

EXHIBIT 12



KENTUCKIANA
— COURT REPORTERS —

MASTER DOCKET CASE NO. 19-CI-01717

IN RE: WATTS COORDINATED PRETRIAL PROCEEDINGS

DEPONENT:
MANUEL LEANO, VOL. I

DATE:
January 26, 2022



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

IN RE: WATTS COORDINATED) Master Docket Case No. 19-
PRETRIAL PROCEEDINGS) CV-01717
)
) Judge: Valderrama
)
) Magistrate Judge Sheila M.
) Finnegan
)

DEPONENT: MANUEL LEANO, VOL.I

DATE: JANUARY 26, 2022

REPORTER: CHLOE GILBERT

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STIPULATION

The VIDEO deposition of MANUEL LEANO was taken at KENTUCKIANA COURT REPORTERS, 730 WEST MAIN STREET, LOUISVILLE, KENTUCKY, 40202, via videoconference in which all participants attended remotely, on WEDNESDAY the 26TH day of JANUARY, 2022 at approximately 11:26 a.m. EST; said deposition was taken pursuant to the FEDERAL Rules of Civil Procedure. The oath in this matter was sworn remotely pursuant to FRCP 30.

It is agreed that CHLOE GILBERT, being a Notary Public and Court Reporter for the State of ILLINOIS, may swear the witness.

1 PROCEEDINGS

2 COURT REPORTER: Okay, we are now on the
3 record. My name is Chloe Gilbert. I'm the online
4 video technician and court reporter today
5 representing Kentuckiana Reporters, located at 730
6 West Main Street in Louisville, Kentucky. Today is
7 the 26th day of January 2022, and the time is now
8 10:27 a.m. We are convened by video conference to
9 take the deposition of Manuel Leano in regards to
10 the Watts coordinated pre-trial proceedings pending
11 in the United States district court for the Northern
12 District of Illinois Eastern Division. Case number
13 19-CV-01717. Will everyone but the witness please
14 state your appearance, how you are attending, and
15 the location you're attending from, starting with
16 plaintiff's counsel.

17 MS. KLEINHAUS: Good morning, Theresa
18 Kleinhaus, on behalf of the Loevy plaintiffs
19 attending remotely from Chicago.

20 MR. FLAXMAN: Good morning. Joel Flaxman for
21 the Flaxman plaintiffs attending remotely from
22 Chicago.

23 MR. ZECCHIN: Anthony Zecchin on behalf of the
24 deponent and the individual officers attending
25 remotely from Chicago.

1 MS. HARRIS: Gabriela Harris appearing on
2 behalf of City of Chicago appearing from -- remotely
3 from Chicago.

4 MS. DOI: Katherine Doi appearing remotely from
5 Chicago, Illinois, on behalf of defendant Mohammed.

6 MR. KOSOKO: I'm Ned Kosoko on behalf of Ronald
7 Watts appearing remotely Chicago.

8 MS. MCGRATH: Megan McGrath on behalf of
9 defendants McGarren and Cadman, appearing remotely
10 from Chicago.

11 COURT REPORTER: Mr. Leano, will you please
12 state your full name for the record and hold up your
13 ID to the camera?

14 THE WITNESS: That fine?

15 COURT REPORTER: Just up a little bit. Perfect.
16 Thank you so much. And will you please state your
17 full name for the record?

18 THE WITNESS: Manuel Leano.

19 COURT REPORTER: Perfect. Do all parties agree
20 that the witness is, in fact, Manuel?

21 MS. KLEINHAUS: Yes.

22 MS. DOI: Yes.

23 MS. MCGRATH: Yes.

24 MR. FLAXMAN: Yes.

25 MS. HARRIS: Yes.

1 COURT REPORTER: Mr. Leano, will you please
2 raise your right hand? Do you solemnly swear or
3 affirm of the testimony you're about to give will be
4 the truth, the whole truth, and nothing but the
5 truth?

6 THE WITNESS: I do.

7 COURT REPORTER: Thank you. You may begin.

8 DIRECT EXAMINATION

9 BY MS. KLEINHAUS:

10 Q Morning, sir. I've been with you before for a
11 deposition pre-pandemic. It's been a little while. So
12 as I said before, we got on the record; my name is
13 Theresa Kleinhaus. I represent the Loevy plaintiffs.
14 Sir, the last time that you were deposed, you were
15 assigned at that time to desk duty within the Chicago
16 Police Department. Is that right?

17 A That's correct.

18 Q And are you currently still assigned to desk
19 duty?

20 A Yes, I am.

21 Q And are your duties on desk duty the same as
22 they were in 2019 the last time that you were deposed?

23 A That's correct.

24 Q Okay. Has anyone told you when you'll be
25 taken off desk duty?

1 A No, they haven't.

2 Q And have you complained to anyone about being
3 on desk duty?

4 A No, I haven't.

5 Q Sir, I understand you were interviewed by COPA
6 regarding Ben Baker and Clarissa Glenn. Is that right?

7 A I believe so.

8 Q Okay. Other than that interview regarding
9 Mr. Baker and Ms. Glenn, have you had any other
10 interviews with COPA?

11 A I'm for sure -- I have. I just don't remember
12 who they are.

13 Q Okay. On how many occasions have you been
14 interviewed by COPA related to your time on the 264
15 team?

16 A This would be a guess. Maybe four or five,
17 but that could be off. That's just a guess.

18 Q Okay. And what -- what was the subject matter
19 of those interviews? What were they talking to you
20 about?

21 A That I can't -- I can't recall.

22 Q Okay. When were the four or five additional
23 COPA interviews?

24 A That also, I can't recall the exact date or
25 the year.

1 Q Okay. Was it in the last two years?

2 A Last two years, I don't believe so.

3 Q Do you believe it was before that?

4 A Most likely, yes.

5 Q Okay. And were you represented by counsel
6 during those interviews?

7 A Yes, I was.

8 Q And who was your attorney?

9 A Right off the hand, I can't recall. Rob was
10 one of them. We got the law firm. It was assigned by
11 FOP, so I can't recall the law firm.

12 Q Okay. And was it related to any of the
13 lawsuits filed in these coordinated proceedings?

14 A I believe so.

15 Q Okay. And which cases was it related to?

16 A That I can't recall.

17 Q Were each of these COPA interviews recorded?

18 A Yes, they are.

19 Q Did you review anything related to COPA
20 interviews in preparation for your deposition today?

21 A Could you repeat that?

22 Q Sure. Did you review anything related to
23 those COPA interviews in preparation for your deposition
24 today?

25 A I might have looked at some documents with my

-- with my attorney.

Q Okay. What documents related to the COPA interviews did you look at in preparation for your deposition today?

A Today?

Q In preparation for your deposition today.

A Maybe a couple case report, arrest report.

Q Okay. Did you review any recordings or transcripts from COPA to prepare for your deposition today?

A No, I didn't.

Q Okay. Other than -- I'm sorry. Strike that, please. What documents did you review to prepare for today?

A I looked at couple of case report and arrest reports.

Q Anything else?

A That's about it.

Q Okay. Obviously, you've been deposed before, so I'll just review quickly the ground rules. But if you answer a question of mine, I'm going to assume that you understood the question. Is that fair?

A Yes.

Q And if you don't understand my question, just tell me, and I'll ask it a better way. Okay?

1 A Okay.

2 Q Do you have any medical conditions that would
3 prevent you from providing accurate testimony today?

4 A No.

5 Q Do you have -- are you taking any medication
6 that would prevent you from providing accurate testimony
7 today?

8 A No, I'm not.

9 Q Have you ever been interviewed by the Cook
10 County's state's attorney's office regarding your time
11 on the 264 team?

12 A Yes, I have.

13 Q On how many occasions have you been
14 interviewed by the state's attorney's office regarding
15 the 264 team?

16 A I believe once.

17 Q Okay. And when did that interview occur?

18 A That, I couldn't tell you.

19 Q Okay. Was it in the last three years?

20 A Probably.

21 Q Who was present for that interview?

22 A Myself, couple of my civil attorneys, and I
23 believe two representative from the state's attorney.

24 Q Okay. Can -- do you know the names of the
25 state's attorneys? Who were they?

1 A No, but I can't recall their names right now.

2 Q Okay. Can you describe them?

3 A Female, both -- I believe both of them were
4 female.

5 Q Okay. Where did your interview with the Cook
6 County's state's attorney's office take place?

7 A Right here on 50 -- 53 West Jackson.

8 Q How long did the interview last?

9 A Maybe a couple hours.

10 Q And what was the subject matter of the
11 interview? What were they asking you about?

12 A That, I can't recall the exact subject or
13 topic they were asking me.

14 Q Can you recall anything about what they were
15 talking you about?

16 A No, I don't.

17 Q Nothing?

18 A No. I can't recall what was discussed.

19 Q Who were your civil attorneys who were present
20 for that interview?

21 A I believe one of them was Bryan and the other
22 attorney. I can't remember who -- who he was, but I
23 know Bryan was there.

24 Q Have you ever been interviewed by the FBI with
25 regard to your time on the 264 team?

1 A I received a phone call by an FBI, and then I
2 referred them to my FOP council.

3 Q And when did that occur?

4 A Sometime last year.

5 Q 2021?

6 A Yes.

7 Q Okay. And when you say FOP council, who do
8 you -- who is that?

9 A That would be Sexton. I believe it's Bryan
10 Sexton.

11 Q Okay. Is the phone -- who from the FBI called
12 you?

13 A Shoot. Can't remember his name right now.

14 Q Okay. Was it an agent?

15 A Yes.

16 Q And it was a male person?

17 A Correct.

18 Q And what did he say when he called you?

19 A He asked me if I was willing to talk to him,
20 which I said yes, and I'll -- I said I'll refer you to
21 my attorney.

22 Q Okay. Did you actually do an interview with
23 him after that?

24 A No, I did not.

25 Q But you are willing to talk to him. Right?

1 A That's what I stated, yes.

2 Q Okay. And that was the truth. Right?

3 A Yes.

4 Q Other than that one phone call, have you had
5 any other interactions with the FBI related to your time
6 on the Watts 264 team?

7 A There might have been once, maybe five years
8 ago, that someone wanted to talk to me, an FBI, but I
9 don't know if that was related to the Watts case.

10 Q Okay. Who called you that time?

11 A Actually, they went to my house.

12 Q Okay. And who came to your house?

13 A That I couldn't tell you.

14 Q Was it one person or more than one person?

15 A Two.

16 Q Okay. Can you describe those people?

17 A Believe one was male, black, and the other one
18 might be Hispanic or white. I'm not really sure about
19 the second person.

20 Q Do you know their names?

21 A No, I don't.

22 Q And what did they say to you?

23 A They asked me if they could talk to me, and I
24 said sure, but I have to contact my attorney.

25 Q And who was your attorney at that time?

1 A I called Apple T, and I don't know who got
2 assigned to my --, to represent me.

3 Q Okay. And then subsequent -- after that, were
4 you interviewed?

5 A No, I wasn't.

6 Q Okay. Were the two people who came to your
7 house both male?

8 A Yes.

9 Q Did they tell you whether they were agents
10 with the FBI?

11 A Yes. They said they were FBI agent.

12 Q Did they tell you what they wanted to talk to
13 you about?

14 A That, I can't remember.

15 Q So, if I understand correctly, you were
16 contacted about for five years ago and again about one
17 year ago by the FBI, and both times you said you'd be
18 willing to do an interview, but you still have not done
19 an interview. Is that right?

20 A That's correct.

21 Q Did you speak with anyone besides your
22 attorney about the fact that you were being deposed
23 today?

24 A No. Oh, I might have mentioned my wife that I
25 was getting deposed. That's about it.

1 Q Okay. Did you speak with anyone who is a
2 current or former employee of the Chicago Police
3 Department about the fact that you were being deposed
4 today?

