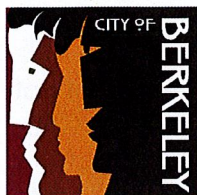


Internal



OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY

**POLICE ACCOUNTABILITY BOARD
SPECIAL MEETING**

**Tuesday, November 15, 2022
2:00 P.M.**

Board Members:

JOHN MOORE III. CHAIR
NATHAN MIZELL, VICE-CHAIR
KITTY CALAVITA

REGINA HARRIS
JULIE LEFTWICH
DEBORAH LEVINE

CHERYL OWENS
ISMAL RAMSEY

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH
VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of the attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device using this URL: <https://us02web.zoom.us/j/82237902987>. If you do not wish for your name to appear on the screen, use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon on the screen. To join by phone: Dial **1 669 900 6833** and enter Meeting ID **822 3790 2987**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized.

The Police Accountability Board and Office of the Director of Police Accountability (ODPA) were created to provide independent civilian oversight of the Berkeley Police Department. They review and make recommendations on police department policies, and investigate complaints made by members of the public against police officers. For more information, contact the ODPA.

1947 Center Street, 5th Floor, Berkeley, CA 94704 TEL: 510-981-4950 TDD: 510-981-6903 FAX: 510-981-4955
Website: www.cityofberkeley.info/dpa/ Email: dpa@cityofberkeley.info

LAND ACKNOWLEDGEMENT

The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Chochen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.

AGENDA

1. CALL TO ORDER & ROLL CALL (5 minutes)

2. APPROVAL OF AGENDA (2 minutes)

3. PUBLIC COMMENT (TBD)

(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on this agenda only.)

4. RELEASE OF FORMER BPD OFFICER (COREY SHEDOUDY'S) EMAILS AND TEXT MESSAGES REGARDING BPD DOWNTOWN TASK FORCE BIKE PATROL (TBD)

A. SECURE ANY AND ALL COMMUNICATIONS REGARDING THIS MATTER VIA:

I. PUBLIC RECORDS REQUEST

II. PAB ISSUED SUBPOENA

B. VOTE TO RECOMMEND POSTPONEMENT OF THE CITY COUNCIL'S CONSIDERATION OF INTERIM CHIEF JENNIFER LOUIS AS PERMANENT CHIEF OF BPD UNTIL ALLEGATIONS ARE INVESTIGATED

5. PUBLIC COMMENT (TBD)

(Speakers are generally allotted up to three minutes, but may be allotted less time if there are many speakers; they may comment on items on this agenda only.)

6. ADJOURNMENT (1 minute)

Communications Disclaimer

Communications to the Police Accountability Board, like all communications to Berkeley boards, commissions or committees, are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the Board Secretary. If you do not want your contact information included in the public record, do not include that information in your communication. Please contact the Board Secretary for further information.

 Communication Access Information (A.R. 1.12)

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

SB 343 Disclaimer

Any writings or documents provided to a majority of the Board regarding any item on this agenda will be made available for public inspection at the Office of Director of the Police Accountability, located at 1947 Center Street, 5th Floor, Berkeley, CA.

Contact the Director of Police Accountability (Board Secretary) at dpa@cityofberkeley.info

Internal

PRESS RELEASE
November 14, 2022

Contact: nmizell@berkeley.edu
TW // Racism, Classism

**STATEMENT FROM VICE-CHAIR MIZELL* OF THE BERKELEY POLICE ACCOUNTABILITY BOARD*
CALLING ON THE BERKELEY CITY COUNCIL TO DELAY THE CONFIRMATION OF INTERIM CHIEF
LOUIS UNTIL A FULL INVESTIGATION OF ALLEGATIONS OF SEVERE BERKELEY POLICE
MISCONDUCT**

Berkeley, CA: I have become aware of allegations of severe misconduct within the Berkeley Police Department. These allegations come from a former BPD officer.

Currently, Interim Chief Jennifer Louis, who served as a Captain during the period of the alleged misconduct, is scheduled to be confirmed as the Permanent Chief of Police at a Berkeley City Council meeting tomorrow at 6 PM.

