



MASTER DOCKET CASE NO. 19-CV-01717
IN RE: WATTS COORDINATED PRETRIAL PROCEEDINGS

DEPONENT:
ALVIN JONES

DATE:
July 18, 2023



✉ schedule@kentuckianareporters.com

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KM EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
ILLINOIS EASTERN DIVISION
JUDGE FRANKLIN U. VALDERRAMA
MAGISTRATE JUDGE SHEILA M. FINNEGAN
MASTER DOCKET CASE NO. 19-CV-01717

IN RE: WATTS COORDINATED PRETRIAL PROCEEDINGS

DEONENT: ALVIN JONES
DATE: JULY 18, 2023
REPORTER: LINDSAY LARSON-TODD

1 APPEARANCES
2

3 ON BEHALF OF THE PLAINTIFFS, RICKEY HENDERSON,

4 SHAUN JAMES, JAMAR LEWIS, TAURUS SMITH:

5 Theresa Kleinhaus, Esquire

6 Elizabeth Paukstis, Esquire (Appeared via
7 videoconference)

8 Loevy & Loevy

9 311 North Aberdeen Street

10 Third Floor

11 Chicago, Illinois 60607

12 Telephone No.: (312) 243-5900

13 E-mail: tess@loevy.com

14
15 ON BEHALF OF THE PLAINTIFFS, FLAXMAN PLAINTIFFS:

16 Joel Flaxman, Esquire

17 Kenneth N. Flaxman, P.C.

18 200 South Michigan Avenue

19 Suite 201

20 Chicago Illinois 60604

21 Telephone No.: (312) 427-3200

22 E-mail: jaf@kenlaw.com

1 APPEARANCES (Cont'd)

2
3 ON BEHALF OF THE DEFENDANT, KALLATT MOHAMMED:

4 Eric Palles, Esquire

5 Daley Mohan Groble PC

6 55 West Monroe Street

7 Suite 16

8 Chicago, Illinois 60603

9 Telephone No.: (312) 422-9999

10 E-mail: epalles@daleymohan.com

11 (Appeared via videoconference)

12
13 ON BEHALF OF THE DEFENDANT, CITY OF CHICAGO:

14 Paul A. Michalik, Esquire

15 Reiter Burns LLP

16 311 South Wacker Drive

17 Suite 5200

18 Chicago, Illinois 60606

19 Telephone No.: (312) 982-0090

20 E-mail: pmichalik@reiterburns.com

21 (Appeared via videoconference)

1 APPEARANCES (Cont'd)
23 ON BEHALF OF THE DEFENDANTS, MATTHEW CADMAN AND MICHAEL
4 SPAARGARN:5 James V. Daffada, Esquire
6 Leinenweber Baroni & Daffada LLC
7 120 North LaSalle Street
8 Suite 2000
9 Chicago, Illinois 60602
10 Telephone No.: (866) 786-3705
11 E-mail: jim@ilesq.com
12 (Appeared via videoconference)13
14 ON BEHALF OF THE DEFENDANT, RONALD WATTS:15 Brian Gainer, Esquire
16 Johnson & Bell Ltd.
17 33 West Monroe Street
18 Suite 2700
19 Chicago, Illinois 60603
20 Telephone No.: (312) 372-0770
21 E-mail: gainerb@jbltd.com
22 (Appeared via videoconference)

1 APPEARANCES (Cont'd)

2
3
4 ON BEHALF OF THE DEFENDANTS, ROBERT GONZALEZ,
5 MANUEL LEANO, DOUGLAS NICHOLS, JUNIOR, CALVIN RIDGELL,
6 GEROME SUMMERS, JUNIOR, LAMONICA LEWIS, JOHN RODRIGUEZ,
7 ELSWORTH SMITH, ALVIN JONES, DARRYL EDWARDS,
8 REBECCA BOGARD, BRIAN BOLTON, MIGUEL CABRALES, AND
9 FRANKIE LANE:

10 William E. Bazarek, Esquire

11 Hale & Monico, LLC

12 53 West Jackson Boulevard

13 Suite 334

14 Chicago, Illinois 60604

15 Telephone No.: (312) 870-6902

16 E-mail: web@HaleMonico.com

17
18 Also Present: Victoria Jadick, Videographer

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3 STIPULATION4
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6
7 The VIDEO deposition of ALVIN JONES was taken at LOEVY &
LOEVY, 311 NORTH ABERDEEN STREET, THIRD FLOOR, CHICAGO,
ILLINOIS, 60607, on WEDNESDAY, the 18th day of JULY 2023
at 10:15 a.m. (CT); said VIDEO deposition was taken
pursuant to the FEDERAL Rules of Civil Procedure.8
9 It is agreed that LINDSAY LARSON-TODD, being a Notary
10 Public and Court Reporter for the State of ILLINOIS, may
11 swear the witness and that the reading and signing of
12 the completed transcript by the witness is not waived.

1 PROCEEDINGS
2

3 THE VIDEOGRAPHER: We are now on record. My
4 name is Victoria Jadick. I'm the videographer
5 today. And Lindsay Todd is the court reporter.
6 Today is the 19th day of July of 2023, and the time
7 is 10:15 a.m.

8 We are at the Offices of Loevy & Loevy to take
9 the deposition of Alvin Jones in the matter of In Re:
10 Watts Coordinated Pretrial Proceedings pending in the
11 United States District Court Eastern District of
12 Illinois, Case number 19-CV-01717. Will Counsel please
13 identify themselves for the record?

14 MS. KLEINHAUS: Good morning, Theresa Kleinhaus
15 on behalf of the Loevy Plaintiffs.

16 MR. FLAXMAN: Joel Flaxman on behalf of the
17 Flaxman Plaintiffs.

18 MR. BAZAREK: Good morning. William E. Bazarek
19 for Sergeant Jones as well as the other individual
20 defendants represented by Hale & Monico.

21 THE VIDEOGRAPHER: Okay. And Mr. Jones, would
22 you please raise your right hand to be sworn in by
23 the reporter?

24 MR. BAZAREK: There's other counsel that are
25 present.

1 THE VIDEOGRAPHER: I apologize. You can go
2 ahead -

3 MR. GAINER: This is Brian Gainer. I'm on
4 Zoom. And I represent Ronald Watts.

5 MR. PALLES: Eric Palles on Zoom. I represent
6 Kallatt Mohammed.

7 MR. MICHALIK: Paul Michalik on Zoom. And I
8 represent the City of Chicago and certain municipal
9 official defendants.

10 MR. DAFFADA: James Daffada on Zoom. And I
11 represent Defendants Michael Spaargarn and Matthew
12 Cadman.

13 THE VIDEOGRAPHER: Okay. I'll -

14 MS. PAUKSTIS: Elizabeth Paukstis and I
15 represent the Loevy Plaintiffs.

16 MS. KLEINHAUS: Okay. I think that's everyone.

17 THE VIDEOGRAPHER: All right. Mr. Jones, now
18 you may raise your right hand to be sworn in by the
19 reporter.

20 THE REPORTER: Do you solemnly swear or affirm
21 that the testimony you're about to give will be the
22 truth, the whole truth, and nothing but the truth?

23 THE WITNESS: I do.

24 THE REPORTER: All right. You may begin.

25 DIRECT EXAMINATION

1 BY MS. KLEINHAUS:

2 Q. Good morning, sir.

3 A. Good morning.

4 Q. Since the last time that you were deposed in
5 these Coordinated Proceedings, you've left the Chicago
6 Police Department, correct?

7 A. Yes, I have.

8 Q. And what was your last day of employment with
9 CPD?

10 A. May 15, 2022.

11 Q. And what was your reason for leaving the
12 Department?

13 A. I retired.

14 Q. Why did you retire?

15 A. Because I had reached the age where I was
16 eligible to retire.

17 Q. How old were you?

18 A. 55.

19 Q. How many years of service did you have?

20 A. 26.

21 Q. Any other reason besides the number of years
22 of service that you had that caused you to retire in May
23 of 2022?

24 A. No, ma'am.

25 Q. No other reason?

1 A. No other reason.

2 Q. And have you done any paid work since May 15,
3 2022?

4 A. No.

5 Q. So what do you do with your time now?

6 A. I take care of my mother.

7 Q. Anything else?

8 A. Work-wise, no.

9 Q. When you -- or strike that, please. Have you
10 discussed your retirement with any former members of the
11 Watts Tactical Team?

12 A. No.

13 Q. Did you discuss your retirement with any of
14 your colleagues at the Chicago Police Department?

15 A. What do you mean by colleagues? Anyone that
16 worked with the Department?

17 Q. Yes.

18 A. No.

19 Q. And how did you tender your resignation to the
20 Chicago Police Department?

21 A. Via the computer.

22 Q. And tell me what you mean by that, please?

23 A. Went onto the computer. There's a page there,
24 and it ask you, what do -- what do you -- what would you
25 want to do? It's -- it's going to be take a leave of

1 absence, retire, and I punched retirement.

2 Q. Was there any kind of party or celebration for
3 you when you retired?

4 A. No.

5 Q. Do you receive a pension through the Chicago
6 Police Department?

7 A. Yes.

8 Q. And do you currently expect to receive that
9 for the rest of your life?

10 A. Yes.

11 Q. What did you do to prepare for today's
12 deposition?

13 A. I met with my attorney on three or four
14 occasions for a couple of hours or more.

15 Q. And did you review any documents?

16 A. I looked at some reports, case reports,
17 booking photos.

18 Q. Did you review any testimony?

19 A. Yes.

20 Q. What testimony did you review?

21 A. Testimony in cases involving Ben Baker, and
22 Clarissa Glenn, and what's the gentleman's name? William
23 Thompson, I believe it is. Thomas or something of that
24 nature.

25 Q. Phillip Thomas?

1 A. Phillip Thomas, ma'am? Yes.

2 Q. Okay. So you reviewed testimony related to
3 Ben Baker, Clarissa Glenn, and Phillip Thomas; is that
4 right?

5 A. Yeah.

6 Q. Okay. And did you review testimony related to
7 anyone else?

8 A. Not that I recall, no.

9 Q. Okay. You've been deposed previously in this
10 case, correct?

11 A. Yes.

12 Q. And you've been deposed in other cases as
13 well, correct?

14 A. Yes.

15 Q. So you're very familiar with the deposition
16 process, right?

17 A. Yes.

18 Q. Okay. If you answer my question, I'm going to
19 assume that you understood my question; is that fair?

20 A. That would be fair.

21 Q. Okay. If I ask a bad question that doesn't
22 make sense to you, tell me that and I'll rephrase it; is
23 that fair?

24 A. Yes, ma'am.

25 Q. Do you have any medical conditions that would

1 prevent you from providing accurate testimony today?

2 A. No.

3 Q. Are you taking any medication that would
4 prevent you from providing accurate testimony today?

5 A. No.

6 Q. Have you told me about everything that you did
7 to prepare for today's deposition?

8 A. Yes.

9 Q. When was the first time that you encountered
10 Ben Baker?

11 A. I don't remember.

12 Q. Did you encounter him before you were involved
13 in any type of arrest or police activity with him?

14 A. I believe so.

15 Q. And why do you believe so?

16 A. Because he lived in the area, community where
17 I was working at the time.

18 Q. When were you first assigned to that area?

19 A. Public housing?

20 Q. Yeah.

21 A. I believe it was the year 2000.

22 Q. And what do you recall about any of your
23 encounters with Ben Baker prior to arresting him, or
24 attempting to arrest him?

25 A. I don't remember.

1 Q. Do you know whether you had any conversations
2 with him?

3 A. No.

4 Q. Did -- do you know whether you observed any
5 conversations between Ben Baker and Ronald Watts?

6 A. No, I don't.

7 Q. Have you spoken with Ronald Watts in the last
8 three years?

9 A. No.

10 Q. Why not?

11 A. I've had no reason to.

12 Q. You worked under his supervision from what
13 year to what year?

14 A. I'm not exactly sure when it began, but up
15 until 2012.

16 Q. Did you consider him a friend during that time
17 frame?

18 A. Yes.

19 Q. Did you remain friends after that time frame?

20 A. I haven't seen him but a couple of times since
21 that time frame.

22 Q. Why?

23 A. Because he was arrested, and we lost touch.

24 Q. Did you keep in touch with him at all while he
25 was incarcerated?

1 A. No.

2 Q. **Why not?**

3 A. I didn't even know where he was incarcerated
4 at.

5 Q. Did you make any attempt to find out?

6 A. No.

7 Q. **Why not?**

8 A. I had no reason to.

9 Q. **Did you want to stay friends with him?**

10 A. Did I want to stay friends with him, is the
11 question?

12 Q. **Yeah.**

13 A. I never thought about it.

14 Q. **You never considered whether or not to remain**
15 **in contact with Ronald Watts?**

16 A. No, I did not.

17 Q. **It's just a matter --**

18 MR. GAINER: Objection. Relevance. This is
19 Brian Gainer. Object to relevance.

20 BY MS. KLEINHAUS:

21 Q. **So it's just a matter of circumstance that you**
22 **lost touch with him?**

23 A. Yes.

24 MR. BAZAREK: Object to -- yeah. Object to the
25 form of the question. Vague and ambiguous.

1 BY MS. KLEINHAUS:

2 Q. Did he ever contact you after 2012?

3 A. No.

4 Q. When did you first encounter Clarissa Glenn?

5 A. I -- I don't remember.

6 Q. Have you spoken, had direct conversation with
7 Clarissa Glenn before?

8 A. No.

9 Q. Did you ever observe Sergeant Watts have a
10 conversation with Clarissa Glenn?

11 A. No.

12 Q. How did you first become familiar with
13 Clarissa Glenn?

14 A. Clarissa Glenn lived down in the same area
15 where we were working.

16 Q. And there were hundreds of people living in
17 that area, right?

18 A. Yes, there were.

19 Q. Was there anything in your mind that
20 distinguished Clarissa Glenn from anybody else that
21 lived there?

22 A. She lived with Ben Baker.

23 Q. And what about her living with Ben Baker was
24 significant to you?

25 A. Ben Baker was a known drug dealer.

1 Q. Who knew him to be a drug dealer?

2 A. Other police officers who had worked in the
3 area prior to myself.

4 Q. And who were they?

5 A. I don't recall, but the other officers who
6 worked in public housing before I got there who were
7 familiar with Ben Baker.

8 Q. Can you identify a single officer who told you
9 that Ben Baker was a drug dealer?

10 A. I can't recall.

11 Q. Was it only Ronald Watts who told you that
12 Baker was a drug dealer?

13 A. No.

14 Q. You believe you had that information from
15 someone beyond Watts; is that right?

16 A. Yes.

17 Q. But you don't know who?

18 A. I can't remember who exactly prior to.

19 Q. And did someone identify Clarissa Glenn to you
20 as Ben Baker's partner/wife?

21 A. Yes.

22 Q. And who identified her as Ben Baker's
23 significant other?

24 A. I don't remember who that was either.

25 Q. Where -- you -- you've said that they lived in

1 the area that you were policing; where did they live?

2 A. In the Ida B. Wells Extensions, 527 East --
3 no. Let's see. That's Browning because -- yeah, I
4 remember it was Browning. Was Browning, Apartment 206.

5 Q. Were you ever inside Apartment 206?

6 A. No.

7 Q. You've been -- you were inside apartments at
8 527 East Browning as part of your work as a police
9 officer, right?

10 A. Yes, I've been inside apartments there.

11 Q. Okay. On how many occasions?

12 A. I don't remember.

13 Q. How are you sure that you were never inside
14 Apartment 206?

15 A. Because Ben Baker owned a dog, and I would see
16 them walking the dog. I'm afraid of dogs, and I would
17 not be going into an apartment where dogs are.

18 Q. And who would you see walking the dog?

19 A. I saw Ben Baker walking the dog. I saw
20 Clarissa Glenn walking the dog.

21 Q. Can you describe the dog that you saw them
22 walking?

23 A. I don't remember exactly what kind of dog it
24 was.

25 Q. Did you at some point come to understand that

1 Sergeant Watts had a particular dislike for Ben Baker?

2 A. I --

3 MR. GAINER: Object to form. This is Brian
4 Gainer. Go ahead. Sorry.

5 A. I don't know if he had a dislike for him or
6 not.

7 BY MS. KLEINHAUS:

8 Q. To this day; you don't know?

9 A. To this day, he may, but I don't -- I didn't
10 know then.

11 Q. Okay. Do you know now?

12 A. I don't know from his mouth.

13 Q. From whose mouth?

14 A. Sergeant Watts.

15 Q. Okay. So do you now understand that Watts had
16 some animosity towards Ben Baker?

17 MR. BAZAREK: Object to foundation.

18 MR. GAINER: Object to form and foundation.

19 MR. BAZAREK: And then just throughout the dep,
20 Counsel, we have an agreement one counsel can object
21 and it'll be for all the --

22 MS. KLEINHAUS: Yes.

23 MR. BAZAREK: -- defense counsel, so we're not
24 doubling up.

25 MS. KLEINHAUS: Yes. Everyone does not have to

1 echo join on Zoom. I assume that you have joined
2 Bill's objections, or whoever objects. You've all
3 joined.

4 MR. BAZAREK: Right. I mean, there might be
5 additional objections, but anyway. Okay. Good.

6 MS. KLEINHAUS: Sure. Yes. We can skip the
7 chorus of joins.

8 BY MS. KLEINHAUS:

9 Q. Go ahead, sir.

10 A. What was the question?

11 Q. The question was, do you now understand that
12 Watts had an animosity towards Ben Baker?

13 A. No, I don't.

14 Q. Did you at one time believe that Watts had a
15 dislike for Ben Baker?

16 A. I couldn't say that.

17 MR. GAINER: Objection. Foundation. Go ahead,
18 sir.

19 A. I couldn't say that.

20 BY MS. KLEINHAUS:

21 Q. So is it your testimony you don't know either
22 way what Watts's opinion of Ben Baker was?

23 A. That's my -- yes, that's correct.

24 Q. What was your opinion of Ben Baker prior to
25 the point where you were involved in his prosecution?

1 A. He didn't like the police.

2 Q. What was your opinion of Ben Baker prior to
3 being involved in prosecuting Ben Baker?

4 MR. BAZAREK: I object to the form of the
5 question. It's compound, vague, ambiguous, and also
6 the use of the term "prosecution," whatever that
7 means. Go ahead.

8 A. What was the question?

9 BY MS. KLEINHAUS:

10 Q. Can you read back the question, please,
11 Lindsay?

12 THE REPORTER: Of course.

13 (REPORTER PLAYS BACK REQUESTED QUESTION)

14 A. I didn't really like Ben Baker.

15 BY MS. KLEINHAUS:

16 Q. Why is that?

17 A. Because he was arrogant. He was very opposing
18 to the police.

19 Q. And what made you believe that he was
20 arrogant?

21 A. The way he talked about the police when he
22 passed the police, when he saw the police, things he
23 would say, even though he wasn't having a direct
24 conversation with them.

25 Q. And what would he say?

1 A. Something negative to the effect of "there
2 these motherfuckers go again." Things like that. So I -
3 - unless I had reason to deal with Ben Baker, I did not.

4 Q. Okay. And the comments, the things that he
5 would say, like "there these motherfuckers go again,"
6 you heard him say that before you were ever involved in
7 any arrest of him?

8 A. Yes.

9 Q. Okay. And approximately when was it that you
10 heard him say that?

11 A. I don't remember.

12 Q. But you're sure it was before you were
13 involved in arresting him, right?

14 A. Yes.

15 Q. Anything else that made you believe that Ben
16 Baker was arrogant?

17 A. The way I just saw him talk to other police
18 officers.

19 Q. Who did he talk to?

20 A. I don't remember who they were.

21 Q. Were they members of your team?

22 A. Some.

23 Q. Okay. Which members of his [sic] team did you
24 see him talk to?

25 A. I don't remember exactly who it was, but there

1 were other officers who worked down there also along
2 with our team, and in his communication with them and
3 how he interacted with them.

4 Q. So you observed him interacting with police
5 officers in a way that you believe was arrogant on many
6 occasions; is that right?

7 A. That's correct.

8 Q. Okay. How many times did you observe that
9 happen?

10 A. I don't know how many.

11 Q. What else did you hear Ben Baker say besides
12 things that you considered to be opposing the police?

13 A. I don't remember.

14 Q. What was your opinion of Clarissa Glenn before
15 you were involved in the arrest and prosecution of
16 Clarissa Glenn?

17 A. I didn't have an opinion of her.

18 Q. Did you ever see Ben Baker or Clarissa Glenn
19 with their children?

20 A. Yes.

21 Q. How many occasions would you say you saw them
22 with their children?

23 A. I don't remember.

24 Q. And about how old were the kids that -- at the
25 time that you saw Ben Baker and Clarissa with their

1 kids?

2 A. I don't remember.

3 Q. Would you agree it would've been young
4 children?

5 A. What do you consider young?

6 Q. Not school age.

7 A. I don't remember.

8 Q. Who else at Ida B. Wells had a dog besides Ben
9 Baker?

10 A. I don't remember.

11 Q. Do you remember any other residents in public
12 housing that had a dog?

13 A. Yes.

14 Q. Okay. Who else had a dog?

15 A. I don't remember who they were, but there were
16 other dogs that were in the Ida B. Wells complex down
17 there.

18 Q. And is it your testimony you avoided all the
19 apartments that had dogs?

20 A. I avoided dogs period, yes.

21 Q. At some point, did you learn that Ben Baker
22 and Clarissa Glenn were reporting misconduct by Sergeant
23 Watts and members of his team?

24 A. At what point in time?

25 Q. At some point, did you learn that?

1 A. Yes.

2 Q. When did you learn that?

3 A. As we began these proceedings here.

4 Q. So 2016 or later?

5 A. Yes.

6 Q. And is it your testimony you didn't -- you
7 weren't aware that they had reported any misconduct by
8 the Watts team prior to 2016?

9 A. That is correct.

10 Q. You were never aware of them speaking to the
11 Cook County State's Attorney's office prior to 2016?

12 A. No.

13 Q. And you were never aware of Ben Baker and
14 Clarissa Glenn reporting misconduct by the Watts team to
15 the Chicago Police Department prior to 2016?

16 A. No.

17 Q. How many floors were there in the 527
18 building?

19 A. I believe seven.

20 Q. And am I -- I'm correct that the mailboxes
21 were in the lobby, right?

22 A. Yes.

1 Q. To get into the lobby of that building from
2 the front, did you have to cross any stairs?

3 A. Yes.

4 Q. Would you go downstairs or upstairs to get to
5 the lobby?

6 A. Upstairs.

7 Q. How many stairs?

8 A. Four or five.

9 Q. On how many occasions when you were assigned
10 to or when you were working in public housing, did you
11 find drugs in a mailbox?

12 A. I don't know how many times.

13 Q. More than once?

14 A. More than once.

15 Q. More than a dozen times?

16 A. I don't know.

17 Q. Do you recall -- we're going to talk about an
18 incident related to Ben Baker where you created a report
19 saying that he put drugs in a mailbox. Putting aside
20 that incident, can you recall any other incidents in
21 your career when you obtained drugs from a mailbox in
22 public housing?

23 A. Yes.

24 Q. Okay. Tell me about the other incidents that
25 you recall?

1 A. We would go to conduct narcotics
2 investigations in the building, or in the area. And
3 having knowledge that sometime narcotics were stored in
4 the mailbox, we would go check the mailbox areas, and
5 sometimes we would find narcotics in certain mailboxes.

6 **Q. So was it --**

7 MR. DAFFADA: Excuse me. Excuse me. I'm
8 getting a message that says that Alvin Jones'
9 bandwidth is low, and he's out kind of on my screen.
10 And I don't know if there's anything anybody can do
11 about that, but

12 --

13 THE VIDEOGRAPHER: Let me check. Shall we go
14 off the record, Counsel, really quick?

15 MS. KLEINHAUS: Sure.

16 THE VIDEOGRAPHER: We are going off the record.
17 The time is 10:31.

18 (OFF THE RECORD)

19 THE VIDEOGRAPHER: We are back on the record
20 for the deposition of Alvin Jones. The time is
21 10:46.

22 BY MS. KLEINHAUS:

23 **Q. Okay. Sir, prior to that break, we were
24 talking about finding drugs in mailboxes. And if I
25 understood your testimony, you were saying that when you**

1 would do narcotics investigations, you would check the
2 mailboxes and sometimes there were narcotics there; is
3 that right?

4 A. Yes.

5 Q. Okay. And so when you were doing a narcotics
6 mission, it was a standard part of your routine to check
7 for narcotics in the mailboxes, right?

8 A. It became.

9 Q. It became. Okay. And why did it become a
10 standard part of your routine?

11 A. Because we had heard other people, and we had
12 found narcotics previously in mailboxes.

13 MR. DAFFADA: I got to say I'm getting a lot of
14 this interruption now. His bandwidth is low, and it
15 -- the picture's freezing.

16 MS. KLEINHAUS: Okay. Let's go off the record,
17 and we'll solve it on our end.

18 THE VIDEOGRAPHER: We're going off the record.
19 The time is 10:47.

20 (OFF THE RECORD)

21 THE VIDEOGRAPHER: We are back on the record
22 for the deposition of Alvin Jones. The time is
23 11:03.

24 BY MS. KLEINHAUS:

25 Q. Okay. Sir, before our technical difficulties

1 and our breaks, we were talking about narcotics in
2 mailboxes. If I understood your testimony, it became
3 standard to check the mailboxes in public housing for
4 narcotics because you had heard that people put
5 narcotics there; is that right?

6 A. Yes.

7 Q. Okay. When did you first hear that people put
8 narcotics there?

9 A. I don't remember when.

10 Q. But was it something that you were aware of at
11 the beginning of your time in public housing?

12 A. No.

13 Q. And when you say that you would check the
14 mailboxes there for narcotics, what was -- what would
15 you do?

16 A. You'd go to the mailbox and look in the little
17 window to see if it was in the windows.

18 Q. Can you describe the window that you
19 mentioned?

20 A. It's a little, small window where you can look
21 through. And I believe it's for the tenants to see if
22 they had mail or not.

23 Q. Okay. So it was on the tenant side, not on
24 the mail carrier side?

25 A. Yeah, it was on the tenant side where they

1 would open the door.

2 Q. And on how many occasions did you see that
3 there were narcotics in a mailbox through that little
4 window?

5 A. I don't know.

6 Q. Frequently?

7 A. I wouldn't say frequently.

8 Q. Other than the arrest of Ben Baker, you
9 arrested other people based on narcotics that you
10 reported you found in the mailbox, right?

11 A. No, we recovered narcotics from mailboxes.

12 There were no one there.

13 Q. Okay, so that's an important point. So if you
14 would recover narcotics from a mailbox and no one was
15 there, how would you document that?

16 A. As found narcotics.

17 Q. I'm sorry. Say it again?

18 A. As found narcotics.

19 Q. As found narcotics?

20 A. Yes, ma'am.

21 Q. And what type of report would you complete
22 regarding the found narcotics?

23 A. A VICE case report.

24 Q. And am I correct that checking the mailboxes
25 for narcotics was something that all the members of your

1 team did from time to time, not just you, right?

2 A. Yes, other people would do -- do the same
3 thing also.

4 Q. And would other teams that also worked in
5 public housing do the same thing?

6 A. Yes.

7 Q. To your knowledge, was there any policy or
8 procedure that described what you were supposed to do in
9 order to obtain narcotics from the mailboxes in public
10 housing?

11 A. Not that I knew of.

12 Q. And then physically, how would you obtain the
13 narcotics that you would see in the little window?

14 A. If you were able to gain access to that
15 mailbox from the rear, because at times there were
16 mailboxes that had no -- no doors on them. And if it
17 was in one next to -- so narcotics were in a mailbox
18 where -- next to a mailbox that had no door on it, you'd
19 try to reach around from the backside, through that
20 mailbox to the backside to try to reach whatever was put
21 in there.

22 Q. And so you would also be doing that from the
23 tenant side, right?

24 A. Pardon me? Yes, from the tenant side.

25 Q. Prior to the arrest of Ben Baker in July of

1 2004 -- or strike that, please. Prior to any incident
2 with Ben Baker where you reported that he put drugs in a
3 mailbox, did you have any conversations with Sergeant
4 Watts about narcotics being stored in mailboxes in
5 public housing?

6 A. Not unless we found some in there.

7 Q. Do you have any recollection of those
8 conversations?

9 A. No.

10 Q. Did Watts ever tell you that people would put
11 narcotics in the mailboxes?

12 A. I don't remember.

13 Q. Okay. Do you know who first told you to check
14 mailboxes for narcotics?

15 A. No.

16 Q. Do you know of any other cases, besides Ben
17 Baker's, where you or members of your team testified
18 about finding narcotics in a mailbox?

19 A. No.

20 Q. Did you ever enlist the help of the mail
21 carrier to get into the mailboxes?

22 A. If the mail carrier had been there.

23 Q. Like if the mail carrier happened to be there
24 at the time?

25 A. Yes, ma'am.

1 Q. Okay. Other than when the mail carrier
2 happened to be there at the time, did you ever ask for
3 the help of the mail carrier?

4 A. Yes.

5 Q. And when did you do that?

6 A. I don't remember when it was, but on that
7 occasion, actually contacted the postmaster, someone to
8 come out to open them up.

9 Q. And how did you contact that person?

10 A. I didn't do the actual contacting. I don't
11 know who did do the contacting, but we -- they contacted
12 the postal inspector to have someone come out.

13 Q. After you would obtain narcotics from the
14 mailbox, what was the procedure for maintaining custody
15 of the narcotics?

16 A. You maintain custody of it until you reach the
17 -- go back to the station to inventory them.

18 Q. And what do you mean by that? What would you
19 do?

20 A. You would take any narcotics that you found in
21 the mailbox, keep possession of it, until you return to
22 the station to complete an inventory.

23 Q. Okay. So you would keep possession of it on
24 your person?

25 A. Yes.

1 Q. Okay. And would you keep it in the same
2 packaging, just as you had found it?

3 A. Yes.

4 Q. And then once you got back to the station,
5 what would you do with it?

6 A. We would separate it, if it was -- to see how
7 much narcotics was in the bag, to get an exact count, to
8 give an exact description of it, for the inventory.

9 Q. And how would you complete the inventory?

10 A. You'd -- electronically or with a book.

11 Q. Those are the two ways that you would do it?

12 A. They were with a book, initially, then it went
13 to electronic, and you would start it, go line by line,
14 filling in information that it asks for, and listing of
15 our first arresting officer, the person who found the
16 narcotics.

17 Q. So the first arresting officer would be the
18 person who found the narcotics, right?

19 A. Not necessarily.

20 Q. And would the person who found the narcotics
21 be the person to complete the inventory?

22 A. Not necessarily.

23 Q. Was it your understanding that any narcotics
24 that you obtained during your shift should be
25 inventoried during that shift?

1 A. Yes.

2 Q. When you would complete an inventory form,
3 would you have a -- your sergeant sign off on it?

4 A. Yes.

5 Q. If you found narcotics in a mailbox, I know
6 you said that there would be a VICE case report for
7 found narcotics, right?

8 A. Yes.

9 Q. And then in the inventory for those narcotics,
10 would you note that they were found in the mailbox?

11 A. No.

12 Q. I want to talk to you about your encounter
13 with Ben Baker in June of 2004. What do you recall
14 about that incident?

