

## Call with Sergeant Darrin Joe, Part 4

Recording Name:

[E27 NBPD– COMPLAINT TO SGT. DARRIN JOE PART 4  
OF 4 120821]

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1 Berekhi: -- you.

2 Joe: Pretty good, sir, how 'bout yourself?

3 Berekhi: Good, thank you, and please feel free to call me Adam.

4 Joe: Sounds -- thank you, Adam. Thank you, Adam. Yeah, I

5 feel like we've -- we've talked long enough where, uh,

6 yeah, we can, uh, be familiar with each other like

7 that. That's totally cool with me.

8 Berekhi: Cool, so, um --

9 Joe: I --

10 Berekhi: What's goin' on?

11 Joe: So, I wanted to call to let you know that I took the

12 time to roundtable this -- this issue with, uh,

13 several people, in- -- including my, you know, my

14 colleagues, my lieutenant, my deputy chief. And then

15 I also reached out to the Orange County District

16 Attorney's Office to, uh, float the ideas out there

17 and see what we can do with this. And at the end of

18 the day, the -- the DA's Office, um, they -- they gave

19 me pretty -- pretty clear, uh, interpretations on --

20 on their part that they -- that they don't have

21 jurisdiction to intervene in a -- a civil judgment

22 that's already been sustained in a -- especially in a

23 court of appeals. So they did -- I asked, "Well where

24 do we go from here? What kind -- what kind of advice

25 can I give to Adam?" And they said he either has to



1 make a motion for a re-hearing, which, um, you may --  
2 I -- you know, we've talked so long, I -- I believe  
3 you had already tried that once. Or, take the case to  
4 the Supreme Court, which I believe you're in the  
5 process of -- of doing again anyway with -- with the,  
6 uh, latest info that you sent me. So, nonetheless, I  
7 am documenting this. I am gonna -- gonna cut a  
8 report, and let me give you the Case Number for -- for  
9 when I do this, um, if you're ready to take it down.

10 Bereki: Yeah, go ahead.

11 Joe: Okay, it's gonna be 21 --

12 Bereki: Mm-hmm.

13 Joe: Dash 08880.

14 Bereki: Okay.

15 Joe: And I'm -- I'm gonna document that we talked about  
16 this. I'm gonna include everything that you've, uh,  
17 sent me in the emails as -- as attachments to the  
18 case. So the case will be on file with the, uh,  
19 Newport Beach Police Department. Unfortunately, I --  
20 you know, and I tend to agree with the -- the DAs that  
21 I talked to, the, uh, the case -- it -- it's just not  
22 in -- in it's proper jurisdiction. We're not the --  
23 the right group to -- to address this issue. Um, it  
24 does need to be handled through the courts.

25 Bereki: Okay. Um, so on the first issue, um, I don't know why



1           they would recommend to do a Motion for a Re-Hearing.  
2           Um, probably the only thing you can do with that is  
3           called a Motion for A New Trial.

4   Joe:       Okay.

5   Bereki:    And as far as I know, you have -- there's a statutory  
6           time limit after your, um, after the so-called trial  
7           that, uh, you can -- you can do that motion, and it's  
8           -- it's well past that.   Um.

9   Joe:       Okay.

10   Bereki:   I -- I did do challenges to jurisdiction at that time.

11   Joe:       Mm-hmm.

12   Bereki:   Which is very similar to that.

13   Joe:       Mm-hmm.

14   Bereki:   And they just did the same sort of lie, deceit,  
15           treason, and shut it down.

16   Joe:       Okay.

17   Bereki:   So, um, in response to the DA, um, I -- I  
18           wholeheartedly object and disagree.   Um --

19   Joe:       Mm-hmm.

20   Bereki:   -- as -- as you and I have talked many times, um, I  
21           believe, and it -- it seems to me in reading the  
22           California Constitution that we have tripartite form  
23           of government, meaning three branches that are  
24           separate but co-equal.   And those branches are  
25           supposed to act as checks and -- and balances for the



1 other ones when they -- when they, uh, fall out of  
2 line, or they -- they violate the Constitution,  
3 because that -- the constitution is the supreme law.

