

EXHIBIT 3



Transcript of the Deposition of
Elgen Moore

Case: n Re: Watts Coordinated Pretrial Proceedings
Taken On: February 28, 2024

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

IN RE: WATTS)
COORDINATED PRETRIAL) Case No. 19 CV 1717
PROCEEDINGS)
)

The videotaped deposition of ELGEN MOORE,
taken in the above-entitled cause, called for
examination by the Defendants pursuant to the Rules
of Civil Procedure for the United States District
Courts pertaining to the taking of depositions,
taken via videoconference before Sharon L.
Patanella, a Certified Shorthand Reporter in the
State of Illinois, commencing at 10:02 a.m. on the
28th day of February, 2024.

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Also present: Nate Karney (Video Instanter)
Ms. Lohith Ramanujam

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1 THE VIDEOGRAPHER: For the record, my name
2 is Nate Karney of Video Instanter. I'm the
3 video-recording device operator for this
4 deposition. Our business address is 134 North
5 LaSalle Street, Suite 1400, Chicago, Illinois
6 60602.

7 This remote deposition is being video-
8 recorded pursuant to the Federal Rules of Civil
9 Procedure and all other applicable rules.

10 This deposition of Elgen Moore is being
11 taken in the matter of In Re: Watts Coordinated
12 Pretrial Proceedings, Case No. 19-CV-1717, in the
13 United States District Court for the Northern
14 District of Illinois, Eastern Division.

15 Today's date is February 28, 20124, and
16 the time is 10:02 a.m.

17 Will the witness please identify yourself
18 for the record by stating your name and location,
19 please?

20 THE WITNESS: My name is Elgen Moore,
21 E-L-G-E-N. Location, Loevy + Loevy.

22 THE VIDEOGRAPHER: This deposition is
23 being video-recorded at the instance of the
24 plaintiff, and it is being taken on behalf of the

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1 plaintiff.

2 Would the participants of this
3 videoconference please introduce yourself for the
4 record by stating your name, location, and who you
5 represent, please?

6 MR. BAZAREK: This is William Bazarek.

7 That's actually incorrect. This
8 deposition is taken by the defendants, not the
9 plaintiffs.

10 MS. GIZZI: Gianna Gizzi, on behalf of the
11 plaintiff and deponent. I am in the room with the
12 deponent for this deposition.

13 MR. GAINER: Brian Gainer. I represent
14 Ron Watts, attending remotely.

15 MR. BAZAREK: My name is William Bazarek.
16 I'm here remotely. I represent Alvin Jones, Robert
17 Gonzales, Brian Bolton, Elsworth Smith, Jr.,
18 Douglas Nichols, and Manuel Leano.

19 MR. SCAHILL: My name is Timothy Shahill.
20 I represent Calvin Ridgell.

21 MR. SCHALKA: Michael Schalka. I represent
22 Cadman and Spaargaren in the coordinated
23 proceedings.

24 MR. LIPSCHULTZ: David Lipschultz for the

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1 Flaxman plaintiffs.

2 MS. HARRIS: Dhaviella Harris on behalf of
3 the City of Chicago, supervisory officers.

4 MR. BAZAREK: We got everyone?

5 THE VIDEOGRAPHER: Will the court reporter
6 please introduce yourself, and please swear in the
7 witness?

8 THE COURT REPORTER: My name is Sharon
9 Patanella.

10 Please raise your right hand, sir.

11 (Whereupon, the witness was
12 duly sworn.)

13 WHEREUPON,

14 ELGEN MOORE,
15 a witness, called for examination, after having
16 been first duly sworn or affirmed, was examined and
17 testified via videoconference as follows:

18 EXAMINATION

19 BY MR. BAZAREK:

20 Q. Good morning, Mr. Moore. How you doing?

21 A. Good morning. How you doing?

22 Q. Can you state your name and spell your
23 name, please?

24 A. My name is E-L-G-E-N, Moore, M-O-O-R-E.

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1 Q. Do you have a middle name?

2 A. Lorenzo.

3 Q. Can you spell it, please?

4 A. L-O-R-E-N-Z-O.

5 Q. Have you ever been known by any other name
6 other than Elgen Moore?

7 A. L.

8 Q. And how do you spell that?

9 A. Just an L.

10 Q. Have you ever used an alias?

11 A. That's the alias. That's my nickname.

12 Q. Any other alias?

13 A. No.

14 Q. Have you ever given a deposition before?

15 A. No.

16 Q. Have you ever brought a lawsuit against
17 anyone other than this case?

18 A. No.

19 Q. So I'm going to be asking you questions
20 today about your lawsuit. You understand that;
21 right?

22 A. Yes.

23 Q. And since you've never given a deposition
24 before, I want to go over some ground rules with

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1 you. Okay?

2 A. Yes.

3 Q. It's important during the deposition that
4 you give a verbal response to the questions that
5 are put to you. Okay?

6 A. Yes.

7 Q. You know, like shaking your head, nodding,
8 that type of thing, that's not an answer. You have
9 to verbally answer the question.

10 Can you remember to do that?

11 A. Yes.

12 Q. It's also important that you let me finish
13 my question before you answer, or we'll be talking
14 over each other, and that will make the court
15 reporter's life difficult.

16 So can you remember to do that?

17 A. Yes.

18 Q. At any point in this deposition,
19 Mr. Moore, where you want to clarify an answer or
20 you think you misspoke, you can do so.

21 Can you remember to do that if the need
22 requires it?

23 A. Yes.

24 Q. And will you do that before this

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1 deposition ends today?

2 A. Yes.

3 Q. It's also important -- everyone in the
4 room wants you to answer questions that you
5 understand. We don't want you answering questions
6 that you don't understand.

7 Can you remember to do that?

8 A. Yes.

9 Q. Did you -- strike that.

10 Also, any time today you want to take a
11 break -- I know you're with your attorney at your
12 attorney's law office -- but if you need to take a
13 break, you have to make a phone call or whatever it
14 was, let us know and you can do so. Okay?

15 A. Yeah.

16 Q. Did you review anything in anticipation of
17 this deposition, sir?

18 A. Yes.

19 Q. What did you review?

20 A. A couple reports, arrest history.

21 Q. When you say "arrest history," you're
22 talking about your rap sheet?

23 A. Yes.

24 Q. And when did you look at your rap sheet?

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1 A. Within the last few days.

2 Q. Where were you when you reviewed your rap
3 sheet?

4 A. Home.

5 Q. Did you observe any arrests -- strike
6 that.

7 Was the rap sheet as far as you know
8 accurate?

9 A. Yes.

10 Q. Were there arrests -- strike that.

11 Were there times when you were arrested
12 that were not listed on the rap sheet you reviewed?

13 A. No.

14 Q. Have you ever been arrested outside of
15 Chicago, Illinois?

16 A. No.

17 Q. Have you ever lived outside of Chicago,
18 Illinois?

19 A. No.

20 Q. I know from your rap sheet you've been
21 arrested about 33 times; does that sound right?

22 A. Yes.

23 Q. And you have 10 convictions; does that
24 sound right?

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1 A. Yes.

2 Q. Are the majority of your convictions
3 related to illegal narcotics activity?

4 A. Yes.

5 Q. Do you know a drug dealer named Ben Baker?

6 A. Yes.

7 Q. How do you know the drug dealer Ben Baker?

8 A. He lived in the housing complex I lived
9 in.

10 Q. Was that at Ida B. Wells?

11 A. Yes.

12 Q. And Ben Baker was a drug dealer at
13 Ida B. Wells; right?

14 A. No.

15 Q. It's your testimony at this deposition,
16 sir, that Ben Baker was not a drug dealer at
17 Ida B. Wells?

18 A. He was arrested for drugs, so I guess that
19 would make him a drug dealer.

20 Q. Well, to your knowledge was he a drug
21 dealer?

22 A. He was arrested for it, so, yes.

23 Q. When did you first meet Ben Baker?

24 A. I can't say what year. I met him

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1 somewhere. I can't even say what year exactly.

2 Q. Was it in the 1990s?

3 A. Maybe so, yes.

4 Q. And he was selling drugs in the 1990s,
5 too; right?

6 A. No.

7 Q. Ben Baker was a Gangster Disciple; correct?

8 A. I have no knowledge of that.

9 Q. Sir, you were a Gangster Disciple; correct?

10 A. No.

11 Q. Have you ever reported to any law
12 enforcement officer that you were a Gangster
13 Disciple?

14 A. No.

15 Q. Do you have any tattoos?

16 A. No.

17 Q. When you were incarcerated over the years,
18 did prison officials ask you if you were a
19 Gangster Disciple?

20 A. No. They label you as that.

21 Q. So you were never -- you were never asked
22 that question while you were at the Illinois
23 Department of Corrections as to whether or not you
24 were in a gang?

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1 A. Yes.

2 Q. And what was your answer to that?

3 A. No.

4 Q. Did IDOC identify you as a Gangster
5 Disciple?

6 A. Yes.

7 Q. And how did you become aware of that?

8 A. They asked me what area I stayed in.

9 Q. And what did you tell IDOC?

10 I'm sorry. I didn't hear that.

11 A. The area I stayed at.

12 Q. And -- well, what area did you tell them
13 you stayed at?

14 A. My address, 527 East Browning.

15 Q. And that's where Ben Baker lived; right?

16 A. Yes.

17 Q. Do you know an individual named Jamar Lewis?

18 A. Yes.

19 Q. How do you know Jamar Lewis?

20 A. Living in the area I was raised -- lived
21 in.

22 Q. What building did Jamar Lewis live at?

23 A. 511 East Browning.

24 Q. Jamar Lewis was a drug dealer, too; right?

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1 A. Yes.

2 Q. What building or buildings did Jamar sell
3 narcotics out of?

4 A. 527.

5 Q. Do you know Henry Thomas?

6 A. Yes.

7 Q. He was a drug dealer, too; right?

8 A. Yes.

9 Q. And Henry Thomas, he told sold drugs out
10 of the 527 building, too; right?

11 A. Yes.

12 Q. Is Henry Thomas a friend of yours?

13 A. I don't want to say a friend. An
14 associate more.

15 Q. Do you still associate with Henry Thomas?

16 A. Not really.

17 Q. When is the last time you saw or spoke to
18 him?

19 A. Maybe within the last four to five months.

20 Q. What did you talk about?

21 A. I seen him while we was out at an event.

22 THE COURT REPORTER: Can you repeat that,
23 please?

24 THE WITNESS: I seen him while we was out

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1 at an event.

2 BY MR. BAZAREK:

3 Q. What was the event?

4 A. A party.

5 Q. Was it a gathering of former residents of
6 Ida B. Wells?

7 A. No.

8 Q. Is there a big picnic in the summertime
9 for people that used to live at Ida B. Wells?

10 A. Not really no more.

11 Q. It ended?

12 A. Nothing been going on, really.

13 Q. Okay. When did you first move to
14 Ida B. Wells?

15 A. Probably around -- I can't recall the year
16 I actually moved into Ida B. Wells.

17 Q. Well, let me take a step back then.
18 When you were in grammar school, where did
19 you live?

20 A. When I first was in grammar school, I
21 stayed in the Dearborns.

22 Q. Dearborn Homes?

23 A. Yes.

24 Q. And where was Dearborn Homes located?

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1 A. I think it run from 31st and State maybe
2 to 26th and State.

3 **Q. Is that Bronzeville?**

4 A. Yeah, that's part of Bronzeville.

5 **Q. Okay.**

6 A. Yes.

7 **Q. And then who did you live with in the**
8 **Dearborn Homes?**

9 A. My mother and her boyfriend.

10 **Q. And I know you've got siblings; right?**
11 **You've got a brother, sister; right?**

12 A. Yes.

13 **Q. Okay. And what's your sister's name?**

14 A. I actually have two sisters. So which one
15 you asking?

16 **Q. Well, tell me what's the names of your**
17 **sisters.**

18 A. Valencia Cline and Stephanie Brown.

19 **Q. And then what's your brother's name?**

20 A. Brian Brown.

21 **Q. Okay. So how long did you live in**
22 **Dearborn Homes?**

23 A. I can't recall, but I'd say five years or
24 better.

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1 **Q. Okay. And then where did you next move**
2 **from there?**

3 A. Ida B. Wells.

4 **Q. Okay. And so do you recall how old you**
5 **were when you moved -- strike that.**

6 Do you recall how old you were when you
7 **first moved to Ida B. Wells?**

8 A. I can't recall that.

9 **Q. Were you a teenager? Were you in your 20s?**

10 A. I would say a teenager. I had to probably
11 move there when -- I was probably was in second
12 grade, second or third grade.

13 **Q. And then who did you live with at**
14 **Ida B. Wells when you first moved in?**

15 A. My mother, Paulette Dixon.

16 **Q. And I didn't ask you this question.**
17 **What's your date of birth, sir?**

18 A. December 18, 1982.

19 **Q. So did you attend Doolittle School?**

20 A. Yes.

21 **Q. And did you graduate?**

22 A. Yes.

23 **Q. What year did you graduate from Doolittle**
24 **School?**

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1 A. 1997.

2 Q. And then from there you attended high
3 school?

4 A. Yes.

5 Q. Where did you attend high school?

6 A. Dunbar Vocational Career Academy.

7 Q. Did you graduate from high school?

8 A. No.

9 Q. Why did you leave high school?

10 A. I failed.

11 Q. Were you allowed to take summer school to
12 make up for failing grades?

13 A. Yes.

14 Q. So did you end up voluntarily dropping out
15 of high school?

16 A. Yes.

17 Q. What year?

18 A. 2001.

19 Q. Did you ever get expelled from high school?

20 A. No.

21 Q. During high school, were you ever inside a
22 police station?

23 A. No.

24 Q. During high school, were you ever detained

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1 **by the police?**

2 A. No.

3 **Q. During high school, were you ever inside a**
4 **courtroom?**

5 A. No.

6 **Q. During high school when you lived at**
7 **Ida B. Wells, what apartment did you live in?**

8 A. That was Apartment 506.

9 **Q. Did you live in Apartment 506 until you**
10 **ended up moving from Ida B. Wells the last time?**

11 A. Yes.

12 **Q. I want to spring forward to -- you said**
13 **you dropped out of school in about 2001; is that**
14 **right?**

15 A. Yes.

16 **Q. So after you dropped out of school, did**
17 **you have any job?**

18 A. Yes.

19 **Q. What job did you have?**

20 A. A summer job.

21 **Q. And how long did you have the summer job?**

22 A. I think the summer only lasted maybe three
23 or four months.

24 **Q. And do you recall who your employer was**

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1 **for the summer job?**

2 A. I can't recall that.

3 **Q. And was that during 2001?**

4 A. No.

5 **Q. What year was that?**

6 A. Maybe 2000.

7 **Q. Did you have a summer job while you were**
8 **still in high school, or was it after you dropped**
9 **out of high school?**

10 A. Well, I was in high school.

11 **Q. Okay. After high school, did you have any**
12 **jobs?**

13 A. No.

14 **Q. So am I correct then, when you were living**
15 **at Ida B. Wells from the time you were a kid until**
16 **you ultimately moved out in 2008, the only job you**
17 **had was that summer job during high school?**

18 A. Yes.

19 **Q. How would you support yourself?**

20 A. Family.

21 **Q. What do you mean by that?**

22 A. My family supported me.

23 **Q. Who in your family?**

24 A. Mother, grandmother, grandfather, uncle,

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1 cousin.

2 Q. So they just gave you money? That's how
3 you were able to buy things?

4 A. Yes.

5 Q. Was your mom working at the time?

6 A. Yes.

7 Q. Was there a reason why you weren't working?

8 A. No.

9 Q. The money that your family members would
10 give you, would you use that money to buy drugs?

11 A. No.

12 Q. What would you do with that money?

13 A. Buy clothing, buy food.

14 Q. Anything else?

15 A. Nope.

16 Q. What year did you first become a drug
17 dealer?

18 A. After 2001.

19 Q. So you're saying after you dropped out of
20 high school is when you became a drug dealer?

21 A. Yes.

22 Q. And how old were you when you first became
23 a drug dealer?

24 A. Maybe 20 or 21.

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1 **Q. How did you get started in the drug**
2 **dealing business?**

3 A. I purchased.

4 **Q. From who?**

5 A. A guy that stay in the neighborhood.

6 **Q. Who was the guy?**

7 A. I don't know his real name. Maybe called
8 the Moose.

9 **Q. Was Moose a drug dealer?**

10 A. He sold marijuana.

11 **Q. Okay. So tell me he about you and Moose.**

12 A. It wasn't too much with Moose. I
13 purchased marijuana from him, and I sold it.

14 **Q. And -- so Moose was your supplier of**
15 **marijuana?**

16 A. Yes.

17 **Q. Can you tell me, how did you decide,**
18 **though, one morning -- strike that.**

19 How did you decide, hey, I'm going to --
20 I'm going to start selling marijuana? How did you
21 decide to do that?

22 A. By my friends, I felt like they smoking,
23 so I feel like I could sell a little bit to them.

24 **Q. So you had friends who smoked marijuana?**

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1 A. Yes.

2 Q. You figured you could start making a
3 profit?

4 A. Somewhat, yes.

5 Q. Okay. Was Ben Baker one of those friends?

6 A. Not at the time.

7 Q. Okay. But Ben Baker, he likes to smoke
8 marijuana; right?

9 A. Yes.

10 Q. And I mean, you guys smoked marijuana
11 together. It was like one of the hobbies you had
12 with Ben?

13 A. Yes.

14 Q. Okay. All right. So you start selling
15 marijuana, and then how many years did you do that?

16 A. Off and on.

17 Q. Were you living in the 527 building during
18 the time you were selling marijuana?

19 A. Yes.

20 Q. Did you have any other marijuana suppliers
21 other than Moose?

22 A. No.

23 Q. And would you sell marijuana every day?

24 A. No, off and on.

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1 **Q. What do you mean by "off and on"?**

2 **A. Maybe sometimes a week or two or three**
3 **here and sometimes not.**

4 **Q. So what would make it where sometimes you**
5 **could sell it and sometimes you couldn't?**

6 **A. I don't have the money to go buy it.**

7 **Q. Okay. Did you use any of the profits to**
8 **buy marijuana for yourself where you could smoke**
9 **it?**

10 **A. Yes.**

11 **Q. During the days when you were selling**
12 **marijuana, what was the most amount of money you**
13 **could make in a day?**

14 **A. Probably 100.**

15 **Q. So -- strike that.**

16 **On average, would you make about \$100 a**
17 **day profit when you were selling?**

18 **A. No.**

19 **Q. Okay. What would you say? Ballpark it in**
20 **terms of like say in a week for marijuana sales?**

21 **A. Maybe in a week, \$300.**

22 **Q. And were all the -- marijuana is cannabis;**
23 **right? Do you call it cannabis or marijuana? What**
24 **do you call it?**

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1 A. Marijuana is cannabis.

2 Q. Yeah. And during the time period when you
3 were selling marijuana, would you always sell it at
4 Ida B. Wells?

5 A. Yes.

6 Q. Other than Ida B. Wells, would you go to
7 other places in the Chicago area to sell the
8 marijuana?

9 A. No.

10 Q. So how many years was Moose your supplier
11 of marijuana?

12 A. Maybe one or two years.

13 Q. Okay. All right. So did you get another
14 supplier for marijuana?

15 A. No.

16 Q. What about cocaine or heroin? Did you
17 start selling that?

18 A. Yes.

19 Q. When?

20 A. Maybe around 2004.

21 Q. When you were selling cocaine and heroin,
22 were you also selling marijuana?

23 A. No.

24 Q. So your marijuana selling ended in 2004;

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1 **is that right?**

2 A. No.

3 **Q. When did it end?**

4 A. Maybe 2003.

5 **Q. So between the time you stopped selling**
6 **marijuana in 2003 until you started selling cocaine**
7 **and heroin in 2004, how would you support yourself?**

8 A. Still asking my mom and dad and cousin and
9 grandmother and uncles for money.

10 **Q. Would they give you money?**

11 A. Yes.

12 **Q. Did any of them ever say to you, hey, why**
13 **don't you get a job so you don't have to come to me**
14 **and ask for money?**

15 A. Yes.

16 **Q. And what did you say to that?**

17 A. I'm trying.

18 **Q. Okay. Tell me, during the times when you**
19 **were making the money selling marijuana, would you**
20 **still rely on family members to give you money?**

21 A. Yes.

22 **Q. Would you ever use the money your family**
23 **members gave you to buy marijuana from Moose?**

24 A. Yes.

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1 **Q. All right. Let's talk about 2004 when you**
2 **first began selling cocaine and heroin.**

3 **How did that come about?**

4 A. I seen other young guys doing it, so I
5 guess I thought it was cool.

6 **Q. When you say "other young guys doing it,"**
7 **you mean selling cocaine and heroin?**

8 A. Yes.

9 **Q. And who were some of the young guys that**
10 **you observed selling cocaine and heroin?**

11 A. Just young guys that stayed in the
12 neighborhood.

13 **Q. Did they live in Ida B. Wells, too?**

14 A. Yes.

15 **Q. Would you agree that the Gangster Disciples**
16 **are the prominent gang at Ida B. Wells?**

17 A. No.

18 **Q. What other gangs were engaging in gang**
19 **activity at Ida B. Wells?**

20 A. Black Disciples, Black Stones.

21 **Q. Any other ones?**

22 A. That's all I know.

23 **Q. What about Mickey Cobras?**

24 A. I don't know nothing about that.

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1 **Q. Okay. Would you agree that there were**
2 **more Gangster Disciples than Black Disciples?**

3 A. No.

4 **Q. Would you agree that there were more**
5 **Gangster Disciples than Black P. Stones?**

6 A. No.

7 **Q. What about particular buildings at**
8 **Ida B. Wells, would they be run by different gangs?**

9 A. I have know history of that.

10 **Q. Like, for instance, you know, Gangster**
11 **Disciples, do they run the 527 building?**

12 A. No.

13 **Q. Were there any Gangster Disciples that you**
14 **knew who sold drugs out of the 527 building?**

15 A. Not to my knowledge.

16 **Q. Do you know someone named Tolorn Fumbanks?**

17 A. Yes.

18 **Q. Who is he?**

19 A. A kid from the neighborhood, also.

20 **Q. Was he involved in illegal narcotics**
21 **activity at Ida B. Wells?**

22 A. Yes.

23 **Q. And what was his role in the narcotics**
24 **operations at Ida B. Wells?**

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1 A. To my knowledge, just selling.

2 Q. Was he a supplier?

3 A. Yes.

4 Q. And who would Tolorn Fumbanks supply
5 narcotics to?

6 A. I have no history of that.

7 Q. Where did Mr. Fumbanks live?

8 A. 527.

9 Q. Do you remember what floor he lived on?

10 A. Floor No. 5.

11 Q. That's the same floor you lived on; right?

12 A. Yes.

13 Q. So he was a neighbor, so to speak; right?

14 A. Yes.

15 Q. Do you remember his aunt?

16 A. Which aunt?

17 Q. I'll withdraw that question.

18 Do you remember his mom?

19 A. Yes.

20 Q. What was his mom's name?

21 A. Ernestine, I believe.

22 Q. Ernestine Clark?

23 A. Yes.

24 Q. And is Jamar Lewis, is he related to

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1 **Ernestine Clark?**

2 A. Yes.

3 **Q. And who is Ernestine Clark to Jamar Lewis?**

4 A. I want to say his aunt.

5 **Q. Do you call Jamar Lewis -- would you call**
6 **him by a nickname?**

7 A. Tweet.

8 **Q. Do you know where Jamar Lewis is right**
9 **now?**

10 A. I believe he's incarcerated.

11 **Q. Do you know what he's incarcerated for?**

12 A. I believe drugs.

13 **Q. Well, he was involved in selling narcotics**
14 **with Ben Baker after Ben Baker was released from**
15 **prison in 2016; right?**

16 MS. GIZZI: Objection, form.

17 THE WITNESS: I guess.

18 BY MR. BAZAREK:

19 **Q. Did you ever hear that before?**

20 A. I heard that.

21 **Q. Where did you hear that?**

22 A. From people that were around.

23 **Q. Who were the people?**

24 A. Family.

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1 **Q. Can you tell me the names of any of these**
2 **people?**

3 A. Ernestine Clark told me that.

4 **Q. And when did Ernestine Clark tell you**
5 **that?**

6 A. While I was incarcerated.

7 **Q. Were you talking on the phone with**
8 **Ernestine Clark?**

9 A. I called my mother and she was around
10 Ernestine and she told me, as well as my mother.

11 **Q. So your mom told you about Ben Baker (sic)**
12 **being involved in narcotics activity with Ben**
13 **Baker?**

14 A. No. She just told me Ben Baker and Jamar
15 was arrested and incarcerated.

16 **Q. Did she tell you anything else?**

17 A. No.

18 **Q. Have you ever heard of the heroin highway?**

19 A. No.

20 **Q. Do you know Jamar Lewis' girlfriend?**

21 A. Antonece Brown.

22 **Q. Did she drive a white Mercedes?**

23 A. Not that I know of.

24 **Q. Okay. Did Ben Baker or Jamar -- strike**

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1 **that.**

2 **After Ben Baker got of out of prison in**
3 **2016, did he ever try to recruit you to sell drugs**
4 **for him?**

5 A. I was incarcerated.

6 Q. **Right. But did he say, hey, when you get**
7 **out of jail, I'd like you to sell drugs for me?**

8 A. No.

9 Q. **Okay. How about Jamar Lewis?**

10 A. No.

11 Q. **Do you know Gerard Baker?**

12 A. No.

13 Q. **One of Ben Baker's sons?**

14 A. Can you repeat that?

15 Q. **Do you know someone named Gerard Baker?**

16 A. I didn't know his name was Baker, but,
17 yeah, I know -- I know Ben's son Gerard.

18 Q. **How do you know him?**

19 A. I watched him -- that's Ben's son. I seen
20 him grow up in the building I was raised in -- I
21 grow up in.

22 Q. **When your mom and Ernestine told you about**
23 **Ben Baker and Jamar being arrested, did they say**
24 **anything about Gerard Baker being involved?**

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1 A. No.

2 Q. Okay. So let's go back to -- again, we're
3 talking about 2004. You start dealing cocaine and
4 heroin that year; right?

5 A. Yes.

6 Q. And what month was it that you started
7 selling cocaine and heroin?

8 A. I can't say what exact month.

9 Q. Do you remember the season?

10 A. Probably the summertime.

11 Q. And how is it that you became a drug
12 dealer of cocaine and heroin during the summer of
13 2004?

14 A. I purchased.

15 Q. From who?

16 A. A guy named Scully.

17 Q. And Scully, is he still around?

18 A. I believe he got killed.

19 Q. Do you remember his full name?

20 A. No.

21 Q. Was he a Gangster Disciple?

22 A. I don't know that.

23 Q. How did he get killed?

24 A. I believe someone shot him to death.

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1 **Q. Was he in a gang?**

2 A. Not that I know of.

3 **Q. Other than Scully, did you have any**
4 **suppliers of cocaine and heroin during 2004?**

5 A. No.

6 **Q. Did you know a drug supplier named**
7 **Eddie Baker?**

8 A. No.

9 **Q. Did you know a drug supplier named Mark**
10 **Holloman, aka Polo?**

11 A. No.

12 **Q. Did Jamar Lewis ever supply you with**
13 **cocaine or heroin to sell?**

14 A. No.

15 **Q. How did you meet Scully?**

16 A. He stayed in the neighborhood.

17 **Q. Did he live at Ida B. Wells?**

18 A. Yes.

19 **Q. In what apartment did he live in?**

20 A. He didn't stay in my building, so I don't
21 know what apartment he stayed in.

22 **Q. And by '04, you're still living in**
23 **Apartment 506; right?**

24 A. Yes.

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1 **Q. And how would you arrange to get cocaine**
2 **and heroin from Scully?**

3 A. I would walk up and talk to him.

4 **Q. And what was said between you two?**

5 A. Nothing. I asked him could I purchase,
6 and he would tell me yes or no.

7 **Q. What was the amount of cocaine and heroin**
8 **that you were buying from Scully during the summer**
9 **of 2004?**

10 A. Can you repeat that?

11 **Q. Sure.**

12 **What was the -- strike that.**

13 **I'm going to break this down.**

14 **When you would purchase the cocaine and**
15 **heroin from Scully during the summer of 2004, would**
16 **you buy the same amounts of cocaine and heroin from**
17 **him?**

18 A. Yes.

19 **Q. And then what were the amounts that you**
20 **would buy from Scully?**

21 A. Probably like 3.5 grams.

22 **Q. Okay. So 3.5 grams of heroin and then 3.5**
23 **grams of cocaine?**

24 A. Just cocaine.

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1 Q. Okay. So 3.5 grams of cocaine you would
2 buy from Scully?

3 A. Yes.

4 Q. Did you ever buy heroin from Scully?

5 A. No.

6 Q. All right. So that means in the summer of
7 2004, you were a cocaine dealer; is that your
8 testimony?

9 A. Yes.

10 Q. And when you -- how much would 3.5 grams
11 of cocaine cost you?

12 A. Maybe 75 bucks.

13 Q. And then how did you receive it?

14 A. Can you rephrase that?

15 Q. Sure.

16 I'm trying to picture this, where you're
17 getting the cocaine from Scully. Is it in a
18 plastic bag? Is it in a package? What does it
19 look like?

20 A. In a plastic bag.

21 Q. And was it just -- strike that.

22 Were there also individual packets, or you
23 would have to put them in packets, the cocaine that
24 you purchased?

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1 A. I would have to put it in packets.

2 **Q. Okay. Would you have to mix the cocaine**
3 **at all?**

4 A. No.

5 **Q. So where would you -- strike that.**
6 **Where would you go to put the cocaine in**
7 **the packets for you to sell?**

8 A. Probably in someone house that use.

9 **Q. In the 527 building?**

10 A. Yes.

11 **Q. And who were some of the users where you**
12 **would go to their apartment to package the cocaine**
13 **you were going to sell?**

14 A. Mostly this lady named Joanne.

15 **Q. Do you remember her last name?**

16 A. No.

17 **Q. Did she have any children?**

18 A. Yes.

19 **Q. Who were her kids?**

20 A. I believe she had a daughter named
21 Rosetta, and I believe she had a son named Ben.

22 **Q. And you don't know the last name?**

23 A. No.

24 **Q. Was she involved in the drug trade, too?**

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1 A. Can you rephrase that?

2 Q. Was she involved in illegal narcotics
3 activity at Ida B. Wells?

4 A. Yes.

5 Q. And what was her role in narcotics activity
6 at Ida B. Wells?

7 A. I would say using.

8 Q. Okay. So let me -- tell me if I got this
9 right.

10 She let you bag the cocaine that you were
11 going to sell, and as a reward for her, you'd give
12 her some bags to use?

13 A. Yes.

14 Q. And then what was the going rate for when
15 you would go to her apartment to bag the cocaine
16 that you were going to sell that you would pay to
17 her?

18 A. \$20.

19 Q. Would you give her cash, or you would give
20 her drugs as a reward?

21 A. What she would ask for.

22 Q. So would you give her cash, and then what?
23 She would buy cocaine from you, or you would just
24 give her a couple bags of cocaine?

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1 A. What she would ask for, whether she wanted
2 cash or maybe sometimes drugs.

3 Q. Okay. All right. So you paid her either
4 cash or with cocaine as payment?

5 A. Yes.

6 Q. Would her kids be present when you were
7 bagging the cocaine inside her apartment?

8 A. No.

9 Q. What was her apartment number at the
10 527 building?

11 A. I believe 407.

12 Q. 407?

13 A. Yes.

14 Q. Would you always use her apartment to bag
15 the cocaine?

16 A. Yes.

17 Q. And so going back to -- you said the 3.5
18 grams would cost you \$75; right?

19 A. Yes.

20 Q. How many individual bags could you fill
21 from the 3.5 grams that you received?

22 A. Can you repeat that?

23 Q. Yeah.

24 I'm trying to figure out -- you said you

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1 would go to Scully. You would buy 3.5 grams of
2 cocaine; right?

3 A. Yes.

4 Q. And then you've already testified to --
5 you, Elgen Moore, would have to put that cocaine in
6 individual bags to sell; true?

