everybody is participating in this event but a significant number are they're trying to get into City Hall. It's a tense situation.



19:40

David Israel's and John Kiper are freelance gay reporters who found themselves outside of City Hall as the riot started. We hear their accounts of how the night of fury began. I reached City



19:51

Hall on the evening of May 21. Monday, shortly before 8pm Before the feeder Mark had reached there from Castro Street. At that time, there are about one to 200 people on the steps of City Hall and spilling over onto the sidewalk. Very, very angry but very quiet. People holding various signs protesting the Dan White verdict. It was it was so quiet that I started to backtrack towards Castro Street to try and to meet the march on its way. And I got almost two on Market Street almost Van Ness when they appeared. And I joined the March at that point. And it was it was a very angry March, very noisy, a lot of people were blowing their police whistles. And it came into Civic Center in front of the city hall there. At this point, over 1000 people and the crowd grew rapidly from there. spilling over into the street across the street and into the civic center plaza. When I had been there before, as I say the people had been massing on the steps. And people were all over the steps at this point to you know, there'd been no attempt to to clear the steps by March organizers. In fact, this all very little organization evident. There. There had been a speaker system there which I understand was trampled. The newspapers claimed that it was by the demonstrators. The I heard that night that had been by the police.



21:41

Okay, so six cops come up through the crowd. They stood out for a while then they came inside City Hall. Two cops by themselves came through the crowd. They were jostled, and they were afraid. They got to the middle city hall door. And then the other six cops broke the side panels to bring those cops in because they were afraid to swing the doors out open. And that's what started everything tonight. And once you can tell Well, the Putin people were beating on the doors and I didn't see it but I heard one reporter saying account that that A one one window had already been smashed, but but as far as I know that that breaking of the windows by the cops really incited the crowd.



22:20

About a dozen riot cops stormed up the steps and into the city hall and formed a line just inside the city hall. The doors were high suspect locked at that point. They also tried to get people back from the doors back down the steps, which was very unsuccessful. People started banging on the door and chanting Dan whites a pig. And it was very tense and very angry atmosphere. There were a couple of scuffles with the police. When they came through. People begin throwing things at the door at the city hall. And then the glass started I started hearing glass breaking the attitude at the crowd at this point was very mixed. As the glass is breaking, some people were cheering others were shouting no, they seem to be very horrified by the by what was going on. There were people were carrying posters like avenge Harvey Milk, pity for the privilege death for the poor. Some people are chanting No more violence. So far. I had seen no violence from the police except for this scuffle. People on the stairs were trying to calm the crowd. At one point people started chanting We want Sally and Sally Gearheart and she started speaking with a bullhorn you know we do not want his death avenged with violence. Speaking of Harvey Milk, and there is there was applause I would guess from the majority of the of the crowd, but she was really drowned out by the sound of the crowd. Basically, there was an attitude of hysteria, an air of hysteria.



24:29

Towards the end of the riotous evening in City Hall, I found myself standing on the front steps and missed a lot of broken glass behind the line of San Francisco police officers. Officers who had been forced by orders Manhya to stand fast while the wire unfolded at their feet



24:51

see cars burning outs on the fringe of City Hall



24:56

it seems a bit almost a retro flame. As you might expect, the guys have fluid built up a real head of steam, especially after they saw the torching of about a dozen police squad cars. Cars whose powder blue paint jobs that Republic been ordered by police chief Charles game to get a

softer, more humanistic image to the SFPD. On the night of fury, all images yielded to the harsh reality of strong human emotions. The officer standing before me on the front stairs of City Hall reminded me in a weird way of a football bench, and we're fighting mad as they yelled at their fellow riot gear cloud officers to go for a blob demonstrators blood.



25:35

To Hell, we gotta push them to



25:37

the San Francisco Civic Center wasn't the only center of semi riotous activity on the night of fury. Sometime between midnight and 1am. Castro's great was visited by dozens of police officers, some reportedly from nearby Bay Area cities. The accounts are not entirely clear as to what kicked off what gay people refer to as the police invasion of the Elephant Walk gay bars at them Castro, police officers claimed the bottles were thrown from inside the bar. Some gay people on the street and in the bar, say on the contrary, the police incursion into the Elephant Walk was unprovoked one person adding that ironically, the patrons in the bar may have been there precisely because they wanted to have nothing to do with any riot as seen, either at Civic Center, or in the Castro neighborhood.