5 A I might have mentioned it to my partner, my
6 ex-partner, when he called me.

7 Q Okay. And who's that?

8 A That would be Officer Nichols.

9 Q Okay. And what did you and Officer Nichols
10 discuss with regard to your deposition today?

11 A Well, he called me just asked me how was
12 everything going? And somehow I said, yeah, I was --
13 I'm getting deposed sometime next week, and that was the
14 end of the conversation.

15 Q Okay. How often are you and Officer Nichols
16 in touch?

17 A Actually, other than last week, the last time
18 I talked to him was probably last year, August.

19 Q To the best of your knowledge, is he also
20 assigned to desk duty?

21 A Officer Nicholas got promoted to be a -- to a
22 detective. So I don't know what he's assigned to.

23 Q Okay. Do you know geographically where in
24 Chicago he's assigned?

25 A That -- this I'm not accurate with this, but I

1 believe -- what area is -- 11 district, I forgot what
2 area that is. He might be there. I'm not 100 percent
3 positive, though.

4 Q Okay. When I say the Watts 264 team, do you
5 understand the tactical team that I'm referring to?

6 A Yes.

7 Q Are there any other former members of the
8 Watts 264 team that you've been in touch with in the
9 last year?

10 A Officer Gonzalez and Officer Smith.

11 Q And what were the circumstances of you being
12 in touch with Officer Gonzalez?

13 A He still works in the administrative side in
14 the tac office. I see him once in a while.

15 Q Okay. So you've seen him because he worked in
16 the same location?

17 A Yes.

18 Q Have you had any other interactions with him
19 besides that?

20 A Probably last -- last August also.

21 Q And where did you see him last or talk to him
22 last August?

23 A I believe that would be Officer Nichols'
24 house.

25 Q Okay. And what were you doing at Officer

1 Nichols' house?

2 A We were doing our annual fantasy football.

3 Q And who from the 264 team is involved in the
4 fantasy football draft?

5 A Myself, Officer Nichols, and Officer Gonzalez.

6 Q Okay. Other than seeing Gonzalez for the -- I
7 assume the August meetup was a draft. Is that right?

8 A Yes.

9 Q Okay. So other than seeing Officer Gonzalez
10 at the draft in August and seeing him at work, have you
11 had any other interactions with him in the last year?

12 A Yes, I forgot. We had -- they had a tac party
13 -- I believe it was -- was it last year, last month, or
14 this month? That was the last time I saw him outside
15 work.

16 Q Okay. And I just didn't hear you. What type
17 of party?

18 A They had a -- they threw tac party for the tac
19 teams.

20 Q Oh, okay. And where was the tac party?

21 A It was at a -- at a local bar at -- I think
22 it's Mr. G on the Southwest side of the Chicago.

23 Q And who -- who hosts the party for the tac
24 teams?

25 A Usually, the Sergeant and the lieutenant will

1 throw up a party for the tac guys for the hard work
2 throughout the year.

3 Q Okay. And does that typically include former
4 tac team members?

5 A No. Just the personnel -- the tac team that's
6 there.

7 Q Okay.

8 A For the --

9 Q Sorry, go ahead.

10 A For the most part, it's just current tac teams
11 that's working in the district.

12 Q Okay. And at the time of the party, you were
13 no longer a member of a tactical team, right?

14 A I'm still in the tac team. I'm just -- I'm
15 just in the administrative duty.

16 Q Oh, I see. And who else from the Watts 264
17 team was at the tac party?

18 A Just Officer Gonzalez and I.

19 Q At the August fantasy football draft, did you
20 and Officer Gonzalez and Nichols discuss the pending
21 lawsuits?

22 A No.

23 Q At the tac party -- did you say the tac party
24 was in the last month or two?

25 A I believe it -- I'm not pos -- 100 percent

1 positive whether it was this month or December.

2 Q Oh, okay. Did you and Officer Gonzalez
3 discuss the pending lawsuits at the tac party?

4 A No, we did not.

5 Q Okay. And who -- who hosted the tac party
6 that you went to in the last couple months?

7 A Like I stated earlier, usually the tac
8 lieutenant and the sergeants.

9 Q Who do you consider your tac lieutenant and
10 sergeants?

11 A The lieutenant right now is Lieutenant Van
12 Darvis, and the sergeant was Sergeant Shrake, Sergeant
13 Bagnall, and Sergeant Kennedy.

14 Q Besides Nichols and Gonzalez, are there any
15 other officers from the 264 team that you've been in
16 touch with in the last year?

17 A Officer Nichols -- Officer -- not Nichols,
18 Officer Smith.

19 Q And when have you interacted with Officer
20 Smith?

21 A I believe two days ago. He came to the tac
22 office and said hi.

23 Q Have you and Officer Smith had any discussion
24 of the pending lawsuits in the last year?

25 A No, we haven't.

1 Q Other than him stopping by the office to say
2 hi, have you had any other interactions with him in the
3 past year?

4 A I don't believe so. I believe he was on
5 medical the last year, so I don't believe -- if I have,
6 it would be in the radio room because he works in the
7 radio room.

8 Q Okay. Okay, sir. I want to turn your
9 attention to some of the pending lawsuits in these
10 coordinated proceedings. So I want to speak with you
11 about George Almond. Do you know who George Almond is?

12 A That name sounds familiar, yes.

13 Q Okay. Do you know -- do you have a --, an
14 independent recollection or knowledge of George Almond
15 outside of having heard his name in these proceedings?

16 A I believe he was one of the guys in the Wells
17 that usually sells drugs.

18 Q And why do you believe that?

19 A Well, the amount on the street and other
20 officers.

21 Q When did you hear that word of mouth on the
22 street?

23 A That, I couldn't tell you.

24 Q And why do you believe that you know that from
25 word of mouth on the street versus your preparation for

1 your deposition today?

2 A What do -- I don't understand the question.

3 Q Why do you think you know anything about
4 George Almond from word of mouth on the street?

5 A That's what people would say when you talk to
6 people on the street.

7 Q Okay. Who on the street?

8 A Regular people.

9 Q Who?

10 A People that buys drugs.

11 Q Who are you referring to?

12 A I can't -- I don't remember the names, but
13 people that's usually in the Wells. People that buys
14 drugs that hangs or lives in the Wells.

15 Q Okay. Describe to me the first occasion that
16 you recall where someone from the Wells told you
17 anything about George Almond.

18 A That I can't recall.

19 Q Right. Tell me about any conversation you've
20 ever had with anyone about George Almond.

21 A That I can't recall.

22 Q Okay. Tell me one thing about George Almond
23 besides this purported word on the street.

24 A One thing he's got a unique last name. That's
25 how his name sounds familiar.

1 Q Okay. Anything else that you know about him
2 besides his name and these allegations about words on
3 the street?

4 A No.

5 Q Okay. Did you review documents related to
6 George Almond in preparation for your deposition today?

7 A I believe I might have looked at an arrest
8 report.

9 Q Did looking at the arrest report refresh your
10 recollection or allow you to remember an arrest of
11 George Almond that you were part of?

12 A No, I did not. No, I did not.

13 Q Do you have any independent recollection of
14 any interaction you've ever had with George Almond?

15 A No, I don't.

16 Q Okay. Do you have exhibits printed near you,
17 or do I need to show them to you on the screen?

18 A Yes, I have them.

19 Q Okay. Can you -- there should be an exhibit
20 there for George Almond. Can you take a look at that
21 for me, please?

22 MR. ZECCHIN: Hey, Tess. This is Tony. I have
23 the exhibits with me. What I'll do is I'll mark
24 them on my end and hand him over to Mr. Leano. Okay?

25 MS. KLEINHAUS: Great. Thank you.

1 MR. ZECCHIN: Will this be Exhibit 1?

2 MS. KLEINHAUS: Yes, please. Thank you.

3 (EXHIBIT 1 MARKED FOR IDENTIFICATION)

4 MR. ZECCHIN: And Tess, for the record, what I
5 did is -- all the documents that were in that sub-
6 folder are all printed in part of a packet. So it's
7 going to be a group exhibit if that's okay with you.

8 MS. KLEINHAUS: Yeah, that's how I was planning
9 to do it. Thank you.

10 BY MS. KLEINHAUS:

11 Q So, sir, just let me know when you have the
12 exhibit related to George Almond in front of you.

13 A Yes, I have it in front of me.

14 Q Okay. There should be a photo there. Do you
15 see that?

16 A Yes.

17 Q Okay. Do you recognize the person depicted in
18 the photograph?

19 A Yes. He looks familiar, yes.

20 Q Okay. And other than looking familiar, do you
21 know of any occasions where you encountered him?

22 A No, I don't.

23 Q Okay. Take a moment to review the documents
24 in Group Exhibit 1.

25 A Okay.

1 Q And let me know when you've had a chance to
2 take a look at them. Okay?

3 A Okay. You want me to look at the entire
4 document or just certain portion of it?

5 Q Go ahead and look through the entire exhibit,
6 and then I'll ask you some questions about it.

7 A Okay.

8 Q Okay. Having reviewed the documents related
9 to George Almond's arrest, did it refresh your
10 recollection and allow you to recall that arrest?

11 A No, it did not.

12 Q And did you review the affidavit that's
13 included within that group exhibit?

14 A Yes.

15 Q Okay. Have you -- did you ever see Sergeant
16 Watts put drugs on the table as alleged in that
17 affidavit?

18 A No, I have not.

19 Q Okay. Having reviewed the affidavit, do you
20 have any basis on which to dispute it?

21 A Any basis to dispute it? None of that
22 allegation happened.

23 Q Okay. Why do you believe that none of that
24 happened?

25 A Because I didn't witness any of it.

1 Q Okay. Do you know of any facts that would
2 contradict or undermine what's included in that
3 affidavit?

4 A What do you mean any facts or -- I don't
5 understand your questioning.

6 Q Okay. You -- you say that you didn't witness
7 what happened in the affidavit. Right?

8 A That's correct.

9 Q You also don't recall anything that happened
10 in the arrest. Right?

11 A That's correct.

12 Q Okay. Do you know of any -- other than your
13 belief that the affidavit is not accurate? Do you have
14 any facts or information that would contradict or
15 dispute what's in the affidavit?

16 MR. ZECCHIN: Objection to form. You can
17 answer.

18 A I don't.

19 Q You can put Group Exhibit 1 to the side. Prior
20 to these coordinated proceedings, before these lawsuits
21 were filed, did you know who Ben Baker was?

22 A Yes.

23 Q Okay. How did you know who Ben Baker was?

24 A He was one of the people down in the Wells
25 that sells drugs.

1 Q Okay. And what was the source of your
2 information that he was one of the people down in the
3 Wells that sells drugs?

4 A Another officer, and from people that lives in
5 the Wells.

6 Q Okay. Do you -- can you name any officer or
7 person from the Wells who gave you that information?

8 A To give you a specific name, no.

9 Q Okay. What about Clarissa Glenn? Before
10 these lawsuits, did you know who Clarissa Glenn was?

11 A Yes.

12 Q Okay. How did you know who she was?

13 A I believe -- I didn't know that she was
14 married to Ben Baker, but I believe that was his
15 girlfriend at the time.

16 Q Okay. Why did you believe that?

17 A I believe they lived together.

18 Q Okay. Did you have any interactions with
19 Clarissa Glenn that you can recall?

20 A No, I can't.

21 Q Okay. Did you have any interactions with Ben
22 Baker that you can recall?

23 A Yes, we arrested Ben baker.

24 Q Okay. And do you have a memory of arresting
25 Ben Baker?

1 A The only memory I have of arresting Ben Baker
2 was there was a foot chase that happened. He ran
3 downstairs, and we chased him. But other than that, no.