4 Joe: Mm-hmm.

5 Bereki: Like no -- no public official has authority to violate  
6 that.

7 Joe: Mm-hmm.

8 Bereki: Um, and so when that happens, uh, if let's say the  
9 legislature is, uh, out of line or they exceed their  
10 authority, or they don't have authority to something,  
11 usually the Judicial Branch steps in. And the same  
12 thing with law enforcement. The Judicial Branch is  
13 always, um, you know, hearing cases involving law  
14 enforcement and changing the law on that. Well, at  
15 the same token, law enforcement has the same duty to  
16 be a protective mechanism for the people so that those  
17 rights that are guaranteed under the constitution are  
18 protected. And if law enforcement is going to, uh,  
19 basically say, well, this is just a problem with the  
20 courts, well then they're -- that is a total  
21 dereliction of duty when there is a viable bona fide  
22 complaint that can be verified. And so, the DA --  
23 while the DA generally has discretion to file a  
24 prosecution, there is no discretion when there is a,  
25 uh, deprivation of rights. Somebody has to do



1 something. Otherwise what happens is that the  
2 constitution is just some toilet paper to wipe your  
3 ass with. Because --

4 Joe: Yeah, no, I -- I agree with that. I agree with that.  
5 But the -- the issue that we're -- we keep running up  
6 against is you're -- you're leaving out the part about  
7 the deprivation of rights without due process. And  
8 because you've gone through the courts -- the court  
9 process already, there -- that was your due process,  
10 and --

11 Bereki: No, no. That -- no, no. Uh, let me -- let me -- let  
12 me object there for one second, if I -- interrupt, if  
13 I could.

14 Joe: Okay, sustained. Go ahead.

15 Bereki: Um, due -- due -- due process means that it follows  
16 due process. Due process means that it's within the  
17 law. That's within the constitution. That's what the  
18 constitution guarantees. It guarantees constitutional  
19 due process. You know, it doesn't mean that like  
20 let's say that like some policeman stole something out  
21 of my car, I can't go and say that was due process  
22 because I was pulled over. That- -- that's -- that's  
23 not how that works. It has to be -- due process has,  
24 uh, parameters that are within the law, and they can't  
25 just make up rules and, you know, financially destroy



1 me, and call that due process. That -- that's not how  
2 it works. Um, they -- they know what the rules are,  
3 and that they have to follow them. The Constitution,  
4 it's -- it's pretty darn straightforward and simple  
5 and common sense. And they know -- all of these  
6 people, they have, you know, combined, hundreds of  
7 years of experience. They know what they're doing.  
8 And if they don't, it's been pointed out to them by me  
9 multiple times, other people multiple times, and by  
10 the Supreme Court of the United States, and they don't  
11 wanna listen to it. So, um, th- -- th- -- there has  
12 to be some other avenue, and there is. There's plenty  
13 of other avenues, um, that we can go down. And, um, a  
14 couple of them I shared with you, um, on that -- that  
15 paper that I sent of possible other ideas. Did you by  
16 chance review that?

17 Joe: I did. And that was in the, uh, November 23rd?

18 Bereki: It -- that sounds about right.

19 Joe: Email?

20 Bereki: Yes.

21 Joe: Yeah. Yeah, I did.

22 Bereki: Yeah. Yeah. So even -- probably one of the most  
23 prolific things on there -- well they're -- they're  
24 all -- they're all very -- things that the City of  
25 Newport Beach can do. And the first thing is,