7 A. Yes.

8 Q. So my question is with the 3.5 point grams
9 of cocaine, how many individual bags could you fill
10 up to sell?

11 A. At the time, 15.

12 Q. And then what would you sell the
13 individual bags of cocaine for?

14 A. \$10.

15 Q. Okay. So if I've got this right, you paid
16 \$75 to Scully, and then you turn around and sell
17 the cocaine that he gave you, and you'd make \$75 in
18 profit; is that right?

19 A. Yes.

20 Q. And during the summer of 2004, was there a
21 time of day that you would sell the cocaine?

22 A. From the morning to the evening.

23 Q. Would you agree that someone could buy --
24 strike that.

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1 **We're talking about the cocaine that you**
2 **sold during the summer of 2004. Was that crack**
3 **cocaine, by the way?**

4 A. Yes.

5 **Q. And how would a crack cocaine user -- how**
6 **would they ingest the cocaine?**

7 A. I can't really say. They got different
8 ways.

9 **Q. Right. Do they smoke it?**

10 A. Pretty much.

11 **Q. Could they snort it?**

12 A. I don't believe so.

13 **Q. Snorting is more for heroin; right?**

14 A. I guess.

15 **Q. Did you ever buy more than 3.5 grams of**
16 **crack cocaine from Scully during the summer of**
17 **2004?**

18 A. No.

19 **Q. How would you describe your cocaine**
20 **selling business during the summer of 2004?**

21 A. Beneficial at the time.

22 **Q. It was profitable?**

23 A. Yes.

24 **Q. During the summer of 2004, were you still**

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1 **accepting money from your family members?**

2 A. Yes.

3 **Q. Did you ever share with anyone the**
4 **proceeds that you made from your crack cocaine**
5 **sales?**

6 A. Rephrase what you mean by sharing.

7 **Q. Well, you have family members giving you**
8 **money; right?**

9 A. Yes.

10 **Q. All right. Did you ever take any of the**
11 **money that you received from your crack cocaine**
12 **sales and give it to other people?**

13 A. Besides like buying groceries and like
14 going to wash, doing laundry for my mom. That's
15 about it.

16 **Q. So you would use the money that you**
17 **received from the crack cocaine sales to buy your**
18 **mom groceries?**

19 A. If needed, yes.

20 **Q. And then you talked about laundry. Would**
21 **you go to a laundromat, or are you talking about**
22 **just buying soap, detergent to wash clothes at home?**

23 A. Going to the laundromat.

24 **Q. What would you spend for yourself --**

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1 **strike that.**

2 **How did you spend the money that you**
3 **received from your crack cocaine sales during the**
4 **summer of 2004?**

5 A. Mostly like buying food or undergarments.
6 Buy socks and boxers and tank tops and t-shirts.

7 **Q. Did you have a girlfriend during the**
8 **summer of 2004?**

9 A. Yes.

10 **Q. Who was your girlfriend?**

11 A. Tanesha Cash.

12 **Q. Would you spend some of the money from the**
13 **drug sales on Tanesha Cash?**

14 A. Getting us something to eat, yes.

15 **Q. Did she know you were a drug dealer?**

16 A. No.

17 **Q. So you hid that from her, or she just**
18 **never became aware of it?**

19 A. She didn't become aware of it.

20 **Q. Where's Tanesha these days?**

21 A. She live in Chicago.

22 **Q. Do you still have contact with her?**

23 A. Yes.

24 **Q. How long was she your girlfriend?**

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1 A. We was off and on. She was my girlfriend
2 from around 2004 to -- we've been off and on for
3 years.

4 **Q. To this day are you still off and on?**

5 A. No.

6 **Q. When did it finally end, the relationship?**

7 A. The relationship ended in 2014.

8 **Q. Why did it end?**

9 A. We were tired of being off and on with
10 each other.

11 **Q. I didn't ask you this question.**

12 **Do you have any children?**

13 A. Yes.

14 **Q. How many kids do you have?**

15 A. One.

16 **Q. And what's your child's name?**

17 A. Amelia.

18 **Q. How old is Amelia?**

19 A. 10.

20 **Q. Do you have a loving relationship with**
21 **her?**

22 A. Yes.

23 **Q. Who does Amelia live with?**

24 A. Her mom, Tanesha Cash.

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1 **Q. Has Tanesha Cash ever brought any type of**
2 **child support actions against you?**

3 A. No.

4 **Q. Do you financially support your daughter?**

5 A. When I can, yes.

6 **Q. Are you working right now?**

7 A. Not at the moment.

8 **Q. What's the last job you had?**

9 A. I worked for a temp service.

10 **Q. What type of work would you do for the**
11 **temp service?**

12 A. Janitorial, stocking, piling things,
13 working the line.

14 **Q. When was the last time you worked for a**
15 **job with the temp service?**

16 A. Within the last six to seven months.

17 **Q. Okay. So let's go back again to the**
18 **summer of 2004.**

19 A. Okay.

20 **Q. When you would sell the crack cocaine,**
21 **where would you sell it at?**

22 A. In 527.

23 **Q. And then how would you go about selling**
24 **the crack cocaine out of the 527 building?**

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1 A. Can you rephrase that?

2 Q. How would you go about selling the crack
3 cocaine out of the 527 building?

4 A. I would sell it to customers.

5 Q. Right. So I'm picturing this. You're
6 living in Apartment 506 with your mother; right?

7 A. Yes.

8 Q. And in the summer of '04, besides you and
9 your mom, who else was living in Apartment 506?

10 A. My brother and sisters.

11 Q. Okay. So you'd wake up in the morning on
12 any given day during the summer of 2004, and you'd
13 have the cocaine in the apartment that you live in.
14 And then you would what? Walk downstairs and sell
15 cocaine every day?

16 A. Yes.

17 Q. Was there a certain time of day that you
18 would go to -- I'm sorry.

19 What was her name again? Was it Joanne?
20 The woman who let you use her apartment to bag the
21 cocaine.

22 A. Yes.

23 Q. Was there a certain time of day when you
24 would be at Joanne's bagging the crack cocaine you

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1 **were selling?**

2 A. No.

3 **Q. So it could be at any time?**

4 A. Yes.

5 **Q. Okay. And then after you would bag the**
6 **crack cocaine at Joanne's house, would you bring it**
7 **back to your Apartment 506 and store it there until**
8 **you could sell it?**

9 A. No.

10 **Q. Describe for me the way you would sell the**
11 **crack cocaine after you bagged it at Joanne's**
12 **house.**

13 A. I would go downstairs or through the
14 neighborhood and try to sell it.

15 **Q. And how would you try to sell it**
16 **downstairs in the 527 building?**

17 A. Walking around down there, walking around
18 outside of it looking for potential buyers.

19 **Q. And you could sell that crack cocaine**
20 **inside the 527 building; right?**

21 A. Outside.

22 **Q. Right. But you could sell it inside the**
23 **building, say, for instance, in the lobby; right?**

24 A. Yes.

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1 Q. And could you sell the crack cocaine that
2 you had, you could sell it in the stairwells;
3 right?

4 A. Yes.

5 Q. And you could really sell it on every
6 floor inside the 527 building; right?

7 A. No.

8 Q. Okay. So were there certain floors where
9 you would sell, or you wouldn't go to different
10 floors to sell the crack cocaine?

11 A. Mostly the lobby.

12 Q. Well, were there times where you'd hear
13 the cops were around, so you had to move the
14 narcotics operation to, say, a different floor in
15 the 527 building?

16 A. No.

17 Q. So it's your testimony you never sold ever
18 crack cocaine on the second floor, third floor,
19 fourth floor, all the way up to the top; is that
20 right?

21 A. Yes.

22 Q. Okay. So at the 527 building, you either
23 sold the crack cocaine from the lobby or a
24 stairwell; is that right?

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1 A. Or outside.

2 Q. Right. But I'm talking about -- I'm still
3 inside the building, if you could stay with me.

4 So the crack cocaine that you sold inside
5 the 527 building was either in the lobby or in one
6 of the stairwells; right?

7 A. In the lobby.

8 Q. Did you ever sell crack cocaine in any of
9 the stairwells?

10 A. In the lobby.

11 Q. Are there stairwells in the lobby?

12 A. No.

13 Q. Okay. Let me ask the question again.

14 Other than the lobby -- strike that.

15 Did you ever, ever -- strike that.

16 Did you ever sell crack cocaine from any
17 of the stairwells at Ida B. Wells?

18 A. No.

19 Q. It's your testimony that the crack cocaine
20 that you sold was always sold inside the 527 lobby
21 or outside; is that correct?

22 A. Yes.

23 Q. Okay. And then how -- would you solicit
24 the crack cocaine sales yourself?

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1 A. Yes.

2 Q. And how would you do that?

3 A. Rephrase what you mean by how would I do
4 it.

5 Q. How would you solicit your crack cocaine
6 sales?

7 A. I would ask them what they was -- was they
8 looking for crack.

9 Q. Did you ever call out, like, hey, get your
10 rocks here, rocks, rocks? Did you ever do stuff
11 like that?

12 A. No.

13 Q. So you would just look -- you would look
14 at a person, and then you would say, hey, what do
15 you need?

16 A. Yes.

17 Q. How would you know if that person wanted
18 to buy crack cocaine?

19 A. They would say it.

20 Q. They would say what?

21 A. They would say it.

22 Q. What would they say?

23 A. You got rocks?

24 Q. And then what would you say?

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1 A. Yeah.

2 Q. Okay. So it's your testimony you would
3 never yell out rocks, rocks, blows -- well, blows
4 are heroin; right? Did you ever hear that phrase,
5 "blows"?

6 A. Yes.

7 Q. By the way, have you ever called out --
8 strike that.

9 Have you ever yelled out rocks, blows,
10 anything like that ever at Ida B. Wells?

11 A. No.

12 Q. Did Ida B. Wells have druglines?

13 A. Yes.

14 Q. And did the druglines have names
15 associated with them?

16 A. Yes.

17 Q. What were some of the names of the
18 druglines?

19 A. It was multiples. If you want to be
20 specific?

21 Q. Well, which ones do you remember?

22 A. It was multiples. Blue line, red line,
23 green line.

24 Q. What about damn near raw? Was that a

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1 **drugline?**

2 A. Yes, I heard of that.

3 **Q. Where was that drugline at, damn near raw?**

4 A. Another building.

5 **Q. Was that the 559 building?**

6 A. I believe so.

7 **Q. What was the drugline at the 574 building?**

8 A. I don't know. I can't be specific.

9 **Q. I'm just asking you what you remember.**

10 A. Can you be specific?

11 **Q. Do you know Allen Jackson?**

12 A. Not by that name.

13 **Q. Did you know any of the drug dealers who**
14 **sold drugs out of the 574 building?**

15 A. No.

16 **Q. Were you in competition with other drug**
17 **dealers that sold out of other buildings?**

18 A. I believe that I was the competition.

19 **Q. Well, who were some of your competitors?**

20 A. Everybody in the neighborhood that sold
21 drugs.

22 **Q. Did Ben Baker have a drugline at the 527**
23 **building?**

24 A. Yes.

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1 **Q. What was the name of his drugline?**

2 A. I believe it was different names.

3 **Q. What were the different names?**

4 A. I can't recollect. I believe hammer.

5 **Q. Did you say hammer?**

6 A. Yes.

7 **Q. The hammer line?**

8 A. Yes.

9 **Q. And what types of drugs were sold in the**
10 **hammer line?**

11 A. Heroin.

12 **Q. And the hammer line was at the 527 building?**

13 A. Yes.

14 **Q. So during the time -- strike that.**
15 **Was that during the summer of 2004?**

16 A. Yes.

17 **Q. So when you were selling your crack**
18 **cocaine in the summer of 2004, Ben Baker was**
19 **selling heroin in the summer of 2004; right?**

20 A. Yes.

21 **Q. So would you and Ben Baker both be in the**
22 **lobby at the same time selling your illegal**
23 **narcotics?**

24 A. From time to time.

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1 **Q. I mean, you're friends, right, you and Ben**
2 **Baker?**

3 A. I would say.

4 **Q. And you've hung out together; right?**

5 A. Yes.

6 **Q. In 2004; right?**

7 A. Yes.

8 **Q. I mean, you'd hang out at his apartment,**
9 **and that was Apartment 206; right?**

10 A. Yes.

11 **Q. You knew Clarissa Glenn; right?**

12 A. Yes.

13 **Q. You knew his three kids; right?**

14 A. Yes.

15 **Q. Was Ben Baker one of your closest friends?**

16 A. Yes.

17 **Q. How did you and Ben become such close**
18 **friends?**

19 A. Seeing each other in the building we
20 stayed in.

21 **Q. Would you say you were his best friend?**

22 A. I wouldn't say that. I consider us
23 friends.

24 **Q. But you were very close friends with him,**

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1 right, in 2004?

2 A. I would say yes.

3 Q. Would you spend every day at some point
4 with Ben Baker?

5 A. Not every day, no.

6 Q. Ben Baker, he testified at his deposition
7 that there were times where he'd be inside his
8 Apartment 206, and then someone would knock on the
9 door looking to buy drugs from him.

10 And so my question to you is were there
11 occasions where you were with Ben Baker inside his
12 apartment where, you know, individuals would come
13 to the door seeking to buy drugs from him?

14 A. Yes.

15 Q. And then on the occasions that you
16 remember, can you just -- can you tell me how that
17 happened from what you remember?

18 A. I would say he just went to the door.

19 Q. And then how did you know that there was
20 someone there who wanted to buy heroin from Ben
21 Baker?

22 A. If he stepped outside the door.

23 Q. Where did Ben Baker keep the heroin that
24 he was going to sell to the customers that would

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1 **show up at his apartment door?**

2 A. Probably in his pocket.

3 **Q. All right. And so you would see Ben take**
4 **the heroin out of his pockets to give to a customer?**

5 A. I wouldn't actually see it, no.

6 **Q. Well, how would you know the person who**
7 **was coming to Ben's apartment door was there to buy**
8 **heroin?**

9 A. I said I guess when he stepped in the
10 hallway outside his apartment.

11 **Q. And then when Ben Baker would go to sell**
12 **the heroin out in the hallway outside of his**
13 **apartment, he'd come back. Did he tell you how**
14 **much he would make from the sale?**

15 A. No.

16 **Q. Did you know any of his customers that**
17 **would show up at Apartment 206 to buy heroin from**
18 **him?**

19 A. No.

20 **Q. During 2004, was Ben also selling crack**
21 **cocaine like you?**

22 A. Yes.

23 **Q. And so would individuals go to Apartment**
24 **206 to buy both crack cocaine and heroin?**

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1 A. Yes.

2 Q. And then also you said there were
3 occasions when you were in the lobby selling crack
4 cocaine, and Ben would be in the lobby selling
5 heroin, but there were occasions where Ben was also
6 in the lobby selling crack cocaine; true?

7 A. Yes.

8 Q. Did Ben Baker ever recruit you to sell
9 narcotics?

10 A. No.

11 Q. At any time did you ever sell heroin for
12 Ben Baker?

13 A. Yes.

14 Q. During what time period was it that you
15 sold heroin for Ben Baker?

16 A. I want to say 2005.

17 Q. Do you remember what month?

18 A. In the beginning of the year.

19 Q. So in January of 2005, that was the first
20 time you started selling heroin for Ben Baker?

21 A. I ain't going to say January, but sometime
22 in the beginning of the year, yes.

23 Q. And how did that come up that you were
24 going to sell heroin for Ben Baker in the early

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1 **part of 2005?**

2 A. I came out and I asked someone that
3 potentially that I know probably was a partner with
4 Ben Baker.

5 **Q. Who was his partner?**

6 A. At that time I want to say Bryant Patrick.
7 Bryant probably, Peanut. I asked them could I work
8 for them today.

9 **Q. Who's Peanut?**

10 A. A guy that I believe was a partner with
11 Ben Baker at the time.

12 **Q. In selling drugs?**

13 A. Yes.

14 **Q. Was it Patrick Frazier?**

15 A. I don't believe that was his name.

16 **Q. Okay. All right. He had a nickname of**
17 **Peanut?**

18 A. Probably.

19 **Q. Yeah. Okay. I think you said when you**
20 **got out, and I think what you're referring to is I**
21 **know you were arrested on December 16, 2004; right?**

22 A. Yes.

23 **Q. And you were in jail for about 60 days;**
24 **right?**

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1 A. Yes.

2 Q. And then you got probation?

3 A. Yes.

4 Q. Okay. So what you're saying, though --
5 and correct me if I'm wrong -- so it was after you
6 got out of jail in 2005 that you started selling
7 heroin for Ben Baker; is that right?

8 A. Yes.

9 Q. Okay.

10 MR. BAZAREK: So why -- right now it's
11 almost 11:30. Why don't we take a ten-minute
12 break?

13 MS. GIZZI: Okay.

14 THE VIDEOGRAPHER: All right. The time is
15 11:28 a.m. We're now going off the record.

16 (Recess taken.)

17 THE VIDEOGRAPHER: All right. The time is
18 11:40 a.m. We're now back on the record.

19 BY MR. BAZAREK:

20 Q. Can you tell me what the -- strike that.
21 What did Ben Baker say to you about you
22 selling drugs for him?

23 A. Can you rephrase that?

24 Q. You were recruited to sell heroin for

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1 **Ben Baker; right?**

2 MS. GIZZI: Objection, form.

3 THE WITNESS: I asked him.

4 BY MR. BAZAREK:

5 **Q. You asked Ben Baker if you could go to**
6 **work for him selling heroin?**

7 A. I asked a guy that was with Ben can I
8 work.

9 **Q. And you're talking about Bryant Patrick?**

10 A. Yes.

11 **Q. And he's one of your best friends, too;**
12 **right?**

13 A. Yes.

14 **Q. And you hung out with Bryant Patrick**
15 **during 2004; right?**

16 A. Yes.

17 **Q. And during that time in 2004, was Bryant**
18 **Patrick a drug dealer for Ben Baker?**

19 A. Yes.

20 **Q. And where did Bryant Patrick sell**
21 **narcotics for Ben Baker?**

22 A. In 527.

23 **Q. And would Bryant Patrick sell heroin for**
24 **Ben Baker in the lobby of the 527 building?**

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1 A. Yes.

2 Q. Would Bryant Patrick sell heroin for
3 Ben Baker outside of the 527 building?

4 A. No. Mostly in the lobby.

5 Q. Okay. How did you know that Bryant
6 Patrick sold heroin for Ben Baker?

7 A. Coming downstairs in the building.

8 Q. You would observe it for yourself; right?

9 A. Yes.

10 Q. And there were times where Bryant Patrick
11 was selling heroin in the lobby that would have
12 been on occasions where you were selling crack
13 cocaine in the lobby; right?

14 A. Yes.

15 Q. Did you ask Bryant Patrick what the pay
16 was like working for Ben Baker as a drug dealer?

17 A. Yes.

18 Q. Tell me about those conversations that you
19 had with Bryant Patrick.

20 A. I just asked him what would the pay be for
21 a day.

22 Q. And what did he tell you?

23 A. \$200, \$250.

24 Q. So that was more money than you were

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1 making selling crack cocaine; right?

2 A. Yes.

3 Q. Were the hours longer, or was it about the
4 same number of hours when you're selling narcotics?

5 A. Yes.

6 Q. I want to just go back.

7 Remember when you'd see Ben Baker selling
8 the heroin in the lobby himself? Do you remember
9 that?

10 A. Yes.

11 Q. And when Ben would sell the heroin himself
12 from the lobby, could you describe the transactions
13 that occurred between Ben Baker and his customers?

14 A. Can you elaborate a little more on that?

15 Q. I want -- you've already testified you'd
16 be in the lobby selling crack cocaine. Ben Baker
17 would be in the lobby selling heroin; right?

18 A. Yes.

19 Q. And you've already testified about how you
20 would go about selling drugs. You would see
21 someone down there, and they'd say what they want.

22 Now I'm asking you to describe how that
23 occurred with Ben Baker and his heroin buyers.

24 A. They would come to purchase what they were

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1 looking for.

2 Q. Right. So would Ben Baker -- would he
3 call out the name of his drugline, or would he say
4 blows, you know, get your blows here; is that how
5 it worked?

6 A. They would come in there by the name
7 already, I guess, they were coming looking for.

8 Q. The name of the heroin that Ben was
9 selling?

10 A. Yes.

11 Q. And was that the name you said previously
12 in the deposition, or was it a different name?

13 A. At that time I believe it was a different
14 name.

15 Q. What was that name?

16 A. I want to say CPR, I believe.

17 Q. So you'd have people who want to buy
18 heroin. They'd come in. I want CPR, CPR,
19 something like that?

20 A. Yes.

21 Q. Would Ben also call out like CPR, CPR, get
22 your CPR, that type of thing?

23 A. I don't think like he really had to
24 because they already was coming in for it. So in

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1 the lobby, he wouldn't have to say it.

2 **Q. Did everyone know that Ben --**

3 A. It was -- I didn't mean to cut you off. Go
4 ahead.

5 **Q. No, you go ahead. I'm sorry if I --**

6 A. Go ahead.

7 **Q. So the heroin buyers, they knew Ben was**
8 **selling the CPR? They knew who to go to?**

9 A. I believe it was people who worked outside
10 of the building that would let them know.

11 **Q. Oh, so Ben Baker, he had his -- on his**
12 **payroll, so to speak, people that would solicit the**
13 **drug buyers outside the building?**

14 A. Yes.

15 **Q. And so that the solicitors, they would be**
16 **yelling out CPR, CPR, something like that?**

17 A. Yes.

18 **Q. And then inside the lobby was Ben Baker**
19 **with the bags of heroin; right?**

20 A. No. Someone would be selling for him.

21 **Q. Right. But you've already testified Ben**
22 **was selling, too. So he had other people on his**
23 **payroll selling inside the lobby?**

24 A. Yes, people as far as myself when I did it

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1 for him.

2 Q. Well, I'm still -- I'm talking about 2004.

3 A. I'm just talking about in general. People
4 were selling.

5 Q. Well, how many total people did Ben Baker
6 have selling heroin for him?

7 A. Anybody who probably get out there early
8 enough to ask can they work.

9 Q. Well, on any given day, how many people
10 could be at Ida B. Wells selling heroin for Ben
11 Baker?

12 A. I can't put a number on that.

13 Q. Did Ben Baker sell heroin at other
14 buildings besides the 527 building?

15 A. No.

16 Q. Did Ben Baker sell cocaine out of the
17 527 building?

18 A. Yes.

19 Q. During the time when Ben Baker was selling
20 heroin out of the 527 building, was he also selling
21 crack cocaine?

22 A. Yes.

23 Q. What was the crack cocaine line of Ben
24 Baker's called?

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1 A. Punch out, I would say.

2 Q. What was that?

3 A. I want to say punch out.

4 Q. Punch out?

5 A. I would say.

6 Q. Did you ever hear a line called "knock
7 out"?

8 A. Knock out.

9 Q. Okay. So Ben Baker's crack cocaine was
10 called knock out?

11 A. Knock out, yes.

12 Q. Is that right?

13 Okay. And then Ben Baker's heroin line
14 was called CPR?

15 A. Yes.

16 Q. Do you know why it was called CPR?

17 A. No.

18 Q. Did Ben Baker sell better quality heroin
19 at Ida B. Wells than other drug dealers?

20 A. I wouldn't say that.

21 Q. Was it like low quality?

22 A. I wouldn't say that, no.

23 Q. Was he somewhere in the middle in terms of
24 quality?

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1 A. I can't say on that. I have no
2 recollection of that.

3 **Q. How about the crack cocaine that he sold,**
4 **what was the quality like of that?**

5 A. I have no recollection of that. You're
6 going to have to ask the user that.

7 **Q. Would you describe Ben Baker as the**
8 **biggest drug dealer at the 527 building?**

9 A. Yes.

10 **Q. Were there times where Ben Baker would be**
11 **selling narcotics at the 527 building when his wife**
12 **appeared?**

13 A. No.

14 **Q. You know, at Ida B. Wells -- you already**
15 **said you went to Doolittle School; right?**

16 A. Yes.

17 **Q. In the morning time, kids would be going**
18 **to school; right?**

19 A. Yes.

20 **Q. And then in the afternoon after school is**
21 **out, the kids would be coming home; right?**

22 A. Yes.

23 **Q. And narcotics sales would be going on when**
24 **the kids were going to school and coming home from**

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1 **school; right?**

2 A. I wouldn't say from Ben.

3 **Q. So is it your testimony that when the kids**
4 **were going to school, Ben would just stop selling**
5 **heroin or cocaine at that time?**

6 A. And when they got out, yes.

7 **Q. And so once the kids leave -- you know,**
8 **they'd leave for school, then Ben Baker's narcotics**
9 **operation is up and running; is that correct?**

10 A. Can you repeat that?

11 **Q. So when the kids would leave and**
12 **they're -- you know, they're in school, then Ben**
13 **Baker's narcotics operation was up and running;**
14 **right?**

15 A. When they were in school?

16 **Q. Yes.**

17 A. Or before school you said?

18 **Q. Right. Here. Here's what I'm getting at.**
19 **Right. I want to make sure I understand this.**

20 **Your testimony is that Ben Baker would not**
21 **sell heroin or crack cocaine during the time period**
22 **when kids were leaving to go to school; is that**
23 **true?**

24 A. When they was leaving to go to school?

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1 **Q. Yes.**

2 A. He would be selling drugs? Narcotics?
3 That's what you said?

4 **Q. Yeah. Was he, or was he not?**

5 A. He would not sell while the kids are going
6 to school and after -- when they get out of school.
7 That's what I said.

8 **Q. Okay. So what time of day was it when Ben**
9 **Baker would start selling heroin and cocaine from**
10 **the 527 building?**

11 A. Before kids went to school and after they
12 were in school and after they got out of school.

13 **Q. So -- and what time would kids get out of**
14 **school?**

15 A. I believe 2:30 or 3:00 o'clock at the
16 time.

17 **Q. Okay. And I got it. You got kids now**
18 **coming home from school; right? They're going back**
19 **home to Ida B. Wells?**

20 A. Yes.

21 **Q. But once they're all back in their**
22 **apartments, is it your testimony that Ben Baker**
23 **would not continue to sell heroin and cocaine from**
24 **Ida B. Wells?**

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1 A. No.

2 Q. So -- all right. So after the kids get
3 home from school, say they go to their apartments,
4 Ben Baker would continue to sell heroin and cocaine
5 at Ida B. Wells; right?

6 A. If they're home from school you said?

7 Q. Yes.

8 A. Yes.

9 Q. Okay. That's all. Okay. Thank you.
10 Thanks for clarifying that.

11 Have you ever heard of a cleanup man?

12 A. Can you elaborate on that?

13 Q. Have you ever heard the term "cleanup
14 man"?

15 A. Meaning -- what's "clean up" mean?

16 Q. Right. So let me ask you this question.

17 Have you ever been at Ida B. Wells during
18 the time when you were selling heroin and cocaine
19 or even marijuana, did you ever hear anyone yell
20 "clean up"?

21 A. Yes.

22 Q. What does clean up mean?

23 A. Police are coming.

24 Q. And when you hear clean up and you know

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1 **the police are coming, that means gotta hide the**
2 **drugs; right?**

3 A. That mean, yeah, if you've got something
4 on you, get out of the way.

5 Q. And then would the drug dealers, like
6 yourself and Ben Baker, would you give the drugs to
7 someone to hide?

8 A. No.

9 Q. You would keep the drugs with you?

10 A. Yes.

11 Q. And then what would you do? Where would
12 you go when somebody yelled "clean up"?

13 A. In the house.

14 Q. Would you run back to your mom's apartment?

15 A. Probably somebody apartment that was being
16 used at the time.

17 Q. Oh, like, for instance, Joanne's apartment
18 where you would bag the crack cocaine?

19 A. Yes.

20 Q. Where would Ben Baker run to when someone
21 yelled "clean up"?

22 A. Probably to his apartment.

23 Q. Did you ever run with the drugs that you
24 had and the drugs that Ben had, would you ever run

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1 together into his apartment?

2 A. No.

3 Q. Would Ben Baker ever run with you to
4 someone else's apartment to hide drugs?

5 A. No.

6 Q. Did Ben Baker ever give you drugs to hide
7 when the cops were in the area?

8 A. If I had something on me, yes, I would
9 run.

10 Q. No. I'm saying did Ben Baker, would he
11 give you narcotics to hide when someone yelled
12 "clean up"?

13 A. If I was working that day, I would be
14 running.

15 Q. And would you be running with Ben Baker,
16 too?

17 A. No.

18 Q. So if I understand your testimony, you're
19 saying the narcotics that Ben Baker would give you
20 to sell, if you became aware that the police were
21 in the area, you would run and hide somewhere;
22 right?

23 A. Yes.

24 Q. Okay. What was the most money you ever

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1 **made in a single day working for Ben Baker in the**
2 **drug trade?**

3 A. 300 to \$350.

4 Q. How -- strike that.

5 And you sold both cocaine and heroin for
6 **Ben Baker; is that right?**

7 A. No.

8 Q. Just heroin?

9 A. Yes.

10 Q. What happened to your crack cocaine
11 **business?**

12 A. It slowed down a bit.

13 Q. All right. So you still had your crack
14 **cocaine business, but you were primarily then**
15 **working for Ben Baker selling heroin?**

16 A. Yes.

17 Q. Okay. Why did the crack cocaine business
18 **slow down?**

19 A. My attention was more into selling the
20 **heroin.**

21 Q. Is that because it was more profitable for
22 **you?**

23 A. Yes.

24 Q. What was Bryant Patrick's role in Ben

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1 **Baker's narcotics operation?**

2 A. Can you elaborate a little more as far as
3 what you mean is his role?

4 Q. Yeah. You were selling heroin for Ben
5 Baker; right?

6 A. Yes.

7 Q. Okay. And am I correct that Bryant
8 Patrick was selling heroin for Ben Baker, too?

9 A. Yes.

10 Q. So I'm trying to figure out -- strike
11 that.

12 Were you and Bryant, were you equal --
13 strike that.

14 You were both on Ben Baker's payroll,
15 right, you and Bryant Patrick?

16 A. Yes.

17 Q. Okay. Was he more senior to you in the
18 narcotics operation of Ben Baker?

19 A. Yes.

20 Q. Did he make more money than you working
21 for Ben Baker?

22 A. I have no recollection of that.

23 Q. Okay. So when you -- if I have this
24 right, you get out of jail in early 2005. You go

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1 **to work for Ben Baker selling heroin; right?**

2 A. Yes.

3 **Q. And at that time Bryant Patrick is already**
4 **selling heroin for Ben Baker; right?**

5 A. Yes.

6 **Q. So how would your day start in the drug**
7 **dealing business when you were working for Ben**
8 **Baker beginning in 2005?**

9 A. Can you elaborate a little more as far as
10 what you mean as far as having my day start?

11 **Q. Yeah. When you're selling drugs at**
12 **Ida B. Wells for Ben Baker, what's a typical day in**
13 **the narcotics trafficking world at Ida B. Wells?**

14 A. Coming out and just selling and making
15 your money.

16 **Q. And where would you receive the heroin**
17 **that you were going to sell for Ben Baker?**

18 A. From Bryant Patrick.

19 **Q. And where would you receive the heroin**
20 **from Bryant Patrick?**

21 A. In the lobby of 527.

22 **Q. Would you and Bryant Patrick always meet**
23 **at the same time to start selling the heroin?**

24 A. Sometimes he'll be earlier or I'll be out

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1 waiting on him to come out, come downstairs.

2 Q. So all the heroin that you sold for Ben
3 Baker, you would get it from Bryant Patrick; is
4 that your testimony?

5 A. Yes.

6 Q. Would Ben Baker ever give you the heroin
7 directly?

8 A. No.

9 Q. Is it called "working a bundle" when
10 you're selling heroin?

11 A. Yes.

12 Q. So what was the amount of the bundle that
13 Bryant would give you to sell?

14 A. Can you elaborate as far as what you mean?

15 Q. Sure.

16 When you would receive a bundle from
17 Bryant Patrick, a bundle of heroin, how many
18 packets would be in the bundle?

19 A. Sometimes 50. Sometimes 100.

20 Q. And were they dime bags?

21 A. Yes.

22 Q. Would you have people -- strike that.

23 Would you and Bryant have people
24 soliciting the heroin that you were selling for

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1 **Ben Baker?**

2 A. Elaborate a little more on what you mean
3 by "soliciting."

4 Q. Well, you were talking about earlier when
5 Ben Baker would be in the lobby selling heroin,
6 he'd have people outside yelling out CPR; do you
7 remember that?

