

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ILLINOIS
3 EASTERN DIVISION

3 JERMAINE WILSON and DAMEON)
4 SANDERS,)
5 Plaintiffs,)
6) No. 14 C 8347
7))
8))
9))
10))
11))
12))
13))
14))
15))
16))
17))
18))
19))
20))
21))
22))
23))
24))

10 The deposition of MICHAEL WASOWICZ, taken
11 pursuant to the Federal Rules of Civil Procedure,
12 before Pauline Strohl, Certified Shorthand Reporter
13 No. 084-001253, at 2100 Ridge Road, Room 4450,
14 Evanston, Illinois, on Thursday,
15 September 22, 2016, commencing at 2:00 p.m.

16 APPEARANCES:

17 LAW OFFICES OF KENNETH N. FLAXMAN, P.C.
18 by MR. KENNETH N. FLAXMAN
19 (200 South Michigan Avenue, Suite 201
20 Chicago, Illinois 60604
21 312.427.3200
22 Knf@kenlaw.com)

23 appeared on behalf of the plaintiffs;

MICHAEL WASOWICZ, 09/22/2016

Page 2

1 APPEARANCES: (Cont'd)

2 MR. HENRY J. FORD, JR.
 3 Assistant City Attorney
 4 (2100 Ridge Avenue
 Evanston, Illinois 60201-2798
 847.866.2937
 hford@cityofevanston.org)

5 appeared on behalf of the defendant.

6 * * * * *

7 I N D E X

8	Witness:	Page
9	MICHAEL WASOWICZ	
10	Examination by:	
11	Mr. Flaxman	3, 42
12	Mr. Ford	37

13 E X H I B I T S

14	Number	Marked/Referenced
15	Plaintiff's Deposition Exhibit No. 1	15
16	Plaintiff's Deposition Exhibit No. 2	17
17	Plaintiff's Deposition Exhibit No. 4	24, 37
18	Plaintiff's Deposition Exhibit No. 5	31
19	Plaintiff's Deposition Exhibit No. 8	10, 19
20	Defendant's Exhibit No. 3	17, 41
21	Deposition Exhibit No. 3	18, 23
22	Deposition Exhibit No. 4	23
23	Deposition Exhibit No. 6	34

24 (Exhibits retained by Mr. Flaxman.)

- - - - -

MICHAEL WASOWICZ, 09/22/2016

Page 3

1 (Witness sworn.)

2 MICHAEL WASOWICZ,

3 called as a witness herein, having been first duly
4 sworn, was examined and testified as follows:

5 EXAMINATION

6 BY MR. FLAXMAN:

7 Q. Good afternoon, sir. Could you state
8 your name and spell your last name for us, please?

9 A. Michael Wasowicz, W-a-s-o-w-i-c-z.

10 Q. What's your business or occupation?

11 A. I'm a management analyst for the City
12 of Evanston employed by the police department.

13 Q. What do you do as a management analyst?

14 A. My position within the city, I oversee
15 the forensic services of the police department
16 which includes the evidence technician program,
17 crime scene program.

18 Q. You have to do it slower for me. For
19 the evidence technician program?

20 A. Crime scene program.

21 Q. Crime scene program.

22 A. And the property bureau.

23 Q. And when you say forensic services, do
24 you mean anything other than the three activities

MICHAEL WASOWICZ, 09/22/2016

Page 4

1 you just listed for us?

2 A. I believe that encompasses all of those
3 as my responsibilities with the city, yes.

4 Q. Are you a sworn police officer?

5 A. I'm not.

6 Q. How long have you been employed with
7 the City of Evanston?

8 A. Just about five years.

9 Q. And briefly what is the nature of your
10 educational background?

11 A. I have a high school diploma. I have a
12 two-year associate's degree in law enforcement.
13 I've got some other college education which
14 includes accounting and auditing and some general
15 business. And I did study architecture at one
16 point in my career in terms of formal education.

17 Q. Now where did you work before coming to
18 work for Evanston?

19 A. I was a police officer with the village
20 of Skokie.

21 Q. How long were you a police officer?

22 A. 27 and a half years.

23 Q. How old are you?

24 A. I'm waiting for him to object. 58.

MICHAEL WASOWICZ, 09/22/2016

Page 5

1 Q. Why did you stop working as a police
2 officer?

3 A. I retired.

4 Q. Do you like this better than being a
5 police officer?

6 MR. FORD: Irrelevant. You can answer.

7 A. I retired. And I looked for other
8 relevant work.

9 BY MR. FLAXMAN:

10 Q. Before coming here today for this
11 deposition, did you review any documents?

12 A. I did.

13 Q. What did you look at?

14 MR. FORD: Go ahead.

15 A. I looked at the documents that have
16 been filed by your office with the court. I looked
17 at documents filed by the city with the court. I
18 reviewed a variety of records associated with those
19 filings including our BEAST electronic inventory
20 records. The relevant policies and procedures of
21 the police department. Could you read back what
22 I --

23 MR. FORD: That's good.

24 BY MR. FLAXMAN:

MICHAEL WASOWICZ, 09/22/2016

Page 6

1 Q. That's good enough. You might have
2 reviewed other documents that you can't recall at
3 this time, is that correct?

4 A. That is correct.

5 Q. This is primary. Did you review the
6 interrogatory answers?

7 A. I did.

8 Q. And when you read them over -- did you
9 read them over?

10 A. I did.

11 Q. When you read them over did you see
12 anything in there that appears today to be
13 incorrect?

14 A. No.

15 Q. Am I correct that you're the person who
16 verified that those answers were correct?

17 A. Yes.

18 Q. In the answer to interrogatory two,
19 there's a statement that the service desk to the
20 Evanston Police Department received notification
21 from Chief Sbarboro, S-b-a-r-b-o-r-o, District Two
22 courthouse about phase two of prisoner property now
23 being in effect?

24 A. Could you read that one more time for

MICHAEL WASOWICZ, 09/22/2016

Page 7

1 me, counsel?