15 A. June of 2004?

16 Q. Yes, sir.

17 A. I'm not sure what -- I would have to see a
18 report to tell you what.

19 Q. Okay. What was -- what's the first encounter
20 with Ben Baker that you do recall?

21 A. I don't remember.

22 Q. Do you have a recollection of encountering Ben
23 Baker?

24 A. Yes.

25 Q. Okay. And what do you recall about your

1 encounter with Ben Baker?

2 A. On one occasion, my partner and myself,
3 Officer Kenny Young, entered the rear building, rear
4 door of 527 East Browning. As we came into the lobby
5 area, we saw Ben Baker at the mailbox. He put -- placed
6 objects in the mailbox, and slammed the mailbox, and
7 fled out the front door.

8 Q. And you have a memory in your own mind now of
9 that happening, right?

10 A. Yes, ma'am.

11 Q. And what you're testifying to right now is not
12 based on reports, correct?

13 A. That's correct.

14 Q. And you were questioned about that incident by
15 C.O.P.A., correct?

16 A. Yes.

17 Q. And did you review anything from your C.O.P.A.
18 interviews, in preparation for today's
19 deposition?

20 A. Yes.

21 Q. Okay. What did you review from C.O.P.A.?

22 A. The C.O.P.A. interview.

23 Q. Audio?

24 A. No, ma'am.

25 Q. What did you review?

1 A. I reviewed a hard -- hard copy report --

2 Q. **Transcript?**

3 A. Transcript, ma'am.

4 Q. **Was anyone else in the lobby besides Ben
5 Baker, when you and Ken Young entered?**

6 A. Not that I remember.

7 Q. **What time of day was it?**

8 A. I'm not sure. It was daylight out.

9 Q. **Did you run into the building? Walk into the
10 building?**

11 A. We kind of briskly walked into the building.

12 Q. **And had you parked your vehicle in the back?**

13 A. Yes.

14 Q. **Why did you enter through the back?**

15 A. Because the information that I believe we had
16 received, said that he was going to be in the lobby
17 selling narcotics. So we came in from the rear
18 entrance.

19 Q. **How did you receive that information?**

20 A. Officer Young obtained that information, and I
21 don't remember how.

22 Q. **Were you present when he received it?**

23 A. I don't remember.

24 Q. **Who was more senior, you or Officer Young?**

25 A. Officer Young.

1 Q. When did you first start working with Officer
2 Young?

3 A. Mm, maybe 2001, 2002, somewhere in there.

4 Q. And when was the last time that you spoke with
5 him?

6 A. I saw him -- it was either earlier this year,
7 or late last year, at a Chicago Bulls game.

8 Q. And did the two of you have a conversation?

9 A. Yes.

10 Q. And what'd you talk about?

11 A. Our health and our children.

12 Q. Did you say anything to him about these
13 coordinated proceedings, these lawsuits?

14 A. No, ma'am.

15 Q. Did he say anything to you about these
16 lawsuits?

17 A. No, ma'am.

18 Q. When was the last time you had seen him,
19 before you saw him at the Bulls game?

20 A. I don't remember.

21 Q. Had you ever seen him in your lawyer's office?

22 A. Yes.

23 Q. When you saw Officer Young at the Bulls game,
24 did you talk about your retirement at all?

25 A. Yes.

1 Q. Okay. What did he say?

2 A. He said, congratulations, and that was it.

3 Q. Did you ever work with Officer Young prior to
4 working in public housing?

5 A. No.

6 Q. Okay. Did you have any confidential
7 informants or concerned citizens that you regularly
8 relied on?

9 A. No.

10 Q. Did, to the best of your knowledge, did
11 Officer Young have any regular confidential informants
12 or concerned citizens that he relied on?

13 A. I don't know.

14 Q. Did some members of the Watts tactical team
15 have informants, and some didn't?

16 A. I don't know.

17 Q. Well, I think you testified you didn't have
18 any?

19 A. I did not.

20 Q. Okay. Did you know, did anyone on the team
21 have any?

22 A. I don't know.

23 Q. You don't know, or you don't remember?

24 A. I don't remember it. I don't know.

25 Q. Did you or Officer Young do anything to

1 document the information provided to you, that Ben Baker
2 was going to be in the lobby?

3 A. Nothing other than what he put in the report.

4 Q. Did you or Officer Young do anything to test
5 the reliability of the information that you received?

6 A. No.

7 Q. Did the -- if I say, concerned citizen, I'm
8 referring to the person who gave this information to
9 Officer Young. Do you understand that?

10 A. Yes, ma'am.

11 Q. Okay. Did the concerned citizen inform you
12 the volume of drugs that Ben Baker was supposedly going
13 to have in the lobby?

14 A. Not to my knowledge.

15 Q. Did you and Officer Young tell Sergeant Watts
16 about the information that you received?

17 A. I don't remember.

18 Q. Was it your practice, if you or your, members
19 of your team got information about drug trafficking, to
20 tell your supervisor about it?

21 A. Not all the time.

22 Q. When would you tell your supervisor about it?

23 A. If he was around at the time.

24 Q. So just if he was present?

25 A. If he was present.

1 Q. And were there occasions where Watts gave you
2 information about what narcotics dealings were going to
3 -- supposedly going to occur?

4 A. Yes.

5 Q. Okay. And was that something that he did
6 frequently?

7 A. Yes.

8 Q. And was it your understanding that Watts had
9 informants or concerned citizens who would give him
10 information?

11 A. Yes.

12 Q. Who were his informants?

13 A. I don't know. He would talk to everyone.

14 Q. Did he talk to people more than you did?

15 A. Yes.

16 Q. Was there any particular reason that you
17 didn't talk?

18 A. No.

19 Q. So in the -- it was about 10 years that you
20 were on the Watts team?

21 A. Approximately.

22 Q. You never developed any informants for
23 information about the drug trade, correct?

24 A. That's correct.

25 Q. Why not?

1 A. I don't know why, but I did not.

2 Q. Did you ever try?

3 A. Not really.

4 Q. Did it -- did you consider it part of your job
5 to develop information about the drug trade at Ida B.
6 Wells?

7 A. You develop -- I developed information about
8 the drug trade from being there every day, and seeing
9 what was going on.

10 Q. And when you would arrest people related to
11 the drug trade, did you try to develop information from
12 them?

13 A. No.

14 Q. Why not?

15 A. Arrest was an arrest to me. I wasn't trying
16 to develop informants.

17 Q. Okay. Were you trying to develop information
18 about the drug trade?

19 A. You get information from the drug trade just
20 by standing out there, listening to other people talk.

21 Q. Okay. My question was a little bit different.
22 When you would arrest people for narcotics trading, did
23 you ever try to find out from those people, information
24 about narcotics-dealing at Ida B. Wells?

25 A. No.

1 Q. And why not?

2 A. I had an arrest and that was it. It was an
3 arrest. Now we've moved forward.

4 Q. Okay. Did you ever consider trying to get
5 information from a lower level person in the hierarchy
6 about some higher-up?

7 A. No.

8 Q. Okay. Were you ever taught by anybody in the
9 Chicago Police Department that you should try to develop
10 information about how the drug trade worked at Ida B.
11 Wells?

12 A. There was a -- there were people who did that,
13 yes.

14 Q. Okay. Were you ever taught that that was
15 important?

16 A. I wouldn't say it was -- I was taught that it
17 was important, but I was taught that it was done.

18 Q. Okay. But it wasn't important to you to do
19 that?

20 A. No.

21 Q. Okay. What was important to you was, just
22 completing the arrest?

23 A. Completing the arrest.

24 Q. So did you ever ask any of the arrestees, that
25 you arrested for narcotics crimes, about the drug trade

1 in Ida B. Wells?

2 A. I don't remember.

3 Q. You don't remember ever doing that?

4 A. I don't remember doing it, no.

5 Q. How long before you entered the building and
6 saw Ben Baker in the lobby, did you get this information
7 that he was going to be there?

8 A. I don't remember.

9 Q. Were you and Officer Young in a marked car, or
10 an unmarked car?

11 A. I believe it was an unmarked car.

12 Q. And were you dressed in plain clothes?

13 A. Yes.

14 Q. Did you hear anybody yell anything, or say
15 anything when you entered the building?

16 A. I don't remember.

17 Q. What was Ben Baker wearing?

18 A. I don't remember.

19 Q. So can you describe the layout of the lobby?

20 When you walked in the back door, did you have to
21 walkdown some kind of hallway before you could see the
22 mailboxes, or could you see them right away?

23 A. When you come in the back door, which you walk
24 in -- at the moment you walk in, you are facing
25 westbound. You have to turn left, which is southbound,

1 have to go up two or three steps to the landing, there.
2 And then you have to step out of the hallway into the
3 lobby area, and face westbound again.

4 Q. And then when you face westbound again, what
5 do you see?

6 A. Ben Baker at the mailboxes.

7 Q. Okay. And how far away are the mailboxes from
8 you at that point?

9 A. Twenty, twenty-five feet, maybe.

10 Q. And are they flush with the wall, or is there
11 a space between the mailboxes and the wall?

12 A. They're flush with the wall.

13 Q. So I'm imagining the small mailboxes like in a
14 row; is that correct?

15 A. Yes.

16 Q. And do you know about how many rows there
17 were?

18 A. I don't remember.

19 Q. Okay. Do you know how tall the -- or how far
20 up the wall the mailboxes went?

21 A. I don't remember. They didn't start at the
22 floor and they didn't go to the ceiling.

23 Q. So in your understanding, there was a box for
24 every unit in that building?

25 A. I believe so.

1 Q. And was Ben Baker facing you, or facing away
2 from you?

3 A. He was facing us when we came out of the
4 hallway, out of the stairwell.

5 Q. Okay. When you came out of the hallway?

6 A. When I came out of the hallway, he was facing
7 us.

8 Q. Okay. And did you make eye contact with him?

9 A. Yes.

10 Q. And could you tell if he recognized you?

11 A. Yes.

12 Q. And did it seem like he recognized you?

13 A. Yes.

14 Q. Could you see his hands?

15 A. Yes.

16 Q. Did he have anything in his hands?

17 A. Yes.

18 Q. What did he have?

19 A. It was suspect narcotics.

20 Q. Describe what you saw?

21 A. A -- a clear plastic bag with objects inside
22 of it.

23 Q. How big was the clear plastic bag?

24 A. Sandwich bag type.

25 Q. So like four by six?

1 A. I don't know if it was that big or not, but it
2 was a sandwich bag, not the Ziploc, I don't believe,
3 like a sandwich bag.

4 Q. **Sandwich bag. Okay.**

5 A. Yes, ma'am.

6 Q. **Like the size of a sandwich, two pieces of**
7 **bread, that size?**

8 A. Probably.

9 Q. **Which hand did he have in?**

10 A. It had to be the right hand.

11 Q. **And what was inside the sandwich bag? Could**
12 **you see from where you were?**

13 A. I believed it to be suspect narcotics.

14 Q. **What could you see inside the bag from where**
15 **you were?**

16 A. Several objects.

17 Q. **What were the objects? Could you tell?**

18 A. Not initially.

19 Q. **What happened next?**

20 A. He put those objects in the mailbox, slammed
21 the door shut, and immediately turned, and ran out of
22 the front door.

23 Q. **Did he have a key to the mailbox that you**
24 **could see?**

25 A. I don't know.

1 Q. Did you see which box he put it in?

2 A. Not exactly, no.

3 Q. How far away from the mailbox was Mr. Baker,
4 when you came into the lobby?

5 A. Standing right there in front.

6 Q. He was right next to the mailbox?

7 A. Right next to the mailbox. It was on the end.

8 So --

9 Q. Do you need to use something to describe it?

10 A. I'll use the end of this table, please.

11 Q. Okay.

12 A. Okay. This is --

13 THE VIDEOGRAPHER: Mr. Jones, give me a second
14 to come around the desk for you.

15 THE WITNESS: I'm sorry.

16 THE VIDEOGRAPHER: No, that's fine. I've got
17 to follow you.

18 THE WITNESS: Okay.

19 THE VIDEOGRAPHER: Can you bear with me?

20 BY MS. KLEINHAUS:

21 Q. Are we using the table?

22 A. Yes, ma'am.

23 Q. An example? All right. I'm pulling up.

24 THE VIDEOGRAPHER: All right. Okay. Thank
25 you, sir. Proceed.

1 A. There's a straight line from your paper,
2 there, a straight line here is the wall. It goes right
3 out the front door. He was standing here, in the lobby
4 there, right here by the mailboxes. So you could
5 actually see him in this straight line, here, and the
6 mailboxes would be right here, to his right.

7 BY MS. KLEINHAUS:

8 Q. Okay. So within an arm's length of him?

9 A. Yes.

10 Q. And is it your testimony that you never saw
11 anybody else in the lobby during this encounter, besides
12 Ben Baker, right?

13 A. I don't remember seeing anyone else.

14 Q. So he was completely alone in the lobby?

15 A. I don't remember.

16 Q. So in order to put the sandwich bag in the
17 mailbox and slam it shut, did he have to turn his body
18 away from you?

19 A. No.

20 Q. So can you demonstrate how he did it?

21 A. Boom and ran.

22 Q. And what was the path that he took to run out
23 of there?

24 A. He went down the stairs. He went northbound
25 down the fire lane, and then he went westbound on the

1 sidewalk to a vehicle.

2 Q. And you chased him?

3 A. No.

4 Q. Why not?

5 A. Officer Young was giving chase. I stopped on
6 the porch and observed from the porch.

7 Q. Why did you stop?

8 A. I didn't want to leave the mailbox.

9 Q. Did you -- when you and Officer Young stepped
10 into the lobby, and you made eye contact with Ben Baker,
11 did you say anything to Officer Young, or did he say
12 anything to you?

13 A. No.

14 Q. You were completely silent?

15 A. No, we hit the lobby, made eye contact,
16 Baker's actions happened, our action, reactions,
17 happened.

18 Q. Okay. So just to make sure I understand, no
19 words are spoken among -- nobody says anything from the
20 time that you walk in, until he's already down the fire
21 lane, right?

22 A. Nobody says anything.

23 Q. Okay. When you walked into the lobby, did you
24 know it was Ben Baker?

25 A. Yes, I did.

1 Q. And you knew that he was with Clarissa, right?

2 A. Yes.

3 Q. And you knew that he lived on the second
4 floor, right?

5 A. Yes.

6 Q. And did you know what unit he lived in?

7 A. Yes.

8 Q. As Ben Baker was -- strike that, please. When
9 you encountered Ben Baker, did you call it in to your
10 radio?

11 A. I don't remember.

12 Q. Okay. Was it part of your practice, if you
13 encountered someone with narcotics and they fled, to
14 call that out over the radio?

15 A. Sometimes, if it was a foot chase, you had
16 time to.

17 Q. So when Officer Young was chasing after Ben
18 Baker, did you call it out over your radio?

19 A. I don't remember.

20 Q. There's no reason you wouldn't have done that,
21 right?

22 MR. BAZAREK: Object to the form of the
23 question. It's also argumentative.

24 BY MS. KLEINHAUS:

25 Q. Go ahead.

1 A. I don't remember.

2 Q. Okay. My question's a little bit different.

3 If you're there on the porch, and you've seen someone
4 with narcotics run away, is there any reason not to call
5 it out on the radio? I don't mean that to be
6 argumentative. I'm asking you genuinely, as someone
7 with a lot of experience in law enforcement, is there
8 any reason not to call that out over the radio?

9 A. There's no reason not to, but I don't remember
10 if I did or not.

11 Q. Okay. And the reason to call it out over the
12 radio, would be in case someone else sees him or can
13 apprehend him, right?

14 A. Or to get help in apprehending him, yes.

15 Q. Could you see the car that Ben Baker entered,
16 from the lobby?

17 A. Not from the lobby.

18 Q. Could you see it from the porch?

19 A. Yes.

20 Q. Okay. Can you describe the porch area,
21 please?

22 A. When you step out the front door of the
23 building, there's an overhang, with the address there,
24 and then there's a concrete porch that spans part of the
25 lobby area.

1 Q. Why weren't any other members of your team
2 responding to this information from the concerned
3 citizen, that Ben Baker would have all these narcotics
4 in the lobby?

5 A. I don't remember.

6 Q. Was it common practice for two members of your
7 team to respond to information like that?

8 A. Yes.

9 Q. When you would get information that a day's
10 worth of narcotics was coming to a building, what did
11 that mean to you?

12 A. That meant that whoever was going to be
13 selling narcotics that day was getting enough to sell
14 all day long.

15 Q. So large volumes?

16 A. Large volumes, yes.

17 Q. Okay. And was it common practice on your team
18 to have two officers off of the team, respond to
19 information that there would be a day's worth of
20 narcotics in the lobby?

21 A. If they had time to notify someone else, they
22 would. If sometimes they get the information and just
23 go.

24 Q. So it wasn't uncommon?

25 A. It wasn't uncommon to just -- for two officers

1 to just go.

2 Q. Once you got onto the porch, what happened
3 next?

4 A. I stopped, watched Officer Young chase him.
5 Officer Young stopped somewhere down off the porch, into
6 a fire lane.

7 Q. And could you tell why Officer Young stopped?

8 A. I don't know why he stopped.

9 Q. What happened next?

10 A. He came back in. We both went to the mailbox,
11 and looked into Mailbox 206, and observed what we
12 believed to be suspect narcotics there.

13 Q. So did you actually see Ben Baker get into a
14 vehicle?

15 A. Yes.

16 Q. And how close did Officer Young get to that
17 vehicle?

18 A. Not close.

19 Q. How far away was the vehicle from the porch?

20 A. It was parked out on the street of, I believe
21 that's Browning. It was -- it was a good ways away.

22 Q. Can you describe how far away it was?

23 A. I'm not sure how far away, but it was a good -
24 - it was a good ways away.

25 Q. Like a football field, more than one football

1 field?

2 A. It wasn't a football field.

3 Q. Okay. So you have in your own memory, a
4 memory of him running away, a good distance away, right?

5 A. Yes.

6 Q. And he was faster than Officer Young?

7 A. Yes. Yeah, he --

8 Q. Significantly, right?

9 A. Yes.

10 Q. Was Officer Young a significantly faster
11 runner than you in those days?

12 A. I don't know.

13 Q. Did it look to you like Young was running at
14 his full exertion, as fast as he could?

15 A. Yes.

16 Q. And Ben Baker was still faster, right?

17 A. He had a head start on him.

18 Q. By how much?

19 A. As soon as he saw us come out of that back
20 hallway, out of the back stairwell, and that motion of
21 throwing in with air, and closing the door, and he took
22 off running. So he had maybe a good 20 to 25-foot head
23 start.

24 Q. What's the closest that Officer Young ever got
25 to him in that foot pursuit?

1 A. Got 20 to 25 feet when we first saw him --

2 Q. What was from the porch -- what part of the
3 car were you able to see?

4 A. Part of the rear car.

5 Q. And what part of the rear car?

6 A. It was the driver's side and the rear.

7 Q. Which side of the car did Ben Baker enter?

8 A. The driver's side.

9 Q. Do you know if anyone else was in the vehicle?

10 A. No, I do not.

11 Q. So he -- did Ben Baker enter the driver's side
12 in the front or the back?

13 A. The front.

14 Q. Can you describe the car?

15 A. I don't remember it.

16 Q. So after he got in the car, if you hadn't
17 already called it out of the radio, you would've called
18 it out at that point, right?

19 A. Yes.

20 Q. Okay. So that other members of the team could
21 apprehend Ben Baker, right?

22 A. Possibly.

23 Q. And you would have included whatever
24 information or description of the car that you could,
25 right?

1 A. Yes.

2 Q. And other members of your team were familiar
3 with Ben Baker, right?

4 A. Yes.

5 Q. Did Ben Baker drive off at a high rate of
6 speed?

7 A. Yes.

8 Q. And what direction did he go?

9 A. He went westbound initially to Rhodes and
10 southbound on Rhodes.

11 Q. After Young came back to the porch, did the
12 two of you have any conversation at that point?

13 A. Yes.

14 Q. What was that?

15 A. We were trying to figure out how we was going
16 to get in the mailbox to recover what we saw thrown in
17 the mailbox.

18 Q. Was it your understanding of those mailboxes
19 that they automatically locked when they were shut or
20 did they have to be -- do you have to turn the key to
21 lock it.

22 A. They -- they locked when they were shut.

23 Q. And what did you say to Young about how to get
24 into the box, and what did he say to you?

25 A. We were trying -- we decided we were going to

1 try to reach because the mailbox directly to the right
2 of it didn't have a door on it.

3 Q. And do you know what that have -- what unit
4 that mailbox would've been for?

5 A. No.

6 Q. So you don't know if it would've been 207 or
7 208 or 205?

8 A. No, I don't.

9 Q. And what happened next?

10 A. We took turns attempting to reach the -- reach
11 through the mailbox and around to the other mailbox to
12 reach the -- what suspect narcotics.

13 Q. So there's a divider, obviously between the
14 two boxes, right?

15 A. Yes, ma'am.

16 Q. So you would have to reach your hand into one
17 box and around the back --

18 A. Yes.

19 Q. -- to where the divider was to try to grab --

20 A. Yes.

21 Q. -- this box; is that right?

22 A. That's correct.

23 Q. And you were -- who was actually successful in
24 getting the narcotics out?

25 A. We both were because we both were trying. I'm

1 not sure of what type of object we used to go into -- to
2 go work our way around into the mailbox from the other
3 side, to pull it toward the rear so that we could catch
4 it when it came down.

5 **Q. When it came down to where?**

6 A. The mailbox made straight back on a
7 rectangular, evenly spaced. So if you're pulling from
8 around here to get it to the back, because a lot of
9 times when we found narcotics in the mailbox, they're
10 not just sitting at the front. They push it to the
11 back. They will be pushed to the back. So you couldn't
12 actually see or make it out unless you reached and then
13 got it. So if you get it to the back far enough, you
14 could reach it at the edge, grab hold and bring it back
15 around without it dropping to the floor inside the mail
16 room.

17 **Q. I see. So there was actually a -- when you
18 say a male room, was there actually a room back behind?**

19 A. Yeah, there was a room back behind there.

20 **Q. And how would you gain access to that mail
21 room?**

22 A. The mail person would -- the mail person would
23 be the only person to get access to that room.

24 **Q. Okay. Was there a door to that room?**

25 A. Yes.

1 Q. And did it have any windows or anything on it?

2 A. No.

3 Q. Do you know whether CHA Management had a key
4 to that door?

5 A. No, I do not know.

6 Q. So this was one of many times in your career
7 that you reached through one mailbox to get the
8 narcotics out of the box next to it, right?

9 A. Next to it, above it, below it.

10 Q. And your testimony is that you don't recall
11 what object you used on this occasion, correct?

12 A. That's correct.

13 Q. Okay. On the other occasions, what types of
14 objects did you use?

15 A. A stick, a hangar.

16 Q. Anything else?

17 A. Not that I can remember.

18 Q. Did any other officers attempt to obtain the
19 narcotics from the mailbox besides you and Officer
20 Young?

21 A. No.

22 Q. Did any other officers report to the lobby?

23 A. Yes.

24 Q. Who?

25 A. Other members of our team. They would have

1 been on the assisting, listed as assisting on the case
2 report.

3 Q. What did they do when they came to the lobby?

4 A. They came to help secure the lobby while we
5 were trying to get the narcotics out of the mailbox.

6 Q. Did any civilians come into the lobby while
7 you were doing that?

8 A. I don't remember.

9 Q. Did you have any conversation with those other
10 members of your team, telling them that it was Ben Baker
11 that you saw?

12 A. I believe so.

13 Q. Okay. Who did you tell?

14 A. I don't remember.

15 Q. And I'm sorry if I asked you this already, but
16 which members of your team was it that came to the
17 lobby?

18 A. I'm not sure.

19 Q. Did Sergeant Watts come to the lobby?

20 A. I don't remember.

21 Q. After you recovered the narcotics from the
22 mailbox, what did you do next?

23 A. We returned to the unit, inventoried those
24 narcotics and made out a VICE case report.

25 Q. And who transported the narcotics from 527

1 East Browning back to the police station?

2 A. Myself and Officer Young.

3 Q. Well, which one of you?

4 A. I believe it was myself.

5 Q. Okay. And you would have kept it on your
6 person, right?

7 A. Yes.

8 Q. And it was a very high value of drugs,
9 correct?

10 A. It was a lot.

11 Q. Do you recall about how much it was worth?

12 A. No.

13 Q. Does \$31,000 sound right?

14 A. I don't know.

15 Q. Before you left Ida B Wells, did you go up to
16 Unit 206?

17 A. No.

18 Q. Why not?

19 A. Because we knew he wasn't in Unit 206.

20 Q. And you didn't make any attempt to get any
21 other information about where he might be, right?

22 A. No.

23 Q. Did you have any conversations with Sergeant
24 Watts about the narcotics you recovered from the
25 mailbox?

1 A. I don't remember.

2 Q. How long did it take you and Officer Young to
3 get into the mailbox to remove the narcotics?

4 A. Several minutes.

5 Q. Do you recall if there was anything else in
6 the mailbox besides the narcotics?

7 A. I don't remember.

8 Q. Did you collect anything else from the mailbox
9 besides the narcotics?

10 A. I don't remember.

11 Q. After you obtained the narcotics, did you ask
12 anyone or any members of the Chicago Police Department
13 to conduct surveillance for Ben Baker?

14 A. I don't remember.

15 Q. That would have been, in your experience in
16 law enforcement, that would have been a good next step
17 since you knew where he lived, right?

18 MR. BAZAREK: Objection, to the form of the
19 question. Vague. Ambiguous and incomplete
20 hypothetical and argumentative.

21 A. It could have been.

22 BY MS. KLEINHAUS:

23 Q. And why could it have been?

24 A. That was one option that it could have been,
25 if they were still out in the area of where he lived to

1 see him to apprehend him.

2 Q. And see him come back to his apartment, right?

3 A. Come back to the building, period.

4 Q. Would there be any reason that you could think
5 of not to do that?

6 A. No.

7 Q. Do you were the one who transported the drugs
8 back to the station, right?

9 A. Yes.

10 Q. And were you the one who completed the
11 inventory for those drugs?

12 A. Yes.

13 Q. And did you do that on the very same day that
14 you obtained them?

15 A. Yes.

16 Q. And did you document that you've -- I'm sorry.

17 Strike that, please. In order to complete that
18 inventory, I know you said earlier you could do it
19 electronically or you could do it in a book, right?

20 A. Yes.

21 Q. Did you do that one electronically?

22 A. I don't remember.

23 Q. Okay. For the inventories that you would do
24 electronically, would you have to sign in with your PC
25 number?

1 A. Yes.

2 Q. And so you signed -- if you did it
3 electronically, you would have signed in that day and
4 inventoried the drugs that day, right?

5 A. Yes.

6 Q. The day that you obtained them?

7 A. Yes.

8 Q. And what did you do next after the inventory?

9 A. We inventoried them narcotics. Got the
10 inventory approved after the case report was done and
11 they were dropped in the narcotics safe.

12 Q. And did you do a like a heat sealing procedure
13 before that?

14 A. Yes. The heat sealing procedure is done. When
15 -- whatever Sergeant, where the narcotics was being
16 dropped, had inspected to make sure what was on the bag,
17 was in the bag.

18 Q. Okay. So your understanding was the Sergeant
19 was checking to see if the amount that was on the --
20 listed on the bag is the amount that was actually in the
21 bag.

22 A. In the bag, yes.

23 Q. Is that right?

24 A. Yes, ma'am.

25 Q. Okay. And how would you determine the

1 **estimated street value of what you had recovered?**

2 A. There's a book and a chart either in some kind
3 of police hand -- little hand carry tool that gives you
4 the estimated value of whatever you weigh, put it on a
5 scale and weigh it to be.

6 Q. **And when you heat seal the bag and put it in**
7 **the safe, do you have to sign something at that point as**
8 **well?**

9 A. Yes.

10 Q. **And that's separate from the inventory?**

11 A. Yes.

12 Q. **Okay. What is that called?**

13 A. When you heat seal it?

14 Q. **Yeah.**

15 A. That's when you seal the bag permanently until
16 it gets to wherever it's going to a crime lab.

17 Q. **Okay. Sorry if I misunderstood. Do you**
18 **actually sign on the bag then?**

19 A. Yes.

20 Q. **Okay. And what's your understanding of what**
21 **that -- what are you signing for? What does that mean?**

22 A. You sign the bottom of the bag for everything
23 that you list on the back. The Sergeant then seals it.
24 When they sealed it, then they sign their name and
25 they're starting them over where the heat seal is.

1 Q. And your -- sorry.

2 A. To let know it was heat sealed. They saw it
3 be heat sealed and sign.

4 Q. Okay. So you're with your signature, you're
5 verifying that what it says on the exterior --

6 A. Is what --

7 Q. -- is actually in there, right?

8 A. Yes.

9 Q. Okay. Did you complete the report on the
10 narcotics that you seized that day?

11 A. I believe Officer Young did.

12 Q. And would it have been your practice for him
13 to show you that report before he submitted it?

14 A. Show me the report?

15 Q. Yes. For him to show you the report?

16 A. Yes.

17 Q. And do you have a memory of him showing you
18 that report?

19 A. No.

20 Q. And when a fellow officer would show you a
21 report like that, before submitting it, you would review
22 it all to make sure it was accurate, correct?

23 A. Yes.

24 Q. And make sure it reflected what you observed?

25 A. Yes.

1 Q. And you would sign it as well, right?

2 A. You would sign it if you're the second
3 arresting officer, yes. Or the second in the box too,
4 yes.

5 Q. And your signature there indicates that it's
6 accurate, right?

7 A. My signature indicates that it's accurate for
8 what I believe went on.

9 Q. Was the bust of drugs from the mailboxes that
10 you reported was from Ben Baker. Was that the biggest
11 bust that you had ever done up to that point in your
12 career?

13 A. I don't know.

14 Q. Okay. Was a street value of \$31,000 a lot to
15 you at that time?

16 A. It's a -- it's a large number.

17 Q. Pardon me?

18 A. It's a large number, but I -- I don't know.

19 Q. Okay. Can you think of any occasions where in
20 a single found narcotics or -- strike that, please. Can
21 you think of another VICE case report where you were a
22 first or second officer that had a higher drug value
23 than that?

24 A. I don't remember.

25 Q. When you would make a -- when you would

1 recover a large quantity of narcotics, is that something
2 that would be announced at roll call?

3 A. No.

4 Q. Would you expect to get any kind of praise
5 from your superiors?

6 A. No.

7 Q. In your experience with Sergeant Watts, if you
8 recovered a large amount of narcotics, \$31,000 worth,
9 would you -- would he say something to you about that?

10 A. I don't remember.

11 Q. Do you ever remember him praising your work?

12 A. Yes.

13 Q. Okay. And what would he praise you for?

14 A. Job well done if we arrested someone for
15 whatever reason and whatever the circumstances that went
16 along with it.

17 Q. Do you remember him criticizing your work?

18 A. No, I do not.

19 Q. And did he conduct your performance
20 evaluations during the time period that he was your
21 Sergeant?

22 A. Yes.

23 Q. And how would he do that?

24 A. I'm not sure.

25 Q. Okay. Was it -- were you part of a

1 conversation with him about it?

2 A. No.

3 Q. Okay. What -- do you know if it was a written
4 form that he completed?

5 A. I don't know.

6 Q. Other than the times that he told you did a
7 job well done, did you have any conversations with
8 Sergeant Watts about your job performance?