8 A. Yes.

9 Q. So, you know, as Ben Baker did -- using
10 people to solicit -- would you do the same thing?

11 A. Yes.

12 Q. Okay. And who were some of the
13 individuals who solicited the heroin sales for you
14 on behalf of Ben Baker?

15 A. I don't know all the names off the top. I
16 know for sure a guy name was Buck and a guy name
17 was Rib.

18 Q. Buck and Rib?

19 A. Yes.

20 Q. Like R-I-B, rib?

21 A. Yes.

22 Q. And then how would Buck and Rib get paid
23 for soliciting heroin sales at Ida B. Wells?

24 A. They would get paid as the person who was

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1 working. They would be paid at the end of the
2 shift as well as the person working the bundle.

3 Q. Right. So you would give, say, for
4 instance, Rib and Buck, you'd give them a couple
5 bags for a wake-up call?

6 A. Yeah, they'd get a few bags for a wake up.

7 Q. Right. Were they junkies?

8 A. Yes.

9 Q. All right. So you'd give them a wake-up
10 call to start their day; right? And then later on
11 they would get paid after the bundle was all sold?

12 A. Yes.

13 Q. And then cash money -- or strike that.

14 At the end of the shift, so to speak, as
15 you said, when the bundle that you had to sell was
16 all gone, how would you pay the individuals you
17 would use to solicit the heroin sales?

18 A. They would be paid their cash at the end
19 of the shift.

20 Q. All right. So what did -- what was the --
21 strike that.

22 What was the going rate for -- strike
23 that.

24 What would you pay them to solicit?

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1 A. \$100.

2 Q. Well, that's pretty good money; right?

3 A. I mean, they did it on the regular, so,
4 yes.

5 Q. And so they'd each get \$100?

6 A. Yes.

7 Q. And then -- and I know every day could be
8 different, but how long would it take you to sell a
9 bundle at Ida B. Wells?

10 A. Some days was good. Some days was bad.

11 Q. So what was a good day?

12 A. A good day, quite a few bundles.

13 Q. Were there ever days where you didn't sell
14 everything you had in a bundle or bundles?

15 A. Yes.

16 Q. Okay. If you had left over heroin that
17 you didn't sell, where would that be stored?

18 A. It would go back to the person that
19 distributed it to you.

20 Q. So if you had any left over, you'd give
21 the bags back to Bryant?

22 A. Yes.

23 Q. What about Ben? Did you ever give them
24 back to Ben?

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1 A. I gave them back to Bryant, the person
2 that distribute it to me.

3 **Q. So how long -- strike that.**

4 **Did you sell heroin for Ben Baker during**
5 **all of 2005?**

6 A. No.

7 **Q. Okay. How long -- strike that.**

8 **How many months during 2005 did you sell**
9 **heroin for Ben Baker?**

10 A. I was arrested in 2005, so that's when it
11 ended.

12 **Q. What month were you arrested?**

13 A. I want to say July of 2005.

14 **Q. Okay. So up until July of 2005, you were**
15 **selling heroin for Ben Baker; right?**

16 A. Yes.

17 **Q. So when you got arrested in July of 2005,**
18 **to your knowledge, who took your place in Ben**
19 **Baker's narcotics operations in Ida B. Wells?**

20 A. I have no recollection of that because I
21 was incarcerated.

22 **Q. Okay. Did Bryant get arrested around the**
23 **same time did you did in '05?**

24 A. Yes.

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1 **Q. Did you get arrested together?**

2 A. We got both arrested on the same day.

3 **Q. And after that day, did you ever sell**
4 **heroin for Ben Baker again?**

5 A. No.

6 **Q. Was Ben Baker a mentor to you?**

7 A. I wouldn't say that.

8 **Q. Well, did you learn anything from him**
9 **about selling heroin?**

10 A. Could you elaborate what you mean by
11 learning anything from him on how to sell heroin?

12 **Q. Yeah.**

13 **Did you learn anything from him? You**
14 **worked for him.**

15 A. What's to learn from him besides coming
16 out and making the money that you was paid and
17 going on.

18 **Q. Who bagged the bundles that you sold for**
19 **Ben Baker?**

20 A. I have no recollection of that.

21 **Q. So they were already individual packets,**
22 **the heroin, when you received them?**

23 A. Yes.

24 **Q. Would you agree that when police were in**

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1 **the area, that would disrupt the drug dealing at**
2 **Ida B. Wells?**

3 A. Can you repeat that?

4 Q. Yeah.

5 Would you agree that if police were in the
6 **area of Ida B. Wells, that it would disrupt the**
7 **drug selling that was occurring?**

8 A. Yes.

9 Q. Did you ever pay a bribe to any police
10 **officer?**

11 A. No.

12 Q. Did any police officer ever solicit a
13 **bribe from you?**

14 A. Did they ever solicit a bribe from me?
15 Can you elaborate on that?

16 Q. Let me ask. Did any police officer ever
17 **solicit any money from you?**

18 A. Take any money or receive any form of
19 payment from me?

20 Q. Both.

21 A. They took cash. They never received no
22 formal payment from me.

23 Q. Are you talking about money that you had
24 **with you on December 16, 2004?**

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1 A. Yes.

2 Q. Okay. When you say taking money, you're
3 talking about when you got arrested; right?

4 A. Yes.

5 Q. I've seen one of your prior statements
6 where you're talking about, hey, you want to have
7 something to eat because you're paying for it; is
8 that what we're talking about?

9 A. Yes.

10 Q. Okay. All right. Mr. Moore, I want to go
11 back now to -- I know we've been talking about '05
12 and the heroin you were selling during '05 for Ben
13 Baker. I want to go back to the summer of 2004.
14 Okay?

15 A. Okay.

16 Q. Did you ever hear anything about heroin
17 being found in Ben Baker's mailbox at the 527
18 building?

19 A. I have no recollection of that.

20 Q. Did you ever hear anything like that, that
21 heroin was inside of Ben Baker's mailbox?

22 A. No.

23 Q. Did you ever hear in the summer of 2004
24 that the police were looking for Ben Baker?

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1 A. Well, from my recollection from around
2 2004, I feel like the police seems to always be
3 after Ben Baker.

4 **Q. Well, because he was a drug dealer; right?**

5 A. No.

6 **Q. Why?**

7 A. Whatever their reason was.

8 **Q. Do you know what any reason was?**

9 A. I don't know, no.

10 **Q. Did Ben Baker ever tell you what the**
11 **reason was?**

12 A. No.

13 **Q. Did any source, anyone say what the reason**
14 **was why the police were looking for Ben Baker?**

15 A. No.

16 **Q. Have you ever spent any time with Ben**
17 **Baker at a hotel?**

18 A. Yes.

19 **Q. And when was that?**

20 A. I can't actually put no dates on it, but
21 it's been a few times.

22 **Q. Do you remember what year?**

23 A. No.

24 **Q. Was it during the summer of '04?**

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1 A. It could have been.

2 Q. What do you remember about being at a
3 hotel with Ben Baker?

4 A. Hanging, smoking, doing a little drinking.
5 That's what I remember.

6 Q. And who was at the hotel with you and Ben?

7 A. Me, Ben, and Jamar, I believe.

8 Q. Anyone else?

9 A. No.

10 Q. And who got the hotel room?

11 A. I have no recollection of that.

12 Q. Were you guys smoking a blunt?

13 A. Yes.

14 Q. Had you sold rock cocaine that day?

15 A. No.

16 Q. Tell me everything you remember about that
17 day.

18 A. I remember waking up, getting myself
19 prepared. I was hanging up. I was hanging around
20 a little bit. And I remember getting a call from
21 Ben saying if I wasn't doing anything, he had a
22 hotel, I believe, at the McCormick Place. And if I
23 wasn't doing anything, that I could come down there
24 and hang.

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1 **Q. Do you remember what time it was when Ben**
2 **called you?**

3 A. No. I don't remember what exact time it
4 was.

5 **Q. Okay. And then how did you get to the**
6 **hotel?**

7 A. I drove.

8 **Q. Do you remember what time of day it was**
9 **when Ben called you?**

10 A. Daytime.

11 **Q. Was it in the morning?**

12 A. I wouldn't say the morning. Afternoon-ish.

13 **Q. Did Ben say what he had been doing earlier**
14 **in the day when he called you?**

15 A. No.

16 **Q. Did Ben say if anyone else was going to be**
17 **joining you and him?**

18 A. No.

19 **Q. Had Ben ever called you up to go to a**
20 **hotel with him before this day?**

21 A. Yes.

22 **Q. So was that like something you guys would**
23 **do from time to time, hang out at a hotel?**

24 A. No.

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1 **Q. What were the other times?**

2 A. Meaning as -- other times meaning as?

3 **Q. Yeah. You know, a friend calling another**
4 **friend to come meet him at a hotel.**

5 A. Any time. I feel like if he just wanted
6 someone to come meet him and hang with him at a
7 hotel.

8 **Q. Did Ben say he was at the hotel on that**
9 **day because he was hiding from the cops and he knew**
10 **they were looking for him?**

11 A. Well, he was saying that he was just
12 staying away from 527.

13 **Q. This is what he told you on the phone?**

14 A. No.

15 **Q. What did he tell you on the phone?**

16 A. What I stated to you earlier. If I wasn't
17 doing anything and didn't have nothing to do, that
18 I could have came down to the hotel and hung with
19 him.

20 **Q. What time did you get to the hotel?**

21 A. I don't know the actual time.

22 **Q. Who was at the hotel when you got there?**

23 A. Ben and Jamar.

24 **Q. And did all three of you guys stay**

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1 **overnight at the hotel?**

2 A. No. I end up leaving.

3 **Q. What time did you leave?**

4 A. I can't say approximately what time I
5 left. Noon, evening.

6 **Q. Was it dark out when you left?**

7 A. It was getting dark.

8 **Q. What did Ben say when you got to the**
9 **hotel?**

10 A. You got any weed on you, bro'? Relax.

11 **Q. Was Jamar there?**

12 A. Yes.

13 **Q. He was already there?**

14 A. Yes.

15 **Q. So it sounds like you guys just hung out**
16 **at the hotel, smoked some weed, had some drinks;**
17 **right?**

18 A. Yes.

19 **Q. Did you order food? Did you eat that day?**

20 A. I don't recall.

21 **Q. Did Ben say anything about the police?**

22 A. No. Ben just said he was staying away
23 from 527.

24 **Q. Did Ben say anything about heroin that was**

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1 **found inside his mailbox?**

2 A. No.

3 **Q. And I know in 2004 you were selling crack**
4 **cocaine, but it's your testimony you didn't sell**
5 **any on that day?**

6 A. On which day?

7 **Q. The day you met Ben and Jamar at the**
8 **hotel.**

9 A. No, I did not.

10 **Q. You actually remember you didn't, or you**
11 **don't know one way or another?**

12 A. I did not.

13 **Q. How do you know you didn't if you were**
14 **selling crack cocaine?**

15 A. Because I got dressed in the house, and I
16 never came downstairs that day until I was leaving
17 the building.

18 **Q. Okay. After you left the hotel that day,**
19 **when was the next time you saw Ben Baker?**

20 A. I don't know actually when it was I seen
21 him, but it was sometime some days after the hotel.

22 **Q. And did you have a conversation with Ben**
23 **at that time?**

24 A. At which time?

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1 **Q. After -- the next time you saw him after**
2 **you left the hotel.**

3 A. Actually, I think the next conversation I
4 had with Ben was when we was in his apartment maybe
5 a little bit after the hotel. I don't want to --
6 don't quote me on this. I want to say I was in his
7 apartment the next time we were smoking marijuana
8 again.

9 **Q. And that was on July 11, 2004; right?**

10 A. I don't know the actual date.

11 **Q. Was it in July?**

12 A. I don't know which month it was or the
13 date or the time.

14 **Q. But it was on a day that Ben was arrested;**
15 **right?**

16 A. Yes.

17 **Q. Were you selling crack cocaine in the**
18 **lobby of the 527 building?**

19 A. No.

20 **Q. Do you know why you weren't?**

21 A. I believe the police had been around.

22 **Q. So you had -- you didn't want to be caught**
23 **with crack cocaine; right?**

24 A. Yes.

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1 **Q. Did you go to Joanne's apartment on that**
2 **day?**

3 A. No.

4 **Q. What did you do with the crack cocaine**
5 **that you had that you were going to sell?**

6 A. I didn't have none to sell that day.

7 **Q. Were you storing it somewhere?**

8 A. I didn't have any.

9 **Q. So you didn't see Scully that day?**

10 A. No.

11 **Q. Prior to that day, when would have been**
12 **the last time you had gotten crack cocaine from**
13 **Scully?**

14 A. Maybe a week or two.

15 **Q. When Scully would give you a supply of**
16 **crack cocaine, how many days' worth would you get**
17 **from him?**

18 A. One.

19 **Q. And I know you'd get together with Ben.**
20 **You guys would smoke weed together. Did you also**
21 **like to drink alcohol together?**

22 A. I wasn't big on alcohol.

23 **Q. Do you like beer?**

24 A. No.

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1 **Q. How about do you like Olde English malt**
2 **liquor?**

3 A. No.

4 **Q. Have you ever had Olde English malt**
5 **liquor?**

6 A. No.

7 **Q. Have you ever had a beer in your entire**
8 **life?**

9 A. No.

10 **Q. What do you like to drink?**

11 A. Like I said, I'm not big on alcohol, but
12 if it was -- if I preferred, I would try maybe
13 something hard.

14 **Q. Whiskey or vodka?**

15 A. Maybe a tequila.

16 **Q. Okay. All right. So let's talk about**
17 **that day where -- strike that.**

18 **Let's talk about that day when Ben Baker**
19 **got arrested in the summer of '04. Okay?**

20 A. Yes.

21 **Q. What time did you first see Ben that day?**

22 A. I can't say the actual time, but it was
23 early in the day, maybe more morning-ish.

24 **Q. And how was it arranged that you were**

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1 **going to meet up with Ben Baker?**

2 A. I came down and seen him.

3 **Q. Where was Ben at?**

4 A. Standing on the front of 527.

5 **Q. He was outside the building?**

6 A. Yes.

7 **Q. Was Bryant Patrick around?**

8 A. No.

9 **Q. Who was selling heroin for Ben that day?**

10 A. No one.

11 **Q. How do you know that?**

12 A. 'Cause no one was under the building
13 besides Ben.

14 **Q. Were the bundles already sold like earlier**
15 **in the day and that's why there was no one selling**
16 **at the time?**

17 A. No.

18 **Q. Well, what time was it when you first got**
19 **to the -- outside to see Ben Baker?**

20 A. I can't say. Morning-ish.

21 **Q. Well, kids were -- it would have been the**
22 **summertime, right, so the kids were not in school;**
23 **right?**

24 A. I would say so.

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1 **Q.** Okay. So when the kids weren't in school
2 in the summertime, was it easier to sell heroin in
3 the morning because you didn't have to stop because
4 the kids were going to school?

5 A. No.

6 **Q.** No what?

7 A. You said was it easier to sell because the
8 kids weren't in school. I said no.

9 **Q.** So was it harder to sell in the summertime
10 when the kids weren't in school?

11 A. No.

12 **Q.** Well, then why wouldn't it be easier? If
13 the kids aren't disrupting narcotics activity
14 because they're on their way to school, then it
15 should be easier to sell narcotics; right?

16 MS. GIZZI: Objection, form.

17 THE WITNESS: No.

18 BY MR. BAZAREK:

19 **Q.** No what?

20 MS. GIZZI: Objection, form.

21 THE WITNESS: No, it wouldn't been easier,
22 and no, it wouldn't been harder to sell while kids
23 was not in school in the summertime.

24

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1 BY MR. BAZAREK:

2 Q. Was Ben with anyone when you saw him
3 outside the 527 building?

4 A. Which day you referring to?

5 Q. The day he got arrested in the summer of
6 2004.

7 A. No. Ben was standing in front of 527 by
8 himself.

9 Q. At the 527 building, there's the front of
10 the building and the back of the building; is that
11 true?

12 A. Yes.

13 Q. And in the front of the building, what
14 street does it look out to?

15 A. I believe Rhodes.

16 Q. And what is the back of the building?
17 What street does that look out to?

18 A. Browning.

19 Q. So was Ben -- was he on the Rhodes side or
20 the Browning side?

21 A. He was in front of 527 facing Rhodes.

22 Q. Did you plan on meeting him there, or just
23 you went downstairs and you saw him?

24 A. I just happened to come outside.

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1 **Q. Okay. And what happened then?**

2 A. Nothing. I seen Ben, asked him what's
3 going on, how you feeling? He said nothing. He's
4 fixin' to get from outside. He go in the house. I
5 told him I got some weed. Let's -- we fixin' to go
6 smoke it.

7 **Q. Who had the weed?**

8 A. I did.

9 **Q. And where did you get the weed from?**

10 A. Where I purchased it from.

11 **Q. Did you purchase it that day?**

12 A. No. I had it from the day before, the
13 night.

14 **Q. Okay. And then how much time was it that**
15 **you and Ben were outside of the 527 building?**

16 A. From the time I encountered him, we
17 probably stood there no longer than 10 to 15
18 minutes.

19 **Q. Did you see the police in the area at any**
20 **point?**

21 A. I didn't personally, no.

22 **Q. Did Ben say anything on that day about the**
23 **police looking for him?**

24 A. No.

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1 **Q. Did Ben ever say at any time to you that**
2 **the police were looking for him during 2004?**

3 A. No. He just was saying that the police is
4 hot.

5 **Q. And what do you take that to mean?**

6 A. I take that to mean they hot. You're
7 staying out their way.

8 **Q. Something like the heat is on; something**
9 **like that?**

10 A. I'm going to just say hot. Stay out of
11 their way.

12 **Q. Did you take hot to mean that Ben knew**
13 **that the police were looking for him?**

14 A. I take it as that means stay out of their
15 way, period.

16 **Q. And any particular police officers?**

17 A. The police officers that worked the area.

18 **Q. The area of Ida B. Wells?**

19 A. Yes.

20 **Q. Okay. So you got the marijuana to smoke,**
21 **and then you and Ben go where?**

22 A. To his apartment.

23 **Q. When you got to Ben's apartment, was**
24 **anyone there?**

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1 A. I believe his girlfriend. I don't know
2 her name. His kids was there, I believe, but I
3 don't know how many of his kids were there, so...

4 **Q. Are you guessing, or they were there?**

5 A. They were there. How many, I don't know.

6 **Q. So what did you and Ben do after you got**
7 **to the apartment?**

8 A. Sit in the front room. I rolled up some
9 marijuana. Ben turned on his game.

10 **Q. Were you rolling the marijuana where the**
11 **kids were right there with you?**

12 A. No. I was in the front room. No kids was
13 present.

14 **Q. Okay. But you guys were both smoking the**
15 **marijuana that you rolled?**

16 A. Yes.

17 **Q. And the kids were in the house; right?**

18 A. Yes.

19 **Q. And then Clarissa was in the house; right?**

20 A. Yes.

21 **Q. And then how much marijuana did you have?**

22 A. I had a few bags.

23 **Q. And how many reefers did you make?**

24 A. I can't recollect, but at least three or

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1 four for sure.

2 Q. Okay. So I'm picturing this. Ben is
3 playing games. You're sitting on the couch. You
4 guys are both smoking the marijuana that you
5 rolled; right?

6 A. Yes.

7 Q. And then at some point do you hear
8 knocking on the door?

9 A. Eventually.

10 Q. How long were you guys sitting around
11 smoking marijuana before you heard a knock on the
12 door?

13 A. I can't actually say, but I know it had to
14 be an hour or so.

15 Q. So what happened? Tell me what happened.

16 A. As far as what?

17 Q. Anything besides you smoking marijuana
18 with Ben.

19 A. We was playing video games.

20 Q. Okay. Anything else happen?

21 A. Eventually the cops came and knocked on
22 the door, banging on the door and --

23 Q. Was anything being said?

24 A. Can you repeat that?

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1 **Q. Was anything being said by whoever was**
2 **knocking on the door?**

3 A. No. It was nothing being said, just
4 banging on the door.

5 **Q. So did one of you guys get up to answer**
6 **the door?**

7 A. I didn't get up to answer the door. I
8 believe Ben told Clarissa to get the door.

9 **Q. Were you and Ben both high at that point?**

10 A. Yeah. We had been smoking marijuana.

11 **Q. Did you guys have anything -- alcohol to**
12 **drink?**

13 A. No, we weren't drinking.

14 **Q. Okay. So Ben tells Clarissa to get the**
15 **door, and then what happened?**

16 A. Clarissa went to the door and asked who is
17 it.

18 **Q. And what was said to Clarissa?**

19 A. I believe police.

20 **Q. Okay. And then what happened next?**

21 A. I believe she opened the door and asked
22 them what did they want or what's going on.

23 **Q. So Clarissa opened up the door?**

24 A. I believe to speak to them, yes.

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1 **Q. And what was being said to Clarissa?**

2 A. I was sitting on the couch a little bit
3 around the corner from the front door, so I can't
4 actually say what words were being said, because
5 she was at the door and I was sitting. I looked
6 around. In the living room, there's a corner right
7 there that you around, so I can't actually say what
8 was being said.

9 **Q. Okay. So you heard the police say**
10 **nothing; correct?**

11 A. I heard them announce themselves as the
12 police.

13 **Q. Anything else said other than announcing**
14 **themselves as police?**

15 A. They smelled marijuana coming out of here,
16 and, I believe, was Ben inside.

17 **Q. Who said they smelled marijuana inside?**

18 A. I heard the police say that.

19 **Q. Well, that was true; right?**

20 A. Yes.

21 **Q. And did the whole house smell like reefer?**

22 A. Smoking inside, yes.

23 **Q. Okay. What's the next thing that**
24 **happened?**

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1 A. I remember the police entering the
2 apartment.

3 **Q. And Clarissa let them in?**

4 A. Well, yeah.

5 **Q. And then did you still have some marijuana**
6 **in your pocket?**

7 A. No.

8 **Q. You and Ben smoked up all the reefer you**
9 **had?**

10 A. Yes.

11 **Q. What happened next after the police**
12 **entered?**

13 A. Well, they came inside. They said, well,
14 we can tell y'all been smoking.

15 **Q. Who said that? Do you know?**

16 A. Sergeant Watts.

17 **Q. Did you recognize any of the other**
18 **officers that were with him?**

19 A. Yes.

20 **Q. Who was with Watts?**

21 A. I believe Officer Mohammed. It was
22 Officer Mohammed, Officer Al.

23 **Q. Al Jones?**

24 A. If that's his name. I don't actually know

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1 his real name. A tall guy. I believe his name was
2 Smitty.

3 **Q. Are you 100 percent it was Smitty you saw?**

4 A. Yes.

5 **Q. Okay. Anyone else?**

6 A. That's who I recall seeing.

7 **Q. Was there anyone else other than Watts,**
8 **Al, Mohammed, and Smitty?**

9 A. That's who I recall seeing.

10 **Q. At this deposition, do you recall seeing**
11 **anyone else?**

12 A. That's who I recall seeing.

13 **Q. Right. At this deposition, you recall no**
14 **one else; correct?**

15 A. Yes.

16 **Q. So Watts says you guys have been smoking**
17 **marijuana, which was true; right?**

18 A. Yes.

19 **Q. And then what happened next?**

20 A. They asked did we have any more marijuana
21 on us, or did we have anything on us, which we
22 responded no. They asked what we had been doing.
23 We told them sitting here smoking marijuana and
24 playing video games.

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1 **Q. And who was doing all the talking? Watts?**

2 A. Yes.

3 **Q. Okay. What happened next?**

4 A. They came and searched our person. I
5 believe they detained Ben as far as putting
6 handcuffs around him.

7 **Q. Who put the handcuffs on Ben?**

8 A. It weren't Sergeant Watts. It was -- I
9 can't recollect who actually put them on it, but it
10 weren't Sergeant Watts.

11 **Q. But one of the officers put handcuffs on**
12 **him; is that right?**

13 A. Yes.

14 **Q. And then you're -- are you still sitting**
15 **on the couch?**

16 A. I'm still sitting on the couch, yes.

17 **Q. What's Clarissa doing?**

18 A. Standing there, steady asking them what's
19 going on, what are they here for. And I remember
20 them saying you ain't got nothing to worry about.
21 Is anything in the apartment?

22 **Q. Who said that?**

23 A. Officer Watts.

24 **Q. All right. And then what happened?**

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1 A. I believe she said no. They asked can
2 they search. And I remember Ben saying, honey, go
3 on and let them search.

4 **Q. Okay. So Ben agreed that they could**
5 **search the apartment; right?**

6 A. Yes.

7 **Q. Then what happened?**

8 A. They started to search the apartment.

9 **Q. And did you observe the officers**
10 **searching?**

11 A. Yes.

12 **Q. Did they find anything?**

13 A. No.

14 **Q. How long did the search go on for?**

15 A. I would say 30 minutes, 20 to 30 minutes.

16 **Q. Where were the kids?**

17 A. In their room.

18 **Q. Did the kids ever come out during the**
19 **search?**

20 A. They didn't come to the front room.

21 **Q. Was the search limited to the front room?**

22 A. No. It was limited to the apartment.
23 They searched the rooms, and I believe the back
24 room, also, as well as the front living room.

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1 **Q. During the search was Ben saying anything?**

2 A. No. Ben wasn't saying much.

3 **Q. Did he say anything?**

4 A. He wasn't saying much. He wasn't saying
5 nothing besides there's nothing in here. I
6 remember him saying there's nothing in here.

7 **Q. Okay. And then what about -- did Clarissa**
8 **say anything.**

9 A. Clarissa didn't say no more after they
10 agreed to let them search the apartment.

11 **Q. Okay. All right. So the apartment is**
12 **searched. The police officers, they don't recover**
13 **anything. Then what happened?**

14 A. They told Ben to stand up and that they
15 was going to the station.

16 **Q. Who told Ben to stand up?**

17 A. Sergeant Watts.

18 **Q. Okay. All right. So Ben gets up to go to**
19 **the station. What happened next?**

20 A. They -- Sergeant Watts' partners asked him
21 what were they doing with me.

22 **Q. Do you remember who asked that?**

23 A. I believe Mohammed, Officer Mohammed, and
24 Al asked Sergeant Watts what was they doing with

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1 me.

2 **Q. Okay. Was it Mohammed or Al? Who asked**
3 **that?**

4 A. They both asked what were we doing --
5 Sarge, what are we doing with him?

6 **Q. And you're still on the couch?**

7 A. Yes.

8 **Q. And then what did Watts say?**

9 A. He said cuff him and bring him to the
10 station with us.

11 **Q. Were you cuffed?**

12 A. Yes.

13 **Q. Who cuffed you?**

14 A. Al.

15 **Q. Did any police officer say anything to you**
16 **inside that apartment?**

17 A. No.

18 **Q. All right. So you get cuffed, and then**
19 **what happened?**

20 A. Then they walked me out. They walked me
21 out with Ben down to the squad car.

22 **Q. Did you and Ben both get transported in**
23 **the same car?**

24 A. No. We got transported in separate cars.

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1 **Q. Okay. Who transported you?**

2 A. I was in the car with Mohammed -- I was in
3 the car with Al and Smitty, and Ben was in the car
4 with Watts and Mohammed.

5 **Q. Okay. And so you're taken to the police**
6 **station; right?**

7 A. Yes.

8 **Q. Did -- on your way to the station, did the**
9 **police officers who were transporting you say**
10 **anything?**

11 A. No.

12 **Q. Did you say anything to them?**

13 A. No.

14 **Q. What happened after you got to the police**
15 **station?**

16 A. They took us inside, handcuffed us to the
17 bench.

18 **Q. Took you and Ben inside?**

19 A. Yes.

20 **Q. Okay. What happened then?**

21 A. Handcuffed us to the bench. I was asking
22 what we here for and what's going on still. And I
23 remember Sergeant Watts saying he know what's going
24 on, pointing towards Ben. He know what's going on.

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1 **Q. Did Ben say anything to that?**

2 A. Ben was just like I don't know what's
3 going on. He said you ain't got nothing. You
4 ain't get nothing out of there.

5 **Q. Did any -- did Watts or anyone else say**
6 **anything to that?**

7 A. Sergeant Watts said he already had his
8 paperwork. He already had Ben's paperwork ready.

9 **Q. At any point when you were at the station,**
10 **did anyone say anything about heroin being inside a**
11 **mailbox at the 527 building?**

12 A. No. I just remember Sergeant Watts saying
13 he know what was going on and that he had his
14 paperwork written out already. Then they came,
15 uncuffed Ben from the bench that I was sitting on
16 him with (sic), and took him to a room or the back
17 or whatever. And they still had me sitting there
18 handcuffed to the bench.

19 **Q. Then what happened?**

20 A. And then I was sitting there for a while,
21 and then I recall the other officers steady asking
22 the sergeant what do you want us to do with him,
23 Sarge? And I remember Watts saying, well, I
24 already got his paperwork, referring to Ben, and

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1 saying whatever y'all want to do with him.

2 **Q. Who said that?**

3 A. Who said what?

4 **Q. Who said what do you want us to do with**
5 **him, Sarge? Who said that?**

6 A. The other officers that was there, Al and
7 Mohammed.

8 **Q. Okay. They both said it?**

9 A. Yeah.

10 **Q. Then what happened?**

11 A. Sergeant Watts said whatever y'all want to
12 do with him.

13 **Q. And did they say anything in response to**
14 **that?**

15 A. No. They just was like -- like they was a
16 little puzzled, I guess.

17 **Q. Then what happened?**

18 A. And then I sat there for a little more
19 while, and then they asked again, Sergeant, what
20 are you doing with him? He said I don't know.
21 They was smoking weed. Write him up, something for
22 weed, or give him a citation or something.

23 **Q. And did you get a citation?**

24 A. They eventually wound up writing me a

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1 citation.

2 **Q. Who wrote the citation?**

3 A. I can't say who wrote it because they
4 weren't in the room and I was still handcuffed to a
5 bench, but they came and handed it to me.

6 **Q. Do you remember which officer handed it to**
7 **you?**

8 A. Yes. Mohammed.

9 **Q. Did you have to sign anything on the**
10 **paperwork that was handed --**

11 A. I had to sign something, yes.

12 **Q. Did you look at the citation as to what it**
13 **said?**

14 A. They told it to me. We just wrote you a
15 citation for drinking. I was, like, for drinking?
16 I mean, I was inside. I never had a drink period.

17 **Q. Did it require you to go to a courtroom**
18 **for an administrative hearing if you wanted to?**

19 A. I didn't even read through it.

20 **Q. Did you ever go to the administrative**
21 **hearing building for that citation?**

22 A. No.

23 **Q. Did you ever get anything in the mail**
24 **saying there was a finding made against you?**

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1 A. No.

2 Q. After that day when would have been the
3 next time you saw Ben Baker?

4 A. I can't recall actually when I seen him
5 after that.

6 Q. How did you get home from the police
7 station?

8 A. I had to walk.

9 Q. You were at 51st Street?

10 A. Yes.

11 Q. When you got back to Ida B. Wells, did you
12 talk to Clarissa, or did she reach out to you to
13 find out what happened?

14 A. Yes. I reached out to her.

15 Q. And what was said between you and
16 Clarissa?

17 A. She was asking me what went on, is Ben
18 coming home, and do we got to stay with housing. I
19 told her what they did with me. I told her they
20 gave me a citation and let me go. I told her that
21 I believe that Ben was going to Cook County. I
22 told her that they said they already had his
23 paperwork when we got to the station.

24 Q. Let me ask you. Prior to that day in the

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1 summer of '04 when you were with Ben Baker when he
2 got arrested, have you ever had any interactions
3 with any members of police officers that worked for
4 Ron Watts?

5 A. Can you elaborate when you say "any
6 interactions"?

7 Q. Any contact, interactions of any sort with
8 any police officers that worked on Ron Watts' team?

9 A. Well, of course. When they came to the
10 area, if they came to the 527 building and did
11 whatever the police supposed to do. I don't really
12 know what's it's called they supposed to do. But,
13 yes, they would make everybody stand and they would
14 pat people down and see did they have anything on
15 them. So, yeah.