2 Q. Let's break it down. What is the
3 service desk for the Evanston Police Department?

4 A. The service desk is the front desk of
5 the police department that handles individuals who
6 come into the police department for various
7 reasons. They handle arrestees. They may have
8 other responsibilities that I'm not familiar with,
9 but --

10 Q. Do you know who someone named Chief
11 Sbarboro is?

12 A. I do not know who he is.

13 Q. And what is the District Two
14 courthouse?

15 A. Well, the District Two courthouse is
16 the courthouse in Skokie; serves second district of
17 Cook County.

18 Q. Are you familiar with the phrase phase
19 two of prisoner property?

20 A. I'm familiar with the phrase from the
21 document.

22 Q. Well, do you know what phase one of
23 prisoner property was?

24 A. I do not know what phase one was.

MICHAEL WASOWICZ, 09/22/2016

Page 8

1 Q. How did you acquire the information
2 that you had when you signed the interrogatory
3 answers back in April of 2016 about the service
4 desk receiving notification from Chief Sbarboro?

5 A. I had a discussion with a records
6 manager, Pandora Pratt.

7 Q. It's either me or the room, but I'm
8 not --

9 A. Pandora.

10 MR. FORD: I'll spell it. P-a-n-d-o-r-a.
11 You can give the last name.

12 A. Pratt, P-r-a-t-t.

13 BY MR. FLAXMAN:

14 Q. Is Pandora Pratt a woman?

15 A. Yes.

16 Q. And what does she do?

17 A. She's the records section supervisor.

18 Q. Is she a police officer?

19 A. No.

20 Q. And what did you have a conversation
21 with her about pertaining to this case before you
22 signed the interrogatory answers?

23 A. I had a conversation with her about how
24 the department may have obtained notification via

MICHAEL WASOWICZ, 09/22/2016

Page 9

1 the county regarding any change in arrestee
2 property handling.

3 Q. What did she tell you?

4 A. She produced for me an e-mail which I
5 believe originated with the chief deputy's office
6 at the Second District courthouse.

7 Q. And did she produce any other documents
8 for you?

9 A. No, that was the only document.

10 Q. Have you ever seen anything from the
11 office of the Sheriff of Cook County setting out
12 this policy that was referred to in the e-mail?

13 A. I'm sorry. Which policy?

14 Q. What did the e-mail say?

15 A. I don't recall verbatim what the e-mail
16 said. I would have to review the e-mail.

17 Q. Do you have the e-mail?

18 MR. FORD: I would have to go get it. I
19 would have to go print it out. If you want to take
20 a break for me to go quickly print it out?

21 MR. FLAXMAN: Yes, sure.

22 MR. FORD: All right. We're off the record.

23 (Discussion off the record.)

24 BY MR. FLAXMAN:

MICHAEL WASOWICZ, 09/22/2016

Page 10

1 Q. We're going to number this as
2 Plaintiff's Deposition Exhibit Number 8. And I
3 would ask you to look at it and see if that
4 refreshes your recollection.

5 MR. FORD: Take a second to look at it.

6 BY MR. FLAXMAN:

7 Q. Does that refresh your recollection of
8 what she told you -- did she tell you what was in
9 the e-mail or did she just give you this document
10 or something else?

11 A. I don't recall specifically what our
12 verbal conversation was, but she did give me this
13 document.

14 Q. Now is there anything in the e-mail
15 that's from the Cook County Sheriff's Office?

16 MR. FORD: Objection, foundation. Calls for
17 speculation.

18 A. In terms of the from address headers, I
19 do not see anything that would be from the Cook
20 County Sheriff's Office.

21 BY MR. FLAXMAN:

22 Q. At the bottom of Plaintiff's Deposition
23 Exhibit 8 there's an e-mail that appears to be from
24 Pandora Pratt to Barbara Wietlin and police

MICHAEL WASOWICZ, 09/22/2016

Page 11

1 supervisors and service desk officers. Is that
2 right?

3 A. Yes.

4 Q. Before you signed the interrogatories
5 am I correct that you looked at Plaintiff's
6 Exhibit 8?

7 A. Did I look at this? Yes.

8 Q. Did you ever see any documentation, any
9 written document from the Cook County Sheriff's
10 Office about phase two of prisoner property?

11 A. Did I? No. Directly from the
12 Sheriff's Office, I did not.

13 Q. Before you signed the interrogatories
14 did you ask Ms. Pratt how she received notification
15 from Chief Sbarboro that phase two is now in
16 effect?

17 A. My understanding from Ms. Pratt was
18 that the typical notification process was the Chief
19 Judge's office sending notification to the police
20 chief's office of the district which would then
21 filter down the information accordingly.

22 Q. It was your understanding that that
23 would have been a written notification of some
24 sort?

MICHAEL WASOWICZ, 09/22/2016

Page 12

1 A. To the best of my recollection from my
2 conversation it was most likely an e-mail.

3 Q. And have you ever seen such an e-mail?

4 A. I have not.

5 Q. Do you know who was involved in
6 implementing this phase two of prisoner property at
7 the Evanston Police Department?

8 A. Sue Pontarelli would be the service
9 desk manager. And she would oversee the service
10 desk officers.

11 Q. Do you know if the City of Evanston was
12 ever notified that the Sheriff of Cook County would
13 accept debit cards as part of prisoner property?

14 A. I do not know that.

15 Q. Do you know if the City of Evanston
16 received any information from the Sheriff of Cook
17 County about any changes to the prisoner property
18 policy that's referred to in Plaintiff's Exhibit 8?

19 A. I do not know that.

20 Q. Do you know who would?

21 A. No, sir.

22 Q. Now were you involved in changing the
23 prisoner property receipt form?

24 A. Yes.

MICHAEL WASOWICZ, 09/22/2016

Page 13

1 Q. How did you become involved in doing
2 that?

3 A. As part of my duties overseeing the
4 property bureau, when I first arrived in Evanston
5 one of the things that I saw on a very regular
6 basis was that individuals who were looking to
7 reclaim property, but were unable to get to the
8 police department themselves would either contact
9 the property office or they would have somebody
10 contact the property office on their behalf and ask
11 what was needed to be done to be able to reclaim
12 their property.

13 And the process at the time, which
14 is still a valid process, but the process at the
15 time typically was to refer the individual who was
16 in the county jail to a social worker at the jail.
17 Obtain a form from the Cook County Sheriff's jail
18 division on which they could designate someone to
19 pick up the property in their place.

20 The jail would have somebody
21 notarize that form. And then they would have
22 somebody representing them obtain that form from
23 the jail and come to the police department to
24 present that form to obtain the property.

MICHAEL WASOWICZ, 09/22/2016

Page 14

1 One other situation that would arise
2 frequently was that if somebody were not
3 necessarily in custody at the jail, but was under
4 the sheriff's department's electronic monitoring
5 program, they may contact us wanting to know about
6 coming in to get their property.