9 A. No.

10 Q. Did Sergeant Watts ever talk to you about any
11 citizen complaints regarding you?

12 A. No.

13 Q. Did Sergeant Watts ever talk to you about
14 complaints of excessive force against you?

15 A. No.

16 Q. Did you ever ask for permission to start up
17 surveillance of the building for Ben Baker?

18 A. I don't remember that, no.

19 Q. Would there be any reason that you wouldn't
20 want to do surveillance and be the one to apprehend him?

21 MR. BAZAREK: Object to the form of the
22 question. Compound. Vague.

23 A. No.

24 BY MS. KLEINHAUS:

25 Q. Did you seek an arrest warrant for Ben Baker?

1 A. No.

2 Q. Why not?

3 A. I don't know.

4 Q. Did any other member of the team seek an
5 arrest warrant for Ben Baker?

6 A. No.

7 Q. Did you review the VICE case report from the
8 recovered narcotics from the mailbox in preparation for
9 your deposition today?

10 A. Yes.

11 Q. And did you -- is your signature on it?

12 A. Officer Young signed my signature to it.

13 Q. Did he have your permission to do that?

14 A. Yes, he did.

15 Q. Okay. Did he indicate in any way on the
16 report that he was signing for you?

17 A. Pardon?

18 Q. Did he indicate in any way on the report that
19 he was signing on your behalf?

20 A. No.

21 Q. Okay. Were you ever told during the time that
22 you were employed by the Chicago Police Department to
23 make some sort of notation when someone was going to
24 sign for someone else?

25 A. I don't remember that.

1 Q. Okay. Did you ever use initials or an
2 asterisk or any other kind of marking to indicate that
3 you were signing for someone else?

4 A. No.

5 Q. Did you ever sign a report for Sergeant Watts?

6 A. No.

7 Q. Did he ever sign a report for you?

8 A. Yes.

9 Q. Okay. When did he do that?

10 A. Any case report that I created, he had to
11 approve it.

12 Q. I'm sorry. I should have asked it better. Did
13 he ever sign your name --

14 A. No.

15 Q. -- on your behalf? Have you reviewed or --
16 I'm sorry. Strike that, please. Did you review the
17 inventory report associated with this seizure of
18 narcotics in preparation for your deposition today?

19 A. Yes.

20 Q. And is your PC number listed on that inventory
21 report?

22 A. I don't remember.

23 Q. Would you have shown your inventory report to
24 Officer Young before submitting it?

25 A. I'm not sure.

1 Q. Was it your practice to show the inventory
2 reports to your partner before submitting them?

3 A. It was the practice of accounting,
4 establishing what we had, write it out on a piece of
5 paper, we understood what was going to go on the
6 inventory.

7 Q. Okay. I didn't understand that last answer.
8 So would you show the inventory report -- was it your
9 practice to show the inventory report to your partner?

10 A. Not always, no.

11 Q. Okay. I'll show you what we'll mark as
12 Exhibit 1. And for the folks on Zoom, this is marked
13 City BG 2122.

14 (EXHIBIT 1 MARKED FOR IDENTIFICATION)

15 MR. MICHALIK: Sorry, Tess, could you repeat
16 that number?

17 MS. KLEINHAUS: Sure. It's City BG 2122.
18 BY MS. KLEINHAUS:

19 Q. And sir, is this the VICE case report that you
20 reviewed related to this seizure of narcotics in the
21 mailbox that you reviewed in preparation for your
22 deposition?

23 A. Yes, it is.

24 Q. Okay. And it's your testimony that Sergeant -
25 - or I'm sorry, excuse me, Officer Young signed your

1 name at the bottom here with your permission, right?

2 A. Yes.

3 Q. And you are the -- do you consider yourself
4 the second arresting officer then for this report?

5 A. The second officer in this report, yes.

6 Q. Okay. And the Sergeant Approving this report
7 is Sergeant Bennett; is that correct?

8 A. Yes.

9 Q. Okay. Do you know whether or not Sergeant
10 Watts was present in the lobby when you obtained the
11 narcotics?

12 A. I don't remember.

13 Q. Okay. Do you know whether or not Sergeant
14 Watts was present at the police station when you --
15 when, I'm sorry -- when Officer Young completed the VICE
16 case report?

17 A. I don't remember.

18 Q. If you look in Box 31, it says ESV, and it's
19 got \$31,500. You see that part?

20 A. Yes.

21 Q. And if I understood your testimony earlier,
22 you believe Officer Young would have obtained that
23 information from a resource provided by the Chicago
24 Police Department?

25 A. Yes.

1 Q. After weighing the drugs, correct?

2 A. Yes.

3 Q. Okay. If you look on the second page of this,
4 it says ROS. That's reporting officers, right?

5 A. Yes.

6 Q. "Have prior knowledge of the subject known as
7 Ben Baker." And was that true for you, you had prior
8 knowledge of Ben Baker before this incident?

9 A. Yes.

10 Q. It says, "Due to the fact that ROS have come
11 into contact with the subject."

12 A. Yes.

13 Q. And you had come into contact with him?

14 A. Yes.

15 Q. Okay. And "Due to his arrest of the location
16 of occurrence," do you see that part?

17 A. Yes.

18 Q. Okay. When had you encountered him or been
19 familiar with an arrest at that location prior to this?

20 A. I don't know exactly when, but I knew he had
21 been arrested there.

22 Q. Okay. And you came -- you were familiar with
23 him because of that prior arrest at that location?

24 A. Because of that and because that he lived
25 there and because it was known that he sold drugs there.

1 Q. Okay. But I'm just focusing from this report
2 on his arrest at the location of occurrence. You were
3 familiar, before this mailbox incident, you were
4 familiar with an arrest of Ben Baker at that location?

5 A. Yes.

6 Q. How did you become familiar with it?

7 A. I had heard about reports of people who had
8 arrested him at that location.

9 Q. And who had arrested him at that location?

10 A. I don't remember.

11 Q. Do you know if you'd ever reviewed any reports
12 related to any arrests prior to this?

13 A. I don't remember.

14 Q. Okay. But you would have had access to any
15 reports of arrests of Ben Baker that you wanted to get,
16 right?

17 A. I'm not sure if I would have had access to
18 them.

19 Q. If you had wanted to look up reports on prior
20 arrests of Ben Baker, you don't know if you would have
21 been able to get those?

22 A. Not prior to the system being automated.

23 Q. Okay. Do you know whether or not the system
24 was automated in June of 2004?

25 A. I don't remember.

1 Q. Okay. You were able -- I'm sorry. Strike
2 that, please. Okay. Is everything you see here in
3 Exhibit 1 truthful?

4 A. Yes.

5 Q. And it's accurate?

6 A. Yes.

7 Q. You stand by this report, right?

8 A. Yes, I do.

9 Q. This report lists a description of a car, a
10 blue four-door Chevy. Do you know if what you saw was a
11 blue four-door Chevy or not?

12 A. I don't remember it.

13 Q. Okay.

14 A. I saw a vehicle, Officer Young was closer than
15 I was.

16 Q. Okay. And did Officer Young obtain the
17 license plate number or did you?

18 A. Officer Young would have.

19 Q. Okay. And he would have called that out over
20 the radio as well, right?

21 A. I don't know.

22 Q. Okay. Well, in your law enforcement
23 experience, is there any reason that he wouldn't call
24 out the plates?

25 MR. BAZAREK: Object to the form of the

1 question. It's also argumentative.

2 BY MS. KLEINHAUS:

3 Q. Go ahead.

4 A. I'm not sure why he did call it out or if he
5 did call it out.

6 Q. Okay. Would you agree with me it's a good
7 practice if you see someone engaged in criminal
8 activity, who's fleeing and you get the plate number, to
9 call that out over the radio?

10 A. That would be a good practice.

11 Q. Okay. Can you think of any reason why an
12 officer wouldn't do that under these circumstances?

13 MR. BAZAREK: Object to the form of the
14 question. And incomplete hypothetical and assumes a
15 fact not in evidence.

16 BY MS. KLEINHAUS:

17 Q. Go ahead.

18 A. He might have been out of breath.

19 Q. Any other reason you can think of not to, once
20 he regained his breath, call out the license plate
21 number over the radio?

22 A. The vehicle was gone and left at a high rate
23 of speed.

24 Q. Sure. But if he had the plate number, there's
25 no reason not to read the plate number out over the

1 radio, right?

2 A. I don't know. I can't say what he was
3 thinking and why he may or might not have.

4 Q. Okay. So my question was, would you -- can
5 you think of any reason why you wouldn't want to read
6 the plate number out over the radio?

7 A. Not at this time, I can't.

8 Q. Okay. All right, you can put Exhibit 1 to the
9 side. Okay. After heat sealing the bag and putting it
10 in the drug safe, what was the next thing that you did
11 with regard to the mailbox narcotics incident?

12 A. Excuse me. What was the next thing?

13 Q. Yes, sir.

14 A. I don't remember.

15 Q. Okay. Did any supervisor, either supervisor.
16 I'm sorry. Either Sergeant Bennett who's listed on the
17 report or Sergeant Watts or anyone else tell you "Get an
18 arrest warrant, go arrest Ben Baker"?

19 A. No.

20 Q. Did you have any conversation with anyone
21 about the drugs you had seized after you had -- I'm
22 sorry. Strike that, please. After the point where you
23 left 527 East Browning and got back to the police
24 station, did you have any conversation with anyone about
25 what your next steps in this investigation should be?

1 A. I don't remember.

2 Q. Did you do anything to try to locate Ben Baker
3 between June 17th and July 11th?

4 A. I don't remember.

5 Q. Okay. If you had done anything to try to
6 locate him, you would have documented that, right?

7 A. Yes.

8 Q. And how would you have documented that?

9 A. If we had located him, there would have been
10 an arrest made, an arrest report completed.

11 Q. And if you conducted surveillance, you would
12 have documented that, right?

13 A. Yes. And -- and the --

14 Q. And if you had gotten an arrest warrant, you
15 would've documented that, right?

16 A. Yes.

17 Q. If there was a vehicle stop of him, you would
18 have documented that, right?

19 A. Yes.

20 Q. If there was a field contact, there would have
21 been documentation of that, right?

22 A. Yes.

23 Q. Was there anything preventing you and members
24 of your team from going to the building where he lived
25 and apprehending him between June 17th and July 11th?

1 A. Not that I remember.

2 Q. And you were -- you and your team were in the
3 Ida B Wells housing extensions and projects every shift,
4 right?

5 A. Yes.

6 Q. And that would've included the shifts between
7 June 17th and July 11th, right?

8 A. Yes.

9 Q. When was the next time that you encountered
10 Ben Baker after this mailbox incident?

11 A. I don't remember.

12 Q. Were you part of the arrest of Ben Baker in
13 July of 2004?

14 A. Yes.

15 Q. And what was your role in that arrest?

16 A. I was the second arresting officer.

17 Q. Do you have an independent recollection,
18 meaning a memory in your own mind, of your participation
19 in that arrest?

20 A. Yes.

21 Q. Okay. Tell me what you remember about it?

22 A. Myself and Officer Young entered the rear door
23 again of 527 East Browning. At the top of the stairs at
24 the second floor there was Ben Baker. Officer Young
25 went up the stairs first. I was behind him. Ben Baker

1 tried to gain entry to his apartment. He was subdued by
2 myself, officer -- and Officer Young, and he was placed
3 in custody in the hallway there.

4 Q. So you just happened to cross him in the
5 lobby?

6 A. I don't know why -- how we ended up there.

7 Q. Do you see anyone else in the lobby on that
8 occasion besides Ben Baker?

9 A. I don't remember.

10 Q. And where was he standing in the lobby when
11 the two of you walked in?

12 A. He -- we -- he wasn't in the lobby. He was on
13 the second floor landing.

14 Q. And where were you when you could first see
15 him on the second floor landing?

16 A. We're coming up the stairs of the first floor
17 -- from the first floor in the stairwell.

18 Q. Had you checked the mailboxes for narcotics?

19 A. No.

20 Q. Why not?

21 A. Because initially when we went into the
22 building and looked up the stairwell, there he was.

23 Q. Okay. So you saw him as soon as you entered
24 the building?

25 A. Yes.

1 Q. Okay. Had you been in that building between
2 June 17th and this arrest of Ben Baker?

3 A. I believe so.

4 Q. And you went to 527 East Browning on July 11,
5 2004, with the intention of arresting Ben Baker, right?

6 A. I'm not sure exactly.

7 Q. Do you know whether Sergeant Watts had any
8 conversations with Ben Baker about the drugs supposedly
9 found in the mailbox?

10 A. No, I do not.

11 Q. Did you and Officer Young have any other
12 members of your team with you when you entered through
13 the back July 11th of 2004?

14 A. I do not remember.

15 Q. Did you have your gun drawn in the course of
16 that arrest?

17 A. I don't remember.

18 Q. You may have?

19 A. I don't remember.

20 Q. Did anything happen that would've caused you
21 to draw your gun?

22 A. I don't remember anything happening causing me
23 to draw a gun.

24 Q. Did you conduct a search of unit 206?

25 A. No.

1 Q. Why not?

2 A. Because Ben Baker was placed in custody
3 outside of 206.

4 Q. And did I understand you earlier he fled up
5 the stairs from the second floor --

6 A. No.

7 Q. -- landing?

8 A. He was on the second floor landing.

9 Q. He was on the second floor landing. And how
10 far away was unit 206 from the second floor landing?

11 A. Out of the stairwell and offset to the left.

12 Q. So about how far was it?

13 A. Ten, 20 feet at most.

14 Q. Did you see if Mr. Baker had any keys out?

15 A. I don't remember.

16 Q. Was the door ajar?

17 A. The door was never ajar.

18 Q. Okay. Did you see whether he tried the
19 doorknob?

20 A. I don't know. When I reached the second floor
21 landing at that door, him and Kenny were already
22 struggling.

23 Q. Okay. And you said earlier you had to subdue
24 him, right?

25 A. Yes.

1 **Q. What did you do to subdue him?**

2 A. We took him to the ground and placed -- we got
3 his hands behind his back and placed handcuffs on him.

4 **Q. What did you do to take him to the ground?**

5 A. Kenny grabbed him. They wrestled to the
6 ground. I joined into wrestling to be able to control
7 his arms.

8 **Q. And you actually physically put handcuffs on
9 him, right?**

10 A. I don't remember.

11 **Q. Okay. So you were the one trying to control
12 his arms?**

13 A. I don't remember.

14 **Q. Okay. So I -- maybe I misunderstood then. How
15 far ahead of you was Officer Young?**

16 A. He went up the stairs first and I went right
17 behind him.

18 **Q. Okay. And when you got onto the second floor,
19 Officer Young was already struggling with --**

20 A. He had already engaged Ben Baker, yes.

21 **Q. And what did you see?**

22 A. They were -- he wrestled him to the ground.

23 **Q. The two of them were on the ground?**

24 A. Yes. He wrestled him to the ground on top of
25 him and I joined in.

1 Q. Okay. And you joined in by trying to get Ben
2 Baker's arms, right?

3 A. Yes.

4 Q. Okay. And you were trying to get his arms in
5 order to do what?

6 A. Arrest him.

7 Q. Okay. And put him in handcuffs, right?

8 A. Yes.

9 Q. Okay. And did you conduct a pat down of Ben
10 Baker?

11 A. I don't remember.

12 Q. Did Officer Young conduct a pat down of Ben
13 Baker?

14 A. I don't remember.

15 Q. Okay. Did anyone from any of the units on the
16 second floor come out of their apartments when this
17 wrestling match is happening?

18 A. I don't remember.

19 Q. Do you know who Elgen Moore is?

20 A. Yes, I remember the name.

21 Q. Okay. Did you encounter Elgen Moore in the
22 course of this arrest?

23 A. I don't remember.

24 Q. Did you encounter Clarissa Glenn on this date?

25 A. I don't remember.

1 Q. Did you ever storm into unit 206 on July 11,
2 2004?

3 A. No.

4 Q. Did you ever enter unit 206 on July 11, 2004?

5 A. No.

6 Q. Do you know if any of his family members were
7 present for his arrest?

8 A. No, I don't.

9 Q. Okay. I'm going to show you what we'll mark
10 as Exhibit 2. And for the folks on Zoom, this is KM
11 Consolidated 3-4.

12 (EXHIBIT 2 MARKED FOR IDENTIFICATION)

13 MR. GAINER: Yeah, guys, this is Brian Gainer.
14 I apologize. I lost what you just said there. Can
15 you give me that number again?

16 MS. KLEINHAUS: Sure. It's KM Consolidated 3
17 and 4.

18 MR. GAINER: 3 and 4. Okay. I don't see that
19 in the stuff sent you sent over, but --

20 MS. KLEINHAUS: I'm sorry. It may be marked KM
21 3 and 4. Perhaps it's not KM Consolidated. It's --

22 MR. GAINER: I see KM 7 and 8. Is -- are they
23 inventory forms?

24 MS. KLEINHAUS: They're not. It's a --

25 MR. GAINER: Oh, never mind. I got it.

1 MS. KLEINHAUS: -- supplemental report. You
2 got it? Okay. All right.

3 BY MS. KLEINHAUS:

4 Q. Have you had a chance to review Exhibit 2?

5 A. Yes.

6 Q. Is this one of the reports that you reviewed
7 in preparation for your deposition today?

8 A. Yes.

9 Q. Okay. And what is this?

10 A. This looks like an arrest report for Ben
11 Baker.

12 Q. Okay. And at the top, it's marked
13 supplementary report. Do you know why you used a
14 supplementary report for this?

15 A. This is a supplementary report because this is
16 a follow-up to go along with the arrest from the
17 incident that occurred earlier where we found the
18 narcotics in the mailbox.

19 Q. Okay. And who completed this report?

20 A. Officer Young.

21 Q. Okay. And you would've reviewed it before he
22 submitted it, right?

23 A. Yes.

24 Q. And is this your signature or did he sign on
25 your behalf? Can you tell?

1 A. He signed on my behalf.

2 Q. Okay. How do you know that?

3 A. That's not my signature.

4 Q. Okay. Do you recognize it as Officer Young's
5 handwriting?

6 A. Yes.

7 Q. Okay. And according to this, it says, "ROs" -
8 - that's reporting officers, you and Officer Young,
9 right?

10 A. Yes.

11 Q. "Received information that an M1" -- what does
12 that mean?

13 A. Male one.

14 Q. "Known as Ben Baker was selling drugs at 527
15 East Browning." So you got additional information on
16 July 11, 2004, correct?

17 A. I don't remember.

18 Q. Okay. And it's your testimony that you didn't
19 have any informants, right?

20 A. That's correct.

21 Q. So do you believe that Officer Young got this
22 information?

23 A. Yes.

24 Q. Do you know whether or not you were present
25 when he obtained the information?

1 A. No, I do not.

2 Q. Did the two of you do anything to test the
3 reliability of the information that you were provided?

4 A. No, I did not.

5 Q. Okay. And this report doesn't describe any of
6 your efforts to subdue Ben Baker, correct?

7 A. Yes. It said we detained -- we were
8 detaining.

9 Q. Okay. But there's not any description of
10 wrestling him to the ground; would you agree?

11 A. It's not listed there, no.

12 Q. Okay. And would you have done a TRR with
13 regard to that use of force?

14 A. Not necessarily.

15 Q. Okay. Why not?

16 A. It was one of those things where if you were
17 in the process of making an arrest and you had to do
18 more than -- he was -- I don't know how to -- he wasn't
19 fighting as hard enough that or a situation where the
20 TRR was wanted.

21 Q. Okay.

22 A. But he was trying to resist the arrest
23 happening.

24 Q. Did you complete any TRR's during the time
25 period that you were on the Watts team?

1 A. Yes.

2 Q. How many?

3 A. I don't know.

4 Q. This report lists assisting officers at the
5 bottom of the report. Do you see that?

6 A. Yes.

7 Q. What did the officers listed there do to
8 assist with this arrest?

9 A. I don't remember.

10 Q. Are you aware of any document that would
11 explain what they did to assist with this arrest?

12 A. No.

13 Q. And this was signed or approved by Sergeant
14 Kaufman, right? Do you see that?

15 A. Yes.

16 Q. Okay. Would -- in addition to that, would you
17 have had some conversation with Sergeant Watts to let
18 him know that Ben Baker had been arrested?

19 MR. GAINER: Object to form. Go ahead, sir.

20 A. No.

21 BY MS. KLEINHAUS:

22 Q. Do you know whether or not you had a
23 conversation with Sergeant Watts about Ben Baker being
24 arrested?

25 A. No, I don't.

1 Q. And do you know whether or not Sergeant Watts
2 was present for this arrest?

3 A. I don't remember.

4 Q. He may have been. He may not have been,
5 right?

6 A. I don't --

7 MR. GAINER: Object to form. Asked and
8 answered. Go ahead. And foundation. Go ahead.

9 A. I don't know. I don't remember.

10 BY MS. KLEINHAUS:

11 Q. Okay. You can put Exhibit 2 to the side. You
12 testified at the bench trial related to the July 2004
13 arrest of Ben Baker, right?

14 A. I believe so, yes.

15 Q. And did you review that testimony as part of
16 your preparation for today's deposition?

17 A. Yes.

18 Q. And was the testimony that you gave truthful?

19 A. Yes.

20 Q. And I understand your position is that the
21 testimony that you gave was truthful. Would you agree
22 with me if you had given untruthful testimony, that
23 would've been a violation of Mr. Baker's rights?

24 MR. BAZAREK: Object to the form of the
25 question. It also seeks legal conclusions.

1 MR. GAINER: It calls for a legal conclusion.

2 This is Brian Gainer.

3 BY MS. KLEINHAUS:

4 Q. Go ahead.

5 A. I don't know.

6 Q. If you had lied under oath regarding the
7 arrest of Ben Baker in July 2004, would you agree with
8 me that that's egregious police misconduct?

9 A. I didn't lie under oath.

10 Q. I know. I understand. I understand your
11 testimony on that. If you had, would you agree that
12 that would be egregious police misconduct?

13 MR. BAZAREK: Object to the form of the
14 question. Foundation. Incomplete hypothetical.

15 MR. GAINER: It also misstates the law. Go
16 ahead, sir.

17 A. It wouldn't have been correct.

18 BY MS. KLEINHAUS:

19 Q. And why not?

20 A. Because you wouldn't be telling the truth
21 about what happened.

22 Q. Are you aware what the outcome of the
23 testimony of that bench trial was?

24 MR. BAZAREK: Object to the form of the
25 question. Vague. Ambiguous. Compound.

1 A. I don't remember.

2 BY MS. KLEINHAUS:

3 Q. Okay. Were you aware that a motion to
4 suppress was granted in that case?

5 A. Now I remember, yes.

6 Q. Okay. And when did you first find out that a
7 motion to suppress had been granted in that case?

8 A. When the testimonies were over and the state's
9 attorneys came back in to let us know when it was over
10 with.

11 Q. Okay. So you were like in a witness room?

12 A. Yes.

13 Q. Okay. And the state's attorney came in and
14 told you that the motion to -- motion to suppress had
15 been granted?

16 A. Yes.

17 Q. Was anyone with you in that room?

18 A. Other than Officer Young, I don't remember.

19 Q. Okay. Did you and Officer Young have any
20 conversation about that?

21 A. No.

22 Q. Did you believe that Officer Young had messed
23 up his testimony?

24 A. No.

25 Q. What was your understanding of why the motion

1 to suppress was granted?

2 A. I don't remember.

3 Q. As you sit here today, do you know why it was
4 granted?

5 A. No.

6 Q. After your testimony related to the July 2004
7 arrest of Ben Baker, did you have any conversation with
8 Sergeant Watts about the fact that the motion to
9 suppress had been granted?

10 A. I don't remember.

11 Q. Do you know whether or not Sergeant Watts ever
12 solicited a bribe from Ben Baker?

13 A. No, I do not.

14 Q. Do you know whether or not Officer Young's
15 testimony in the bench trial had anything to do with
16 Officer Young leaving the team?

17 A. No, I do not.

18 Q. Have you ever had any conversation with
19 Officer Young about why he left the team?

20 A. No, I have not.

21 Q. What's your understanding of why he was moved
22 off the team?

23 A. I didn't know.

24 Q. Prior to the June 2004 mailbox incident that
25 you described, had you ever seen Ben Baker driving a car

1 before?

2 A. I don't remember.

3 Q. Had you ever seen Ben Baker run before?

4 A. I don't remember.

5 Q. Did Mr. Baker have a limp when you saw him in
6 2004?

7 A. I don't remember.

8 Q. But he was significantly faster than Officer
9 Young, correct?

10 MR. BAZAREK: Objection. Asked and answered.

11 A. On that day.

12 BY MS. KLEINHAUS:

13 Q. Okay. Did you ever tell Ben Baker words to
14 the effect of, "Kenny fucked up his testimony,"?

15 A. No.

16 Q. Did you ever have any conversation with Ben
17 Baker about the outcome of his bench trial for the July
18 2004 arrest?

19 A. No.

20 Q. Did you ever tell him, "That's part of the
21 game," or words to that effect?

22 A. No.

23 Q. Did you ever tell him, "You win some, you lose
24 some," or words to that effect?

25 A. No.

1 Q. Did you ever warn him that, "Next time, we'll
2 make it stick,"?

3 A. No.

4 Q. Did you ever warn him that you would arrest
5 him again?

6 A. No.

7 Q. Did you ever threaten to frame him?

8 A. No.

9 Q. If you had threatened to put a case on him,
10 that would be wrong, correct?

11 A. Yes.

12 Q. Okay. What's the next encounter with Ben
13 Baker that you recall?

14 A. I'm not sure when it was, but it was when we
15 received information that he was bringing in work to the
16 building.

17 Q. You said, bringing in work?

18 A. Work to the building, yes.

19 Q. Okay. And who received that information?

20 A. Sergeant Watts.

21 Q. And how did Sergeant Watts obtain that
22 information?

23 A. I don't know.

24 Q. What did Sergeant Watts tell you about that
25 information?

1 A. That he received information that Ben Baker
2 went to go get work for the building.

3 Q. Okay. When Sergeant Watts would receive
4 information about narcotics dealing, is that something
5 that he would tell you about one-on-one or would it be
6 in roll call or how would you find out what he knew?

7 A. He would tell us all together.

8 Q. Did Sergeant Watts ever tell you, "Make sure
9 that you don't plant drugs on anyone,"?

10 A. No.

11 Q. Did he ever tell you, "Make sure you don't
12 frame anyone,"?

13 A. No.

14 Q. What's the next thing that happened after
15 Sergeant Watts told you that he received information
16 that Ben Baker was bringing work into the building?

17 A. Devised a plan where we would go in a covert
18 car to that area and wait for Ben Baker to come. Myself
19 and him were in the covert vehicle, and Officer Smith
20 and Officer Mohammed were in unmarked cars enforcement.
21 And I'm not sure who else was with us that day, but it
22 was another car as enforcement also.

23 Q. And tell me what the word, work -- the slang
24 term, work means?

25 A. Narcotics, dope.

1 Q. And so did you go to wait for Ben Baker in the
2 covert vehicle the same day that Watts told you that he
3 had received this information?

4 A. Yes.

5 Q. Did you have a regular partner on the Watts
6 team in 2005?

7 A. Yes.

8 Q. Who was that?

9 A. Officer Elsworth Smith.

10 Q. Why did you go in the car with Watts instead
11 of with your regular partner?

12 A. I don't remember.

13 Q. Was Sergeant Watts the one who made the
14 assignments of who would go with who?

15 A. No.

16 Q. How was it determined who would ride with who?

17 A. It was just on the fly who was with -- at that
18 point in time where we were.

19 Q. And can you describe the covert vehicle that
20 you and Sergeant Watts were in?

21 A. I don't remember it.

22 Q. Were you driving or was Sergeant Watts
23 driving?

24 A. I was driving.

25 Q. And was that typically the case when you were

1 in the car with Sergeant Watts?

2 A. Most of the times.

3 Q. And is there a distinction in your mind
4 between a covert vehicle and an unmarked car?

5 A. Yes.

6 Q. Okay. Describe for me or explain to me what
7 you -- what a covert vehicle is?

8 A. A covert vehicle looks like any other regular
9 vehicle with regular license plates on it. Not M
10 plates. An unmarked vehicle is a Chicago police
11 vehicle, whatever they were at the time, with an M plate
12 on it.

13 Q. And what is an M plate?

14 A. A municipal plate.

15 Q. What was the procedure for obtaining a covert
16 vehicle?

17 A. I don't know. The supervisor would've handled
18 that.

19 Q. Okay. So in this instance, Sergeant Watts
20 would've handled that, correct?

21 A. Yes.

22 Q. Okay. If you had wanted to obtain a covert
23 vehicle in order to conduct surveillance on Ben Baker
24 after the mailbox incident, you could have asked
25 Sergeant Watts to help with that, right?

1 A. Yes.

2 Q. Did you do that?

3 A. No.

4 Q. Okay. And you said that Smith and Mohammed
5 were in an unmarked car?

6 A. Yes.

7 Q. And where was their unmarked car?

8 A. I don't know.

9 Q. And you said there was another enforcement
10 vehicle?

11 A. Yes.

12 Q. Was that marked or unmarked?

13 A. Unmarked.

14 Q. And other members of your team were in that
15 car?

16 A. Yes.

17 Q. Do you know where they were stationed?

18 A. No.

19 Q. Okay. And where were you and Sergeant Watts
20 during the surveillance?

21 A. We were riding around in the area first and
22 then we were in the parking lot of Lawless Gardens on
23 Rhodes. 35th, 36th and Rhodes.

24 Q. Okay. When you were riding around, what were
25 you looking for?

1 A. The vehicle that Ben Baker was supposed to be
2 coming in.

3 Q. Okay. So you had a description of a vehicle
4 you expected him to be in, right?

5 A. Yes.

6 Q. And what type of vehicle did you expect him to
7 be in?

8 A. I don't remember.

9 Q. How long were you riding around looking for
10 the vehicle you expected him to be in?

11 A. I don't remember.

12 Q. And at some point you say that you parked at
13 the Lawless Gardens lot?

14 A. Yes.

15 Q. Were there other cars in the lot?

16 A. Yes.

17 Q. Were any of the unmarked cars containing
18 members of your team in that lot?

19 A. No.

20 Q. Okay. What -- which way was your vehicle
21 facing?

22 A. Our vehicle was facing eastbound.

23 Q. How long did you conduct surveillance there?

24 A. I don't remember.

25 Q. What happened next?

1 A. When we initially saw the vehicle that Ben
2 Baker was in, we exited the lot heading north, went up
3 to Rhodes, made a right to go south. As we went
4 southbound on Rhodes, the vehicle that Ben Baker was in
5 did not stop at the stop sign there at 36th and --
6 excuse me. And 36th and Rhodes. This is where beat 211
7 went to make a traffic stop. The traffic stop was
8 behind 511 East Browning. I'm not sure if that's a
9 parking lot or a field or whatever it was, but the car
10 was facing eastbound.

11 Q. So -- and what type of car was it?

12 A. What car?

13 Q. What's that?

14 A. What car are you speaking, ma'am?

15 Q. Ben Baker -- the car that Ben Baker was in.

16 What type of car was it?

17 A. I don't remember.

18 Q. You're confident you observed it approaching -

19 -

20 A. Yeah.

21 Q. -- from a surveillance point, right?

22 A. Yes.

23 Q. Okay.

24 A. It came from -- it came from north to south.

25 Q. And when you say beat 211, what do you mean?

1 A. That was a beat car that was there that we had
2 previously spoke about with -- sergeant Watts previously
3 spoke about with the -- letting me know that we were on
4 surveillance and we may -- might have needed him.