16 Q. All right. So you're saying that you
17 would see the officers when they were out doing
18 their job; right?

19 A. Yes.

20 Q. And then they'd be, you know, patting
21 people down -- strike that.

22 The people that were being patted down,
23 would those individuals be people who were involved
24 in the narcotics activity at Ida B. Wells?

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1 A. These people could have been anyone.

2 **Q. Including people that were involved in the**
3 **drug trade at Ida B. Wells; right?**

4 A. Including people that were involved in the
5 drug trade, yes.

6 MR. BAZAREK: All right. I think right
7 now it's a little after 1:00 o'clock. We can, you
8 know -- let's just go off the record right now.

9 THE VIDEOGRAPHER: Okay. The time is
10 1:04 p.m. We're now going off the record.

11 (Recess taken.)

12 THE VIDEOGRAPHER: The time is 1:38 p.m.
13 We're now back on the record.

14 BY MR. BAZAREK:

15 **Q. Did you ever speak with Ben Baker about**
16 **his July 11, 2004, arrest?**

17 A. Yes.

18 **Q. When did you speak with him?**

19 A. After he got out.

20 **Q. And when you say "after he got out," after**
21 **he got out of the Illinois Department of Corrections?**

22 A. If that's when he got out from there, yes.

23 **Q. Or are you talking about when he was**
24 **arrested by federal law enforcement for selling**

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1 **narcotics?**

2 A. We didn't talk about the 2004 case when he
3 got out of federal. So that would have to be when
4 you say he got out of IDOC.

5 **Q. So that would have been in 2016; does that**
6 **sound right?**

7 A. I thought he posted bail or something on
8 that case before 2004 -- I mean after the arrest in
9 2004.

10 **Q. Okay. I see what you mean. Okay.**
11 **So he -- somehow he bonds out and you talk**
12 **to him?**

13 A. Yes.

14 **Q. And where did you have this conversation**
15 **with Mr. Baker?**

16 A. At his apartment.

17 **Q. Apartment 206?**

18 A. Yes.

19 **Q. Who was present for this conversation?**

20 A. Me and Ben.

21 **Q. Was this during 2004?**

22 A. If that's when he posted bond, yes.

23 **Q. Okay. What was said between you and**
24 **Mr. Baker?**

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1 A. I was just asking him about the arrest and
2 how I felt like I don't know what was going on, but
3 it just looked like they was -- he was being hooked
4 up.

5 **Q. What did Ben Baker tell you about what had**
6 **happened?**

7 A. He didn't too much say nothing. He just
8 said that Sergeant Watts had it out for him, so
9 this is something he had to deal with at the time.

10 **Q. Did Ben Baker ever deny to you that there**
11 **were drugs in his mailbox at Ida B. Wells?**

12 A. No.

13 **Q. Other than that day, did you ever have any**
14 **other discussions with Ben Baker about his July 11,**
15 **2004, arrest?**

16 A. No.

17 **Q. Okay. Tell me. I know we talked about**
18 **earlier you saw Ben outside that day, and then both**
19 **you and him went up to his apartment to smoke the**
20 **weed.**

21 **Before you saw Ben Baker, were you at any**
22 **other buildings at Ida B. Wells?**

23 A. No.

24 **Q. Would you ever go to the 559 building?**

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1 A. Yes.

2 Q. Did you have friends over at the 559
3 building?

4 A. No.

5 Q. Who would you go to see at the 559
6 building?

7 A. I would just walk over there.

8 Q. Would you walk over there to sell crack
9 cocaine?

10 A. No.

11 Q. Would you go over there to sell marijuana?

12 A. No.

13 Q. Would you go over to the 559 building to
14 obtain crack cocaine to sell?

15 A. No.

16 Q. So what would bring you over to the
17 559 building?

18 A. Just walking around the neighborhood.

19 Q. Did you ever live in the 559 building?

20 A. No.

21 Q. Okay. So I'm going to show you Exhibit 1.

22 (Exhibit 1 referenced for
23 identification.)
24

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1 BY MR. BAZAREK:

2 Q. So, Mr. Moore, remember earlier you were
3 talking about some type of citation of some sort
4 when you were at the police station; do you
5 remember that?

6 A. Yes.

7 Q. Okay. So let's -- this is Exhibit 1.
8 Let's go to page 4. And I'll just read the -- it's
9 COPA-WATTS-041788.

10 And have you ever seen one of these
11 before, these ANOVs they're called? You've gotten
12 those over the years, right, an ANOV, a ticket?

13 A. Like parking tickets?

14 Q. No. I'm talking about -- you described
15 the citation that you were issued following Ben
16 Baker's arrest; right?

17 A. Yes.

18 Q. Okay. And looking at this on page 4, it
19 says -- if you can read it. It says violation.
20 It has 559 East Browning.

21 Do you see that? If you could scroll --
22 yeah, that's it.

23 Do you see that address, 559 East
24 Browning? Do you see that?

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1 Can you read that, or you can't read it?

2 A. Yeah, I see it.

3 Q. Okay. And then looking at this, it looks
4 like it was issued on July -- if I'm reading this
5 right -- July 11, 2004, at 10:25 a.m.

6 Do you see that?

7 A. Um-hum, yes.

8 Q. Yes. Okay.

9 And then if we go -- scroll down a little
10 more, there's a place for someone to sign.

11 Do you see the name there?

12 A. Yes.

13 Q. Is that your name?

14 A. Yes.

15 Q. Is that your signature?

16 A. Yes.

17 Q. And going to -- let's go up again to the
18 section where it says offense, trespassing.

19 Do you see it there?

20 A. Yes.

21 Q. And then the ticket at the top, it's
22 issued to Elgen Moore; right?

23 A. Yes.

24 Q. Okay. And do you actually -- as you sit

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1 here at this deposition, do you remember signing
2 this ticket and acknowledging receipt of it?

3 A. I remember signing the ticket, yes.

4 Q. Yeah. Was it for trespassing at the
5 559 building?

6 A. Yes.

7 Q. All right. And let's -- give me a second.
8 If we go to page 6, and you see there's a
9 citation issued to Elgen Moore.

10 Do you see that?

11 A. Yes.

12 Q. Right?

13 A. Yes.

14 Q. It has your date of birth on there, right,
15 December 18, '82?

16 A. Yes.

17 Q. Okay. And then if you scroll down a
18 little more, this occurred at the 527 building, so
19 527 East Browning, and this is on July 11, 2004,
20 and this occurs at 10:05 a.m.

21 Do you see that?

22 A. Yes.

23 Q. And then if you look at the narrative of
24 what the citation is for, it says "Above was

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1 observed drinking from an Olde English malt liquor
2 bottle."

3 Do you see that?

4 A. Yes.

5 Q. Okay. And then if you go to -- let's go
6 towards the bottom again. It has the name Elgen
7 Moore; right?

8 A. Yes.

9 Q. Is that your signature?

10 A. Yes.

11 Q. Did you get two separate citations that
12 day?

13 A. I had to, yes.

14 Q. Is it your testimony that you weren't
15 drinking alcohol that morning on July 11, 2004?

16 A. Yes.

17 Q. You know you weren't, or you don't
18 remember one way or another?

19 A. I know for sure I wasn't.

20 Q. And as you sit here at this deposition,
21 you do recall signing two different citations?

22 A. Yes.

23 Q. Did you get one of the citations back at
24 Ida B. Wells earlier in the day?

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1 A. No.

2 Q. So it's your testimony that you received
3 two citations at the police station?

4 A. Yes.

5 Q. Who was the officer that issued the
6 citations to you?

7 A. The officers that was with Watts.

8 Q. Which one?

9 A. I told you they went to the back and wrote
10 the citations and kept me sitting at the bench
11 handcuffed, so I can't say actually who wrote the
12 citation.

13 Q. At any time that day did you see any
14 Caucasian officers at the police station?

15 A. Yeah. When you enter a police station,
16 yes, you're going to always see a Caucasian.

17 Q. Okay. Let me ask you this question.

18 At any time that day -- you've already
19 described who was in the Apartment 206; right?

20 A. Yes.

21 Q. And those officers were all African
22 American; right?

23 A. Yes.

24 Q. So when you got to the station, at any

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1 **time did you observe any Caucasian officers who**
2 **were on Ron Watts' team?**

3 A. Inside of the apartment?

4 Q. No, at the station.

5 A. No.

6 Q. At any time when you were at the station,
7 **did you see any Hispanic officers that were on**
8 **Ron Watts' team?**

9 A. No.

10 MR. BAZAREK: Okay. Let's look at --
11 let's go to -- let's go to page 5 of this exhibit.
12 And I'll just say it's COPA-WATTS-041789.

13 BY MR. BAZAREK:

14 Q. And do you see there, Mr. Moore, that
15 **there was a finding made against you regarding the**
16 **trespassing; do you see that?**

17 A. (No audible response.)

18 Q. That there was a default judgment entered
19 **against you; do you see that? For \$500 for the**
20 **trespassing?**

21 A. Yes.

22 Q. And that's because you didn't go to the
23 **hearing; right?**

24 A. Yes.

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1 Q. Okay. And then let's look at -- if we go
2 to page 7, as to drinking in the public way, it
3 looks like there was another default judgment
4 against you for \$500; do you see that?

5 A. Yes.

6 Q. And there was a default because you didn't
7 go to the hearing; right?

8 A. Yes.

9 Q. And you knew from the two citations you
10 were issued that you could contest it or you could
11 go to a hearing to challenge it; right?

12 A. No.

13 Q. You didn't know that?

14 A. No.

15 Q. Okay. Other than that day on July 11,
16 2004, have you ever been issued any other ANOVs or
17 citations?

18 A. No.

19 Q. Okay. All right, Mr. Moore.

20 MR. BAZAREK: We can take that exhibit
21 down. Thank you.

22 BY MR. BAZAREK:

23 Q. Your lawsuit is over the arrest that
24 occurred on December 16, 2004; right?

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1 A. Yes.

2 Q. And at that time you were a crack cocaine
3 dealer; right?

4 A. Yes.

5 Q. What's the first thing you remember about
6 that day?

7 A. The first thing I remember about that day?

8 Q. Yes.

9 A. Waking up, getting dressed, coming up with
10 my plans of what I was going to do for my birthday.

11 Q. And your birthday was in two days; right?

12 A. Yes.

13 Q. Had you sold a lot of crack cocaine that
14 week leading up to your birthday?

15 A. Yes.

16 Q. Around the holidays, do people buy more
17 cocaine, heroin around the holiday time -- season?

18 A. No.

19 Q. Okay. But you had -- how much did you
20 make that week selling cocaine leading up to your
21 birthday?

22 A. You say that week?

23 Q. Yes.

24 A. Not much, maybe 300, \$350.

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1 **Q. And did you package the crack cocaine over**
2 **at Joanne's apartment that week?**

3 A. Yes.

4 **Q. And was Scully your supplier for that**
5 **week?**

6 A. Yes.

7 **Q. So on December 16, 2004, what time were**
8 **you selling crack cocaine from the 527 building?**

9 A. I wasn't.

10 **Q. How do you know that?**

11 A. Because I was gone from 527 all that
12 day -- the majority of that day.

13 **Q. So the last time you sold crack cocaine**
14 **from the 527 building, it would have been on**
15 **December 15, 2004, the day before?**

16 A. Or maybe the 14th.

17 **Q. Okay. One or the other; right?**

18 A. Yes.

19 **Q. So were you taking a break on the 16th**
20 **from crack cocaine sales?**

21 A. Yes.

22 **Q. Why?**

23 A. Because I had plans for my birthday and
24 just wasn't trying to get in any trouble before

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1 that day.

2 **Q. You didn't want to be in jail for your**
3 **birthday?**

4 A. I didn't want to get in any trouble before
5 my birthday.

6 **Q. Well, you never want to be arrested when**
7 **you're dealing drugs; right?**

8 A. I wouldn't say that, but I didn't want to
9 be in any trouble at that time considering that it
10 was my birthday in a few coming up.

11 **Q. Would you agree that most of the times**
12 **when you were selling crack cocaine or heroin, that**
13 **you were not apprehended by law enforcement?**

14 MS. GIZZI: Objection, form.

15 THE WITNESS: Can you repeat that?

16 MR. BAZAREK: Can you read back that
17 question, please, Ms. Court Reporter?

18 (Record read.)

19 THE WITNESS: Is you just speaking 2004 or
20 period?

21 BY MR. BAZAREK:

22 **Q. Well, let's start with 2004.**

23 A. Yes.

24 **Q. And what about a lifetime of selling**

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1 **illegal narcotics? Would you agree that the vast**
2 **majority of time that you were selling you were not**
3 **apprehended by law enforcement?**

4 A. I was not apprehended by law enforcement,
5 no.

6 **Q. Right. That's a true statement; right?**

7 A. Yes.

8 **Q. You sold drugs, and the vast majority of**
9 **the time you never got caught; right?**

10 A. No.

11 **Q. That's a correct statement?**

12 A. Yes.

13 **Q. Okay. So did you have plans to spend some**
14 **time with your girlfriend that day?**

15 A. Which day?

16 **Q. The 16th.**

17 A. No, probably later on that night, in the
18 night.

19 **Q. Okay. Well, just tell me what your plans**
20 **were for that day, for December 16th. I know your**
21 **birthday is coming up in two days.**

22 A. Oh, plans for December 16th. I left. I
23 went to kick it with my friends in the Englewood
24 neighborhood. I just been hanging over there all

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1 day smoking, just hanging with them.

2 **Q. Smoking a lot of weed?**

3 A. Smoking a lot of weed, what you doing,
4 what I had going on for my birthday and everything.
5 And I was just telling them that we was going to go
6 out, probably get something to eat and do a little
7 hanging.

8 **Q. And then who were you going to go out**
9 **with?**

10 A. Some of my friends from Englewood.

11 **Q. So no -- you had no female acquaintance to**
12 **hang out with that night?**

13 A. Probably later got with my girlfriend.

14 **Q. Okay. All right. So what time did you go**
15 **to Englewood on that day?**

16 A. I got into Englewood probably since about
17 1:00 or 2:00 p.m. that day.

18 **Q. You -- that's when you left, or that's**
19 **when you came back?**

20 A. That's when I left.

21 **Q. Okay. What time did you come back?**

22 A. I came back. It was nighttime. I just
23 remember it was nighttime.

24 **Q. Were you pretty high?**

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1 A. Yeah.

2 Q. I mean, you were smoking weed all day,
3 right, pretty much?

4 A. Yes.

5 Q. Okay. Were you guys drinking, too?

6 A. No, not too much drinking. I wasn't a big
7 drinker.

8 Q. Right, but did you have any?

9 A. No. I just -- I was mostly smoking.

10 Q. Okay. But not even like one beer?

11 A. No. I didn't drink beer at all.

12 Q. One shot of tequila?

13 A. No.

14 Q. All right. What time did you get back to
15 Ida B. Wells?

16 A. Nighttime.

17 Q. Do you know about what time it was?

18 A. I just know it was nighttime. It was dark
19 outside when I came back. That's all I could
20 remember.

21 Q. Okay.

22 A. I don't know the actual time.

23 Q. And prior to that day, when would have
24 been the last time you had seen Scully?

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1 A. Like I said, maybe a week or two.

2 **Q. And that was the last time he had given**
3 **you your cocaine supply to sell?**

4 A. Yes.

5 **Q. Okay. All right. So you get back home,**
6 **Ida B. Wells. It's dark out. What do you do?**

7 A. I stopped. I said a few words to people
8 that was in the lobby that I knew at 527 and --

9 **Q. Was anyone selling drugs in the lobby when**
10 **you got back?**

11 A. Can you repeat that?

12 **Q. Was anyone selling drugs in the lobby when**
13 **you got back?**

14 A. There was a few people in the lobby. I
15 didn't stop to ask or see who was really selling
16 drugs. I just seen people in the lobby, spoke to
17 few people I knew, and proceeded to go to the
18 stairwell.

19 **Q. Were any of them working a pack or a**
20 **bundle?**

21 A. Well, there was people there. I couldn't
22 say who was working the pack at that time, who was
23 doing it, so ...

24 **Q. Yeah. I'm not asking you if you know who**

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1 **it was, but was someone down there?**

2 A. I guess so, yes.

3 **Q. Okay. You would agree you had people**
4 **working packs -- strike that.**

5 You would agree if someone wanted to buy
6 **drugs at Ida B. Wells, you could buy drugs 24/7;**
7 **true?**

8 A. No.

9 **Q. And what was the hour -- what hour was it**
10 **when you couldn't buy drugs?**

11 A. Maybe whenever the last person left from
12 the lobby, whoever they may be.

13 **Q. Okay. Okay. So you see people in the**
14 **lobby. Even though you don't know who, someone is**
15 **selling illegal narcotics at that time; right?**

16 A. Can you repeat that?

17 **Q. When you get back to the Ida B. Wells in**
18 **the lobby, someone is selling narcotics, but you**
19 **just don't know who; correct?**

20 A. Yes.

21 **Q. Okay. And you talked to a few friends.**
22 **Do you remember any of the friends that you talked**
23 **to?**

24 A. I can't really say who I talked to.

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1 Common people that lived in the building that was
2 standing down there at that time.

3 **Q. Okay. Did you see any police at that**
4 **time?**

5 A. No.

6 **Q. What did you do next?**

7 A. I proceeded to go to the stairwell to walk
8 up the stairs, because someone in the lobby
9 notified me that the elevator was broken at the
10 time.

11 **Q. Okay. Then what happened?**

12 A. I proceeded to go up the stairs. I was
13 going up the stairs. I got to the fifth floor, the
14 floor I stayed on. I heard -- I heard footsteps
15 running up the stairs right after I made it to the
16 fifth floor.

17 **Q. Then what happened?**

18 A. I went to my mother's door. I went to my
19 mother's door.

20 **Q. Apartment 506?**

21 A. Apartment 506, yes. And I was knocking on
22 the door and didn't get an answer. So I seen
23 Bryant Patrick at the time going into his
24 girlfriend apartment.

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1 **Q. At that time when you saw Bryant Patrick,**
2 **was he already working for Ben Baker selling**
3 **heroin?**

4 A. Yes.

5 **Q. Was Bryant Patrick in the lobby when you**
6 **first arrived that evening?**

7 A. No.

8 **Q. Okay. All right. So you're up -- how**
9 **long were you knocking on the door? I know you**
10 **said no one answered for you.**

11 A. I knocked a few times. My mother didn't
12 answer. I seen Bryant Patrick. So I seen him go
13 in his girlfriend house. He was basically saying I
14 ain't seen you all day. Like, what you on? I'm
15 like, I ain't on nothing, just letting him know I
16 just made it back.

17 **Q. Okay. What apartment did Bryant's**
18 **girlfriend live in?**

19 A. Apartment 504.

20 **Q. And did Bryant Patrick, did he live on the**
21 **fifth floor, too, or just his girlfriend?**

22 A. He lived on the fifth floor, too.

23 **Q. Was he in 501?**

24 A. Yes.

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1 **Q. Okay. All right. So then you see those**
2 **two outside apartment -- I'm sorry. You see Bryant**
3 **Patrick outside of Apartment 504?**

4 A. Yeah, coming around the corner going to
5 Apartment 504, yes.

6 **Q. When you got to the fifth floor, did you**
7 **see Bryant Patrick there before you knocked on your**
8 **mom's apartment door, or he came later?**

9 A. He came from around the corner. I
10 actually came from the other side of the stairwell.
11 He lived around the corner, so he came from around
12 the corner.

13 **Q. Okay. Who was on the fifth floor first,**
14 **you or him?**

15 A. I was, I guess. I guess he was already on
16 the fifth floor if he came from around the corner.

17 **Q. Do you think he was the one who was**
18 **running, that you heard someone running?**

19 A. No. I seen people run past the fifth
20 floor.

21 **Q. So did you take that mean the police were**
22 **in the area? That's why a bunch of people are**
23 **running?**

24 A. Yes.

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1 **Q. Okay. And you first saw Bryant Patrick**
2 **after you heard the sound of footsteps and someone**
3 **running; right?**

4 A. I saw Bryant Patrick come from around the
5 corner while I was knocking on the door.

6 **Q. Was he running, Bryant Patrick?**

7 A. No.

8 **Q. Did you hear anyone yelling police, clean**
9 **up, anything like that?**

10 A. No, not from the fifth floor.

11 **Q. Okay. All right. So what happens after**
12 **you see Bryant Patrick?**

13 A. Like I said, he asked me what -- he ain't
14 seen me all day, what was going on with me. I told
15 him I just made it back. I've been hanging it with
16 my friends. And he was just asking me what I was
17 doing. I said I wasn't doing nothing. I told him
18 I had a little weed I brought back with me. He
19 told me he'd smoke some with him.

20 **Q. How much weed did you still have with you?**

21 A. About \$20 worth.

22 **Q. Okay. So you go into Apartment 501 with**
23 **Bryant -- or Apartment 504 with Bryant?**

24 A. Yes.

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1 **Q. And was anyone else in Apartment 504?**

2 A. His girlfriend and her kids.

3 **Q. Okay. Do you remember her name, the girl,**
4 **girlfriend?**

5 A. I knew her as Boo.

6 **Q. How do you say it?**

7 A. Boo.

8 **Q. Boo, like B-O --**

9 A. O, Boo. Yes.

10 **Q. All right. Then what happened after you**
11 **went inside the apartment?**

12 A. Just went in there. Me and Bryant went to
13 the living room, sat back. He gave me a blunt so I
14 could roll some of the weed up, marijuana that I
15 had. And we just smoked and was chilling.

16 **Q. All right. What was the girlfriend doing?**

17 A. She was in her room.

18 **Q. Was she smoking with you guys?**

19 A. No. She was in her room.

20 **Q. And how many kids were in the apartment?**

21 A. They was in their room. I didn't look in
22 there to see how many kids was in there.

23 **Q. Were they already in bed or --**

24 A. They was in their rooms.

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1 **Q. Okay. So did you ever see any children**
2 **inside the apartment?**

3 A. Yes.

4 **Q. At what point?**

5 A. When I first entered.

6 **Q. Okay. And so then they went back to their**
7 **room?**

8 A. We had to walk past their room to get to
9 the living room.

10 **Q. Okay. All right. All right. So you and**
11 **Bryant, you're -- so was it one blunt you rolled or**
12 **was it more than one?**

13 A. I just rolled one. He only gave me one
14 blunt.

15 **Q. But you had your own stash of weed; right?**

16 A. That was the weed I had.

17 **Q. Who made the blunt?**

18 A. I did.

19 **Q. Okay. Were you sharing the blunt? That's**
20 **all I'm getting at.**

21 A. Yes.

22 **Q. Okay. So did you guys smoke the entire**
23 **blunt?**

24 A. Yes.

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1 **Q. And were you high?**

2 A. Yes.

3 **Q. Was Bryant Patrick high?**

4 A. I guess.

5 **Q. Okay. Then what happened next? Another**
6 **knock on the door?**

7 A. Eventually, yes.

8 **Q. Okay. How long were you in the apartment**
9 **before you heard a knock on the door?**

10 A. Maybe 30, 40 minutes.

11 **Q. What happened after you heard the knock on**
12 **the door?**

13 A. Bryant told his girlfriend to go see who's
14 that at the door.

15 **Q. Did she do it?**

16 A. Yes.

17 **Q. What happened next?**

18 A. She -- she asked who is it? They
19 presented -- I guess they presented theirsself as
20 the police, and she told Bryant that the police was
21 at the door.

22 **Q. What did Bryant say?**

23 A. See what they want.

24 **Q. So what? She goes back?**

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1 A. Yes.

2 Q. Okay. Do you know why Bryant didn't go to
3 the door?

4 A. No.

5 Q. Okay. So she goes back to the door. Then
6 what happens?

7 A. The police was still banging on the door.
8 And Bryant says you probably going to have to open
9 the door, because they just broke her door down, I
10 believe he said, before.

11 Q. Oh, her 504 door was broken in by the
12 police earlier?

13 A. No. No, not earlier that day.

14 Q. Okay. Like earlier like -- strike that.
15 Did she open the door for the police or
16 not?

17 A. Well, I was sitting in the living room, so
18 I can't say what. I just seen the police come in,
19 barge in.

20 Q. So you don't know whether or not she
21 opened the door for them?

22 A. I was sitting in the living room. All I
23 recall is I seen police barging in afterwards.

24 Q. Okay. Who came barging in?

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1 A. Sergeant Watts and his crew.

2 Q. And when you say "Sergeant Watts and his
3 crew," who's the crew?

4 A. The people that -- some of the other
5 officers that worked with him.

6 Q. Who were the ones you saw inside Bryant's
7 girlfriend's apartment?

8 A. I seen Officer Mohammed. I saw Officer
9 Al. I saw with another officer that was kind of
10 heavyset. I don't know his name.

11 Q. What race was he?

12 A. African American.

13 Q. Okay. Who else?

14 A. That's who I remember seeing for sure.

15 Q. Did you observe any Caucasian officers
16 inside the apartment?

17 A. No.

18 Q. Did you observe any Hispanic officers
19 inside the apartment?

20 A. No.

21 Q. All the officers you saw inside the
22 apartment were African American; is that right?

23 A. Yes.

24 Q. How many total were there, including

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1 **Watts?**

2 A. I remember four officers.

3 **Q. And the four would include Watts; is that**
4 **right?**

5 A. Yes.

6 **Q. Okay. All right. What happened after the**
7 **four officers were inside the apartment?**

8 A. They just asked us what we was doing.

9 **Q. Who was doing the talking?**

10 A. Sergeant Watts.

11 **Q. Anyone else?**

12 A. No.

13 **Q. What did Watts say?**

14 A. What we was doing.

15 **Q. And what did you say back?**

16 A. Nothing. Smoking weed.

17 **Q. What else was said?**

18 A. That's all that was said.

19 **Q. Did Bryant say anything?**

20 A. He didn't say nothing, but we just -- we
21 ain't doing nothing but smoking a little weed,
22 Watts.

23 **Q. Did you still have some weed left on you?**

24 A. No.

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1 **Q. Did the apartment smell like weed?**

2 A. Yes.

3 **Q. Comparing the two, when you were smoking**
4 **weed in Ben's apartment on the day he got arrested,**
5 **and then now you're smoking weed with Bryant in his**
6 **girlfriend's apartment, which house did you smoke**
7 **more weed at?**

8 A. Neither of them.

9 **Q. Was it equal?**

10 A. If you want to say so.

11 **Q. No. I'm asking you, you know.**

12 A. It wasn't never a main person house that
13 you just went to to smoke weed.

14 **Q. Were you higher at Ben Baker's apartment**
15 **on the day he got arrested, or were you higher at**
16 **Bryant's girlfriend's apartment?**

17 A. I would say I was higher at Ben Baker's
18 apartment.

19 **Q. Okay. All right. So you tell Watts, hey,**
20 **we're just smoking some weed?**

21 A. Yes.

22 **Q. Then what happened?**

23 A. He said what's in here? He asked us
24 what's in here?

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1 **Q. Then what happened?**

2 A. We said nothing. I told Watts I don't
3 live here, so I don't know.

4 **Q. Then what happened?**

5 A. They started to search the apartment.

6 **Q. Did the officers find anything?**

7 A. No.

8 **Q. What was Bryant's girlfriend doing during**
9 **the search?**

10 A. They told her to go in her room, or she
11 could sit up here in front on the couch with us.
12 She went in the room with her kids.

13 **Q. Could you hear anything that her and the**
14 **kids were saying at any time during the time the**
15 **police were in the apartment?**

16 A. I didn't hear them say anything.

17 **Q. Okay. How long did the search go on?**

18 A. I can't say approximately, but we was up
19 there for a while.

20 **Q. What happened next?**

21 A. They handcuffed us, took us out the front
22 room, took me and Bryant in a room that was in the
23 apartment, searched and kept asking Bryant where
24 the stuff was at. He kept saying wasn't nothing in

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1 there, wasn't nothing in there.

2 **Q. You were taken to another apartment?**

3 A. No, a room that's inside the apartment.

4 **Q. Oh, okay. So to have what? A private**
5 **discussion, so to speak?**

6 A. No. I wouldn't say that.

7 **Q. Was it a bedroom? Was it a bathroom?**

8 A. It was a bedroom. Yeah, a bedroom.

9 **Q. Okay. So Bryant is telling -- saying,**
10 **hey, I've got nothing in here; right?**

11 A. Yes.

12 **Q. And then what happened?**

13 A. They were searching. They were searching
14 the apartment. They handcuffed us and put us on
15 our knees in the bedroom.

16 **Q. Right. And the search -- did they recover**
17 **anything during the search?**

18 A. No.

19 **Q. Then what happened?**

20 A. Then after searching for so long, Sergeant
21 Watts had left out the apartment on like two
22 occasions, and then came back and then kept asking
23 them did they find anything, and they said no on
24 the first occasion. Then when he came back again,

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1 he said I know there's something in here. Search
2 again. They searched us again. They searched the
3 apartment again. They didn't find nothing. And
4 then once he came back, he said they going anyway.
5 Take them downstairs to the lobby.

6 **Q. Who told Watts that they didn't find**
7 **anything during the search?**

8 A. The officers that were still in the
9 apartment.

10 **Q. Which one?**

11 A. All the officers that was in the apartment
12 that came in with him. The officers I named.

13 **Q. Mohammed, Al, and the heavysset --**

14 A. Yes.

15 **Q. -- officer; is that right?**

16 A. Yes.

17 **Q. They all told him, hey, we didn't find**
18 **anything?**

19 A. Yes.

20 **Q. Okay. All right. So then Watts says,**
21 **well, take them to the lobby; do I got that right?**

22 A. Yes.

23 **Q. All right. And then you were taken to the**
24 **lobby; right?**

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1 A. Taken downstairs to the lobby, yes.

2 Q. And you were already in handcuffs?

3 A. Yes.

4 Q. And Bryant Patrick is in handcuffs?

5 A. Yes.

6 Q. When you were being led out of the
7 apartment with Bryant Patrick, was his girlfriend
8 still in the bedroom with the kids?

9 A. Yes.

10 Q. Okay. All right. Are you walking down
11 the stairwell to the lobby?

12 A. Yes.

13 Q. What happened after you got to the lobby?

14 A. They put us on our knees when we got
15 downstairs in the lobby with other people they had
16 in the lobby.

17 Q. Did you see any different officers when
18 you were in the lobby?

19 A. Yes. When we got to the lobby, there was
20 more officers in the lobby.

21 Q. To your knowledge, were they on Watts'
22 team, or you don't know one way or another?

23 A. Yes.

24 Q. They were on Watts' team?

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1 A. Yes.

2 Q. Okay. Do you know any of their names or
3 who they were?

4 A. I don't know all their names, but I
5 remember seeing Sergeant -- I mean, Officer
6 Gonzalez, and I remember seeing the white guy that
7 used to work -- be with Officer Gonzalez and Watts.

8 Q. A white guy?

9 A. Yes. I don't know his name.

10 Q. Can you describe him besides a white guy?

11 A. A guy that wore glasses.

12 Q. He wore glasses?

13 A. He wore grasses.

14 Q. Do you remember how his hair -- how he
15 wore his hair?

16 A. Somewhat. It was cut a little bit, but
17 somewhat almost similar to yours, I would say, but
18 with a lower cut, I would say.

19 Q. So shorter hair?

20 A. A little shorter than yours, cut, yeah,
21 white guy.

22 Q. All right. So you got Gonzalez. You
23 got --

24 A. You got Gonzalez. You got him. You got a

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1 few more people. I don't know all their names,
2 though. I don't know all their names.

3 Q. Okay. So -- but the first time you saw
4 those other officers that worked for Watts was when
5 you were taken down to the lobby; right?

6 A. Yes.

7 Q. Okay. What happened now? You're in the
8 lobby. You're with Patrick. What happens next?

9 A. Like I said, they had people in the lobby
10 down there. So it seemed like they were still
11 searching in the lobby a bit.

12 Q. They're looking for drugs; right?

13 A. Yes, I assume.

14 Q. I didn't ask you this.

15 How much money did you have on you?

16 A. I had something over \$1,000. I can't
17 actually remember. I had something over \$1,000 on
18 me.

19 Q. And the \$1,000, that was money you had
20 from selling the crack cocaine; right?

21 A. Yes.

22 Q. When you were in Englewood, how much cash
23 did you spend that day when you were out partying
24 with your buddies?

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1 A. Probably about \$150.

