

## Phone Call with Ross Caouette

Recording Name:

[E11 OCSD- CALL WITH OCSD COMMANDER ROSS  
CAOUCETTE 090120.m4a]

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1 Bereki: Hello, this is Adam.

2 Caouette: Hi, Adam. This is Ross Caouette from the Orange  
3 County Sheriff's Department.

4 Bereki: Hello, sir. How are you?

5 Caouette: I'm excellent, thank you.

6 Bereki: Um, I have a little bit of a, um, sensitive and  
7 peculiar situation. Do you have some time that we  
8 could talk?

9 Caouette: Uh, yeah. Um, I think I -- I just want to make sure  
10 that I'm the right guy to talk to, so we can  
11 (inaudible - 00:00:21) and maybe, uh, point you in the  
12 right direction, but I'll help you the best I can.

13 Bereki: Okay. I appreciate that. I'll try to give you the  
14 most, uh, quick Reader's Digest version I can. Um --

15 Caouette: Sure.

16 Bereki: -- I am attempting to make a criminal complaint  
17 against a judge at the Central Justice Center for, um,  
18 exercising authority that is not granted by the  
19 Constitution and fining me \$1 million. So, I went  
20 down to the, um -- first, I called and spoke with the  
21 Watch Commander, who was Lieutenant Alde (ph), and he  
22 said, well, I can't guarantee you that we will or  
23 won't take a report, but at the very minimum we may  
24 take an information report, he said, but what you need  
25 to do is go down to the Central Justice Center and



1 speak to the supervisor there, whoever that is, and  
2 tell them the situation and see what they'll do. So,  
3 um, on August 7th, I believe, I did that, and, um, the  
4 supervisor said, um, that it's not a crime for a judge  
5 to not exercise authority that's granted by the  
6 Constitution and take my money or property. And he  
7 couldn't explain to me why that was not a crime, um,  
8 because, in my understanding, the one thing that  
9 differentiates, um, a public official from -- from  
10 performing their duties from it being criminal is  
11 whether the law authorizes them to perform that duty  
12 or not. And if --

13 Caouette: Sure.

14 Bereki: -- if the law clearly says that they can't do it and  
15 they do it, that's a problem. Uh, so, we're not  
16 talking about, you know, a \$500.00 fine that I don't  
17 think is fair. I -- I -- I'm -- I have so much in- --  
18 uh, support to back up what I'm sharing, lawfully, but  
19 I cannot get any help from the legislative department  
20 or the judicial department, and so I've gone, now, to  
21 the executive department, which is your office, and  
22 I've said hey, these other two branches of government  
23 are not acting within their constitutional authority.  
24 And I believe that while, um, the sheriff's department  
25 or any police department, for that matter, does not



1 have a duty to protect private citizens from one  
2 another, I do believe that you do have a duty to do  
3 something when rights are being violated by other, uh,  
4 branches of government and they don't have authority  
5 to do so. Um, so, I made a Public Records Act  
6 request, um, on August 7th to the sheriff's department  
7 to try to find out what the authorities are -- uh,  
8 what the requirements were, um, for the sheriff's  
9 department to take a report, and the response I got  
10 was that there isn't any, uh, documents that require  
11 the sheriffs to a- -- take a report, period. Um, and  
12 after I looked at those policies, um, it -- it appears  
13 that there isn't any such policy that says you have to  
14 take a report when a crime has been committed, or  
15 anything. Um, so, I -- I -- I -- I'll stop there and  
16 see if maybe I'm in the wrong spot and you can point  
17 me in the direction I should be in, or -- or what.