4 Q Okay. And what do you remember about where
5 that foot chase occurred?

6 A I believe 527 building.

7 Q Okay. Can you be any more specific?

8 A 527 is Browning.

9 Q Oh, I'm sorry. Can you be any more specific
10 in terms of where it occurred within the building?

11 A Where in the building? Like I said, all I
12 could remember is he ran down the stairs, and we chased
13 him.

14 Q Okay. When you say we, who all chased him?

15 A Myself and officer Nichols.

16 Q And officer Nichols was your regular partner
17 at that time, is that right?

18 A That would be correct. Yes.

19 Q And why did you chase Ben Baker?

20 A I believe he was in possession of narcotics.

21 Q Okay. Do you have any recollection of him
22 being in possession of narcotics?

23 A Independent recollection, no.

24 Q Okay. Do you recall Ben Baker having a limp?

25 A Limp. Couldn't say I have.

1 Q Okay. Do you recall ever seeing anyone
2 recover narcotics from Ben Baker?

3 A Independent recollection, no.

4 Q No? Okay. There should be another group
5 exhibit there that your attorney can hand you, related
6 to Ben Baker and Clarissa Clinton. So, we'll mark that
7 as group exhibit two.

8 (EXHIBIT 2 MARKED FOR IDENTIFICATION)

9 A You want me to look through it again?

10 Q Yes, please. There's two arrests that are
11 referenced there. The first one is the March 2005
12 arrest. If you can, look at those reports, please.

13 A Okay. Okay.

14 Q Okay. Were you able to review the reports
15 related to the March 2005 arrest?

16 A Yeah. Yes.

17 Q Okay. Did reviewing those refresh your
18 recollection about the arrest?

19 A Added in, like I said earlier, him running
20 down the stairs being chased right down the stairs, no.

21 Q Okay. That's still the only thing that you
22 remember about it, right?

23 A Yes.

24 Q Okay. According to the report, you're listed
25 as the second arresting officer, correct?

1 A I believe. Yes, that's correct.

2 Q Okay. And, what does it mean to be the second
3 arresting officer?

4 A Usually, that's your partner. If the first
5 arresting officer does it, the second arresting officer
6 is usually his partner.

7 Q Okay. And, what role in the arrest does a
8 second arresting officer play?

9 A It all depends. He could have seen exactly
10 what the first officer saw, or he could have seen
11 something different in a different vantage point.

12 Q Or he could have seen nothing, right?

13 A That's also correct.

14 Q Okay. The report says that you completed the
15 inventory for this arrest. Do you see that?

16 A I didn't see no inventory on here.

17 Q I just saw a note that you were the one who
18 completed it, but I could point you to that.

19 A If that what he says, then that would be
20 correct. Yeah, inventory done by -- yes, that would be
21 me.

22 Q Okay. What were the steps -- or I'm sorry,
23 strike that, please. Would you typically be assigned or
24 decide to do inventory -- to be the officer to do the
25 inventory at the scene or once you got back to the

1 station?

2 A Yeah, it depends. I mean, on the scene, we
3 could decide, "Okay, I'm doing arrest, you're doing
4 inventory." Or it could be done in the station.

5 Q Okay. And in this case, you don't know when
6 you all decided that you'd do the inventory, right?

7 A No.

8 Q What are the steps that you would take to
9 complete inventory? What did you have to do?

10 A You would generate a unique inventory number
11 in the computer, fill out the appropriate information,
12 submit it, have a Sergeant verify the inventory, lay it
13 in front of a Sergeant, and drop it into a narcotics
14 safe.

15 Q And in this case, the Sergeant that would've
16 looked at it would be Sergeant Watts?

17 A Not necessarily. He could be a different
18 Sergeant. It could be the desk Sergeant, whoever's
19 available.

20 Q Looking at the vice case report for the March
21 2005 arrest. Is that your signature as the second
22 arresting officer?

23 A No, it's not.

24 Q Okay. Did anyone sign on your behalf?

25 A I believe it would be officer Nichols, but I

1 would've gave him permission to do so.

2 **Q Okay. When you would give him permission to**
3 **sign your name, would you expect him to put his initials**
4 **or anything by the signature?**

5 **A No. I mean, he just printed out my name. You**
6 **could obviously tell that's not my signature. I mean,**
7 **you can't tell, but I can tell.**

8 **Q You could tell?**

9 **A Yes.**

10 **Q Okay. Do you know whether it was officer**
11 **Nichols versus someone else who signed your name?**

12 **A Most likely, it would be officer Nichols.**

13 **Q And, why do you think that's what's most**
14 **likely?**

15 **A Because he would be the first arresting**
16 **officer, I'm the second. So if I didn't sign it, it**
17 **most likely would be my partner who would sign it, with**
18 **my permission to do so.**

19 **Q Okay. Looking at the narrative section of the**
20 **vice case report for the March 2005 arrest, it refers to**
21 **ROs. Do you see that part?**

22 **A Yes.**

23 **Q And, that means reporting officers, right?**

24 **A Reporting officer, responding officer,**
25 **whichever. Yes.**

1 Q Okay. And that refers to you and officer
2 Nichols in this case, correct?

3
4
5 A Yes.

6 Q And according to the narrative, the ROs,
7 meaning you and officer Nichols, observed all the events
8 described in the narrative section, right?

9 A That would be correct, yes.

10 Q Okay. And there're assisting arresting
11 officers listed in that vice case report, right?

12 A That would be correct.

13 Q Do you have any memory of what any of them
14 did?

15 A What any of them did? Independent
16 recollection, no.

17 Q Okay. Do you have any memory of officer
18 Gonzalez being present for this arrest?

19 A No.

20 Q Okay. Did you look at the reports related to
21 the December 2005 arrest yet? Or do you want to take a
22 moment and --

23 A Yeah, I looked at it.

24 Q You look at those? Okay. Did reviewing those
25 reports from the December 2005 arrests refresh your

1 recollection at all as to those arrests?

2 A No, it did not.

3 Q Okay. And you are listed as an assisting
4 arresting officer for Ms. Glenn's arrest, correct?

5 A That would be correct. Yes.

6 Q And, you don't have any recollection of what
7 role was in her arrest, correct?

8 A No, I don't.

9 Q Aside from these arrests -- or, strike that,
10 please. At any point, including any arrests, were you
11 ever in Mr. Baker and Ms. Glenn's residence?

12 A I don't believe so.

13 Q And, you don't have any memory of what any
14 other officers did during the December 2005 arrests,
15 correct?

16 A No, I don't.

17 Q Okay. Do you have any recollection of officer
18 Mohammed being present for those arrests?

19 A No, I don't.

20 Q Okay. Did you review the affidavits from
21 Mr. Baker and Ms. Glenn?

22 A I looked at it, yes.

23 Q Did you ever see Sergeant Watts pull drugs out
24 of his sleeve as described in the affidavit?

25 A No, I didn't.

1 Q Do you have any basis on which to dispute
2 what's contained in the affidavits?

3 A Added in, my own that I never saw any of it.
4 No.

5 Q Okay. And, I understand your opinion is that
6 what's contained in the affidavits never occurred. Would
7 you agree, if the affidavits were true, then what's
8 described there would be police misconduct, right?

9 MR. ZECCHIN: I'm going to object to form. And
10 are you talking about the entirety of the affidavit,
11 or are you directing any specific allegations made?

12 Q Okay, well, let me clarify for you, sir. I
13 know that according to you, what's included in the
14 affidavits is not true, but would you agree with me if
15 Ben Baker and Clarissa Glenn were framed, in the way
16 that they describe in their affidavits, that would be
17 police misconduct, right?

18 A Well, like I stated earlier that, I didn't
19 observe any of it, but if it did happen, yes, it would
20 be a definition of misconduct.

21 Q Okay. You can put group exhibit two to the
22 side. I want to talk to you about Raynard Carter and
23 Alhumma Stokes. Do you know who either of those people
24 are?

25 A No, that name doesn't sound familiar.

1 Q Okay. Do you have any independent
2 recollection of participating in arrests of Mr. Carter
3 or Mr. Stokes?

4 A No, I don't.

5 MS. KLEINHAUS: Okay. Tony, if you can pass
6 him the next group exhibit, please. And that'll be
7 group exhibit three. It's the Carter and Stokes
8 exhibit.

9 (EXHIBIT 3 MARKED FOR IDENTIFICATION)

10 Q Okay. Did you have a chance to look at group
11 exhibit three?

12 A Yes.

13 Q Okay. Did reviewing that exhibit refresh your
14 recollection about an arrest of Mr. Carter and
15 Mr. Stokes on February 17th of 2006?

16 A No, it didn't.

17 Q Okay. Do you know what your role in their
18 arrests was?

19 A No, I don't.

20 Q Okay. Did you review the affidavits of
21 Mr. Carter and Mr. Stokes?

22 A Yes.

23 Q Do you have any basis on which to dispute
24 them?

25 A Like I said earlier, other than never observed

1 any of it, no.

2 Q Okay. You can put that to the side. And when
3 you say you never observed any of it, you mean you never
4 observed the misconduct they're describing, right?

5 A Yes.

6 Q Okay. Do you know who Milton Delaney is?

7 A No, that name does not sound familiar.

8 Q Do you have any independent recollection of
9 participating in the arrest of Mr. Delaney?

10 A No, I don't.

11 Q Okay. Tony, if you can pass in the next
12 exhibit, we'll mark it group exhibit four. There should
13 be a photo included in that exhibit. Do you see it?

14 (EXHIBIT 4 MARKED FOR IDENTIFICATION)

15 A With the arrest report? That you're talking
16 about?

17 Q Yes. Yeah. Do you recognize the person that
18 you see in the photo?

19 A No, I don't.

20 Q Okay. Please take a look and review that
21 exhibit.

22 A Okay.

23 Q Having reviewed group exhibit four, did it
24 refresh your recollection about an arrest of Milton
25 Delaney that you participated in?

1 A No, it did not.

2 Q Did you review the affidavit of Mr. Delaney?

3 A Yes.

4 Q And, do you have any basis on which to dispute
5 that affidavit?

6 A Like I stated earlier, like I said, I never
7 observed any of the allegation, but other than that, no.

8 Q Okay. You don't know, either way, whether
9 Sergeant Watts approached Mr. Delaney as described in
10 the affidavit, right?

11 A No.

12 Q Okay. You can put that to the side. Do you
13 know who Cleon Glover is?

14 A Yes, that name sounds familiar.

15 Q Okay. And other than it sounding familiar, do
16 you know why it rings bell or anything about that
17 person?

18 A No.

19 Q Okay. Do you have an independent recollection
20 of arresting Mr. Glover?

21 A No, I don't.

22 Q Okay. If you can look at the next group
23 exhibit, it'll be group exhibit five. There should be a
24 photo on the third page. I want you to take a look at
25 the photo, please.

(EXHIBIT 5 MARKED FOR IDENTIFICATION)

MR. ZECCHIN: Do you want him to review the entire packet, or you want him to just look at the photo for now?

Q Just look at the photo for now. Just let me know if you recognize that person.

A He looks a little familiar.

Q Okay. Other than that, does it refresh your recollection at all as to who Mr. Glover is?

A No.

Q Okay. Go ahead and review the rest of that exhibit. And then, I'll ask you some questions about it. Okay. Having reviewed Exhibit 5, did it refresh your recollection about an arrest of Mr. Glover that you participated in?

A No, it did not.

Q The vice case report describes a custodial search that you did of Mr. Glover. Do you have any recollection of doing that?