2 **Q. Okay. All right. Anyway, so -- all**
3 **right. There's other people there. They're in**
4 **custody. The police are looking for narcotics in**
5 **the lobby area. What happens next?**

6 A. The next thing that happened was Sergeant
7 Watts notified us that we was going to jail.

8 **Q. How did he do that?**

9 A. Because I kept saying, Watts, we ain't got
10 nothing, so what you steady holding us for? And he
11 told us that you and him going anyway. Basically
12 meaning me and Bryant Patrick was going to jail
13 anyway. I said, Watts, you ain't find nothing on
14 us. We ain't have nothing. And he said that we
15 was going anyway. And Al stated to me that he was
16 tired of me anyway and that I was going to jail
17 that day.

18 **Q. Al said he was tired of you?**

19 A. Yes.

20 **Q. What did you take that to mean?**

21 A. I took that to mean that I was going to
22 jail.

23 **Q. Right. I'm asking you what -- kind of**
24 **what you make of it. When he's saying I'm tired of**

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1 **you, what does that mean?**

2 A. I didn't know what it mean, but I was
3 going to jail.

4 **Q. When had you ever had contact with him?**

5 A. He came to my mother apartment before with
6 Sergeant Watts.

7 **Q. When was that?**

8 A. Multiple times.

9 **Q. And he was there on a narcotics**
10 **investigation?**

11 A. Yes.

12 **Q. Well, you were a crack cocaine dealer in**
13 **the 527 building; right?**

14 A. Yes.

15 **Q. So why would that even be unusual for, you**
16 **know, Jones or for Watts to be, you know, knocking**
17 **on the door of your mother's apartment?**

18 MS. GIZZI: Objection, form.

19 Go ahead.

20 THE WITNESS: Can you repeat that?

21 BY MR. BAZAREK:

22 **Q. Do you find that unusual if you're a drug**
23 **dealer at Ida B. Wells that the police would be**
24 **investigating you?**

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1 A. No.

2 Q. And so when you said that Jones or -- I'm
3 sorry. When you said that Al and Watts would go to
4 your apartment, can you describe that in more
5 detail as to what occurred during those times?

6 A. Coming in, searching.

7 Q. And when was this? During 2004?

8 A. 2004, other times. Yes.

9 Q. Okay. During all the times that they were
10 at your mother's apartment searching, you were a
11 drug dealer; right?

12 A. Yes.

13 Q. Did they ever find any drugs inside your
14 mom's apartment?

15 A. No.

16 Q. Where would you store your heroin and
17 cocaine when you weren't -- when you still had some
18 left over?

19 A. I would sell. I would sell what I had for
20 the day.

21 Q. So not a day ever went by where you didn't
22 sell all the narcotics that you had?

23 A. No.

24 Q. Did you ever have occasions where whatever

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1 amount of cocaine and heroin you had sold out, and
2 then you had to go replenish it and get more heroin
3 or cocaine?

4 A. Yes.

5 Q. And that would occur when you and Bryant
6 were selling the heroin for Ben Baker; right?

7 A. Yes.

8 Q. I mean, you're selling heroin and they're
9 going like hot cakes, and then you've got to go --
10 how would you get the other heroin from Ben Baker
11 to sell?

12 A. Bryant would give it to me.

13 Q. Right. But would Bryant go up to Ben's
14 apartment to get more heroin?

15 A. Yes.

16 Q. Okay. Did you ever go with Bryant to, you
17 know, get the bundles of heroin from Ben Baker's
18 apartment when you ran out?

19 A. No.

20 Q. Okay. Did Ben Baker trust Bryant more
21 than you?

22 MS. GIZZI: Objection, form.

23 Go ahead.

24 THE WITNESS: Yes.

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1 BY MR. BAZAREK:

2 Q. And why do you think that is?

3 A. I can't say.

4 Q. Right. Because what you're telling me is
5 Bryant would be the one that would get the heroin
6 from Ben Baker to sell, not you; right?

7 A. Yes.

8 Q. Yeah. I'm just wondering why it was
9 always him, not you, getting heroin yourself from
10 Ben Baker.

11 MS. GIZZI: Objection, form.

12 Go ahead.

13 THE WITNESS: Because Bryant worked for
14 him.

15 BY MR. BAZAREK:

16 Q. Well, so did you.

17 A. Yeah.

18 Q. Was it because he worked for him longer?

19 A. Maybe so.

20 Q. Other than you and Bryant Patrick, who
21 else sold heroin for Ben Baker?

22 A. Multiple people.

23 Q. Who were the other people that sold heroin
24 for Ben Baker?

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1 A. People who -- other people who stayed in
2 the building. People who didn't stay in the
3 building, stayed in the neighborhood.

4 **Q. Did Ben Baker have dozens of people**
5 **selling heroin for him?**

6 A. Yes.

7 **Q. Did Ben Baker have hundreds of people**
8 **selling heroin for him?**

9 A. No.

10 **Q. What's your best approximation of how many**
11 **people were selling heroin for Ben Baker?**

12 A. Dozens.

13 **Q. Okay. Other than yourself and Bryant**
14 **Patrick, can you name any other individual out of**
15 **these dozens of people who sold heroin for Ben**
16 **Baker?**

17 A. Paul, Mike.

18 **Q. Names or nicknames?**

19 A. These nicknames. You don't -- you don't
20 be actually knowing the person real name. These
21 just their nicknames.

22 **Q. Okay.**

23 A. Paul, Mike, Rooney, Cam, Manny, Corey,
24 just names off the bat.

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1 **Q. Was that Corey Owens?**

2 A. Yes.

3 **Q. He sold heroin for Ben Baker; right?**

4 A. Yes.

5 **Q. You know Gregory Young, right, Baybay?**

6 A. Yes.

7 **Q. Did he sell heroin for Ben Baker?**

8 A. Yes.

9 **Q. What about Twainy? Do you know Twainy?**

10 A. Yes.

11 **Q. And Antoine Bradley is his name; right?**

12 A. I don't know his real name.

13 **Q. Did Twainy sell heroin for Ben Baker?**

14 A. Twainy, yes.

15 **Q. Any other individuals you remember who**
16 **sold heroin for Ben Baker?**

17 A. Those are some individuals I remember off
18 the bat. I can't remember everyone.

19 **Q. Okay. Okay. So you're being told now**
20 **you're being arrested, you and Bryant; right?**

21 A. Yes.

22 **Q. And you're picked up by Watts. He's**
23 **saying you two are going to be arrested; right?**

24 A. Yes.

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1 **Q. Then what happened?**

2 A. We was put into the police car and
3 transferred to the police station.

4 **Q. Do you remember who transported you?**

5 A. I don't actually remember who transported
6 us.

7 **Q. Okay.**

8 A. Actually, we was took in a paddy wagon
9 because multiple people went -- were arrested that
10 day.

11 **Q. Do you know any other people who were**
12 **arrested that day?**

13 A. I was. No.

14 **Q. Okay. All right. So you're put in, as**
15 **you say, the paddy wagon. You're taken to the**
16 **station. What happened at the station?**

17 A. We were taken into the room where they
18 handcuff you to the bench and do their paperwork.

19 **Q. You were being processed? Processing?**

20 A. Well, that's where they write the report
21 before -- I guess being processed, yes.

22 **Q. Okay. And was there anything said by any**
23 **police officer after you arrived at the station?**

24 A. After writing -- while they was writing

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1 the reports, Watts -- no, Mohammed asked was any of
2 the officers hungry, and they said yeah. What are
3 you getting? And Watts asked them what they was --
4 and Watts said why don't you order pizza? And
5 Watts wind up asking me and Bryant were we hungry.
6 And I was, like, no. I just want to go home. What
7 are we being charged with? And he, like, well, you
8 going to jail. You'll see what you're charged
9 with, but you sure you ain't hungry before you go
10 to Cook County because -- and I seen him flashing
11 some of the money in his hand like, well, you
12 paying for it anyway.

13 **Q. Are you talking about the \$1,000 that you**
14 **had?**

15 A. The thousand-and-so dollars. I seen him
16 flash some of the cash saying that basically I was
17 paying for it anyway.

18 **Q. How was the \$1,000 taken from you?**

19 A. How was it taken?

20 **Q. Yes.**

21 A. From them going into my inventory.

22 **Q. Right. But where did you have the \$1,000?**
23 **Before you saw the police that day, where did you**
24 **get keep the \$1,000?**

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1 A. Oh, in my pocket.

2 Q. Right. And then how did it leave your
3 pocket?

4 A. Because they took it out. They took it
5 out of my pocket when we got to the station.

6 Q. Okay. That's what I missed.
7 Who took it out of your pocket?

8 A. I want to say Mohammed took it out of my
9 pocket 'cause that's who walked me into the police
10 station and said -- and was telling Watts that he
11 got cash on him.

12 Q. Okay. And did Mohammed, did he search you
13 at the station?

14 A. He searched me. They searched us multiple
15 times at the apartment, and they searched, and he
16 just pulled the cash out of my pocket when we got
17 to the station, and then he put me to the bench.

18 Q. Okay. But you had -- the cash remained in
19 your pocket until you got to the police station; is
20 that true?

21 A. Yes.

22 Q. Okay. And then did you have the cash in a
23 wallet or just not in a wallet?

24 A. Not in a wallet.

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1 **Q. And so Mohammed takes the \$1,000; right?**

2 A. It was over \$1,000.

3 **Q. Yeah. How much was it total that you**
4 **remember?**

5 A. I didn't get a chance to count it. I had
6 been steady since I been out, so I didn't get a
7 chance to count it.

8 **Q. Well, on that day when you started your**
9 **day before you went to Englewood to get high, how**
10 **much money did you have with you?**

11 A. I'd say around \$1,600 or so.

12 **Q. Okay. And you've already testified about**
13 **how much you think you spent when you were with**
14 **your buddies in Englewood.**

15 **So what did Mohammed do with the money he**
16 **took out of your pocket?**

17 A. They sat it on the desk.

18 **Q. Okay. After it had been on the desk, did**
19 **anyone touch it?**

20 A. They was picking the money up to pay for
21 the pizza. That's when I seen them pick the money
22 up off the desk. And that was the money Watts was
23 flashing saying he paying for the pizza, and that's
24 why he was asking did we want any because I was

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1 paying for it anyway.

2 **Q. Okay. Did pizza actually get delivered to**
3 **the station?**

4 A. Yes.

5 **Q. Did you have any of the pizza?**

6 A. No.

7 **Q. Did Bryant Patrick have any of the pizza?**

8 A. Yes. He took some.

9 **Q. Did any other food other than pizza get**
10 **delivered?**

11 A. No.

12 **Q. Were the police eating the pizza?**

13 A. Yes.

14 **Q. Do you remember where the pizza was from?**

15 A. No.

16 **Q. Okay. All right. So you're being**
17 **processed. Pizza is being delivered. Of the money**
18 **that you had with you that you got from selling**
19 **crack cocaine, that was being used to buy the**
20 **pizza; right?**

21 A. Yes.

22 **Q. Okay. And what happened next?**

23 A. They finished doing -- writing our
24 paperwork up eventually, and I was just asking why

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1 is this going on and y'all didn't find anything.

2 **Q. And what was said in response to what you**
3 **said?**

4 A. That you -- when you get fingerprinted,
5 you're going to know your charges.

6 **Q. Who said that?**

7 A. Watts.

8 **Q. And then what happened?**

9 A. Then we were took to the back and
10 fingerprinted and put in the holding cells.

11 **Q. Were you put in a cell with Bryant**
12 **Patrick?**

13 A. No. He was next to me.

14 **Q. Were you guys talking at all when you were**
15 **in the cell?**

16 A. Yes.

17 **Q. What did you say to each other?**

18 A. Just basically this is BS, and they ain't
19 even find nothing, and we still ain't really know
20 what our charges was.

21 **Q. When you went into the lockup, they have**
22 **lockup keepers there; right?**

23 A. Yes.

24 **Q. And they screen you; right? They ask you**

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1 **questions? They look you over?**

2 A. Yes.

3 **Q. At any time did you tell any of the lockup**
4 **keepers that you didn't know what you were being**
5 **charged with?**

6 A. Yes. We told them that we didn't know
7 what we was being charged with.

8 **Q. And then what was said in response to that**
9 **by the lockup keepers?**

10 A. We'll let you know after we get y'all
11 fingerprinted.

12 **Q. And is that what happened?**

13 A. Yes.

14 **Q. And what were you told after you were**
15 **fingerprinted?**

16 A. We was basically told that we was going to
17 Cook County Jail that morning.

18 **Q. You were told this by the lockup keepers?**

19 A. Yes.

20 **Q. Do you remember what the lockup keepers**
21 **looked like?**

22 A. Not actually, but I remember it was a
23 Black guy.

24 **Q. Was he in a uniform, like the regular**

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1 **police uniform, or was it a detention aide with the**
2 **dark blue uniform?**

3 A. Uniform.

4 **Q. Okay. So did the lockup keeper tell you**
5 **what you were being charged with?**

6 A. Eventually. Once he got us fingerprinted
7 and let us make our phone call, he said we was
8 being charged -- we both being charged with drugs,
9 but he didn't actually say what the charges was,
10 that we both were being charged with drugs.

11 **Q. Okay. And then did you -- did you say**
12 **anything to that?**

13 A. No.

14 **Q. Did you tell that lockup keeper, hey, I**
15 **didn't have any drugs?**

16 A. Yes.

17 **Q. Oh, you told them that?**

18 A. We told them that as soon as we came back
19 there, when we was already asking him when we going
20 to know what we being locked up for. He said what
21 did you'll get caught with? We said nothing.

22 **Q. Okay. All right. So then are you**
23 **taken -- you're in the lockup. Anything else**
24 **happen while you were in the lockup waiting to go**

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1 to court?

2 A. No.

3 Q. And then you were taken to court. Was it
4 the next morning?

5 A. Yes.

6 Q. Did you go on a bus?

7 A. Yes.

8 Q. Were you with Bryant Patrick?

9 A. Yes.

10 Q. Were you on the bus -- were you on the bus
11 with any of the people that were arrested in the
12 lobby?

13 A. No.

14 Q. Okay. So when you went to -- when you
15 were first brought to court, you were brought in
16 front of a judge; right?

17 A. Yes.

18 Q. There's a hearing to determine whether or
19 not there's probable cause to detain you; right?

20 A. Yes.

21 Q. Did the judge find there that there was
22 probable cause to detain you?

23 A. Well, when you go in front of the judge in
24 Cook County, you go for a bond hearing. You don't

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1 go to see if there was probable cause or not.

2 Q. Okay. So the first time you went to court
3 was for a bond hearing; right?

4 A. Yes.

5 Q. What happened at the bond hearing?

6 A. They gave us -- we seen the judge, and he
7 told us how much money we would need to post bond.

8 Q. Okay.

9 A. He said if we wasn't able to post bond,
10 that we would be basically in jail until we had a
11 hearing -- until we went to court for -- to have a
12 hearing.

13 Q. How much money were you to post to keep
14 you from going to jail?

15 A. I can't recall what my bond was at that
16 time.

17 Q. Did you have money to pay for the bond?

18 A. No.

19 Q. At any time when you were in front of that
20 judge for the bond hearing, did you tell the judge
21 that you had been falsely arrested?

22 A. No. You don't get a chance to talk.

23 Q. At any time when you were in front of that
24 judge at the bond hearing, did you say that you

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1 **were being framed?**

2 A. You can't talk to the judge.

3 **Q. At any time during that bond hearing, did**
4 **you tell the judge that you were being framed?**

5 A. No.

6 **Q. At any time when you were in front of the**
7 **judge at the bond hearing, did you say that you had**
8 **more than \$1,000 stolen from you?**

9 A. No.

10 **Q. Ultimately your case was heard in the**
11 **criminal court, and on the 16th of February 2005**
12 **you pled guilty to a narcotics offense; correct?**

13 A. Yes.

14 **Q. And that was in front of Judge Bertina E.**
15 **Lampkin; right?**

16 A. Yes.

17 **Q. You were represented by attorney Matthew**
18 **Mahoney; is that right?**

19 A. Yes.

20 **Q. That was Ben Baker's lawyer, too; right?**

21 A. Yes.

22 **Q. How did you hire Matt Mahoney?**

23 A. I believe Ben and my mother had sent him
24 to court for me.

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1 **Q. Did Ben pay your legal fees with Matt**
2 **Mahoney?**

3 A. I believe him and my mother did.

4 **Q. Do you know how much they paid Mahoney?**

5 A. I never asked, no.

6 **Q. Did you ever tell Mahoney that you were**
7 **being framed?**

8 A. Yes.

9 **Q. He let you plead guilty even though you**
10 **told him you were being framed?**

11 A. Yes.

12 **Q. What did he -- what did Mahoney say to you**
13 **when you told him you were being framed?**

14 A. He let me know that I could have fought
15 the case, but the case takes time to fight, and
16 that they would were offering me a plea right then
17 and there.

18 **Q. And so even though you told attorney Matt**
19 **Mahoney that you were being framed, he let you**
20 **plead guilty to a drug crime?**

21 MS. GIZZI: Objection, form.

22 Go ahead.

23 THE WITNESS: Yes.

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1 BY MR. BAZAREK:

2 Q. Why didn't you fight it?

3 A. He let me know that it was going to take
4 time, and they was giving me a plea right then and
5 there and I would be able to leave. So I took it
6 as that was the fastest way of going home right
7 then and there.

8 Q. And the deal was you were going to get out
9 of jail, right, because you had 60 days time
10 considered served?

11 A. Right then and there, yes.

12 Q. And you were going to get probation;
13 right?

14 A. Yes.

15 Q. So you wouldn't have to go to the
16 penitentiary; right?

17 A. Yes.

18 Q. And so you agreed? You voluntarily agreed
19 to plead guilty; right?

20 A. Yes.

21 Q. And as far as you were concerned, you were
22 getting a good deal; right?

23 A. Yes.

24 Q. It beat the alternative, right, that you

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1 **could end up going to prison; is that right?**

2 A. Yes.

3 **Q. Okay. Let's look at Deposition Exhibit**
4 **No. 2.**

5 **(Exhibit 2 referenced for**
6 **identification.)**

7 BY MR. BAZAREK:

8 **Q. Mr. Moore, this is your arrest report from**
9 **December 16, 2004. Have you ever seen this**
10 **document before?**

11 A. Yes.

12 **Q. Okay. And I just want to -- for**
13 **occupation, it looks like it's Box 23. It says you**
14 **were unemployed. That's true; right?**

15 A. Yes.

16 **Q. Well, it's true that the report says you**
17 **were unemployed, but at the time in 2004, you were**
18 **a drug dealer; right?**

19 A. Yes.

20 **Q. So the only employment that you had in**
21 **2004 was as a drug dealer; correct?**

22 A. Yes.

23 **Q. And then, also, if you go down to the**
24 **narrative section, you see it says gang affil.**

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1 **Do you see that?**

2 **And then it says GD. Do you see that?**

3 A. Yes.

4 **Q. And GD is Gangster Disciple; right?**

5 A. Yes.

6 **Q. And did you report to any of the officers**
7 **while you were in custody that you were a Gangster**
8 **Disciple?**

9 A. No.

10 **Q. Is Bryant Patrick a Gangster Disciple?**

11 A. No.

12 **Q. I know you denied being a Gangster**
13 **Disciple at this deposition. Have you ever been in**
14 **any gang?**

15 A. No.

16 **Q. Okay.**

17 MR. BAZAREK: All right. We can -- no, I
18 have one further question on this document.

19 BY MR. BAZAREK:

20 **Q. If you go to the bottom, you made a phone**
21 **call. It looks like 548.5397.**

22 **Do you know whose number that is?**

23 A. It was probably my mom number.

24 **Q. Okay.**

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1 MR. BAZAREK: All right. We can take that
2 down.

3 And we'll look at Exhibit 3.

4 (Exhibit 3 referenced for
5 identification.)

6 BY MR. BAZAREK:

7 Q. Okay. So this is the vice case report
8 associated with your December 16, '04, arrest. I
9 just have a couple questions on this.

10 Do you see Box 12, it lists two police
11 officers, like Gonzalez and Bolton; do you see
12 that?

13 A. Yes.

14 Q. Do you remember -- can you tell me
15 anything that Officer Bolton did in relation to
16 your arrest, if you know?

17 A. He didn't do nothing.

18 Q. Okay. What about Officer Gonzalez? What
19 did he do, if anything, in relation to your arrest?

20 A. Nothing.

21 Q. Let's look at the second page.

22 Do you see there's an Officer D. Nichols?

23 A. Yes.

24 Q. All right. What did Nichols do, if

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1 **anything, in relation to your arrest?**

2 A. I don't know who that is.

3 **Q. Did you have any interactions with an**
4 **Officer Nichols on December 16, 2004?**

5 A. I don't know who he is, so ...

6 **Q. Okay. So the answer is you don't know or**
7 **no?**

8 A. I don't know him.

9 **Q. Okay. How about Officer Leano? Do you**
10 **see that other name there?**

11 **Did you have any contact with him on**
12 **December 16, 2004?**

13 A. I don't know who that is.

14 **Q. And then you see there's an Officer E.**
15 **Smith; do you see that?**

16 A. Yes.

17 **Q. Did you have any interactions with Officer**
18 **Smith on December 16, 2004?**

19 A. No.

20 **Q. On the second page, it says -- I'll just**
21 **read a portion of it.**

22 **"A custodial search of above revealed \$355**
23 **U.S.C., suspected narcotic proceeds."**

24 **Do you see that?**

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1 A. On which line is that at?

2 Q. It's the line above where it says "Also
3 assisting."

4 A. Yes, I see it.

5 Q. Okay. And was \$355 inventoried?

6 A. I can't recall.

7 Q. Did you get a piece of paper or anything
8 saying that \$355 was being inventoried?

9 A. I can't recall.

10 Q. Okay.

11 MR. BAZAREK: We can take that down. That
12 was Exhibit 3.

13 Let's look at Exhibit 4.

14 (Exhibit 4 referenced for
15 identification.)

16 BY MR. BAZAREK:

17 Q. And this is a document from the Illinois
18 State Police.

19 Remember when you had the criminal
20 proceedings, and you were represented by Mahoney,
21 do you recall this coming up that the drugs that
22 police said you had were tested? Do you remember
23 that?

24 A. No, I don't remember it -- yes, yes.

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1 **Q. Do you remember that the testing for some**
2 **of the items that the police said you had were**
3 **cocaine?**

4 A. Yes.

5 **Q. So when you pled guilty to the narcotics**
6 **offense, you knew that the Illinois State Police**
7 **had tested what was going to be used as evidence**
8 **against you if you went to trial; right?**

9 A. Yes.

10 **Q. Okay. And that's something that you knew**
11 **before you pled guilty; right?**

12 A. Yes.

13 **Q. Okay.**

14 MR. BAZAREK: We can take that down.

15 Let's look at Exhibit 5.

16 (Exhibit 5 referenced for
17 identification.)

18 BY MR. BAZAREK:

19 **Q. So we've already talked about you pled**
20 **guilty on the 16th of February 2005; right?**

21 A. Yes.

22 **Q. Okay.**

23 MR. BAZAREK: Let's take that down.

24 Let's look at Exhibit 6.

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1 (Exhibit 6 referenced for
2 identification.)

3 BY MR. BAZAREK:

4 Q. If we go to -- give me a second.

5 Okay. So if we go to page 3, it shows
6 that you were sentenced on February 16, 2005. You
7 got a year probation; right? Do you see that?

8 A. Yeah.

9 Q. And then it also shows that you had credit
10 for time served, 60 days; do you see that?

11 A. Yes.

12 Q. Okay. Now if we go up to September of
13 '05. Look. See, September 27, 2005; do you see
14 that?

15 A. Yes.

16 Q. It says "Petition Violation of Probation
17 Filed."

18 What do you remember about that? What did
19 you do to violate your probation, if you know?

20 A. I was arrested again.

21 Q. Okay. Do you remember what the arrest was
22 for that led to a petition for violation of
23 probation filed?

24 A. Not off the top.

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1 **Q. Okay. And then it looks like on**
2 **September 28th, probation terminated unsatisfactory.**

3 **Do you see that?**

4 **A. Yes.**

5 **Q. Anything you remember about that, why your**
6 **probation was terminated as unsatisfactory? Do you**
7 **know one way or another, or you don't know?**

8 **A. Because I was arrested again.**

9 **Q. Okay.**

10 MR. BAZAREK: Let's look at Exhibit 7.

11 (Exhibit 7 referenced for
12 identification.)

13 BY MR. BAZAREK:

14 **Q. Look at -- let's go to paragraph 6 of your**
15 **complaint.**

16 **In paragraph 6 of your complaint, you**
17 **write, "The corrupt officers sought bribes, planted**
18 **drugs, and falsely accused many people, including**
19 **Mr. Moore of possessing drugs."**

20 **Do you see that?**

21 **A. Yes.**

22 **Q. Who were the corrupt officers?**

23 **A. Officer -- Sergeant Watts and his team of**
24 **officers.**

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1 **Q. Who on his team was corrupt?**

2 A. All of them.

3 **Q. How do you know that?**

4 A. Due to the fact that I was arrested by him
5 and falsely accused of selling drugs. And officers
6 who worked with them didn't have anything to do
7 with it and was testifying and acting like they
8 gave people cases at the time or was on the case.
9 So I took it as everyone with Sergeant Watts was
10 corrupt.

11 **Q. All right. So you're making an assumption;**
12 **right?**

13 A. No.

14 **Q. Well, the only direct knowledge you have**
15 **about planting drugs, it's going to be for your**
16 **arrest on December 16, 2004; right?**

17 A. Can you repeat that?

18 **Q. Other than your arrest, sir, from**
19 **December 16th of 2004, what evidence do you have**
20 **that other people were falsely arrested?**

21 A. Word of mouth.

22 **Q. All right. So you never saw it? You**
23 **just -- you hear things; is that your testimony?**

24 A. Yes.

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1 **Q. Word of mouth from who?**

2 A. Residents in the neighborhood.

3 **Q. Can you name one person?**

4 A. Christopher Turner.

5 **Q. So Christopher Turner told you someone was**
6 **falsely arrested?**

7 A. He say he was.

8 **Q. Other than Christopher Turner, anyone else**
9 **who's ever said to you that they were falsely**
10 **arrested?**

11 A. William Carter.

12 **Q. Anyone else?**

13 A. Them just the people I know them by.

14 **Q. Anyone else you can think of?**

15 A. Ben Baker.

16 **Q. Anyone else?**

17 A. Bryant Patrick.

18 **Q. Well, Bryant Patrick was a drug dealer;**
19 **right?**

20 A. Yes.

21 **Q. Ben Baker was a drug dealer; right?**

22 A. Yes.

23 **Q. William Carter was a drug dealer; right?**

24 A. Yes.

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1 **Q. And Turner was a drug dealer; right?**

2 A. Yes.

3 **Q. I know you've testified you saw Ben Baker**
4 **arrested. The other people that you just named,**
5 **did you ever see them arrested?**

6 A. Yes.

7 **Q. Who?**

8 A. Christopher Turner.

9 **Q. Were you arrested, too?**

10 A. I was taken into custody.

11 **Q. You were arrested for soliciting narcotic**
12 **sales; right?**

13 A. I can't recall what my charge was, what I
14 went in for.

15 **Q. Well, were you charged with a felony?**

16 A. No.

17 MR. BAZAREK: We can take that exhibit
18 down.

19 So let's show you -- I'm going to show you
20 Exhibit 8.

21 (Exhibit 8 referenced for
22 identification.)

23 BY MR. BAZAREK:

24 **Q. Is that a photograph of Ben Baker?**

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1 A. Yes.

2 **Q. And that's the Ben Baker that you sold**
3 **heroin for; right?**

4 A. Yes.

5 MR. BAZAREK: Okay. Let's look at
6 Exhibit 9A.

7 (Exhibit 9A referenced for
8 identification.)

9 BY MR. BAZAREK:

10 **Q. Who's in Exhibit 9A?**

11 A. That's Bryant Patrick.

12 **Q. And that's your -- the person you sold**
13 **heroin with for Ben Baker; right?**

14 A. Yes.

15 MR. BAZAREK: Let's look at 9B.

16 (Exhibit 9B referenced for
17 identification.)

18 BY MR. BAZAREK:

19 **Q. It looks like it's just another -- another**
20 **photograph of Bryant Patrick.**

21 **Do you still keep in touch with him?**

22 A. Not at the moment, no.

23 **Q. Where's Bryant Patrick these days?**

24 A. I think he moved to -- sometime. Some of

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1 the time. I don't know.

2 **Q. Is he in Chicago? Is he in Illinois?**

3 **Where is he?**

4 A. I don't know. I think he incarcerated or
5 something right now.

6 **Q. What did he get incarcerated for?**

7 A. I have no idea.

8 **Q. Do you know what state he's incarcerated**
9 **in?**

10 A. Illinois.

11 **Q. Is he incarcerated for a narcotics**
12 **offense?**

13 MS. GIZZI: Objection, form.

14 Go ahead.

15 THE WITNESS: No.

16 BY MR. BAZAREK:

17 **Q. Is he incarcerated for a violent offense?**

18 A. I have no recollection of what he is
19 incarcerated for.

20 **Q. Well, how did you even learn that he was**
21 **incarcerated?**

22 A. I seen his sister.

23 **Q. What's his sisters's name?**

24 A. Olivia.

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1 **Q. What did Olivia tell you?**

2 A. I was just asking her what's going on with
3 her brother, and she said he got locked up.

4 **Q. Did you ask her what did he get locked up**
5 **for?**

6 A. No. I didn't go into detail.

7 **Q. Okay.**

8 MR. BAZAREK: We can take that down.

9 So let's look at Exhibit 10A.

10 (Exhibit 10A referenced for
11 identification.)

12 BY MR. BAZAREK:

13 **Q. This is a Declaration Elgen Moore.**

14 **Do you see that?**

15 A. Yes.

16 **Q. And this is in your handwriting, sir?**

17 A. No.

18 **Q. Whose handwriting is this?**

19 A. My attorney.

20 **Q. Did Mr. Tepfer write this for you?**

21 A. Yes.

22 **Q. Joshua Tepfer; right?**

23 A. Yes.

24 **Q. Where were you when Mr. Tepfer wrote this**

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1 out for you?

2 A. Sitting in front of me at a desk in
3 Cook County Jail.

4 Q. What were you in Cook County Jail for?

5 A. My appeal.

6 Q. And when you were talking to Mr. Tepfer,
7 was he writing down what you were saying?

8 A. Yes.

9 Q. And did you look this over after
10 Mr. Tepfer wrote down what you told him?

11 A. Yes.

12 Q. And then did you read it after he wrote it
13 out?

14 A. Yes.

15 Q. And let's look at the last page.

16 So it looks like that's your signature,
17 Elgen Moore?

18 A. Yes.

19 Q. Right. It's dated January 24, 2019; is
20 that right?

21 A. Yes.

22 Q. And did you read this over before you
23 signed it?

24 A. Yes.

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1 **Q. Okay.**

2 MR. BAZAREK: We can take that down.

3 Let's look at Exhibit 10B.

4 (Exhibit 10B referenced for
5 identification.)

6 BY MR. BAZAREK:

7 **Q. And here's another handwritten document.**

8 **Is this your handwriting, sir?**

9 A. No.

10 **Q. Who wrote this one out for you?**

11 A. The attorney.

12 **Q. Were you in jail again when the attorney**
13 **wrote it out for you?**

14 A. I don't believe so.

15 **Q. Where were you at when the attorney wrote**
16 **it out for you?**

17 A. Home.

18 **Q. Who was the attorney who wrote it out for**
19 **you?**

20 A. I believe her name was Amy.

21 **Q. Did she work with Mr. Tepfer?**

22 A. Yes.

23 **Q. What did Amy look like?**

24 A. White, about 5 foot 4 or 5, I guess,

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1 woman.

2 Q. Let's go to the last page.

3 So it looks like this one -- that's your
4 signature, right, Elgen Moore?

5 A. Yes.

6 Q. And then it looks like you signed this on
7 the 24th of June 2019; does that sound right?

8 A. Yes.

9 Q. And then you see there's someone Amy S.
10 Kasper. Is that the person you're talking about
11 who wrote it out?

12 A. Yes.

13 Q. Okay. Other than Amy Kasper and you, was
14 anyone else with you at your house when you were
15 doing this?

16 A. No.

17 Q. And so you talked to her, and then she
18 wrote down what you said?

19 A. Yes.

20 Q. Okay.

21 MR. BAZAREK: Okay. We can take that
22 down.

23 Let's look at Exhibit No. 11.
24

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1 (Exhibit 11 referenced for
2 identification.)

