

# EXHIBIT 8

The Deposition of JUAN RIVERA, taken on September 06, 2023

Page 1	Page 2
<p>IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION JUDGE VALDERRAMA MAGISTRATE JUDGE SHEILA M. FINNEGAN MASTER DOCKET CASE NO. 19-CV-01717</p> <p>IN RE: WATTS COORDINATED PRETRIAL PROCEEDINGS</p> <p>DEPONENT: JUAN RIVERA DATE: SEPTEMBER 6, 2023 REPORTER: SYDNEY LITTLE</p>	<p>1 APPEARANCES 2 3 ON BEHALF OF THE PLAINTIFFS, RICKEY HENDERSON, SHAUN 4 JAMES, JAMAR LEWIS, TAURUS SMITH: 5 Scott Rauscher, Esquire 6 Gianna Gizzi, Esquire 7 Loevy &amp; Loevy 8 311 North Aberdeen Street 9 Third Floor 10 Chicago, Illinois 60607 11 Telephone No.: (312) 243-5900 12 E-mail: scott@loevy.com 13 gizzi@loevy.com 14 15 ON BEHALF OF THE PLAINTIFFS, FLAXMAN PLAINTIFFS: 16 Kenneth 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: knf@kenlaw.com 23 (Appeared via videoconference) 24 25</p>
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## The Deposition of JUAN RIVERA, taken on September 06, 2023

Page 49	Page 50
<p>1 or for a prior setting?</p> <p>2 A. Yes.</p> <p>3 Q. What documents did you look at?</p> <p>4 A. I looked at some 302s from the FBI that was</p> <p>5 generated based on this investigation.</p> <p>6 Q. This meaning the Watts investigation?</p> <p>7 A. Yes.</p> <p>8 Q. Okay.</p> <p>9 A. Some reports that were generated by officers</p> <p>10 that were involved in the Watts case. I may have looked</p> <p>11 at -- I -- I just don't recall all of them, but</p> <p>12 that was the majority.</p> <p>13 Q. When you say "reports generated by officers</p> <p>14 involved in the Watts case," you mean the investigation</p> <p>15 of Watts?</p> <p>16 A. Yes.</p> <p>17 Q. You mean C -- are you talking about CPD</p> <p>18 reports?</p> <p>19 A. Majority, yes.</p> <p>20 Q. And then what -- so I know you said 302s,</p> <p>21 which are -- those are created by the FBI, right?</p> <p>22 A. Correct.</p> <p>23 Q. And then of the second category, reports</p> <p>24 generated by officers involved in the Watts</p> <p>25 investigation, were there reports by anyone other than</p>	<p>1 CPD officers you looked at?</p> <p>2 A. No.</p> <p>3 Q. Do you remember which officers from CPD</p> <p>4 prepared reports that you reviewed?</p> <p>5 A. Agent Holliday.</p> <p>6 Q. Calvin Holliday?</p> <p>7 A. Calvin, yes.</p> <p>8 Q. Okay. Anyone else?</p> <p>9 A. Also Echeverria, Officer Echeverria.</p> <p>10 Q. Were the Echeverria reports you're talking</p> <p>11 about To-Froms?</p> <p>12 A. Yes, I believe so.</p> <p>13 Q. Any other reports other than the To-Froms from</p> <p>14 Echeverria?</p> <p>15 A. No.</p> <p>16 Q. Did you review any deposition transcripts?</p> <p>17 A. Yes. The Spalding and Echeverria one, I</p> <p>18 believe. Yes.</p> <p>19 Q. You reviewed their depositions from this case</p> <p>20 or you reviewed some depositions from their case?</p> <p>21 A. No. From the one I was involved with them.</p> <p>22 Q. Was it your deposition in that case you</p> <p>23 reviewed?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Did that deposition refresh your</p>