A No, I don't.

Q Okay. The -- there's a signature for you on the vice case report. Can you tell me if that is, in fact, your signature?

A No, it's not.

Q No, it's not?

1 A No, it's not.

2 Q Okay. If you gave someone else permission to
3 sign your name, would you review the vice case report
4 narrative to make sure it was accurate?

5 A Yes, I would read -- I would read the vice
6 case report, the vice report, and if I gave a person
7 authority to sign my names, yes.

8 Q Okay. So you would've read this, but you just
9 didn't sign it?

10 A Yes.

11 Q Okay. Did you review the affidavit of
12 Mr. Glover?

13 A Yes.

14 Q And do you have any basis on which to dispute
15 it?

16 A Like I stated earlier, not when -- not having
17 to witness any of these allegation. Other than that,
18 no.

19 Q Okay. You don't know either way whether
20 Sergeant Watts was on scene for Mr. Glover's arrest,
21 right?

22 A No, I don't recall that.

23 Q Okay. You can put that exhibit to the side.
24 Do you know who Sydney Harvey is?

25 A No, I don't.

1 Q Do you have an independent recollection of the
2 arrest of Mr. Harvey?

3 A No, I don't.

4 Q Okay. Please take a look at the group exhibit
5 related to Mr. Harvey, which we'll mark as Group Exhibit
6 6, and let me know when you've had a chance to review
7 it.

8 (EXHIBIT 6 MARKED FOR IDENTIFICATION)

9 A Okay.

10 Q Okay. Having reviewed Group Exhibit 6, did
11 that refresh your recollection about the arrest of Mr.
12 Harvey?

13 A No, it did not.

14 Q Do you know what your role in the arrest was?

15 A No, I don't.

16 Q Okay. And you're listed as an assisting
17 arresting officer, right?

18 A That's correct.

19 Q Can you describe some of the things that an
20 assisting arresting officer would do?

21 A There's various way to be assisting. Could
22 have been a guard officer. I could have transported. I
23 could have done inventories. I could have done
24 complaints. Could have done search in the station with
25 their personal property. Custodial search. Or stand

guard while they're being processed for the arrest.

Q Okay. And did you review the affidavit of Mr. Harvey?

A Yes.

Q Do you have any basis on which to dispute the allegations in his affidavit?

A Like I stated earlier, that I have -- I have never witnessed any of the allegations stated on here. No.

Q Okay. For this arrest, it describes officers rushing into the building or rushing into the lobby. Can you describe when your TAC team would rush in or run into the lobby?

MR. ZECCHIN: Objection to the form; incomplete hypothetical. You can answer.

A I mean, it all depends. Sometimes, we walk in. Sometimes, we run in. But I can't tell you the situation when that would happen. It's just all different.

Q Okay. What does it depend on, whether you rush into the lobby and chase people or not?

A It all depends. I mean, if you know they're going to run, you move a little quicker. But if you know you could sneak in and sneak at them, then you'll sneak in and walk slowly and try to be discreet.

1 Q Okay. Did you ever see Watts pull a baggy of
2 drugs out of his clothing, as described in this
3 affidavit?

4 A No, I did not.

5 Q Okay. You can put that exhibit to the side.
6 Do you know who Brian Hunt is?

7 A No, I don't.

8 Q Do you have an independent recollection of
9 arresting or participating in the arrest of Mr. Hunt?

10 A No, I don't.

11 Q Okay. If you can take a look at the next
12 exhibit, there should be a photo contained there. I
13 just want you to start by looking at the photo to see if
14 you recognize the person depicted there. This will be
15 Group Exhibit 7, please.

16 (EXHIBIT 7 MARKED FOR IDENTIFICATION)

17 A No, it doesn't --

18 Q Okay. Please take a look at the reports in
19 that exhibit, and I'll ask you some questions about it.

20 A Okay.

21 Q Okay. Did reviewing Group Exhibit 7 refresh
22 your recollection about the arrest of Brian Hunt?

23 A No, it did not.

24 Q And do you know what your role in the arrest
25 was?

1 A No, I don't.

2 Q Okay. Do you know someone named Deonta Smith?

3 A No, I -- that's -- that name does not sound
4 familiar.

5 Q Okay. Did you review the affidavit of
6 Mr. Hunt?

7 A Yes, I did.

8 Q Do you have any basis on which to dispute it?

9 A Like I stated earlier, not having witnessed
10 any of the allegation. Other than that, no.

11 Q Okay. Did you ever witness Sergeant Watts
12 tell an arrestee that he was going to put drugs on the
13 arrestee, as described in this affidavit?

14 A No.

15 Q Okay. You can put that group exhibit aside,
16 please. Do you know who Zarice Johnson is?

17 A No, I do not.

18 Q Okay. Do you know someone named Maurice
19 Harris?

20 A No. No, I don't.

21 Q And do you have any independent recollection
22 of arresting Zarice Johnson?

23 A No, I don't.

24 Q Okay. Do you know anyone named Willie
25 Johnson?

1 A Willie Johnson? No.

2 Q Okay. He used a wheelchair at Ida B. Wells.
3 Do you have any recollection of someone who lived there
4 who used a wheelchair?

5 A I believe there was one person, but I couldn't
6 tell you his name. I don't remember his name.

7 Q Okay. Do you remember anything else about
8 him, the person who used the wheelchair?

9 A No.

10 Q Okay. Do you know someone named Gwendolyn
11 Johnson?

12 A No, I don't.

13 Q Okay. Tony, if you can pass him the next
14 exhibit, it'll be Group Exhibit 8. Sir, please go ahead
15 and review this.

16 (EXHIBIT 8 MARKED FOR IDENTIFICATION)

17 A Okay.

18 Q Okay. Having reviewed Group Exhibit 8, did
19 that refresh your recollection about an arrest of Zarice
20 Johnson?

21 A No, it did not.

22 Q And according to the exhibit, you were part of
23 two arrests of Mr. Johnson, right?

24 A Yes.

25 Q And you don't remember the 2006 or the 2008

1 arrest, right?

2 A No.

3 Q Okay. Looking at the vice case report, the
4 2008 arrest, can you verify if that's your signature?

5 A No, that's not my signature.

6 Q Okay. Do you know whether or not you gave
7 someone permission to sign your name?

8 A Yes, I would have.

9 Q Okay. And would that have been Officer
10 Nichols?

11 A Most likely, yes.

12 Q Okay. So your testimony is that you would
13 review the narrative of the vice case report and then
14 tell him he could sign your name, right?

15 A Yes.

16 Q Is there any reason why you wouldn't just sign
17 your own name?

18 A I can't think of a reason. I might have been
19 busy or something else. Or I read it earlier, and then
20 I just forgot to sign it, and when they asked me, "Did
21 you read the case report?" And I said, "Yes, I'm just --
22 sign for me."

23 Q Okay. Did you ever sign for other officers?

24 A I'm pretty sure I have.

25 Q Okay. And would you ever indicate in any way

1 that you were signing for someone else, like putting
2 your initials or any other indication on the report that
3 you were signing for someone else?

4 A I wouldn't sign it the way I signed it, my own
5 signature. I would more likely so you could read the
6 name out.

7 Q Okay. So you might sign it a little bit
8 differently than your --

9 A Handwriting. Yes.

10 Q Okay. Other than that, would you include any
11 indication that you were signing for someone else?

12 A I don't remember if I have or not.

13 Q Okay. And did you review the affidavit for
14 Mr. Johnson?

15 A Yes.

16 Q Did you ever witness Sergeant Watts go into
17 the upper levels of Ida B. Wells above the lobby and
18 come back down with drugs, as described in that
19 affidavit?

20 A No.

21 Q Okay. Did you ever see Sergeant Watts or any
22 other officer tell someone that they -- if they would
23 give information, they wouldn't be arrested?

24 A No.

25 Q You never saw that?

1 A No.

2 Q Okay. Did you ever tell anyone that?

3 A No, I don't.

4 Q Okay. And do you have any basis on which to
5 dispute what's contained in this affidavit?

6 A Like I said earlier, not having witnessed any
7 of the allegation on this affidavit. No.

8 Q Okay. You can put that exhibit to the side. I
9 want to talk to you about Derrick Lewis. Do you know
10 who that is?

11 A The name does not sound familiar.

12 Q Okay. Do you have any independent
13 recollection of participating in an arrest of Derrick
14 Lewis in 2007?

15 A No, I don't.

16 Q Do you know who Cierra Clark is?

17 A That name does not sound familiar.

18 Q What about Ciana or Qiana Clark?

19 A No, it doesn't sound familiar.

20 Q Do you know who Sandra Clark is?

21 A That name sounds a little bit familiar.

22 Q Okay. Other than the name sounding familiar,
23 do you have any other association or information about
24 Sandra Clark?

25 A No.

1 Q Did you know a Sandra Clark that you associate
2 in your mind with Ida B. Wells?

3 A I believe there was a Sandra Clark in Ida B.
4 Wells, but to say to point her out, that's Sandra Clark,
5 no.

6 Q Okay. Do you know who Amanda Parker is?

7 A Amanda Parker? Name sounds familiar.

8 Q Okay. Other than the name sounding familiar,
9 do you have any other information or association for
10 Amanda Parker?

11 A I believe she might have lived in Well -- in
12 the Wells. But other than that, no.

13 Q Can you describe her?

14 A No, I cannot.

15 MS. KLEINHAUS: Okay. Tony, if you can pass
16 him the Derrick Lewis exhibit, it'll be Group
17 Exhibit 9.

18 (EXHIBIT 9 MARKED FOR IDENTIFICATION)

19 MR. FLAXMAN: Sorry, Tess, which one is this.
20 I'm sorry.

21 MS. KLEINHAUS: This is Group Exhibit 9. It's
22 the Derrick Lewis exhibit.

23 MR. FLAXMAN: Lewis. Thank you.

24 MS. KLEINHAUS: Yep.

25 COURT REPORTER: I'm sorry. Just for the

1 record, who asked which exhibit it was? I didn't
2 catch that.

3 MR. FLAXMAN: That's Joel Flaxman.

4 COURT REPORTER: Perfect. Thank you.

5 MR. ZECCHIN: I have it. I'll hand it over to
6 Mr. Leano.

7 BY MS. KLEINHAUS:

8 Q Thanks. Sir, just take a look at Group
9 Exhibit 9 and let me know when you're through with it.

10 A Okay.

11 Q Okay. Having reviewed Group Exhibit 9, did it
12 refresh your recollection about the arrest of Derrick
13 Lewis in 2007?

14 A No, it did not.

15 Q According to the reports, you were the second
16 arresting officer. Is that right?

17 A Yes.

18 Q And you were working with -- or working as
19 Gonzalez's partner that day. Is that right?

20 A From what I'm looking at, it looked like his
21 three-man car.

22 Q Okay. And who were the three people for that
23 car?

24 A It would be -- that would be Gonzalez, myself,
25 and Officer Nichols.

1 Q And was it fairly common when you were part of
2 the 264 team for the three of you to be in a three-man
3 car together?

4 MR. ZECCHIN: Objection to form in the word
5 common. You can answer.

6 A It all depends. If my partner's off, I could
7 ride with Officer Gonzalez and his partner or someone
8 else's.

9 Q Who was officer Gonzalez's regular partner?

10 A That would be Officer Bolton.

11 Q Okay. And you reviewed the affidavit of
12 Mr. Lewis, correct?

13 A Correct.

14 Q Okay. Do you know whether or not Officer
15 Gonzalez beat up Derrick Lewis?

16 A No, I did not witness that.

17 Q Okay. You don't know either way whether that
18 happened, right?

19 A No.

20 Q Having reviewed the affidavit, do you have any
21 basis on which to dispute it?

22 A Like I stated earlier, not having witnessed
23 any of the allegation, no.

24 Q Okay. And if you look at the vice case report
25 in that group exhibit, you didn't sign that report,

1 right?