The alleged misconduct includes text messages from Downtown Task Force/Bike Unit group chats with racist and anti-homeless statements and texts describing patterns of unlawful police practices. These include the establishment of arrest quotas, profiling, and rewards/punishments for arrest numbers. Additionally, it is alleged that Interim Chief Louis had prior awareness of the misconduct and took no action.

The allegations specifically implicate officers of BPD's DTF/Bike Unit and its Supervisor, Sgt. Darren Kacalek, President of the Berkeley Police Association. Sgt. Kacalek is specifically alleged to have ordered the DTF/Bike Unit to make 100 arrests per month. In the texts Sgt. Kacalek allegedly makes anti-homeless and racist remarks, including suggesting that homeless individuals in the city could be "wipe[d] out" and that the bike unit would "ride by the bodies". Sgt. Kacalek also allegedly texted a link to a racist Facebook post suggesting a person could trade a "White Privilege Card" for a "Black Card" to receive "welfare checks", "free college", and an "Obama cell phone". According to the former officer, these messages are only the "tip of the iceberg" and hundreds of corroborating records allegedly exist.

Despite these severe allegations, City Manager Dee Williams-Ridley concluded that the City Council should still confirm Interim Chief Louis tomorrow. After an "initial inquiry", she believes that Interim Chief Louis was not aware of the alleged misconduct. These allegations involve multiple BPD policies, making it a matter squarely under the Board's purview. I am not currently aware whether the City Manager had knowledge of these allegations before Thursday, but I do know that the PAB was never informed of any such allegations at any point before or during the hiring process.

Hastily confirming the Interim Chief now would severely undermine public confidence in the independent oversight that Berkeley's citizens voted for in establishing the Police Accountability Board. It will also erode the City's ability to "promote public trust", a responsibility the City Charter entrusts the Board, and the City as a whole, to uphold. There is no conscionable way for the confirmation process to go forward tomorrow.

I call on the Berkeley City Council to delay the confirmation of Interim Chief Louis until a thorough independent investigation has been conducted by the PAB and the public has had the opportunity to review the evidence. I additionally call on community groups to amplify this message and call on all community members to come to the Tuesday, 6 PM meeting to urge City Council to delay the confirmation.

*As the Board has not yet been able to schedule a meeting to consider an official position in this matter, I write here solely in my individual capacity and I am not representing the Police Accountability Board or the City of Berkeley.

XXX

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Nov 14

SECURE JUSTICE CALLS FOR ATTORNEY GENERAL INVESTIGATION INTO BPD ARREST QUOTA POLICY

On November 10, 2022, Berkeley Police Department (“BPD”) Officer Corey Shedoudy [emailed](#) the Mayor and City Council, alleging the presence of an arrest quota program for the Downtown Task Force Bike Patrol, of which he was a member. Officer Shedoudy is presently facing disciplinary action by BPD. Secure Justice calls on Attorney General Rob Bonta to investigate these claims into what might be a very illegal and unconstitutional pattern of police practice, involving racial profiling and targeting of unhoused populations.

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Officer Shedoudy attached [text messages](#) to his email that appear to support his claims pertaining to the arrest quota program imposed by Sgt. Kacalek. Officer Shedoudy's email further claims that the program allegedly began when Interim Police Chief Jennifer Louis was a Captain, and continued after she was named Interim Chief. On Tuesday November 15, the Berkeley City Council will consider naming Interim Chief Louis as the permanent chief of the department. Secure Justice calls for the City Council to postpone such an important decision until these serious allegations are investigated. Almost as troubling as the allegations themselves is the [emailed response](#) of City Manager Williams-Ridley to the City Council, first ordering that the email and text messages not be shared, and stating her belief that she believes there is no reason to pause the hiring of Louis.

BPD has a troubling past with regard to racial discrimination and its present stop-data reports reveal that BPD is [specifically targeting Black drivers](#) even more egregiously than the Oakland Police Department, which is presently in its record setting nineteenth year of federal monitoring due to its own culture of racial profiling and targeting Black Oaklanders.