5 Q. Okay. And how did that -- you were -- you
6 witnessed that conversation?

7 A. Yeah.

8 Q. Okay. And how did that come about?

9 A. He told me that we were -- we pulled up. He
10 was -- that beat car was sitting on Browning. He asked
11 the car to stay there because we were waiting on
12 somebody to come and we might need him to put a stop on
13 him because we were in a covert vehicle.

14 Q. So Sergeant Watts was not concerned -- or
15 strike that, please. Beat 211 was -- when you say beat
16 car, it's a marked car?

17 A. It's a marked vehicle.

18 Q. So close to the area where you're going to be
19 conducting surveillance, there was already a marked car?

20 A. Yes.

21 Q. And Sergeant Watts was not concerned that
22 there would be a marked car there, right?

23 A. No.

24 MR. GAINER: Objection. Foundation.

25 BY MS. KLEINHAUS:

1 Q. And instead, he asked the marked car to
2 participate in the surveillance with you?

3 A. Yes.

4 Q. And you have your own independent recollection
5 of that conversation, right?

6 A. Yes.

7 Q. Okay. And so -- and you have an independent
8 recollection of watching the car that Ben Baker was in
9 miss a stop sign, right?

10 A. Yes.

11 Q. And -- so tell me what happened after that.

12 A. 211 activated his lights and went behind it to
13 make a traffic stop.

14 Q. And what happened next?

15 A. The vape -- the vehicle that Baker was in
16 turned into the lot behind 511 Browning.

17 Q. What happened next?

18 A. He stopped there and we came up, pulled along
19 aside the vehicle that we were making a traffic at 211.
20 We were -- I was pulled -- pulled up to the passenger
21 side of that vehicle.

22 Q. And could you see into that vehicle?

23 A. As I got out and approached it.

24 Q. Did it have tinted windows?

25 A. I don't remember.

1 Q. But it's your testimony you could see inside
2 the car, right?

3 A. Yes.

4 Q. How many occupants were in that vehicle?

5 A. Two.

6 Q. And could you see them as you approached the
7 car?

8 A. Yes.

9 Q. Okay. What parts of them did you see?

10 A. I saw the right back side of Clarissa's head
11 and body in her hands, and I could see the right side
12 and hands of Ben Baker.

13 Q. Both sets of hands you could see?

14 A. Yes.

15 Q. And what parts of the car could you see?

16 A. Pardon me?

17 Q. What part of the car could you see from the
18 outside, looking through the window?

19 A. Looking through the window.

20 Q. Okay, but as you're approaching the car, you -
21 - you-all pull up, I'm sorry, you say on the rear
22 passenger side?

23 A. Yeah, I'm on the rear passenger side of the
24 vehicle.

25 Q. -- the driver and you get out?

1 A. And I get out on that side.

2 Q. And you're -- yeah, you're approaching from
3 the rear?

4 A. I was going to approach -- yes, I was going to
5 approach on that side.

6 Q. On the passenger side?

7 A. Yes.

8 Q. And you're looking through the window and you
9 can see --

10 A. I can see --

11 Q. -- parts of Clarissa you've described?

12 A. Yes.

13 Q. Okay. And what type of car was it?

14 A. I don't remember.

15 Q. What happened next?

16 A. I observed her hand what I believed to be
17 narcotics across to Ben.

18 Q. And what did you see in her hand that you
19 believed to be narcotics?

20 A. A clear plastic bag with several other smaller
21 packs -- bags inside.

22 Q. And you could see that from outside the car
23 through the --

24 A. Yes.

25 Q. When you were in the covert vehicle with

1 Sergeant Watts, before the car that Ben was in drove up,
2 did Sergeant Watts have any drugs with him?

3 A. No.

4 Q. Did you have any drugs with you?

5 A. No.

6 Q. Okay. What happened next?

7 A. When I saw the -- her hand it across to him, I
8 quickly retreated -- backed around to the passenger
9 side.

10 Q. The passenger side --

11 A. Not the passenger, the driver's side, because
12 I went behind the vehicle. I was approaching on the
13 passenger side. When I saw her handing it across to
14 him, I went back behind the car to the driver's side and
15 approached the driver's side.

16 Q. The driver's side --

17 A. Of the vehicle --

18 Q. -- of the vehicle they were in?

19 A. -- they were in.

20 Q. Okay. How close -- when you were approaching
21 on the passenger side, how far away from the passenger
22 window were you?

23 A. I was right near the rear window of the
24 vehicle.

25 Q. So like the back window?

1 A. The -- the -- the back seat.

2 Q. Okay. So --

3 A. Not the -- not the front seat. Clarissa was
4 sitting in the front seat. I came up along right here
5 by the seat behind it -- the window right in the back
6 seat behind her.

7

8

9 Q. Okay. And that's as far as you got before --

10 A. Before I --

11 Q. -- went back the other way?

12 A. Yes.

13 Q. Okay. Around the back of the car to the
14 driver's side?

15 A. Yes.

16 Q. What was Sergeant Watts doing during this
17 time?

18 A. I don't know.

19 Q. And what happened after you got over to the
20 driver's side?

21 A. Whatever the baggie that I saw her -- ben
22 Bakers, he was trying to place it in the console of the
23 driver's side.

24 Q. And tell me what you mean by the console of
25 the driver's side.

1 A. There's a -- the console armrest there, where
2 you control the windows and the door locks and -- he was
3 trying to put it in the side there.

4 Q. Okay. So like that little plastic container
5 thing on the driver's side door or between the two of
6 them?

7 A. It -- I don't know if it opened or not, but he
8 was trying to get it in there.

9 Q. Okay. And I'm sorry, I just want to make sure
10 I understand. It's to the left of Ben Baker, the
11 driver.

12 A. It's the left -- it's on the door.

13 Q. Okay. And when you say he was trying to get
14 in there, what did you see him doing?

15 A. He was trying to put it down in the door. I
16 ordered him to get out of the vehicle.

17 Q. And did he reply?

18 A. Yes.

19 Q. So he -- is it your testimony he put it in --

20 A. He was trying to place it in -- you know, he
21 was trying to get into that console area. I don't know
22 how far he was going to get it down in there to -- to
23 cover it. But as soon as he got -- opened the door and
24 got out, as soon as he came out, I detained him. When I
25 say detained him, I put him in handcuffs.

1 Q. Okay. So did he successfully put the drugs in
2 the console?

3 A. It didn't get all the way -- it didn't all the
4 way get down in the console. I don't know if the
5 console went up or now, but it was in between where it
6 could be secreted in -- down in there.

7 Q. So what was it sitting on?

8 A. It was sitting inside of a hole or something
9 there, but the bag was still sticking out, because he
10 didn't get it all the way down in there.

11 Q. Okay. So you could see part of the bag --

12 A. I could see part of the bag.

13 THE REPORTER: I'm sorry, could you just let
14 her finish her questions before --

15 THE WITNESS: I'm sorry, ma'am.

16 THE REPORTER: Oh, it's okay. It's just
17 becoming hard to type it out.

18 THE WITNESS: Okay.

19 MR. BAZAREK: And that goes to his answers too,
20 right?

21 THE REPORTER: I believe so. I mean, that's up
22 to you-all.

23 MR. FLAXMAN: You mean you want us to wait for
24 him to finish his answer? Correct, I agree with
25 that instruction. Do you need it from the court

1 reporter?

2 MR. BAZAREK: No, I just making sure we're on
3 the same page here.

4 MS. KLEINHAUS: Okay.

5 BY MS. KLEINHAUS:

6 Q. How long from the time that you first saw the
7 car of Ben Baker driving it until you had him out of the
8 car and detained?

9 A. Anywhere from -- I don't know. Anywhere from
10 a minute to two minutes. Everything happened quickly.

11 Q. And so you were able to see the drugs, detain
12 him and seize the drugs very quickly after seeing the
13 vehicle?

14 A. Yes, yes.

15 Q. Okay. And what happened next?

16 A. After he was detained then I recovered the
17 narcotics.

18 Q. And what did you do to recover them?

19 A. I reached into the console there, where he was
20 trying to secreted them, and pulled them out.

21 Q. And where did you put them?

22 A. I held onto them. I don't know where exactly
23 I put them, but I kept them on my person.

24 Q. While you -- well, did you conduct a pat down
25 of Ben Baker?

1 A. After the narcotics were recovered.

2 Q. Okay. So you pull -- you ordered him out of
3 the car and he complied?

4 A. Yes.

5 Q. Did you tell him to put his hands up on the
6 car?

7 A. No.

8 Q. What did you tell him?

9 A. I told -- I told him to get out of the
10 vehicle. As soon as he opened the door to get out the
11 vehicle, I went and placed handcuffs on him.

12 Q. Okay. And it's your testimony then you seized
13 the narcotics?

14 A. Then I -- then I seized the narcotics
15 afterwards.

16 Q. And then you did a pat down to him?

17 A. Yes.

18 Q. Okay. Did you -- what was the passenger, Ms.
19 Glenn doing during this?

20 A. I don't remember.

21 Q. Have you ever pushed Clarissa Glenn?

22 A. No.

23 Q. Have you ever used any physical force on
24 Clarissa Glenn?

25 A. No.

1 Q. Have you ever threatened Clarissa Glenn?

2 A. No.

3 Q. Did you arrest Clarissa?

4 A. I didn't actually put handcuffs on her, but
5 yes, she was arrested.

6 Q. Okay. Who put handcuffs on her?

7 A. I don't know.

8 Q. Was it Watts?

9 A. I don't know.

10 Q. Who else was there besides you and Watts?

11 A. At that time, it was me and Watts initially
12 with Officer Soltis, and eventually Officer Mohammed and
13 Officer Smith arrived.

14 Q. Did Watts stay in the covert vehicle as you
15 were approaching Ben and Clarissa's car?

16 A. I don't believe so.

17 Q. Do you think that he got out?

18 A. Yes.

19 Q. Okay. Do you know on which side he approached
20 the car?

21 A. No.

22 Q. And Mohammad and Smith arrived after you
23 already had Ben Baker in handcuffs, right?

24 A. Yes.

25 Q. Mohammad and Smith weren't present for the

1 time period when you say that you observed Clarissa pass
2 drugs to Ben and Ben tried to put them in the console,
3 right?

4 A. No.

5 Q. How long after Ben Baker was in handcuffs did
6 Mohammad and Smith arrive?

7 A. I don't remember.

8 Q. So the person who actually observed the stop
9 with you was Sergeant Watts, right?

10 A. The stop with me, yeah, Sergeant Watts.

11 Q. Are you confident -- or I'm sorry. Strike
12 that, please. You recall Officer Mohammed coming up to
13 the car eventually?

14 A. They came to the -- yeah, they came to the
15 scene eventually.

16 Q. After Ben Baker was in handcuffs, what did you
17 do next?

18 A. After we searched the vehicle, we had
19 transportation take them to the second district.

20 Q. How long did it take you to search their
21 vehicle?

22 A. I don't recall.

23 Q. Who conducted the search of their vehicle?

24 A. I searched it and Sergeant Watts searched it.

25 Q. And that was before Mohammad and Smith got

1 there, right?

2 A. I believe so.

3 Q. Was Officer Gonzalez ever present on the
4 scene?

5 A. I'm not sure.

6 Q. And did you complete any reports related to
7 this December 2005 arrest of Ben and Clarissa?

8 A. Yes.

9 Q. Which ones did you complete?

10 A. I completed the VICE case report and the
11 arrest report.

12 Q. And you included Mohammed as the second
13 arresting officer for those, correct?

14 A. Yes.

15 Q. Was Mohammad ever your regular partner when
16 you were on the Watts tactical team?

17 A. Some days -- he wasn't my regular partner, but
18 some days he was my partner.

19 Q. Okay. And if I understood you earlier, Smith
20 was your regular partner, right?

21 A. Yes.

22 Q. Okay. And when you were riding along with
23 Sergeant Watts, would you include Watts as the second
24 arresting officer on your reports?

25 A. No.

1 Q. Why not?

2 A. Because Sergeant Watts would sign the reports
3 to approve the reports.

4 Q. Well, was there anything about him approving
5 the reports that meant he couldn't be listed on the
6 reports?

7 A. To my understanding, it was.

8 Q. Okay. And how --

9 A. I would always --

10 Q. -- sorry, go ahead.

11 A. And to my understanding when we were doing
12 reports, I would always list my partner as the second
13 arresting officer.

14 Q. Regardless of what role that person actually
15 played?

16 A. Regardless of what role they played.

17 Q. And to your -- the best of your knowledge, was
18 that the practice for the rest of the Watts team as
19 well?

20 A. That was my knowledge of -- that was a
21 practice for -- of the tactical teams in the -- in the -
22 - in the Bronze department.

23 Q. Okay. So as far as you understood it,
24 employees throughout CPD were writing down their partner
25 as the second arresting officer regardless of that

1 person's role in the arrest?

2 MR. MICHALIK: Now hold on. Objection.

3 Foundation.

4 BY MS. KLEINHAUS:

5 Q. Go ahead.

6 A. That's my belief.

7 Q. And that the person listed as the second
8 arresting officer could be called to testify in court?

9 A. Yes.

10 Q. About the contents of the report, correct?

11 A. Yes.

12 Q. Even though that person hadn't observed what's
13 contained in the report?

14 A. Yes, because there's a summary of what actions
15 were.

16 Q. And tell me what you mean by that.

17 A. That means they look at the report and see,
18 and if you testify in the report, "Were you the second
19 arresting officer?" "Well, I didn't see what he saw,"
20 but it's a summarization of what happened.

21 Q. So is it your understanding that second arrest
22 -- someone listed as a second arrested officer --
23 arresting officer could go to court and testify "we did
24 this, we did that," even if that individual didn't do
25 those things?

1 MR. BAZAREK: Object to the form of the
2 question. Compound. Vague and mischaracterizes
3 Sergeant Jones' testimony.

4 MS. KLEINHAUS: Go ahead.

5 MR. GAINER: And also argumentative. Go ahead.

6 A. That officer was to state, to my knowledge, as
7 I have at times, "I didn't see that occur".

8 BY MS. KLEINHAUS:

9 **Q. That's how they would testify?**

10 A. Yes, I testified that no, I didn't see that
11 occur, when I was the second arresting officer. "Well,
12 what were you doing?" "I didn't see what they said
13 occurred, but I was the second officer -- arresting
14 officer."

15 **Q. And in what cases did you testify to that
16 effect, where you said, "I was the second arresting
17 officer, but I didn't see"?**

18 A. I don't remember.

19 **Q. But you're testify -- I'm sorry, strike that,
20 please. You have testified like that before, correct?**

21 A. Yes, I've said I don't -- I don't -- I didn't
22 see that; yes, I have.

23 **Q. Okay. How many times have you testified along
24 those lines?**

25 A. I don't know.

1 Q. Okay. Did you ever explain to any state's
2 attorney that the person listed as the second arresting
3 officer on the report did not actually have personal
4 knowledge of what is described in the report?

5 MR. BAZAREK: Object to the form of the
6 question. Compound. Vague. Ambiguous. Incomplete
7 hypothetical and lacking foundation.

8 A. Not that I can remember.

9 BY MS. KLEINHAUS:

10 Q. Okay. Do you know of any Chicago Police
11 Department officer who ever told a Cook County state's
12 attorney, the person listed as the second arresting
13 officer didn't necessarily actually see what's listed in
14 the report?

15 MR. BAZAREK: Object to the form of the
16 question. Compound. Vague. Ambiguous. Incomplete
17 hypothetical and lacking in foundation.

18 A. I don't know.

19 BY MS. KLEINHAUS:

20 Q. Did anyone from the Chicago Police Department
21 ever tell you if both of you didn't see what's in the
22 report, just use your proper name instead of ROs?

23 A. I don't remember.

24 MR. BAZAREK: Object to the form the question.
25 Foundation. Incomplete hypothetical. Vague.

1 Ambiguous. Lacks foundation.

2 MR. GAINER: It is also argumentative.

3 A. I don't remember.

4 BY MS. KLEINHAUS:

5 Q. Okay. In your view with many years of law
6 enforcement experience, would there have been anything
7 improper about writing a report that just said Officer
8 Jones saw this, Officer Young saw this?

9 A. That's the way it could have been written.

10 Q. Okay. There wouldn't have been anything wrong
11 with that, right?

12 A. No.

13 Q. And there wouldn't have been anything wrong
14 with writing reports that said reporting officer,
15 singular, instead of reporting officers, plural?

16 A. Well, no, because you use it, the RO/ROs, so
17 often, you get caught up in writing ROs and ROs -- RO
18 and ROs.

19 Q. Right, but there wouldn't have been anything
20 improper about not getting caught up in that and just
21 using singular when it was singular, right?

22 MR. BAZAREK: Object to the form of the
23 question.

24 A. I don't understand.

25 BY MS. KLEINHAUS:

1 Q. Okay. Was there anything preventing you, when
2 you wrote up the report about the December 2005 arrest
3 of Ben Baker and Clarissa Glenn, from just writing RO,
4 referring to yourself instead of referring to an
5 additional officer?

6 A. I don't remember.

7 Q. You wrote down Mohammad's name, right?

8 A. He was the second -- he was my partner at the
9 time, I put him in Box 2, yes.

10 Q. Okay. And he didn't actually observe what you
11 described in that report, right?

12 A. No.

13 Q. And he testified in Court relative to that
14 report, right?

15 A. I believe he did.

16 Q. Okay. Do you believe you have a
17 responsibility to intervene there and say, "Hey, wait, a
18 minute. Mohammad's name is on the report; he can't
19 testify he saw this because he didn't?"

20 MR. BAZAREK: Object to the form of the
21 question. Incomplete hypothetical and it's vague
22 and ambiguous. And are you talking about the actual
23 arrest itself and the seizure? Are you talking
24 about something else later on?

25 BY MS. KLEINHAUS:

1 **Q. Okay, go ahead, sir.**

2 A. I think that would've been up to the state's
3 attorney who prepped us before we went out to testify.

4 **Q. Okay. It wasn't your responsibility to
5 correct that?**

6 MR. BAZAREK: Object to the form of the
7 question. Argumentative.

8 A. I didn't think there was anything to be
9 corrected.

10 BY MS. KLEINHAUS:

11 **Q. Why not?**

12 A. Because I didn't. I'm used to writing an RO
13 and ROs. I told the state's attorney what I saw.

14 **Q. And you knew that the state's attorney was
15 relying on the report that you wrote, right?**

16 A. Yes.

17 **Q. And you knew that the state's attorney was
18 calling Kallatt Mohammed to testify about things
19 contained in that report, correct?**

20 MR. BAZAREK: Object to the form of the
21 question. And it's also assuming a fact not in
22 evidence.

23 MR. PALLE: Yeah, lack of foundation, PALLE.

24 BY MS. KLEINHAUS:

25 **Q. Go ahead.**

1 A. He was there, the state's attorney was
2 prepping us. I didn't know what was going to happen,
3 because I've been prepped for cases and don't get
4 called.

5 Q. Yeah. And you didn't ask what was going to
6 happen either?

7 A. No, I did not.

8 Q. Okay. Today, do you regret that you signed
9 Mohammad's name to that report when he didn't actually
10 observe what's contained in that report?

11 MR. BAZAREK: Object to the form of the
12 question. Vague. Ambiguous. Incomplete
13 hypothetical. Lacking foundation.

14 A. I did what I thought was proper at the time.

15 BY MS. KLEINHAUS:

16 Q. So you don't regret it?

17 A. No.

18 Q. Okay. I want to talk to you about the March
19 2005 arrest of Ben Baker. I think we kind of skipped
20 over it chronologically, but do you have a recollection
21 of -- an independent recollection, meaning your own
22 memory of that arrest?

23 A. Yes.

24 Q. Okay. Tell me what you recall about that
25 arrest?

1 A. I remember hearing members of the team call
2 out that they were chasing Ben Baker or whatever at that
3 location. At that time, I was that --

4 **Q. I'm sorry.**

5 A. -- yeah, on -- at -- at that time of the --
6 this -- the incident was occurring, I was, again, riding
7 with Sergeant Watts. We were not in the area. We came
8 to the area, and when we got there, Ben Baker was
9 already in custody.

10 **Q. And so who said they were chasing Ben Baker?**

11 A. It was one of the members of the 4512 team. Or
12 no, 264.

13 **Q. You don't know which one?**

14 A. It had to be 264.

15 **Q. Do you know which member of the 264 team that
16 was?**

17 A. I don't remember.

18 **Q. Okay. And so that person was able to call out
19 over the radio in their pursuit that they were chasing,
20 right?**

21 A. It wasn't a long chase, to my understanding.

22 **Q. That's not the question. So that was an
23 occasion where someone during the pursuit said over the
24 radio, "Hey, I'm chasing Ben Baker right now"?**

25 A. That was an occasion.

1 Q. Okay. And that was so that other members of
2 the team could perhaps assist in his arrest, right?
3

4 A. Yes -- yes.
5

6 Q. Okay. And your testimony is that Ben Baker
7 was already in a vehicle by the time you arrived; is
8 that right?
9

10 A. Yes.
11

12 Q. Did you have any conversation with him?
13

14 A. No.
15

16 Q. Okay. Did you have any conversation with
17 other members of your team about that arrest?
18

19 A. I don't remember.
20

21 Q. So you were never part of that foot pursuit,
22 right?
23

24 A. No.
25

26 Q. Did you hear Ben Baker make any statements
27 relative to that arrest?
28

29 A. No.
30

31 Q. Okay. What did you do to assist in that
32 arrest?
33

34 A. I might've helped prepare some of the reports
35 that were done after the arrest -- during the arrest
36 processing -- processing -- processing.
37

38 Q. Do you have a recollection of doing that?
39

40 A. I don't know what I actually did.
41

1 Q. Okay. Do you know if someone else put your
2 name down for something?

3 A. It listed me as an assisting officer.

4 Q. Do you know if anyone signed your name to
5 anything?

6 A. I don't know.

7 Q. Do you know if anyone signed your name as
8 having seen something you didn't actually see?

9 A. I don't know.

10 Q. Did you ever testify relative to that arrest?

11 A. I don't remember.

12 Q. Would you agree with me that if Officer
13 Gonzalez testified as though he participated in that
14 arrest in the role that Officer Leano actually played,
15 that would be improper?

16 MR. BAZAREK: Object to the form of the
17 question. Lacks foundation.

18 A. I don't know.

19 MR. BAZAREK: It's vague and ambiguous. Go
20 ahead.

21 BY MS. KLEINHAUS:

22 Q. Okay. And why don't you know?

23 A. Because I don't know if Officer Gonzalez
24 testified in that case.

25 Q. Right. I'm saying assume that he testified in

1 that case as though he played the role that Leano
2 actually played; would there be anything wrong with
3 that?

4 MR. BAZAREK: Object to the form of the
5 question and foundation.

6 A. I believe he would testify for what he did as
7 to what he did, not what Leano did.

8 BY MS. KLEINHAUS:

9 Q. Would it be wrong for him to testify as though
10 he did what Leano actually did?

11 A. If that's what he did.

12 Q. And why would it be wrong to do that?

13 A. Because you testified to what you did and what
14 you saw.

15 Q. Did you ever tell Ben Baker, "I told you we
16 would get you"?

17 A. No.

18 Q. Or any words to that effect?

19 A. No.

20 Q. Did you have any conversation with Ben Baker
21 about the fact that you had arrested him previously and
22 he had won his motion to suppress?

23 A. No.

24 Q. Did you review any testimony related to that
25 March 2005 arrest in preparation for your deposition

1 today?

2 A. Which arrest is that?

3 Q. The one where you say you arrived and he was
4 already in the car?

5 A. I may have looked at something. I don't
6 remember.

7 Q. Do you know how many times you testified
8 against Ben Baker?

9 A. No, I do not.

10 Q. Do you know how much time he served?

11 A. No, I do not.

12 Q. Do you know a person by the name of Van
13 Jordan?

14 A. No, I do not.

15 Q. Do you know whether or not you ever demanded
16 drugs from someone named Van Jordan?

17 A. No, I have not.

18 Q. Did you ever demand drugs from anyone?

19 A. No.

20 Q. Do you know someone by the name of Charles
21 Miller?

22 A. Yes.

23 Q. Who's Charles Miller?

24 A. Charles Miller was a -- pretty much a hype
25 that lived down in 574 area.

1 Q. What do you mean by hype?

2 A. He was a drug addict.

3 Q. Did he ever provide information to you related
4 to the drug trade?

5 A. Yeah, he would try to tell everything he
6 could.

7 Q. Okay. What information did he tell you about
8 the drug trade?

9 A. I don't remember.

10 Q. Did you ever rely on any information provided
11 to you by Charlie Miller?

12 A. Yes.

13 Q. Okay. On what occasions did you rely on the
14 information that he provided you?

15 A. I don't recall what -- when it was.

16 Q. Okay. But you considered him reliable?

17 A. Sometimes.

18 Q. Did you ever -- do you know someone by the
19 name of Harold Owens?

20 A. The name's familiar.

21 Q. Did you ever receive drugs from Harold Owens?

22 A. No.

23 MS. KLEINHAUS: Okay. Why don't we make a
24 short break, please.

25 THE VIDEOGRAPHER: Okay, we are going off the

1 record. The time is 1:20 p.m.

2 (OFF THE RECORD)

3 THE VIDEOGRAPHER: We are back on the record
4 for the deposition of Alvin Jones. The time is
5 1:55.

6 BY MS. KLEINHAUS:

7 Q. Sir, you testified earlier that you reviewed
8 your statements to C.O.P.A. in preparation for your
9 deposition today, right?

10 A. Yes.

11 Q. And did you review the interviews related to
12 the investigation of the allegations of Ben Baker and
13 Clarissa Glenn?

14 A. Yes.

15 Q. And how much time did you spend reviewing
16 those transcripts of your statement to C.O.P.A.?

17 A. I don't know.

18 Q. An hour? More than an hour?

19 A. More than an hour.

20 Q. And what's your understanding of the outcome
21 of those investigations?

22 A. I don't know.

23 Q. Are you aware that the recommendation -- there
24 was a recommendation to your department?

25 A. No.

1 MR. BAZAREK: Yeah, I was just going to object
2 to foundation as to what you're talking about.

3 BY MS. KLEINHAUS:

4 Q. Okay. Did C.O.P.A. recommend that you be
5 separated from the department?

6 A. I don't know.

7 Q. Have you ever been told that C.O.P.A.
8 recommended that?

9 A. No.

10 Q. Have you ever seen a report that recommends
11 that?

12 A. No.

13 Q. Outside of conversations you may have had with
14 your counsel, is right now the first time that you're
15 hearing that C.O.P.A. recommended that you be separated
16 from your department?

17 A. I heard in passing, but I never saw anything
18 about it.

19 Q. Who'd you hear it in passing from?

20 MR. BAZAREK: I object if it's privileged
21 communication.

22 BY MS. KLEINHAUS:

23 Q. Right. Outside of talking about it with your
24 attorney, did you ever hear from anyone anything about
25 C.O.P.A.'s recommendation that you be separated from the

1 department?

2 A. I heard it from a friend.

3 Q. Who is that?

4 A. Socrates Mabry.

5 Q. And what's the last name?

6 A. Mabry.

7 Q. And does Socrates Mabry work for CPD?

8 A. Yes.

9 Q. In what capacity?

10 A. He's a detective.

11 Q. And tell me the circumstances under which
12 Detective Mabry told you about C.O.P.A.'s finding.

13 A. He said that C.O.P.A. held a press conference,
14 recommended I be fired.

15 Q. And what did you say?

16 A. Nothing.

17 Q. You were completely silent?

18 A. Just completely silent.

19 Q. Have you ever reviewed any conclusions from
20 C.O.P.A. about whether you violated Rule 14?

21 A. No.

22 Q. Have you ever reviewed a C.O.P.A. report,
23 ever?

24 A. No.

25 Q. Did you review any C.O.P.A. reports in

1 preparation for your deposition?

2 A. My C.O.P.A. statements.

3 Q. But no C.O.P.A. reports?

4 A. No.

5 Q. Did you have any questions in your own mind
6 about C.O.P.A.'s conclusion from the investigation of
7 the Baker and Glenn allegations?

8 MR. BAZAREK: Yeah, I'm -- object, as that
9 question lacks foundation.

10 A. No.

11 BY MS. KLEINHAUS:

12 Q. As you sit here today, do you have any
13 curiosity about C.O.P.A.'s conclusions as to your
14 conduct?

15 A. No.

16 Q. Do you care what C.O.P.A. concluded?

17 A. No.

18 Q. Do you have any plans to work in law
19 enforcement ever again?

20 A. No.

21 Q. Do you -- what's your understanding of when
22 C.O.P.A. reached its conclusion in the investigation of
23 the Baker and Glenn allegations against you?

24 A. I don't know.

25 Q. Was it before or after you retired?

1 A. Before what?

2 Q. C.O.P.A.'s conclusion -- or I'm sorry. Yeah,
3 C.O.P.A.'s conclusion of its investigation of the Baker
4 and Glenn allegations against you, was that before or
5 after your retirement?

6 A. I don't know.

7 Q. Did the conclusion that C.O.P.A. came to that
8 you should be separated from the department have any
9 influence on your decision to retire when you did?

10 A. No.

11 Q. Do you disagree with the conclusion that you
12 should have been separated from the department?

13 A. Yes.

14 Q. Why?

15 A. Because I don't think I did anything wrong.

16 Q. At one point in your interviews with C.O.P.A.,
17 you acknowledged to them that signing Mohammad's name to
18 a report he hadn't actually observed the activities
19 recounted in the report was an error; do you recall
20 that?

21 A. Yes --

22 Q. Okay. And as you sit here today, do you agree
23 that that was an error?

24 A. No.

25 Q. You no longer think it's an error?

1 A. I think I was pressured into trying to give
2 them an answer that they wanted in the circumstances and
3 the way they wanted it.

4 Q. Who pressured you?

5 A. The investigator kept pushing, pushing for an
6 answer.

7 Q. So as you sit here today, your position is
8 it's okay to sign someone else's name to a report, even
9 if they didn't observe what's in the report, right?

10 A. We rely on each other as police officers all
11 the time to tell each other what we saw and what we
12 didn't see, or what happened. And if he was my partner
13 and he signed, I asked him to sign -- if I could sign
14 his name to the report as always, yes. But I relate to
15 him what I saw. So we depend upon each other that.

16 Q. Okay. Well, my question isn't about you-all
17 relying on each other and depending on each other. My
18 question is: can you sign a report indicating someone
19 observed something they didn't observe? Can -- is there
20 anything wrong with that?

21 MR. BAZAREK: Object. Form of the question.
22 Foundation. That's my objection.
23 A. I think that you could sign a report for
24 someone given them secondhand information on what you
25 saw if they was your partner.

1 Q. Okay. Well, let's look at what we'll mark as
2 Exhibit 3 then. So Zoom people, this is City BG 2930.

3 (EXHIBIT 3 MARKED FOR IDENTIFICATION)

4 MR. FLAXMAN: Sorry, is this 3?

5 MS. KLEINHAUS: This is 3, yeah.

6 A. Yes.

7 BY MS. KLEINHAUS:

8 Q. Okay. And Exhibit 3 is the VICE case report
9 from the December 2005 arrest of Ben Baker and Clarissa
10 Glenn, correct?