26:22

What set it off was there were a couple of bottles or glasses throwing himself on the street was just a small handful. And it was definitely out of the bar because I was saying the door where I would have gotten hit five if it hadn't thrown out. And they just attacked everybody. They were telling you to move and get out but they weren't giving you a chance to move. They were just hitting and clubbing and swinging and pushing. And the only thought was to try to find somebody to get out of the way and he didn't know where to go. They were telling you on the street and they came in was to get out of the bar. You right in the middle of the whole mass.



26:49

It was Michael reports a mass Carolina's a Castro area resident who happened to be in the Elephant Walk with friends just before the police charged him while I was sitting



26:58

in the window seats facing Castro sitting with a friend and we looked over and there were paddy wagons all of a sudden two of them I saw from where I was sitting, and I couldn't see too well that and police were filing out some of them in riot gear. I'm not sure if all of them were and I realized that I was sitting next to plate glass so we both got up and got across the street. I was standing in front of the star pharmacy turned around and I saw at least eight policemen



storming through the doors. Now I know those doors weren't locked, and I know that there was no reason to Blake break the glass on them but I just saw the police pour into the Elephant Walk and I saw from outside I saw the shadow of billy clubs against the glass



27:39

eperture reportedly underway in the San Francisco gay community to see that the police invasion of the Elephant Walk bar is kind of in among the havoc wreaked in San Francisco the night the verdict came in. It was the morning of Tuesday, May 22. The morning after the night of fury at City Hall maintenance workers that swept the glass off the front steps. The building was done over in your basic post riot plywood. The plaza in front of City Hall featured a mixture of business types working out deals and street people just waiting for the next round of civic craziness. Three rather scruffy looking young gay men were standing on the grass near the reflecting bowl. They said that the night before they had been standing eyeball to eyeball with the police just before all hell broke loose. The young men placed the blame for the wind squarely on the shoulders of Mayor Dianne Feinstein and the rank and file police officers standing guard the front doors to City Hall. They asserted that there was a link between the violence of Dan White and the political aims of the Police Officers Association.



28:42

Well, if Mayor Moscone I mean, what's your name would have come out last night and talked to people you know, this would have probably got rid of a lot of people's angers and people would have settled down. And then they called in the police. And they started pushing people around and off the steps. No one was breaking windows until the police came in. Because I was right up there in the front of it. And then they come out and they missed it. They said they didn't mace us, they damn well did because my glasses were covered with it. It was all down the front of my jacket. And they made this and then when they started that then we started fighting back. But till then people were just yelling mad and no one was breaking anything. If Feinstein would have come out and talk to the people even to be booed, it would have been all right and then people would have been mad but I don't think all this would have started but the police started it by coming in and Mason people and beating people up. I mean because nobody was breaking things until they started and when they started then we started



29:29

to also I don't know if you're watching the police last night but the police were having a fairly good amount of fun. It was obvious when you see police in riot gear laughing you know I mean that's they're obviously having fun and I ended up talking to one by my house. Their tactic it appeared what they were doing was pushing people ahead of them and allow them to lewd ISIS. Why didn't you stop it? And this is we'll have a new chief of police in two weeks. And that's what these police are wanting. They've already gotten rid of Moscone. He was a liberal man. Now they therefore I didn't gain gain was out here and they were they're trying to get rid of gain. This gives him a wonderful opportunity.



30:05

The opportunity soon presented itself in the form of a resounding vote of no confidence and police chief Charles gained by members of the San Francisco Police Officers Association. Association president Bob Berry told me why you thought gains should go first question. What do you feel that this vote that the Police Officers Association took really means as far as the the situation, Chief gains future and the whole ball of wax there?



