

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT-CRIMINAL DIVISION

THE PEOPLE OF THE)
STATE OF ILLINOIS,)
) Criminal
Plaintiff,)
) No. 05-08982
vs.)
) Charge: Mfg/Del Heroin,
BEN BAKER,) etc.
CLARISSA GLENN,)
)
Defendants.)

REPORT OF PROCEEDINGS had of the hearing
in the above entitled cause, before the Honorable
MICHAEL P. TOOMIN, Judge of said court, on the
23rd day of May, 2006.

APPEARANCES:

HONORABLE RICHARD A. DEVINE,
State's Attorney of Cook County, by:
MR. WILLIAM LASKARIS,
MS. MARY BREGENZER,
Assistant State's Attorneys,
for the People of the State of Illinois;
MR. MATTHEW MAHONEY,
for the defendants.

J. D. Williams, CSR #084-001757
Official Court Reporter
2650 S. California Ave.-4C02
Chicago, Illinois 60608

1 MR. LASKARIS: Judge, we'll proceed by
2 stipulation at this time.

3 THE COURT: Yes.

4 MR. LASKARIS: Stipulation to a chain of custody
5 and chemical composition of recovered substance.

6 Now come the People of the State of Illinois
7 by their attorney Richard A. Divine, State's Attorney
8 of Cook County, through his assistant Bill Laskaris,
9 and the defendant Ben Baker, by and through counsel
10 Matt Mahoney. It is by stipulated by and between the
11 parties that if Officer Leano, Star No. 4303.

12 THE COURT: How do you spell that?

13 MR. LASKARIS: L-e-a-n-o. Star No. 4303 were
14 called to testify he would testify as follows:

15 That on March the 23rd, 2005, he received
16 from Officer Nichols, Star No. 12415, two plastic bags
17 which contained 110 and 68 smaller plastic bags
18 respectively which he kept within the safekeeping and
19 control from the time of receipt until the inventory
20 of said items.

21 That he inventoried those items under
22 Inventory No. 10503356 pursuant to Chicago Police
23 Department inventory procedures by heat sealing them
24 and in an inventory envelope for delivery to the

1 Illinois State Police crime lab.

2 That when the items left his possession they
3 were in a sealed condition. That if he were shown
4 inventory listed in 1B above in open court he would
5 testify that the items are in substantially the same
6 condition with the exception of crime lab notation
7 markings made through in analysis as when they were
8 recovered.

9 It is further stipulated that if
10 Joseph Gillono, G-i-l-l-o-n-o, a forensic chemist with
11 the Illinois State Police crime lab were called to
12 testify he would testify that he received the
13 inventory listed in 1B above in a heat sealed
14 condition from the Chicago Police Department. That
15 said inventory envelope was opened and found to
16 contain 110 and 68 items of plastic bags.

17 That forensic chemist Joseph Gillono employed
18 by Illinois State Police crime is qualified to testify
19 as an expert in the area of forensic chemistry and all
20 the equipment used was tested, calibrated, and
21 functioning properly when the items were tested.

22 That the chemist performed tests commonly
23 accepted in the area of forensic chemistry for as
24 ascertaining the presence of controlled substance on

1 the item described above. That after performing the
2 tests on the contents of 41 of the 110 items and 26 of
3 the 68 items recovered the chemist's expert opinion
4 within a reasonable degree of scientific certainty
5 that the contents of the 41 bags of the 110 that were
6 tested were positive for presence of heroin and the
7 actual weight was 15.3 grams.

8 It is further in his expert opinion within a
9 reasonable degree of scientific certainty that 26 of
10 the 68 bags were tested were positive for the presence
11 of cocaine and the actual weight of the 26 out of 68
12 bags which were tested was 5.3 grams.

13 That the chemist would further testify that
14 the items estimated a total weight of the 110 items
15 would be 41.1 grams and the total estimated weight of
16 the 68 bags would be 13.9 grams.

17 That after the testing and analysis of
18 Inventory No. 10503356 was complete he would further
19 testify that it was again sealed and he would be able
20 to identify in open court as the same items that he
21 tested, that they were still in a sealed condition.
22 And that a proper chain of custody was maintained at
23 all times.

24 So stipulated?

1 MR. MAHONEY: So stipulated, your Honor.

2 MR. LASKARIS: Just so that the record is clear,
3 Judge, the officer identified the defendant in open
4 court.

5 MR. MAHONEY: So stipulated.

6 THE COURT: Yes.

7 MR. LASKARIS: Nothing further, Judge.

8 THE COURT: State rest?

9 MR. LASKARIS: Yes.

10 (State rest.)

11 MR. MAHONEY: Judge, at this time I would make a
12 motion for a directed finding. No argument.

13 THE COURT: Motion is denied.

14 MR. MAHONEY: Thank you, your Honor.

15 At this time the defense would call
16 Mr. Ben Baker.

17 THE COURT: Step up, Mr. Baker, raise your right
18 hand, please.

19 (Defendant sworn.)

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