11 A. Yes.

12 Q. You drafted this report, correct?

13 A. Yes.

14 Q. You signed your name to it, correct?

15 A. Yes.

16 Q. And this report refers to ROs meaning
17 reporting officers, correct?

18 A. Yes.

19 MR. BAZAREK: Object to the -- you say what
20 specific box you're referring him to and spell out
21 what you're questioning him on?

22 MS. KLEINHAUS: No.

23 MR. BAZAREK: Okay. Well object to the form of
24 the question. You're mischaracterizing the case
25 report.

1 MS. KLEINHAUS: Okay.

2 MR. BAZAREK: And what it says.

3 BY MS. KLEINHAUS:

4 Q. And RO stands for reporting officers, right?

5 MR. BAZAREK: Object to the form of the
6 question.

7 MS. KLEINHAUS: You can answer.

8 A. Yes.

9 BY MS. KLEINHAUS:

10 Q. Okay. And the reporting officers listed here,
11 are you and Kallatt Mohammed, right?

12 A. Yes.

13 Q. And is that your signature below Box 45?

14 A. Yes.

15 Q. Is that Kallatt Mohammed's signature below Box
16 46?

17 A. No.

18 Q. Okay. Did you sign Mohammed's name?

19 A. Yes.

20 Q. The events described in the narrative portion
21 of this report are things that you observed, correct?

22 A. Yes.

23 Q. And if I understood your testimony earlier,
24 Mohammed was not present for what transpired or what's
25 described in the narrative of this report, correct?

1 A. Not initially, no.

2 Q. Well, if I understood you correctly, he
3 arrived after Ben Baker was in handcuffs, correct?

4 A. Yes.

5 Q. And everything about the stop of the vehicle
6 or observing any criminal activity was before he
7 arrived, correct?

8 A. Yes.

9 Q. Okay. Is there anything in the narrative
10 section of this report that you believe Mohammed was
11 there to observe?

12 A. No.

13 Q. Okay. And I just want to be clear, it's your
14 position today that there is nothing improper about
15 signing Mohammed's name to this report, correct?

16 A. Not without asking him, no. I relayed the
17 information to him of what I saw and we were partners.

18 Q. So what does his signature mean on this?

19 A. That I -- he had some knowledge and the
20 knowledge he had is what I relayed to him.

21 Q. So -- and your attorney's nodding along as he
22 has been throughout your testimony about this subject.
23 So it's your testimony that as long as you tell the
24 second arresting officer what you saw, you can sign his
25 name to the report?

1 A. If he agrees to it, yes.

2 Q. Okay. And then he may be called to testify
3 about the report?

4 MR. BAZAREK: Object to the form of the
5 question. Foundation. Calls for speculation.

6 MS. KLEINHAUS: Go ahead.

7 A. I -- I guess so.

8 BY MS. KLEINHAUS:

9 Q. I mean, you testified earlier --

10 A. Yes.

11 Q. -- as the second arresting officer, you were
12 sometimes called to court, right?

13 A. Yes.

14 Q. Okay. And then in your view, it's up to the
15 prosecutor to straighten out that the person listed in
16 as the second arresting officer doesn't actually have
17 any personal knowledge?

18 MR. BAZAREK: Object to the form of the
19 question. Compound. Vague. Ambiguous. Incomplete
20 hypothetical.

21 A. Their personal knowledge would be what was
22 relayed to them by their partner.

23 BY MS. KLEINHAUS:

24 Q. So your understanding of the term personal
25 knowledge is hearing it from someone else?

1 A. Hearing from your partner, yes.

2 Q. Okay. So the Chicago Police officers on your
3 team had a collective personal knowledge, if one person
4 knew it -- it's the same as everybody having observed
5 it, right?

6 A. If they told them, yes.

7 MR. MICHALIK: Objection. Foundation.

8 BY MS. KLEINHAUS:

9 Q. Okay. And would it be appropriate then for
10 someone to testify under oath that they participated in
11 activities they were only told about?

12 A. They would say that I received this
13 information from my partner. That's what I know. That's
14 why I know this.

15 Q. And it's your understanding that that would be
16 -- Actually, strike that. You can put that to the side.

17 A. Thank you.

18 Q. Having reviewed your transcripts of your
19 interviews with C.O.P.A., is there anything that you
20 believe that you omitted in your account to them?

21 A. No.

22 Q. Was there anything that you recalled later
23 that you failed to tell them?

24 A. I don't remember.

25 Q. When you reviewed your interviews with

1 C.O.P.A., is there anything that you believe they failed
2 to ask you that would've been relevant?

3 A. I don't remember.

4 Q. What do you mean you don't remember?

5 A. I don't remember if there was something that
6 from what they -- what I read that they should have
7 asked me.

8 Q. Okay. So you prepared for this deposition
9 several times, including reviewing the transcripts from
10 those interviews, right?

11 A. Yes.

12 Q. Did anything strike you as incorrect?

13 MR. BAZAREK: Object to foundation. Vague and
14 ambiguous question.

15 A. I don't know.

16 BY MS. KLEINHAUS:

17 Q. Well, when did you last read the C.O.P.A.
18 transcripts?

19 A. Yesterday, I believe.

20 Q. Okay. When you read them yesterday, did
21 anything strike you as incorrect?

22 A. Not -- not -- not to me, Nope.

23 Q. Okay. Do you stand by the statements that you
24 gave to C.O.P.A.?

25 A. As far as I know, yes.

1 Q. What do you mean as far as you know?

2 MR. BAZAREK: Objection. Argumentative.

3 A. I answered the questions that they asked me to
4 the best of my ability.

5 BY MS. KLEINHAUS:

6 Q. Okay. You were asked a lot of questions about
7 whether you were actually at a different location right
8 before the Baker and Glenn encounter in December 2005,
9 right?

10 A. Yes.

11 Q. And your explanation to C.O.P.A. was that you
12 didn't -- you knew it wasn't possible to be in two
13 places at once, right?

14 A. Yes. When they asked me that question.

15 Q. And your explanation was you knew you couldn't
16 be in two places at once, right?

17 A. No, you can't.

18 Q. And you said you thought maybe someone got the
19 times wrong?

20 A. It was a possibility.

21 Q. Okay. Have you done anything further to
22 investigate that possibility?

23 A. No.

24 Q. Do you have any further explanation for how
25 both activities could have been -- how you could have

1 been in two places at once?

2 A. No.

3 Q. When you learned -- and I'm sorry, the only
4 non-privileged way that you learned about C.O.P.A.'s
5 recommendation was from Detective Mabry, right?

6 A. Yes.

7 Q. And did you speak with him? How did you speak
8 with him about that?

9 A. Over the phone.

10 Q. Did he call you or did you call him?

11 A. He called me.

12 Q. Okay. And did you ever view any -- I'm sorry.
13 Strike that, please. Did you do any of your own
14 research to find out more about C.O.P.A.'s conclusion?

15 A. No.

16 Q. Did you make any plans to try to appeal or
17 challenge their conclusion?

18 A. No.

19 Q. Why not?

20 A. Hadn't thought about it.

21 Q. When was it that Detective Mabry told you?

22 A. Last August.

23 Q. Do you know what C.O.P.A. concluded as to your
24 truthfulness with them during your interviews?

25 A. No.

1 Q. Do you know what they concluded as to your
2 truthfulness when testifying under oath related to Baker
3 and Glenn?

4 A. No.

5 Q. Do you care what they concluded?

6 A. Yes.

7 Q. Why?

8 A. Because it seems to be a big deal now. And
9 they took my star and stripped me of my police powers.

10 Q. Did you ever ask to see the report?

11 A. No.

12 Q. Why not?

13 A. I just never did.

14 Q. So if I understand your testimony today, you
15 say that you never observed anyone, any member of the
16 Watts Tactical Team plant drugs on anyone, right?

17 A. No, I haven't.

18 Q. And to your knowledge, you never were aware of
19 anyone attributing drugs to an individual who didn't
20 have drugs on them?

21 A. No.

22 Q. Do you contend that all the allegations in the
23 C.O.P.A. investigation against you were untrue?

24 A. Yes.

25 Q. And your spouse is a member of the Chicago

1 Police Department; is that right?

2 A. Yes.

3 Q. And is your spouse still employed by Chicago
4 Police Department?

5 A. Yes.

6 Q. You testified earlier that you retired in May
7 of 2022 because you had enough time in; is that right?

8 A. Yes.

9 Q. What's your understanding of how much time you
10 needed in service in order to retire?

11 A. I have 20 years in service, at least, and 55
12 years of age to get the insurance.

13 Q. And how old are you?

14 A. 56.

15 Q. And when's your birthday?

16 A. April 30th.

17 Q. Okay. I want to turn your attention to Alvin
18 Waddy. Do you know who Mr. Waddy is?

19 A. I don't recall who he is.

20 Q. In your preparation for your deposition today,
21 did you review any materials related to Mr. Waddy?

22 A. Yes.

23 Q. What did you review?

24 MR. PALLE: Excuse me. I'm sorry. There's
25 something in my mouth. Listen, it occurs to me. I

1 think it would be appropriate for us to go off the
2 record and reconvene pursuant to the state rules or
3 at least make some sort of stipulation right now
4 that we're on to a case that's unrelated to the
5 Watts Coordinated proceedings.

6 MS. KLEINHAUS: Okay. Well, I think all the
7 parties are aware that the Waddy case is filed in
8 the state court, and we're in agreement that we're
9 trying to complete that case today, along with a
10 number of the federal cases. I don't think we need
11 anything further than that.

12 MR. PALLES: If everybody else agrees, then
13 fine. Just wanted to be clear that, you know, these
14 were -- we're under a separate set now. This is
15 kind of almost somewhat of a separate proceeding.

16 MS. KLEINHAUS: Okay.

17 MR. PALLES: Okay.

18 BY MS. KLEINHAUS:

19 Q. All right. So I'm sorry, sir. What materials
20 related to Alvin Waddy did you review in preparation for
21 your deposition today?

22 A. Case report, arrest report.

23 Q. Anything else?

24 A. I believe testimony.

25 Q. Okay. And did reviewing the case report,

1 arrest report, and testimony, allow you to recall who
2 Alvin Waddy was?

3 A. No.

4 Q. Is? I'm sorry.

5 A. No.

6 Q. Okay. And the testimony that you reviewed,
7 was that your testimony?

8 A. I believe so, yes.

9 Q. Do you know who Jermaine Mays is?

10 A. I recognized him.

11 Q. You recognized his photo?

12 A. Yes.

13 Q. Okay. And what did you -- who did you
14 recognize him to be?

15 A. A young man who was down there at the time
16 involved in drug activity.

17 Q. Okay. Did you -- when you recognized him, did
18 it allow you to recall any arrests that you were
19 involved in of Mr. Mays?

20 A. No.

21 Q. Do you have any recollection of having any
22 conversations with Alvin Waddy trying to get information
23 from him about the drug trade at Ida B. Wells?

24 A. No.

25 Q. In your view, would there be anything wrong

1 with stopping someone at Ida B. Wells and trying to get
2 information for them about the drug trade?

3 A. Stopping them?

4 Q. Yeah.

5 A. No, there's nothing wrong with getting
6 information.

7 Q. Would there be anything wrong with telling him
8 if he got you a gun, you would release someone who was
9 detained?

10 A. Yes, that would be wrong.

11 Q. And why would that be wrong?

12 A. Because you -- you shouldn't be trading.

13 That's against the law to be trading stuff off for an
14 arrest.

15 Q. Okay. And you were aware of that at the time
16 that you were working in public housing, right?

17 A. Yes.

18 Q. Do you ever recall any arrest where Officer
19 Smith announced that he had found drugs on a windowsill?

20 A. No.

21 Q. Okay. I'm going to show you what we'll mark
22 as Exhibit 4. This is marked IND DEF-AW 4142.

23 (EXHIBIT 4 MARKED FOR IDENTIFICATION)

24 MR. MICHALIK: All right, Tess, is this Exhibit
25 4?

1 MS. KLEINHAUS: Yes.

2 MR. MICHALIK: Thank you.

3 MS. KLEINHAUS: Sure.

4 MR. PALLE: What pages?

5 MS. KLEINHAUS: It's independent -- or
6 individual Defendant's AW 41 and 42.

7 MR. PALLE: Okay.

8 BY MS. KLEINHAUS:

9 Q. Okay. And is Exhibit 4, the VICE case report
10 related to Alvin Waddy that you reviewed in preparation
11 for your deposition today?

12 A. Yes.

13 Q. And you were the author of this report,
14 correct?

15 A. Yes.

16 Q. You're listed as first arresting officer,
17 right?

18 A. Yes. Reporting officer, yes.

19 Q. Okay. And you signed this report, correct?

20 A. Yes.

21 Q. Next to that has in Box 46 Smith and his
22 signature -- I'm sorry. Did you sign for Officer Smith?

23 A. I signed that.

24 Q. Okay. And how are you able to determine that
25 you signed that?

1 A. That's my handwriting.

2 Q. Okay. There's no notation on the report that
3 indicates that you signed for Smith, right?

4 A. No.

5 Q. Okay. This -- the narrative portion of this
6 report refers to a narcotics suppression mission, right?

7 A. Yes.

8 Q. Can you explain what a narcotics suppression
9 mission is?

10 A. That's when you go to that area or that
11 particular building trying to shut down the drug sales
12 at that building or in that area.

13 Q. Okay. And I don't mean this to be flippant,
14 but isn't everything that you-all were doing in that
15 area to try to shut down drug sales?

16 MR. BAZAREK: Object to the form of the
17 question. Vague and ambiguous. Foundation.

18 A. It was more than that. It was trying to keep
19 people safe in that area.

20 BY MS. KLEINHAUS:

21 Q. Okay.

22 A. Because other things were going on other than
23 narcotic sales.

24 Q. Okay. Let me see if I can ask it better. Is
25 -- what would distinguish a narcotic suppression

1 building -- sorry. What would distinguish a narcotics
2 suppression mission from any other time that you were
3 going to go into the building?

4 A. You put that point together, as this week
5 we're going to go to this location for this particular
6 activity at this time. Other times, you'd be just
7 walking around or driving around and see something going
8 on and you react to it.

9 Q. Okay. So what is the way that you're trying
10 to suppress narcotics in this type of mission, just your
11 presence?

12 A. Your presence in trying to catch the people
13 that are selling narcotics, because you see activity
14 that's going on that relates to narcotic activity.

15 Q. Okay. And when you would conduct a narcotics
16 suppression mission, who would decide today we're going
17 to go on a narcotics suppression mission?

18 A. The supervisor.

19 Q. Okay. And so for example, in this instance
20 for the report we have in front of us, Sergeant Watts
21 would've told the team we're going to do a narcotic
22 suppression mission at --

23 A. This location.

24 Q. -- Ida B. Wells. Okay. Now, did reviewing
25 Exhibit 4 refresh your recollection at all about your

1 involvement in the arrest of Alvin Waddy?

2 A. No.

3 Q. Okay. And do you stand by this report that
4 you -- that it's truthful and accurate?

5 A. Yes.

6 Q. Put Exhibit 4 to the side. Did you look at
7 the arrest report of Alvin Waddy when you were preparing
8 for your deposition?

9 A. Yes.

10 Q. And did you look at the photo included for
11 that?

12 A. Yes.

13 Q. Did reviewing the photo of Alvin Waddy allow
14 you to recall being involved in his arrest?

15 A. No.

16 Q. And did you review an inventory report related
17 to Alvin Waddy in preparation for your deposition?

18 A. Yes.

19 Q. And were you the officer listed on the
20 inventory report for Mr. Waddy?

21 A. I'm not sure.

22 Q. Okay. I'll show you what we'll mark as
23 Exhibit 5. The -- this is IND DEF-AW 43 to 51. I think
24 this is Exhibit 5.

25 (EXHIBIT 5 MARKED FOR IDENTIFICATION)

1 THE WITNESS: Okay. I -- I'm ready.

2 BY MS. KLEINHAUS:

3 Q. Okay. You reviewed Exhibit 5?

4 A. Yes.

5 Q. And according to Exhibit 5, you were the
6 officer that did the inventory for Mr. Waddy's arrest,
7 correct?

8 A. That's incorrect.

9 Q. Okay. Who did which part of the inventory for
10 Mr. Waddy's arrest?

11 A. Officer Smith looks like that these are, I
12 believe.

13 Q. And you're listed as the recovery officer,
14 right?

15 A. Yes.

16 Q. What does it mean to be the recovery officer?

17 A. The officer making the recovery what's in the
18 inventory.

19 Q. Okay. So that would mean that you are the
20 person who obtained drugs in the course of the arrest;
21 is that right?

22 A. Yes.

23 Q. Okay. And the -- that is the person likely to
24 be called to testify, correct?

25 A. Yes.

1 Q. All right. And having reviewed Exhibit 5,
2 does that review -- I'm sorry. Refresh your
3 recollection at all as to the arrest of Mr. Waddy and
4 your participation in it?

5 A. No.

6 Q. Okay. And you can put that to the side. You
7 reviewed your -- I'm sorry. Strike that, please. When
8 you were working on the Watts Tactical Team, did you
9 ever request to have any narcotics packaging
10 fingerprinted?

11 A. No.

12 Q. Were you aware of anyone on your tactical team
13 who did that?

14 A. No.

15 Q. Okay. And when was the last time that you
16 reviewed the motion to suppress testimony that you gave
17 in the Waddy case?

18 A. Couple of days ago.

19 Q. Okay. Did that refresh your recollection at
20 all about your participation in the Waddy case?

21 A. No.

22 Q. Was your testimony truthful?

23 A. Yes.

24 Q. Do you stand by that testimony?

25 A. Yes.

1 Q. Is there anything else you can think of that
2 would refresh your recollection as to your participation
3 in the arrest of Alvin Waddy?

4 A. No.

5 Q. Are you aware that Mr. Waddy's mother filed a
6 complaint close in time to the arrest alleging that he
7 was framed?

8 A. No.

9 Q. Is right now the first time you're hearing
10 that?

11 A. Yes.

12 Q. Did anyone from the Chicago Police Department
13 ever ask you any questions related to that allegation
14 close in time to the arrest?

15 A. No.

16 Q. To this day, has anyone from the Chicago
17 Police Department ever asked you any questions related
18 to the arrest of Alvin Waddy?

19 A. No.

20 Q. Okay. I want to talk to you about Philip
21 Thomas. Do you know -- I think -- I think you --

22 MR. PALLE: Excuse me. I'm sorry. I'm sorry.

23 Again, this is a problem that I thought might come
24 up. You've now completed a direct examination of
25 Alvin Waddy presumably for use in the state case.

1 Okay. Now you're going to move on to some other
2 consolidated cases. On the other hand, the defense
3 hasn't had a chance the question, Mr. Jones, about
4 the Waddy case so that the record of Mr. Jones's
5 deposition in the Waddy case will be clear and
6 segregated for purposes of --

7 MS. KLEINHAUS: Well --

8 MR. PALLES: -- dispositive motions.

9 MS. KLEINHAUS: You can --

10 MR. PALLES: I guess the long and short of it
11 is, I think it's time for the defense to pose some
12 question to Mr. Jones about the Waddy case and I
13 have a few.

14 MS. KLEINHAUS: Mr. Palles, I think the parties
15 have agreed there are a number of cases we're
16 covering today. You welcome to conduct an exam
17 about the Waddy case and you can segregate it and
18 make it clear on the record that you're asking about
19 Waddy. And you can put those pages together in
20 anything that you may need to submit for your
21 dispositive motion. So I don't think it's a problem
22 --

23 MR. PALLES: Beginning now.

24 MS. KLEINHAUS: No, I -- when I'm done
25 questioning, it'll be the turn of the defendants to

1 ask questions.

2 MR. BAZAREK: Yeah.

3 MR. PALLES: Well, I'll tell you what then
4 you'd better tell me when your cutoff is today
5 because you need to allow us time. Because as you
6 know, there are discovery cutoffs in the Waddy case
7 much earlier than in any of these coordinated cases.

8 MS. KLEINHAUS: Okay. And I'm not trying to -

9 -

10 MR. PALLES: As I recall, what, about two
11 weeks? Am I correct?

12 MS. KLEINHAUS: It's July 26th. And I'm not
13 going to prevent anyone from questioning on Waddy
14 today, who needs to. I did have a discussion with
15 Counsel for Sergeant Jones. We're trying to cover
16 things he has a memory of today, and I'm doing my
17 best to keep my word to Bill on that. So if you can
18 just let us be efficient here, maybe at the next
19 break we can decide when it's best to turn it over.
20 But I -- I'd like to just keep --

21 MR. PALLES: All right, but we need to preserve
22 our rights --

23 MS. KLEINHAUS: -- moving because we're kind of
24 wasting time right now.

25 MR. PALLES: -- of course.

1 MS. KLEINHAUS: I wasn't finished.

2 MR. BAZAREK: Yeah. Well --

3 MR. PALLE: Mr. Jones has --

4 MR. BAZAREK: -- here -- here's what I'll say.

5 I'll make Sergeant Jones available for questioning
6 if any defense counsel has it. But we're going to
7 conclude any questioning of Waddy today.

8 MS. KLEINHAUS: Okay.

9 MR. PALLE: Okay.

10 MS. KLEINHAUS: So --

11 MR. PALLE: That's fine.

12 BY MS. KLEINHAUS:

13 Q. All right, sir, so turning your attention to
14 Phillip Thomas, do you remember -- are you familiar with
15 a person named Phillip Thomas?

16 A. Vaguely, yes.

17 Q. Okay. What do you remember about him?

18 A. He's a tall individual that on the occasion of
19 being arrested by me, I observed him placing narcotics
20 in a hole above a door.

21 Q. Okay. And so you, in your own independent
22 recollection today, have a memory of that arrest; is
23 that correct?

24 A. Yes.

25 Q. Okay. Not just testifying about it, but you

1 have an actual recollection of that arrest, right?

2 A. Yes.

3 Q. Okay. And prior to that arrest, were you
4 familiar with Mr. Thomas?

5 A. Somewhat, yes.

6 Q. Okay. How were you familiar with him?

7 A. I had seen him around in the area.

8 Q. Okay. Were you familiar with him as someone
9 who sold snacks from a cart in that area?

10 A. It -- it could have been him. But he was in
11 the area, I know.

12 Q. Okay. So you're not necessarily familiar with
13 him from the cart?

14 A. I think so. I would say yes.

15 Q. Okay. Had you ever seen Sergeant Watts have a
16 conversation with Phillip Thomas prior to the incident
17 where you arrested him?

18 A. I don't recall.

19 Q. What documents did you review, related to
20 Phillip Thomas, in preparation for your deposition
21 today?

22 A. An arrest report, a case report, a testimony.

23 Q. Do you recall testifying at that trial?

24 A. Yes.

25 Q. And what do you remember about it?

1 A. Phillip Thomas representing himself.

2 Q. And in reviewing that testimony in preparation
3 for your deposition today, do you stand by it?

4 A. Yes.

5 Q. Was it truthful?

6 A. Yes.

7 Q. Okay. Prior to the -- I'll represent to you
8 his arrest was in May of 2007. Do you recall what time
9 of day it was that you arrested him?

10 A. No.

11 Q. Prior to that arrest, had you made any other
12 arrests that day?

13 A. I don't recall.

14 Q. Okay. Do you remember any other arrests you
15 made in May of 2007?

16 A. Along with Phillip Thomas?

17 Q. At all in that month?

18 A. Sandra [sic] Cartwright was arrested, also.

19 Q. Along with Phillip Thomas?

20 A. Yes.

21 Q. Do you have any recollection of any other
22 arrests you made during that month, other than Phillip
23 Thomas and Sandra Cartwright?

24 A. No.

25 Q. Was there anything in particular about the

1 arrest of Phillip Thomas and Sondra Cartwright that
2 makes it stand out in your mind?

3 A. Yes.

4 Q. What?

5 A. Sandra [sic] Cartwright was standing at the
6 rear door of the building at 574 East 36th Street,
7 directing people into the building for narcotics sales.

8 Q. And was that unusual?

9 A. No.

10 Q. So what made that stick out in your mind?

11 A. Because I was watching it and it -- Sandra
12 [sic] is a - was a different type of person.

13 Q. Tell me what you mean by that, please?

14 A. If you ever came across her, you would not
15 forget her. She had -- she was probably bipolar.

16 Q. And had you encountered her before the date on
17 which you arrested her and Phillip Thomas?

18 A. Yes.

19 Q. Okay. And did you testify at her civil trial?

20 A. Yes.

21 Q. And what was it that you say she was calling
22 out on the occasion that you arrested her and Phillip
23 Thomas?

24 A. She was yelling out and directing people into
25 the -- the building -- into the rear door to buy

1 narcotics.

2 Q. Okay. What was she yelling?

3 A. I'm not sure. Can I see a report to refresh
4 my mind? Because I know she was yelling out. She was
5 actually yelling out the actual narcotics that were
6 being sold there.

7 Q. Okay. So your recollection is she was yelling
8 out, like, names of narcotics lines?

9 A. Yes.

10 Q. Okay. Had you seen her do that before?

11 A. Yes.

12 Q. On how many occasions?

13 A. Several.

14 Q. Okay. And did you believe she was associated
15 with any particular drug dealer in the building?

16 A. No.

17 Q. Did you know whether she sold drugs?

18 A. I don't know.

19 Q. Okay. And who were you with when you observed
20 Ms. Cartwright yelling out names of drug lines?

21 A. Officer Smith.

22 Q. And where were you and Officer Smith?

23 A. At a surveillance point.

24 Q. Okay. And where was the surveillance point?

25 A. The surveillance point, at that time, was 575

1 East Browning, in a vacant apartment.

2 Q. How did you gain access to the vacant
3 apartment?

4 A. I don't recall.

5 Q. Who else was there besides you and Officer
6 Smith?

7 A. Just me and Officer Smith.

8 Q. Why did the two of you set up surveillance
9 there?

10 A. We were able to get -- gain access to the
11 building so that we could watch and so -- do
12 surveillance on the back of the 574 East 36th Street
13 building.

14 Q. When you would conduct surveillance, did you
15 keep any kind of surveillance log?

16 A. No.

17 Q. Did anyone order you to do surveillance?

18 A. No.

19 Q. Was doing surveillance something that you and
20 your partner could just decide to do on your own?

21 A. Yes.

22 Q. Do you know whether on this occasion you had
23 received any information from an informant that caused
24 you to do surveillance?

25 A. I don't remember.

1 Q. In the course of your arrest of Sondra
2 Cartwright and Phillip Thomas, did you have to use any
3 force in order to detain them?

4 A. No.

5 Q. So I think you described earlier, an encounter
6 with Ben Baker where you and another officer had to kind
7 of wrestle -- you and Officer Young had to wrestle him
8 to the ground. Do you recall that?

9 A. Yes.

10 Q. Did you have to use any of those tactics with
11 Sondra Cartwright or Phillip Thomas?

12 A. I didn't actually see the Sondra Cartwright
13 get placed in custody. But where Mr. Thomas was placed
14 in custody, no, there was no physical confrontation.

15 Q. Did you slap him?

16 A. No.

17 Q. Did you ever ask him where the drugs were at?

18 A. No.

19 Q. Or where shit the was at?

20 A. No. I saw them -- where he put -- placed the
21 narcotics.

22 Q. Well, my question is just if you ever asked
23 him where the drugs were at?

24 A. No.

25 Q. Did you ever see Officer Smith show narcotics

1 to Phillip Thomas and say, this is yours?

2 A. No.

3 Q. So after you saw -- I'm sorry, strike that
4 please. So the vacant apartment where you and Smith
5 were doing surveillance, what level of the building was
6 that? Like what floor?

7 A. I believe it was the second floor.

8 Q. And could you hear what Sondra Cartwright was
9 saying, or just see her?

10 A. I could hear and see it.

11 Q. How far were you from her?

12 A. Maybe 200 feet.

13 Q. And after you heard -- how many times did you
14 hear her call out drug lines before you broke
15 surveillance?

16 A. It was about 20 minutes.

17 Q. And why did you wait the 20 minutes after you
18 heard her calling out drug lines, before you broke
19 surveillance?

20 A. Wanted to make sure of what was going on. And
21 although she's yelling out, that doesn't mean customers
22 are coming in and out right now. So we had to witness
23 people going in and out of the building to see that it
24 looked like it was actual drug activity going on.

25 Q. Okay. And so how many people did you see

1 going in and out after -- during that 20 minutes?

2 A. Several.

3 Q. Anybody that you recognized?

4 A. No.

5 Q. Who decided to break surveillance, you or
6 Smith?

7 A. I don't remember.

8 Q. When you were doing surveillance, did you ever
9 see Phillip Thomas?

10 A. No.

11 Q. What happened after you broke surveillance?

12 A. When we broke surveillance and entered the
13 building, we went up the stairs to conduct a walkdown
14 and come back, because there was no one in the hallway
15 when -- after they yelled cleanup as we were approaching
16 the building.

17 Q. Okay. So I think that might be a little bit
18 out of order for me. So after you broke surveillance,
19 what did -- you went downstairs; is that right?

20 A. Yes.

21 Q. And then what?

22 A. We went downstairs from our surveillance point
23 and we ran across to the back door of that building. The
24 back doors are adjacent to each other from those two
25 buildings.

1 Q. Okay. And was that back -- was the back door
2 open?

3 A. Yes.

4 Q. Okay. And you walked through it?

5 A. Ran through it ran through it.

6 Q. Ran through it?

7 A. Yes.

8 Q. So after you saw several people during that 20
9 minute period, go into the building, you broke
10 surveillance and ran over there?

11 A. Yes.

12 Q. Okay. What -- was there a reason for the
13 urgency?

14 A. Yes. Because as soon as they saw us coming,
15 they were going to yell "cleanup," and people were going
16 to be going, running, scattering at the same time the
17 enforcement car was coming, also.

18 Q. Who was in the enforcement car?

19 A. Officer Mohammed and Officer Lewis.

20 Q. And tell me what you mean by enforcement car,
21 please?

22 A. They were -- they were going to come in and
23 stop where we had told them to stop. And in this
24 particular time, it was Sondra Cartwright, because we
25 had seen her out there directing traffic into the

1 building.

2 Q. Okay. And when you ran into the building, you
3 -- did you -- I'm sorry, is it still that same hallway
4 that leads into the lobby that you just said earlier?

5 A. Yes. Yes.

6 Q. Okay. Do you see anyone in that hallway?

7 A. No. People were coming out of there. And
8 people were going out of the front door, the other way,
9 also. But when we got to the back of that hallway,
10 there was nobody there. So we started up.

11 Q. Okay. I just want to make sure I understand.
12 You didn't see anyone in the hallway, right?

13 A. Nope.

14 Q. And when you got to the lobby --

15 A. Did not -- didn't go to the lobby.

16 Q. Okay.

17 A. Went up the back stairwell.

18 Q. You went to the back stairwell?

19 A. Yes.

20 Q. Okay. You never checked the lobby to see who
21 was there?

22 A. There was nobody in there. We took a good
23 quick glance, and up the -- up the stairs.

24 Q. Okay. And you mentioned something earlier
25 about the front door. Did you actually see anyone

1 leaving through the front door?