3 BY MR. BAZAREK:

4 Q. These are your answers to Defendant
5 Gonzalez's interrogatories.

6 And I just want to go to the very last
7 page. I'm sorry. Second to the last page.

8 You verified these interrogatory answers
9 on November 14, 2023; is that right?

10 A. Yes.

11 Q. And that's your signature, right, Elgen
12 Moore?

13 A. Yes.

14 Q. And I'll just read the verification.

15 "I, Elgen Moore, verify under penalty of
16 perjury that I have reviewed the attached Answers
17 to Defendant Officer Gonzalez's Interrogatories,
18 and I certify that the answers are true and correct
19 to the best of my knowledge, information and
20 memory."

21 Did I read that right?

22 A. Yes.

23 Q. And so you signed off and verified these
24 interrogatories under penalty of perjury; right?

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1 A. Yes.

2 Q. I want to look with you at your answer to
3 Interrogatory No. 8. And I'll read the question
4 for No. 8.

5 "Please identify and describe all illegal
6 activity you engaged in with Ben Baker and/or
7 Bryant Patrick in and around Ida B. Wells Housing
8 Complex."

9 Do you see that?

10 A. Yes.

11 Q. Okay. And then there's a bunch of
12 objections. And then you say in your interrogatory
13 answers given under penalty of perjury, "Subject to
14 and without waiving these objections, Plaintiff
15 occasionally smoked marijuana with Bryant Patrick.
16 Additionally, Plaintiff intermittently sold drugs
17 out of 527, from which Ben Baker also sold drugs."

18 Do you see that?

19 A. Yes.

20 Q. So why didn't you include in your
21 interrogatory answers that you sold drugs for
22 Ben Baker?

23 A. Well, I probably didn't -- I probably
24 totally didn't understand the question that was

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1 asked right then and there.

2 **Q. Right. Because the question is asking you**
3 **"Please identify and describe all illegal activity**
4 **you engaged in with Ben Baker and/or Bryant Patrick**
5 **in and around Ida B. Wells Housing Complex."**
6 **Right?**

7 A. Yes.

8 **Q. Why didn't you say, oh, I sold drugs for**
9 **Ben Baker?**

10 A. I didn't understand the question probably
11 at the time.

12 **Q. Why didn't you include that you and Bryant**
13 **Patrick sold narcotics for Ben Baker?**

14 A. I didn't totally understand the question
15 right then and there at the time.

16 **Q. So how did you understand the question?**

17 MS. GIZZI: Objection, form.

18 Go ahead. You can answer.

19 THE WITNESS: Well, I understood it for
20 like it was just a briefing, but I didn't totally
21 understand the question at the time when I looked
22 over it.

23 BY MR. BAZAREK:

24 **Q. I mean, you were on Ben Baker's payroll in**

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1 **his narcotics operation; right?**

2 A. Yes.

3 **Q. And so was Bryant Patrick; right?**

4 A. Yes.

5 **Q. Right. Or were you just trying to limit**
6 **this answer to when you were selling crack cocaine**
7 **on your own; is that what you were thinking?**

8 A. No.

9 **Q. Well, when you write "Plaintiff**
10 **intermittently sold drugs out of 527," what did you**
11 **mean by that?**

12 MS. GIZZI: Objection, form.

13 THE WITNESS: Just meant I was selling
14 drugs.

15 BY MR. BAZAREK:

16 **Q. Well, doesn't that include the heroin that**
17 **you sold for Ben Baker?**

18 A. Yes.

19 **Q. Let's look at your answer to Interrogatory**
20 **26. And the interrogatory is asking you to**
21 **identify with specificity all damages you are**
22 **claiming in your lawsuit.**

23 **And you write -- this is on -- it's kind**
24 **of in the middle of a paragraph. "During his**

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1 **wrongful incarceration, Plaintiff missed out on his**
2 **loved ones' birthdays, family gatherings, holidays,**
3 **and special events."**

4 **Do you see that?**

5 A. Yes.

6 **Q. So you're talking about the 60 days that**
7 **you were in the County Jail; right?**

8 A. Yes.

9 **Q. So whose birthday did you miss?**

10 A. Mine, for one.

11 **Q. Anyone else?**

12 A. My cousin, my aunt.

13 **Q. What's your cousin's birthday?**

14 A. One is January 26th, and one is January
15 the 21st.

16 **Q. Okay. Any other birthdays you missed?**

17 A. No.

18 **Q. And I get it. It's right -- Christmas is**
19 **right around the corner; right? You're in jail for**
20 **Christmas?**

21 A. Yes.

22 **Q. Did they let you go home for Christmas?**

23 A. No.

24 **Q. Did you have visits? Did anyone visit you**

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1 **at County Jail for Christmas?**

2 A. No.

3 **Q. Okay. Other than Christmas, any other**
4 **family gatherings that you would have missed during**
5 **that 60 days?**

6 A. New Year's Eve, New Year's.

7 **Q. Anything else?**

8 A. My family birthdays, Valentine's Day.

9 **Q. Who was your sweetheart at that time?**

10 A. Tanesha Cash.

11 **Q. And if I got this right, after -- strike**
12 **that.**

13 **Right after you got out of jail, that's**
14 **when you started selling heroin for Ben Baker;**
15 **right?**

16 A. Yes.

17 **Q. Okay.**

18 MR. BAZAREK: We can take that down.

19 Let's look at Exhibit 12.

20 (Exhibit 12 referenced for
21 identification.)

22 BY MR. BAZAREK:

23 **Q. Well, I didn't ask you this earlier.**

24 **Didn't you get caught up in Operation**

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1 Sin City?

2 A. Yes.

3 Q. And were you arrested? Were you arrested
4 as part of the Sin City takedown?

5 A. Yes.

6 Q. And you were arrested for selling
7 narcotics to an undercover officer; right?

8 A. Yes.

9 Q. What did you sell to the undercover
10 officer?

11 A. Heroin.

12 Q. And the heroin that you sold to the
13 other -- strike that.

14 The heroin that you sold to the
15 undercover officers, was that heroin you were
16 selling for Ben Baker?

17 A. Yes.

18 Q. So what I would like to do, sir,
19 Mr. Moore, if you'd look at Exhibit 12, I want you
20 just to -- I know it's not the best quality, but I
21 would like you look from No. 1. You see there's
22 photographs of people with names, and it goes 1
23 through 63.

24 Can you -- if you see anyone you know, can

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1 **you just yell out their number and name? Can you**
2 **do that?**

3 A. I see myself, Elgen Moore.

4 **Q. What number?**

5 A. No. 28. I see No. 32, Bryant Patrick.

6 **Q. Do you know anyone other than you and**
7 **Bryant Patrick on there?**

8 A. I see No. 55, Young, Gregory.

9 **Q. That's Baybay; right?**

10 A. Yes, I guess. I'm assuming. I can't see
11 the picture real good. I just see a name.

12 No. 59, Glen, Don.

13 **Q. How do you know him?**

14 A. He worked -- he worked at 527.

15 **Q. Was he in the drug trade?**

16 A. Yes.

17 **Q. Who did he sell drugs for?**

18 A. He solicited for Ben.

19 **Q. Okay. So he would have been one of those**
20 **guys that you would give a wake-up call to, and**
21 **then pay him 100 bucks for a job well done after**
22 **the bundle was sold?**

23 A. Yes.

24 **Q. Okay. Looking up, though, I think you**

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1 missed a few.

2 Do you see No. 13? That's Tolorn
3 Fumbanks; right? You know him.

4 A. Yes. I missed that one. I didn't even
5 see him.

6 Q. Okay. What about -- look at 18, Allen
7 Jackson. Do you remember him? He was a drug
8 dealer at the 574 building. He got killed a couple
9 years ago.

10 Do you remember him? Allen Jackson?

11 A. I don't know him by that name.

12 Q. How about --

13 A. That's Allen J.

14 Q. Allen J. Do you know him by that name?

15 A. I heard of him. Allen J., yes.

16 Q. You didn't know him, though, or you just
17 heard of him?

18 A. I seen him around.

19 Q. Okay. Goleather Jefferson, do you
20 remember him? He had a brother named Marcus who
21 passed away.

22 A. Who?

23 Q. Marcus Jefferson.

24 A. I don't know who that is.

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1 **Q. How about No. 20, Goleather or Goleather**
2 **Jefferson?**

3 A. I don't know who that is.

4 **Q. You don't remember him. Okay.**

5 **Do you see No. 30, Harold Owens? Was**
6 **he -- he's Baybay's son; right?**

7 A. Harold Owens?

8 **Q. Or maybe he is or isn't. Do you know?**

9 A. No. I don't know of Harold Owens being
10 Baybay's son.

11 **Q. Okay. How about look at No. 35, Larry**
12 **Pulley. Do you remember him being like a dope**
13 **lookout?**

14 A. No. I don't know who that is.

15 **Q. How about 36, Clifford Roberts? Do you**
16 **remember him? He murdered a one-year-old girl.**

17 **Do you remember him?**

18 A. Yes, yes.

19 **Q. Okay. And how do you know him?**

20 A. Seeing him around the neighborhood.

21 **Q. Look at 41, Angelo Shenault.**

22 **Do you remember him?**

23 A. What number?

24 **Q. 41.**

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1 A. Yes.

2 Q. Do you remember him?

3 A. Yes.

4 Q. Was he involved in the drug trade?

5 A. Yes.

6 Q. And where did he sell drugs out of? Do
7 you know?

8 A. 540.

9 Q. Okay. Look at 42, Shaun James. I think
10 his nickname was Smoke, I think.

11 Do you know him?

12 A. No.

13 Q. Okay. How about 44, Taurus Smith?

14 Do you remember him?

15 A. No.

16 Q. Okay.

17 MR. BAZAREK: Okay. We can put that
18 exhibit down.

19 Let's look at Exhibit 13.

20 MS. RAMANUJAM: Did you want to see the
21 second and third page?

22 MR. BAZAREK: Oh, I'm sorry. Yeah.

23 Sorry. I missed that. Let's go back to it.

24

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1 BY MR. BAZAREK:

2 Q. So page 2, this is Operation Sin City, and
3 you've got some individuals on here. And at the
4 top, you see Patrick Nooner?

5 Do you remember him?

6 A. Not by that name.

7 Q. Okay. He doesn't look familiar?

8 A. I can't really see the face on him.

9 Q. How about under him, Wilbert Moore? He
10 went by the nickname Big Shorty.

11 Did you ever hear of him?

12 A. Yes.

13 Q. Who killed Big Shorty? Do you know?

14 A. No. I don't know.

15 Q. Did you hear -- did you ever hear of the
16 Hobos killed Big Shorty?

17 A. Somewhat. I heard that. Some people said
18 Sergeant Watts killed him.

19 Q. All right. Look under Wilbert Moore. Do
20 you see Roy Bennet?

21 Do you remember him? His nickname was
22 Shock.

23 A. Yes.

24 Q. What do you remember about Shock?

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1 A. He was over at the building where
2 Big Shorty was at.

3 **Q. What building?**

4 A. 574, I believe.

5 **Q. Okay. And then to the right of him, it**
6 **was Harry Seals. He's deceased.**

7 Do you remember him?

8 A. Yes.

9 **Q. And was he involved in the drug trade?**

10 A. Yes.

11 **Q. How did he get killed?**

12 A. Somebody shot him.

13 **Q. Okay. And then I'll just go across.**

14 It looks like you've got people from the
15 574 building, Harold Owens. And you don't know if
16 that's Baybay's son; right?

17 A. I don't believe it's Baybay's son.

18 **Q. Okay. And then we talked about Allen J.**
19 **Do you see Allen Jackson?**

20 A. Yes.

21 **Q. All right. He was involved in the drug**
22 **trade; right?**

23 A. Yes.

24 **Q. How about Valentino Wilbourn?**

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1 **Do you know him?**

2 A. Yes.

3 **Q. And was he involved in the drug trade?**

4 A. Yes.

5 **Q. What was -- was he a seller?**

6 A. Yes.

7 **Q. Okay. And then how about Jovan Towers?**

8 **Do you remember him?**

9 A. I don't know who that is.

10 **Q. Okay. And then next we see -- we already**
11 **talked about your neighbor, Tolorn Fumbanks; right?**

12 A. Yes.

13 **Q. And he's deceased; right?**

14 A. Yes.

15 **Q. And then on this they've got you and Ben**
16 **Baker underneath Tolorn Fumbanks.**

17 **Do you see that?**

18 A. Yes.

19 **Q. Did you report to Tolorn Fumbanks, too?**

20 A. No.

21 **Q. Who was higher in the narcotics operation**
22 **hierarchy, Fumbanks or Ben Baker?**

23 A. I would say Ben.

24 **Q. Okay. Do you know who supplied Ben Baker**

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1 with the heroin that he sold?

2 A. No.

3 Q. All right. And then on that same
4 document, if you go to the left, you've got Brian
5 Ford.

6 Do you remember him? Brian Ford?

7 A. Is that B-low?

8 Q. I believe so, but I'll let -- Eric Palles
9 can correct me if I'm wrong.

10 MR. PALES: It is B-Low.

11 BY MR. BAZAREK:

12 Q. Yeah. What do you know about B-Low?

13 A. He was over at the building with Big
14 Shorty as well.

15 Q. He was involved in the narcotics
16 operations at Ida B. Wells?

17 A. Yes.

18 Q. Okay. There is a page 3, but I don't have
19 any questions to ask you on that.

20 MR. BAZAREK: So we can take that down.

21 All right. So if we look at Exhibit 13.

22 (Exhibit 13 referenced for
23 identification.)
24

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1 BY MR. BAZAREK:

2 Q. I think earlier in this deposition you
3 were talking about an earlier arrest involving
4 Christopher Turner.

5 Do you remember that?

6 A. Yes.

7 Q. And Christopher Turner was a drug dealer;
8 right?

9 A. Yes.

10 Q. Where's Christopher Turner these days?

11 A. Where is he?

12 Q. Yeah.

13 A. I don't know where he at right now.

14 Q. And you see, there's another person that
15 was arrested named Anthony Baker.

16 Do you see that, nickname Ant?

17 A. Yes.

18 Q. Do you remember him?

19 A. Yes.

20 Q. Was he involved in the drug trade?

21 A. Yes.

22 Q. Was he a supplier for Ben Baker's
23 narcotics operations?

24 A. No.

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1 **Q. Were they related, or you don't know?**

2 A. I ain't never heard of them being related.

3 **Q. Okay. Then Christopher Turner, his**
4 **nickname was Pretty Boy?**

5 A. Yes.

6 **Q. And then what about Darius Douglas,**
7 **nickname CK?**

8 A. Yes.

9 **Q. Was he involved in the drug trade?**

10 A. Yes.

11 **Q. Okay. What do you remember about this**
12 **arrest from June 24, '03?**

13 A. I remember being over at 574, and I came
14 probably like apartment -- I don't recall if it was
15 the fifth or the sixth floor, Apartment 510 or 610.
16 We were all up hanging in the apartment. And
17 Officer Watts and his crew came up there banging on
18 the door, and no one answered the door. Officer
19 Watts and his team broken the door down and came
20 inside and start forcing us to get down on our face
21 and stomach. And they were hitting us with brooms
22 and stuff on our backs.

23 **Q. Where did they get the brooms from?**

24 A. The brooms was inside the apartment.

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1 **Q. Do you remember what the apartment number**
2 **was?**

3 A. Either it was 510 or 610. It was one of
4 those.

5 **Q. And this is at the 574 building?**

6 A. Yes. And I remember them being mad,
7 saying why didn't we -- neither one of us opened
8 the door that was inside there. Like I said, they
9 had made us get down on our face and our stomach.
10 And they was hitting us across the back with brooms
11 and whatever.

12 And they searched the apartment. They
13 searched and searched and searched. They had us in
14 there for maybe an hour and a half.

15 Then I remember Officer Watts leaving out.
16 And then I remember him coming back saying he
17 fixin' to take a break, and then he's to re-search
18 the apartment. And then I remember him saying, as
19 a matter of fact, all of them going to jail anyway.
20 Take them downstairs.

21 **Q. And ultimately you were arrested for**
22 **soliciting; right?**

23 A. Yes.

24 **Q. And I'll just read -- I'll read from the**

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1 second page of the report.

2 It says -- I'll just read it. "And
3 witnessed Offender No. 4, Moore, shouting 'rocks,'
4 'blows,' common street term for the sale of cocaine
5 and heroin, to passing pedestrians."

6 Do you see that?

7 A. Yes, I see it.

8 Q. Is that something that you did before you
9 became a drug dealer, that you were out there
10 soliciting drug sales?

11 A. No.

12 Q. Did you ever -- strike that.

13 Did you ever act as security for drug
14 dealers?

15 A. No.

16 Q. Okay.

17 MR. BAZAREK: We can take that down.

18 Let's look at Exhibit 14.

19 (Exhibit 14 referenced for
20 identification.)

21 BY MR. BAZAREK:

22 Q. Just to let you know, I'm going to start
23 going through some of your prior arrests, sir. I'm
24 just going to ask you a few questions, but that's

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1 **what I'm going to be doing for the next few**
2 **minutes.**

3 **So it looks like -- here's an arrest**
4 **from December 4, 2023. You were arrested at**
5 **527 East Browning.**

6 **Do you remember this, December 4, 2003?**
7 **Do you know anything about this arrest?**

8 A. Yes.

9 **Q. And what do you remember about it?**

10 A. Coming down the stairs, was fixin' to
11 leave out the back door of 527, and the police came
12 running through the back door of 527 and
13 apprehended me and searched me and I had marijuana
14 on me.

15 **Q. Okay. And did you get probation for that?**

16 A. Yes.

17 **Q. According -- at least on this report, it**
18 **says 18 months.**

19 **Does that sound right of probation?**

20 A. Yes.

21 **Q. How much cannabis did you have?**

22 A. I had some bags on me.

23 **Q. All right. Was that cannabis that you**
24 **were selling?**

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1 A. Yes.

2 Q. Okay. So let's look at exhibit -- I think
3 the next one is going to be 15.

4 (Exhibit 15 referenced for
5 identification.)

6 BY MR. BAZAREK:

7 Q. Oh, this. I believe this is the Sin City
8 arrest, April 27, 2005.

9 Does that sound right?

10 A. Yes.

11 Q. But you didn't actually get arrested
12 on that day; right? That was part of the
13 undercover investigation. Or did you get arrested
14 on April 27th?

15 A. I got arrested.

16 Q. On April 27th?

17 A. If that's the day that they came and
18 arrested people for Sin City, yes.

19 Q. Right. There was a big takedown, right,
20 of a bunch of people? A bunch of people got
21 arrested; right?

22 A. Yes.

23 Q. What I'm asking you is did you -- but did
24 you get arrested on the same day that you sold the

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1 **drugs to the undercover officer?**

2 A. No.

3 **Q. It was a different day; right?**

4 A. Yes.

5 **Q. Okay. And by the way, on that day when**
6 **you were selling drugs to the undercover officer,**
7 **Bryant Patrick was with you at that time; right?**

8 A. Yes.

9 **Q. Okay. Let's look at Exhibit 16.**

10 **(Exhibit 16 referenced for**
11 **identification.)**

12 BY MR. BAZAREK:

13 **Q. Here's an arrest, Mr. Moore, from June 28,**
14 **2006.**

15 **Do you remember this arrest?**

16 A. Yes.

17 **Q. What do you remember about this arrest?**

18 A. This was an arrest when drugs was planted
19 on me again at the --

20 **Q. And this arrest was made by different**
21 **Chicago Police Officers that didn't work for**
22 **Ron Watts; right?**

23 A. Yes.

24 **Q. It looks like you were arrested by an**

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1 **Officer Morris and an Officer Hill; is that right?**

2 A. Yes.

3 **Q. And you're saying that this was a false**
4 **arrest?**

5 A. Yes.

6 **Q. Did you plead guilty when this case went**
7 **in court?**

8 A. Yes.

9 **Q. Did you have Mahoney representing you at**
10 **that time, too?**

11 A. No.

12 **Q. Why did you plead guilty if you were**
13 **innocent?**

14 A. The public defender -- the public defender
15 I had on that case recommended this was the best
16 option.

17 **Q. Did you tell him you were being framed?**

18 A. Yes. I told him I wanted to fight this
19 case.

20 **Q. And what did he say?**

21 A. He kept recommending that this was the
22 best offer.

23 **Q. And then ultimately you agreed with his**
24 **recommendation?**

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1 A. Yes.

2 Q. Is that why you pled guilty?

3 A. Yes.

4 Q. According to this arrest report, it has
5 your -- it has you living at 575 East Browning,
6 Apartment 304.

7 Did you move of out of your mom's
8 apartment?

9 A. Yes.

10 Q. Why did you move out of your mom's
11 apartment?

12 A. The police kept coming to the apartment,
13 so I decided to just move out to try to ease some
14 of the pressure and anxiety off of her steady
15 having the police come to her apartment.

16 Q. Well, was your mother told that you
17 couldn't live in the apartment because were you a
18 drug dealer and you had been convicted?

19 A. She never stated that to me.

20 Q. Was that like under the rules where if
21 you're a convicted felon, you can't live in that
22 apartment?

23 A. I don't technically know, but I was not on
24 my mother's lease.

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1 Q. Okay. All right. So you basically -- but
2 you voluntarily moved to 575, Apartment 304.

3 Who were you living with there?

4 A. My grandmother.

5 Q. What was your grandmother's name?

6 A. Elizabeth Dixon.

7 Q. When you pled guilty to this drug crime,
8 what was your sentence?

9 A. What was my sentence?

10 Q. Yeah.

11 A. 18 months, I believe.

12 Q. Okay. Did you actually go to prison, or
13 you got probation again?

14 A. I went to prison.

15 Q. Okay. So let's look at Exhibit 17.

16 (Exhibit 17 referenced for
17 identification.)

18 BY MR. BAZAREK:

19 Q. Here's an arrest from July 13, '08. It
20 looks like you're living at 2839 West Fillmore.
21 You had got various charges here -- battery,
22 resisting, obstructing.

23 What do you remember about this arrest, if
24 anything?

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1 A. I can't really recall that arrest. I
2 can't really recall that arrest.

3 **Q. It looks like five people total got**
4 **arrested, and it was at 7247 South Shore Drive.**

5 **Yeah. Do you remember? Was it a fight?**
6 **What was it?**

7 A. Oh, yeah. That was like a resisting
8 arrest.

9 **Q. Do you remember how you got into it with**
10 **the police?**

11 A. Actually, the police drove up and was
12 asking everyone to leave. And I had alerted the
13 police that I was waiting on my mother and another
14 relative I had. And the police had said, well, if
15 you're waiting on somebody, that's cool and you
16 could stay here and try to hurry up when they come
17 to get them in the vehicle because we're trying to
18 get everyone to leave that parking lot.

19 By the time the police came back around,
20 my mother and them still hadn't came to the car.
21 And they were still asking me to leave and I
22 asked -- I had told the police officer that you
23 just told me that I could wait on my mom and my
24 other relative. And the officer start saying,

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1 well, I'm asking you to leave now. And I said but
2 you just said I could wait on my relative. And the
3 police officer end up getting out the car and start
4 grabbing my arm, asking me to put my hands behind
5 my back. And I kept asking them for what? I
6 didn't do nothing. All I told you was I was
7 waiting on my relatives here to leave.

8 **Q. Right. But you were resisting arrest;**
9 **right?**

10 A. Well, yes.

11 **Q. And what happened -- ultimately what**
12 **happened with that case?**

13 A. Um --

14 **Q. Did you take a plea?**

15 A. Yes.

16 **Q. And what was your sentence, if you**
17 **remember?**

18 A. Supervision, I believe.

19 **Q. Were you charged with a misdemeanor or a**
20 **felony?**

21 A. A misdemeanor.

22 **Q. Okay. So let's look at Exhibit 18.**

23 **(Exhibit 18 referenced for**
24 **identification.)**

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1 BY MR. BAZAREK:

2 Q. Here's an arrest from -- so this is
3 another arrest in the same month, July 31, '08.
4 And this is a narcotics arrest.

5 Do you remember this arrest?

6 A. Yes.

7 Q. What do you remember about this arrest?

8 A. Drugs were planted again.

9 Q. Oh, this is another frame-up?

10 A. Yes.

11 Q. And these are officers that didn't work
12 for Watts; correct?

13 A. Yes.

14 Q. What do you remember about this arrest?

15 A. What I remember about that arrest, I came
16 to their housing complex to visit my cousin.

17 Q. Who was your cousin?

18 A. His name was Jamie.

19 Q. What's his last name?

20 A. Brown.

21 Q. Okay.

22 A. And we was in an apartment. We was in an
23 apartment at that complex. And he had been
24 arrested. He had been arrested already. And I

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1 came down there talking to his girlfriend. With
2 being me talking to his girlfriend, the police
3 entered that building. And the apartment we in,
4 the police came to that apartment. And they let
5 the police in to search the apartment.

6 And I alerted the police that, man, I'm
7 only here visiting. I ain't got nothing to do with
8 anything going on. I'm just visiting. If so, can
9 I leave? And he checked my ID and say, well, if
10 you're just visiting, we just going to -- just give
11 us a few minutes and you should be all good if you
12 were doing nothing but visiting.

13 And they searched. They searched the
14 people who was in the apartment, and no one had
15 nothing. I didn't have nothing. All I know is I
16 was being took to the station after that. I just
17 know -- the police, I never seen them find nothing
18 in that apartment.

19 **Q. What happened when your case went to**
20 **court?**

21 A. Um --

22 **Q. Did you plead guilty?**

23 A. Yes.

24 **Q. Why did you plead guilty if you didn't do**

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1 **anything?**

2 A. Being cases I did have in the past, I
3 was seeing that they weren't going right, and I had
4 a feeling that if I go to trial and this was again
5 that I was being framed for drugs, I was pretty
6 much scared to try the case because I'm looking
7 like the system corrupt at the time.

8 Q. It looks like -- did you have -- were you
9 using an Avis rental car at the time?

10 A. Yes.

11 Q. Is that something like drug dealers do?
12 They have rental cars to use for their drug
13 dealing?

14 MS. GIZZI: Objection, form.

15 THE WITNESS: No.

16 BY MR. BAZAREK:

17 Q. Why did you have the rental?

18 A. Because I didn't have a car at the time.

19 Q. Were you a drug dealer during 2008?

20 A. No.

21 Q. Where did you get money from to survive
22 during 2008?

23 A. My girlfriend.

24 Q. Anyone else?

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1 A. That was it at that time.

2 **Q. Okay.**

3 MR. BAZAREK: Let's take that exhibit
4 down. Let's look at Exhibit 19.

5 (Exhibit 19 referenced for
6 identification.)

7 BY MR. BAZAREK:

8 **Q. Here's an arrest from June 3, 2009. This**
9 **is -- well, it's not controlled substance. It**
10 **looks like a cannabis arrest and you're driving on**
11 **a suspended license.**

12 **Do you remember this arrest?**

13 A. I don't actually remember this arrest, no.

14 **Q. Do you know what happened in the criminal**
15 **case?**

16 A. No.

17 **Q. Are you disputing that you had cannabis**
18 **with you or that you were driving on a suspended**
19 **license?**

20 A. No.

21 **Q. It looks like at the time you had -- you**
22 **were driving a Lexus, a 1998 Lexus GS 400 sedan.**

23 **Does that ring a bell?**

24 A. Yes.

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1 **Q. And did the car get impounded? Do you**
2 **remember?**

3 A. No, I don't remember.

4 **Q. Did you get the car back?**

5 A. I don't remember.

6 **Q. Did you own the Lexus, or did you lease**
7 **it?**

8 A. Yes.

9 **Q. You owned it?**

10 A. Yes.

11 **Q. Where did you get the money to buy the**
12 **Lexus?**

13 A. My mom had gave me a few thousand around
14 that time from a settlement she had got.

15 **Q. How much did the Lexus cost?**

16 A. \$5,000.

17 **Q. So your mom gave you how much?**

18 A. My mom gave me about 7500 at the time.

19 **Q. Okay. So she gave you -- Okay.**

20 **So it was your mom's money that you used**
21 **to buy the Lexus?**

22 A. Yes.

23 MR. BAZAREK: Let's look at --

24

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1 BY MR. BAZAREK:

2 Q. Well, I didn't ask you.

3 What happened with the -- strike that.
4 Forget it.

5 MR. BAZAREK: Let's look at exhibit -- I
6 think we're on 20.

7 (Exhibit 20 referenced for
8 identification.)

9 BY MR. BAZAREK:

10 Q. Okay. So then we go to the following
11 month. That's Exhibit 20. You get arrested again.
12 You still have the Lexus. And you were arrested on
13 the 6th of July, 2009.

14 Do you remember this arrest?

15 A. No.

16 Q. I'm just -- I'm going to read the
17 narrative. It's on page 2.

18 The narrative says in part, "While
19 conducting traffic enforcement, A/O observed
20 subject not wearing his seat belt while driving his
21 vehicle at above location. A/O curbed vehicle and
22 conducted a traffic stop. A/O name-checked
23 subject, which revealed subject to have to a
24 suspended DL and wanted, armed and dangerous, under

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1 **Leads W09K7449 of offense of possession of cannabis."**

2 **What was this armed and dangerous about?**

3 A. I don't even know.

4 **Q. Have you ever carried a gun?**

5 A. I was arrested for a gun before, yes.

6 **Q. Have you ever shot anyone?**

7 A. No.

8 **Q. Have you ever been shot at?**

9 A. No.

10 **Q. The gun that you carried, where did you**
11 **get the gun from?**

12 A. I purchased it from someone on the street.

13 **Q. Did you have a FOID card?**

14 A. No.

15 **Q. So you know you can't possess a gun in**
16 **Illinois; right?**

17 A. Yes.

18 **Q. Okay. Do you remember anything about this**
19 **arrest or not?**

20 A. No, not really.

21 **Q. Okay.**

22 MR. BAZAREK: Let's look at Exhibit 21.

23 (Exhibit 21 referenced for
24 identification.)

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1 BY MR. BAZAREK:

2 Q. Okay. So two months later, this is an
3 arrest from September 12th of 2009. This was a
4 possession -- strike that. This is a possession
5 for cannabis and you got a UUW charge.

6 Do you see that?

7 A. Yes.

8 Q. What -- now this, I bet you remember this
9 arrest; right?

10 A. Yes.

11 Q. Tell me what you remember about this
12 arrest.

13 A. I had a firearm on me, and the police came
14 up and jumped out and searched me and found the gun
15 on me.

16 Q. Why did you have the firearm?

17 A. For protection.

18 Q. And it was a fully loaded blue steel .9
19 millimeter semiautomatic handgun; right?

20 A. Yes.

21 Q. Do you remember what you paid for the gun?

22 A. About \$500 bucks.

23 Q. In the narrative, it says, "Subject freely
24 stated that weapon was 'for protection from the

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1 **P. Stones.'**"

2 **Do you see that?**

3 A. Yes.

4 **Q. And is that what you told the police?**

5 A. No.

6 **Q. You see it's in quotes, right, "for**
7 **protection from the P. Stones"?**

8 A. Yes.

9 **Q. Okay. Were you fearful of someone in a**
10 **gang? You know, that's why you needed that gun?**

11 A. No.

12 **Q. Well, why did you have the gun in the**
13 **first place?**

14 A. Just for protection period.

15 **Q. Protection from who?**

16 A. Anyone.

17 **Q. Have any P. Stones ever had it out for**
18 **you?**

19 A. No.

20 **Q. At any time when you were in the Illinois**
21 **Department of Corrections, were you ever put in**
22 **protective custody at any point?**

23 A. No.

24 **Q. Did you ever have enemies while you were**

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1 **in the Illinois Department of Corrections?**

2 A. No.

3 **Q. What happened to this gun case?**

4 A. I took a plea on it.

5 **Q. So you pled guilty?**

6 A. Yes.

7 **Q. And then you were guilty? You had the**
8 **gun; right?**

9 A. Yes.

10 **Q. And then it also says in this report there**
11 **was -- a name-check revealed you to be a convicted**
12 **felon under 05-CR-1982601.**

13 Do you remember what conviction that was
14 **for, the '05?**

15 A. Can you repeat that?

16 **Q. It said -- according to this report,**
17 **name-check revealed subject to be a convicted felon**
18 **under Case No. 05-CR-1982601.**

19 Do you remember what conviction that was
20 **under?**

21 A. No.

22 **Q. According to this report, the weapon that**
23 **you had was stolen on April 24, 2009.**

24 Do you see that?

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1 MS. GIZZI: Can you zoom it in? It's
2 really tiny.