2 A Yes, it look like it wasn't signed.

3 Q Okay. Why would you not sign a vice case
4 report?

5 A Might have been mistake, or someone didn't
6 catch it, that no one signed it.

7 Q Okay. If you didn't sign it, does that mean
8 that you didn't review the narrative section of the
9 report?

10 A No, that doesn't mean we didn't review it. We
11 just mistakenly not signed it.

12 Q Okay. You can put that exhibit to the side.

13 MS. KLEINHAUS: I'd like to take just a short
14 five-minute break.

15 MR. ZECCHIN: Sure.

16 COURT REPORTER: We are going off the record at
17 11:54.

18 (OFF THE RECORD)

19 COURT REPORTER: We are back on the record for
20 the deposition of Manuel Leano, being conducted by
21 video conference. My name is Chloe Gilbert, and
22 today is the 26th day of January 2022. The time is
23 now 12:02 p.m.

24 BY MS. KLEINHAUS:

25 Q Sir, do you know who Willie Martin is?

1 A The name does sound familiar.

2 Q Okay. Other than the name sounding familiar,
3 do you know anything about Mr. Martin?

4 A No, I don't.

5 Q Do you have an independent recollection of
6 participating in two arrests of Mr. Martin in 2006?

7 A I don't.

8 MS. KLEINHAUS: Okay. Tony, if you can hand
9 him, there should be an August -- set of August
10 reports for Martin, and maybe we can call -- it'll
11 be Group exhibit 10.

12 (EXHIBIT 10 MARKED FOR IDENTIFICATION)

13 MR. ZECCHIN: You said for the August arrest,
14 correct?

15 MS. KLEINHAUS: Yes. Yes, please.

16 BY MS. KLEINHAUS:

17 A Want me to look at it?

18 Q Yes, please.

19 A Thank you.

20 Q Okay. Have you reviewed the August 2006
21 reports?

22 A I have.

23 Q And you were the first arresting officer for
24 that arrest, right?

25 A Yes.

1 Q What does it mean for you to be the first
2 arresting officer?

3 A It means you're the officer that would be
4 testifying in court in the prelim.

5 Q Okay. Does it mean that you're the officer
6 who observed what's contained in the narrative section
7 of the report?

8 A Yes. I would've been the officer that
9 observed, but my partner could also have observed it,
10 just a different vantage point, or --

11 Q Okay. And according to the narrative section
12 of this report, you personally found drugs on
13 Mr. Martin, correct?

14 A Found drugs?

15 MR. ZECCHIN: This is the August 18th, 2006
16 arrest you're talking about?

17 Q Yes.

18 A Are we talking about the same arrest? August
19 18th, 2006?

20 Q Yes. The August arrest of 2006. You're the
21 first arresting officer, right?

22 A Yes.

23 Q And you're the one who performed the custodial
24 search?

25 A Yes.

1 Q And you were the one who wrote the there
2 section of the case report, right?

3 A That's correct.

4 Q Okay. And did reviewing your reports refresh
5 your recollection about the arrest of Mr. Martin in
6 August of 2006?

7 A No, it did not.

8 Q Okay. And looking at the vice case report, do
9 you see your signature there?

10 A Yes. That's not my signature.

11 Q That is not your signature?

12 A No.

13 Q Okay. Do you know-

14 MR. ZECCHIN: I'm sorry, Tess, just for the
15 record, this isn't a vice case report. It's a
16 general -- case report.

17 A That's why I was confused when you asked me
18 that I found narcotics. There was no narcotics found.

19 Q Oh, I'm sorry. So there -- I'm sorry. There
20 should also be a vice case report for this arrest. Maybe
21 it's separate somehow.

22 A Yeah. Because I'm looking at the criminal
23 trespass, so --

24 Q Okay. I'm sorry.

25 MR. ZECCHIN: Is there a question pending,

1 Tess? I don't know if you think there's one, but I
2 didn't hear one.

3 MS. KLEINHAUS: Is there -- there should be a
4 vice case report for this arrest. That's in the
5 same packet. If you don't see it, I'll just put it
6 up on the screen. Would that be helpful?

7 MR. ZECCHIN: Yeah, there's not one in the
8 packet that I've printed up from we started.

9 BY MS. KLEINHAUS:

10 Q Okay. Hold on. Okay, sir. Are you able to
11 see a vice case report on the screen?

12 A Yes.

13 Q Okay. Take a moment to look at it, and just
14 let me know when you're ready, and I'll scroll down.
15 Okay?

16 A Is there a way you could make it little
17 bigger?

18 Q Sure. Is that a weight that might be too
19 much?

20 A Yeah, that's too much.

21 Q How about that? Is that any better? Let me
22 see if I can get it a little bit more centered. How's
23 that?

24 A Okay.

25 MR. ZECCHIN: Hey Tess, can I just for the

1 record, I think we're talking about the exact same
2 report, but if you look at the upper corner, it's
3 kind of a blocked from what you have on the screen.
4 It's a called a general offense case report. I
5 don't know if there's --

6 Q Oh, I see. I'm sorry. I think I just called
7 it the wrong thing then. So if you have a -- if you
8 have a paper version for the general offense case
9 report, why don't you take a look at that?

10 A Yeah, I looked at it.

11 Q Okay. So looking at the bottom of the general
12 offense case report, is that your signature?

13 A No, it's not.

14 Q Okay. Do you know who signed for you?

15 A Most likely, it would be officer Nichols.

16 Q Okay. And why do you think most likely it
17 would be Officer Nichols?

18 A He's the second arresting officer. So more
19 likely, he would've asked me if he could sign for me,
20 but I would've already read it because I'm the one I
21 would've typed it.

22 Q Okay. So you typed the narrative portion of
23 the report, right?

24 A Yes.

25 MS. KLEINHAUS: Okay. Tony, can you hand him

1 the next exhibit, which would be the September 2006
2 arrest? And that'll be exhibit 11.

3 (EXHIBIT 11 MARKED FOR IDENTIFICATION)

4 A Okay.

5 Q Okay. Having reviewed the September 2006 vice
6 case report for Willie Martin, did it refresh your
7 recollection about that arrest?

8 A No, I did not.

9 Q Do you know what your role was for that
10 arrest?

11 A No, I don't.

12 MS. KLEINHAUS: Okay. There should be two
13 items, Tony, related to Go Leather Jefferson, a
14 photo, and a report. Could you hand those to
15 Mr. Leano, and we'll mark that as group exhibit 12?

16 MR. ZECCHIN: Sure. So you want these two
17 together as group exhibit 12, the arrest report, and
18 the mugshot with the other photo?

19 MS. KLEINHAUS: Yes, please.

20 (EXHIBIT 12 MARKED FOR IDENTIFICATION)

21 BY MS. KLEINHAUS:

22 Q Okay. Having reviewed that exhibit, do you
23 recognize the person depicted in the photo there?

24 A Yes.

25 Q Okay. And who do you recognize that to be?

1 A I believe they call him Colors down there.

2 Q Okay. That's his nickname?

3 A Yes.

4 Q Okay. And what do you know about Colors
5 besides that?

6 A When he was down there they usually buys drugs
7 and then on occasion would sell them.

8 Q Is there anything else that you know about him

9 A Other than that, no.

10 Q Okay. Did you review the report contained in
11 that exhibit?

12 A I did.

13 Q Okay. Do you have a recollection of that
14 arrest?

15 A No, I don't.

16 MS. KLEINHAUS: Okay. Tony, the next exhibit
17 is a CR from Willie Martin, which we'll mark as
18 exhibit 13, please. I'm sorry, it's a portion of a
19 CR. It's allegations from a CR.

20 (EXHIBIT 13 MARKED FOR IDENTIFICATION)

21 MR. ZECCHIN: Can I put exhibits 10, 11, and 12
22 to the side for now?

23 MS. KLEINHAUS: Yes. Thanks.

24 MS. DOI: Tess, this is Katherine Doi. What is
25 that document called that you're referring to? Is it

1 the Willie Martin at affidavit?

2 MS. KLEINHAUS: There are CR allegations. Let
3 me read you the first portion of it.

4 MR. ZECCHIN: What is this, the first page of
5 this document you're asking about, look like?

6 MS. KLEINHAUS: You know what? I think it was
7 not sent. I'm sorry. I'll just show it on the
8 screen. Hang on.

9 MS. DOI: Okay, thanks.

10 MR. ZECCHIN: And is this going to be exhibit
11 13?

12 MS. KLEINHAUS: I think that the -- yes, it's
13 going to be exhibit 13. Yes.

14 MR. KOSOKO: Hey Tess, can you -- can you give
15 the Bates on that?

16 MS. MCGRATH: Yeah, I'm just going to ask that.
17 Is there Bates number on it?

18 MS. KLEINHAUS: So I'm about to share this on
19 the screen. The Bates is City BG016047. And the
20 second page is 048.

21 MR. KOSOKO: Thank you.

22 MS. MCGRATH: Thank you.

23 BY MS. KLEINHAUS:

24 Q Okay, Mr. Leano, are you able to see that on
25 your screen?

1 A Yes.

2 Q Okay. Why don't you review the top portion?
3 When you're ready, let me know, and I'll scroll down.
4 Okay?

5 A Okay. Okay. Okay. Could you scroll up a
6 little bit up just a little bit?

7 Q Sure. Keep going?

8 A No, that's fine.

9 Q Okay.

10 A Could you scroll down?

11 Q Yes.

12 A A little bit up.

13 Q Say that again?

14 A Go up a little bit, just a little bit.

15 Q How's that?

16 A Okay. Okay.

17 Q Okay. Having had a chance to review those
18 allegations. Have you ever seen that document before?

19 A I don't recall if I have or not.

20 Q Okay. Were you ever interviewed by OPS or any
21 other department within the city of Chicago with regard
22 to those allegations?

23 A I don't recall if I have not -- if I have or
24 not.

25 Q Okay. As you sit here today, do you have any

1 independent recollection of knowing that Willie Martin
2 filed a complaint against you from the 2006 arrest?

3 A No, I don't.

4 Q Sir. Are you familiar with an area called
5 Lake Grove Village?

6 A Lake Grove Village? No.

7 Q Okay. Did you ever take any arrestees to an
8 area at 38th in Cottage Grove?

9 A I don't recall. I don't believe so.

10 Q Okay. You should have -- an affidavit from
11 Mr. Martin. Do you see that, Tony?

12 MR. ZECCHIN: I do.

13 MS. KLEINHAUS: Okay. If you can, hand that to
14 him, please.

15 MR. ZECCHIN: Will this be exhibit 14?

16 MS. KLEINHAUS: Yes.

17 (EXHIBIT 14 MARKED FOR IDENTIFICATION)

18 MR. KOSOKO: I'm sorry. Can I have a five-
19 minute break, please? I'll be right back while Mr.
20 Leano reviews the document.

21 MS. KLEINHAUS: Sure.

22 MR. KOSOKO: Thanks.

23 COURT REPORTER: Did you all want to go off the
24 record?

25 MR. ZECCHIN: It doesn't matter to me.

MS. KLEINHAUS: Sure, let's go off the record.

And when Ahmed is back, we'll go back off.

COURT REPORTER: Sure. Going off the record at
12:23 p.m.

(OFF THE RECORD)

COURT REPORTER: You're back on the record at
12:25 p.m.