2 A. Yeah, there were -- you could see people
3 running away from the building -- out the front.

4 Q. Okay. At the time that you saw them, were
5 they in the lobby or they were already out?

6 A. They were already out the building.

7 Q. Okay. And then you and Officer Smith were
8 running up the stairs?

9 A. We go up the stairs.

10 Q. Were you running?

11 A. Yes.

12 Q. Okay. And where were you running to?

13 A. To check each floor looking for the possible
14 drug sailor -- seller, or the possible cleanup person.

15 Q. Okay. The two of you stayed together?

16 A. I don't think so.

17 Q. So who ran up the stairs?

18 A. We both did. We ran up, check a floor, check
19 a floor, check a floor. When I got to the third floor,
20 is where I encountered Mr. Thomas.

21 Q. Okay. Did you check the second floor?

22 A. Yeah, I kept -- checked the second floor
23 because I went around to go up to the third floor.

24 Q. Were you ever in the second floor hallway?

25 A. Yes.

1 Q. Okay. So I'm sorry if I'm misunderstanding --

2 A. There are two hallways.

3 Q. Okay.

4 A. The building --

5 Q. There are two stairwells or two hallways?

6 A. Two stairwells.

7 Q. Two stairwells.

8 A. Two stairwells. When you come out one
9 stairwell, you can look down the stair hallway. You
10 don't see anybody, you keep on going. Because you can
11 look -- you can look down the same stairwell. The next
12 turn is where the elevators are and the next stairwell,
13 if you don't see anybody, you keep going. Each floor,
14 floor by floor.

15 Q. Okay. So you checked the second floor, didn't
16 see anyone?

17 A. Second. No, I didn't see anybody.

18 Q. Okay. Then you went to the third floor?

19 A. Then I went to the third floor.

20 Q. What did you see there?

21 A. When I got to the third floor, to go around to
22 the other stairwell is where I saw Mr. Thomas placing
23 the narcotics in the hole above the door.

24 Q. Okay. And you seem like you're pretty good at
25 cardinal directions, so when you say the two stairwells?

1 A. Yes.

2 Q. Can you orient us as to which one?

3 A. From the first floor in the rear stairwell,
4 the stairway is facing north. It goes up northerly.
5 From the first floor, other one goes up south. When you
6 get to the second floor, you're going up north. From the
7 -- from -- if you go up -- if you go up the stairwell
8 from the rear stairwell, you always going up -- no,
9 you're not always going up north. Because if you keep
10 on going, you can zigzag back. But if you come out, you
11 always end up going north up. But you can also go back
12 up that way to third floor, south. So it -- if it -- in
13 the -- in the stairwell, it goes north-south, north-
14 south. But if you come out into the -- to view the
15 floor, when you go back around again, you're going back
16 up north again.

17 Q. Okay. What stairwell were you closest to when
18 you encountered Mr. Thomas?

19 A. The north stairwell.

20 Q. On the third floor?

21 A. On the third floor.

22 Q. Okay. And what did you see in the third floor
23 hallway when you got there?

24 A. I saw him placing suspect narcotics in a bag
25 in this -- in the hole that was above the door where the

1 rock had been hollowed out. The brick had been hollowed
2 out, not the --

3 Q. Okay. And was anyone else in the hallway
4 besides Mr. Thomas?

5 A. No.

6 Q. Okay. Did you yell anything out or announce
7 your office, at all?

8 A. I grabbed him and put -- placed him in
9 handcuffs and detained him.

10 Q. Did he say anything to you?

11 A. I don't remember.

12 Q. Okay. How far above the door was this hole
13 that you're describing?

14 A. The door isn't as tall as this door in here.
15 It's not as tall as that. That doorway is not as that -
16 - tall -- tall as this one. The frame of that door,
17 there. They have -- the way the building is built, it's
18 built with, like, cinder -- cinder blocks. At
19 the frame across the bottom of those -- excuse me, those
20 cinder blocks, there was a hole hollowed out at the top
21 of there. Within that hole within that frame was a
22 ledge that sat inside of that frame. And he had placed
23 the narcotics inside that hole like this, and they sat
24 in the frame like this, down -- so where you could push
25 it down where you couldn't see it. So if you didn't

1 know what you were looking for, you might go past it
2 because you cannot see with -- at first glance, what's
3 up there.

4 Q. So if I understand you correctly, your
5 testimony is that he pushed it down so it was sort of
6 behind the top of the doorframe?

7 A. Behind the frame. Yes, he --

8 Q. Within this hole, so you wouldn't be able to
9 see it?

10 A. -- he -- he -- he was shoving him down in
11 there, yes.

12 Q. Okay. So the hole was directly above the
13 doorframe?

14 A. It was above the doorframe.

15 Q. There was no portion of wall that was still
16 intact --

17 A. Yes, there was.

18 Q. -- between the door and the hole?

19 A. Between the door and the hole. This is the
20 frame, this is the hole. This is the frame, this is the
21 hole.

22 Q. Okay. The portion that was still intact --
23 I'm sorry.

24 A. My finger would be the frame.

25 Q. Okay. And the frame that you're describing,

1 what's the material that makes up the frame?

2 A. Metals.

3 Q. Okay. Did you ever take a photo of that hole?

4 A. No.

5 Q. Did -- do you know if anyone else from the
6 Chicago Police Department did?

7 A. I don't know.

8 Q. Had you ever found narcotics or any other
9 contraband in that hole?

10 A. I don't remember that hole.

11 Q. Okay. Had you found contraband in other holes
12 like that, in Ida B. Wells?

13 A. Yes.

14 Q. After you placed Mr. Thomas in handcuffs, did
15 you have any conversation with him at all?

16 A. Not that I recall.

17 Q. Are you familiar with the term of building
18 walkdown?

19 A. Yes.

20 Q. What's that mean?

21 A. That means you go through the building, you
22 checking every floors, looking for any illegal activity
23 going on that floor.

24 Q. And so does that mean start at the top and
25 work your way down?

1 A. If you make it up to the top before finding
2 something.

3 Q. So it means start at the bottom?

4 A. You have to enter the building. You start at
5 the bottom to get up to the top. Excuse me.

6 Q. Okay. So for the building walkdown --

7 A. The building walkdown.

8 Q. What would you do?

9 A. You would go to the top of the floor. You go
10 floor by floor, you check it each way, up and down. But
11 for purposes of radioing in and getting a number for
12 being at that location, they called it a building
13 walkdown.

14 Q. And am I correct that you could do a building
15 walkdown, whether or not there had been any report of
16 illegal activity, or whether or not you had observed any
17 illegal activity there?

18 A. Yes.

19 Q. You could just decide to go in and start at
20 the top and work your way down, right?

21 A. Yes.

22 Q. Okay. I'm going to show you what we'll mark
23 as Exhibit 6. You can just disregard this first page,
24 okay. Let's start on the back of it. This is marked at
25 the bottom, DO-JOINT 7391 through 93. I've told the

1 witness he can disregard that first cover sheet and just
2 turn directly to the first page of the VICE case report.

3 Okay. You've reviewed Exhibit 6?

4 (EXHIBIT 6 MARKED FOR IDENTIFICATION)

5 A. Yes, ma'am.

6 BY MS. KLEINHAUS:

7 Q. And this is the VICE case report that you
8 authored related to the arrest of Phillip Thomas,
9 correct?

10 A. That's correct.

11 Q. And is the report accurate?

12 A. Yes.

13 Q. And truthful, correct?

14 A. Yes.

15 Q. This is how the arrest happened, right?

16 A. This is how the arrest happened.

17 Q. Okay. If you can look -- or I'm sorry, if you
18 look in box 45, it has your name. And then is that your
19 signature below it?

20 A. Yes.

21 Q. And did you sign for Officer Smith here?

22 A. Yes.

23 Q. And is that because you recognize your own
24 handwriting?

25 A. Yes.

1 Q. Is there any notation on Exhibit 6 that lets
2 you know that you signed on behalf of Officer Smith?

3 A. No.

4 Q. Okay. If you look, please, at box 31. It's
5 marked ESV, it's got monetary values there?

6 A. Yes.

7 Q. What does ESV stand for?

8 A. Estimated value.

9 Q. And can you explain what we see there, it
10 looks like 1,080, forward slash, 75?

11 A. Yes.

12 Q. What does that mean?

13 A. The 1,080 would be the estimated value for the
14 heroin. The 75 would be the estimated value for the one
15 gram of crack cocaine.

16 Q. And Sergeant Watts approved this report,
17 correct?

18 A. Yes.

19 Q. Okay. You can put Exhibit 6 to the side. Why
20 don't we take just a short five-minute break?

21 THE VIDEOGRAPHER: Going off the record. The
22 time is 3:00 p.m.

23 (OFF THE RECORD)

24 THE VIDEOGRAPHER: We are back on the record
25 for the deposition of Alvin Jones. The time is

1 3:07.

2 BY MS. KLEINHAUS:

3 Q. Sergeant Jones, are you familiar with who
4 Leonard Gipson is?

5 A. Yes.

6 Q. Okay. How do you know Leonard Gipson?

7 A. He was a drug dealer down in the Ida B. Wells

8 --

9 Q. And --

10 A. -- housing project.

11 Q. I'm sorry, didn't mean to interrupt you. So
12 how did you come to the conclusion that Mr. Gipson was a
13 drug dealer?

14 A. Because on several occasions we would get
15 information about he would bring the drugs in to the
16 buildings to supply for that day.

17 Q. Okay. And who received that information?

18 A. I received it on some occasions.

19 Q. Okay.

20 A. And just from individuals walking down there,
21 who would say this is -- this is where Fuzz sells his
22 dope from.

23 Q. Okay. And so who are the individuals who told
24 you that?

25 A. Citizens that were in the area.

1 Q. But who?

2 A. I don't know exactly who.

3 Q. Do you --

4 A. It was --

5 Q. Do you know anybody?

6 A. No. Because there were -- there was so many
7 people walking around down there who just -- who didn't
8 even live there.

9 Q. Okay.

10 A. And they were, oh, that's Fuzz building. This
11 is where Fuzz sells his dope out of.

12 Q. Oh, and who's Fuzz?

13 A. Leonard Gipson.

14 Q. Okay. Who told you that Leonard Gipson's
15 nickname was Fuzz?

16 A. Leonard Gipson.

17 Q. Okay. And when did Leonard Gipson tell you
18 that?

19 A. I don't know exactly when it was.

20 Q. Do you have any idea when it was?

21 A. Sometime while -- while I was working down
22 there, when I encountered him.

23 Q. Okay. Did you ever have any conversation with
24 Leonard Gipson about whether or not he sold drugs?

25 A. Yes.

1 Q. Okay. When did you have your conversation
2 with Leonard Gipson about that?

3 A. I don't know.

4 Q. How many conversations did you have?

5 A. With Leonard Gipson? About -- mm, I don't
6 know. Leonard Gipson was one of those people who would
7 talk, so I'd listen.

8 Q. Okay. And were the -- was the context for
9 these conversations occasions when you would arrest him?

10 A. No.

11 Q. Okay. When would it be that he would talk?

12 A. We'd be walking around down there and see him,
13 and he would talk.

14 Q. Okay. So he would volunteer to police
15 officers about his own criminal activity?

16 A. Yes.

17 Q. And what would he -- what did he tell you?

18 A. Yeah, I'm selling dope down here and if I get
19 caught, I get caught. I remember that. I don't know
20 when it was, but yes.

21 Q. Why -- what about that statement sticks out in
22 your mind, causes you to remember it?

23 A. Because it was a braggadocious.

24 Q. Was Sergeant Watts present for that
25 conversation?

1 A. I don't believe so.

2 Q. Who was present?

3 A. I don't remember anybody but me and Fuzz at
4 that time, Leonard -- well, Gipson.

5 Q. Did you consider Leonard Gipson to be
6 arrogant?

7 A. Yes.

8 Q. Was he more or less arrogant than Ben Baker?

9 A. Equally the same.

10 Q. And were you annoyed by that?

11 A. Not really.

12 Q. No?

13 A. No. He was just more boisterous and openly
14 speaking than Ben was.

15 Q. And when Leonard Gipson told you that he was
16 dealing narcotics, did you document that?

17 A. No.

18 Q. Why not?

19 A. Because it was just conversation in passing
20 and nothing that I had concrete evidence to, at that
21 time.

22 Q. Did you ever complete a contact card relative
23 to your discussion with Leonard Gipson?

24 A. Not about that, no.

25 Q. Did you ever complete a contact card related

1 to Leonard Gipson at all?

2 A. I'm not sure.

3 Q. Did you have any idea, or did you come to any
4 conclusion, about who Leonard Gipson worked with in the
5 narcotics ring?

6 A. Yes.

7 Q. Who was it that you believed you worked with?

8 A. Bobby Coleman.

9 Q. And why did you believe that?

10 A. Because they were together all the time.

11 Q. Any other reason?

12 A. No.

13 Q. Okay. And did you have the opinion that -- or
14 I'm sorry. Strike that, please. When did you form the
15 opinion that you thought Leonard Gipson and Bobby
16 Coleman sold drugs together?

17 A. I don't know exactly when.

18 Q. Do you have a recollection of Bobby Coleman?

19 A. He was a tall, dark-skinned guy.

20 Q. Did you have conversations with Bobby Coleman?

21 A. Vague -- have some vaguely, yes.

22 Q. What did you talk with Bobby Coleman about?

23 A. I don't remember.

24 Q. Have we talked about all the conversations you
25 recall with Leonard Gipson?

1 A. Yes.

2 Q. And all the conversations consisted of him
3 being braggadocious and you not saying anything?

4 A. Right.

5 Q. And not documenting anything, right?

6 A. Well, initially at some point in time in the
7 beginning, had to make a contact card on him when I
8 first met him. I don't know when that was.

9 Q. Okay. So you believe you did make a contact
10 card for Gipson?

11 A. I believe I did, yes.

12 Q. Okay. Have you ever seen that contact card?

13 A. No.

14 Q. What about Bobby Coleman? Did you ever make a
15 contact card relative to your conversations with him?

16 A. I believe I did.

17 Q. Why do you believe that?

18 A. Because when you first meet someone and you
19 don't know who they are, and you stop them and you have
20 a conversation with them, you ask them for their ID. And
21 you take their ID, they'll verify who they are. If you
22 want to run their names for anything, possible warrants,
23 and you have to document the reason for the stop.

24 Q. Have you ever seen any contact card that you
25 created for Bobby Coleman?

1 A. I can't recall.

2 Q. When did you first meet Bobby Coleman?

3 A. I don't remember.

4 Q. Do you know if you met Gipson first or Coleman
5 first?

6 A. I don't remember.

7 Q. Did you ever observe Sergeant Watts having any
8 conversations with Bobby Coleman?

9 A. Yes.

10 Q. On how many occasions?

11 A. A couple.

12 Q. And what -- starting with the first one of
13 those, what were they discussing?

14 A. I don't know.

15 Q. Do you remember what any of those
16 conversations were about?

17 A. No.

18 Q. Did you ever observe Sergeant Watts tell Bobby
19 Coleman that he should pay Sergeant Watts?

20 A. No.

21 Q. Did you ever observe Sergeant Watts having a
22 conversation with Bobby Coleman about -- or strike that,
23 please. Did you ever observe Sergeant Watts tell
24 Leonard Gipson that Gipson should pay him?

25 A. No.

1 Q. Did you ever observe Sergeant Watts tell
2 Gipson that he was going to put something on him?

3 A. No.

4 Q. Did you ever observe Watts tell Coleman he was
5 going to put something on him?

6 A. No.

7 Q. Were you involved in arrests of Leonard
8 Gipson?

9 A. Yes.

10 Q. Do you have recollection of any of those
11 arrests?

12 A. No.

13 Q. We're going to start with the earliest of
14 those, chronologically. It's a January 2003 arrest of
15 Leonard Gipson. Do you have any recollection of your
16 role in that arrest?

17 A. No.

18 Q. Did you review reports related to the January
19 2003 arrest of Gipson in preparation for your deposition
20 today?

21 A. Yes.

22 Q. What did you review?

23 A. A case report. Arrest report.

24 Q. Did you review any testimony?

25 A. I don't remember.

1 Q. Do you know who testified, if anyone, relative
2 to that arrest?

3 A. I don't remember.

4 Q. Do you know whether or not Watts was present
5 for that arrest?

6 A. I don't remember.

7 Q. And am I correct that there were occasions
8 where Watts was not listed on a VICE case report, but he
9 was present for the arrest?

10 MR. GAINER: Objection to form and foundation.

11 A. Yes.

12 BY MS. KLEINHAUS:

13 Q. And when did that occur?

14 MR. GAINER: Same objection. Incomplete
15 hypothetical. Calls for speculation. Go ahead.

16 A. I'm not sure, but yes, it could -- could
17 happen.

18 BY MS. KLEINHAUS:

19 Q. Do you have any recollection of ever
20 conducting surveillance in a vacant apartment with
21 Officers Ridgell and Summers?

22 A. I don't remember it.

23 Q. Do you know who Larry Lomax is?

24 A. No.

25 Q. Do you know who George Ollie is?

1 A. I'm familiar with that name.

2 Q. Okay. And how are you familiar with George
3 Ollie?

4 A. He was one of the people who used to be down
5 there at -- in that area.

6 Q. Did you ever have any conversations with him?

7 A. I don't recall.

8 Q. What about Clifford Roberts?

9 A. Don't remember.

10 Q. What about Mark Giles?

11 A. Don't remember.

12 Q. Is it fair to say you don't know either way if
13 there was any force used in the -- or strike that,
14 please. Did you -- I'm sorry. I believe you testified
15 you looked at the VICE case report relative to the
16 January 2003 arrest?

17 A. Yes.

18 Q. Did that refresh your recollection at all
19 about the arrests of Larry Lomax, Bobby Coleman, George
20 Ollie, Clifford Roberts, or Mike -- or I'm sorry, Mark
21 Giles?

22 A. No.

23 Q. Is it fair to say you don't know either way
24 whether there was any force used in the course of those
25 arrests?

1 A. I don't remember.

2 Q. Did you have any informants from the Ida B.
3 Wells area that gave you reliable information about
4 Leonard Gipson?

5 A. No.

6 Q. What about Bobby Coleman? Did you have any
7 informants that gave you any reliable information about
8 Bobby Coleman?

9 A. No.

10 Q. Okay. I Am going to show you what we'll mark
11 as Exhibit 7. And this is City-BG-051644 or 43 to 44.
12 Okay. Having reviewed Exhibit 7, did it refresh your
13 recollection at all about the January 4, 2003, arrest?

14 (EXHIBIT 7 MARKED FOR IDENTIFICATION)

15 A. No.

16 BY MS. KLEINHAUS:

17 Q. Do you know what role you played in this
18 investigation?

19 A. No, I don't.

20 Q. Do you know whether or not you participated in
21 surveillance?

22 A. I don't remember.

23 Q. And you don't know the role that Sergeant
24 Watts played; is that correct?

25 A. No.

1 Q. You don't know whether or not you recovered
2 any of the narcotics in the course of this
3 investigation, correct?

4 A. No, I do not.

5 Q. Okay. And this VICE case report refers to
6 confidential informant, correct? Using the initial CI?

7 A. It could be a concerned individual.

8 Q. Oh, I see. Did anyone on the Watts team have
9 a registered confidential informant that you are aware
10 of?

11 A. No.

12 Q. Okay. So on your team, CI stood for concerned
13 individual?

14 A. Yes.

15 Q. Okay. And do you know who the concerned
16 individual was for this arrest?

17 A. No.

18 Q. Okay. You can put Exhibit 7 to the side.

19 A. Oh, I'm sorry. I thought you were handing me
20 something. I'm sorry.

21 Q. Okay. Did you review the arrest reports
22 associated with this January 4, 2003, arrest?

23 A. Yes.

24 Q. Did those arrest reports refresh your
25 recollection at all about your participation in the

1 arrests?

2 A. No.

3 Q. Okay. I am going to show you what I'll mark
4 as Exhibit 8. This is City-BG-031565 and 566.

5 (EXHIBIT 8 MARKED FOR IDENTIFICATION)

6 A. Yes.

7 BY MS. KLEINHAUS:

8 Q. Having reviewed Exhibit 8, did it refresh your
9 recollection at all about the arrest of Leonard Gipson
10 on January 4th of 2003?

11 A. No.

12 Q. Okay. You can put that exhibit to the side.
13 By the way, do you recognize the handwriting on Exhibit
14 8?

15 A. No.

16 Q. And do you know whether Officer Ridgell -- I'm
17 sorry. Strike that, please. Okay. I'm going to show
18 you what we'll mark as Exhibit 9. So it's marked at the
19 bottom City-BG-51643.

20 (EXHIBIT 9 MARKED FOR IDENTIFICATION)

21 A. Yes.

22 BY MS. KLEINHAUS:

23 Q. Having reviewed Exhibit 9, does it refresh
24 your recollection at all about the arrest of Bobby
25 Coleman in January 2003?

1 A. No.

2 Q. Do you know what your role was in that arrest?

3 A. No.

4 Q. Okay. You can put that exhibit to the side. I
5 am going to show you what we'll mark as Exhibit 10. It's
6 marked at the bottom City-BG-052037 and 38.

7 (EXHIBIT 10 MARKED FOR IDENTIFICATION)

8 MR. DAFFADA: Did you say 0533?

9 MS. KLEINHAUS: No. 052037.

10 BY MS. KLEINHAUS:

11 Q. Having reviewed Exhibit 10, does it refresh
12 your recollection about the arrest of Larry Lomax?

13 A. No.

14 Q. Do you know what your role was in the arrest
15 of Larry Lomax?

16 A. No.

17 Q. You can put that exhibit to the side. If you
18 had used any force on Larry Lomax, you would've
19 completed a TRR report for that, right?

20 A. That's correct.

21 Q. Should have, I should say. You should have
22 completed a TRR report for that, right?

23 A. Yes.

24 Q. Okay. All right. I'm going to show you what
25 we'll mark as Exhibit 11. It's a group Exhibit. And it

1 begins at City-BG-56108 and it ends at 56115. Wait,
2 that can't be right. Yes, that is right. Okay.

3 (EXHIBIT 11 MARKED FOR IDENTIFICATION)

4 MR. BAZAREK: So you've got multiple arrests on
5 there, right? That's --

6 MS. KLEINHAUS: Right. Yeah. It's Group
7 Exhibit 11.

8 BY MS. KLEINHAUS:

9 Q. So if you can review all of Group Exhibit 11,
10 and let me know when you've done so. So the first two
11 pages of Group Exhibit 11 relate to George Ollie. Do
12 you see that?

13 A. Yes.

14 Q. Did reviewing the arrest report of George
15 Ollie refresh your recollection about your participation
16 in his arrest?

17 A. No.

18 Q. Okay. And do you recognize your handwriting
19 on these first two pages of Exhibit 11?

20 A. Yes.

21 Q. Okay. Is this -- which part of this is your
22 handwriting?

23 A. The narrative for George Scroggin [sic].

24 Q. Okay. So turning to the third page of Group
25 Exhibit 11. The handwriting in the narrative section

1 for George Scroggins is your handwriting?

2 A. George Scroggins?

3 Q. Is it? I thought that's what you said? C

4 A. Yes.

5 Q. Okay. So that -- so looking at the page
6 that's marked at the bottom 56110, it's your handwriting
7 in the narrative portion?

8 A. Yes.

9 Q. Okay. Did you sign the report for George
10 Scroggins?

11 A. No.

12 Q. Or -- I'm sorry. You're listed here as the
13 second arresting officer for Scroggins, correct?

14 A. Yes.

15 Q. And is that your handwriting under box 45?

16 A. No.

17 Q. Okay. If you turn back to the first page
18 related to George Ollie, you're listed in Box 45 as the
19 second arresting officer, correct?

20 A. Yes.

21 Q. Did you write anything in this arrest report
22 for George Ollie?

23 A. No.

24 Q. Okay. Did reviewing the report with regard to
25 George Scroggins refresh your recollection at all?

1 A. No.

2 Q. Okay. Turning to the page -- the arrest
3 report for Clifford Roberts, do you see your handwriting
4 anywhere on that report?

5 A. Yes.

6 Q. Which portion is your handwriting?

7 A. The narrative.

8 Q. Okay. Do you know whether the narrative
9 written there is based on something you observed?

10 A. It was what I was told.

11 Q. Okay. And why do you believe it was based on
12 something you were told?

13 A. Because there were so many arrests and
14 processing of arrests. It was given to me as to what
15 happened, and that's what I wrote down.

16 Q. Okay. Do you have a recollection of being
17 told what happened?

18 A. No.

19 Q. Okay. But you -- so are you just assuming
20 that you were told what happened?

21 A. No.

22 Q. So am I understanding you correctly, you
23 didn't observe what's described in the narrative, but it
24 was just -- it was told to you?

25 A. I don't remember it.

1 Q. Okay. So you don't know if you observed it or
2 not?

3 A. I don't remember it.

4 Q. Okay. So the Clifford Roberts report in the
5 narrative section, it includes your handwriting there,
6 right?

7 A. Yes.

8 Q. But your name is not on the report?

9 A. No.

10 Q. I'm sorry. I think I said it the wrong way.
11 You don't see your name anywhere on the report for
12 Roberts, right?

13 A. No.

14 Q. And it's your belief that you didn't observe
15 any of the criminal activity as to Roberts, it was just
16 told to you; is that correct?

17 A. I don't remember the criminal activity that
18 Roberts.

19 Q. Okay. So you don't know if you observed it or
20 not?

21 A. I don't remember it.

22 Q. Okay. My question is, you don't know whether
23 you observed it or not, right?

24 A. No, I don't remember it.

25 Q. What's the distinction, sir?

1 A. I don't remember what went on with this
2 arrest. And I do know that when we had multiple arrests
3 and there were multiple arrest reports to get done, one
4 person would take an arrest report, would get the
5 narrative from the first arresting officer, and that's
6 what you would do to keep time moving.

7 Q. Right. And I'm not trying to make it more
8 tedious for you. I'm just -- you don't know whether
9 what's listed here in the narrative is true or not,
10 right?

11 A. I don't remember it.

12 Q. You don't know if you were present for any of
13 the criminal activity that Clifford Roberts was accused
14 of being involved in, right?

15 A. I don't remember it.

16 Q. Right. And because you don't remember it, you
17 don't know if it happened or not?

18 A. I just know I don't remember it.

19 Q. Why can't you agree that you don't know
20 because you don't remember?

21 A. Because I feel like I'm being pressured to
22 give you an answer that you want me to give you. I just
23 don't remember it.

24 Q. And is that what happened during your C.O.P.A.
25 interview?

1 MR. BAZAREK: Objection. Foundation.

2 Argumentative.

3 MS. KLEINHAUS: That's fine. I'll withdraw it.

4 BY MS. KLEINHAUS:

5 Q. Turn to the next page, sir. Do you see it's
6 for Mark Giles's arrest report?

7 A. Yes.

8 Q. Is any of your handwriting on here?

9 A. No.

10 Q. Okay. And do you know anything about -- do
11 you have any personal knowledge of Mark Giles being
12 involved in the narcotics trade?

13 A. I don't remember.

14 Q. Right. You don't know about it, right?

15 A. I don't remember.

16 Q. Okay. Turn back, please. Let's go earlier in
17 the exhibits. Let's look back at Exhibit 10 for Larry
18 Lomax. Are -- is your handwriting on here?

19 A. No.

20 Q. Okay. Turn earlier than that. Look at
21 Exhibit 9, please, and tell me if you see your
22 handwriting?

23 A. Yes.

24 Q. Okay. Is the narrative section of Exhibit 9,
25 the arrest report of Bobby Coleman, your handwriting?

1 A. Yes.

2 Q. Is that information that was given to you or
3 something that you actually observed?

4 A. The information was given to me to write this
5 narrative.

6 Q. Okay. And is your signature anywhere on
7 Exhibit 9?

8 A. No.

9 Q. Okay. And it looks like there's a stamp on
10 each of these. Do you see, like, in the bottom right-
11 hand corner of the narrative section?

12 A. Yes.

13 Q. Do you know what that is?

14 A. No.

15 Q. Okay. Go back one more Exhibit, please, to
16 Exhibit 8. Let me know if you recognize your
17 handwriting on any of that?

18 A. No.

19 Q. I want to talk to you about the May 2003
20 arrest of Leonard Gipson. So a few months after the
21 January 2003 arrest that we just spoke about. Do you
22 have any recollection of your participation in the May
23 2003 arrest of Leonard Gipson?

24 A. No.

25 Q. Did you review reports related to that in

1 preparation for your deposition today?

2 A. Yes.

3 Q. And what did you review?

4 A. Arrest report. Case report.

5 Q. Do you know whether you testified related to
6 that May 2003 arrest of Leonard Gipson?

7 A. I don't remember.

8 Q. Okay. I'll show you what we'll mark as
9 Exhibit 12. This is marked at the bottom City-BG-
10 31563. Okay. Having reviewed Exhibit 12, does it
11 refresh your recollection at all about the May 2003
12 arrest of Leonard Gipson?

13 (EXHIBIT 12 MARKED FOR IDENTIFICATION)

14 A. No.

15 BY MS. KLEINHAUS:

16 Q. You were the first arresting officer on this
17 arrest, correct?

18 A. Yes.

19 Q. And in the box down below the narrative, do
20 you see where it says, "I hereby declare and affirm
21 under penalty of perjury that the facts stated herein
22 are accurate to the best of my knowledge, information,
23 and belief." Do you see that?

24 A. Yes.

25 Q. And you signed your name there, right?

1 A. Yes.

2 Q. And that means that you were affirming under
3 penalty of perjury that the information in the narrative
4 section was true, correct?

5 A. Yes.

6 Q. Do you know what any of the assisting
7 arresting officers listed here did to participate in
8 this arrest?

9 A. No.

10 Q. Do you know whether or not Sergeant Watts was
11 present for this arrest?

12 A. I don't remember.

13 Q. And is it fair to say you can't tell from this
14 report whether Sergeant Watts was there or not, correct?

15 A. No.

16 MR. GAINER: Object to form. Go ahead, sir.

17 A. No.

18 BY MS. KLEINHAUS:

19 Q. Should there have -- should there be a VICE
20 case report as well for this arrest?

21 A. Yes.

22 Q. Okay. And would you have been the one to
23 complete that as well?

24 A. Yes.

25 Q. Do you know who Nicole Parker is?

1 A. Yes.

2 Q. Who's that?

3 A. She was in a relationship with Leonard Gipson
4 Fuzz.

5 Q. Okay. And when did you first come to know
6 Nicole Parker?

7 A. I don't know.

8 Q. Do you know whether or not she was present for
9 the May 2003 arrest?

10 A. I don't know.

11 Q. Do you know whether or not Watts ever told
12 Leonard Gipson, "Let's see if you can bond off of this,"
13 or words to that effect?

14 A. No.

15 Q. Do you know whether or not Sergeant Watts was
16 the person to handcuff Mr. Gipson in association with
17 this May 2003 arrest?

18 A. I don't know.

19 MR. GAINER: Objection. Foundation. Go ahead.
20 BY MS. KLEINHAUS:

21 Q. Can you think of anything that would refresh
22 your recollection as to this May 2003 arrest of Leonard
23 Gipson?

24 A. No.

25 Q. Put that exhibit to the side. I want to talk

1 to you about an August 2007 arrest of Leonard Gipson. Do
2 you recall that arrest?

