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## Berkeley Copwatch Responds to Police Accountability Board Report on Racist Texts and Arrest Quotas

Berkeley Copwatch welcomes the final report of the Police Accountability Board (PAB) on the [Textgate](#) scandal. It is disturbing that almost two years have passed since former Berkeley Police Officer Corey Sheduoudy leaked racist text messages from the BPD Bike Force and revealed that arrest quotas were being used that targeted poor people and people of color. Predatory policing in Berkeley has resulted in too many unlawful and unjust arrests - a crisis that deserves urgent action.

It is outrageous that the Berkeley Police Department was allowed to deny the PAB access to crucial information for so long. Foot dragging, denial and delay have become the norm at BPD. These tactics are intended to make PAB findings dated, irrelevant and are often eclipsed by fresher scandals.

Non-cooperation by Chief Louis and other BPD leadership provides BPD with a shield for their abuse and misconduct that must be challenged. Chief Louis is responsible for ensuring cooperation with the PAB and that information is disclosed in a timely manner. She has failed to do that in general and in this case specifically.

*“However, policy reforms are only meaningful to the extent that they are fully understood, implemented, and robustly enforced. The PAB thus recommends, as a key priority, that the City Council enact an Ordinance or other mechanism to ensure that this oversight body—which has sworn an oath of confidentiality—has the authority to access internal BPD records in the interest of preventing such damaging practices in the future.” (PAB Report pg. 28)*

Copwatch supports this recommendation, however, it is clear that the chief lacks the will to cooperate with our elected system of oversight. It has been proven repeatedly that the BPD has no intention of genuine cooperation with civilian efforts to control its functioning.

*“It should be noted further that the inability of this oversight body to provide oversight of daily BPD practices limits its ability to prevent or forestall the kinds of misconduct that went undisclosed for more than two years before being exposed by an individual who was no longer part of the police force.” (PAB Report pg. 25)*

In addition, the City Attorney appears to be trying to usurp and control the powers of the PAB.

*“According to the City Attorney’s interpretation of the Charter Amendment relating to PAB powers and duties, we were required to limit our investigation to an inquiry into relevant policies and practices and to recommend reforms as appropriate.” (PAB Report pg. 9)*

It is unacceptable that the PAB is not allowed to initiate its own investigations when it becomes aware of egregious allegations of misconduct. This oversight in the enabling legislation must be remedied by the City Council immediately. If the council and the BPD were sincerely concerned about addressing the threat of problem officers (e.g. racist, violent, abusive), there would already have been a system for “Early Warning” established. As Copwatch has demonstrated, a careful look at publicly available data can help to identify officers with a problematic history. Sadly, we fully expect that BPD will further delay committing to a routine analysis of its information as it continues to put the department’s public image above public safety.

Much of the statistical information detailing racial profiling and unnecessary arrests provided in this report was already made known when Berkeley Copwatch published its own report on the scandal in January 2024, [Purging the Poor](#), which it shared with the PAB. Berkeley Copwatch did a major Public Records Act Request for arrest data from 2018-2023 from both BPD and the District Attorney’s office. This information was also shared with the PAB, although this isn’t acknowledged in their report.

The PAB’s findings help us understand the depth and breadth of misconduct within the BPD since the scandal broke in November, 2022. We encourage the PAB to let the people of Berkeley know the challenges that are confronting our voter supported system of police accountability. The members of the PAB who worked on this report deserve praise. The problems identified demand immediate attention from Berkeley’s elected leaders or else the revised mechanism of police accountability will represent yet another betrayal of the public trust.

The PAB has worked diligently within the constraints of their mission to hold the BPD accountable through policy remedies. Copwatch continues to affirm the urgent need for new public safety solutions outside of policing, unconstrained by the laws and practices that have made police so resistant to democratic and anti-racist reforms.

Cheryl Owens, who initially led this investigation, resigned from the PAB the day after Interim Chief Louis was promoted to permanent chief in May 2023. Before tendering her resignation, Owens said, “There is no collaboration on any front in this city, nor do I believe there’s a commitment to civilian oversight by the city manager, the city attorney or the chief of police. When the PAB and the police chief disagree on a complaint finding, the city manager always sides with the chief. I don’t trust the city manager to give much weight to findings from the investigations into the text allegations if there are findings against the police department staff or the chief.”

We agree with former Commissioner Owens. Berkeley’s struggle for justice and police accountability continues.

For more information: [www.berkeleycopwatch.org](http://www.berkeleycopwatch.org)