7 At the time the instructions
8 generally were to instruct them to get -- to write
9 a letter authorizing somebody else to pick their
10 property up. And to have that letter notarized and
11 then have the person bring that property -- that
12 letter to the police department in order to obtain
13 the property.

14 So basically two processes that were
15 in place. Most burdensome being for individuals on
16 an electronic monitoring program. I had any number
17 of conversations with individuals myself who would
18 tell me that they could not make arrangements with
19 the sheriff's department to leave their homes to go
20 some place to have a letter notarized.

21 So that requirement was somewhat
22 burdensome for them. After seeing that process in
23 place and seeing some of the issues with that
24 process, I recalled that from working in Skokie we

MICHAEL WASOWICZ, 09/22/2016

Page 15

1 had a process in place to allow somebody to
2 designate a person to pick up their property in
3 their absence.

4 And it was at that point that I made
5 a decision to look at revising the prisoner
6 property form to include and give an arrestee the
7 ability to at the time of their arrest designate
8 someone to pick their property up and much more
9 easily facilitate the return of that property
10 rather than some of the previous requirements that
11 we had had for notarized letters and documents
12 which were proving problematic for people.

13 Q. Let me show you what's previously been
14 marked as Plaintiff's Deposition Exhibit Number 1.
15 Could you tell us what it appears to be?

16 A. It appears to be a copy of an Evanston
17 Police Department prisoner property receipt.

18 Q. And at the bottom left it says revised
19 01/03. What does that mean if you know?

20 A. Well, I would have to understand it to
21 mean that this form was revised in January of 2003.

22 Q. And about four lines down it says CCSP.
23 Do you know what that abbreviation means?

24 A. Four lines down from the top?

MICHAEL WASOWICZ, 09/22/2016

Page 16

1 Q. Right. Or six lines if you include the
2 title.

3 MR. FORD: Objection, foundation. You can
4 answer.

5 BY MR. FLAXMAN:

6 Q. CCSP will not accept any clothing. Do
7 you know what CCSP means?

8 A. I would understand CCSP to be Cook
9 County Sheriff's Police.

10 Q. Do you know if the Cook County
11 Sheriff's Police are involved in transporting
12 prisoners or the care of prisoners?

13 A. I do not.

14 Q. Was this the form that was in existence
15 before you made the changes you just talked about?

16 A. I do not know if this was the current
17 form that was being used at the time.

18 Q. Have you ever seen this form, this type
19 of form before without the writing in it,
20 handwriting in it?

21 A. Have I ever seen this version of the
22 prisoner property form?

23 Q. Right.

24 A. I've seen versions of the prisoner

MICHAEL WASOWICZ, 09/22/2016

Page 17

1 property form other than my revision. I do not
2 know what this is. This is dated from 2006 so I
3 don't know if there's other revisions between then
4 and my revision.

5 Q. Let me show you what's been marked as
6 Plaintiff's Deposition Exhibit Number 2. And at
7 the top it says it's a Cook County Sheriff's
8 Office, Cook County, Illinois, Sheriff's order.
9 Have you ever seen this sheriff's order before?

10 A. No.

11 Q. Have you ever seen any sheriff's orders
12 before today?

13 A. None that I recall.

14 MR. FLAXMAN: I'm using your exhibit.

15 MR. FORD: Number 3 from yesterday?

16 MR. FLAXMAN: Yes.

17 MR. FORD: Sure.

18 BY MR. FLAXMAN:

19 Q. Let me show you what's previously been
20 marked as Defendant's Exhibit Number 3 and ask you
21 if this is the form that you revised?

22 A. Yes, this would be my revision of the
23 prisoner property receipt.

24 Q. And is there anything in that form

MICHAEL WASOWICZ, 09/22/2016

Page 18

1 about the procedure you told us about of talking to
2 a social worker at the jail?

3 A. No, there's not.

4 Q. Have you ever seen any form that's
5 given to arrestees at the Evanston Police
6 Department which instructs them about that
7 procedure of talking to a social worker at the jail
8 to reclaim property?

9 A. I have not.

10 Q. Do you know if there's any police,
11 Evanston Police Department rule or regulation which
12 instructs police department personnel to inform any
13 arrestee who's being sent to the Skokie Courthouse
14 about talking to a social worker at the jail to
15 reclaim their property?

16 A. I do not know of any.

17 Q. Now in that form which is Deposition
18 Exhibit Number 3, there's a statement about if
19 property is not claimed, it will be disposed of.
20 Do you see that?

21 A. Yes.

22 Q. Could you read it for us?

23 A. I believe you're referring to the
24 sentence, "If you do not retrieve these items

MICHAEL WASOWICZ, 09/22/2016

Page 19

1 within 30 days they will be disposed of as provided
2 by statute".

3 Q. Is that language for which you're
4 responsible?

5 A. The format was -- that particular
6 sentence, well, the 30 days I'm responsible for.
7 The disposal that's provided by statute is a
8 continuation of language that was used in previous
9 property sheets.

10 Q. Well, look back at Exhibit 1. Does
11 that have the same language?

12 A. It says "I understand that any demand
13 for this property shall be made within 90 days from
14 the date hereof and that unclaimed property will be
15 disposed of as provided by statute."

16 Q. Why did you change the time period from
17 90 days to 30 days?

18 A. The change in the time period was done
19 to call attention to the fact that an individual
20 needed to take action sooner rather than later to
21 reclaim their property.

22 Q. And when the form, Defendant's
23 Exhibit 3, talks about will be disposed of as
24 provided by statute, what statute is referred to in

MICHAEL WASOWICZ, 09/22/2016

Page 20

1 that sentence?

2 A. Well, state law provides for law
3 enforcement agencies to dispose of unclaimed
4 property. In particular one format would be
5 through auction, if so desired or by donation if in
6 accordance with statute. So generally that would
7 be the statute that's being referred to.

8 Q. Did you refer or look at that Illinois
9 statute when you drafted the notice?

10 A. I have, yes.

11 Q. Did you see anything in that statute
12 about notice that has to be given to people before
13 their property can be disposed of?

14 A. There is verbiage in the statute about
15 that.

16 Q. And does Evanston give that notice
17 that's set out in the Illinois statute?

18 A. Well, the notice would constitute the
19 notice on the prisoner property sheet which is
20 titled notification regarding property.

