



Published August 5th, 2020

Orinda considers body-worn cameras for police, advocates greater communication

By Sora O'Doherty

The Orinda City Council heard again from Orinda Police Chief David Cook and city staff as the city reviews its policing policies following the May death of George Floyd while in Minneapolis police custody, which caused a storm of local and nationwide protests. The staff came back to the council with three main recommendations: that the city explore the cost of a body-worn camera program; that the Orinda police chief be required to report annually to the city council; and that all members of the public should be encouraged to contact either the police chief or the city manager with any concerns about interactions with the Orinda police department. Council Member Nick Kosla asked that the annual report also include the use of drones.

Orinda, like Lafayette, contracts with the Contra Costa County Sheriff's Office for police services. Currently there are 14 police officers, including the chief and two sergeants - three officers are minorities, and there currently are no women on the force. Cook explained that OPD officers are hired from the pool of county sheriff's deputies, and that the city also relies upon the sheriff's office, as well as neighboring police departments, for coverage if Orinda officers are unavailable. Lafayette and Moraga police departments already require officers to wear cameras, but the Sheriff's office does not have such a requirement, according to Jimmy Lee, Contra Costa Sheriff's Office Director of Public Affairs.

When asked during the public comment portion of the meeting how the police department deals with language issues, Cook explained that it is not a common occurrence, but when necessary officers can use contract translation services available through dispatch. Another concern involved "5150" calls - named from the California Welfare and Institutions Code Section 5150 that deals with detaining people who are considered, as a result of a mental health disorder, to be a danger to themselves or other or are gravely disabled. Cook explained that a police officer does call in on all 5150 calls to protect the safety of all involved and to help determine if a person meets the standard for detention under section 5150. Mental health issues were highlighted by several speakers, particularly in light of the fatal police shooting of Miles Hall in Walnut Creek.

Cook told the council that he has heard some anecdotal evidence of people of color being stopped by OPD and has listened carefully to Black Lives Matter advocates Neil Pretlow and his wife. During his 10-month tenure, Cook said that he has not received any complaints, but feels that it is important that people can feel free to come to him. "Conversations are important for perspective, understanding and moving the conversation forward on sensitive topics," he said, but if anyone does not feel comfortable talking to the police chief, he suggested that they talk to Steve Salomon, Orinda city manager, or even call the Contra Costa Sheriff's Office. The city council members also suggested that any member of the council is also open to and available for such conversations.

"People need to feel that they can make a complaint," Salomon said. "A number of people of color have said that they have been treated inappropriately. They should feel free to call police chief or me, they can even call anonymously. I do get some complaints, but I have not gotten a racial complaint since I have been here. Do people in Orinda feel comfortable complaining? Absolutely. I get complaints about traffic tickets, etc., and we address the complaints."

When asked about whether or not police will respond if a person reports another person as suspicious because they are a person of color, Cook replied that he has talked to staff and expects a supervisor to contact the caller and find out why they think the person is suspicious. If the sole reason is that it is a person of color, the police won't respond, he said.

When asked if some calls can be handled by unarmed civilians, Cook stated that right now the department cannot afford a civilian employee and that civilians cannot handle traffic stops, noting that "the vehicle code delegates traffic stops to police officers. Traffic stops are considered very dangerous and are appropriate for police officers."

Salomon noted that police services cost the city about 40% of its budget, including insurance, legal assistance, etc., and Mayor Darlene Gee added that funding the police is the single largest item in the city budget.

One of the public speakers during the Zoom meeting suggested the chief publish photos and biographical information, including race and ethnicity of all officers, and have those officers engage in public activities. Several public speakers thought that there should be a mechanism for citizen oversight of the police. Joel Schaffer, a 25-year Orinda resident and son of the San Francisco Assistant District Attorney asked why there is no function for citizens to be part of a community review committee to assure that the community gets information not just from the city council. William Hudson agreed that the piece that is missing for him is a feedback group that is independent of the police force to address "some things we are concerned about; we want to be sure we are a welcoming and fair community," he said.

The review of policing policies will return to the city council in September or October.

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[back](#)