Spring 2022 - a note from our Executive Director

Secure Justice

Oakland, CA

EIN 83-3116364

Contact: Brian@Secure-Justice.org

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Interim Chief Louis



Corey Shedoudy

shedoudy@gmail.com



To Berkeley Mayor's Office mayor@cityofberkele...
Kesarwani, Rashi RKesarwani@cityofberkeley.l...
Taplin, Terry ttaplin@cityofberkeley.info
Bartlett, Ben BBartlett@cityofberkeley.info
Harrison, Kate KHarrison@cityofberkeley.info
Hahn, Sophie SHahn@cityofberkeley.info
Wengraf, Susan SWengraf@cityofberkeley.info
Robinson, Rigel RRobinson@cityofberkeley.info
Droste, Lori LDroste@cityofberkeley.info
Thursday, November 10, 11:10 AM



Shedoudy Texts 2.pdf

PDF - 2.6 MB

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To the Mayor and Berkeley City Council,

My name is Corey Shedoudy and I was a Berkeley Police Officer from November 2014 until my termination on August 31 2021. My termination is currently in the arbitration process, and I expect my termination will not be upheld for, amongst other reasons, I have the truth on my side. Regardless, the purpose of this letter today is to ask of you to delay making permanent interim BPD Chief Jennifer Louis at your November 15th meeting.

My latest assignment at BPD was on the Downtown Task Force from October 2019 - September 2020 and the BPD Bike Force beginning in September 2020. During the course of my week-long arbitration hearing, evidence was uncovered that exposed the unethical and illegal practice of arrest quotas of downtown unhoused ordered by Sgt. Darren Kacalek to DTF/Bike Force that began when Chief Louis was a BPD Police Captain and continued after she was named Interim Chief.

DTF/Bike Force was ordered by Sgt. Kacalek to make 100 arrests per month, which was at the time more than the rest of the Police department combined. We were ordered to do so using questionable legal tactics that included stop and frisk, probation searches with no reasonable suspicion of a crime, and a very loose interpretation of stay-away orders from UC Berkeley.

The only acceptable response to such evidence from multiple officers inside the unit, separate from my arbitration or the allegations against me, is an immediate, comprehensive investigation. Chief Louis has instead responded with deafening silence and inaction. No investigation, no further inquiries. My intention is for this practice to stop, and I'm afraid now that it will not.

As a result of this inaction, at the conclusion of my arbitration I will be releasing to the public hundreds of DTF/Bike Force text messages, e-mails, sworn testimony transcripts, public arrest records, and photographs that clearly outline a practice of illegal arrest quotas, racism, evidence suppression, lying, and quid pro quos inside that unit.

My plea is that you delay the permanency of the BPD Chief of Police until this information is reviewed, and hopefully one day formally investigated. If at that point Chief Jennifer Louis is deemed the best leader of the Berkeley Police department then that is a fair decision, but I believe doing so now, absent any investigation, will be a disservice to the citizens of Berkeley.

I am attaching a few DTF/Bike Force group text messages from Sgt. Kacalek, myself, and other DTF/Bike Force members that begin to tell the story and that I would consider the tip of the iceberg.

Sincerely,

Corey Shedoudy

  Reply to all

23:33



Bike Force! >

I wonder if BPA will let the people vote for schedule change this time?

M We literally closed our jail

Today 23:30

Sgt. Kacelek (Darren) S-18

s I just read all this. I'm on my third triple Jack and Coke. This is definitely a "drink" day.

s Stern is gonna come back with a new strain that wipes out the homeless pop. We will just ride by the bodies!

I wish my wife talked about me like S-18 talks about car8



iMessage



Apple Pay



Q W E R T Y U I O P

A S D F G H J K L

↑ Z X C V B N M ↵

123

space

return



11:01

4G 79%



BD

BG

BPD, BPD, BPD, BPD

BJ

Group MMS



Imho arrests are the means not the ends. For all the businesses know, we arrest 20 people a day. XX arrests wont impress them. Solving their pain points will impress them. Solving the problems they know of will impress them, arresting the right people. Making their sidewalk not smell like piss.