21 Q. So am I correct that Defendant's
22 Exhibit 3 at the time it was revised in 2012 has
23 been the only notice that's given to arrestees
24 about what's going to happen to their property if

MICHAEL WASOWICZ, 09/22/2016

Page 21

1 they don't claim it within 30 days?

2 A. That would be correct.

3 Q. And is that the same notice that's in
4 effect today?

5 A. It is, yes.

6 Q. Are there any plans to change that
7 notice of which you're aware?

8 A. No.

9 Q. Have you ever had occasion to look at
10 an Evanston ordinance called lost or stolen
11 property?

12 A. I have.

13 Q. In what context did you look at that
14 ordinance?

15 A. When I first came to the city and took
16 over my duties, one of the things that I did was I
17 researched ordinances, city ordinances that may be
18 related to my job position or those job positions
19 underneath me in Evanston. Also researched
20 applicable state laws. And so my first contact
21 with that ordinance that you just mentioned was
22 during that time period.

23 Q. Did you receive any legal advice about
24 the applicability of the ordinance, the Evanston

MICHAEL WASOWICZ, 09/22/2016

Page 22

1 ordinance entitled lost or stolen property to
2 arrestee property?

3 MR. FORD: Objection, calls for
4 attorney-client privilege. You just want to know
5 if he received legal advice, not what it is?

6 MR. FLAXMAN: That's my question, yeah.

7 A. I did not.

8 BY MR. FLAXMAN:

9 Q. Do you have a supervisor?

10 A. I do.

11 Q. Who is your supervisor?

12 MR. FORD: Objection, time frame.

13 BY MR. FLAXMAN:

14 Q. Who is your present supervisor?

15 A. It would be Deputy Chief Jay, J-a-y,
16 Parrott, P-a-r-r-o-t-t.

17 Q. And back in 2012 when you were revising
18 the notice who was your supervisor?

19 A. Jeff Jamraz, J-a-m-r-a-z.

20 Q. And did you ever have any discussion
21 with Mr. Jamraz -- was he a police officer?

22 A. Deputy chief.

23 Q. With Deputy Chief Jamraz about the
24 applicability of the Evanston ordinance that's

MICHAEL WASOWICZ, 09/22/2016

Page 23

1 entitled lost/stolen property to arrestee property?

2 A. No.

3 Q. Let me show you what's previously been
4 marked as Deposition Exhibit Number 4. Could you
5 tell us what that is?

6 A. This is a copy of an Evanston Police
7 Department prisoner property receipt.

8 Q. Go ahead. I'm sorry.

9 A. Bearing the name Sanders, Dameon.

10 Q. Do you know Mr. Sanders?

11 A. I do not know Mr. Sanders.

12 Q. Do you remember reviewing a response to
13 a request to admit which I'll show you, previously
14 been marked as Plaintiff's Exhibit, Deposition
15 Exhibit Number 3?

16 MR. FORD: Is it in this pile here?

17 MR. FLAXMAN: Yeah. It's this one here.

18 BY MR. FLAXMAN:

19 Q. On page 4 of that document, is that
20 your signature?

21 A. Page 4?

22 Q. Yes.

23 A. That is my signature.

24 Q. And request number 5, asks whether or

MICHAEL WASOWICZ, 09/22/2016

Page 24

1 not -- well, let's go back. EV 1009 is that the
2 document that's in front of you that's previously
3 been marked as Plaintiff's Deposition Exhibit
4 Number 4?

5 A. Yes, it is.

6 Q. All right. Request number 5 asks you
7 or asserts that EV 1009 purports to show the two
8 cell phones, a belt, a hat, two shoelaces, a Link
9 card, 3 CTA cards and a debit card were returned to
10 Dameon Sanders on August 20th, 2013, at 6:45 a.m.
11 The response was denied. Could you tell us why
12 that contention or in what manner is that
13 contention incorrect?

14 A. Well, it's incorrect for several
15 reasons. The first reason being that in the bottom
16 portion, very bottom portion of the form where the
17 owner is acknowledging return of items, the two
18 dates that are shown, which apparently are both
19 incorrectly written by the officer involved, it's
20 actually not August 20 as you stated in your third
21 request to admit.

22 When you look at it it's actually
23 August 26th that's written on those two lines. The
24 summary of property returned that you have

MICHAEL WASOWICZ, 09/22/2016

Page 25

1 identified in line 5 of two cell phones, a belt, a
2 hat, two shoelaces, Link card, 3 CTA cards and a
3 debit card is also incorrect. The items, cell
4 phones, two cell phones would not have been
5 returned. They were held for inventory.

6 The belt would not have been
7 returned. It was held, marked as held for
8 inventory. Shoelaces -- oh, I'm sorry. The Link
9 card and the CTA cards and the debit card also were
10 not returned. They're marked as being held in
11 inventory. So those are the two primary errors
12 that occur in line 5 on that document.

13 Q. Am I correct that on Exhibit 4 being
14 held for inventory means that there's a check in
15 the parentheses or the brackets that are next to
16 the, like cell phone written in two and then
17 there's brackets with a mark in it?

18 A. Yes.

19 Q. Or maybe it's a line. How would an
20 arrestees retrieve items that have been held for
21 inventory?

22 A. An arrestee can retrieve items in a
23 multitude of different ways. If the arrestee were
24 to bond out, the arrestee could come to the police

MICHAEL WASOWICZ, 09/22/2016

Page 26

1 station. Request to have his property returned to
2 him or her and obtain their property. The arrestee
3 can use the bottom third portion of the form or so
4 to designate a person to pick up items of property
5 in their absence.

6 That individual could come to the
7 police station, present appropriate identification.
8 We would verify their name against the record on
9 the property sheet. As long as that information
10 matched up, that individual could obtain their
11 property.

12 The arrestee is sent to the Cook
13 County Jail. The arrestee can contact a social
14 worker at the Cook County Jail. Can obtain a form
15 from the Cook County Jail designating somebody to
16 pick up their property. The jail would notarize
17 that form and then the form could be obtained by
18 the person picking up the property and brought to
19 the police station with proper identification.

20 And that individual could pick up
21 the property. The arrestees can also initiate a
22 phone call from the Cook County Jail to our
23 property office. Speak with a property officer.
24 Designate somebody during that process that they

MICHAEL WASOWICZ, 09/22/2016

Page 27

1 would like to have come pick up their property.
2 They could write us a letter from the Cook County
3 Jail requesting that their property be released
4 because they're unable to come to the police
5 department to get their property.

