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COPS Law Firm Fails to Respond to Officer-Involved Shooting COLMA Police Officer Left Stranded

Source: Kasey Christopher Clark, Chief Legal Counsel

Date: 7/30/2005



A law firm utilized by COPS for legal defense in Northern California committed the cardinal sin in public safety legal representation; failing to be available for an after-hours

critical incident.

On May 25, 2005 at approximately 10:20 p.m., a Colma police officer shot and critically injured a robbery subject who attempted to run the officer down with the suspect's vehicle. At the time of the incident, the Colma Police Officers Association contracted with COPS for representation, who assigned the Law Firm of Silver & Katz out of San Jose as attorney for the CPOA.

Subsequent to the shooting the CPOA attempted to track down the firm's attorneys through after-hours numbers they had been provided. There was no answer from Silver & Katz despite repeated phone calls over two-hours time. Given the nature of critical incidents, both the involved officer as well as CPOA representatives were angered by the lack of response.

Fortunately, one of the officers on scene from a neighboring agency had contact information for PORAC's Legal Defense Fund. Approximately 30 minutes after placing a call to PORAC's Legal Administrator, Paul Brennan of the Law Firm of Rains, Lucia and Wilkinson responded to the scene and represented the involved officer in an investigation that took approximately 6 hours to complete.

The Rains Firm is one of the top public safety defense firms in the State. Mike Rains represented one of the Oakland police officers in the two "Riders" trials in which he obtained acquittals for his client. The Rains firm is also on the CAUSE Legal Defense Fund panel.

Subsequent to the shooting incident, the Colma Police Officers Association severed its relationship with COPS and Silver & Katz. They are now represented by PORAC and the Rains firm. A letter from CPOA Vice-President John Wood to PORAC Vice-President Kip Ringen which summarizes the decision to leave COPS is attached below.

Unit 7 members, particularly armed peace officers, must have access to the highest quality in legal defense. CAUSE LDF is such a fund. The Teamsters'-endorsed COPS legal defense is not. Do not put your faith in the hands of a plan which may or may not be there when you need it.

Attached files: [COLMAPOA.pdf](#)

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