

STATE OF CALIFORNIA  
BEFORE THE COMMISSION ON JUDICIAL QUALIFICATIONS

INQUIRY CONCERNING A JUDGE  
NO. 10

NOTICE  
OF  
FORMAL PROCEEDINGS

TO: JUDGE BERNARD B. GLICKFELD:

IT APPEARING THAT since December 28, 1966, and at all times herein, you have been a Judge of the Superior Court for the City and County of San Francisco; and,

Preliminary investigation having been made pursuant to the provisions of Rule 904 of the California Rules of Court concerning removal, censure or retirement of judges, during the course of which preliminary investigation you were afforded a reasonable opportunity to present such matters as you chose, and this Commission as a result of said preliminary investigation, having concluded that formal proceedings to inquire into the charges against you shall be instituted pursuant to Section 18 of Article VI of the California Constitution and in accordance with Rules 901-921, California Rules of Court,

NOW, THEREFORE, YOU ARE HEREBY accused of conduct prejudicial to the administration of justice that brings the judicial office into disrepute in the following particulars:

I

On or about February 24, 1969, in connection with a criminal prosecution entitled The People of the State of California vs. Kenneth Beasley, William Augustus Morris and Ricky James Jackson, No. 73817 in the files of the Superior Court for the City and County of San Francisco, you received a young woman named Lois Caruso, the victim of the criminal acts alleged to have been committed by the defendants in said action, into your court chambers at the Hall of Justice, 880 Bryant Street, San Francisco, and, during a conversation concerning the disposition of the criminal charges, you referred to Miss Caruso as a "horse's ass" in a loud, boisterous tone of voice.

II

On or about March 21, 1969, in connection with a criminal prosecution entitled The People of the State of California vs. Kenneth Beasley, William Augustus Morris and Ricky James Jackson, No. 73817 in the files of the Superior Court for the City and County of San Francisco, you subjected Police Inspector Arthur Christensen to public ridicule and contempt as partially disclosed in the following colloquy:

"[JUDGE GLICKFELD]: I think it's a lousy deal when an inspector has to sit with a client. The district attorney ought to advise the inspector. I think it is ridiculous. Inspector Christensen, can I see you a moment? Is there some reason you have to sit here, or don't you have enough work to do?"

INSPECTOR CHRISTENSEN: I was instructed to go down with this young lady by the lieutenant of my detail.

[JUDGE GLICKFELD]: Who?

INSPECTOR CHRISTENSEN: Lieutenant Flahaven.

[JUDGE GLICKFELD]: Who gave him the instructions? Bring Lt. Flahaven down here. I never heard of a sentencing procedure where people have to be in court with a policeman holding their hand. Tell the lieutenant I want to talk to him.

MR. NORMAN [the district attorney]: Well, your Honor, I don't think that this is a fair remark.

[JUDGE GLICKFELD]: Mr. Norman, I am not going to listen to what is a fair remark in view of what you did to the court a few weeks ago. I don't want to hear that. I want Lt. Flahaven down here. That is the way it is going to be. And I don't want to hear about what a fair remark is. There are lots of things that are not fair.

MR. NORMAN: For the record I don't think it was.

[JUDGE GLICKFELD]: I don't want police inspectors sitting here in court holding some alleged victim's hands, and I am using the term figuratively. And I want Lt. Flahaven down here. I want to know where these instructions came from. There is lots more work for the police to do in the county than sit here in this court. I want to know who gave the instructions, so bring him down here."

You have the right to file a written answer to this charge within fifteen days after service of this notice upon you with the Commission on Judicial Qualifications, Room 3041, State Building, 350 McAllister Street, San Francisco, California 94102. Such answer shall be verified, shall conform in style to subdivision (c) of Rule 15 of the Rules on Appeal, and shall consist of an original and 11 legible copies.

BY ORDER OF THE COMMISSION ON JUDICIAL QUALIFICATIONS.

DATED: April 10, 1970

MURRAY DRAPER /s/

MURRAY DRAPER, Chairman