BPD James Seaton

It takes a lot of guts to argue with the Corporal

BPD James Seaton

I respect it

**BPD Darren Kacalek,
88**

For sure Corey but numbers are a way of quantifying it as we move to really solving long term problems. Tickets and arrests are more of a notification to problematic people that we are out and about and there to enforce problematic criminal behavior and public nuisances. It's the official paper way of reminding



11:01

4G LTE 79%



BD

BG

BJ

BPD, BPD, BPD, BPD

Group MMS



or will impress them, arresting the right people. Making their sidewalk not smell like piss.

BPD James Seaton

It takes a lot of guts to argue with the Corporal

BPD James Seaton

I respect it

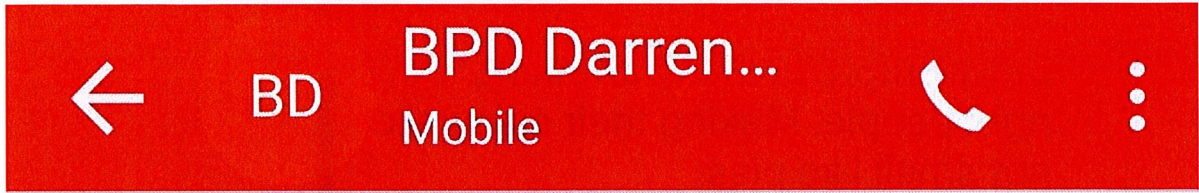
**BPD Darren Kacalek,
88**

For sure Corey but numbers are a way of quantifying it as we move to really solving long term problems. Tickets and arrests are more of a notification to problematic people that we are out and about and there to enforce problematic criminal behavior and public nuisances. It's the official paper way of reminding them that what they are doing is not okay and will get our attention.

**BPD Darren Kacalek,
88**

Moore did arrest Peewee for the stay away! Point DTF!





I like that way of thinking. I'm gonna come with a bike force board game. You do shit around the city to go forward. I'll come up with a cool award for the winner. Maybe like a week long challenge. Famous people arrested you get extra points.

(12/08/20, 1544 HRS)

11:10

4G LTE 77%



BD

BG

BJ

BPD, BPD, BPD, BPD

Group MMS



11/12/19 9:51 PM

BPD Darren Kacalek,
88

81 arrests! We can do 19 by Friday
for sure!

11/12/19 10:00 PM

BPD Greg
Michalczyk, 9

Hell yeah

BPD Greg
Michalczyk, 9

And DQ might have just found
shooting car!

11/12/19 10:10 PM

BPD James Seaton

Yeah a Honda

11:09

4G LTE 77%



BD | BG
BJ

BPD, BPD, BPD, BPD
Group MMS



10/31/19 12:51 PM

BPD Darren Kacalek,
88

About to earn my lunch boys.

BPD Greg
Michalczyk, 9

What ya get?

10/31/19 1:12 PM

BPD Darren Kacalek,
88

I spoke too soon. The warrant had
been recalled. Just a cite.

10/31/19 2:38 PM

We are LL quald 🎉🤩💰

BPD Greg
Michalczyk, 9

It's been over half a shift...how
many 1015s?

11:07

4G+ 78%



BD

BG

BJ

BPD, BPD, BPD, BPD

Group MMS



10/25/19 8:33 AM

BPD Darren Kacalek,
88

I was thinking whoever gets the least arrests today does the waxing.

BPD Darren Kacalek,
88

Harassment prevention training has been cancelled due to EOC activation. Nnnnooooooooooo!!

BPD Greg
Michalczyk, 9

That's awful

10/25/19 1:04 PM

BPD Darren Kacalek,
88

How we doing folks?

We cited for open container and checked in and chatted with mgmt at mcdonalds, missing link, the greek restaurant next to missing link, and tender greens



11:07

4G LTE 78%



BD

BG
BJ

BPD, BPD, BPD, BPD
Group MMS



codornices park guy. If I have time tonight I'll find the day/times and exact location in the park and we maybe we can work some OT on it.

10/23/19 11:05 AM

BPD Schikore

Are we working out??