1 obviously the city can intervene and file an  
2 injunction to stop this criminal behavior. They can  
3 do that, absolutely the can, and the City Attorney  
4 knows exactly how to do that. Um, the other thing is  
5 that the city could intervene and stop this behavior  
6 right now by paying the judgment, and then seeking,  
7 uh, their own charges, or whatever, uh, civil or  
8 criminal redress that they need to do to recoup, uh,  
9 that issue. Um, they could get a -- uh, they could,  
10 uh, apply for a Restraining Order right now. That's  
11 something that you could do, a Protective Order to  
12 protect my rights and property and my money from being  
13 taken without due process of law. Um, uh, those are -  
14 - those are a couple right there, all things that --  
15 that can be done, whether or not any criminal  
16 prosecution is -- is done whatsoever. Um, but then,  
17 w- -- we take upon the part that there are very  
18 significant criminal things going on here. And, you  
19 know, we've talked about that, and I -- and you've  
20 asked, "Well how do I know that they're criminal?"  
21 Well, because they've -- they've been told, I would  
22 estimate, at least a dozen times now, whether through  
23 court process or personal letters, about their  
24 behavior, and they have not taken any action to  
25 correct it. And they have a duty to know that what





1           they're doing is not correct. I mean, nobody --  
2           nobody in their right mind buys that you can drive a  
3           car without a license for \$250, but yet when you do  
4           contracting without a license you get a near million-  
5           dollar fine.

6   Joe:       Mm.

7   Bereki:    I mean, that's just absurd. And -- and the fact that  
8           anybody even thinks that that -- that's legitimate and  
9           due process is -- is mind-boggling. Um, and so, you  
10          know, I'm -- I'm making extra time, you know, b- --  
11          uh, with you, Darrin, because I -- I think that -- I  
12          feel -- I know that you're a stand-up guy. And I know  
13          that you have, um, gone, you know, beyond what any  
14          other police officer and department has done. And --  
15          and that is -- it's commendable. Um, and I will do  
16          something to make sure that you do get recognized for  
17          that, one way or another. Um, that's --

18   Joe:       No, that's -- that's unnecessary. I've done  
19              everything that -- that --

20   Bereki:    I -- I -- I realize that.

21   Joe:       -- I should've done.

22   Bereki:    Yeah. Well not yet. Not yet, you haven't. Um,  
23              you've -- you've definitely gone way more than any  
24              other agency has. And, I mean, this thing has been  
25              shut down, as I shared with you, by Santa Ana, all the



1 way up the chain of command to the chief.

2 Joe: Mm-hmm.

3 Bereki: And the same thing with the Sheriff's Department. Um,

4 and, you know, it's -- th- -- this is -- this is so

5 black and white, it's unbelievable. I mean, are you

6 able to see yet what I'm sharing?

7 Joe: I -- I see what you're sharing. But I also see the

8 other perspectives that are -- that are being brought

9 to my attention as well.

10 Bereki: Okay, could you share some of those?

11 Joe: I -- I just did. The stuff that we're talking about

12 with --

13 Bereki: Okay.

14 Joe: -- the -- the due process. That's -- that seems to be

15 the hangup.

16 Bereki: Okay. Well, I -- I -- I -- I shared my disagreements

17 there, because, you know, like, uh, let's say that, um

18 -- you know, this is gonna be a -- probably not an

19 apples-to-apples comparison.

20 Joe: Okay.

21 Bereki: But let's say that a policeman makes a car stop, and

22 instead of you know -- he turns the lights on, and --

23 and -- and instead of waiting for the car to pull

24 over, he just crashes into it. He's not allowed to do

25 that. And that's not due process. That- -- that's,



1                   um, that's procedure that is not authorized within the  
2                   scope of his authority.

3 Joe:            Mm-hmm.

4 Bereki:       And so he can't -- he can't go at the end of that and  
5                   say, "Well, you know, you didn't pull over fast  
6                   enough, so I -- I just -- I just rammed my car into  
7                   you."

8 Joe:           Right.

9 Bereki:       And then, you know, the guy goes to the police  
10               department and he complains. And he says, "This man  
11               ruined my car. You know, I have \$10,000 in damage."  
12               And you go to the police department, and the police  
13               say, "Well, you know, it was just all part of the  
14               process, you know. The officer felt that that was the  
15               right thing to do at the time. Um, you know, sorry.  
16               That's how it goes." That's not the way it works. It  
17               --

18 Joe:          Right.

19 Bereki:       Not in the police department, and not in the court  
20               system. They -- they do not have a pass to just wipe  
21               their ass with the constitution and financially  
22               destroy people. And as I've shared with you --

23 Joe:          Yeah, there- -- there's one thing that you did bring -  
24               - bring to light for me that I had never seen before  
25               and never understood before, uh, wasn't even on my



1 radar, was the -- the, you know, for the lack of a  
2 better term, the penalty for contracting without a  
3 license. I had no idea that -- that one of the  
4 preventions of having people contract without a  
5 license would be that the -- the, uh, person that was,  
6 I don't know, victim of that could ask for all their  
7 money that they've given to the -- to the contractor,  
8 they could ask for it back.