BY MS. KLEINHAUS:

**Q Sorry, I was on mute. Do you have a chance to
review exhibit 14, the affidavit of Mr. Martin?**

A I have.

**Q And do you have any basis on which to dispute
it?**

**A Like I stated earlier, not having witnessed
any of the allegation, no.**

Q Do you know who Darnell Martin is?

A No, I don't.

**Q Okay. You can put that exhibit to this side,
please. Do you know someone named Anthony Mays?**

**A Anthony Mays? No. That name doesn't
something familiar.**

**Q Okay. Did you know anyone at the Wells who
had the nickname Ant Dog?**

A Ant Dog? No, Ant-Lo, but not Ant Dog.

Q Can you say the name you did know?

1 A Ant-Lo. Ant-Lo?

2 Q Ant-Lo? Yes. Okay. But not Ant Dog, right?

3 A No.

4 Q Okay. Do you have an independent recollection
5 of having arrested Anthony Mays in 2006?

6 A No, I don't.

7 MS. KLEINHAUS: Okay. Tony, if you can hand
8 him the vice case report for Anthony Mays, it'll be
9 exhibit 15.

10 (EXHIBIT 15 MARKED FOR IDENTIFICATION)

11 MR. ZECCHIN: I have a whole pack of documents
12 with him. It starts with an arrest report. Do you
13 want me to hand the whole thing? Not just the vice
14 case?

15 MS. KLEINHAUS: Yes. The whole thing. Thanks.

16 BY MS. KLEINHAUS:

17 A Okay.

18 Q Okay. Having reviewed that exhibit, have any
19 recollection of the arrest of Anthony Mays in six?

20 A No, I don't.

21 Q Okay. Do you know what your role in the
22 arrest was?

23 A No, I don't.

24 Q Okay. You can put that exhibit to the side.
25 Do you know who Octayvia McDonald is?

1 A The name sounds familiar.

2 Q Okay. Other than the name sounding familiar,
3 is there anything else that you know about in Octayvia
4 McDonald?

5 A I believe she might have lived in that
6 complex. Ida B. Wells.

7 Q Okay. Do you know whether you think that from
8 preparing for your deposition in this -- in these
9 proceedings versus your own memory?

10 A My own memory.

11 Q Okay. Why do you think that you recall her?

12 A Just the name. The name sounds familiar.

13 Q Okay. Do you have any recollection of any
14 interactions that you had with Octayvia McDonald?

15 A No, I don't.

16 Q Okay. Do you know someone named Natayvia
17 McDonald?

18 A Natavia McDonald? No, I don't.

19 MS. KLEINHAUS: Okay. Tony, if you can hand
20 him the McDonald exhibit, please,

21 MR. ZECCHIN: Will this be exhibit 16 then?

22 MS. KLEINHAUS: Yes.

23 (EXHIBIT 16 MARKED FOR IDENTIFICATION)

24 BY MS. KLEINHAUS:

25 Q Yes. There should be a photo included in that

1 exhibit. Can you take a look and tell me if you
2 recognize the person depicted there?

3 A No, I don't. I wouldn't be able to put the
4 name with a face.

5 Q Okay. Go ahead and review the rest of that
6 exhibit please.

7 A Okay.

8 Q Having reviewed group exhibit 16, did it
9 refresh your recollection about an arrest of Octayvia
10 McDonald that you participated in?

11 A No, I did not.

12 Q Do you have any idea what your role in the
13 arrest was?

14 A No, I don't.

15 Q Okay. Did you review Ms. McDonald's
16 affidavit?

17 A Yes, I did.

18 Q Okay. Do you have any basis on which to
19 dispute it?

20 A Like I stated earlier, not having witnessed
21 any of the allegation, no.

22 Q Okay. You can put that to the side. Do you
23 know who Andre McNairy is?

24 A No, I don't.

25 Q Okay. Do you have an independent recollection

1 of participating in Mr. McNairy's arrest? And so
2 September of 2008?

3 A I don't.

4 MS. KLEINHAUS: Okay. Tony, if you can hand in
5 the next exhibit, which would be -- that's exhibit
6 17.

7 (EXHIBIT 17 MARKED FOR IDENTIFICATION)

8 A Okay.

9 Q Having reviewed group exhibit 17, did it
10 refresh your recollection about the arrest of
11 Mr. McNairy in September of 2008?

12 A No, I did not.

13 Q You're listed as the second arresting officer,
14 correct?

15 A Correct.

16 Q Do you know what, if any portion of the
17 narrative -- or I'm sorry, start again, please.

18 Do you know -- based on the fact that you're
19 the second arresting officer, do you know whether or not
20 you actually witnessed any criminal activity?

21 A Most likely, I would have, as I'm Officer
22 Nichols' partner.

23 Q And why do you say most likely you would have?

24 A I probably would've just had a different
25 vantage point from Officer Nichols.

1 Q Okay. And why do you believe, as the second
2 arresting officer, you would have a different vantage
3 point?

4 A For the most part, we were in the same car,
5 probably looking -- you know, most likely looking at the
6 same thing or -- just a different vantage point.

7 Q Okay. Do you know, either way, whether you
8 witnessed any criminal activity for this arrest of
9 Mr. McNairy?

10 A My independent recollection, no, I couldn't
11 say I had. Just based on the report.

12 Q Okay. And having looked at the mugshot that's
13 included in this exhibit, do you recognize the person
14 depicted there?

15 A No, I don't.

16 Q Okay. You can put that exhibit to the side.

17 Do you know who James Moore is?

18 A James Moore? That name does not sound
19 familiar.

20 Q Okay. Do you have an independent of
21 participating in his arrest in November 2005?

22 A No, I don't.

23 MS. KLEINHAUS: Okay. Tony, if you could
24 please hand him the next group exhibit, it'll be
25 Group Exhibit 18.

(EXHIBIT 18 MARKED FOR IDENTIFICATION)

A You want to look at the picture first?

Q Yes, please.

A Okay.

Q Do you recognize the person depicted there?

A No, I don't.

Q Okay. If you can review the arrest report and vice case report, please.

A Okay.

Q Okay. Did reviewing that exhibit refresh your recollection about the arrest of James Moore?

A No, it did not.

Q Do you know what your role in that arrest was?

A No, I don't.

Q And did you review Mr. Moore's affidavit?

A Yes.

Q Do you have any basis on which to dispute it?

A Like I stated earlier, having not witnessed any of the allegation, no.

Q Okay. You can put that to the side. Do you know who Cordero Payne is?

A No, I don't. That name does not sound familiar.

MS. KLEINHAUS: Okay. Tony, if you can hand him the next exhibit, it'll be Group Exhibit 19,

1 please.

2 (EXHIBIT 1 MARKED FOR IDENTIFICATION)

3 Q And go ahead and review that exhibit, please,
4 sir. Okay. Having reviewed Group Exhibit 19, did it
5 refresh your recollection about the arrest of Cordero
6 Payne?

7 A No, it did not.

8 Q Do you know what your role in that arrest was?

9 A No, I don't.

10 Q And did you review the affidavit of Mr. Payne?

11 A I did.

12 Q Do you have any basis on which to dispute it?

13 A Like I stated earlier, not having witnessed
14 any of the allegation, no.

15 Q You can put that to the side. Do you know who
16 Mr. Lucky Pearson is?

17 A That name does sound familiar.

18 Q Okay. What do you know about Mr. Pearson?

19 A Mr. Pearson, I believe he lived in The Wells
20 and one of the guys that used to sell drugs down there.

21 Q And why do you believe that he was one of the
22 guys who used to sell drugs down there?

23 A Like I stated earlier, from the other officer
24 and from the citizens in Ida B. Wells.

25 Q Okay. You don't have any recollection of any

1 officer or any citizen ever giving you information about
2 Mr. Pearson, right?

3 A No.

4 Q You don't know, specifically, who the source
5 of that information would've been?

6 A No.

7 Q And you don't have any memory of when you
8 received it?

9 A No.

10 Q And you don't know whether or not it's
11 accurate, right?

12 A That's correct.

13 Q Okay. Do you know who Latrice Harris is?

14 A No, I don't.

15 Q What about Vanessa King?

16 A That name does not sound familiar.

17 Q What about Sondra Cartwright?

18 A That name does sound familiar.

19 Q Okay. Other than Ms. Cartwright's name
20 sounding familiar, do you know anything about her?

21 A No, I don't.

22 MS. KLEINHAUS: Okay. Tony, if you could
23 please hand him next exhibit, it'll be Group Exhibit
24 20.

25 (EXHIBIT 20 MARKED FOR IDENTIFICATION)

1 Q There should be a photo included in that
2 exhibit. Can you take a look and see if you recognize
3 the person depicted there?

4 A He looks familiar, yes.

5 Q He looks familiar?

6 A Yes.

7 Q Okay. And do you recognize him to be
8 Mr. Pearson?

9 A Actually, I wouldn't be able to put the face
10 to the name.

11 Q Okay. If you can, go ahead and review the
12 rest of the exhibit, please.

13 Okay. Have you had a chance to review that
14 exhibit related to Mr. Pearson?

15 A I have.

16 Q And did it refresh your recollection about
17 your participation in his arrest?

18 A No, it did not.

19 Q Okay. You were listed as the attesting
20 officer, right?

21 A That's correct.

22 Q What does it mean to be the attesting officer?

23 A The one who would be attesting to the arrest
24 report.

25 Q Okay. What does it mean to attest to the

1 **arrest report?**

2 A That means making sure that the facts are true
3 and accurate to the incident.

4 Q And what would you do to determine whether the
5 facts included were true and accurate?

6 A Well, if it was my own arrests, that would be
7 with my own perception, me seeing it. If it was another
8 officer's arrests, speaking to that officer of what
9 happened, and he would relay those details and facts to
10 me.

11 Q Okay. And you would take those steps before
12 you would sign as the attesting officer, right?

13 A Yes.

14 Q Okay. Did you review Mr. Pearson's affidavit?

15 A I did.

16 Q And do you have any basis on which to dispute
17 it?

18 A Like I stated earlier, not having witnessed
19 any of the allegation, no.

20 Q Okay. Now you can put that exhibit to the
21 side.

22 Do you know who Lapon Thompson is?

23 A That name does not sound familiar.

24 Q Okay. Did you know anyone at the Ida B Wells
25 complex with the nickname Duck?

1 A No, I don't.

2 Q Did you know anyone at Ida B. Wells with the
3 name Sioban Thompson?

4 A No, I don't.

5 Q Okay. Do you have an independent recollection
6 of participating in the arrest of Mr. Thompson?

7 A No, I don't.

8 MS. KLEINHAUS: Okay. If you can hand him the
9 next exhibit, it'll be Group Exhibit 21.

10 (EXHIBIT 21 MARKED FOR IDENTIFICATION)

11 Q Should be a photo on the first page. Just
12 take a look and see if you recognize that person.

13 A No, he does not look familiar.

14 Q Okay. Go ahead and review the rest of the
15 exhibit, please.

16 A Okay.

17 Q Okay. Having reviewed the reports related to
18 Mr. Thompson's arrest, did it refresh your recollection
19 at all about it?

20 A That would be no. But also, I don't even see
21 my name on any of these documents.

22 Q Okay. Give me one second.

23 Okay. Do you have a vice case report included
24 in your exhibit?

25 A It says original case report. It looked like

1 it's computer-generated.

2 Q Okay. If you look towards the end of that
3 exhibit, it should be pages like 10 and 11 should be a
4 vice case report. Do you see that?