30:32

Well, David, it doesn't mean that it's an ultimatum to the mayor of San Francisco, it means that 98% of the people in the police department voting has no confidence in the way the Chief of Police is effectively leading this police department. It's, it's an outlet for the membership to the mayor of San Francisco outlining their frustrations, their complete demoralization over the last couple of weeks with respect to the riot, and, of course, a great number of other issues. We're trying to tell the citizens of San Francisco that we've got some tremendous problems in the police department that have not been addressed over the last few years. The lie, of course, was a combination of an awful lot of things, including the pay situation, the philosophy of the chief and the way he administers to the police department, and so forth. And although I have called for the taste resignation, I feel it is proper, because of the way he is. He is patrolled because of the way his He's been running this police department in a very haphazard, inefficient manner. And if we received a new chief of police, one that at least takes the concern of his membership into account as well as the concerns for the diverse city that we're living in, I think, then we'll be on a much more even keel. But I don't think gain has taken the concerns of his membership into account. I don't think he's, he's as sensitive to our particular problems as he is with certain political groups in San Francisco. And that's one of the dividing factors that that culminated also in the vote of no confidence. It's a resounding vote. It's unprecedented. We took a survey three years ago, relative to the entire criminal justice system in San Francisco, that game was, was a little too liberal for such a conservative profession, and that the members didn't feel confident that he could cut the mustard. It certainly was a little premature, I believe, but it wasn't entitled The no confidence vote, and it was not released to the media as such. But this is a frustrating moment in our lives in San Francisco is history. And I think we really have to take a constructive look behind the scenes as to the motivation behind his inability or failure to act in that riot situation. And we've got to take a good hard look at what's been going on in this police department for three years. And I contend and will tell your listeners that not a hell of a lot has been going on. I represent 1500 police officers that are outraged and disgraced at what happened. It was an intolerable situation and one that certainly could have been avoided.



33:33

What do you specifically think that Chief gain should have done let's say at eight o'clock, the night of the riot when things started to get a little bit ugly? A little glass had been broken in front of City Hall a few things that happened What would you recommend should have been done at that point?



33:47

Well, first of all, there wasn't a little grass broken the the riot started about 815 that night and this is a rough time, you know, give or take a few minutes. There were sufficient police officers present at the scene between 820 and 830 minutes that could have been used to effectively

present at the scene between 830 and corridor nine that could have been used to effectively disperse the crowd. The Chief of Police is commanded under state and federal law to not only be present or a commanding officer not to be present during a riotous situation, but must take affirmative police action in quelling the riot and arresting the offenders. If there are violations of the law. The latter portion of that was not adhered to. And the chief says he didn't have enough manpower to effectively disperse the crowd. And that had he moved prematurely. There would have been a lot of bloodshed in San Francisco. There were sufficient police officers that were highly trained, probably the most highly trained tactical squad in the United States today. We've had more demonstration experience more riot experience in any major metropolitan police department in the last 10 years and then we'll go back to the riots of Berkeley in the late 60s, the Hunters Point riots in the 60s and San Francisco State riots. A relatively small group of highly trained officers effectively moved and dispersed the crowd of 10,000 riders without too many problems. Certainly there are going to be skirmishes that break out in the immediate response from the police. But that's expected in any mob situation. San Francisco experienced the worst display of felonious conduct. In recent history. 106 police officers were injured 44 civilians, some rioters some innocent bystanders, the untold damage vehicles, equipment, salaries, overtime, and mutual aid. You know, it's probably going to amount to a million dollars in game contends that the damage and injuries were minimal. I can't believe his statements. I think he's, he's really insulating himself from the problem and he's not really addressing it.



36:06

Very of the Police Officers Association and I have talked about barriers appropriately representing numbers of his personnel, who had expressed dissatisfaction with the command decisions made at City Hall. The night of the riot,



36:20

the speaker was Charles Gann, the chief of police the city of San Francisco, on the legacy of George Moscone. His term as mayor is considered his appointment of Gann the Chief's job January 13 1976, is key to understanding why this mayor was different from those who had come before him. Because Charles Gann was certainly different from chiefs who had come before him. Those differences were greatly appreciated by politically astute members of the city's gay community. They were just as bitterly resented by most rank and file police officers. These resentments came to the surface with a vengeance on the night of the riot. By and large, the men and women serving under Charles Gann did not see the city hall riot the way he saw it. They did not applaud Gann's decision to hold the force and stand until fairly late in the evening. On the riot had reached its most destructive phase. Two barbarians most of the police officers the demonstrators were criminals who needed to be stopped with force if necessary. To achieve gain. The job was to contain the disturbance to the confines of the civic center with those little injuries as possible. As a matter of fact, I



