



November 17, 2015

Contra Costa County Grand Jury
725 Court Street
Martinez, California 94553

RE: GRAND JURY REPORT 1510

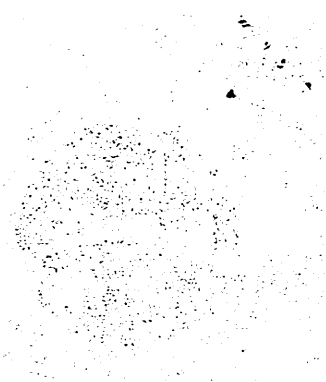
The Hercules City Council has been requested to respond to 2014-2015 Grand Jury Report 1510, entitled - Community Courts. In June, the Grand Jury sent out a report on Community Courts to all cities in the County. The City of Hercules is submitting this reply as requested by November 18, 2015.

As outlined in the report, currently, the cities of Walnut Creek, Concord, Pittsburg and San Ramon conduct community court hearings for people who are arrested for certain misdemeanors in their jurisdictions. Cases include low level crimes such as petty theft, public intoxication, vandalism, minor accidental non-injury vehicle hit and run collisions, and malicious mischief.

According to the Grand Jury Report, if a person agrees to participate in the community court process, an independent hearing officer hears the case in the city's police department. The hearing officer has the authority to issue a directive, which may require the participant to pay a fine or restitution, perform community service, and/or attend counseling. Completion of the directive will prevent formal criminal charges from being brought against the participant, but in most cases, does not remove the arrest from the participants record.

After conferring with our staff and reviewing the Grand Jury Report, the City of Hercules partially agrees with the findings in the report and believes that this program may or may not be beneficial in many ways to a City of our size. However, the recommendation to implement a Community Court program will not be implemented because it not reasonable at this time for the City of Hercules to do for the following reasons:

1. The City of Hercules suffered budget cuts that required almost 50% of its employee to be laid off. This includes 10 Police Officers and 5 Police support staff. We currently do not have the staff to implement the program.
2. This program will require the City to hire additional certified personnel to record and transcribe the hearings and at times provide a certified translator for the arrestee or witnesses. With these requirements the program will most likely be cost prohibitive.



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The University of Chicago
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the sum of \$100.00
for the purchase of books

for the Department of
Political Science
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By the Treasurer,
The University of Chicago
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Further, this could be problematic later if the Offender alleges any failed promises, misrepresentation of facts, or any other wrongdoings or misunderstanding, during a City sponsored proceeding.

3. There is the potential for a given case to participate in the Community Court and at a later time the arrestee could commit a more serious crime leaving the City open to public scrutiny and possible liability.
4. In furtherance of our efforts to be tough on crime and improve our standing as the 19th safest city in California, we prefer to send our cases to the District Attorney for formal prosecution.

Thank you for the Grand Jury for their services and for providing us with an opportunity to review and respond to Grand Jury Report 1510.

Sincerely yours,



Sherry McCoy
Mayor, City of Hercules