6 And if they were not in custody of
7 the jail, they could write a personal note. They
8 could give that note to somebody. We've in the
9 past asked if they want to send somebody and a
10 note, we would accept that. You know, bring in
11 both the identification of the person picking up
12 the property as well as the identification of the
13 person that is under house arrest or under the
14 electronic monitoring program.

15 We would accept that. They can
16 certainly get some other form of certified letter.
17 They can make a request through their attorney to
18 have the property returned. They can make a
19 request through their attorney to have the property
20 held.

21 We have had arrestees' attorneys
22 obtain a court order for return of property. We
23 have had arrestees' attorneys e-mail us requesting
24 to make arrangements for return of property. We

MICHAEL WASOWICZ, 09/22/2016

Page 28

1 simply require a reasonable establishment that the
2 person that the property is going back to, if it is
3 not going back to the owner, that we are reasonably
4 certain that is the person that the owner desires
5 the property to go back to.

6 Q. What property, if any, was returned to
7 Mr. Sanders on August 26th of 2013 when his name
8 appears to have been written on this form,
9 Plaintiff's Deposition Exhibit Number 4?

10 A. Well, on this form his signature at the
11 bottom would indicate that he received the -- well,
12 it says 162 plus four bills. So I don't know if
13 that means it's 166. But he would have received
14 the bills which would be U.S. currency. Thirty
15 cents marked in coins. A state ID card and two
16 shoelaces.

17 Q. If Mr. Sanders had been sent from
18 Evanston to the Cook County Jail, would those items
19 have been sent with him to the Cook County Jail?

20 A. My understanding is that yes, the
21 currency, the government ID and the shoelaces would
22 be.

23 Q. Could you explain how the Evanston
24 Police Department returned to Mr. Sanders on

MICHAEL WASOWICZ, 09/22/2016

Page 29

1 August 26, 2013, items that it had sent to the jail
2 earlier?

3 MR. FORD: Objection, foundation. You can
4 answer if you know.

5 A. My impression from this document is
6 Mr. Sanders' arrest date at the very top of the
7 Document 7-25-13. In the notification regarding
8 your property section of the form, Mr. Sanders also
9 signed that section and he put a date next to it of
10 7-25-13. His arrest time is listed at the top at
11 11:25 hours. The time in the notification
12 regarding your property section is listed as
13 11:47 hours.

14 The officer when completing the
15 notification regarding your property section wrote
16 a date of 8-25-13 which is a one-month difference
17 which I believe to be in error. If Mr. Sanders
18 were arrested on 7-25 of '13 at 11:25 in the
19 morning, at the very bottom of the form where he
20 signs it 8-26-13 at 06:45, that would coincide, the
21 timing on that would coincide exactly as it should
22 to Mr. Sanders' transfer from the Evanston Police
23 Department to the Cook County Sheriffs at the
24 Second District.

MICHAEL WASOWICZ, 09/22/2016

Page 30

1 And I believe the eight written in
2 there for the month of August is actually an error
3 made by the officer completing the form. Or by
4 Mr. Sanders if he was the one that wrote the -- I
5 don't know who wrote the date in there, but I
6 believe it was nothing more than an error in
7 writing the month as 8 instead of 7.

8 BY MR. FLAXMAN:

9 Q. Are you telling us that items were
10 given to Mr. Sanders on July 25th of 2013?

11 MR. FORD: Objection, calls for speculation.
12 You can answer if you know.

13 A. What I'm saying is that when
14 Mr. Sanders was released from the custody of the
15 Evanston Police Department and I believe he went to
16 the county jail because there are items marked for
17 inventory, which if he was not going to the county
18 jail, there would not be a reason for that.

19 That when he was released there was
20 an error made either by Mr. Sanders if he signed
21 and dated the bottom of the form and he wrote
22 8-26-13 or by the officer that completed the form.
23 But that the transfer of property is in fact the
24 property that was allowed to go with him to the

MICHAEL WASOWICZ, 09/22/2016

Page 31

1 Cook County Sheriff's Office the morning following
2 his arrest on 7-25-13.

3 BY MR. FLAXMAN:

4 Q. So am I correct that whenever an
5 arrestee who has property not marked for inventory
6 is held at the Evanston Police Department and then
7 sent to the Skokie Courthouse, he or she is asked
8 to sign the bottom of a property inventory form
9 which is next to release to owner?

10 A. Right. They would be acknowledging
11 that those items are going with them to their
12 custody and would be transferred with them to the
13 county.

14 Q. Let me ask you to look at Plaintiff's
15 Deposition Exhibit Number 5. Can you tell us what
16 that is, please?

17 A. Plaintiff's Deposition Exhibit Number 5
18 is a copy of an Evanston Police Department chain of
19 custody report also bearing the name of Dameon
20 Sanders.

21 Q. And are you familiar with these chain
22 of custody reports?

23 A. Yes.

24 Q. Does this show that items belonging to

MICHAEL WASOWICZ, 09/22/2016

Page 32

1 Mr. Sanders were disposed of by the Evanston Police
2 Department?

3 A. Yes, it does.

4 Q. About halfway down it says case items.
5 Item number 001. Then it says current custody. Do
6 you see that?

7 A. Yes.

8 Q. And it says destroyed, final dispo, out
9 of custody container bulk destroyed, Box 2. Do you
10 know what those words mean on this form?

11 A. I do.

12 Q. What do they mean?

13 A. Destroyed means destroyed. Final dispo
14 stands for final disposition.

15 Q. Final disposition of what?

16 A. These property items.

17 Q. Okay. What is the out of custody, what
18 does that mean?

19 A. That they're out of custody.

20 Q. Does it mean that Mr. Sanders is out of
21 custody?

22 A. No, it means the property is out of our
23 custody.

24 Q. And container bulk destroyed Box 2,

MICHAEL WASOWICZ, 09/22/2016

Page 33

1 what does that mean?

2 A. There were probably a number of items
3 that were assigned to a container to be destroyed.
4 And then by changing the status of the container in
5 the computer to items destroyed, it updates the
6 status of any items assigned to that container in
7 the computer.

8 Q. At the bottom there's an entry date
9 time 4-8-2014. Do you see that?

10 A. Yes.

11 Q. Is that when Mr. Sanders' property was
12 destroyed?

13 A. Yes.

14 Q. Am I correct that Evanston Police
15 Department did not send any notice to Mr. Sanders
16 that if you don't pick up your property, it will
17 be -- any notice that says other than what was on
18 the property inventory form, telling Mr. Sanders
19 that if you don't pick up your property it would be
20 destroyed?