3 THE WITNESS: Yes, I see it.

4 BY MR. BAZAREK:

5 Q. Okay. So was the weapon you had, it was
6 stolen?

7 A. Not that I know of.

8 Q. Who was the person you bought it from?

9 A. A person off the street.

10 Q. Okay.

11 MR. BAZAREK: All right. Let's look at
12 Exhibit 22.

13 (Exhibit 22 referenced for
14 identification.)

15 BY MR. BAZAREK:

16 Q. Here's an arrest from January 13, 2013.
17 It's another possession offense with various
18 traffic violations.

19 Do you remember this arrest?

20 A. Yes.

21 Q. What do you remember about this arrest?

22 A. That case was thrown out.

23 Q. What do you remember about the case?

24 A. I was arrested for it. The police came

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1 into -- I gave them my license to my vehicle.

2 And --

3 **Q. Did you flee from the cops?**

4 A. You say what?

5 **Q. Did you flee from the police?**

6 A. I pulled off, yes.

7 **Q. Why did you do that?**

8 A. Because I gave the officer my driver's
9 license, and they kept asking me to step out of the
10 vehicle. And I kept asking them for what, what
11 reason. And he gave me no reason. I asked him
12 could he call his sergeant. He act like he won't
13 calling his sergeant or nothing. So I feared for
14 my life and I just pulled off.

15 **Q. Did you have contraband in the car? Is**
16 **that why you pulled off?**

17 A. No.

18 **Q. How did you beat the case?**

19 A. I never had drugs on me from the get-go,
20 and --

21 **Q. Who lived at 7823 South Evans?**

22 A. An older guy I knew.

23 **Q. Who -- was it Albert Benson?**

24 A. Yes.

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1 **Q. Who's Albert Benson?**

2 A. Albert Benson was a person I knew that my
3 father grew up with.

4 **Q. Were you living with him?**

5 A. No.

6 **Q. But you ran into his residence; right?**

7 A. Yes.

8 **Q. And the police pursued you?**

9 A. No. They eventually was searching the
10 neighborhood, and then they came knocking door to
11 door.

12 **Q. And you were inside Benson's house?**

13 A. Yes.

14 **Q. And then who lived in the house besides**
15 **Benson?**

16 A. Him and his wife.

17 **Q. Did they store narcotics in the house, if**
18 **you know?**

19 A. Not that I know of.

20 **Q. Did you ever hear that narcotics were**
21 **recovered from that home?**

22 A. Yes.

23 **Q. Where were the narcotics recovered from?**

24 A. I don't know. I didn't know until I got

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1 to the station, the police station. They told me
2 they found drugs. I told them I never had drugs,
3 so ...

4 **Q. And then there was \$2,520 inside a**
5 **freezer?**

6 A. Yes.

7 **Q. Was that your money?**

8 A. No.

9 **Q. Who put the \$2,520 in the freezer?**

10 A. I don't know. I guess the person who
11 house it is.

12 **Q. So that was Benson's money?**

13 A. Yes.

14 **Q. How old was Benson, by the way?**

15 A. I don't know his exact age, but he was
16 older. He had to be in like his sixties.

17 **Q. Okay. Let's -- and after you're saying**
18 **that case got thrown out; right?**

19 A. Yes.

20 **Q. Okay.**

21 MR. BAZAREK: Let's look at Exhibit 23.

22 (Exhibit 23 referenced for
23 identification.)
24

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1 BY MR. BAZAREK:

2 Q. These are records that we got from IDOC,
3 but it looks like -- was the last time you were in
4 prison in 2019?

5 A. Yes.

6 Q. Are you on any type of mandatory supervised
7 released right now?

8 A. No.

9 Q. Okay. Were you after you were released
10 from prison?

11 A. Yes.

12 Q. And when did your mandatory supervised
13 release end?

14 A. I want to say 2021.

15 Q. Okay. What were you in prison for at that
16 time?

17 A. A PSMV.

18 Q. Okay. Not a narcotics offense?

19 A. No.

20 Q. Okay.

21 MR. BAZAREK: We can take that one down.

22 Let's look at Exhibit 24.

23 (Exhibit 24 referenced for
24 identification.)

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1 BY MR. BAZAREK:

2 Q. This is just your -- offender custody
3 history for you. And it looks like -- let me just
4 look at the dates here.

5 So the very first time you went to prison,
6 it was September 30, 2005. Does that sound right?

7 A. Yes.

8 Q. Okay. And then the last time you were
9 released from prison, it looks like March 18, 2021.
10 Does that sound right?

11 A. I was released from prison in 2019.

12 Q. Okay. Oh, I see.

13 So you were -- you were paroled out of
14 prison on March 18, 2019, right, and you were
15 placed on parole?

16 A. Yes.

17 Q. And then you finished up with your parole
18 on March 18, 2021. Do I got that right?

19 A. Yes.

20 Q. Okay. And I think that you've already
21 testified to this.

22 You've never been in prison outside of
23 Illinois; correct?

24 A. No.

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1 **Q. That's a correct statement?**

2 A. Yes.

3 **Q. Okay.**

4 MR. BAZAREK: Let's look at Exhibit 25.

5 (Exhibit 25 referenced for
6 identification.)

7 BY MR. BAZAREK:

8 **Q. I have a question.**

9 **When you were in -- what's the Northern**
10 **Reception Center? Do you know what that is?**

11 A. That's Stateville.

12 **Q. Did you ever get any medical treatment**
13 **while you were incarcerated?**

14 A. Medical treatment?

15 **Q. Yeah.**

16 A. I went to the doctor to get my eyes
17 checked.

18 **Q. Okay. Did you ever get any mental health**
19 **care treatment while you were incarcerated?**

20 A. Mental health?

21 **Q. Yeah, mental health care treatment.**

22 A. No.

23 **Q. Have you ever suffered from depression,**
24 **anxiety, anything like that?**

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1 A. No.

2 MR. BAZAREK: Let's look at Exhibit 25A.
3 (Exhibit 25A referenced for
4 identification.)

5 BY MR. BAZAREK:

6 **Q. These are call logs while you were in**
7 **IDOC.**

8 **Let me ask you this question.**

9 **Were there times when you were in the**
10 **Illinois Department of Corrections where you spoke**
11 **on the telephone?**

12 A. Yes.

13 **Q. Okay. And during any of the times when**
14 **you were in IDOC, did you ever speak to anyone**
15 **about the circumstances of your December 16, 2004,**
16 **arrest?**

17 A. Yes.

18 **Q. Okay. Who did you speak to about the**
19 **circumstances of your arrest?**

20 A. I believe Josh reached out to me, and I
21 probably talked to some assistants he had with him.

22 **Q. So there were occasions where you talked**
23 **to your legal counsel on the phone about your**
24 **arrest?**

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1 A. Yes.

2 Q. And was that when you were in Stateville
3 or some other prison?

4 A. Another prison.

5 Q. Which prison?

6 A. That would have to be --

7 Q. Well, you know -- here.

8 What did you say? I'm sorry.

9 A. I'm just trying to think of the prisons.

10 Q. Okay. Well, let me ask you. Other than
11 your attorneys, did you ever speak to anyone else
12 on a telephone call when you were in the Illinois
13 Department of Corrections?

14 A. Yes.

15 Q. Who?

16 A. I talked to my mom. I talked to my
17 girlfriend.

18 Q. Which girlfriend?

19 A. Tanesha Cash.

20 Q. Who else did you talk to about the
21 circumstances of your December 16, 2004, arrest?

22 A. I probably talked to Ben when he was
23 released.

24 Q. Ben Baker. You talked to him while you

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1 **were incarcerated. Okay.**

2 A. Yes.

3 **Q. Who else?**

4 A. That's it.

5 **Q. Let me ask you. Whose phone number is**
6 **this? 773.712.4363.**

7 A. My girlfriend. That was my girlfriend at
8 the time, Tanesha Cash.

9 **Q. Whose phone number is 773.653.8993?**

10 A. I can't remember.

11 **Q. Whose number is 773.220.0379?**

12 A. My cousin.

13 **Q. Which cousin?**

14 A. Angela Carter.

15 **Q. Whose phone number is 773.600.0041?**

16 A. I can't remember.

17 **Q. Whose phone number is 601.879.0989?**

18 A. I don't know.

19 **Q. 31 times -- 31 phone calls you had with**
20 **that number.**

21 **You don't know who that is?**

22 A. No.

23 **Q. How about 773.731.3643?**

24 **I show you had 54 calls with that telephone**

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1 **number.**

2 A. I don't know whose number that was at the
3 time. Probably another girlfriend.

4 **Q. 773.712.9111, whose number is that?**

5 A. I can't recall.

6 **Q. 815.963.8739. Do you know whose number**
7 **that is?**

8 A. No.

9 **Q. 773.640.9932. Do you know whose number**
10 **that is?**

11 A. No.

12 **Q. 077.648.3481. Do you know whose number**
13 **that is?**

14 A. Can you repeat that?

15 **Q. 077.648.3481. Do you know whose number**
16 **that is?**

17 A. 077, no. I don't know whose number that
18 is.

19 **Q. Okay. And when you were on the phone**
20 **talking to your girlfriend, mom, cousin about your**
21 **December 16, 2004, arrest, what did you say?**

22 A. I was just asking them to try to reach out
23 to the attorneys for me.

24 **Q. What did you say?**

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1 A. They would try to reach out for me.

2 Q. So was it because were you reading
3 something in the paper, or why did you think you
4 wanted to call your relatives to say, hey, get
5 ahold of these attorneys?

6 A. I heard about -- I heard that there was
7 attorneys working for the cases that people was
8 framed for.

9 Q. And there were lawsuits being filed?

10 A. Yes. I assume, yes.

11 Q. All right. So you -- and you wanted to be
12 part of that; right?

13 A. Yes.

14 Q. You know, you want to get money?

15 A. No.

16 Q. You don't?

17 A. No.

18 Q. Why did you hire attorneys to file a
19 lawsuit?

20 A. Because I wanted to get my justice,
21 justice for being locked up illegally.

22 Q. Okay.

23 MR. BAZAREK: We can take that down.

24 MS. GIZZI: Bill, is it time to take a

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1 five-minute break?

2 MR. BAZAREK: Yeah, sure.

3 THE VIDEOGRAPHER: The time is 4:27 p.m.

4 We are now going off the record.

5 (Recess taken.)

6 THE VIDEOGRAPHER: Okay. The time is

7 4:34 p.m. We are now back on the record.

8 MR. BAZAREK: Let's look at Exhibit No. 26.

9 (Exhibit 26 referenced for
10 identification.)

11 BY MR. BAZAREK:

12 Q. And this is a Petition for Certificate of
13 Innocence. It looks like it was filed on May 13,
14 2022.

15 And did you review this document before it
16 was filed, sir?

17 A. No.

18 Q. Okay. According to this document that was
19 filed with the court, if you look at page 2, it's
20 PL JOINT 084621. It says, "Watts and other members
21 of his team broke down the door."

22 Do you see that? Paragraph 3.

23 A. Yes.

24 Q. But you never saw that; right?

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1 A. I was sitting in the front room. I just
2 heard them banging and barging into the apartment.

3 **Q. Sir, you never saw that the team had broke**
4 **down the door; right?**

5 A. No.

6 **Q. When you were taken out of the apartment,**
7 **was the door, you know, off its hinges laying on**
8 **the ground?**

9 A. No. The door was wide open.

10 **Q. Okay. But the door was still on its**
11 **hinges; correct?**

12 A. Actually, I didn't pay attention. I just
13 know we walked straight through it.

14 **Q. And during this deposition, you never**
15 **said -- see, then there's another sentence that**
16 **says Watts and his team detained Moore and Patrick.**
17 **You testified to that.**

18 **There's someone named Gresham.**

19 **Do you see that?**

20 A. Yes.

21 **Q. That's Bryant Patrick's girlfriend; right?**

22 A. I don't know her name. I don't know her
23 real name.

24 **Q. Well, the girl -- but the girlfriend was**

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1 in the room with the kids? Isn't that what you
2 testified to?

3 A. Yes.

4 Q. All right. The police weren't detaining
5 her; right?

6 A. She was in the room. I can't say. I
7 don't know what was going on.

8 Q. Yeah. I mean -- and I know you didn't
9 read this filing before it was filed. So, okay.

10 MR. BAZAREK: We can take that down.

11 Let's look at Exhibit 27.

12 (Exhibit 27 referenced for
13 identification.)

14 BY MR. BAZAREK:

15 Q. This is a hearing on the 12th of June,
16 2022. It looks like you were in court with
17 Mr. Tepfer; right?

18 A. Yes.

19 Q. And you were -- if you look at page 2, the
20 court says, "All right. Mr. Moore, would you like
21 to identify for the record?"

22 And then it says "THE DEFENDANT." That's
23 you. "Yes, I'm here. Elgen Moore."

24 Do you remember being in court that day?

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1 A. Yes.

2 **Q. When you were awarded the certificate of**
3 **innocence, do you remember that?**

4 A. Yes.

5 **Q. At no time during that hearing did you**
6 **tell the judge that you pled guilty; did you?**

7 A. No.

8 MR. BAZAREK: We can take that down.

9 Let's look at Exhibit 28.

10 (Exhibit 28 referenced for
11 identification.)

12 BY MR. BAZAREK:

13 **Q. We've already -- you've seen your --**
14 **didn't you say you were looking at your rap sheet**
15 **before the dep; right?**

16 A. Yes.

17 **Q. All right. So you've already seen this**
18 **one.**

19 So let's look at this last arrest,
20 **27 April 2022.**

21 A. Yes.

22 **Q. You were arrested on the Stevenson**
23 **Expressway?**

24 A. Yes.

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1 Q. And you had a firearm with you?

2 A. No.

3 Q. Did you have of a weapon with you?

4 A. No.

5 Q. What were you arrested for?

6 A. A firearm.

7 Q. What's that?

8 A. A firearm.

9 Q. I couldn't hear what you said, sir.

10 A. A firearm.

11 Q. You had a -- you were arrested for a
12 firearm?

13 A. Yes.

14 Q. Did you have a firearm with you?

15 A. No.

16 Q. What happened to this criminal case?

17 A. It was thrown out.

18 Q. Who was your attorney who represented you?

19 A. Quinn Banks.

20 Q. Was that a private attorney?

21 A. Yes.

22 Q. Was he referred to you?

23 A. No.

24 Q. What do you remember about the circumstances

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1 **of that arrest?**

2 A. Being pulled over by the state troopers,
3 asked for -- asked for my license, insurance. I
4 handed it to him. He went around and came back,
5 asked me have I been drinking. I said no. They
6 asked me where I came from. I let them know where
7 I came from. And then they asked the passenger in
8 the vehicle had they been drinking, and the
9 passenger told them they had been drinking a little
10 wine.

11 **Q. Who was the passenger?**

12 A. A female.

13 **Q. What's her name?**

14 A. Keesha.

15 **Q. What's her last name?**

16 A. I don't know her last name. I just knew
17 her by Keesha. I didn't know her real name or
18 nothing.

19 **Q. When did you meet her?**

20 A. I met her in the summertime, I believe.

21 **Q. Did she have a gun with her?**

22 A. Yes.

23 **Q. Okay. Where was the gun that she had with**
24 **her?**

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1 A. In her purse.

2 **Q. Okay. And then the state trooper, they**
3 **had the in-car camera video or body-worn camera**
4 **during that stop?**

5 A. Yes.

6 **Q. Did you ever see the in-car camera or**
7 **body-worn camera?**

8 A. Can you elaborate as far what you mean as
9 far as seeing it?

10 **Q. Did you ever view the camera footage that**
11 **was taken of that arrest?**

12 A. Yes.

13 **Q. And did it show the police recovering a**
14 **firearm from your lady friend's purse?**

15 A. No.

16 **Q. Where was -- where -- how did they recover**
17 **the firearm from her purse?**

18 A. They put both of us -- they placed both of
19 us in handcuffs at the back of the vehicle, and
20 they put me in a squad car after a while. And I
21 seen them come out the vehicle from the passenger's
22 side with a weapon.

23 **Q. Do you know where they got the weapon**
24 **from?**

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1 A. No.

2 Q. Had you ever seen that weapon before you
3 were stopped by the police?

4 A. No.

5 Q. Did your lady friend say it was her
6 weapon?

7 A. No.

8 Q. Did your lady friend say it was your
9 weapon?

10 A. No.

11 Q. Did the police ask you whose weapon is
12 this?

13 A. Yes.

14 Q. And what did you say?

15 A. It's not mine.

16 Q. And what did she say?

17 A. I don't know. They had us -- they took us
18 separate. They had us separately.

19 Q. Did she get arrested, too?

20 A. We both was taken to the police station.

21 Q. Yeah. But you were booked; right?

22 A. They eventually booked me.

23 Q. Did you have to go to court?

24 A. Yes.

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1 **Q. Okay. And then you hired your attorney**
2 **and you beat the case; right?**

3 **A. Yes.**

4 **Q. Did Mr. Tepfer refer the attorney who**
5 **represented you?**

6 **A. No.**

7 **Q. Did the woman, your lady friend, did she**
8 **have a case associated with this arrest?**

9 **A. No.**

10 **Q. Do you still carry a gun for protection?**

11 **A. No.**

12 **Q. When is the last time you possessed a gun?**

13 **A. Some years.**

14 MR. BAZAREK: Let's look at the last
15 exhibit. This is Exhibit 29.

16 (Exhibit 29 referenced for
17 identification.)

18 BY MR. BAZAREK:

19 **Q. So just on this first page, if you go to**
20 **the last entry, it's referring to that April 27,**
21 **2022, booking date. And that's associated with**
22 **this stop on the Stevenson Expressway; right?**

23 **A. (No audible response.)**

24 **Q. Right? That was in April of '22 when you**

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1 **were arrested for having the gun?**

2 A. Yes.

3 **Q. Okay. And then it looks like you were**
4 **released March 21, 2023; is that right?**

5 A. Yes.

6 **Q. So were you in jail for almost a year on**
7 **the gun charge?**

8 A. Yes.

9 **Q. You couldn't bond out?**

10 A. They had me fight the case.

11 **Q. Do you know why the case got dismissed?**

12 A. Yes.

13 **Q. Why?**

14 A. They had no evidence of me concealing a
15 firearm or having a firearm.

16 **Q. Your fingerprints weren't on the gun?**

17 A. No.

18 **Q. Did the firearm get tested for fingerprints?**

19 A. Not that I know of.

20 **Q. Was the gun fully loaded, if you know?**

21 A. I don't know.

22 **Q. Okay. Mr. Moore, what are things that you**
23 **like to do for enjoyment?**

24 A. Go out with my kid, with my daughter, just

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1 seeing her enjoying herself.

2 Q. Does that make you happy?

3 A. Yes.

4 Q. And you love your daughter. She loves
5 you; right?

6 A. Yes.

7 Q. And what are things that you like to do
8 with your daughter?

9 A. Whatever she like doing. Mostly going to
10 eat, sitting down and just eat and just picking her
11 brain.

12 Q. And then is your daughter, is she doing
13 well in school?

14 A. She's doing excellent in school.

15 Q. Are you involved in her school?

16 A. Yes.

17 Q. What types of things do you do at your
18 daughter's school or functions or that type of
19 thing?

20 A. Parent conferences.

21 Q. Would you say you're a very involved
22 parent?

23 A. Sure.

24 Q. And do you share custody with your

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1 girlfriend?

2 A. Yes.

3 Q. And then do you -- so are there times
4 where your daughter is staying with you?

5 A. Yes.

6 Q. Okay. And I know you're a loving father
7 and you enjoy your time with your daughter.

8 What other things do you do to enjoy
9 yourself besides family time with your daughter?

10 A. I like to go to the center still, play
11 basketball with brothers and cousins, like outings
12 with my family period, gatherings, barbecues, just
13 quality time.

14 Q. Okay. And you appreciate being able to
15 spend time with your family and loved ones?

16 A. Yes.

17 Q. And you love them and they love you;
18 right?

19 A. Yes.

20 Q. Are you hopeful for your future, sir?

21 A. Yes.

22 Q. And what's -- right now I know you're not
23 working. You were working at the temp place. Are
24 you like looking at other employment opportunities?

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1 A. Yes.

2 Q. Okay. And what about -- strike that.

3 Right now do you have any girlfriends that
4 you're seeing?

5 A. I do, yes.

6 Q. Okay. And you go on dates with different
7 women?

8 A. No.

9 Q. Okay. Do you have a special one right now
10 you're dating, a special women?

11 A. Yes.

12 Q. And what's her name?

13 A. Tina.

14 Q. And then how long have you been seeing
15 Tina?

16 A. For about four years now.

17 Q. Okay. And you have a loving relationship
18 with Tina?

19 A. Yes.

20 Q. What's Tina's last name?

21 A. Gist.

22 Q. And can you spell the last name?

23 A. G-I-S-T.

24 Q. And do you live with Tina?

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1 A. Yes.

2 **Q. Okay. Do you and Tina go on -- what fun**
3 **things do you and Tina like to do?**

4 A. That's a big one. We like getting out
5 from time to time just enjoying the fruits of life,
6 but we're trying to start traveling.

7 **Q. And what are your travel plans right now?**

8 A. Actually, we supposed to be going on a
9 cruise in March.

10 **Q. Soon. Where's the cruise to?**

11 A. I have to check on that again because she
12 booked it, so I have to see.

13 **Q. Are you looking forward to the cruise?**

14 A. Yes.

15 **Q. Are you going with any other couples or**
16 **just you and your girlfriend?**

17 A. Her brother and his wife.

18 **Q. And you're really looking forward to this**
19 **trip; right?**

20 A. Yes.

21 **Q. Have you gone on any other vacations with**
22 **your girlfriend?**

23 A. Yes.

24 **Q. What other places have you gone to?**

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1 A. We've been going a few places -- California,
2 Vegas, Jamaica.

3 **Q. I'm sorry. What was the last one?**

4 A. Jamaica.

5 **Q. What did you do in California?**

6 A. Just went sightseeing.

7 **Q. What part of California?**

8 A. Actually, I don't remember which part we
9 was in, but we was traveling all over.

10 **Q. Okay. You'd go to Wine Country? Northern**
11 **California? You'd go to LA? San Diego?**

12 A. We was in LA.

13 **Q. Okay. And was that an enjoyable trip with**
14 **you and your girlfriend?**

15 A. Yes.

16 **Q. And then you went to Vegas. Where did you**
17 **stay when you went to Vegas?**

18 A. We stayed -- we had a hotel right off the
19 strip.

20 **Q. Do you remember the name of the hotel?**

21 A. No, I don't actually remember the name of
22 the hotel.

23 **Q. Was it an enjoyable time you had with your**
24 **girlfriend?**

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1 A. Yes.

2 Q. Did you go with any other couples or just
3 you and her?

4 A. Her brother and his wife went, also.

5 Q. Okay. And then I know you went to
6 Jamaica. When did you go to Jamaica?

7 A. That was '21.

8 Q. And that was an enjoyable trip?

9 A. Yes.

10 Q. And did you go with any other couples to
11 Jamaica?

12 A. Yes.

13 Q. Who did you go with?

14 A. Her brother, his wife, her cousin, his
15 wife, another one of her cousins, and his wife.

16 Q. Have you gone on any trips with Ben Baker?

17 A. No.

18 Q. Okay.

19 MR. BAZAREK: That's all I have at this
20 time.

21 MR. GAINER: Sir, are you able to hear me?

22 THE WITNESS: Yes.

23 MR. GAINER: Great. Are you good to keep
24 going?

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1 THE WITNESS: Yes.

2 MR. GAINER: All right. Great.

3 My name is Brian Gainer. I represent
4 Ron Watts. The good news is Bill just did most of
5 the work, so I only have a couple questions.

6 I'm going to jump around a little bit, so
7 if you're not sure what I'm talking about, just ask
8 me and I'll tell you. Okay?

9 THE WITNESS: Yes.

10 MR. GAINER: All right.

11 EXAMINATION

12 BY MR. GAINER:

13 Q. You made or you just testified earlier in
14 the deposition about a time when you were arrested
15 and your money was taken to pay for some pizza.

16 Do you remember that testimony?

17 A. Yes.

18 Q. Okay. I might have missed this in your
19 previous testimony, but where did you get that
20 thousand dollars that was in your pocket?

21 A. That was from some of my profits from
22 selling.

23 Q. Got it. So some of your profits from
24 selling narcotics?

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1 A. Yes.

2 Q. How much or how many days of profit was
3 that?

4 A. That was quite a few days of profits.

5 Q. All right. You're not sure exactly how
6 many?

7 A. No.

8 Q. All right. You testified at length about
9 Ben Baker's arrest while you were in his apartment
10 in the summer of 2004.

11 Do you remember that testimony?

12 A. Yes.

13 Q. Aside from that incident when you saw Ron
14 Watts arrest Ben Baker, did you ever -- strike that.

15 Aside from that incident, were you ever
16 present for any other interaction between Watts and
17 Ben Baker?

18 A. Can you elaborate what you mean by that,
19 any other?

20 Q. Yeah. So I'm just trying to figure
21 out, you know, you told us about the interaction
22 that you witnessed between Baker and Watts when he
23 was arrested; right?

24 Do you remember talking about that?

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1 A. Yes.

2 Q. Do you ever see them interact at any other
3 time?

4 A. Besides Sergeant Watts coming to the area
5 and giving people pat-downs or whatever.

6 Q. Were you finished with your answer?

7 A. Yes.

8 Q. I'm specifically asking about interactions
9 between Sergeant Watts and Ben Baker, not anybody
10 else.

11 What I'm trying to figure out is if you
12 ever saw Sergeant Watts and Ben Baker interact on
13 any other occasion other than that arrest in the
14 summer of 2004.

15 A. No.

16 Q. Okay. Thanks.

17 Did you ever see Watts take money from
18 anyone other than what you've described here today?

19 A. No.

20 Q. Did you ever see anyone give Watts money
21 other than what you've described here today?

22 A. No.

23 Q. You mentioned when Mr. Bazarek, Bill was
24 asking you questions about what you missed while

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1 **you were in jail -- that you missed a couple**
2 **cousins' birthdays.**

3 **Do you remember talking about that?**

4 A. Yes.

5 **Q. What were those dates again of those**
6 **birthdays?**

7 A. January 21st and January 26th.

8 **Q. And who were those cousins?**

9 A. My cousin Trapell and my cousin William.

10 **Q. Okay. So your cousin Trapell, what was**
11 **his birthday that you missed?**

12 A. That's a she.

13 **Q. Oh, sorry. She.**

14 **How do you spell that for the court**
15 **reporter?**

16 A. T-R-A-P-E-L-L.

17 **Q. Thank you.**

18 **And which one of those was her birthday?**

19 A. January 21st.

20 **Q. And how old was she on the birthday that**
21 **you missed?**

22 A. At that time, that was 2004. She had to
23 be 29.

24 **Q. Okay. And then tell me the name of the**

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1 **other cousin.**

2 A. William.

3 **Q. William. And William's birthday was**
4 **January 26th and you missed that one, too?**

5 A. Yes.

6 **Q. And what birthday was that for William?**

7 A. He had to be about 17 or 18 years old.

8 **Q. All right. So tell me Trapell's full**
9 **name.**

10 A. Trapell Horning (phonetic).

11 **Q. What's the last name?**

12 A. Horning.

13 **Q. Horning. Okay. And where does Trapell**
14 **Horning live now?**

15 A. She stay in Englewood.

16 **Q. Do you know her address?**

17 A. I don't know the exact address, but I know
18 she stay at 57th and Woods.

19 **Q. Okay. And then William's full name?**

20 A. William Carter.

21 **Q. William Carter? Is that what you said?**

22 A. Yes.

23 **Q. Okay. And William Carter, where does**
24 **William Carter live?**

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1 A. I don't know exactly where he live at
2 right now.

3 **Q. You mentioned when you were testifying**
4 **towards the end of your testimony with Mr. Bazarek**
5 **that you heard some people say that Watts killed**
6 **Big Shorty.**

7 Do you remember that?

8 A. Yes.

9 **Q. Who said that?**

10 A. It was rumors going around the neighborhood.

11 **Q. Can you tell me the name of anyone who**
12 **shared that rumor with you?**

13 A. It was all type of people in the
14 neighborhood saying it. I couldn't really know --
15 I wouldn't know their full name on top.

16 **Q. All right. Were you present when Big Shorty**
17 **was killed?**

18 A. I was not there when he got killed, no.

19 **Q. That's what I mean. So you didn't see him**
20 **get killed?**

21 A. No.

22 **Q. Okay. So you don't know who killed him?**

23 A. No.

24 **Q. Did anyone ever tell you that they saw**

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1 **Big Shortly get killed?**

2 A. No.

3 **Q. Did anyone ever tell you that they saw**
4 **Watts kill Big shorty?**

5 A. No.

6 **Q. All right. The last couple questions I**
7 **have are about that arrest that you talked about in**
8 **June of 2003, where you were charged with a**
9 **misdemeanor and Christopher Turner and some others**
10 **were also arrested.**

11 Do you remember talking about that?

12 A. Yes.

13 **Q. Okay. And Christopher Turner and a couple**
14 **other people who were arrested with you on that day**
15 **were charged with felonies; right?**

16 A. Yes.

17 **Q. And you were charged with a misdemeanor as**
18 **we discussed earlier; right?**

19 A. Yes.

20 **Q. And did you ever go to court to testify on**
21 **behalf of them to tell the judge or the jury or**
22 **anyone that that was a false arrest?**

23 A. No.

24 **Q. Did anybody ever ask you to do that?**

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1 A. No.

2 Q. Did you ever tell anyone -- strike that.

3 MR. GAINER: I don't have any other
4 questions for you. Thank you, sir.

5 MR. PALLES: I have a few.

6 EXAMINATION

7 BY MR. PALLES:

8 Q. Mr. Moore, my name is Eric Palles. I
9 represent Kallatt Mohammed.

10 Let me ask you, first of all, before your
11 arrest -- well, let's see.

12 Do you recall the first time you met
13 Kallatt Mohammed?

14 A. No, I can't recall the first time I met
15 him.

16 Q. Okay. Do you recall -- what interactions
17 over the years do you recall having with Officer
18 Mohammed?

19 A. The interaction when I was arrested on
20 December -- I think December of 2004.

21 Q. Okay. All right. And that arrest on
22 December 2004, that includes the joke or whatever
23 he was saying about the pizza; right? That happened
24 at the same occasion?

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1 A. Yes.

2 Q. Okay. When -- what role did Officer
3 Mohammed take in your actual arrest on that -- on
4 December 4th? Did he, first of all, enter the
5 apartment?

6 A. Yes.

7 Q. Okay. What interaction did you have
8 with -- directly with Officer Mohammed?

9 A. Officer Mohammed was one of the officers
10 that searched me.

11 Q. Okay. Did Officer Mohammed take the money
12 from you?

13 A. He took it out of my pocket when we got to
14 the station.

15 Q. Okay. And was that money inventoried, if
16 you know?

17 A. I don't believe so.

18 Q. Okay. Now, let me ask you this.

19 On December 16, 2004, do you remember how
20 were you dressed?

21 A. I actually don't remember what I had on.

22 Q. Okay. Did you ever wear a jersey, a
23 football jersey with the number 13?

24 A. I had a jersey with the number 13.

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1 **Q. And why 13, just out of curiosity?**

2 A. I think it was a throwback Dan Marino
3 jersey.

4 **Q. All right. So as of December 16, 2004,**
5 **you knew who Officer Mohammed was; correct?**

6 A. Yes.

7 **Q. And other than the discussion that you**
8 **talked about at the station where Mohammed talked**
9 **about buying the pizza, did you have any other**
10 **discussions with him concerning the circumstances**
11 **of your arrest or the charges against you?**

12 A. No.

13 **Q. Okay. Now, when you learned that certain**
14 **people were suing members of the Watts' team for**
15 **these damages -- well, let me ask you first of all,**
16 **who was it -- do you recall how you first learned**
17 **about the existence of these lawsuits?**

18 A. I was incarcerated, and I received an
19 attorney phone call through the jail. And they
20 called me over to have an attorney phone call. And
21 it was one of the attorneys, Josh.