3 A. No.

4 Q. Do you know what your role was in that arrest?

5 A. No.

6 Q. Did you review reports related to that arrest
7 in preparation for your deposition today?

8 A. I believe I did.

9 Q. Okay. And what did you review?

10 A. An arrest report. Case report.

11 Q. Did those reports refresh your recollection at
12 all about your participation in the arrest?

13 A. No.

14 Q. Do you know whether or not Sergeant Watts
15 asked Leonard Gipson, "Do you have something for me," or
16 words to that effect?

17 A. No.

18 Q. Did you ever hear Sergeant Watts say, "Do you
19 have something for me," to anyone?

20 A. No.

21 Q. Did you ever observe Sergeant Watts tell
22 someone, "These are your drugs?"

23 A. No.

24 Q. Or words to that effect?

25 A. No.

1 Q. When was the last time that you saw Leonard
2 Gipson?

3 A. I have no idea.

4 Q. Okay. I'll show you what I'll mark as Exhibit
5 13, and this is marked at the bottom CITY-BG-031480, and
6 the following pages. Having reviewed Exhibit 13, did
7 that refresh your recollection at all about your
8 participation in the August 2007 arrest of Leonard
9 Gipson?

10 (EXHIBIT 13 MARKED FOR IDENTIFICATION)

11 A. No.

12 BY MS. KLEINHAUS:

13 Q. You are listed as the second arresting
14 officer, correct?

15 A. Yes.

16 Q. And do you know whether or not you observed
17 what's described in the narrative section?

18 A. I don't remember.

19 Q. Okay. You don't know if you observed
20 everything that Nichols observed or not, right?

21 A. No, I don't remember.

22 Q. And because you don't remember, you don't
23 know, right?

24 A. I just don't remember.

25 MR. GAINER: Objection. Argumentative.

1 BY MS. KLEINHAUS:

2 Q. What distinction are you making between
3 remembering and knowing?

4 A. I don't remember this incident at all.

5 Q. Right. And you don't know what happened,
6 right?

7 A. No.

8 MS. KLEINHAUS: Okay. Can you please put
9 Exhibit 13 to the side. At this point, I'll turn it
10 over to Joel for whatever Flaxman Plaintiffs.

11 EXAMINATION

12 BY MR. FLAXMAN:

13 Q. I'm going to ask you about one of the arrests
14 that we just covered, so, unless you want a break right
15 now, it'd be -- it's okay to just go right into that?

16 A. Go ahead.

17 Q. Okay. Ms. Kleinhaus had asked you about
18 someone named George Ollie and you said you remembered
19 that name?

20 A. Yes.

21 Q. Is there anything else besides what you told
22 her that you can remember about Mr. Ollie?

23 A. No.

24 MR. FLAXMAN: Let me mark the next Exhibit, and
25 I apologize. Are we on 14?

1 THE REPORTER: Yes.

2 (EXHIBIT 14 MARKED FOR IDENTIFICATION)

3 BY MR. FLAXMAN:

4 Q. I'm handing the witness CITY-BG-052230. For
5 the record, the people in the room have a black and
6 white copy, except for the witness has a colored copy.
7 Everyone online should have a colored PDF. Do you
8 recognize this as a mugshot of George Ollie?

9 A. No. I just recognize the name.

10 Q. Oh, okay. So seeing his picture doesn't --
11 that doesn't refresh anything in your mind?

12 A. No.

13 Q. Okay. So if this was somebody other than I --
14 I'm going to strike that. That question didn't come out
15 right. Do you remember ever talking and you can put
16 aside that picture. Do you remember speaking to the man
17 you remember as George Ollie at any time?

18 A. No.

19 Q. Okay. If you go back in the Exhibits you
20 already have, at number 7 is a VICE case report dated
21 January 4, 2003. Let me know when you're looking at
22 that please?

23 MR. PALLE: Joel, could you speak up a little?

24 MR. FLAXMAN: Sure.

25 MS. KLEINHAUS: Oh, yeah. You should -- Joel

1 should have the microphone. My bad.

2 MR. FLAXMAN: That won't help on Zoom, but it
3 will on the video.

4 BY MR. FLAXMAN:

5 Q. All right. I asked the witness to look at
6 Exhibit number 7?

7 A. Yes.

8 Q. Okay. And that was a VICE case report from an
9 arrest dated January 4, 2003. It was an arrest of seven
10 different people; is that right?

11 A. Yes.

12 Q. Okay. And the arrest was offender number five
13 is Ollie, George. Do you see that?

14 A. Yes.

15 Q. I'm going to give you another Exhibit. I
16 marked this as 15. Exhibit 15 is CITY-BG-052056 to 57.
17 Are you looking at Exhibit 15, sir?

18 (EXHIBIT 15 MARKED FOR IDENTIFICATION)

19 A. Yes, sir.

20 BY MR. FLAXMAN:

21 Q. Okay. And do you recognize that as an
22 Inventory Sheet from the Chicago Police Department?

23 A. Yes.

24 Q. Okay. You're familiar with Inventory Sheets?

25 A. Yes.

1 Q. Okay. And this is for narcotics that were
2 recovered from George Ollie and the date recovered is
3 January 4, 2003; is that correct?

4 A. Yes.

5 Q. And that's the same date as the arrest we just
6 looked at the VICE case report for?

7 A. Yes.

8 Q. Do you see your name on this Inventory Sheet?

9 A. Yes.

10 Q. And where's your name?

11 A. Found by.

12 Q. And what's your understanding of what that
13 means?

14 A. That I found a narcotics that he had.

15 Q. And do you recall finding narcotics that
16 George Ollie had on January 4, 2003?

17 A. I don't recall it at all.

18 Q. Okay. And looking at this document, does that
19 help you remember?

20 A. No.

21 Q. Can you tell who prepared this Inventory
22 Sheet?

23 A. No.

24 Q. Okay. The first officer listed here is Calvin
25 Ridgell, correct?

1 A. Yes.

2 Q. Okay. And you're listed as the second
3 officer?

4 A. Yes.

5 Q. What's your understanding of what the first
6 officer on an Inventory Sheet means?

7 A. He's the first officer testifying as to what
8 happened in this incident.

9 Q. Okay. And what's your understanding of what
10 it means to be the second officer on an Inventory Sheet?

11 A. He may be called to testify in this incident.

12 Q. Okay. And based on that, would you expect
13 that close to January 4, 2003, you did have a
14 recollection of the arrest that we've been talking
15 about?

16 A. Yeah, 20 years ago, I may have.

17 Q. The other, to the left of first officer's
18 name, there's a box that says, Investigator -- excuse
19 me, the box, do you see the box that says Investigating
20 Officer?

21 A. Yes.

22 Q. And who's listed there?

23 A. Calvin Ridgell.

24 Q. Okay. And what's your understanding of the
25 meaning of investigating officer?

1 A. That he's the first officer and he's the one
2 who's testifying about what's in the report of what
3 occurred?

4 Q. All right. If you go back to the VICE case
5 report, that was Exhibit number 7, and --

6 MR. MICHALIK: Sorry, Joel, can you give us the
7 Bates number of that one again?

8 MR. FLAXMAN: Sure. That's CD-BG-051643.

9 MR. BAZAREK: And 44, it's a two-page document.

10 MR. FLAXMAN: Right, thanks.

11 A. Yes.

12 BY MR. FLAXMAN:

13 Q. Okay. And that's the VICE case report for
14 this arrest on January 4, 2003, right?

15 A. Yes.

16 Q. And we looked at it before, offender number 5
17 is Ollie, George?

18 A. Yes.

19 Q. Okay. And then if you go to the second page,
20 near the bottom of the narrative, it says, "ROS
21 recovered from Offender Number 5 and" -- oh, I won't
22 read the whole thing until you're looking at the right
23 place. Do you see where it says that, near the bottom?

24 A. Near the bottom. "ROS recovered from
25 Offending Number 5, three small, clear Ziploc baggies

1 with white powder, suspect heroin."

2 Q. Okay. And based on what we looked at on the
3 Inventory Sheet, does that describe you recovering those
4 baggies from Mr. Ollie?

5 A. I don't remember it.

6 Q. Okay. But --

7 A. On the Inventory it says I did.

8 Q. Okay. Would it list your name if you had not
9 been the one who recovered those baggies on the
10 Inventory?

11 A. No, it would've listed RO or ROS as -- it
12 would've listed RO or ROS and no.

13 Q. Okay. Where would it list ROS?

14 A. In the third where it starts in the sentence.

15 Q. O. Okay. And I think I'm misunderstanding. I
16 understand that the VICE case report says ROS.

17 A. Yes, sir.

18 Q. Based on what we looked at on the Inventory
19 Sheet, would you expect that you were the officer who
20 actually recovered those baggies?

21 A. Based upon this Inventory Slip, yes.

22 Q. Okay. And were you one of the reporting
23 officers?

24 A. Reporting officers here as Ridgell and
25 Summers.

1 Q. Okay. And that's -- you're not Ridgell,
2 you're not Summers?

3 A. No.

4 Q. When we looked through and I'll -- you can
5 look at them again if you need to, but when we looked
6 through the arrest reports for this VICE -- related to
7 this VICE case report, and no, I'm going to start that
8 question again. Let me know when you're ready?

9 A. Go ahead.

10 Q. Okay. After you looked at the VICE case
11 report, you also looked at the seven arrest reports for
12 the people who were arrested that day. Do you recall
13 that?

14 A. Yes.

15 Q. And I believe that there were three of them
16 where you identified your handwriting on the narrative
17 section?

18 A. Yes.

19 Q. And was that Scrogging, Roberts and Coleman?

20 A. Yes.

21 Q. Okay. And for those three arrest reports
22 where you're -- where you wrote the narrative, did you
23 say that you got the information in the narrative from
24 another officer?

25 A. Yes.

1 Q. And how did you know that that was what
2 happened?

3 A. I don't know that I was helping out fill out
4 reports if that's how I got end up writing that
5 narrative out. If I -- if I wrote a narrative in an
6 arrest report, it was given to me by that arresting
7 officer to help speed up the arrest procedure.

8 Q. And when you say, by that arresting officer,
9 you mean the officer listed as the first arresting
10 officer?

11 A. Yes.

12 Q. Were there ever times where you were listed as
13 the first arresting officer on a report and you gave the
14 information to another officer for that officer to write
15 it up?

16 A. Yes.

17 Q. And I think you said that was because -- when
18 you said in this situation, it was likely because you
19 were busy, this whole team was busy with a lot of
20 arrests?

21 A. Yes.

22 Q. Can you think of any other times when you
23 would ask another officer to write up the narrative?

24 A. In a -- in multiple arrest situations where
25 there's a lot of people to be processed.

1 Q. And can you think of any other situations?

2 A. No.

3 Q. Okay. And having looked over this hasn't
4 changed your recollection that your -- I'm sorry. Having
5 looked at all this, are you still unable to remember the
6 arrest of George Ollie on January 4, 2003?

7 A. No.

8 Q. You still don't you?

9 A. I still don't remember.

10 Q. Okay. And is there any documents or anything
11 you're aware of that might help you remember?

12 A. No.

13 MR. FLAXMAN: Let's just take a break. Go off
14 the record for a minute.

15 THE VIDEOGRAPHER: Okay. We are going off the
16 record. The time is 4:06.

17 (OFF THE RECORD)

18 THE VIDEOGRAPHER: We are back on the record
19 for the deposition of Alvin Jones. The time is
20 4:19.

21 MR. FLAXMAN: Okay. For the folks on Zoom, the
22 last plaintiff we're going to cover here is William
23 Carter. So let's go back on the record.

24 BY MR. FLAXMAN:

25 Q. Sir, do you remember somebody named William

1 Carter?

2 A. I remember his face.

3 Q. Okay. And how do you -- did you look at a
4 picture of his face?

5 A. Yes.

6 Q. When was that?

7 A. As I was preparing for this dep.

8 Q. Okay. And when you say you remember his face,
9 what do you remember about him, from seeing his face?

10 A. Dark skinned guy.

11 Q. Okay. And do you remember anything about
12 speaking to Mr. Carter?

13 A. No.

14 Q. Do you remember anything you knew about Mr.
15 Carter?

16 A. No.

17 Q. Okay. And do you remember any arrests of Mr.
18 Carter?

19 A. No.

20 Q. I'm going to mark Exhibit 16, two pages
21 starting CITY-BG-031023. Do you recognize Exhibit 16 as
22 an arrest report of William Carter on June 18, 2004?

23 (EXHIBIT 16 MARKED FOR IDENTIFICATION)

24 A. Yes.

25 BY MR. FLAXMAN:

1 Q. And do you see your name on this report?

2 A. Yes.

3 Q. Okay. Are you listed in Box 39 as the Victim
4 Complainant?

5 A. 39? Yes.

6 Q. Okay. And you're listed in box 44 as the
7 first arresting/appearing officer?

8 A. Yes.

9 Q. And is that your signature above your name?

10 A. Yes.

11 Q. And you signed under the words, "I hereby
12 declare and affirm under penalty of perjury that the
13 facts stated here are accurate to the best of my
14 knowledge, information and/or belief?"

15 A. Yes.

16 Q. Okay. And do you recall this arrest of Mr.
17 Carter on June 18, 2004?

18 A. No.

19 Q. And reviewing the arrest report hasn't helped
20 you remembered it; is that right?

21 A. No.

22 Q. The second arresting officer listed here is
23 Officer D. Edwards, correct?

24 A. Yes.

25 Q. What's that officer's first name?

1 A. Darryl.

2 Q. Do you know how to spell that?

3 A. No.

4 Q. And above Officer Edwards, it says, Deputy
5 Clerk's original signature, and it's D. Brown, and then
6 there's a signature of Sergeant R. Watts. Do you see
7 that?

8 A. Yes.

9 Q. Do you recognize that as Sergeant Watt's
10 signature?

11 A. Yes.

12 Q. And I'm sorry, I think I did -- your
13 signature, that is your signature to the left of that,
14 right?

15 A. Yes.

16 Q. You recognize that you're the one who signed
17 it?

18 A. Yes.

19 Q. The -- did you write the narrative section in
20 this arrest report?

21 A. Yes.

22 Q. Okay. And how do you know that?

23 A. Because I signed this report.

24 Q. If another officer had written the narrative
25 section for you, would that officer sign it?

1 A. No.

2 Q. Okay. So if another officer had written the
3 narrative section, would you be able to tell that?

4 A. Yes.

5 Q. And how would you tell that?

6 A. Most of them couldn't type.

7 Q. Okay. So you were one of the only officers on
8 the team who could type?

9 A. Yes.

10 Q. How did you learn to type?

11 A. High school.

12 Q. Was that on typewriters?

13 A. Yes.

14 Q. Okay. The narrative section, second sentence
15 says, "The above subject was observed by A/Os." You see
16 that?

17 A. Yes.

18 Q. And it's A/Os, right?

19 A. Yes.

20 Q. And what's your understanding of what that
21 means?

22 A. The above subject was observed by arresting
23 officers.

24 Q. Okay. And are the arresting officers yourself
25 and Officer Edwards?

1 A. Yes.

2 Q. And could that include other officers who
3 participate in the arrest?

4 A. Yes.

5 Q. But the report doesn't say?

6 A. No, it doesn't.

7 Q. Next to your name where it says, first
8 arresting officer, it has the beat number. Do you see
9 that?

10 A. Yes.

11 Q. And is that 4512B as in boy?

12 A. Yes.

13 Q. All right. What's your understanding of what
14 a beat number is?

15 A. What car you were assigned to?

16 Q. And next to Officer Edwards name, there's a
17 unit number of 715 Boy?

18 A. Yes.

19 Q. What's your understanding of what a unit
20 number is?

21 A. There were three different locations of public
22 housing and 715 Boy was Ida B. Wells.

23 Q. I'll give you Exhibit, you can put that one
24 aside. I'll give you Exhibit number 17. And this says
25 the Bates Label CITY-BG-031013. Do you recognize

1 Exhibit 17 as a mugshot?

2 (EXHIBIT 17 MARKED FOR IDENTIFICATION)

3 A. Yes.

4 BY MR. FLAXMAN:

5 Q. Okay. And is this the picture that you looked
6 at before the deposition?

7 A. Yes.

8 Q. Okay. And I think you said that -- so did you
9 recognize the person in this picture?

10 A. Yes.

11 Q. Okay. But you didn't recognize that his name
12 is William Carter; is that right?

13 A. No, I recognized it as William Carter.

14 Q. Okay. If you'd seen the picture without the
15 name being written on there, would you remember this is
16 William Carter?

17 A. Yes.

18 Q. Okay. And can you remember anything else
19 about William Carter?

20 A. No.

21 Q. Do you remember that he's somebody that you
22 knew from the Wells Homes?

23 A. I knew he was down in that area, yes.

24 Q. Okay. But as you here sit today, you can't
25 remember anything about what he did or what you what --

1 you knew about him?

2 A. No.

3 Q. I'm going to mark the next Exhibit. We're on
4 18. Exhibit 18 is two pages. It starts at CITY-BG-
5 031088.

6 (EXHIBIT 18 MARKED FOR IDENTIFICATION)

7 MR. DAFFADA: Can you run that number again?

8 MR. FLAXMAN: Sure. CITY-BG-031088 through 89.

9 BY MR. FLAXMAN:

10 Q. Do you recognize Exhibit 18 is the VICE case
11 report for the arrest of William Carter and two other
12 men on June 18, 2004?

13 A. Yes.

14 Q. And did you prepare this report?

15 A. Yes.

16 Q. How do you know that?

17 A. I signed it.

18 Q. Okay. Is that your signature under your name?

19 A. Yes.

20 Q. Okay. And next to you is the Officer Edward's
21 name, correct?

22 A. Yes.

23 Q. Is that Officer Edward's signature?

24 A. No.

25 Q. Okay. Did you sign for him?

1 A. Yes.

2 Q. And why did you sign for Officer Edwards?

3 A. Because he was my partner at that time.

4 Q. And was that your regular practice that you
5 would sign for your partner?

6 A. Yes.

7 Q. And the approval signature is Sergeant R.
8 Watts number 2640. Do you see that?

9 A. Yes.

10 Q. Did you sign for Sergeant Watts?

11 A. No.

12 Q. Okay. Did you ever sign for Sergeant Watts?

13 A. No.

14 Q. And why not?

15 A. Because I wasn't a Sergeant. A Sergeant has
16 to approve a case report.

17 Q. The first offender listed is William F. Carter
18 in box 19. Do you see that?

19 A. Yes.

20 Q. Okay. Under his name is another offender, J-
21 A-M-O-N Walker. Do you see that?

22 A. Yes.

23 Q. Okay. Do you remember the name of Mr. Walker?

24 A. No.

25 Q. Under that is Roy C. Tate, Junior. Do you see

1 that?

2 A. Yes.

3 Q. And he's also a citizen offender, right?

4 A. Yes.

5 Q. Okay. Do you remember Mr. Tate, Junior?

6 A. No.

7 Q. All right. And I see you're looking at the
8 VICE case report, so please let me know when you're
9 finished reviewing it, okay?

10 A. Go ahead.

11 Q. You finished reviewing the VICE case report
12 Exhibit 18?

13 A. Yes.

14 Q. Okay. Did that help you remember the incident
15 described?

16 A. No.

17 Q. I'm going to mark as Exhibit 19 and 20 the
18 arrest reports of Mr. Tate and Mr. Walker. I'll ask you
19 to look at them and then I'll put the Bates numbers on
20 the record for everyone on Zoom. Exhibit 19 is CITY-BG-
21 056574, and Exhibit 20 is CITY-BG-056576. They're both
22 two page Exhibits. Is Exhibit 19 the arrest report of
23 Roy C. Tate, Junior dated June 18,
24 2004?

25 (EXHIBIT 19 MARKED FOR IDENTIFICATION)

1 (EXHIBIT 20 MARKED FOR IDENTIFICATION)

2 A. Yes.

3 BY MR. FLAXMAN:

4 Q. And did you prepare this report?

5 A. Yes.

6 Q. The -- under Mr. Tate's name it has a box for
7 Alias or Nickname and it says "Lil Crip," L-I-L?

8 A. Yes.

9 Q. Does the nickname Lil Crip refresh your
10 recollection of any of this?

11 A. No.

12 Q. Okay. Well, when you would prepare arrest
13 reports, was it your practice to ask the arrestee if
14 they had an alias or nickname?

15 A. Yes.

16 Q. If you were aware of an arrestee's nickname,
17 would you put it in without asking?

18 A. Yes.

19 Q. And is that your signature above your name on
20 the arrest report for Mr. Tate?

21 A. Yes.

22 Q. Okay. If you could look now at Exhibit number
23 20, please. And as Exhibit 20, do the arrest report of
24 Mr. Walker from June 18, 2004?

25 A. Yes.

1 Q. And did you prepare this report?

2 A. Yes.

3 Q. And is that your signature above your name?

4 A. Yes.

5 Q. At the time of the narrative section, do you
6 see it, "Handwritten has no vehicle"?

7 A. Yes.

8 Q. Did you write that?

9 A. Yes.

10 Q. And why did you write that?

11 A. It was a procedure, something for the Second
12 District. When you came in arrest like that, they
13 wanted it on a piece of paper on arrest report.

14 Q. Whether the arrestee had a vehicle?

15 A. Yes.

16 Q. Do you know why they wanted it on there?

17 A. No.

18 Q. All right. I give you the next Exhibit and
19 marked as Exhibit 21. Exhibit 21 is KM_003119?

20 (EXHIBIT 21 MARKED FOR IDENTIFICATION)

21 A. Yes.

22 BY MR. FLAXMAN:

23 Q. Do you recognize Exhibit 21 as an Inventory
24 Sheet related to the arrest of William Carter on June
25 18, 2004?

1 A. Yes.

2 Q. And this, you're listed as the found by
3 officer, correct?

4 A. Yes.

5 Q. And the investigating officer?

6 A. Yes.

7 Q. And you're also, it says, the first officer?

8 A. Yes.

9 Q. Okay. Do you know who prepared this Inventory
10 Sheet?

11 A. No.

12 Q. And oh, do you know if you prepared this
13 Inventory Sheet?

14 A. No, I did not. Okay.

15 Q. How do you know that?

16 A. Because that's not my PC number there.

17 Q. Okay. And do you mean the bottom left corner?

18 A. Bottom left corner.

19 Q. Okay. What's your PC number?

20 A. PC 0I503.

21 Q. Okay. And I, the letter I, right?

22 A. I is the letter I.

23 Q. Move on to number 22. 22 is KM_003117. Do
24 you recognize Exhibit 22 as a Criminal Complaint against
25 William Carter for unlawful possession of a controlled

1 substance?

2 (EXHIBIT 22 MARKED FOR IDENTIFICATION)

3 A. Yes.

4 BY MR. FLAXMAN:

5 Q. Okay. And the date of this is June 18, 2004?

6 A. Yes.

7 Q. And to be presented the date of the offense is
8 that -- is June 18, 2004, correct?

9 A. Yes.

10 Q. And did you prepare this Complaint?

11 A. No.

12 Q. And how do you know that?

13 A. Because I didn't assign it. That's not my
14 handwriting.

15 Q. Okay. Do you know whose handwriting, and are
16 you talking about the handwriting in the whole document?

17 A. Whole document.

18 Q. Okay. Do you know whose handwriting it is?

19 A. No, I do not.

20 Q. Okay. And the second line has the
21 complainant's name and that says POA Jones, right?

22 A. Yes.

23 Q. Okay. And that's you, right?

24 A. Yes.

25 Q. Okay. And the below there's a line that says,

1 Complainant's Signature; do you see that?

2 A. Yes.

3 Q. And there's a signature on that line?

4 A. Yes.

5 Q. And it says PO A. Jones, number 19462?

6 A. Yes.

7 Q. Okay. And is that your signature?

8 A. No.

9 Q. A few lines down, there's another line that
10 says Complainant's Signature; do you see that?

11 A. Yes.

12 Q. Okay. And above that, it says "PO A. Jones,
13 number 19462"; is that your signature?

14 A. No.

15 Q. Okay. Do you know why somebody else signed
16 your name on this complaint?

17 A. Yes.

18 Q. Why?

19 A. Because I gave him permission to.

20 Q. And do you know who it was you gave permission
21 to?

22 A. No.

23 Q. And why would you give somebody permission to
24 sign your name on a complaint?

25 A. Because there was a lot of paperwork to get

1 done and they were working on this part of the
2 paperwork.

3 Q. Do you remember learning, as a Chicago police
4 officer, that it was appropriate to let somebody else
5 sign a complaint for you?

6 A. I don't remember.

7 Q. Okay. How did you find out that that was an
8 appropriate practice?

9 A. From just doing it and seeing other people do
10 it. When we had multiple arrests, seeing other teams do
11 it also.

12 Q. So it was a normal thing?

13 A. It was a normal practice.

14 Q. Did you look at any -- well, have you looked
15 at some of these documents about Mr. Carter before?

16 A. Yes.

17 Q. Okay. And did you look at any testimony you
18 gave about Mr. Carter?

19 A. I don't remember.

20 Q. Okay. All right, I'm going to mark the next
21 one as 23. Exhibit 23 is a transcript that starts at DO
22 Joint 020998. And the last page is 021005. If you want
23 to look at it, it's fine.

24 (EXHIBIT 23 MARKED FOR IDENTIFICATION)

25 A. Okay. Yeah.

1 BY MR. FLAXMAN:

2 Q. Did you know that? Okay. Do you know what a
3 preliminary hearing is?

4 A. Yes.

5 Q. And what's a preliminary hearing?

6 A. Where they establish probable cause for the
7 furtherance of the case.

8 Q. And I just didn't hear the word. For the what
9 of the case?

10 A. Furthering of the case.

11 Q. And when you -- while you were employed as a
12 Chicago police officer, did you often testify at
13 preliminary hearings?

14 A. Yes.

15 Q. All right. More than 100 times?

16 A. Yes.

17 Q. Okay. And was it always your practice to
18 testify truthfully at preliminary hearings?

19 A. Yes.

20 Q. And the transcript that I handed you on -- you
21 can see starting at page 2, you were giving testimony,
22 correct?

23 A. Yes.

24 Q. And this was testimony about the arrest of Mr.
25 Carter on June 18, 2004?

1 A. Yes.

2 Q. And if you go back to the first page, you can
3 see the date of this hearing was July 14, 2004?

4 A. Yes.

5 Q. So it is fair to say that at this time, you
6 did remember the events that you were testifying about?

7 A. Yes.

8 Q. And that if you were called to testify and you
9 didn't remember something, you would've said that,
10 right?

11 A. Yes.

12 MR. MICHALIK: Yeah. I'm sorry, Joel, could
13 you just keep your voice up a little bit?

14 MR. FLAXMAN: Sure.

15 MR. MICHALIK: Thank you.

16 BY MR. FLAXMAN:

17 Q. I don't have any other questions about that.
18 Do you remember that Mr. Carter filed a complaint about
19 his arrest?

20 A. No.

21 Q. Okay. Do you remember responding to a
22 complaint filed by Mr. Carter?

23 A. Don't remember.

24 Q. Okay. I'm going to mark the next exhibit as
25 24. This one is marked confidential. So this part of

1 the record should be under that confidential
2 designation.

3 (EXHIBIT 24 MARKED FOR IDENTIFICATION)

4 (CONFIDENTIAL PORTION I REDACTED)

5 BY MR. FLAXMAN:

6 Q. Thank you for reminding me of that. Exhibit
7 number 25. I'm going to move to another arrest of Mr.
8 Carter. But before I do that, let me ask one more time.
9 After looking at all those documents about the June 18,
10 2004 arrest of Mr. Carter, is it still the case that you
11 can't remember that arrest?

12 (EXHIBIT 25 MARKED FOR IDENTIFICATION)

13 A. Yes, I do not remember it.

14 BY MR. FLAXMAN:

15 Q. Okay. All right. So now I'm going to ask you
16 about a separate one from 2006. I'm handing you what's
17 marked as Exhibit 25. Exhibit 25 is a five-page report
18 beginning on City BG 031037. Is Exhibit 25 the arrest
19 report of William Carter for May 19, 2006?

20 A. Yes.

21 Q. And this is a different arrest report form
22 than we looked at before, right?

23 A. Yes.

24 Q. Was this one prepared electronically, on the
25 computer?

1 A. Yes.

2 Q. Do you know what year it was that CPD went to
3 computerized reports?

4 A. I don't remember.

5 Q. Okay. Do you know who prepared this arrest
6 report?

7 A. I don't see anything here indicating who
8 prepared it.

9 Q. Okay. Where are you looking?

10 A. At the bottom corner is where a PC number
11 would be.

12 Q. Okay. And if you go to the third page of the
13 arrest report, you're listed as the first arresting
14 officer, correct?

15 A. Yes.

16 Q. Officer Smith is listed as the second
17 arresting officer?

18 A. Yes.

19 Q. And Officer Smith is listed as the attesting
20 officer; do you see that?

21 A. Yes.

22 Q. Okay. From those listings, can you tell who
23 wrote the report?

24 A. I would have.

25 Q. You?

1 A. Yes.

2 Q. Okay. And how can you tell that?

3 A. Because I couldn't have written this report
4 and attested it. Or Smith couldn't have written it and
5 attested it.

6 Q. Oh, so it was the practice that one officer
7 would write and one officer would attest?

8 A. Someone else had to attest it. You -- you --
9 the same officer couldn't attest an arrest report.

10 Q. Okay. And how'd you learn that?

11 A. Just when they taught us to train -- how to
12 work on -- do the electronic reports.

13 Q. Did you get that training at the academy?

14 A. No, they -- in the district.

15 Q. Okay. And so just to break it down, because
16 you and Officer Smith are the first and second arresting
17 officers --

18 A. The first arresting officer could not attest
19 the report.

20 Q. Okay. And I'm -- and what I think that you're
21 saying, I'm sure you're going to correct me if I'm
22 wrong, is that you can tell it because you and Joe --
23 and I mean, let me -- try to say the whole thing in a
24 way that makes sense. The first and second arresting
25 officers are you and Officer Smith?

1 A. Yes.

2 Q. And from that, you can tell that one of you
3 wrote it?

4 A. Yes.

5 Q. And because Officer Smith is the one that's
6 attesting, you can tell that you're the one who wrote
7 it?

8 A. Yes.

9 Q. Okay. And I'm going to give you the VICE case
10 report now, and we'll mark this as Exhibit 26. Exhibit
11 26 is a two-page report that has -- begins at City BG
12 031095?

13 (EXHIBIT 26 MARKED FOR IDENTIFICATION)

14 A. Yes.

15 BY MR. FLAXMAN:

16 Q. All right. And is -- this is the VICE case
17 report for the arrest of William Carter and Sandra
18 Berry, B-E-R-R-Y, on May 19, 2006; is that right?

19 A. Yes.

20 Q. All right. And do you know who wrote this
21 VICE case report?

22 A. Yes.

23 Q. Who wrote it?

24 A. I did.

25 Q. Okay. And how do you know that?

1 A. I signed it.

2 Q. Okay. And is that -- that's your signature
3 under -- I'm sorry. At the bottom, Box Number 45,
4 Reporting Officer is A. Jones. And is that your
5 signature under that?

6 A. Yes.

7 Q. Okay. And the reporting officer to the right
8 is Officer E. Smith; do you see that?

9 A. Yeah. Yes.

10 Q. And is that your signature for Officer Smith?

11 A. That's my signature.

12 Q. Okay. And am I right you would've had his
13 agreement for you to sign it, right?

14 A. Yes.

15 Q. And was this one done on a typewriter?

16 A. Yes.

17 Q. So that at this time, in 2006, the department
18 was only partially computerized?

19 A. Right.

20 Q. And the other person listed on here, Sandra
21 Berry; do you remember that name?

22 A. No.

23 Q. Okay. I'm going to show you Exhibit Number
24 27. Exhibit Number 27 is a five-page arrest report
25 beginning on City BG 031117. And that's the arrest

1 report for the arrest of Sandra Berry on May 19, 2006;
2 is that right?