9 Bereki: Well they can't.

10 Joe: I had no idea that was even a thing. But --

11 Bereki: That's -- it's -- it's -- it --

12 Joe: -- I -- I talked to a couple other contractors, and  
13 they're like, "Oh yeah, that's -- that's a thing.  
14 That- -- that's what prevents shady people out there  
15 from contracting without a license." I had no idea  
16 that that was a thing. But apparently it is.

17 Bereki: Okay. Well, the -- the -- the problem with that is  
18 that it's a total forfeiture, and it's one ci- --  
19 private citizen prosecuting another private citizen.  
20 You can't do that. The -- the entire Executive power  
21 of prosecuting another private party and getting a  
22 fine or a forfeiture is vested in the District  
23 Attorney's Office. It's actually vested the Governor,  
24 and the Governor -- and the DA is under the Governor  
25 to do prosecutions. So I can't pull you over and say,



1 "Hey, um, you don't have a license. I'm sending you  
2 down there, and I want a fine" --

3 Joe: Mm.

4 Bereki: -- "for, uh, you know, uh, you driving without a  
5 license on my street."

6 Joe: Mm-hmm.

7 Bereki: You can't do it. So all of this stuff, yeah, it may  
8 be there, but it doesn't mean that it's lawful. It  
9 do- -- I mean, it -- it -- this -- that one issue  
10 alone deprives the court of any authority to do  
11 anything. The moment that that case is filed, under  
12 the California Constitution and the U.S. Constitution,  
13 the moment that something like that is done, the judge  
14 has a mandatory nondiscretionary duty to immediately  
15 dismiss the case. He cannot hear it. He cannot  
16 determine it, nothing, because the -- there has not  
17 been a prosecution filed by the DA's office. That's  
18 how potent that is.

19 Joe: Mm.

20 Bereki: So yeah, it might be out there, and there might be  
21 people saying, "Oh, well this is a deterrent, yeah."  
22 The word "deterrent" the Supreme Court has used as  
23 punitive. So how is a private party going to have  
24 constitutional authority to bring a penal action  
25 against another private party. It does not exist under



1 the California Constitution. Now, if they want to do  
2 an action and say, "Hey look, my property was damaged,  
3 and here's my expert witness that says, you know, 'We  
4 had 50,000 in damages. Here's our pictures, here's  
5 our expert,' blah, blah, blah, blah, blah." That's a  
6 civil case, and I'm not saying anything wrong with  
7 that. But for someone to walk right in there and say,  
8 "I want a \$850,000 fine after I got all the work, and  
9 I don't have to prove any damages," that's a problem.  
10 That's highly, highly, highly unconstitutional.

11 Joe: Mm-hmm.

12 Bereki: So, um, yeah. I -- I mean -- I mean, as far as I see  
13 it, from the conversation that we've shared now, th- -  
14 - there -- there was no due process. So to claim that  
15 there was, and to say that, uh, committing treason is  
16 due process -- treason means they're exercising  
17 authority that they don't have. Th- -- to commit  
18 treason and call that due process is -- is absurd.  
19 Um, so that -- that -- that's where I stand on it. So  
20 my -- my recommendation, um, again, I -- I -- I very  
21 much respected that you want to stay objective and --  
22 and I -- that's absolutely your duty to do that, to  
23 look all the sides, and to interview, and -- and  
24 examine, and do all of that. But, you know, a- -- a-  
25 -- a- -- as I see it, I mean, this is so crystal