22 **Q. Okay. Before that, were you aware, for**
23 **example, that Ben Baker had a federal lawsuit?**

24 A. No.

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1 Q. Okay. What about William Carter? Did you
2 know he had a lawsuit?

3 A. No.

4 Q. Now, without telling me what you discussed
5 with your attorneys, there were times from
6 beginning with Josh Tepfer's phone call and
7 subsequently when you went over the facts of this
8 December 16, '04, arrest with your attorneys;
9 correct?

10 A. Yes.

11 Q. Okay. And on one occasion, Josh Tepfer
12 wrote out an affidavit; am I correct?

13 A. Yes.

14 Q. Okay. And at some point I take it that
15 you saw some of the court filings that
16 Mr. Tepfer was going to file for you to vacate your
17 conviction from that December '04 arrest; right?

18 MS. GIZZI: Objection, form.

19 Go ahead.

20 THE WITNESS: Yes.

21 BY MR. PALLES:

22 Q. Okay. And you reviewed those pleadings
23 for accuracy; right?

24 A. Can you repeat that?

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1 **Q. Yeah.**

2 **You looked to make sure it was accurate?**

3 **A. Yes.**

4 **Q. To make sure there was no mistake. Okay.**

5 **And the same is true, is it not, with the**
6 **complaint that you filed in federal court for**
7 **damages arising from this conviction; right?**

8 **A. Yes.**

9 **Q. Okay. All right. Well, without**
10 **necessarily putting up your complaint, let me ask**
11 **you this.**

12 **In your complaint, you brought suit**
13 **against Sergeant Watts, Officers Jones, Smith,**
14 **Bolton, Gonzalez, Nichols, and Leano. And in**
15 **addition, you have claimed that those officers**
16 **violated your rights on that day.**

17 **Is there some reason why you have chosen**
18 **not to sue Officer Mohammed?**

19 **MS. GIZZI: Objection to the extent it**
20 **calls for attorney-client privilege.**

21 **Please don't divulge anything privileged.**

22 **MR. PALLES: Yes.**

23 **MS. GIZZI: Did you hear my objection?**

24 **MR. PALLES: I heard your objection, and**

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1 he's not going -- I'm not asking for any
2 attorney-client privilege. I just simply want to
3 know --

4 BY MR. PALLES:

5 Q. Well, are you aware of the fact that you
6 have not sued Officer Mohammed?

7 A. No.

8 Q. Okay. Let me go to Sin City a minute.

9 When the Sin City officers were going
10 through some reports, they discussed certain
11 surveillance. And it said -- their surveillance
12 said that Torlon Fumbanks led a crew that included
13 Bryant Patrick, Gregory Young, and Charles Niles.

14 Is that true to the best of your
15 knowledge?

16 A. No.

17 Q. Is it untrue?

18 A. Yes.

19 Q. Okay. Was there a crew that consisted of
20 Charles Niles, Bryant Patrick, and Gregory Young?

21 A. No.

22 Q. The particular undercover sale for which
23 you were arrested in Sin City involved a circumstance
24 where you and a woman, Pauline Rufus, solicited the

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1 **sale of heroin, while Bryant Patrick physically**
2 **possessed and sold it.**

3 **Is that typical of the way that you**
4 **operated with Bryant Patrick?**

5 A. No.

6 Q. Are you contesting -- well, do you know --
7 **who's Pauline Rufus?**

8 A. No.

9 Q. Do you know her?

10 A. No.

11 Q. Are you suggesting that the information
12 **provided in the Sin City investigation is not true?**

13 A. Can you repeat that?

14 Q. Yeah.

15 Are you saying that this particular report
16 **in Sin City that you and Pauline Rufus were**
17 **pitching heroin while Bryant Patrick was actually**
18 **handing it out and taking the money, that's not**
19 **true? That never happened?**

20 A. No.

21 Q. Okay. Now, did you ever sell a line of
22 **heroin that was called CPR?**

23 A. Can you elaborate on what you mean by
24 **selling a line of heroin called CPR?**

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1 Q. Well, I can only ask you whether or not
2 you sold heroin. Well, let me ask you this.

3 Did you ever sell heroin that was in bags
4 labeled either with a blue devil or a black bulldog
5 logo?

6 A. Yes.

7 Q. What did you call that?

8 A. CPR.

9 Q. Okay. All right. And am I correct that
10 individual bags of heroin were always sold for \$10
11 unless you authorized that the heroin could be sold
12 at a different price?

13 A. No.

14 Q. We talked about your mom giving you money
15 on occasion. Was your mother back in 2004-2005
16 employed?

17 A. Yes.

18 Q. How was she employed?

19 A. My mother was the candy store.

20 Q. Okay. Okay. I think that's what I was
21 getting at.

22 So your mother Paulette was known around
23 the building as Winkie; am I correct?

24 A. Yes.

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1 Q. And she was the candy lady and she sold
2 out of the building; correct?

3 A. Yes.

4 Q. Okay. And I believe -- do you remember in
5 2019 talking -- being interviewed by COPA, the
6 Civilian Office of Police Accountability?

7 Do you remember that interview?

8 A. Yes.

9 Q. Okay. And do you recall telling them at
10 the time that you lived with Winkie, your sister
11 Valencia, and your brother Brian Brown; is that
12 correct?

13 A. Yes.

14 Q. Okay. Did you ever mention to them that
15 William Carter lived in Apartment 506 with you?

16 A. No.

17 Q. Okay. But William Carter did live in
18 Apartment 506 with you; am I correct?

19 A. At some point he did.

20 Q. Okay. And now William is -- his nickname
21 is either Storm or Yale; am I correct?

22 A. Yes.

23 Q. And he, like you, was involved in selling
24 heroin out of the 527 building; right?

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1 A. Yes.

2 Q. Okay. Now in addition to that, didn't
3 Valencia have a boyfriend living in the apartment
4 as well?

5 A. At some point.

6 Q. And was that guy's name Antlo?

7 A. Can you repeat that?

8 Q. Was that guy's name Antlo?

9 A. Yes.

10 Q. Okay. Now -- and Antlo, is -- his
11 government name is Angelo Shenault, Jr.; am I
12 right?

13 A. Yes.

14 Q. Okay. And Angelo Shenault, Jr., was also
15 involved in the drug trade at the building?

16 A. Not at 527.

17 Q. Oh, where was he selling?

18 A. 540.

19 Q. Okay. What was he selling?

20 A. Heroin.

21 Q. Okay. By the way, I know that I noticed
22 that some of your family members, they have the
23 last name of Brown.

24 Are you at all related to a Bernard Brown?

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1 A. No.

2 Q. Do you know who Bernard Brown is?

3 A. No.

4 Q. Now, when -- let's go back to December 16,
5 2004, for a moment.

6 The -- we've seen reports that Bryant
7 Patrick was arrested at the same time. And he was
8 arrested with a guy named Donell Moore.

9 Do you know who Donell Moore is?

10 A. You say Bryant was arrested with a guy
11 named Donell Moore?

12 Q. Yes.

13 A. On December of 2004.

14 Q. Correct.

15 A. No, I do not know who Donell Moore is.

16 Q. Do you recall -- well, I think you said
17 earlier there were some other arrestees with you.
18 You were brought in at the same time; correct?

19 A. Yes.

20 Q. Okay. But in any event, Donell Moore is
21 not related to you; am I correct?

22 A. I have an uncle on my father's side named
23 Donell Moore, but I didn't see -- Donell Moore was
24 not arrested -- to my knowledge wasn't arrested

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1 with me and Bryant Patrick on the night we were
2 taken into custody.

3 Q. Okay. Is your uncle -- does your uncle go
4 by the nickname D?

5 A. I have no recollection of that. I don't
6 even be around him.

7 Q. Okay. Do you recall any guys hanging
8 around as part of the crew or, you know, some of
9 the guys who would stand by looking for the police
10 officers who went by the name D?

11 A. No.

12 Q. Okay. Now I think you also told COPA that
13 one of the officers who also came to the apartment
14 on December 16th of 2004, was a female officer,
15 nickname Coco.

16 Do you recall giving that information?

17 A. Yes.

18 Q. Okay. Now, she hasn't come up today. Is
19 it still your testimony that Coco also was at the
20 scene?

21 A. Yes.

22 Q. All right. You also discussed with
23 COPA that you felt for a period of time -- excuse
24 me.

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1 I believe you told COPA that you told your
2 attorney, Matt Mahoney, that it seemed like anybody
3 involved with Ben Baker was being harassed.

4 Do you recall telling COPA that?

5 A. Yes.

6 Q. Okay. Now, the people that you're talking
7 about, however, were all affiliated with Ben Baker's
8 drug operation; were they not?

9 MS. GIZZI: Objection, form.

10 Go ahead.

11 THE WITNESS: Yes.

12 BY MR. PALLES:

13 Q. Okay. Were you still living or hanging
14 around 527 in 2006 after Ben Baker was sentenced
15 and incarcerated?

16 A. Yes.

17 Q. Okay. And at that time who was selling
18 drugs at 527?

19 A. No one at the time.

20 Q. Let me ask you this.

21 Was Tweak, Jamar Lewis, selling any drugs
22 out of 527 after Ben went away?

23 A. In 2006?

24 Q. Yeah.

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1 A. I believe Tweak was incarcerated in 2006.

2 Q. Okay. How about after that? 2007? 2008?
3 Who was selling out of 527 at this time?

4 A. I have no recollection because I was
5 incarcerated.

6 Q. Okay. How about do you know a guy named
7 Art Kirksey?

8 A. Can you repeat that?

9 Q. Do you know a guy named Art Kirksey?

10 A. Can you repeat that?

11 Q. Yes.

12 Do you know a gentleman named Arthur
13 Kirksey, K-I-R-K-S-E-Y? He went by the name of
14 Art.

15 A. Yes.

16 Q. Okay. Are you aware of Art being involved
17 in the drug trade at 527?

18 A. Yes.

19 Q. Okay. And Art was also good friends with
20 Ben; am I correct, if you know?

21 A. Yes.

22 Q. Okay. Did you hang around a lot with Art?

23 A. Somewhat.

24 Q. Okay. Now, we have evidence that at some

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1 point Clarissa Glenn convinced Art Kirksey to
2 cooperate with the FBI in obtaining evidence
3 against the -- Officers Watts and Mohammed.

4 Now, first of all, were you aware of that?

5 A. No.

6 Q. Okay. Now you did tell COPA, though, that
7 Clarissa at some point asked you whether or not you
8 would talk to the FBI; am I correct?

9 A. Yes.

10 Q. When was that?

11 A. That was on one of Ben's arrest.

12 Q. Was it after Clarissa was arrested as
13 well?

14 A. No.

15 Q. Okay. What specifically did she ask you
16 to do?

17 A. She told me there's some people that she
18 wanted me to try to talk to to help Ben out.

19 Q. Did you pass along any messages from Ben
20 about, you know, kind of like, you know, will you
21 help me out, Al, anything like that?

22 A. Can you repeat that?

23 Q. Yeah. Did she pass along to you Ben's
24 desire that you help him out?

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1 A. Yes.

2 Q. But you told COPA that you refused the
3 request; correct?

4 A. Yes.

5 Q. Why?

6 A. I had never talked to any officers, so I
7 didn't know how to go about that.

8 Q. But she told you she knew some people who
9 you could talk to?

10 A. Yes.

11 Q. Okay.

12 MS. GIZZI: Could we do a time check,
13 Eric? Because I think we're getting close.

14 MR. PALLES: Well, I'm stopped. I'm
15 stopping. And I am done, so I hope I haven't
16 screwed anybody else.

17 Let's do the check. I'm done.

18 Thank you, Mr. Moore.

19 THE WITNESS: You're welcome.

20 THE VIDEOGRAPHER: We're at 6 hours and
21 33 minutes and 45 seconds on record.

22 MS. HARRIS: I have a few questions on
23 behalf of the City.

24

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EXAMINATION

BY MR. DAVIS:

Q. Hey, Mr. Moore, can you hear me okay?

A. Yes.

Q. You said that your cousin is William Carter. Do you know that he has a pending lawsuit against Defendant Watts and the other defendant officers?

A. As of now, yes.

Q. Did you just learn that right now or prior to this deposition?

A. Prior to this deposition.

Q. Have you two ever talked about your lawsuits?

A. No.

Q. Never?

A. Nope.

Q. When was the last time that you saw Mr. Carter?

A. I just saw him this past weekend.

Q. Okay. So you two are still pretty close?

A. Yes.

Q. And you said that in 2006 you moved to the 575 building with your grandmother, Elizabeth Dixon;

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1 correct?

2 A. Yes.

3 Q. Did William Carter live there at the same
4 time when you moved in?

5 A. No.

6 Q. Do you know when he moved out?

7 A. I don't know exactly when he moved out.

8 Q. And when did you move from the 575 building?

9 A. Maybe 2008.

10 Q. And why did you move out at that time?

11 A. I went to live with my girlfriend.

12 Q. Okay. What address was that? You might
13 have said it earlier, but I don't recall.

14 A. I don't know the exact address, but it was
15 like 44th and Wabash.

16 Q. And so when you moved out, your grandmother
17 was still living in the 575 building?

18 A. My grandma had passed.

19 Q. Was anyone else living in -- I believe it
20 was 308, Apartment 308 at the 575 building when
21 moved?

22 A. Yes.

23 Q. Who else was living there?

24 A. Her mother.

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1 **Q. So when you moved out of 527 in 2006, was**
2 **your mother still living in the 527 building?**

3 A. Was my mother still living in 527, yes.

4 **Q. And then at what point did she move to the**
5 **575 building?**

6 A. My mother?

7 **Q. Yes.**

8 A. My mother never moved to 575.

9 **Q. Okay. So I just misunderstood something.**
10 **So you said when you moved out of the**
11 **575 (sic) building in 2008 to move in with your**
12 **girlfriend, who was still in the 575 building then**
13 **in Apartment 308?**

14 A. My grandmother's mother.

15 **Q. Your grandmother's mother. Okay.**

16 A. Yes.

17 **Q. And was that Cornelia Lukas?**

18 A. Yes.

19 **Q. Okay. And did she ever move out of the**
20 **575 building?**

21 A. Yes.

22 **Q. When did she move out?**

23 A. I don't know the exact year because I was
24 incarcerated. I got incarcerated.

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1 **Q. Okay. Was is it after 2008?**

2 **A. I don't know. I wasn't around when she**
3 **moved.**

4 **Q. Do you know if she stayed there at least**
5 **fairly close to when the extensions were being torn**
6 **down?**

7 **A. Yes.**

8 **Q. Okay. And your grandmother was not kicked**
9 **out of the 575 building; correct?**

10 **A. No.**

11 **Q. Your great-grandmother. I'm sorry.**
12 **Your great-grandmother was not kicked out**
13 **of the 575 building; correct?**

14 **A. No.**

15 **Q. Okay. And then how long did your mother**
16 **reside at the 527 building?**

17 **A. Until it was closing down.**

18 **Q. Okay. So you stated in your interrogatories**
19 **that due to your arrest, your family lost their**
20 **housing in Ida B. Wells.**

21 **If it wasn't your grandmother -- your**
22 **great-grandmother, your grandmother, or your**
23 **mother, who are you referring to at this point?**

24 **A. My mother.**

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1 **Q. But you said that your mother stayed there**
2 **until the extensions were torn down; correct?**

3 A. Yes.

4 **Q. So she didn't lose her housing based on**
5 **your --**

6 A. She lost her Section 8.

7 **Q. When did she lose her Section 8?**

8 A. I don't know exactly when she lost it, but
9 she lost it.

10 **Q. Did she lose it because of your arrest**
11 **that occurred while you were at the Wells, or did**
12 **she lose it afterwards? Because if she stayed**
13 **there until the extensions were torn down, then she**
14 **hadn't lost her Section 8 because of that; correct?**

15 MS. GIZZI: Objection, form.

16 THE WITNESS: I can't say.

17 BY MS. HARRIS:

18 **Q. You don't know when she lost her Section 8**
19 **housing then; correct?**

20 A. No.

21 **Q. Do you know if it was because of your**
22 **arrest in 2004?**

23 A. I want to say because of my arrest in -- I
24 don't know. I can't say. I don't know.

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1 Q. So to the best of your knowledge, your
2 mother did not lose -- your mother, your
3 grandmother, nor your great-grandmother lost their
4 housing in Ida B. Wells due to your arrests;
5 correct?

6 A. My mother lost her Section 8.

7 Q. Well, you just stated that it was -- more
8 than likely was not related to your 2004 arrest, in
9 which she was still living in the 527 building;
10 correct?

11 A. I don't know.

12 Q. But your mother was still living in the
13 527 building after you were arrested in 2004;
14 correct?

15 A. Yes.

16 Q. And you moved from her -- the 527
17 building, in the same apartment you lived with your
18 mom, you moved from there to your grandmother's
19 apartment in the 575 building; correct?

20 A. Yes.

21 Q. So your mother had not lost her housing
22 prior to you moving in 2006?

23 A. Section 8 was the reason she couldn't move
24 from 527. After 527 closed, that's why she had to

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1 go somewhere else. She couldn't move.

2 **Q. What -- I'm sorry. I didn't mean to cut**
3 **you off.**

4 A. 527 was just the apartment that she stayed
5 in. That had nothing to do with losing the
6 Section 8.

7 **Q. So your mother was not kicked out of the**
8 **Ida B. Wells Housing Complex due to any of your**
9 **arrests; correct?**

10 A. No.

11 **Q. Have you ever filed any complaint with OPS**
12 **or any other Chicago entity against any CPD officers?**

13 A. Yes.

14 **Q. When did you file a complaint?**

15 A. I filed the complaint I believe in -- I
16 don't know the exact year, but it had to be 2006.

17 **Q. And what arrest was that?**

18 A. It was for the -- I believe it was a
19 possession, but I know it was a bogus case.

20 **Q. And was it against Defendant Watts or any**
21 **of the other defendant officers in this lawsuit?**

22 A. No.

23 **Q. Was that complaint that you filed regarding**
24 **your June 28, 2006, arrest by Officers Hill and**

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1 **Morris for possession -- for a possession charge?**

2 A. Yes.

3 **Q. And you signed an affidavit for that**
4 **complaint, that OPS complaint; correct?**

5 A. Yes.

6 **Q. And you gave an interview to investigators**
7 **regarding that complaint; right?**

8 A. Yes.

9 **Q. And did you ever follow up -- strike that.**
10 **Did you -- do you know the finding of that**
11 **OPS complaint?**

12 A. No.

13 **Q. Did you ever follow up to find out about**
14 **what happened with that investigation?**

15 A. No.

16 MS. HARRIS: Let me share my screen.

17 BY MS. HARRIS:

18 **Q. You can see my screen; correct?**

19 A. Yes.

20 MS. DAVIS: And this will be marked
21 Exhibit 30, I believe we're on.

22 (Exhibit 30 referenced for
23 identification.)

24 MS. DAVIS: And this is PL JOINT 041265

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1 through 041305. And I'm going on page Bates-stamped
2 041266.

3 BY MS. DAVIS:

4 Q. And this states that on February 28, 2007,
5 someone called OPS to follow up on your June 28,
6 2006, arrest.

7 Do you recall who made this complaint?

8 A. No, I don't recall.

9 Q. Do you know if anyone happened to see your
10 arrest that was related to you or that you knew
11 regarding this June 28, 2006, arrest?

12 A. My mom.

13 Q. So it's possible this is your mother who
14 called and made this report?

15 A. Yes.

16 Q. And you -- or the allegations that were
17 made was that the officers punched you in the right
18 eye, dragged you down a flight stairs, and planted
19 drugs on you; correct?

20 A. Yes.

21 Q. And on July 14, 2006, investigators come
22 to the County Jail to interview you?

23 A. They came to Stateville.

24 Q. You're correct. Location of interview is

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1 **Stateville. Correct.**

2 **And this is Bates-stamped 041284.**

3 **And you gave them your account as to what**
4 **occurred during that arrest; correct?**

5 A. Yes.

6 **Q. And so have you ever seen -- I guess my**
7 **Adobe just crashed.**

8 **One second while I pull it back up.**

9 MS. GIZZI: So much better to look at.

10 MR. BAZAREK: Cute dog. Cute dog.

11 MS. HARRIS: Give me one second. I'm
12 sorry.

13 It might take too long to pull it back up.

14 BY MS. HARRIS:

15 **Q. But you are not aware that two of your**
16 **allegations had been found unfounded, and a third**
17 **allegation was unsustainable.**

18 **You were not aware of that?**

19 A. No.

20 **Q. Is there any reason that you did not**
21 **follow up on your complaint, your OPS complaint?**

22 A. I didn't know where to go to follow up at.

23 **Q. Did you receive any documents from OPS?**

24 A. Besides them coming to the jail, whatever

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1 I signed right there, that was it. I never
2 received no other documents.

3 Q. Did you ever speak to your mother or
4 whoever made that complaint regarding following up?

5 A. I asked, yes.

6 Q. And did you tell your mother or whoever it
7 was to follow up on the complaint to see what
8 occurred?

9 A. I told her to try to contact them and see
10 what went on.

11 Q. And then you didn't hear anything and
12 never followed back up with your mother?

13 A. No.

14 Q. Okay. And in that, did you suffer -- you
15 stated that you -- strike that.

16 Did you suffer any injuries regarding that
17 June 28, 2006, arrest?

18 A. No.

19 Q. You did not?

20 A. No.

21 Q. Okay. Did you seek any medical attention
22 regarding that arrest?

23 A. When I got to the county, Cook County.

24 Q. And what did you state when you got to

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1 **Cook County?**

2 A. I had a few scrapes on my arms.

3 **Q. But nothing related to being punched in**
4 **your eye?**

5 A. No.

6 **Q. Okay.**

7 MS. HARRIS: I'm checking my notes very
8 quickly.

9 Okay. Those are all my questions.

10 Thank you, Mr. Moore.

11 THE WITNESS: You're welcome.

12 No questions for Ridgell.

13 MR. BAZAREK: Mike?

14 MR. SCHALKA: No questions from me.

15 MR. BAZAREK: Okay. I have a couple
16 follow-up.

17 FURTHER EXAMINATION

18 BY MR. BAZAREK:

19 **Q. Mr. Moore, is it your testimony that an**
20 **officer that you identified as Coco had some**
21 **involvement in your December 16, 2004, arrest?**

22 A. Yes.

23 **Q. When did you first see the officer you**
24 **know as Coco?**

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1 A. When did I first see her?

2 **Q. Yes.**

3 A. I saw her a little while after Watts and
4 them had been in the apartment.

5 **Q. Where did you first see her?**

6 A. I saw her when I was in the room on my
7 knees coming into the apartment and went towards
8 where the kids and the woman of the house was.

9 **Q. Did Coco say anything?**

10 A. She was in the next room, so I don't know
11 what was being said.

12 **Q. So it's your testimony that Coco was with**
13 **Bryant Patrick's girlfriend and the kids in another**
14 **room?**

15 A. Yes.

16 **Q. From where you were at, could you see Coco**
17 **inside the room with them?**

18 A. No.

19 **Q. Can you describe Coco?**

20 A. African-American female. I want to say
21 probably with like a medium build at the time.

22 **Q. What type of dress was she wearing?**

23 A. She didn't have on no dress.

24 **Q. Was she in plainclothes? Was she in**

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1 **uniform?**

2 A. She was in plainclothes.

3 **Q. Have you ever spoken with Coco?**

4 A. No.

5 **Q. Have you ever heard Coco say anything?**

6 A. Yes.

7 **Q. What have you heard Coco say?**

8 A. Basically what y'all got on you? Y'all
9 got anything? That was it.

10 **Q. Are you telling me she was questioning you**
11 **or others about narcotics activity that you may**
12 **have been involved in?**

13 A. Yes.

14 **Q. And when you had interactions with**
15 **Officer Coco, you were a drug dealer; true?**

16 A. Yes.

17 **Q. I want to go back to, though, December 16,**
18 **2004.**

19 **Are you aware that the officer you call**
20 **Coco was not even assigned to the 2nd District?**

21 A. No.

22 **Q. In fact, she was working in Englewood, in**
23 **the 7th District. You know, the place where you**
24 **would go to get high with your friends. Are you**

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1 **aware of that?**

2 A. No.

3 **Q. Is it possible you're wrong when you**
4 **testified that Coco was inside Bryant Patrick's**
5 **apartment on December 16, 2004?**

6 A. It was a female. I don't know who she was
7 technically.

8 **Q. All right. Are you just guessing because**
9 **it was a Black female officer, so you're just going**
10 **to say, yeah, it's Coco? Is that what you're doing**
11 **right now?**

12 A. No.

13 **Q. What do you mean no?**

14 MS. GIZZI: Objection, form.

15 THE WITNESS: I mean no to your answer (sic).

16 BY MR. BAZAREK:

17 **Q. No what?**

18 A. No, I'm not guessing.

19 **Q. You just said that, oh, it's not the Black**
20 **female officer.**

21 **What does that mean?**

22 MS. GIZZI: Objection, form.

23 THE WITNESS: That means no to your answer
24 (sic).

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1
2 BY MR. BAZAREK:

3 Q. How many Black female officers worked in
4 the 2nd District on December 16, 2004?

5 MS. GIZZI: Objection, form.

6 THE WITNESS: I don't know that. I don't
7 technically know that.

8 BY MR. BAZAREK:

9 Q. You know, we've talked about -- throughout
10 this deposition about all the heroin and crack
11 cocaine that you sold over the years; right?

12 A. Yes.

13 Q. Okay. How about have you ever used crack
14 cocaine?

15 A. No.

16 Q. Have you ever used heroin?

17 A. No.

18 Q. Have you ever used any illegal narcotic
19 ever?

20 A. Marijuana.

21 Q. Well, you've testified about -- and you
22 still smoke marijuana to this day; right?

23 A. No.

24 Q. Did you stop?

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1 A. Yes.

2 Q. When did you stop using marijuana?

3 A. I haven't smoked marijuana for 14 or 15
4 years.

5 Q. At any time when you were in IDOC, you get
6 screened when you enter a facility in the Illinois
7 Department of Corrections; correct?

8 A. Yes.

9 Q. And they -- you're asked questions about
10 narcotics use, drug use, alcohol use, that type of
11 thing; right?

12 A. Yes.

13 Q. Have you ever reported at any time when
14 were you in IDOC that you used heroin?

15 A. I don't remember.

16 Q. Did you ever report to anyone when you
17 were you in IDOC that you used cocaine?

18 A. I don't recall.

19 Q. At any time when you were in IDOC, did you
20 report to anyone that you drank alcohol to excess?

21 A. Yes.

22 Q. And what did you say about your alcohol
23 use?

24 A. I drunk it.

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1 **Q. And what was the frequency of the alcohol**
2 **intake that you reported to IDOC?**

3 A. I think they may have asked the question
4 like how many days of the week would you prefer you
5 do it. I would say five days.

6 **Q. So you -- and was that true, you were**
7 **drinking five days a week?**

8 A. Yes.

9 **Q. And what were you drinking five days a**
10 **week?**

11 A. Alcohol.

12 **Q. What type of alcohol?**

13 A. Tequila.

14 **Q. Anything else?**

15 A. No.

16 **Q. Were you ever referred to any substance**
17 **abuse programs at any time?**

18 A. Yes.

19 **Q. When was that?**

20 A. I was referred to one while incarcerated,
21 and I was referred while I was on parole.

22 **Q. And did you go to a substance abuse program?**

23 A. Yes.

24 **Q. What substance abuse program did you go**

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1 to?

2 A. I don't know the name of it. I can't
3 recall.

4 Q. When did you go to the substance abuse
5 program?

6 A. While I was on parole.

7 Q. What -- during -- I mean, you have
8 multiple arrests, multiple convictions.

9 During what time period when you were on
10 parole?

11 A. I went to a substance abuse I know when I
12 was on parole in -- after being released in 2006.
13 I took substance abuse programs when I was
14 incarcerated in 2009.

15 Q. Which facility were you at in 2009 when
16 you had the substance abuse treatment?

17 A. Big Muddy River.

18 Q. And what was the -- what substance abuse
19 brought you to that program while you were
20 incarcerated?

21 A. Can you repeat that?

22 Q. Were you using some type of illegal
23 narcotics that got you into that substance abuse
24 program?

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1 A. No.

2 Q. Well, what was the substance abuse program
3 for in 2009 when you were at Big Muddy?

4 A. The substance abuse program, what was it
5 for?

6 Q. Yeah.

7 A. It was to help you battle your substance
8 abuse.

9 Q. Right. But what substance were you
10 abusing? Was it alcohol? Was it narcotics?
11 Heroin?

12 A. Alcohol, marijuana.

13 Q. Anything else?

14 A. That's it.

15 Q. And then in 2006, you went to a substance
16 abuse program after you were released from prison;
17 is that your testimony?

18 A. Yes.

19 Q. And where was the substance abuse program
20 located?

21 A. I don't recall the actual address, but it
22 was somewhere on Western.

23 Q. It was on Western?

24 A. Yes.

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1 **Q. What was the east-west street it was**
2 **closest to?**

3 A. I can't recall that.

4 **Q. How long did you go to this substance**
5 **abuse program on Western?**

6 A. I went for a few weeks.

7 **Q. Were you -- would you leave every day, or**
8 **were you actually in the program?**

9 A. Oh, you just had to come, and then you'd
10 leave afterwards.

11 **Q. Okay. Have you ever been hospitalized for**
12 **substance abuse?**

13 A. No.

14 **Q. Other than in 2006 and in 2009, have you**
15 **ever been to any other substance abuse programs at**
16 **any time?**

17 A. No.

18 **Q. Have you ever been to a psychiatrist?**

19 A. No.

20 **Q. Have you ever been to psychologist?**

21 A. No.

22 **Q. Have you ever been to any mental health**
23 **care professional ever?**

24 A. No.

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1 **Q. Have you ever reported to any medical**
2 **professional that you suffer from mental problems?**

3 A. Have I reported?

4 **Q. Yes.**

5 A. No.

6 MR. BAZAREK: That's all I have.

7 MS. GIZZI: We'll waive signature.

8 THE VIDEOGRAPHER: Okay. This is the end
9 of the deposition.

10 The time is 5:55 p.m., and the running
11 length of this recording is 7 hours and
12 15 seconds.

13 We are now off the record.

14 (FURTHER DEPONENT SAITH NAUGHT ...)

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1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF COOK)

4 I, Sharon L. Patanella, Certified
5 Shorthand Reporter, do hereby certify that on
6 February 28, 2024, the deposition of the witness,
7 ELGEN MOORE, called by the Defendants, was taken
8 before me via videoconference, reported
9 stenographically, and was thereafter reduced to
10 typewriting under my direction.

11 The said deposition was taken via
12 videoconference, and there were present counsel,
13 all via videoconference, as previously set forth.

14 The said witness, ELGEN MOORE, was first
15 duly sworn to tell the truth, the whole truth, and
16 nothing but the truth, and was then examined upon
17 oral interrogatories.

18 I further certify that the foregoing is a
19 true, accurate, and complete record of the
20 questions asked of and answers made by the said
21 witness, ELGEN MOORE, on the date and time
22 hereinabove referred to.

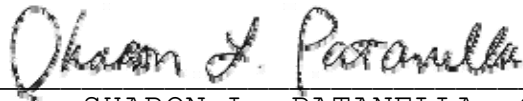
23 The signature of the witness, ELGEN MOORE,
24 was waived by counsel.

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1 I further certify that I am not a relative
2 or employee or attorney or counsel of any of the
3 parties, or a relative or employee of such attorney
4 or counsel, or financially interested directly or
5 indirectly in this action.

6 Witness my official signature as a
7 Certified Shorthand Reporter in the State of
8 Illinois on March 20, 2024.

9
10 

11 SHARON L. PATANELLA, CSR
12 161 North Clark Street
13 Suite 3050
14 Chicago, Illinois 60601
15 Phone: 312.361.8851



16 CSR No. 84-002169
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