<p style="text-align: center;">Page 51</p> <p>1 recollection about any of the events?</p> <p>2 A. Yes, of course.</p> <p>3 Q. What in particular were you -- was your</p> <p>4 recollection refreshed about from reviewing your</p> <p>5 deposition?</p> <p>6 MR. NOLAND: Objection. Form. Over broad. Go</p> <p>7 ahead.</p> <p>8 A. I -- I -- mainly time frame, more or less, the</p> <p>9 time frame as to how the investigation progressed.</p> <p>10 BY MR. RAUSCHER:</p> <p>11 Q. The investigation into Watts and Mohammed?</p> <p>12 A. Yes.</p> <p>13 Q. Do you know if the investigation ever looked</p> <p>14 at other officers on the tactical team?</p> <p>15 A. I -- I -- I believe we asked, and I don't</p> <p>16 recall any other names. Again, that's my recollection,</p> <p>17 but I know that the two main officers were Watts and</p> <p>18 Mohammed.</p> <p>19 Q. You -- who do you think you asked?</p> <p>20 A. Well, we were in quarterly meetings, so we</p> <p>21 would probably have asked the case agent, the FBI case</p> <p>22 agents, and again, I wouldn't recall who they were, but</p> <p>23 AUSAs that were involved.</p> <p>24 Q. Okay. What's the time period when -- do you</p> <p>25 think you asked that question personally or do you think</p>	<p style="text-align: center;">Page 52</p> <p>1 someone on your team did or both?</p> <p>2 A. It could have been both. Again, we had</p> <p>3 quarterly meetings at times and then there are -- there</p> <p>4 are times I -- I recall we were asked to go there and</p> <p>5 meet on a separate date or -- or -- so it wasn't just</p> <p>6 quarterly meetings, but there were other meetings that</p> <p>7 we were required or requested to go.</p> <p>8 Q. Do you have a specific memory of either asking</p> <p>9 that question or hearing someone else ask it, or are you</p> <p>10 making an assumption that it would have been asked?</p> <p>11 MR. NOLAND: Object to the form. Go ahead.</p> <p>12 A. I recall it being asked by -- I don't know if</p> <p>13 it was -- I think it was a task force -- one of the task</p> <p>14 force officers, if I remember correctly.</p> <p>15 BY MR. RAUSCHER:</p> <p>16 Q. Do you remember about when during the</p> <p>17 investigation that was asked?</p> <p>18 A. No, I would -- I would be speculating.</p> <p>19 Q. And do you recall what -- the answer you got?</p> <p>20 A. I'm sorry. I -- I lost track. What was the</p> <p>21 question again?</p> <p>22 Q. If you recall the answer to the question?</p> <p>23 A. What was the question? I'm sorry.</p> <p>24 Q. Oh, the question was -- well, there's a</p> <p>25 question and then my question was about a question, so</p>