1 clear, that -- that not only did these people have no  
2 authority to prosecute me, it was not a civil case, it  
3 was a criminal case tried under a civil heading.  
4 That's part of the -- that's part of the, if you will,  
5 part of the disguise and part of the fraud that has  
6 allowed this to go on. Um, and -- and as I was  
7 sharing earlier, I'm not the only victim of this.  
8 There are millions and millions and millions of  
9 dollars of other judgments out there that this racket  
10 is going on. And every time it's brought to some  
11 public official's attention, they just say, "Oh, well  
12 that's how it is. You had your time in court. You  
13 had your due process. It's over. Sorry, we can't do  
14 anything. This is without our jurisdiction." Well,  
15 somebody has to do something about, otherwise people  
16 are just gonna keep getting financially destroyed.  
17 And the difference is gonna be someone like me is  
18 gonna come along, and I'm not gonna take no for an  
19 answer. And some -- all these people, if I connect  
20 right in the Supreme Court, or in some other court,  
21 everybody's gonna be out of a job, and a retirement.  
22 And, you know, I'm gonna say, "Look, I sent you 50  
23 different letters notifying all these different  
24 agencies." I -- you know, I -- I talked to probably  
25 25 police officers already. And no one in the



1 Executive Department of the government is willing to  
2 put a stop to treason. That's a problem, Darrin. And  
3 I -- I haven't even told you about some of the other  
4 stuff going on here. I mean, I -- I have -- they did  
5 it to me too. The -- the Contractors State License  
6 board --

7 Joe: Mm-hmm.

8 Bereki: -- has no authority to do their own arbitration  
9 proceedings. But yet they've erected arbitration  
10 proceedings. And admittedly, I believe the last  
11 number I've had, they've conducted over 10,000  
12 arbitration proceedings. The whole point about, uh --  
13 uh, having a court system is so that people's rights  
14 are recognized. Well, when you go into arbitration,  
15 you don't have judicial process.

16 Joe: Right.

17 Bereki: Your rights to evidence, and all that stuff goes out  
18 the window. And so this -- the -- the licensing board  
19 has erected their own arbitration proceeding without  
20 any statutory authority, and they've conducted over  
21 10,000 arbitration proceedings, illegally. And  
22 nobody's doing anything about that either. I mean,  
23 that -- that -- it's -- it's -- it's -- the only word  
24 for it is treason. You -- exercising authority that  
25 you do not have. And -- and at some -- I mean, what





1 are the people supposed to do if their rights are  
2 being violated? I mean, I -- I can't pay the property  
3 taxes or the -- my estate can't, or the -- or the  
4 mortgage, and so now my -- uh, the -- the home that my  
5 estate holds is gonna be taken away, and I'm gonna be  
6 forced into bankruptcy. And whatever property falls  
7 into line to be sold off at public auction, or however  
8 they do it, is all gonna be taken. All for something  
9 that there is no authority. I -- I -- I mean,  
10 seriously, if anyone -- if you can get someone to give  
11 me the lawful authority -- the constitutional  
12 authority that they -- anyone can do this, I will fold  
13 up my house, I'll file bankruptcy, and go away. But  
14 no one has been able to do it. No one can do it,  
15 because it's totally illegal. And -- and that's all  
16 I've -- I've asked. Hey, fine, if -- if I'm so wrong,  
17 just tell me. You know, somebody give me something.  
18 But nobody can.

19 Joe: Yeah, and unfortunately, you know, like we -- we  
20 discussed before, that's it -- it's not gonna be me.  
21 I'm not that guy. You know, number one, this isn't,  
22 uh, anything that I was trained for. You're going to  
23 have to continue what you're doing when it comes to  
24 putting this in front of the Supreme Court. So, Adam,  
25 I've got five minutes before I have a four o'clock



1 appointment.