21 A. You would be correct.

22 Q. Is it also correct that the City of
23 Evanston did not make any effort to determine
24 whether or not Mr. Sanders was at the Cook County

MICHAEL WASOWICZ, 09/22/2016

Page 34

1 Jail continuously from July 26th, 2013, until
2 April, on or after April 8 of 2014?

3 A. I don't believe I can speak for what
4 the City of Evanston has done.

5 Q. Okay. Is there anything on this form,
6 Deposition Exhibit Number 5, indicating that
7 efforts were made to locate Mr. Sanders?

8 A. No.

9 Q. Let me ask you to look at Deposition
10 Exhibit Number 6. And ask you if that's your
11 signature on page 4?

12 A. It is my signature.

13 Q. All right. And request to admit number
14 4.

15 A. Okay.

16 Q. What did you do to determine that that
17 was -- that contention number 4 is incorrect?

18 A. Well, as part of the process involving
19 this matter, I had researched documents, the chain
20 of custody records that were ultimately provided to
21 your office by the city. And in reviewing the
22 plaintiff's first request to admit, in going
23 through point 4, your document identifies 50
24 persons processed into custody by the city in 2012.

MICHAEL WASOWICZ, 09/22/2016

Page 35

1 Based on my review of the chain of custody reports,
2 that number is incorrect.

3 Q. Is it more than 50 or less than 50?

4 A. It's significantly less than 50.

5 Q. How much less?

6 A. I believe my count was about
7 approximately mid 20s. It was less than 30, I
8 believe.

9 Q. Did you do the same thing for
10 contention 5?

11 A. I did.

12 Q. And was your count greater or less than
13 178?

14 A. My count was less than 178.

15 Q. Do you recall what your count was?

16 A. I don't recall what that count was.

17 Q. Was it less than a hundred?

18 A. No.

19 Q. Contention 6 which asks you if there
20 were 172 persons in 2014. Was your count more or
21 less than 172?

22 A. It was less.

23 Q. Was it more than a hundred?

24 A. I believe it was.

MICHAEL WASOWICZ, 09/22/2016

Page 36

1 Q. And the last one, number 7, which
2 asserts that there were 114 persons in 2015. Was
3 your count more or less?

4 A. My count for 2015 was less if I recall.

5 Q. Was it more than 50?

6 A. That one I do not remember what the
7 count was.

8 Q. Did you make any records of what your
9 counts were?

10 A. I did. Well, I went through the
11 documents and I went through the documents produced
12 by the city to your office. And I counted the
13 documents of the chain of custody reports for
14 persons arrested for those years. And the numbers
15 are different than what you've got here.

16 Q. Would you agree that the total number
17 of persons from 2013 through 2015 was more than a
18 hundred?

19 A. The total number from 2013 through
20 2015?

21 Q. Right.

22 A. Yes, I would.

23 MR. FLAXMAN: I have nothing further.

24 EXAMINATION

MICHAEL WASOWICZ, 09/22/2016

Page 37

1 BY MR. FORD:

2 Q. Give me one second. Plaintiff asked
3 you a question, Mr. Wasowicz, about Plaintiff's
4 Deposition Exhibit Number 5. Do you have that in
5 front of you?

6 A. I do.

7 Q. Do you recall what items of Mr. Sanders
8 were disposed of by the city on or about April 8,
9 2014?

10 A. The items disposed would be as listed.
11 A belt, 3 CTA cards, debit card and Link card.

12 Q. Going to Plaintiff's Deposition Exhibit
13 Number 4. There was some discussion about
14 Mr. Sanders' phones that were identified as
15 inventoried?

16 A. Yes. There's two cell phones
17 identified on the inventory sheet.

18 Q. Do you recall based on your review of
19 the records for this matter whether those cell
20 phones were considered prisoner property or whether
21 they were considered other type of property?

22 A. Based on my review of the records the
23 phones were inventoried initially as prisoner
24 property and were subsequently identified as

MICHAEL WASOWICZ, 09/22/2016

Page 38

1 evidence items to be held on Mr. Sanders' case.

2 Q. What is your understanding of that
3 property, was that property destroyed at all, the
4 phones?

5 A. No, Mr. Sanders' cell phones are still
6 in the custody of the Evanston Police Department.

7 Q. You were asked some questions about an
8 Evanston ordinance regarding lost and stolen
9 property. Do you recall those questions?

10 A. I do.

11 Q. Now arrestee property that the city
12 inventories, what is your understanding of that in
13 relationship to the ordinance? Would you consider
14 that to be lost and stolen property?

15 A. No, I believe the ordinance is quite
16 clear. The ordinance identifies lost -- the title
17 of the ordinance is lost and stolen property. And
18 it identifies actions to be taken with lost or
19 stolen property that is turned into the police
20 department or recovered by the police department.
21 Based on my reading of the ordinance, it does not
22 include any language in regard to the property of
23 arrestees.

24 Q. And you were asked questions about the

MICHAEL WASOWICZ, 09/22/2016

Page 39

1 way that the city during your time as the head of
2 the property bureau would accept for an arrestee to
3 retrieve their items. Had there ever been an
4 occasion where the city has turned over property to
5 an arrestee's designee or via the arrestee's power
6 of attorney?

7 A. Yes.

8 Q. And you mentioned that there had been
9 instances where the police department property
10 bureau would release arrestee property to an
11 arrestee's designee based on a letter from the
12 arrestee. Do you recall that?

13 A. I do recall it.

14 Q. And does that letter always have to be
15 notarized or has there been instances where the
16 letter from the arrestee has been not Notarized?

17 A. No. We've tried to streamline the
18 process as much as possible. And if we can be
19 assured that it's going to a person that the
20 arrestee would like to have it go to, we're
21 agreeable to not needing to have a notarized
22 letter.

23 Q. What's your understanding of the police
24 department's disposition of arrestee property? We

MICHAEL WASOWICZ, 09/22/2016

Page 40

1 understand that the current form of the prisoner
2 property inventory receipt identified 30 days.
3 What is your department's custom and practice since
4 you've been here from October, 2012, to the present
5 in terms of when an arrestee's property is normally
6 disposed of?

7 A. The customary practice has always been
8 at minimum 90 days. And in reality generally much
9 greater than the 90-day period. My answer to a
10 previous question regarding the 30-day period was
11 that it was outlined on the prisoner property form
12 as a manner to encourage people to take action to
13 reclaim their property sooner rather than later.