18 Caouette: Yeah. So, I want to help you with it, so here's --  
19 if -- if -- if what you're doing is -- if -- if --  
20 like, the way we can help, right? So, I'm not gonna  
21 be able to sit here on the phone with you and  
22 determine whether there's been a crime committed or  
23 not, right? And so -- and, in fact, there might not  
24 be, because it's kind of a complex situation, right?  
25 Uh, there might not be anybody that can do it in a



1 minute and decide whether they're gonna take a report  
2 or not, but we can, if we choose to, take a report,  
3 right, and then just forward that report to the  
4 district attorneys and let them determine whether they  
5 have a crime to file (inaudible - 00:04:15) --

6 Bereki: I -- I hear you, and, um, I -- I -- I did speak with  
7 an investigator at the, um, District Attorney's  
8 Office, and he said, um, that, um, it would have to  
9 start with you guys. So, I -- I do hear what you're  
10 saying.

11 Caouette: No, and -- and that's what I -- that's my -- that's  
12 my point.

13 Bereki: Right.

14 Caouette: Okay. That's exactly -- that's right. So, uh, you  
15 know, they might not identify a crime, right? We may  
16 not actually write a report for a crime, but I can  
17 probably help with writing -- you know, you could sit  
18 down with somebody, I can arrange that, where you give  
19 them the information. I take an information report,  
20 right, and we take that over to the DA's office and  
21 they determine whether they have a crime in that  
22 information where they can file on (inaudible -  
23 00:05:01).

24 Bereki: Yeah. I -- I totally do. And just so you know, I --  
25 I am a retired cop from Orange County. Not from the



1           sheriff's department, so, I -- uh, I --

2 Caouette: Right.

3 Bereki: -- y- -- I'm sure you sense that I know a little bit  
4 about what I'm talking about already. So, um, that --  
5 uh, I -- I would be amenable to that, and -- and the  
6 reason I -- I shared this is, you know, um, I don't  
7 want to make a scene about this, really, but somebody  
8 --

9 Caouette: Sure.

10 Bereki: -- at some point, has to do something to help. And,  
11 um, m- -- my contention has been all along that, uh,  
12 I'm just asking for someone to help protect me and my  
13 property. I don't think it's unreasonable to ask.  
14 Uh, it -- I mean, we're talking about my entire life  
15 estate, and being forced into bankruptcy for, um --  
16 I'll just give you an example. Like, i- -- if you  
17 catch someone driving without a license, on the  
18 street, it's, like, a \$250.00 fine. Well, I got --

19 Caouette: Right.

20 Bereki: -- fined almost \$1 million for allegedly not having a  
21 construction license.

22 Caouette: Right.

23 Bereki: So, anyone that you -- if -- i- -- if you even  
24 remotely, like, say what the heck is going on,  
25 something's wrong. And --



1 Caouette: Right.

2 Bereki: -- I cannot believe that I've had to go through these  
3 lengths just to get someone to say yeah, something's  
4 really off here. Um, I -- I mean, um, last week, I  
5 called the -- um, Senator Moorlach, who's our senator  
6 in, um, Orange County, here, and I spoke to his Chief  
7 of Staff, and he said, look -- he goes, we're a  
8 republican, um, senator in a democratic state and in a  
9 democratic legislature. You can forget about anything  
10 being done and we pass unconstitutional legislation  
11 every day. So, he said I'm not trying to put, uh, you  
12 out, but I'm just trying to tell you the truth. Um --

13 Caouette: Right.

14 Bereki: -- and that doesn't work for me. Um, not when I'm  
15 going to lose my home and, uh --

16 Caouette: And what city are you in?

17 Bereki: I live in Costa Mesa.

18 Caouette: Costa Mesa?

19 Bereki: Yeah, but I'm happy to go any -- to the department, or  
20 the --

21 Caouette: (inaudible - 00:06:59) is, you're gonna file -- or, I  
22 guess, it's in a -- in a court, uh, but that's really  
23 -- it's -- uh, I'm not sure -- and I'm gonna have to  
24 look into this, myself, is, that we're taking a report  
25 from somebody -- from somebody who lives in Costa



1 Mesa, right --

2 Bereki: Well, the -- the -- the crime occurred at the actual  
3 courthouse, that's why I went there.

4 Caouette: All right. So -- so -- so, does the judge work for  
5 the state or for the county?

6 Bereki: He -- well, I believe that all the -- the judges there  
7 --

8 Caouette: Or is it a federal court?

9 Bereki: No. It's -- it's all -- it's, uh, state. Uh, you --  
10 you're correct in ans- -- asking all that, but yeah,  
11 it's -- it's the state superior court. And even  
12 though, uh, it's the County of Orange, but it's --  
13 yeah, it's the state superior court judge. He gets  
14 paid by the state.