37:23

was there from beginning to end, I knew all of the factors. I knew, for example, that we had an obligation to protect vital records and City Hall common obligation to protect peace officers from severe injury and rioters and demonstrators from citizens severe injury by judiciously and

appropriately waited until that time when we had appropriate police resources to move on the demonstrators and rioters. So it was to have minimal personal injury to both police and others to contain the rioting to civic center so as to preclude a spread and writing and trashing private businesses. I stand by my decisions they were appropriate. I knew all the known factors. from a broad perspective, individual police officers with whom I empathize because of their frustrations had a very narrow view. We cannot permit indiscriminate actions by numbers of in small groups of police officers that results in injuries to them. It necessarily results in their using more force than is appropriate to a given situation until you have enough capability to move and to quell a disturbance. What I did was appropriate. I've been doing it for 15 years, and would do the same thing again.



38:37

Let's zero in on a key phrase and chief gains news conference rebuttal to the POA



38:42

individual police officers with whom I empathize because of their frustrations had a very narrow view. His critics



38:48

within the department would probably say that the last thing Charles gain appeared to do was empathize with individual police officers. news media accounts have gained stormy relationships with the rank and file repeatedly stressed the view that the average police officers saw the man at the top as aloof, arrogant and indifferent to their personal fates and frustrations. The San Francisco Examiner asked a veteran police reporter now retired, why the troops had so much contempt for their chief whining from the perspective of 47 years covering what some reporters call the cop shop. Baron Muller summed it up this way she's gained he wrote lacks street smarts. He made little effort to cultivate the kind of rapport with the men and women on the police force that previous chiefs had used to reinforce their positions chief gained and bring them in for fatherly chats. Remember their promotions, celebrate their retirements and other important anniversaries in the lines of professional police officers says reporter Muller the rank and file were looking for a traditional kind of police chief. A chief would come up through the ranks and could see the world the way they saw it. A police chief and not a sociologist Charles Gaines problems with the force of course go beyond a mere lack of rapport. If Mayor George Moscone made his mark partly through political friendships with a gay community, Charles game was his chosen instrument for cementing those relationships. Chief gain was the champion for a new policy of tolerating the newly emerging open gay lifestyles on Castro Street and elsewhere in the city. To many police officers, this pro gay policy just didn't sit too well. No, it's one law enforcement observer. Police officers by and large feel that homosexuals are immoral. Plus the political problem faced by Chief gain the morning after the riot when it was widely perceived that his riot containing policies were inspired in part by his desire to be seen as popular in the gay community. Thursday July 6, Mayor Dianne Feinstein writes what appears to be the final chapter hon. Charles Gaines tenure has police depot San Francisco and are calling on the police commission to seek gains resignation as of the beginning of the next mayoral term, January 8 1980. Friday July 7, again, the front steps of City

Hall, a coalition of 16 Community minority and gay groups, calling themselves the Coalition for police accountability attacks the prospective firing of police chief gain. Coalition spokeswoman Thelma Kavanaugh, zeroes in on what the group feels is the growing and destructive political power of the Police Officers Association.