5 A Yeah, yeah, yeah. Yeah, there's a vice report
6 on here.

7 Q Okay. If you look on the second page of the
8 vice case report, do you see yourself listed under
9 assisting units?

10 A Oh, okay. Yes. I didn't see that. Yes.

11 Q Okay. Based on that, do you agree that you
12 were a participant in this arrest?

13 A Yes.

14 Q Okay. And do you know what your role in this
15 arrest was?

16 A No, I don't.

17 Q Okay. Did you review Mr. Thompson's
18 affidavit?

19 A I did.

20 Q Do you have any basis on which to dispute his
21 affidavit?

22 A Like I stated earlier, not having witnessed
23 any of the allegation, no.

24 Q Okay. You can put that to the side. Do you
25 know who Alvin Waddy is?

1 A That name does not sound familiar.

2 Q Do you have any independent recollection of
3 participating in an arrest of Mr. Waddy?

4 A I don't.

5 MS. KLEINHAUS: Okay. Tony, if you can hand
6 him the next exhibit, please. It'll be Group
7 Exhibit 22.

8 (EXHIBIT 22 MARKED FOR IDENTIFICATION)

9 MR. ZECCHIN: And Tess, just for the record,
10 this is the case that you filed in state court,
11 correct?

12 MS. KLEINHAUS: That's right.

13 MR. ZECCHIN: Okay. So this questioning is
14 going to pertain to the allegations made in the
15 state court case, correct?

16 MS. KLEINHAUS: Yes.

17 MR. ZECCHIN: Okay. Thank you.

18 BY MS. KLEINHAUS:

19 Q There should be a photo of -- included in the
20 arrest report. Can you take --

21 A Do you want me to look at that first?

22 Q Yes, please.

23 A Okay -- does not look familiar.

24 Q Okay. Please go ahead and review the reports
25 included in that. Okay. Having reviewed that exhibit,

1 did it refresh your recollection about the arrest of
2 Mr. Waddy?

3 A No, it did not.

4 Q Do you know what your role was in that arrest?

5 A I don't.

6 Q And did you review his affidavit?

7 A I did.

8 Q And do you have any basis on which to dispute
9 it?

10 A Like I stated earlier, not having witnessed
11 any of the allegation, no.

12 MS. KLEINHAUS: Okay. Let's take another short
13 five-minute break, please.

14 COURT REPORTER: Okay. We're going off the
15 record at 1:00 p.m.

16 (OFF THE RECORD)

17 COURT REPORTER: We are back on the record for
18 the deposition of Manuel Leano being conducted by
19 video conference. My name is Chloe Gilbert. Today
20 is the 26th day of January 2022, and the time is now
21 1:06 p.m.

22 BY MS. KLEINHAUS:

23 Q Sir, do you know who Lionel White Jr. is?

24 A That name does sound familiar.

25 Q It does sound familiar?

1 A Yeah.

2 Q Do you have an independent recollection of
3 participating in his arrest?

4 A No, I don't.

5 MS. KLEINHAUS: Okay. Tony, if you can hand
6 him the White Jr exhibit, it should be Group Exhibit
7 22 -- I'm sorry, 23.

8 (EXHIBIT 23 MARKED FOR IDENTIFICATION)

9 MR. ZECCHIN: Yeah, just give me one second,
10 please.

11 MS. KLEINHAUS: Sure. I'm sorry. Has he been
12 handed the weekly exhibit already?

13 MR. ZECCHIN: No, he hasn't. I didn't know if
14 you were going out of order, or --

15 MS. KLEINHAUS: Okay. No, I just screwed up.
16 I'll go back to it.

17 MR. ZECCHIN: Okay. So you want me to still
18 hand him Lionel White Jr as Exhibit 23?

19 MS. KLEINHAUS: Yes, please. Thanks.

20 BY MS. KLEINHAUS:

21 A Okay.

22 Q Okay. Having reviewed Group Exhibit 23, did
23 it refresh your recollection about the arrest of Lionel
24 White Jr?

25 A No, it did not.

1 Q Okay. Did you recognize the person depicted
2 in the photos in the exhibit?

3 A No, I don't.

4 Q And did you review Mr. White's affidavit?

5 A I did.

6 Q Do you have any basis on which to dispute his
7 affidavit?

8 A Like I stated earlier, not having witnessed
9 any of the allegation, no.

10 Q Okay. You can put that exhibit to the side.

11 MS. KLEINHAUS: If you can hand him the weekly
12 documents. We'll mark that as Group Exhibit 24,
13 please.

14 (EXHIBIT 24 MARKED FOR IDENTIFICATION)

15 Q Sir, do you know who Isaac Weekly is?

16 A Weekly sounds familiar. The name Weekly.

17 Q Okay. And other than the name sounding
18 familiar, do you know anything about Isaac Weekly?

19 A Isaac Weekly? No, I don't.

20 Q Do you have an independent recollection of
21 participating in his arrest?

22 A No, I don't.

23 Q Okay. Take a look at the exhibit, please.

24 A Do you want me to look at the picture first,
25 or?

1 Q Yes, please.

2 A No, he does not look familiar.

3 Q Okay. Go ahead and look at the reports.

4 Having reviewed Group Exhibit 24, did it refresh your
5 recollection about the arrest of Isaac Weekly?

6 A No, it did not.

7 Q And do you know what your role in the arrest
8 was?

9 A No, I don't.

10 Q Did you review Mr. Weekly's affidavit?

11 A I did.

12 Q And do you have any basis on which to dispute
13 it?

14 A Like I stated earlier, not having witnessed
15 any other allegation. No.

16 Q Okay. You can put that to the side. Do you
17 know who Kim Wilbourn is?

18 A The last name? Wilbourn sounds familiar.

19 Q Okay. Do you know of Vondell Wilbourn?

20 A Vondell? Doesn't sound familiar.

21 Q Okay. Do you have an independent recollection
22 of participating in the arrest of Kim Wilbourn?

23 A No, I don't.

24 MS. KLEINHAUS: Okay. Tony, if you can hand
25 him the next packet, we'll mark it as Group Exhibit

1 25.

2 (EXHIBIT 25 MARKED FOR IDENTIFICATION)

3 Q Okay. Have you had a chance to review Group
4 Exhibit 25?

5 A Yeah. Yes.

6 Q And did reviewing it refresh your recollection
7 about your participation in the arrest of Kim Wilbourn?

8 A No, it did not.

9 Q You're the second -- listed as the second
10 arresting officer for this arrest, right?

11 A Yes.

12 Q Can you look at the signature on the vice case
13 report and tell me if that's your signature?

14 A No, it's not.

15 Q Okay. Do you know who signed your name on the
16 vice case report?

17 A I would assume officer Nichols.

18 Q The narrative section refers to AOs. Do you
19 see that part?

20 A Yes.

21 Q And that refers to arresting officers, right?

22 A Yes.

23 Q And that would include you, right?

24 A That would be correct, yes.

25 Q So the narrative describes what you supposedly

1 saw, right?

2 A That would be correct, yes.

3 Q Okay. And you would've reviewed the narrative
4 before you gave officer Nichols permission you to sign
5 your name, right?

6 A That would be correct, yes.

7 Q Okay. Did you review the affidavit of Kim
8 Wilbourn?

9 A I did.

10 Q And do you have any basis on which to dispute
11 it?

12 A Like I stated earlier, not having witnessed
13 any of the allegation, no.

14 Q Okay. You can put that to the side. Do you
15 know who Martez Wise is?

16 A That name does not sound familiar.

17 Q Okay. Do you have an independent recollection
18 of participating in any arrests of Mr. Wise?

19 A I don't.

20 MS. KLEINHAUS: Okay. Tony, if you can hand
21 him the exhibit related to the 2006 Wise arrest,
22 please?

23 (EXHIBIT 26 MARKED FOR IDENTIFICATION)

24 Q There should be a photo included there. Can
25 you take a look and see if you recognize the person in

1 the photo?

2 A The photo does not look familiar to me.

3 Q It does not? He does not look familiar?

4 A No, he does not.

5 Q Okay. Go ahead and review the reports from
6 the 2006 arrest.

7 MS. DOI: Tess, this is Kathryn Doi. Just for
8 clarity, this is Leano Group 26, correct?

9 MS. KLEINHAUS: You got it.

10 MS. DOI: Or -- just Leano 26?

11 MS. KLEINHAUS: Yes, Group 26. That's right.

12 MS. DOI: Group 26. Okay. Thanks.

13 MS. KLEINHAUS: Sure.

14 BY MS. KLEINHAUS:

15 A Okay.

16 Q Okay. Having reviewed Group Exhibit 26, did
17 it refresh your recollection about the 2006 arrest of
18 Martez Wise?

19 A No, it did not.

20 Q Do you know what your role in that arrest was?

21 A I don't.

22 Q Okay. You can put that exhibit to the side.
23 Do you know who Deon Willis is?

24 A Deon Willis? Their name does not sound
25 familiar.

1 Q Okay. In your time on the Watts 264 team, did
2 you ever observe Sergeant Watts to smoke cigars?

3 A To smoke cigars? On occasion, yes.

4 Q Anybody else on the team smoke cigars?

5 A I believe officer Jones and officer Smith.

6 Q Did you ever know anyone on the team to
7 gamble?

8 A To gamble? Not that I'm aware of.

9 Q Okay. Did anyone on the team have a drinking
10 problem that you knew of?

11 A Not that I'm aware of.

12 Q Okay. Do you recall being part of an arrest
13 of Deon Willis and Martez Wise in 2008?

14 A No, I don't.

15 MS. KLEINHAUS: Okay. Tony, if you could hand
16 him the next packet, it'll be Group Exhibit 27.

17 (EXHIBIT 27 MARKED FOR IDENTIFICATION)

18 A You want me to look at his picture first, or -
19 -

20 Q You can review that whole packet.

21 A Okay. Okay.

22 Q Okay. Having reviewed Group Exhibit 27, did
23 it refresh your recollection about being involved in the
24 arrests of Deon Willis and Martez Wise in 2008?

25 A No, I don't.

1 Q Do you know what your -- what you did as an
2 assisting arresting officer?

3 A I don't.

4 Q If you look at the Willis arrest report, do
5 you recognize the person depicted in the photo there?

6 A Willis arrest report?

7 Q Yes.

8 A Deon Willis?

9 Q Yes.

10 A Looks familiar. Yes.

11 Q He does look familiar?

12 A Yeah.

13 Q Okay. So there was --

14 A But I wouldn't be able to put the name to the
15 face, though, but the face is familiar.

16 Q Do you recall anything about him?

17 A No.

18 Q Did you review the report related to Hasan
19 Potts?

20 A Yes.

21 Q Did you recognize the person depicted in that
22 report?

23 A No, I don't.

24 Q Did you review the affidavits of Mr. -- or I'm
25 sorry, strike that, please. Did you review the

1 affidavit of Mr. Willis?

2 A Yes, I did.

3 Q Do you have any basis on which to dispute it?

4 A The affidavit concerning September 20, 2002. I
5 wasn't even on team -- on a team yet.

6 Q Okay. And the affidavit goes on to describe
7 the arrest in 2008, right?

8 A Not having witnessed any of the allegation,
9 no.

10 Q Okay. So you can't dispute the portions of
11 the affidavit that relate to the arrest in 2008, right?

12 A Not having witnessed any of the allegation,
13 no.

14 Q Okay. And did you review the affidavit for
15 Mr. Wise?

16 A Yes.

17 Q And do you have any basis on which to dispute
18 that?

19 A Like I stated, not having witnessed any of the
20 allegation, no.

21 Q Okay.

22 Let's take another short break, just a couple
23 of minutes. I think I'm about done.

24 MR. ZECCHIN: Okay, great.

25 COURT REPORTER: Here, we're going off the

1 record at 1:28 p.m.