## The Deposition of JUAN RIVERA, taken on September 06, 2023

Page 53	Page 54
<p>1     But I had asked you if either you or someone on your  2     team asked the FBI, if anyone else was implicated in the  3     investigation. And I believe you said, I think, a task  4     force member asked at a meeting you were present at.</p> <p>5     A. Right.</p> <p>6     Q. Is that right?</p> <p>7     A. Yes, that's correct.</p> <p>8     Q. Do you know how they -- well, so then it says,  9     how did they ask the question? What did they say?</p> <p>10    A. I believe the question was whether any of the  11    human sources had mentioned other officers on the team  12    at that point in time. And the answer, I believe, was  13    no.</p> <p>14    Q. And you don't remember when during the  15    investigation this happened?</p> <p>16    A. No, I -- I would have to -- I would be  17    speculating.</p> <p>18    Q. And you think the answer was no; is that  19    right?</p> <p>20    A. Correct.</p> <p>21    Q. Do you know who -- you don't know which  22    officer asked the question?</p> <p>23    A. No, there were a few of them, but.</p> <p>24    Q. Which ones do you think it could have been?</p> <p>25    A. Again, I'd be speculating, but I know the task</p>	<p>1     force officers that might've been there would've been  2     Boehmer, Chester. Who else? I forgot the officer's  3     name. Daria -- I forgot her last name. She was a  4     liaison, but she was CPD.</p> <p>5     Q. Anyone else?</p> <p>6     A. Not off the top of my head. I think those  7     were --</p> <p>8     Q. Did you see any of the 302 -- so you looked at  9     some 302s to prepare for your deposition?</p> <p>10    A. Yes.</p> <p>11    Q. Had you seen any of those three oh twos  12    before?</p> <p>13    A. No.</p> <p>14    Q. Did you see any 302s during the investigation?</p> <p>15    A. No.</p> <p>16    Q. Did any of the 302s you looked at to prepare  17    for your deposition mention other officers besides Watts  18    and Mohammed?</p> <p>19    A. I -- yes, I did notice that one did mention  20    Jones, I believe.</p> <p>21    Q. Was that about the theft of about \$5,000, if  22    you remember?</p> <p>23    A. I -- yeah, I don't recall.</p> <p>24    Q. What do you know -- what do you remember, if  25    anything, about what that 302 said about Jones?</p>
<p style="text-align: center;">Page 55</p> <p>1     A. That he was possibly present? I'm -- I'm not,  2     again, 100 percent sure.</p> <p>3     Q. And you haven't seen other 302s talking about  4     another officers potentially being involved?</p> <p>5     A. No, I don't recall any.</p> <p>6     Q. Do you have an independent recollection of  7     receiving "To-Froms" that Echeverria created relating to  8     the Watts investigation?</p> <p>9     A. Do I recall all the content? Not all.</p> <p>10    Q. No, just --</p> <p>11    A. -- no, I --</p> <p>12    Q. -- do you recall that he did that and gave  13    them to you?</p> <p>14    A. Yes.</p> <p>15    Q. And do you know why he did that and -- why he  16    created those memos and gave them to you?</p> <p>17    A. We -- I should say the supervisors in Internal  18    Affairs, myself and Klimas wanted him to document what  19    their daily activity was, more or less what they were  20    involved in.</p> <p>21    Q. Why did you want him to do that?</p> <p>22    A. Because at that point in time, they really  23    didn't have anywhere to report. They were no longer  24    allowed into the FBI facility.</p> <p>25    Q. Why were they not involved -- why were they</p>	<p style="text-align: center;">Page 56</p> <p>1     not allowed into the FBI facility?</p> <p>2     A. There was some issue with equipment that was  3     misplaced or lost or --</p> <p>4     Q. Recording equipment or something else?</p> <p>5     A. It may have been the recorded equipment or  6     something. Yeah.</p> <p>7     Q. Who lost it?</p> <p>8     A. Not sure who lost it. All I know is that they  9     couldn't locate it.</p> <p>10    Q. So they had been given the responsibility for  11    hanging on to this equipment and they couldn't locate it  12    and the FBI said, "You can't come back here anymore"?</p> <p>13    A. And -- and, you know -- that's the gist of it,  14    yes.</p> <p>15    Q. But did you still want them working on the  16    investigation?</p> <p>17    A. Oh, yes, of course.</p> <p>18    Q. Did the FBI still want them working on the  19    investigation?</p> <p>20    A. Yes, because they were handling the informant.</p> <p>21    Q. Which informant were they handling?</p> <p>22    A. I don't recall the name.</p> <p>23    Q. Do you know how many informants they handled  24    for the Watts investigation?</p> <p>25    A. I only know of the one.</p>