3 (EXHIBIT 27 MARKED FOR IDENTIFICATION)

4 A. Yes.

5 BY MR. FLAXMAN:

6 Q. Okay. Can you tell who wrote this arrest
7 report?

8 A. Yes.

9 Q. And who wrote it?

10 A. I did.

11 Q. Okay. And how can you tell that?

12 A. Because once again, Officer Smith attested it.

13 Q. Okay. So same thing as the arrest report for
14 Mr. Carter?

15 A. Yes.

16 Q. Okay. And my question based on looking at
17 these arrest reports and the VICE case report is, do
18 they help you remember these two arrests?

19 A. No.

20 Q. And the -- seeing the picture of Ms. Berry
21 doesn't help you remember her?

22 A. No.

23 Q. All right, so let me give you the next
24 exhibit.

25 MR. FLAXMAN: We'll mark it as 28. Exhibit 28

1 is four pages. It starts at City BG 15765. This
2 one has a confidential stamp. I'll follow up with
3 counsel about it. For now, we can keep it
4 confidential.

5 (EXHIBIT 28 MARKED FOR IDENTIFICATION)

6 THE REPORTER: Do you want to keep the
7 testimony?

8 MR. FLAXMAN: Yeah, this should be
9 confidential. I'm going to -- I'll follow up with
10 counsel for the city about whether we can discuss
11 that since it's not a -- it is part of a
12 confidential file, but we're not using any of the
13 confidential material from that file, in my opinion.

14 (CONFIDENTIAL PORTION II REDACTED)

15 BY MR. FLAXMAN:

16 Q. But I did want to have you look -- keep
17 looking at Exhibit 26.

18 A. Yes.

19 Q. And the VICE case report. And what -- that
20 report says that Mr. Carter and Ms. Barry were arrested
21 at 527 East Browning, correct?

22 A. Yes, according to this report.

23 Q. And they were arrested in the rear hallway?

24 A. Yes.

25 Q. And is it your understanding that's the --

1 would that be, like, the lobby of the building?

2 A. No.

3 Q. Okay. What's the rear hallway?

4 A. That's the -- when you first entered the
5 building and before you get up the stairs to go into.

6 Q. Okay. And if Mr. Carter had been arrested
7 inside of an apartment inside the building, it wouldn't
8 be right to say that he was arrested in the rear
9 hallway, right?

10 A. That's correct.

11 Q. And if he had been arrested somewhere else,
12 you wouldn't have prepared a report saying that he was
13 arrested in the rear hallway?

14 A. No, I would not have.

15 Q. Do you remember giving any testimony about the
16 arrest of Mr. Carter on May 19, 2006?

17 A. No.

18 Q. Okay. Did you look at any of that testimony?
19 I'm sorry.

20 A. I don't remember looking at the testimony from
21 this.

22 Q. Okay. And just to be sure I understand, you
23 may have looked at some testimony by Mr. Carter?

24 A. Yes.

25 Q. But you don't remember which testimony?

1 A. No.

2 Q. And none of the -- but whatever you did look
3 at, didn't help you remember it?

4 A. No.

5 Q. I'm not going to ask questions about the
6 testimony, but I have a -- we talked before about a
7 preliminary hearing?

8 A. Yes.

9 Q. And you don't remember for this 2006 arrest
10 testifying in a preliminary hearing?

11 A. No.

12 Q. Okay. Do you remember testifying at a
13 suppression hearing?

14 A. No.

15 Q. Okay. And do you know what a suppression
16 hearing is?

17 A. Yes.

18 Q. Okay. And is that something that -- would you
19 testify at suppression hearings often as a police
20 officer?

21 A. Yes.

22 Q. Did you testify at suppression hearings more
23 than 100 times?

24 A. I don't know.

25 Q. Okay. More than 10 times?

1 A. Yes.

2 Q. And what's your understanding what a
3 suppression hearing is?

4 A. That's where they decide whether the case is
5 going to go or it's going to get thrown out.

6 Q. Okay. And does the judge decide that?

7 A. Yes, my understanding.

8 Q. Okay. And is it your understanding the judge
9 decides that based on the testimony at the hearing?

10 A. Yes.

11 Q. Okay. And when you testified at suppression
12 hearings, did you testify truthfully?

13 A. Yes.

14 Q. And do you recall that you testified at a
15 trial for Mr. Carter?

16 A. I don't recall.

17 Q. Do you remember how many trials you testified
18 at as a Chicago police officer?

19 A. No.

20 Q. When was the last time you testified at a
21 trial?

22 A. 2013.

23 Q. Do you recall what the trial that was?

24 A. Civil case with Sandra Cartwright.

25 Q. Do you remember the last criminal trial you

1 testified in?

2 A. No.

3 Q. But it was before 2013?

4 A. Yes.

5 Q. And as a police officer, did you testify at
6 more than 50 criminal trials?

7 A. Yes.

8 Q. And was it your practice to always testify
9 truthfully?

10 A. Yes.

11 Q. Okay. Why would you always testify
12 truthfully?

13 A. Because that's the point of being there, give
14 an honest account for what went on.

15 Q. Okay. You talked to Ms. Kleinhaus before
16 about being interviewed by C.O.P.A.; do you recall that?

17 A. Excuse me? I didn't hear you.

18 Q. Sure. I -- you talked before about being
19 interviewed by C.O.P.A.?

20 A. Yes.

21 Q. And you know what C.O.P.A. is?

22 A. Yes.

23 Q. Okay. Did C.O.P.A. ever interview about --
24 interview you about Mr. Carter?

25 A. I don't recall.

1 Q. Okay. Do you recall talking about any cases
2 besides Mr. Baker and Ms. Glenn's?

3 A. I don't remember.

4 Q. Having looked at all the exhibits, and
5 listened to my questions, are you still unable to
6 remember the 2006 arrest of Mr. Carter?

7 A. I don't remember it.

8 Q. Okay. And is there anything you can think of
9 that would help you remember that arrest?

10 A. No.

11 Q. Okay. And I mentioned, I asked you some
12 questions about testimony. If you gave testimony close
13 in time to the arrest, you had done that based on your
14 memory at that time, right?

15 A. Yes.

16 Q. And if you had used any force during the
17 arrest of Mr. Carter, would that have been written up in
18 the report?

19 A. Yes.

20 Q. Okay. Would that -- would you have also
21 prepared something called a TRR?

22 A. Yes.

23 Q. What's a TRR?

24 A. Tactical Response Report.

25 Q. And when do you prepare that?

1 A. Anytime you have to physically restrain
2 someone in a hostile situation.

3 Q. Okay. And were there times that you had to do
4 that as a police officer?

5 A. Yes.

6 Q. And did you prepare the TRR every time you
7 did?

8 A. No.

9 Q. Why not?

10 A. On one occasion that I can remember, it was
11 two different circumstances of force and I only created
12 one for the first one and I didn't create it for the
13 second one.

14 Q. Was that a mistake?

15 A. Yes.

16 Q. And were you disciplined for that?

17 A. No.

18 Q. How did you find out it was a mistake?

19 A. I was speaking with C.O.P.A.

20 Q. And what arrest was that for?

21 A. Lionel White.

22 Q. And have you done anything to correct that
23 mistake?

24 A. I haven't had to do another one. I haven't
25 done one since.

1 Q. Since that -- since that arrest you have you
2 didn't prepare --

3 A. I don't think I've -- I don't think I've
4 created one. I don't know. I haven't created a TR in
5 years.

6 Q. Do you know how many you did over the course
7 of your career?

8 A. No.

9 Q. Is it a small number?

10 A. Yes.

11 Q. Okay. Less than ten?

12 A. I don't know. Maybe.

13 Q. Okay. Let me take a quick break, but I'm just
14 about done. We could go off the record for a minute.

15 THE VIDEOGRAPHER: Off the record. The time is
16 5:12.

17 (OFF THE RECORD)

18 THE VIDEOGRAPHER: We are back on the record
19 for Alvin Jones. The time is 5:18.

20 MR. FLAXMAN: I don't have any more questions.
21 Thank you for your time today.

22 THE WITNESS: You're welcome.

23 MR. BAZAREK: Any follow up questions on the
24 Waddy case?

25 CROSS-EXAMINATION

1 BY MR. PALLEs:

2 Q. Oh, yeah. Okay. If that's where we're
3 headed, yes. I'd like to do few follow-up's on Alvin
4 Waddy, Mr. Johnson. Let me again state for the record
5 that this portion of the deposition is being taken
6 pursuant to Illinois Supreme Court Rules and the local
7 rules that the District Court -- excuse me. I've been
8 there a long time. The Circuit Court and as well as a
9 portion of this transcript that proceeds it. Okay. Now
10 we went over, obviously, some arrest reports on Alvin
11 Waddy indicating that you and Officer Smith were the
12 arresting officers; remember that?

13 A. Yes.

14 Q. Okay. And as the -- we also saw your
15 testimony at a preliminary hearing involving Waddy's Co-
16 Defendant and Mr. Mays. You recall that?

17 MS. KLEINHAUS: Objection to form. Foundation.

18 Mischaracterizes. You can answer.

19 A. I don't remember what -- are you saying the
20 testimony?

21 BY MR. PALLEs:

22 Q. Yeah. Did they -- didn't we look at a
23 transcript earlier involving Jermaine Mays' Motion To
24 Suppress?

25 MR. BAZAREK: Nothing was marked. There was no

1 exhibit marked on that.

2 BY MR. PALLEs:

3 Q. Oh, okay. I'm sorry. It was presented by
4 Dennis. Okay. Well, let me just ask you this. Do you
5 remember testifying at preliminary hearing and following
6 Alvin Waddy?

7 A. No.

8 Q. Okay. Do you have any reason to suspect that
9 it was not either you or Smith who testified at his
10 preliminary hearing?

11 MS. KLEINHAUS: Objection to form. Foundation.

12 You can answer.

13 A. I don't think so.

14 BY MR. PALLEs:

15 Q. Okay. In a normal course of events, it
16 would've been one of the two arresting officers to
17 testify --

18 A. Yes.

19 Q. Is that correct? Now, given the allegations
20 in the complaint that Alvin Waddy has filed, I need to
21 ask you whether or not you made an agreement with any
22 other member of the Chicago Police Department to frame
23 Alvin Waddy?

24 MS. KLEINHAUS: Objection to form. Foundation.

25 Calls for a legal conclusion. You can answer.

1 A. No.

2 BY MR. PALLEs:

3 Q. Okay. And as long as we're talking about some
4 of those individual officers, let me ask you
5 specifically whether or not you agreed with my client
6 Kallatt Mohammad to frame Alvin Waddy?

7 MS. KLEINHAUS: Objection. I'm sorry.

8 Objection. Form. Foundation. Calls for legal
9 conclusion.

10 A. No.

11 BY MR. PALLEs:

12 Q. Okay. Did you and Kallatt Mohammed agree that
13 if you deprived Alvin Waddy of his Civil Rights, you
14 would each protect each other from liability?

15 MS. KLEINHAUS: Objection. Form. Foundation.

16 Calls for a legal conclusion.

17 A. No.

18 BY MR. PALLEs:

19 Q. Did you make that agreement with any of the
20 other arresting officers that day?

21 MS. KLEINHAUS: Objection. Form. Foundation.

22 Calls for a legal conclusion.

23 A. No.

24 BY MR. PALLEs:

25 Q. Okay. You were asked earlier, I believe,

1 whether or not you recall a CR where Alvin Waddy's
2 mother claimed that Alvin was Frank or was -- yeah, was
3 Frank. Do you recall their line of question?

4 A. Yes.

5 Q. Okay. Now, did you recall that his mother
6 claimed that Alvin was framed?

7 A. No.

8 Q. Did you recall that his mother actually
9 claimed that Alvin was waiting in line for the coke at
10 the time he was arrested so that he was not actually in
11 possession?

12 MS. KLEINHAUS: Objection. Objection to form.
13 Foundation. Mischaracter -- I'm sorry. Calls for
14 speculation. You can answer.

15 A. What was the last part of that again?

16 BY MR. PALLEs:

17 Q. Yeah. Do you recall that mom said that Alvin
18 didn't have possession of -- didn't have possession. He
19 was waiting in line for the coke when he got busted?

20 MS. KLEINHAUS: Objection to form. Foundation.
21 Calls for speculation.

22 A. No.

23 BY MR. PALLEs:

24 Q. Okay. You don't remember that, okay. All
25 right. Bear with me for one second. I believe that

1 will do it. Oh, yeah. Let me just ask you this, just
2 from looking at it from the report. You were teamed
3 with Elsworth Smith that day, right?

4 MS. KLEINHAUS: Objection to form. You can
5 answer.

6 A. Yes.

7 BY MR. PALLEs:

8 Q. Okay. And looking at the VICE case reports
9 and the assisting officers -- well, first of all, do you
10 remember what any of those assisting officers did to
11 help you in that arrest?

12 MR. BAZAREK: Can -- are you asking him to look
13 at the exhibit the previous exhibit, Counsel?

14 BY MR. PALLEs:

15 Q. No. I'm asking him with respect to the
16 arrest, does he -- do you recall what any of the other
17 assisting officers did in performance to help you --

18 MS. KLEINHAUS: Objection.

19 MR. PALLEs: -- to support you and Smith.

20 MS. KLEINHAUS: Excuse me. Objection to form.

21 A. No.

22 BY MR. PALLEs:

23 Q. Okay. Let me ask you this: Looking at the
24 VICE case report, and I don't have it right in front of
25 me. I'm see -- I'm sure you probably do.

1 MR. BAZAREK: Well, let me get my client the
2 VICE case report so he can have it in front of him,
3 okay?

4 MR. PALLES: Okay.

5 MS. KLEINHAUS: So this is the Waddy VICE case
6 report we're looking for?

7 MR. PALLES: Yep, Waddy.

8 MR. BAZAREK: Yeah, let's get it --

9 MR. GAINER: It's Exhibit 4.

10 MS. KLEINHAUS: That's Exhibit 4.

11 BY MR. PALLES:

12 Q. All right. Based on your experience with the
13 team, does it look to you like Kallatt Mohammed and
14 Officer Lewis were partnered that day?

15 MS. KLEINHAUS: Objection to form. Foundation.

16 Calls for speculation.

17 A. Yes, it looks like they were partners on this
18 day.

19 MR. PALLES: Thank you. That's all the
20 questions I have.

21 MS. KLEINHAUS: I don't have anything based on
22 that.

23 CROSS-EXAMINATION

24 BY MR. GAINER:

25 Q. Well, I have questions. This is Brian Gainer

1 on behalf of Ron Watts. I have questions related to the
2 Waddy arrest. Officer Jones -- or Sergeant Jones. I
3 apologize. Can you hear me okay?

4 A. Yes, sir.

5 Q. Great. I don't have many questions, but I
6 want to stick with this Exhibit 4, which is INDDEF4W 41
7 and 42, the VICE case report from April 4, 2007. Are
8 you looking at that?

9 A. The arrest -- I mean, the VICE case report,
10 Mays and Waddy?

11 Q. That's right. And up top, if you look at the
12 date, it's 4, April '07, right?

13 A. Yes.

14 Q. All right. Now you've been asked a number of
15 questions about this. You're listed as the reporting
16 officer or one of the reporting officers on this report,
17 correct?

18 A. Yes.

19 Q. And in box 12 up toward the top, there are a
20 number of police officers listed as victim complainants
21 for this particular arrest, correct?

22 A. Yes.

23 MS. KLEINHAUS: Objection to form.

24 BY MR. GAINER:

25 Q. And Ronald Watt's name is not among those

1 names listed as a victim complainant, correct?

2 MS. KLEINHAUS: Objection to form.

3 A. Correct.

4 BY MR. GAINER:

5 Q. And as a police officer filling out a VICE
6 case report, if Ronald Watts played a role in this
7 arrest -- I'm not saying if he was around or in the
8 building, but if he played a role in this arrest, you
9 would've put him in this box, correct?

10 MS. KLEINHAUS: Objection. Form. Foundation.

11 Calls for speculation. Go ahead.

12 A. Probably.

13 BY MR. GAINER:

14 Q. Okay. And in the narrative, if Ronald Watts
15 played a role, a specific role in this arrest as the
16 reporting officer, you would've wrote -- you would've
17 written his name in the narrative, wouldn't you?

18 MS. KLEINHAUS: Objection. Form. Foundation.

19 A. Not necessarily.

20 BY MR. GAINER:

21 Q. Okay. Well, if Ronald Watts needed to go to
22 court on this case, but his name wasn't in any of the
23 reports, how would the state's attorneys know to notify
24 him?

25 MS. KLEINHAUS: Objection. Calls for

1 speculation.

2 A. I don't know.

3 BY MR. GAINER:

4 Q. Isn't it true that if his name wasn't on any
5 of the reports, like the arrest report or the case
6 report, the state's attorneys wouldn't know to notify
7 him for court?

8 MS. KLEINHAUS: Objection. Incomplete
9 hypothetical and calls for speculation. Foundation.
10 You can answer.

11 A. No, they wouldn't know to call him for court.

12 BY MR. GAINER:

13 Q. Okay, great. And the names that are in here
14 in box 12, Smith, Bolton, Gonzalez, Leano, Nichols,
15 Lewis, Mohammad, and Jones, that's pretty much everyone
16 on your team at the time of this arrest; is that
17 accurate?

18 MS. KLEINHAUS: Objection to form and
19 mischaracterizes the document. You can answer.

20 A. Yes.

21 BY MR. GAINER:

22 Q. And Watts is not listed in those boxes as we
23 just discussed, right?

24 MS. KLEINHAUS: Objection. Asked and answered.
25 You can answer again.

1 A. No, he is not.

2 BY MR. GAINER:

3 Q. Okay. Now, down below in the in box 48, Watts
4 is listed as the supervisor approving. It's his name
5 and then below that in box 50 is his signature. Do you
6 see that?

7 A. Yes.

8 Q. And in your experience to the police officer,
9 you know, that just because a Sergeant approves a case
10 report, it does not mean that the sergeant was on the
11 scene when the incident in the case report happened,
12 correct?

13 MS. KLEINHAUS: Objection to form. Go ahead.

14 A. Correct.

15 BY MR. GAINER:

16 Q. In fact, the sergeant approving a case report,
17 like Watts did here, is simply indicating that the
18 report is complete as opposed to accurate, correct?

19 MS. KLEINHAUS: Objection to form. You can
20 answer.

21 A. Correct.

22 BY MR. GAINER:

23 Q. And if you flip to the next page of this
24 document, which is INDDEFIAW-42, there's a signature at
25 the bottom after the narrative for Ronald Watts. Do you

1 see that?

2 A. Yes.

3 Q. And that signature is, for a similar reason,
4 it's a signature from a supervisor indicating that the
5 report is completed, acceptable, not that it's accurate,
6 correct?

7 MS. KLEINHAUS: Objection to form. Foundation.

8 Calls for speculation. You can answer, if you know.

9 A. Correct.

10 BY MR. GAINER:

11 Q. Well, I don't want you to speculate, so why
12 don't we read the box next to the signature together? It
13 says, "I have read this report and by my signature
14 indicate that it is acceptable." Do you see that?

15 A. Yes.

16 MS. KLEINHAUS: Objection to form.

17 BY MR. GAINER:

18 Q. Okay. And it doesn't say this is true or
19 accurate or anything like that, does it?

20 MS. KLEINHAUS: Objection to form.

21 A. No, it does not.

22 BY MR. GAINER:

23 Q. And you were a sergeant on the Chicago Police
24 Department, correct?

25 A. Yes.

1 Q. And you approved case reports in your time as
2 a sergeant on the police report; is that correct?

3 MS. KLEINHAUS: Objection to form. You can
4 answer.

5 A. That's correct.

6 BY MR. GAINER:

7 Q. And when you did that, you knew that you were
8 simply approving them for form and whether they
9 acceptable as opposed to whether they were true,
10 correct?

11 MS. KLEINHAUS: Objection to form. Foundation.
12 You can answer.

13 A. Correct.

14 BY MR. GAINER:

15 Q. And you approved case reports in this fashion,
16 the way that Ron Watts approved this case report, for
17 incidents where you weren't present on the scene,
18 correct?

19 MS. KLEINHAUS: Objection to form. Foundation
20 as to how Ronald Watts approved case reports. You
21 can answer.

22 A. Yes.

23 MR. GAINER: Okay. That's all the questions I
24 have for you. Thank you.

25 CROSS-EXAMINATION

1 BY MR. BAZAREK:

2 Q. Sergeant Watts, the arrest of Alvin Waddy and
3 Jermaine Mays were lawful arrests, correct?

4 MS. KLEINHAUS: Objection. Calls --

5 MR. PALLE: Bill, you said Sergeant Watts. I
6 don't think you meant to say that.

7 BY MR. BAZAREK:

8 Q. Let's strike there. Let me try that again.
9 Sergeant Jones, the arrest of Alvin Waddy and Jermaine
10 Mays were lawful arrests, correct?

11 MS. KLEINHAUS: Objection. Calls for legal
12 conclusion. You can answer.

13 A. Correct.

14 BY MR. BAZAREK:

15 Q. And they were arrested for the narcotics
16 offenses they committed, correct?

17 MS. KLEINHAUS: Objection to form. Foundation.
18 You can answer.

19 A. Correct.

20 BY MR. BAZAREK:

21 Q. And you would agree during this deposition
22 when you were questioned about Mr. Waddy, Ms. Kleinhaus
23 never provided you with the plea of guilty that Alvin
24 Waddy took to the narcotics offense that he committed,
25 correct?

1 MS. KLEINHAUS: Object to the form.

2 A. Correct.

3 BY MR. BAZAREK:

4 Q. Earlier in the deposition, Ms. Kleinhaus was
5 asking you questions about whether or not you appealed
6 any of C.O.P.A.'s findings in terms of their
7 investigation related to cases involving yourself,
8 members of your team, and Sergeant Watts. Do you recall
9 that?

10 A. Yes.

11 MS. KLEINHAUS: Objection to form.

12 BY MR. BAZAREK:

13 Q. In fact, you filed a grievance based on the
14 investigatory misconduct that C.O.P.A. undertook in its
15 investigation into allegations made against you,
16 correct?

17 A. Correct.

18 Q. And in fact that grievance was still pending
19 when you resigned from the police department, correct?

20 A. Correct.

21 Q. And you never received any suspension over any
22 allegations that Ben Baker or Clarissa Glenn had made
23 against you; is that correct?

24 A. Correct.

25 Q. And during the C.O.P.A. interview of you

1 regarding allegations being made by Ben Baker and
2 Clarissa Glenn as well as other individuals who would've
3 been arrested on December 11, '05, C.O.P.A.

7 MS. KLEINHAUS: Objection. Calls for
8 speculation. Foundation. Calls for a legal
9 conclusion.

10 A. Correct.

11 BY MR. BAZAREK:

12 Q. And C.O.P.A. violated the sergeant's contract
13 by not notifying you of allegations during the
14 interview, correct?

15 MS. KLEINHAUS: Objection. Calls for legal
16 conclusion. Foundation.

17 A. Correct.

18 BY MR. BAZAREK:

19 Q. Earlier in the deposition you were asked
20 questions about informants. Do you recall that line of
21 questioning?

22 A. Yes.

23 Q. Okay. And when you hear the term "informant,"
24 what do you take that to mean?

25 A. A person who is registered to give information

1 and get paid for it.

2 Q. And you in your work, in terms of
3 investigating narcotics activity that was occurring at
4 Ida B. Wells, would've had contact with individuals that
5 were cooperating individuals; is that correct?

6 MS. KLEINHAUS: Objection to form.

7 Mischaracterizes. You can answer.

8 A. Yes.

9 BY MR. BAZAREK:

10 Q. Or concerned citizen, correct?

11 A. Yes.

12 MS. KLEINHAUS: Objection to form.

13 BY MR. BAZAREK:

14 Q. And those individuals would and could provide
15 you with information about narcotics activity that was
16 going on at Ida B. Wells, correct?

17 MS. KLEINHAUS: Objection. Foundation. You
18 can answer.

19 A. Correct.

20 BY MR. BAZAREK:

21 Q. And also -- so a CI could be a cooperating
22 individual; is that correct?

23 A. Correct.

24 Q. Or a concerned individual; is that correct?

25 A. Correct.

1 Q. Ms. Kleinhaus was asking you questions about
2 some of the interviews where you went to C.O.P.A. They
3 were -- they -- you were being asked questions and she
4 asked you if you made any incorrect statements or -- do
5 you recall that line of questioning?

6 A. Yes.

7 Q. Okay. And, in fact, during interviews with
8 C.O.P.A., there were times during the interviews where
9 you sought to clarify something you had said, correct?

10 A. Yes.

11 Q. And, in fact, you answered an interrogatory
12 where you also sought to clarify statements that you had
13 given when you were interviewed by C.O.P.A.; is that
14 correct?

15 MS. KLEINHAUS: Objection to form and
16 foundation.

17 A. Yes.

18 BY MR. BAZAREK:

19 Q. You also testified earlier that an officer,
20 who was the first arresting officer, at least in your
21 experience, wouldn't be the attesting officer; is that
22 correct?

23 A. That's correct.

24 Q. But there could be occasions where the first
25 arresting officer is the attesting officer, correct?

1 MR. FLAXMAN: Objection. Asked and answered.

2 Leading.

3 A. The arresting -- first arresting officer
4 wouldn't attest the arrest report.

5 BY MR. BAZAREK:

6 Q. What I'm saying is there could be occasions
7 where the first arresting officer is also noted as the
8 attesting officer, correct?

9 A. The first arresting officer cannot attest the
10 arrest report.

11 Q. Okay. Well, looking at Exhibit 13, which is
12 the Leonard Gipson arrest, you had Officer Nichols as
13 the first arresting officer. He was also the attesting
14 officer. Show him. So my only question, Sergeant
15 Jones, is there could be occasions where the first
16 arresting officer is the attesting officer, right?

17 MR. FLAXMAN: Objection to form. Asked and
18 answered.

19 A. He's not supposed to be.

20 BY MR. BAZAREK:

21 Q. Okay. But it can happen?

22 A. It can happen if you -- but it's not supposed
23 to be.

24 MR. BAZAREK: That's all I have.

25 MS. KLEINHAUS: Okay. I have just a couple

1 questions of follow-up based on that. I assume,
2 Paul, you don't have any questions, right?

3 MR. MICHALIK: I do not have any questions.

4 Thank you.

5 REDIRECT EXAMINATION

6 BY MS. KLEINHAUS:

7 Q. Okay. Sir, you testified earlier that CI
8 could stand for concerned individual?

9 A. Yes.

10 Q. Are you aware of anyone else on the Chicago
11 Police Department Force who uses CI to stand for
12 concerned individual?

13 A. My team used it all the time.

14 Q. Okay. And you testified a few minutes ago
15 about a grievance that you filed?

16 A. Yes.

17 Q. Did anyone help you prepare your grievance?

18 A. Yes.

19 Q. Who helped you prepare your grievance?

20 A. My union attorney.

21 Q. And who's that?

22 A. Donna Dowd.

23 MS. KLEINHAUS: Okay. And Counsel, I don't
24 believe we've received a copy of that yet, so if you
25 can produce that. That's all the questions I have

1 for you.

2 MR. BAZAREK: You do have it. It was produced
3 in litigation.

4 FURTHER EXAMINATION

5 BY MR. FLAXMAN:

6 Q. A couple follow-up's on that. You said that
7 the grievance hasn't been resolved; is that right?

8 A. I don't know.

9 Q. Okay. Is it your understanding that the
10 grievance could be resolved after you retire?

11 A. I don't know.

12 Q. Okay. You also said you've never been
13 suspended related to the Baker and Glenn investigation
14 by C.O.P.A.; is that right?

15 A. That's right.

16 Q. Okay. Can they suspend you now that you've
17 been retired?

18 A. I don't know.

19 Q. What could they suspend you from after you're
20 retired?

21 A. I don't know.

22 Q. Okay. I don't have anything else.

23 THE REPORTER: Counsel?

24 MS. KLEINHAUS: I think we're through.

25 THE REPORTER: Questions?

1 MR. GAINER: I have nothing based on --

2 THE REPORTER: Thank you.

3 MR. BAZAREK: Reserve signature.

4 MR. PALLE: Me, either.

5 MR. BAZAREK: Reserve signature.

6 THE REPORTER: We are going off the video
7 record concluding the deposition of Alvin Jones.
8 The time is 5:40.

9 (DEPOSITION CONCLUDED AT 5:40 P.M.)

1 CERTIFICATE OF REPORTER

2 STATE OF ILLINOIS

3

4 I do hereby certify that the witness in the foregoing
5 transcript was taken on the date, and at the time and
6 place set out on the Title page hereof by me after first
7 being duly sworn to testify the truth, the whole truth,
8 and nothing but the truth; and that the said matter was
9 recorded digitally by me and then reduced to typewritten
10 form under my direction, and constitutes a true record
11 of the transcript as taken, all to the best of my skills
12 and ability. I certify that I am not a relative or
13 employee of either counsel, and that I am in no way
14 interested financially, directly or indirectly, in this
15 action.

16

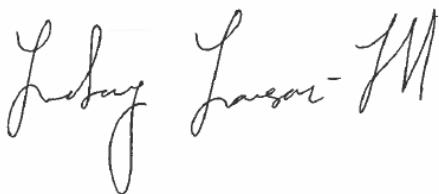
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22 LINDSAY LARSON-TODD,
23 COURT REPORTER / NOTARY
24 COMMISSION EXPIRES ON: 11/01/2023
25 SUBMITTED ON: 08/21/2023

Exhibits	6,10 209:9 267:11	**Exhibit 28_** **Jones (** **CONFIDENTIA** **L)** 241:25 242:5	197:3,7,9,11, 19,25 264:3 **11:03** 32:23 **11th** 84:3,25 85:7 87:13 **12** 204:9,10,13 256:19 258:14 **13** 208:5,6,10 209:9 267:11 **14** 137:20 209:25 210:2 235:3 **15** 13:10 14:2 211:16,17,18 **16** 219:20,21,23 **17** 223:24 **18** 225:5 **19** 227:17, 20,22,25 **20** 228:1,22,23 **21** 227:21 **22** 228:1,22,23 **23** 229:19, 20,23 **24** 230:24 231:2 **25** 233:21, 24 **26** 237:12 **27** 238:1 **28** 239:12 **29** 240:25 **30** 241:1 **31** 242:1 **32** 243:1 **33** 244:1 **34** 245:1 **35** 246:1 **36** 247:1 **37** 248:1 **38** 249:1 **39** 250:1 **40** 251:1 **41** 252:1 **42** 253:1 **43** 254:1 **44** 255:1 **45** 256:1 **46** 257:1 **47** 258:1 **48** 259:1 **49** 260:1 **50** 261:1 **51** 262:1 **52** 263:1 **53** 264:1 **54** 265:1 **55** 266:1 **56** 267:1 **57** 268:1 **58** 269:1 **59** 270:1 **60** 271:1 **61** 272:1 **62** 273:1 **63** 274:1 **64** 275:1 **65** 276:1 **66** 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