41:32

The purpose of this press conference is to make a fact perfectly clear. We the neighborhood taxpayers and voters of San Francisco represented here feel that recent events involving the Police Officers Association and the community are being incorrectly reported. We want to get one thing straight. This is not the POA versus the chief, the POA versus the gays, or the POA versus any other group. It is the POA versus the city of San Francisco. The POA is a police association whose membership is composed of police who live elsewhere. 65% of these police officers live out of the city. This police organization of out of towners is the same one that struck the city engaged in outrageous behavior during the strike and displayed once and for all, that ultimate contempt for obeying law and maintaining order given to the truly lawless. Who can forget the slash tires, the threat of violence, the misbehavior, we can buy their tokens you shall know them. The tokens of the POA are an organization which canceled the mayor's scheduled speech to their annual dinner because they felt that in that huge group of police officers, they could not, quote, guarantee her safety, unquote. It's a group that resists affirmative action hiring or residents of the city as police officers uses pressures, threats and distortions to create fear to maintain their control. And most of all, resist change and the true professionalism of a police department that for years was evaluated as hopelessly ineffective and full of good old buddies. We the residents of the city, the taxpayers, the voters ask these questions, who keeps these organization members, this army of suburbanites engaged less in law enforcement than in gross political partisanship. What is the role they are supposed to play? We say that they are paid to act as peace officers, not as instigators of violence, mayhem and death. We say that they are paid to do their jobs, not to go about threatening politicians with defeat or worse, if they don't do what the POA wants. We say that they are supposed to be responsive to the residents of the city, not an occupying army of Novato, San Rafael, and Foster City residents who come to San Francisco to enforce their idea of what is moral, what is acceptable. What is community. We say these police are paid to follow directions from the civilian government, through the chief of police, not to dictate policy, determine who their boss will be and decide for themselves how laws should be enforced and how riots should be contained. We say that the members of the POA are paid to be professional police, not professional agitators, political activists and power brokers. Frankly, we don't give a damn whether the POA likes the chief or not, or whether they like gays or not Whether black or yellow skins are acceptable to them or not. We pay them to be police officers, our employees, and we want them to either do their job or resign. So we can hire residents of the city willing to conform to the standards of performance. We the voters, we the taxpayers, we the people establish. Today we are releasing the petitions, which was circulated the last weekend in San Francisco neighborhoods, signed by 1000s of city residents who affirmed that and I quote, as residents of San Francisco, we hereby protest the reprehensible and unconscionable attempt by the Police Officers Association to dictate government policy in San Francisco. This effort amounts to nothing less than a sinister assault on the integrity of your legally constituted authority and must be forwarded. Chief, Charles Gaines has proved himself and able, efficient and humane police officer. We strongly urge the mayor, the Police Commission, the city of San Francisco, to retain him for gay



46:08

San Franciscans. The post riot outlook included more than just the political future of police chief gain or district attorney Joe Freitas or mayor Dianne Feinstein for that matter. politically aware of lesbians and gays seemed in their public meetings and some of their private utterances to be concerned that their newly won foothold in San Francisco not be eroded by a post riot backlash fostered by civic leaders who are less than anxious to see San Francisco continue as a gay Mecca. A post riot meeting at the Harvey Milk gay Democratic Club focused on concerns that gays be involved in any official investigation into the riot, and that gays cooperate in protecting their brothers and sisters from possible Grand Jury indictments. As far as the riot itself is concerned, the prevailing mood of the politically articulate community seem to be ambivalent, officially deploying the violence at times but constantly reminding outsiders of the rage that have been building up in gay neighborhoods over police harassment, such as the incident at pegs plays were off duty police officers had staged a drunken invasion of the lesbian bar with resulting injuries to some of the women in the bar and to alleged police neglect over the increasing crescendo of straight youth violence directed at gay is summing up. It could be said that the no apologies call by gay supervisor Harry Britt and lesbian activist Sally Gearheart found as much support in the lesbian and gay communities as dumped Dianne Feinstein buttons produced on Castro Street on the eve of the riot. Sally Gearhart was one of those drawn to a platform set up in the middle of Castro Street. The night after the night of fury, the night of what would have been Harvey Milk's 49th birthday, speaking to 1000s, who formed a two block section of Castro Street and turned it into a sea of lesbian and gay humanity. Sally Gearhart addressed the issues of the riot, in the form of a letter to Harvey Milk.



48:10

The miracle hasn't happened yet. And yet tonight, there is a much different tone to this crowd from last night. And I like it a lot better.