## The Deposition of JUAN RIVERA, taken on September 06, 2023

Page 69	Page 70
<p>1 factors that can affect the length of these 2 investigations.</p> <p>3 BY MR. RAUSCHER:</p> <p>4 Q. Do you think that Ronald Watts was wrongfully 5 convicted?</p> <p>6 A. I'm sorry? Do -- do I think that Ronald Watts 7 was wrong -- no.</p> <p>8 Q. No? Why do you think he was not wrongfully 9 convicted?</p> <p>10 A. All the evidence, you know, shows that he was 11 willing to extort drug dealers.</p> <p>12 Q. What about Mohammed? Was he wrongfully 13 convicted?</p> <p>14 A. No.</p> <p>15 Q. Why was -- why -- what's your position -- what 16 is your basis to say that Mohammed was not wrongfully 17 convicted?</p> <p>18 A. Same thing. Again, when I was there, he -- he 19 was part of the sting operation, the successful sting 20 operation.</p> <p>21 Q. Are you aware of any steps that the -- either 22 the Chicago Police Department or the FBI took to 23 determine whether other officers were involved in the 24 alleged illegal activity?</p> <p>25 A. Again, going back to what I recall, I believe</p>	<p>1 they were all -- from what I recall -- again, they were 2 all part of a either pen register or a wiretap. And 3 towards the end of the investigation, we were adamant 4 that the -- that we knew exactly whether these officers 5 -- these other officers were involved or not. And, so 6 there were several more. I don't know if it was two 7 other sting operations that were either set up or 8 attempted after the successful sting of Watts and 9 Mohammed. And -- and that resulted in negative results.</p> <p>10 Q. Who were -- who were the targets of those 11 other stings?</p> <p>12 A. I -- I just -- I think it was just -- I -- I 13 don't recall. Again, I don't recall the seeing the 14 operational plan, so I don't know if they were named on 15 there or not.</p> <p>16 Q. Do you know if those stings actually took 17 place?</p> <p>18 A. I -- I know that was -- I know they were 19 attempted. I believe, on the second sting, like Watts 20 and Mohammed were arrested.</p> <p>21 Q. Second sting against other officers?</p> <p>22 A. Against the same group. Obviously, they -- 23 Watts and Mohammed weren't arrested in the first sting. 24 The goal was to determine if other officers were also 25 involved and I believe the last -- the last attempt,</p>
<p style="text-align: center;">Page 71</p> <p>1 they arrested Watts and Mohammed. Again, that's from 2 what I recall.</p> <p>3 Q. Do you know why they -- well, did CPD have any 4 say in whether Watts and Mohammed were going to be 5 arrested?</p> <p>6 MR. NOLAND: Object to the form. You mean the 7 timing of it?</p> <p>8 MR. RAUSCHER: Generally. Timing, substance.</p> <p>9 MR. NOLAND: Object to the form. Go ahead.</p> <p>10 A. Well, I mean, we knew that they were still 11 looking at the conspiracy and we had continued to ask 12 them if we had to be concerned about other officers. So 13 they informed us that they were going to eventually 14 arrest them, but they wanted to attempt these other 15 sting operations.</p> <p>16 BY MR. RAUSCHER:</p> <p>17 Q. And did CPD have any say in whether and when 18 Mohammed and Watts were going to be arrested?</p> <p>19 A. No.</p> <p>20 Q. Did CPD conduct its own investigation to see 21 whether it needed to be concerned with other officers?</p> <p>22 MR. NOLAND: Object to the form. Go ahead.</p> <p>23 A. No, we relied on the extensive investigation 24 and information that the FBI and our task force officers 25 gathered during the Watts and Mohammed investigation.</p>	<p style="text-align: center;">Page 72</p> <p>1 BY MR. RAUSCHER:</p> <p>2 Q. Were you involved in investigating any CRs 3 when Watts or Mohammed or anyone on their team was 4 accused of framing anyone?</p> <p>5 A. No.</p> <p>6 Q. Do you recall seeing any of those when you 7 were at Internal Affairs?</p> <p>8 A. No, I don't recall seeing anything.</p> <p>9 Q. Would you have been given CRs against Watts, 10 Mohammed, and team members as a matter of course when 11 you were at IA?</p> <p>12 A. If it was deemed confidential investigation, 13 it would've made its way to my section, but I don't 14 recall that.</p> <p>15 Q. You don't recall any of those -- any such CRs?</p> <p>16 A. I don't recall, no.</p> <p>17 Q. Do you recall being involved in any decisions 18 as to whether CRs against Watts, Mohammed, or others on 19 the team should be deemed confidential?</p> <p>20 A. I don't recall. I recall when I was there, 21 other investigations involving them were absorbed into 22 this one.</p> <p>23 Q. Okay.</p> <p>24 A. Yes.</p> <p>25 Q. What do you mean "absorbed into this one"?</p>