**BPD Greg
Michalczyk, 9**

No come up stairs

BPD Schikore

Shit. I'm in my workout garb. Be there in a minute

10/23/19 12:14 PM

**BPD Greg
Michalczyk, 9**

1015 for a known parolee with sex crime no bail

**BPD Darren Kacalek,
88**

Boom! You guys earned our lunch!



10:40

4G LTE 83%



BD

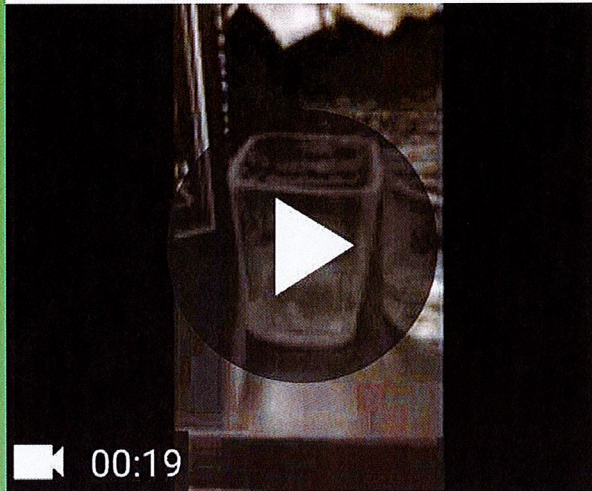


BPD, Tom, BPD + 3

Group MMS



BPD Darren Kacalek,
88



BPD Darren Kacalek,
88

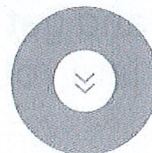
I got these for you guys from the Jack Daniels Distillery. Everyone gets one. The birthday girl gets first pick, then seniority. I'll take what's left.

BPD Darren Kacalek,
88

Shedoudy's Obama phone fucked up the video.

BPD Darren Kacalek,
88

Pickett?



10:59

4G LTE 79%



BD

BG
BJ

BPD, BPD, BPD, BPD
Group MMS



BPD Greg
Michalczyk, 9

I'm 14 coors lights down but can I
can I get some real talk guys...we
are the 1st street team BPD
has had in 4+ years...we didn't
have to interview...we have an
open check book for the next 5
months...have our own office...it's
is unprecedented in this history of
BPD...let's not fuck this up

10/19/19 9:44 PM

BPD Darren Kacalek,
88

I just want you to know Greg, I stole
that sign back for you!



BPD Darren Kacalek,
88

I was at Kevin Reece's birthday
party just now and Dave was there
and we briefly talked about DTF.
He said just kick ass, arrest people,
have fun, and get me results and I
will never jam you about overtime.



11:10

4G 77%



BD

BG
BJ

BPD, BPD, BPD, BPD

Group MMS



Hows Operation 100 going

11/12/19 3:31 PM

BPD Greg
Michalczyk, 9

Going alright

11/12/19 7:08 PM

BPD Greg
Michalczyk, 9

Matthew Harris is off probation

11/12/19 7:20 PM

BPD Schikore

Ya I found out earlier. Then he
would not consent to a search! 😂

11/12/19 8:14 PM

BPD Schikore

INV 2 right?

BPD Greg
Michalczyk, 9

Yeah



11:10

5G 63%



BG

BD

BJ

BPD, BPD, BPD, BPD

Group MMS



BPD Schikore

That would be perfect. Would be awesome to go out with the 10 year old b

BPD Darren Kacalek, 88

I'll put it this way. If you can keep a smile on the captains face from jump to Halloween AND you have kids that need to collect candy, then I'm sure we can figure out some kind of flex schedule for that day. But we'll see, I don't want to abuse any use of being in a special TEMPORARY assignment out of the gate!

BPD Schikore



10/21/19 7:05 PM

BPD Darren Kacalek, 88

What I was trying to say is special favors are earned! 🤪



11:19

5G 62%



BDBG

BPD, BPD
Group MMS



7/10/20 10:39 AM

BPD Darren Kacalek,
88

Where the fuck are you guys??!