2 (OFF THE RECORD)

3 COURT REPORTER: We are back on the record for
4 the deposition of Manuel Leano, being conducted by
5 video conference. My name is Chloe Gilbert. Today
6 is the 26th day of January 2022, and the time is now
7 1:35 p.m.

8 BY MS. KLEINHAUS:

9 Q Sir, you testified earlier that you believe
10 you've participated in four or five interviews with
11 COPA. Do you recall that testimony?

12 A Yes.

13 Q Okay. And did I understand you correctly that
14 all of those interviews have been since the police
15 oversight organization has been under the name COPA? Is
16 that right?

17 A I believe so, but it could be before the name
18 also.

19 Q Okay. Well, when you told me it was four or
20 five interviews, were you including times that you
21 talked to like IPRA or OPS, or not?

22 A I know I talked to them when they were used to
23 be IPRA and OPS, it but doesn't pertain to this, to this
24 cases, though.

25 Q Okay. So the four or five interviews that you

1 had with regard to the Watts 264 team have been in the
2 last couple of years, right?

3 A I believe so, yes.

4 Q Okay. And as far as you know, those have with
5 COPA, right?

6 A That would be correct, yes.

7 Q Okay.

8 Those are the only questions I have right now.
9 I'll turn it over to Joel or anyone else who wants to
10 follow up.

11 MR. FLAXMAN: And Tony, are you there on the --

12 MR. ZECCHIN: Yeah.

13 MR. FLAXMAN: Can hear you?

14 MR. ZECCHIN: Yeah, you can hear me on --

15 MR. FLAXMAN: Okay. Let's go off the record
16 for a sec. I'm sorry.

17 MR. ZECCHIN: Sure.

18 (OFF THE RECORD)

19 COURT REPORTER: We are back on the record.

20 EXAMINATION

21 BY MR. FLAXMAN:

22 Q All right. Good morning and good afternoon.
23 My name is Joel Flaxman. Can you see me and hear me all
24 right?

25 A Yes.

1 Q Okay. I also represent plaintiffs in this
2 case. I'm going to ask you just a few questions today,
3 and we'll come back tomorrow, and I'll have some more
4 questions for you. Do you understand that?

5 A Okay.

6 Q Okay. I asked your attorney and you to locate
7 Exhibit 11. Do you have that in front of you?

8 MR. ZECCHIN: Yes, he does.

9 A Yes, I do.

10 Q Okay. And that's the vice case report dated
11 September 12th, 2006?

12 A Yes.

13 Q It's for the arrest of Willie D. Martin and
14 somebody who's -- who's listed as C-O-L-E-A-T-H-E-N
15 Jefferson?

16 A Yes. That might be a G, but it's spelled C on
17 there. Yeah.

18 Q Oh, okay. And it does look like a C. It
19 might be a G. Sure. I thank you for that. And this
20 vice case report lists Mr. Martin and Mr. Jefferson
21 because they were arrested together. Is that right?

22 A Yes. That would be correct.

23 Q Okay. If they were arrested in separate
24 places, would they be on the same vice case report?

25 A If they was arrested in separate places or

1 separate incident?

2 Q Oh, okay.

3 A If it's one incident, it could be in the same
4 -- the same case report.

5 Q Okay. So one incident could lead to arrests
6 at two different locations?

7 A Yes.

8 Q So it's not the locations that's -- that
9 determines who goes on report, it's the incident,
10 correct?

11 A It's the incident. Let's say I arrested
12 someone in this location. He runs away. I catch him a
13 block away. That's one incident in two different
14 locations.

15 Q And so when more than one person is involved
16 in an incident and is arrested, they would go on the
17 same vice case report?

18 A That would be correct, yes.

19 Q Is there ever a time where multiple people
20 involved in the same incident would not be on a report
21 together?

22 A If there were caught a lot later in time, they
23 might not be in the same, you know, case report.

24 Q Okay.

25 A Let's say someone run, but you know who they

1 are, and they will catch half an hour later. That might
2 be on a different, you know -- might be on a sub. Might
3 not be -- not in the same case support.

4 Q Okay. But if two people were arrested
5 together at the same time as part of the same incident,
6 you'd expect them to be on the same report?

7 A That would be correct, yes.

8 Q Now, the other exhibit, which was marked as
9 Exhibit 12, is an arrest report and a mugshot, right?

10 A That was -- yeah, that's correct.

11 Q And the arrest report is for someone named
12 Goleather Jefferson, is that right?

13 A Yes.

14 Q Okay. And for the court reporter's benefit,
15 I'm going to spell that, G-O-L-E-A-T-H-E-R. Did I spell
16 that right?

17 A That's what's spelled on that arrest report,
18 yes.

19 Q Okay. I should have said, did I read it
20 right? I don't expect you to know how to spell
21 Mr. Jefferson's name. And I believe you said that that
22 name was familiar to you, is that right?

23 A The face is familiar because his nickname, I
24 believe, is Color.

25 Q Okay. And I believe you said that you had

1 heard that he was somebody who bought drugs at the Ida
2 B. Wells and on occasion would sell them. Is that
3 right?

4 A Yes. That was correct, yes.

5 Q Okay. Do you recall from whom you heard that?

6 A That I couldn't tell you.

7 Q Okay. Do you recall if it was another officer
8 or if it was a citizen?

9 A Could have been both, but I couldn't tell you
10 the name of the citizen or the name of the officer.

11 Q Sure. And do you have any recollection of
12 this arrest of Mr. Jefferson?

13 A No, I don't.

14 Q All right. Do you have any recollection of
15 any other arrests of Mr. Jefferson?

16 A No, I don't.

17 Q And aside from what's in these reports about
18 this arrest, do you have any personal information about
19 this arrest of Mr. Jefferson?

20 A No, I don't.

21 Q When you were -- when Ms. Kleinhaus was
22 questioning you, I believe you said that it your
23 practice when you were the second arresting officer to
24 review the report before it was finalized, is that
25 right?

1 A Whether I was the first or the second, I was
2 always -- well, excuse me. I was -- I will always
3 review the case report when I'm the second or first.

4 **Q Okay. Were you usually the one who drafted it**
5 **when you were the first reporting officer?**

6 A The most part, if you're the arresting --
7 first arresting officer, you would be the person that
8 would draft it.

9 **Q Okay. If you --**

10 A Majority of the -- there is certain incident
11 where the second arresting officer might draft.

12 **Q And was the attesting officer different from**
13 **the first arresting officer ever?**

14 A That all depends. Let's say I do the
15 headings. I put in my credential, so I'm the only one
16 that could attest to that arrest report. Like the
17 generic headings: the location where he was arrested,
18 the name, the date, all that stuff. Then I would leave
19 the narrative for the officer, the first arresting
20 officer, to input. Then I would -- I would talk to him,
21 "Is everything correct, truthful?" Then I would attest
22 it for him since I logged in with my credential.

23 **Q I see. And when you say log in with your**
24 **credential, you mean using the computer, right?**

25 A Yes.

1 Q And the arrest report that we have been
2 looking at for Mr. Jefferson, which is part of Exhibit
3 12, is -- that's an arrest report that comes from the
4 computer. Is that right?

5 A It looks like it, yes.

6 Q Okay. And what about the vice case report
7 that's Exhibit 11, is that made by a computer, or is
8 that done on a typewriter?

9 A That's -- this is done in a typewriter.

10 Q Okay.

11 A That's done in --

12 Q That's the -- okay. Do you recall when you
13 stopped using typewriters?

14 A That I couldn't tell. Maybe -- I'm guessing
15 here. '08, '09.

16 Q Okay. And did you continue using something
17 called a vice case report at that time, or was it a
18 different kind of report?

19 A It depends. For narcotics, it's usually the
20 vice case report. Other type of crime, like battery
21 robbery, it would be in a general case report.

22 Q And when you were listed as an assisting
23 officer on a report, was it your practice to review the
24 report before it was finalized?

25 A You don't have to, but if I'm an assisting, I

1 usually look over it too.

2 Q Okay.

3 A Especially if they hand me something I'm
4 doing. You know, let's say I recovered the narcotics,
5 but I'm assisting. Yeah, I would look over it.

6 Q Okay. And is that something you would ask to
7 do, or would you expect the officer writing up the
8 report to ask you to review?

9 A I mean, once they're done, I don't have to
10 ask. I can look at it --

11 Q And how would you --

12 A Since I'm part of the arresting.

13 Q Okay. How would you go about looking at it?

14 A I would say, "Are you done with the report? Do
15 you mind if I look at it?"

16 Q Okay. And is that something you would do
17 every time?

18 A Not necessarily every time, but most of the
19 time, yes.

20 Q And just so I -- most of the time, when you
21 were an assisting officer, you would ask to review the
22 report?

23 A I would be asked? No. I would -- I wouldn't
24 be asked, but I would --

25 Q No. I'm sorry that I misspoke. Most of the

1 time that you were an assisting officer, you would ask
2 to review the report. Is that right?

3 A Yeah. I might ask. Yeah. "Let me look at
4 the -- you mind if I look at the arrest report?"

5 Q Is that something you would do most of the
6 time or just some of the time?

7 A It depends. Maybe half and half.

8 Q Okay. Okay. I don't have any questions for
9 you today. Like I said, I'll have more exhibits and
10 some questions tomorrow. I'll turn it over to any other
11 lawyers on the call who have questions for you. Thanks
12 for your time today.

13 A Thank you.

14 MR. ZECCHIN: I can go last. I just have one
15 or two questions, but if anybody else wants to
16 first, they're welcome to do so.

17 MS. DOI: I have no questions on -- Mohammed.

18 MR. KOSOKO: I just have a question.

19 CROSS EXAMINATION

20 BY MR. KOSOKO:

21 Q Officer Leano, in regards to these allegations
22 of Sergeant Watts arriving after the arrest to throw
23 drugs on the table during your entire time on the 294
24 team, do you ever recall anything like that?

25 MS. KLEINHAUS: Objection to form.

1 A From my recollection, no.

2 Q And do you recall incidents where you arrested
3 someone based upon Sergeant Watts' probable cause?

4 A No.

5 Q Do you have any recollection during your time
6 on the 264 tac team of having probable cause to arrest
7 someone for a felony drug charge and Sergeant Watts
8 instructing you not to?

9 A No.

10 MR. KOSOKO: No further questions.

11 CROSS EXAMINATION

12 BY MR. ZECCHIN:

13 Q Officer Leano, you were asked about affidavits
14 that were produced in this case. Do you remember those
15 questions?

16 A Yes.

17 Q Is it accurate to say that you never observed
18 any of the wrongful conduct that was listed in the
19 affidavit you were asked about today?

20 A That would be correct.

21 MR. ZECCHIN: I have no other questions.

22 MS. KLEINHAUS: All right. I think we're all
23 through. We can go off the record.

24 COURT REPORTER: We are going off the record at
25 1:49 p.m.

(DEPOSITION CONCLUDED AT 1:49 P.M.)

1 CERTIFICATE OF REPORTER

2 STATE OF ILLINOIS

3
4 I do hereby certify that the witness in the foregoing
5 transcript was taken on the date, and at the time and
6 place set out on the Title page hereof, by me after
7 first being duly sworn to testify the truth, the whole
8 truth, and nothing but the truth; and that the said
9 matter was recorded by me and then reduced to
10 typewritten form under my direction, and constitutes a
11 true record of the transcript as taken, all to the best
12 of my skill and ability. I certify that I am not a
13 relative or employee of either counsel and that I am in
14 no way interested financially, directly or indirectly,
15 in this action.

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20
21

22 CHLOE GILBERT,

23 COURT REPORTER/NOTARY

24 MY COMMISSION EXPIRES: 12/20/2022

25 SUBMITTED ON: 03/11/2022