## The Deposition of JUAN RIVERA, taken on September 06, 2023

Page 81	Page 82
<p>1 BY MR. RAUSCHER:</p> <p>2 Q. Have you seen it before?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Can you tell me what it is?</p> <p>5 A. It's the CR initiation for this investigation</p> <p>6 regarding Watts and Mohammed.</p> <p>7 Q. Is this the -- to your knowledge, is this the</p> <p>8 first thing that kicked the -- kicked off the</p> <p>9 investigation?</p> <p>10 A. I -- again, I'm going back years, but I</p> <p>11 believe it was.</p> <p>12 Q. And it refers to a CI in here; you see that?</p> <p>13 A. Yes.</p> <p>14 Q. And it looks like you met with that CI?</p> <p>15 A. Yes.</p> <p>16 Q. Yeah. Who was that CI?</p> <p>17 A. I -- I don't recall his name, but what I do</p> <p>18 recall was he was a -- a person who was part of a</p> <p>19 combined, like, DEA, ATF, FBI operation and he was</p> <p>20 willing to come forward with information. And we were</p> <p>21 asked if we could go meet at this location and speak to</p> <p>22 this individual.</p> <p>23 Q. Did you find him credible?</p> <p>24 A. Yes.</p> <p>25 MR. NOLAND: Object to form.</p>	<p>1 A. Yes.</p> <p>2 BY MR. RAUSCHER:</p> <p>3 Q. What was the next step after this memo was</p> <p>4 written?</p> <p>5 A. We -- I know we asked the FBI, I think, who's</p> <p>6 their agent. They were working along with one of our</p> <p>7 Highland teams, who's CPD, if they needed our</p> <p>8 assistance, or obviously they -- at that time, they told</p> <p>9 us they were -- they were the lead. It was their CI, so</p> <p>10 we deferred, but we -- we basically offered any</p> <p>11 assistance with regards to the case.</p> <p>12 Q. And then I'm just going to show you what we'll</p> <p>13 mark as Exhibit 2, which is PL Joint 010844. Does this</p> <p>14 memo describe the meeting conversation you just</p> <p>15 testified about?</p> <p>16 (EXHIBIT 2 MARKED FOR IDENTIFICATION)</p> <p>17 A. Yes. In essence, it's what we were told, they</p> <p>18 were going to take the lead.</p> <p>19 BY MR. RAUSCHER:</p> <p>20 Q. It says the lesson says that US Attorney's</p> <p>21 Office believe they should be in control of everything</p> <p>22 that results from his cooperation; do you see that?</p> <p>23 A. Yes.</p> <p>24 Q. How come it doesn't say what CPD's position on</p> <p>25 that belief is?</p>
<p style="text-align: center;">Page 83</p> <p>1 MR. NOLAND: Object to the form, foundation.</p> <p>2 Go ahead.</p> <p>3 A. Again, they're look -- if you read up there,</p> <p>4 it says "federally prosecuted," so that would be --</p> <p>5 they're taking the lead.</p> <p>6 BY MR. RAUSCHER:</p> <p>7 Q. And when it says in here, "It was determined</p> <p>8 that this would be a federally prosecuted investigation</p> <p>9 at a meeting that CPD attended, among others," does that</p> <p>10 mean there was a joint decision that it would be</p> <p>11 federally prosecuted?</p> <p>12 A. It was the AUSA who made the decision. Again,</p> <p>13 this was not our informant. It was theirs, so there's</p> <p>14 no way we would've made any decision here.</p> <p>15 Q. Is that because you couldn't have developed</p> <p>16 evidence without them or for some other reason?</p> <p>17 A. Because anything they --</p> <p>18 MR. NOLAND: Objection form. Go ahead.</p> <p>19 A. Anything they generate would be their</p> <p>20 property.</p> <p>21 BY MR. RAUSCHER:</p> <p>22 Q. Let me rephrase. So does that mean you</p> <p>23 couldn't develop evidence from this CI without the feds</p> <p>24 giving it to you; is that fair?</p> <p>25 A. The way we understood, yes.</p>	<p style="text-align: center;">Page 84</p> <p>1 Q. All right. I'm going to mark Exhibit 3, which</p> <p>2 is PL Joint 010861. Have you had a chance to look at</p> <p>3 this?</p> <p>4 (EXHIBIT 3 MARKED FOR IDENTIFICATION)</p> <p>5 A. Yes.</p> <p>6 BY MR. RAUSCHER:</p> <p>7 Q. Do you recognize this letter?</p> <p>8 A. I reviewed this, but I -- I honestly don't</p> <p>9 recall the letter itself.</p> <p>10 Q. When you say -- I'm sorry, go ahead.</p> <p>11 A. No, I'm just saying I -- I -- I -- well, this</p> <p>12 is one of the items I reviewed, but I really didn't</p> <p>13 recall this report.</p> <p>14 Q. That was going to be -- so my question was,</p> <p>15 when you say you reviewed it, you mean in preparation</p> <p>16 for your deposition?</p> <p>17 A. Correct.</p> <p>18 Q. This is -- this relates to that car accident</p> <p>19 you were talking about earlier, right?</p> <p>20 A. I -- not -- not 100 percent sure. Yeah.</p> <p>21 Q. Well, did you see anything else involving a</p> <p>22 car accident where Watts was trying to pay for or have</p> <p>23 someone pay for getting a car fixed from September of</p> <p>24 2004?</p> <p>25 A. Oh, I see now, car fixed. I -- I -- I would</p>