15 Caouette: Yeah. And so, that's where I'd -- I'd have to see --

16 Bereki: But there is -- um, in -- in my investigation, there  
17 is no state law enforcement agency. They all defer to  
18 the city or county where the crime occurred. Um,  
19 there is an administrative agency called the Judicial  
20 C- -- um, uh -- uh, Judicial C- -- uh, the Commission  
21 on Judicial Performance but, as far as I can tell,  
22 they only investigate administrative complaints. So,  
23 let's say --

24 Caouette: Right.

25 Bereki: -- something like, the judge fell asleep on the bench,





1 or something like that, th- -- there's no, like,  
2 criminal law enforcement authority there. Um --

3 Caouette: Okay. H- -- here's -- here's what I'm gonna do,  
4 right, and so -- because we're -- I'm not gonna figure  
5 this out. I'm gonna have a lieutenant at my north  
6 operations to call you and arrange a meeting for you  
7 to come with him and a patrol deputy --

8 Bereki: Okay.

9 Caouette: -- sit down, and then maybe -- and may- -- you know,  
10 and I'm gonna let him -- 'cause I (inaudible -  
11 00:08:44) trust him, 'cause he gathers all the  
12 information of whether he's going to submit a report  
13 or not, and he -- and -- and it might be just an  
14 information report, and I'll have that dialogue with  
15 him.

16 Bereki: Okay.

17 Caouette: And, um, but, uh, let me -- I've got your  
18 information. I'll have him call you if he's -- uh, he  
19 should be downstairs right now. I'll walk down there  
20 and have him call you, and maybe you can come to  
21 headquarters and set up a meeting with him, and -- and  
22 -- and we could move forward with this and see how we  
23 can help you out.

24 Bereki: That would be fine. I -- I -- I can't tell you how  
25 much I appreciate your kindness and receptivity. And,



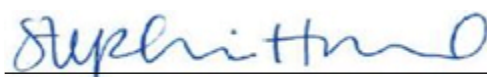
1           uh, you know, I'm not -- like I said, I'm not looking  
2           to make a stink or cause any waves, I just don't want  
3           to have my property taken unlawfully, that's it.  
4 Caouette: Well, and that -- I'm -- uh, I'm not making any  
5           promises either, right, so --  
6 Bereki: I get it.  
7 Caouette: -- that's why we need to --  
8 Bereki: I get it.  
9 Caouette: -- we just need to gather all the information, and,  
10          uh, you know, he's the -- he's the lieutenant of all  
11          north -- of operations. So, he --  
12 Bereki: Yeah.  
13 Caouette: -- does have a pretty good grasp on whether it's  
14          something we can help out with or not.  
15 Bereki: Okay. No. I -- I understand --  
16 Caouette: All right?  
17 Bereki: -- about no promises, and all that, we're just one  
18          step at a time. Let's --  
19 Caouette: All right.  
20 Bereki: -- take it like that.  
21 Caouette: Thank you.  
22 Bereki: Thank you. Okay. Bye bye.  
23 Caouette: All right. Uh --  
24 Bereki: Bye.  
25 Caouette: -- bye.



## TRANSCRIBER'S CERTIFICATE

I, Stephanie Howard, do hereby certify that the foregoing transcript is a full, true, and correct statement of the audio file provided to me titled "E11 OCSD- CALL WITH OCSD COMMANDER ROSS CAOUETTE 090120.m4a".

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