2 Bereki: Okay.

3 Joe: Um --

4 Bereki: Okay, so -- so in the meantime, um --

5 Joe: Yes, sir.

6 Bereki: -- when you do your report --

7 Joe: Mm-hmm.

8 Bereki: -- could you send it to me? And then, um, allow me to

9 -- if you want, I -- I mean, it's up to you. I -- I

10 would like to either put my own statement to it, or

11 something like that. Um --

12 Joe: You absolutely can. I -- I can't s- -- well, yeah, I

13 can't send you a report. Um, you can request a copy

14 after, I don't know, I think it's 10 days, is what our

15 -- our front normally -- normally gives for, uh, a

16 timeframe. The -- it'll be very brief on my end. Um,

17 kinda -- yeah, it'll just essentially be a summary.

18 Um, the meat and potatoes is stuff that you've given

19 me. And I would encourage you to provide, uh, a

20 statement as well.

21 Bereki: Okay. And Darrin, I -- I'm just recommending to you,

22 I don't know where this is gonna go, but if it goes

23 further, I will sue you and the Newport Beach Police

24 Department. So, just make sure you cover yourself. I

25 -- I -- I -- I -- I -- I don't want to have to do



1           this, but I -- I'm going to protect myself, and -- and  
2           my rights and property. And I -- I was really hoping  
3           that I would hear from you and that you would -- you  
4           would be -- be taking action that was -- that is  
5           within your power to take.

6   Joe:       Yeah, but --

7   Bereki:    I'm -- I -- I mean, I -- I realize that you don't  
8           think that there's anything else you can do, but I've  
9           -- I've clearly given you things that the City of  
10          Newport Beach can do, and -- and you have the power  
11          within -- it is within your Executive Authority to --  
12          to continue an investigation, and, you know, d- --  
13          determine if there has been criminal activity, or --  
14          or get an injunction, or do any of those other things.  
15          Um, so --

16   Joe:       Yeah, I'm -- I'm comfortable that I've utilized the  
17          resources available to me, and you know, much to your  
18          -- like -- like we were talkin' about, your -- in your  
19          own words, I've gone farther than anyone else before.  
20          That -- that's not to say that I'm above and beyond --

21   Bereki:    Yeah.

22   Joe:       -- but I've done what I needed to do.

23   Bereki:    Yeah, you've gone -- you've gone father --

24   Joe:       And just out of curiosity, what -- what would you sue  
25          me and the department for?



1 Bereki: For dereliction of duty. Because you have a --  
2 Joe: Okay.  
3 Bereki: -- mandatory nondiscretionary duty -- mandatory.  
4 Joe: Mm-hmm.  
5 Bereki: Meaning, not discretion. You don't have discretion on  
6 whether -- I make a complaint to you about my rights.  
7 You have a duty to investigate it and to intervene if  
8 I bring a complaint to you that evidences that it's a  
9 bona fide complaint --  
10 Joe: Mm-hmm.  
11 Bereki: -- that my rights, liberty, and property are being  
12 taken without constitutional authority. You don't --  
13 you don't -- you don't get to, under the constitution,  
14 go, oh, I don't think we're gonna do anything about  
15 this. Because then, as we both agreed upon before,  
16 the constitution is toilet paper. There- -- there's  
17 no point to it. It says in there, these are the  
18 duties of public officials. They have to investigate.  
19 They have to intervene when someone is -- is -- is,  
20 uh, violating their rights. Otherwise what's the  
21 point? That's why there's three separate branches.  
22 That's why all these things are -- were put into  
23 place. So -- because right now, we have a j- -- we  
24 have a Judicial Branch and a Legislative Branch that  
25 has gone hog wild, because the -- the Executive Branch



1           says, "Oh well, you had your day in court. Sorry. We  
2           don't know what to do. We can't do anything about  
3           this. It's just a matter for the courts to take up."  
4           Yeah.