Helping 187 on a thing at straw
creek

BPD Darren Kacalek,
88

How did you not catch the two cars
loading 3-4K worth of stuff into 2
cars?

Bc we're on foot at scp

BPD Darren Kacalek,
88

Oh no shit? You think you wanna
let me know next time?

BPD Darren Kacalek,
88

Like I said. "Oh no shit? You think
you wanna let me know next time?"



11:33

4G 26%



BD

BG
BJ

BPD, BPD, BPD
Group MMS



BPD Greg
Michalczyk, 9

Jimmy!!! You missed the ceremony
this morning

9/3/20 5:19 PM

BPD Jimmy Seaton

What ceremony?



BPD Jimmy Seaton

Did Greg get another award?

9/7/20 9:44 PM

BPD Darren Kacalek,
88

Did you guys see the Media release
for the Dennis Daniels bat incident.
Wtf?? Interesting how he listed
him as "Dennis Daniels, male, 51
years old, no address". I guess he
isn't black or no one could decipher
his race and he isn't homeless or
even unhoued, just no address.
#iwantthecoldhardtruth



3/13/20 8:43 PM

BPD Darren Kacalek,
88

Either of you have the 375 pic from yesterday?

3/14/20 12:31 AM

BPD Darren Kacalek,
88

Did you guys realize that all 5 people you arrested had something in common?

They had covid?

3/14/20 12:40 AM

BPD Greg Michalczyk, 9

No Idea

BPD Darren Kacalek,
88

All of the same heritage.



11:34

4G 26%



BD

BG
BJ

BPD, BPD, BPD
Group MMS



Loi

No outbreak all year. Waite and Frankel oty!

8/24/20 12:06 AM

**BPD Darren Kacalek,
88**

<https://www.facebook.com/521684550/posts/10158901456404551/?extid=yfxhMKjWanpGZgdU>

**BPD Darren Kacalek,
88**

White Privilege Card
\$100
San Antonio, TX
Like new, never used

Message

FOR SALE!

I'm selling my white privilege card. It's 48 years old and it hasn't done a damn thing for me. No welfare checks, No inheritance, No free college, No free food, No free housing, etc. I may even be willing to do an even trade for a race card. Those seem to be way more useful and more widely accepted.

Interested? Contact me on my non Obama cell phone that I have to pay for every month.

Serious Inquiries Only



12:21

4G LTE 22%



BG BD

BPD, BPD

Group MMS



**BPD Darren Kacalek,
88**

Good work. We are gonna have to step up our game if we want to stay in business as bikes. When as staffing goes down I don't want to be the unit that gets picked apart.

**BPD Darren Kacalek,
88**

Let me just take a moment to thank you for being you Corey.

lol

**BPD Greg
Michalczyk, 9**

Bikes ain't happening this summer huh?

7/7/20 11:05 AM

**BPD Greg
Michalczyk, 9**

We all make the same amount of money



Former Berkeley Police Officer Email-Corey
Shedouy



Williams-Ridley, Dee
Arreguin, Jesse L., + 11

3:40 PM



Mayor and Council,

I understand that you have all received a very disturbing email from former Berkeley Police Officer Corey Shedouy. I want to assure you that the allegations will be investigated fully and any additional investigative oversight needed will be sought. The allegations and texts messages shared, should not be distributed. I will work with the City Attorney and Human Resources to determine immediate next steps in this matter.

Lastly, I do not see any reason to pause the upcoming item requesting the appointment of Jen Louis to Chief of Police. My initial inquiry affirms that she had no knowledge of the allegations or text messages provided by Former Officer Shedouy.

If and/or when this email is made public by Shedouy, you should expect to have inquiries from media outlets. At this time, it is best to refer all inquiries to Matthai Chakko, Public Information Officer, who will work with me and the City Attorney on messaging. Should you need to respond please use the following:

"My office is aware of the seriousness of the matter and has been assured that the allegations will be investigated thoroughly. Since this is a confidential personnel matter, there are no other comments at this time".

Please call if you have any questions,
Dee

⏪ ∨ Reply to all