14 And despite the fact that the
15 30-day, printed 30-days was changed on the property
16 form, generally stuck to a practice of maintaining
17 property for at least 90 days or longer in order to
18 afford people the opportunity to come in and
19 reclaim their property.

20 Q. Is it possible for the property bureau
21 to personally contact every arrestee after they
22 have been transferred to the Cook County Sheriff to
23 give them a personal notification as to the state
24 of their property?

MICHAEL WASOWICZ, 09/22/2016

Page 41

1 A. I don't think it would be, no.

2 Q. Why is that?

3 A. Well, I think first off the time span
4 between property coming in and ultimately being
5 looked at for disposal, which in some cases can be
6 fairly lengthy, I believe we have items well over
7 180 days, 200 days. At that point in time, again
8 there's no guarantee of knowing where the
9 individual is at that point in time.

10 Are they at the county jail? Are
11 they at the Illinois Department of Corrections?
12 Were they arrested on a warrant? Were they
13 transferred to another county? Were they
14 transferred out of state? Have they been released?
15 Are they released to the address they gave when
16 they came to the police department? I think it
17 would be a quite burdensome task to undertake to
18 try and reach out to do that.

19 Q. Getting back to the prisoner property
20 receipt, I believe it's Plaintiff's Deposition
21 Exhibit Number 4 and also Defendant's Deposition
22 Exhibit Number 3 just for an example.

23 A. Plaintiff's 4.

24 Q. And Defendant's 3?

MICHAEL WASOWICZ, 09/22/2016

Page 42

1 A. Defendant's 3, okay.

2 Q. Those are the current versions of the
3 prisoner property receipt forms, correct?

4 A. That is correct.

5 Q. And in relationship to the many methods
6 of ways that you have identified arrestees
7 retrieving their property, either personally or
8 through a designee, has it been your custom and
9 practice to reject the return of property because
10 an authorized designee via power of attorney, via
11 whatever format you have previously identified,
12 failed to bring a copy of the prisoner property
13 receipt with them?

14 A. We have never rejected anybody the
15 return of property to anyone for failure to have a
16 copy.

17 MR. FORD: I don't have any further
18 questions. I don't know if you have follow-up.

19 RE-EXAMINATION

20 BY MR. FLAXMAN:

21 Q. You talked about the lost or stolen
22 property ordinance not relating to property of
23 arrestees. Is there any Evanston ordinance of
24 which you're aware that addresses the property of

MICHAEL WASOWICZ, 09/22/2016

Page 43

1 arrestees?

2 A. I have never found an Evanston
3 ordinance addressing that, no.

4 Q. You talked about Mr. Sanders' phones
5 being changed from prisoner property to hold for
6 evidence. Is there any document which memorializes
7 that change in status?

8 A. There is a document that memorializes
9 that change in status. There was a note attached
10 to the BEAST record for Mr. Sanders' property in
11 terms of someone apparently connected to
12 Mr. Sanders contacting the department and asking to
13 pick up his prisoner property. And research done
14 by somebody that was working in the property office
15 at the time that identified that the two phones had
16 initially been listed as prisoner property, but
17 then were marked as hold for evidence.

18 MR. FORD: We can get you those documents.
19 I'll get you those documents.

20 BY MR. FLAXMAN:

21 Q. Do you know for how long those phones
22 will be held for evidence?

23 A. One of several things would occur. If
24 Mr. Sanders' case has been disposed and he would

MICHAEL WASOWICZ, 09/22/2016

Page 44

1 wish to have the phones back, he would contact the
2 property office. We would verify with the
3 arresting officer that the phones were no longer
4 needed as evidence on a case.

5 And once we obtained permission from
6 the arresting officer to have the phones returned,
7 Mr. Sanders could have his phones returned.
8 Obviously as part of his court case, if the phones
9 were involved he could have -- apparently did not
10 -- but would have the ability through his attorney
11 to request an order from the Court to have the
12 phones returned.

13 Q. Is there any record of which you're
14 aware which shows that Mr. Sanders was informed
15 that his phones had been changed from prisoner
16 property to being held for evidence?

17 A. You're talking about a record directly
18 where there was some sort of direct communication
19 between Mr. Sanders and somebody telling him that?

20 Q. To give him notice that his phones are
21 now being held for evidence?

22 A. I'm not aware of any.

23 Q. When property is returned by Evanston
24 by whatever, any of those means you described, is

MICHAEL WASOWICZ, 09/22/2016

Page 45

1 there a receipt that's signed by the person who
2 picks up the property?

3 A. Yes, sir.

4 Q. And is that on the prisoner property
5 receipt form? What is the nature of that receipt?

6 A. The nature of that receipt is a receipt
7 that is generated by the BEAST system that that
8 person would sign.

9 MR. FORD: And you should have that in
10 your -- we produced release to documents. That was
11 supplemented. But I can direct you to where those
12 are again.

13 MR. FLAXMAN: I would appreciate that.

14 MR. FORD: All right.

15 BY MR. FLAXMAN:

16 Q. And you also talked about it's not
17 possible to contact every arrestee. Well, how many
18 arrestees are we talking about who have to be
19 contacted?

20 A. On average we take in approximately 40
21 items a month which would translate to about 40
22 arrestees per month.

23 Q. So that's 480 items per year?

24 A. Roughly.

MICHAEL WASOWICZ, 09/22/2016

Page 46

1 Q. Is that the number of items that are or
2 the number of arrestees whose items are destroyed
3 each year by Evanston?

4 A. No.

5 Q. What's the number of items that are
6 unclaimed each year?

7 A. I don't know the specific number of
8 items that are unclaimed. Most items are picked
9 up. I don't know. I can't give you a specific
10 number at this point as to what's unclaimed.

11 Q. Is it more than ten a month that are
12 unclaimed?

13 MR. FORD: Objection, calls for speculation.
14 If you know.

15 A. I've never looked at the numbers for
16 unclaimed either on a monthly basis or an annual
17 basis so I don't have a number.

18 BY MR. FLAXMAN:

19 Q. Well, do you have any idea of how you
20 would go about finding the current address of
21 persons whose property -- of arrestees whose
22 property has been at Evanston for more than
23 30 days?

24 A. If we were to send a supplemental

MICHAEL WASOWICZ, 09/22/2016

Page 47

1 notification, it would be sent to the address that
2 the arrestee has given.