5   Joe:       Did you sue those other departments yet, or?

6   Bereki:    What's that? No, no.

7   Joe:       Depar- -- did you sue the other departments then, or  
8           are you gonna start with Newport?

9   Bereki:    No, no. They're -- they're all going to be sued all  
10           at the same time --

11   Joe:       Mm-hmm.

12   Bereki:    -- for dereliction of duty, right? I come to them,  
13           and I make a c- -- a bona fide complaint. I'm -- I'm  
14           not some knucklehead makin' stuff up. I'm giving you  
15           lawful authority. I'm giving you the learning domain  
16           book from the police academy. I mean, can you believe  
17           -- could you imagine that if we're all in front of a  
18           jury, and I say, "Ladies and gentleman, I gave them  
19           the learning domain book from the police academy that  
20           says right here on Page L-5 that a police officer has  
21           a duty to protect the rights of the people. And  
22           here's the rights they have a duty to protect. And I  
23           went to each of these police departments, probably 20  
24           different police officers, and I told them that my  
25           rights are being violated, and I gave them credible



1 evidence of it. And they said, 'Sorry, we can't do  
2 anything. You had your day in court, bye.'" Oh, it's  
3 gonna be hell to pay. Because that's --

4 Joe: Okay.

5 Bereki: -- so easy that the jury can see that there's a  
6 problem here. No one in their right mind says, "Yeah,  
7 \$850,000 fine is legitimate." Especially when the  
8 Constitution has four requirements that a judge has to  
9 do. Has to be reasonable. It has to be, uh, and --  
10 and -- and, um, what's the word, um, uh -- uh,  
11 proportional to the offense. And under California  
12 law, you also have to, um, h- -- take into account  
13 someone's ability to pay. Well, I don't even have  
14 right now, like \$500 to my name. How the hell could I  
15 pay that? You know, I -- I sent you that case, People  
16 v Callen, and there was an indigent guy. I -- I don't  
17 remember what the number was. Let's just say \$30.

18 Joe: Mm-hmm.

19 Bereki: The court said that that was excessive. They wanted  
20 him to pay court fees. And he said, "Well, I don't  
21 know how I'm gonna do that. I- -- I'm -- I'm -- I'm  
22 homeless." And they said that's excessive, and they  
23 overruled it. So, yeah, I mean, th- -- this is --  
24 this is why -- I -- I -- I -- I mean, it's just --  
25 it's -- it's black and white, Darrin. I mean, there-



1 -- there's not, um, there's not something here that's  
2 -- that's like, gee, you know, I don't know if this is  
3 -- was this way, or you know, it's a he shed- -- he  
4 said-she said, you know, something like that. There's  
5 -- there's clear violations of rights, and clear --  
6 not -- not -- not discretionary duties, but mandatory  
7 duties that have to be followed. I even sent you a  
8 couple of cases from, I think it was the Ninth Circuit  
9 that showed that police have a duty to intervene,  
10 their only duty to intervene arises when someone's  
11 constitutional rights are being violated. You don't -  
12 - as far as I can tell, you don't even have a duty to  
13 show up to someone's house when they call and say that  
14 they're being attacked. That's discretionary. But if  
15 I come to you and tell you, I make a bona fide  
16 complaint that my -- my rights are being violated, and  
17 I give you the -- credible evidence of that, and you  
18 say, "Mm, well we're not -- I don't think we're gonna  
19 do anything about this this time. You had your day in  
20 court. You had your due process," when clearly there  
21 wasn't due process, then you -- then you are -- then  
22 you are der- -- in dereliction of your duty.

23 Joe: Okay.

24 Bereki: And that's what gives me grounds for a lawsuit. And,  
25 um, it's -- you know, clear if you've run it up the



1 chain of command, that you've spoken to your, uh,  
2 supervisors, and there was apparently some type of  
3 policy within the Newport Beach Police Department that  
4 when people come to them with complaints for  
5 deprivation of constitutional rights, that the Newport  
6 Beach Police Department isn't gonna do anything about  
7 it. So, um, that's a problem. That's a big problem.

8 Joe: So, I gotta run off to my appointment.

9 Bereki: Okay.

10 Joe: And if anything pops up, you still have my number.  
11 I'm -- I'm still pickin' up the phone. Like that --  
12 that's never gonna change, that's not gonna end. But,  
13 um, I let you know where -- where we stand on this so  
14 far. So, any other questions that pop up, you can  
15 always give me a call, Adam.

