

**UNITED STATES OF AMERICA, Plaintiff, v. THE CITY AND COUNTY OF SAN FRANCISCO, ET AL., Defendants, Defendants, In Intervention, FONTAINE DAVIS, et al., Plaintiffs, In Intervention. v. THE CITY AND COUNTY OF SAN FRANCISCO, et al., Defendants, In Intervention**

**Civil Action Nos. C-84-7089 MHP, C-84-1100 MHP**

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ORDER

MARILYN HALL PATEL, UNITED STATES DISTRICT JUDGE

IT IS HEREBY ORDERED, EFFECTIVE JANUARY 14, 1988, THAT

1. The following sections of the October 22, 1987, General Order 87 A-105, issued October 22, 1987 by the San Francisco Fire Department, shall be made an Order of this Court and are herein incorporated by reference:

A. Section II

B. Section III - Parts A, B, and C. Part B, with the exception of Paragraph 3, subpart d, shall for the purposes of this Order include racial harassment.

C. Section X

2. The following persons are charged with the immediate responsibility of carrying out this order and insuring compliance with it by all members of the SFFD under their supervision directly or indirectly:

Michael Farrell

Gerald C. Cullen

Gregory W. Abell

Edwin M. Ahrens

Daniel E. Barden

Robert D. Bechler

John J. Bogue, Jr.

Robert L. Bruno

Dennis M. Callahan

Arthur M. Citron

Louis J. Comaduran

Richard E. Condon

Patrick Connolly

William H. Crabtree

Frank W. Drago

Frank H. Dunphy, Jr.

James C. Ferry

John W. Flaherty

David A. Frisella

Michael L. Goodin

James A. Goodwin

John J. Hickey

Arthur W. Kenney, Jr.

Alfred P. Kenny

Daniel P. Kiely

James J. Lang

James R. Lynch

Gerald B. Mahoney

Paul A. Malfaiti

John G. Mandas

David F. McCarroll

Joseph F. McCarthy

Thomas F. McGuire

Michael R. Moran

George W. Morris

Robert W. Moser

Gary L. Musante

Daniel K. O'Sullivan

George L. Politis

Victor M. Shannon

Henry T. Smith

Alfred E. Smyth

Peter M. Sorensen  
Gary J. Torres  
George L. Vouchilas  
George E. Berthold  
Frank T. Blackburn  
John F. Boscacci  
Harry F. Brophy  
John H. Hirshfeld  
Robert J. Korbus  
Ray A. Landi  
Joseph A. Medina  
Edward E. Murphy  
James P. Olson  
Frederick F. Postel  
Wm G. Richardson, Jr.  
W. M. Shaughnessy  
Howard L. Slater  
Oliver C. Storti  
Charles W. Zerbe

[\*2] 3. All persons mentioned in paragraph 2 of this Order shall within ten days of this Order ensure that each

station house under transupervision is inspected and that any racially inflammatory materials be removed and destroyed. All station houses shall remain free of such materials.

4. All persons enumerated above will be held in contempt of Court for any proven violations of this Order. If after a due process hearing, one is found guilty of violating this Order, the Court may impose either a fine to be personally paid or imprisonment or both. Persons involved in these hearings have the right to be represented by counsel.

5. The San Francisco Fire Department, until further order of the Court, shall complete the investigation of any complaint of discrimination within ten days of its receipt. Disciplinary action shall be taken when the facts so warrant. All proceedings necessary to arrive at that determination shall be completed within 30 days of the filing of the complaint. If the San Francisco Fire Commission is responsible for taking action, it must act within 45 days of the filing of the complaint.

6. The Court will review any complaints of failure to effectively impose discipline.

[\*3] 7. No person who is disciplined by way of suspension or any kind of action that would result in a loss of pay shall be reimbursed by any other source such as Local 798.

DATED: FEB 5 1988