48:26

There's no way that I'll apologize for what happened in this city of yours last night. You've always known. You've always known perhaps better than I and maybe I'm beginning to learn it too. That unless a movement moves in the streets, there will be no ear that will hear us



48:51

that until we display until we display and ungovernable rage at injustices we will not even get the attention of a system that holds us down. For last night party last night Harvey like the man beating the donkey with a club last night we got the attention we needed. I don't I don't like it. You know, I don't like it, but it's done. And the question now is, is that all there is good. If the violence had to come last night, and let's not say that that's all that there is to us as gay people, because we are not a destructive people. The way the way in which we are different is the way in which we love one another.



49:52

And Harvey, if the rage pours from us in a response like last night, then We must let the world know that that is not all there is. I remind myself, Harvey, that gay people, lesbians and gay men are trained not to destroy, not to destroy anything different or life loving or creative. We all agree on this, Harvey, that it is because our movement is based on love and creativity and not on hate and destruction, that against the code of the big man, the big gun, the tough guy mindset, we will survive and our values will prevail.



50:50

So now, Harvey, now, Harvey, now that we've got the attention of the donkey of the city of the State of the Nation, maybe even the world now that we've shown that we won't take lying down the attacks on our lifestyle or human dignity, how do we get the donkey to move? I wish you were here, Harvey. Because you had one of the most politically creative minds I've ever seen. You knew how we could use the very system itself to work against itself. And you knew what ideas would catch fire and work. We've been wringing our hands Harvey trying to figure out what to do beyond the violence Sadducees beyond the rage that we've vented. And though I have some specific answers, I don't have any panaceas. But one of the things that I think I can pledge to you is that I will continue to suggest that last during this last day, we have experienced an incredible radicalizing in our community. I would suggest Harvey, that we have in the last 24 hours began to see a connection between the gay teenager in Muncie, Indiana, and a woman in Korea working for \$1 a day making Barbie dolls.



52:17

I would suggest Harvey, that we're beginning as a gay community to see that there is a connection between a black man jailed for stealing in Alabama, and a waitress who works for a minimum all her life of \$1.50 an hour. I would suggest carving, that as a gay community, we have begun to see the connections between a banana picker in South America who gets 25 cents a day and the fact that an era has not yet been ratified in the United States of America. So I begin to see that we begin to see that our law is not just to stand alone, but to gain the support and to support the causes of the majority of the people in this country who like us do not fit the masculine mold or the masculine ideology who are too dark to female, too crippled, too old, too poor or too loving.



53:23

And finally, Harvey even though we have in our community, some of us who have voted say against Proposition seven or voted for Proposition seven who are voted for proposition 13 Are there are some of us who still gamble in Reno, a state that has not yet ratified the era. There are some of us who still put money before our human needs. I still say Harvey, you can bet on it. That's beginning to change.



53:57

And what we will do with our energy our anger now with our final understanding, is something quite different. We learning very painfully, Harvey what you meant when you said wherever

there is a sister or a brother that is suffering at the hands of the system, gay people will be there.



54:26

I would say to you, I would say to you what I said to you often what you have said to me and what Seth said first and Rita Mae Brown said again, and that we can all rely on among ourselves and our creativity and the love that keeps us alive and that will keep our value surviving. An army of lovers cannot fail.



55:05

And I wish that I had been born into a culture where when somebody died, everybody rejoiced and genuinely felt happy. I wasn't. I was born in a society where I was brought up to feel sad when somebody died. And I do feel sad, but I have a feeling from everything that I've heard about Harvey, that at this point, you would really like everybody probably either go get drunk or just start laughing without the booze.



56:23

Back on the evening of November 27, degree stricken city had a very basic and simple response to the killings of their leaders. Now once again San Francisco politics is anything but simple. On the evening of the killings one Harry Brett soon to be supervisor, but then unknown outside of the ranks of the San Francisco gay Democratic Club of which he was president could move the huge quiet candlelight procession of martyrs outside of city hall with a few simple words from the heart, about Harvey Milk and George Moscone.



56:54

How many times now we've taken that walk down Market Street. And we've known that whatever disaster had brought us together that when we got here, Harvey Milk would say something that gave us hope. That made it all right. We knew Harvey would be here because when his people needed him, Harvey was always right in the middle of them. Always, always, always. There. Our mayor is dead. And that's reason enough for us to be here morning. He was a fine mayor. I know that's true, because Harvey told me he was a fine