16 Bereki: Okay, thank you, Darrin. I appreciate that so much.  
17 And then, um, is your ca--- um, is your report done  
18 already, or I need -- I should wait a couple of days?

19 Joe: No, no. Yeah, yeah, I still gotta put pen to paper.

20 Bereki: Okay. So how much time do you want me to give you? I  
21 mean, it- -- it's fine, whatever you need. Um, but I  
22 just don't wanna go --

23 Joe: Um --

24 Bereki: -- makin', um, I'm gonna make a Public Records Act  
25 Request, so.





1 Joe: Yeah, I w- -- I would save you a trip too. I don't  
2 want you to -- to come here and leave emptyhanded.  
3 The, uh, let's just go with the typical 10 days that -  
4 - that the front desk, uh, tells people.

5 Bereki: Okay, so -- so wait for 10 days, and then, um, do you  
6 know if I can get a copy just by going to Records, or  
7 they require a Public Records Act Request?

8 Joe: They -- that's a good question. You might wanna call  
9 ahead first.

10 Bereki: Okay.

11 Joe: Okay?

12 Bereki: Do you have Records' number, by chance?

13 Joe: I do. It's -- uh, let me know when you're ready for  
14 it.

15 Bereki: Go ahead.

16 Joe: 949 --

17 Bereki: Uh-huh.

18 Joe: 644 --

19 Bereki: Uh-huh.

20 Joe: 3681.

21 Bereki: Okay. Cool. Um, and j- -- I -- I -- I meant to tell  
22 you in the beginning, but I record all of our  
23 conversations, and so, um, I wanna let you know about  
24 that. Do -- do you have an objection to that?

25 Joe: Okay. No, that's fine.



1 Bereki: Oh, okay. Perfect. Um, so, uh, yeah. I -- I -- I --  
2 I -- I'm -- I'm very grateful for the time that you've  
3 shared with me. And, um, you know, I -- um, if you  
4 wanna get a cup sometime and -- and just talk, I- -- I  
5 -- I'm open to that. Um, and, you know, Darrin, I --  
6 I think there's something with this that you could  
7 really revolutionize law enforcement. Because this  
8 duty is not, um, it's not being done, and it's not  
9 being done right within law enforcement. And this is  
10 a major, major, major issue. Um, and -- and, you  
11 know, I -- I -- I -- I mean, it's -- it's -- it's --  
12 it's -- I -- I don't want to use George Floyd as an  
13 example, but it's kind of hard not to. You know, if  
14 someone's crying for help, and you're saying I'm --  
15 this is your job to help me when -- when someone is  
16 using excessive force upon me, i.e. the judicial  
17 department, and the police department just stands  
18 there and says, "Oh well, we wrote it down, or, you  
19 know, whatever." Um, so yeah. Anyways, I -- I do  
20 thank you, um, for your time. And, um, you know, like  
21 I said, please feel free. It works two ways too. You  
22 can reach out at any time.

23 Joe: That sounds good.

24 Bereki: Um.

25 Joe: It was my pleasure to help you out. I wish you the



1 best of luck with the Supreme Court and (inaudible -  
2 00:30:12).

3 Bereki: Thank you. Um, have you --

4 Joe: All right, Adam.

5 Bereki: -- have you -- Darrin, have you been recording our  
6 conversations, just out of curiosity?

7 Joe: No, have not actively been recording. But the lines,  
8 uh, in and out of the department are recorded through  
9 dispatch, I believe.

10 Bereki: Okay.

11 Joe: Um, but it's -- it takes more of a process for me to -  
12 - to pull on those.

13 Bereki: Oh -- oh, okay. Perfect, you -- so you know, like  
14 even your detective sergeant office is -- is recorded?

15 Joe: That's what I've heard, but I've never had to pull one  
16 of my own recordings.

17 Bereki: Oh, okay. Perfect. Okay.

18 Joe: So, I -- yeah.

19 Bereki: Well, thank you, Darrin, take care.

20 Joe: All right, Adam. See ya.

21 Bereki: Okay, bye.

22

23

24

25



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DATED this 20th day of June, 2025.



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