3 Q. And is that address maintained in the
4 BEAST system by the Evanston Police Department?

5 A. It may or may not be.

6 Q. Well, if you look at Deposition Exhibit
7 Number 5, that's a printout from the BEAST system,
8 is that right?

9 A. That is correct.

10 Q. And does that show the home address for
11 Mr. Sanders?

12 A. It shows an address. I don't know that
13 it's a home address.

14 Q. Does it also show his date of birth?

15 A. It does show his date of birth.

16 Q. And does it show his state ID number?

17 A. It does show a state ID number.

18 Q. To determine if Mr. Sanders was
19 incarcerated at the Cook County Jail, how
20 burdensome would that be?

21 A. I don't believe I said --

22 MR. FORD: Objection, calls for speculation.
23 Mischaracterizes his testimony. You can answer.

24 A. I don't believe I said it would be

MICHAEL WASOWICZ, 09/22/2016

Page 48

1 burdensome in terms of Mr. Sanders. I said it
2 would be burdensome in terms of the aggregate
3 amount of prisoner property arrestees that come
4 through the Evanston Police Department.

5 BY MR. FLAXMAN:

6 Q. Well, assume that we're looking at 100
7 people a year, arrestees whose property -- they do
8 not claim their property after 30 days, would it be
9 quite burdensome to determine if any of those
10 people were currently -- were then incarcerated at
11 the Cook County Jail?

12 MR. FORD: Objection, calls for speculation.
13 Objection to form.

14 A. I'm not sure I understand your
15 question.

16 BY MR. FLAXMAN:

17 Q. Well, you answered that it would be
18 quite burdensome to give notice to everybody whose
19 property, every arrestee who did not claim his or
20 her property. Do you remember that answer?

21 A. I do.

22 Q. And I'm trying to find out what you
23 meant by quite burdensome. Would one of the things
24 that you have to do to give notice to people, to

MICHAEL WASOWICZ, 09/22/2016

Page 49

1 arrestees whose property was unclaimed at the
2 Evanston Police Department, would be to send a
3 letter to the last known address?

4 MR. FORD: Objection to relevance regarding
5 notice. You can answer.

6 A. Well, there's no guarantee that if it
7 goes to the last known address that it's giving
8 anybody notice.

9 BY MR. FLAXMAN:

10 Q. Well, would one of the other things you
11 could do to give notice to an arrestee whose
12 property was unclaimed after 30 days, to determine
13 whether or not he or she was incarcerated?

14 MR. FORD: Objection to relevance regarding
15 any notice questions.

16 A. Are you asking for us to determine if
17 he was incarcerated?

18 BY MR. FLAXMAN:

19 Q. I'm asking would it be quite burdensome
20 to determine whether or not he or she is
21 incarcerated?

22 A. Yes, it could be.

23 Q. Why is that?

24 A. Well, I think first off, counselor, I

MICHAEL WASOWICZ, 09/22/2016

Page 50

1 think we've gotten to the point now where your
2 first question was to give notice by sending a
3 letter. Now you're adding on giving or making an
4 effort to determine if incarcerated.

5 Somebody coming into the Evanston
6 Police Department comes in for a variety of
7 reasons. One of those reasons are outside agency
8 arrest warrants, which means that that individual
9 could be transferred to Cook County Jail. That
10 individual could be hand transferred to the McHenry
11 County Jail.

12 That individual could be transferred
13 out of state. And at that point in time if we keep
14 -- I think if we kept going in this direction, the
15 load, the workload is building. It went from
16 mailing letters to reaching out and contacting
17 agencies to determine if somebody is in custody.
18 The next step we get to is how many agencies do we
19 possibly need to be contacting to determine if
20 somebody is in custody or find out where they're
21 at?

22 Q. Well, you talked about outside agency
23 arrest warrant. If somebody's arrested for an
24 outstanding warrant in McHenry County, am I correct

MICHAEL WASOWICZ, 09/22/2016

Page 51

1 that McHenry County will come to pick that person
2 up?

3 A. I do not know that.

4 Q. Well, do you know whether or not
5 Evanston will hold onto property of an arrestee
6 whose being picked up by another police agency
7 pursuant to a warrant?

8 A. Do I know if we would hold somebody's
9 property?

10 Q. Right.

11 A. Yes. Because there are any number of
12 BEAST records that I've been provided that show
13 that the reason for the arrest was a warrant
14 arrest.

15 Q. How many warrant arrests does Evanston
16 process every year?

17 MR. FORD: Objection, calls for speculation.

18 A. I don't know the answer to that.

19 BY MR. FLAXMAN:

20 Q. As far as you know it could be a total
21 of ten?

22 MR. FORD: Objection, calls for speculation.

23 A. I don't know the answer.

24 BY MR. FLAXMAN:

MICHAEL WASOWICZ, 09/22/2016

Page 52

1 Q. And of those persons who are arrested
2 on warrants from other agencies, do you have any
3 idea how many of those people do not reclaim their
4 property from Evanston 30 days after arrest?

5 MR. FORD: Objection, calls for speculation.

6 A. I don't know that.

7 BY MR. FLAXMAN:

8 Q. So could you tell us what it is you
9 based your answer on that it would be quite
10 burdensome to give individual notice to the current
11 address of arrestees who did not claim their
12 property within 30 days of arrest?

13 MR. FORD: Objection, asked and answered.

14 A. I believe I've already answered that
15 question, counselor. In terms of one instance,
16 obviously one instance is not burdensome. But when
17 you take the aggregate amount, it does
18 significantly increase the workload of the property
19 office.

20 BY MR. FLAXMAN:

21 Q. Have you ever attempted to give notice
22 to people, to arrestees whose property was not
23 claimed 30 days after their arrest?

24 MR. FORD: Objection, relevance to any notice

MICHAEL WASOWICZ, 09/22/2016

Page 53

1 questions. It's not part of the lawsuit.

2 A. No.

3 BY MR. FLAXMAN:

4 Q. How many items are held now by the City
5 of Evanston in its property inventory, arrestee
6 property inventory?

7 A. Are you asking me for the total number
8 of items that we are currently holding?

9 Q. Right.

10 A. I do not know what that total is.

11 Q. In the time that you've been working at
12 Evanston, has there ever been an audit of the
13 property that is held, arrestee property that's
14 held by the city?

15 A. No.

16 MR. FLAXMAN: I have nothing further.

17 MR. FORD: We'll reserve.

18

19 (The proceedings adjourned at
20 3:17 p.m.)

21

22

23

24