

EXHIBIT 1

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

LIONEL WHITE,	)	
	)	
Plaintiff,	)	Honorable Sharon Johnson Coleman
	)	Magistrate Judge Sheila Finnegan
v.	)	
	)	Case No.: 17-cv-02877
CITY OF CHICAGO, RONALD WATTS,	)	
PHILLIP CLINE, DEBRA KIRBY, ALVIN	)	JURY DEMANDED
JONES, ELSWORTH SMITH, JR., KALLATT	)	
MOHAMMED, MANUEL LEANO, BRIAN	)	
BOLTON, ROBERT GONZALEZ, AND	)	
DOUGLAS NICHOLS,	)	
	)	
Defendants.	)	

**DEFENDANT RONALD WATTS' ANSWERS TO
PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANT WATTS**

Defendant, Ronald Watts, by and through his attorneys, Johnson & Bell, Ltd., and for his Answers to Plaintiff's First Set of Interrogatories to Defendant Watts, herein states as follows:

1. State your full name, month and year of birth, and place of birth.

ANSWER: Ronald Watts, born in July of 1963 in Chicago, Illinois.

2. List each high school, college, university, graduate school, trade or technical school which you have attended and your dates of attendance in each and what degree or certificate, if any, you received from such institution.

ANSWER: Ronald Watts attended Westinghouse High School in Chicago, Illinois, graduating in 1981. Following high school, Defendant Watts enrolled and attended Illinois State University from 1981 to 1983. He did not obtain a certificate or degree from Illinois State University. Additionally, Defendant Watts attended Lincoln College in Normal, Illinois in 1983 but did not receive a certificate or degree. Defendant Watts attended Calumet College from 2003 to 2005 and obtained a Bachelor's Degree in Law Enforcement Management in 2005. He also attended Calumet College from 2010 to 2013 and obtained a Master's Degree in Public Safety Administration.

3. Did you ever serve in the military? If so, State
 - a. rank;
 - b. serial number;

- c. branch of service;
- d. approximate dates of entry and discharge;
- e. type of discharge, whether honorable or otherwise, and if for medical reasons, state and describe the medical disability with reasonable specificity; and
- f. whether you were ever the subject of any disciplinary proceedings in the military service, and if so, describe the nature and state the outcome of such proceedings

ANSWER: Yes. Defendant Watts served in the US Army from 1983 to 1986 and the US Army reserves from 1986 to 1994. His rank was an “E4 Specialist” and was Honorably Discharged. Defendant Watts does not recall ever being the subject of any disciplinary proceedings while serving in the United States Army.

4. Identify each of your employers, in chronological order, starting with your graduation from high school and including all current and part time employment. In your answer include the following:

- a. the name and address of each employer
- b. the date you began such employment
- c. a general description of your job duties
- d. the date of termination of said employment;
- e. a general description of your job duties at the time of said termination; and
- f. the reason for your termination

ANSWER: Defendant objects to this interrogatory as being overly broad, unduly burdensome, and calling for a narrative answer that is better suited for a discovery deposition. Notwithstanding and without waiving these objections, Defendant Watts worked for Metaphysics Incorporated in Chicago, Illinois from 1987 to 1994. During that time he worked as a nuclear medicine transporter, a pharmacy assistant, and a pharmacy technician. He left Metaphysics after being hired by the Chicago Police Department in January of 1994. Following his attendance at the police academy he was assigned to the Seventh District as a patrolman in June of 1994. In the early part of 1995, Defendant Watts was transferred to the Second District where he remained until he was named Sergeant in May of 2000. He worked in the Fifteenth District as a Patrol Sergeant for approximately a year before being transferred to Public Housing South in 2001. Defendant Watts became a Tactical Sergeant in Public Housing South in 2003. When the Public Housing South unit was dissolved in approximately 2005, Defendant Watts became a Tactical Sergeant in the Second District where he remained until he retired.

5. Have you ever been the subject of any disciplinary proceedings, including but not limited to citizen complaints to the Police Department of the City of Chicago, which resulted in the imposition of any disciplinary action, including but not limited to a written or verbal warning, suspension, or reassignment?

ANSWER: Defendant objects to this interrogatory as being overly broad and unduly burdensome and irrelevant. Notwithstanding and without waiving these objections and subject to the Confidentiality Order entered by this Court, see attached Employee Complaint History from CRMS, Bates Watts - 000001-000002, Pre-2000 Mainframe

Complaint Register History, Bates Watts -000003, and the Five Year Employee Complaint Register History, Bates Watts 000004 as well as documents produced by the City of Chicago in *Baker v. City of Chicago et al.*, 1:16-v-08940, Bates City BG 55, 69, 85, 86, and 23865-23867. Investigation Continues.

6. Describe any awards, recognitions, or commendations, you have received in the course of your employment as a Chicago police officer.

ANSWER: Defendant objects to this interrogatory as being overly broad and unduly burdensome and irrelevant. Notwithstanding and without waiving these objections and subject to the Confidentiality Order entered by this Court, see attached Employee Compliment History, Bates Watts – 000005.

7. During the time you have worked as a Chicago police officer, did you ever apply for a promotion to a high paying position over your present rank? Unless your answer is an unqualified “no,” state, for each position applied to, the name of the position, the date you applied for the promotion, and the result of your application.

ANSWER: Defendant is not currently employed as a Chicago Police officer. In answering further, while employed as a Chicago Police Officer, Defendant Watts took the Sergeant’s test prior to being named sergeant in 2003.

8. Have you ever been a party, whether plaintiff or defendant in any lawsuit? If so, state:
- a. the court in which filed;
 - b. the year filed;
 - c. the title and docket number of said case; and
 - d. the outcome of said case

ANSWER: Defendant objects to this interrogatory as being overbroad, unduly burdensome and irrelevant. Notwithstanding and without waiving these objections, Defendant Watts is currently named as a defendant in the following lawsuits pending in the Northern District of Illinois: *Baker v. City of Chicago et al.*, 1:16-v-08940 - filed on September 15, 2016, *Powell v. City of Chicago et al.*, 1:17-cv-05156- filed on July 12, 2017, and *Carter v. City of Chicago et al.*, 1:17-cv-07241 – filed on October 6, 2017. In answering further, the electronic docket for the Northern District of Illinois indicates that Ronald Watts was a defendant in the following lawsuits: *Cartwright v. City of Chicago, et al.*, 1:09-cv-04298, *McCambry v. Baily et al.*, 1:11-cv-07450, and *Brown v. City of Chicago, et al.* 1:04-cv-07265. Investigation Continues.

9. Have you ever been arrested, irrespective of whether or not the arrest has been expunged or sealed and irrespective of whether or not the arrest was made while you were a juvenile? If so, please state for each such arrest:

- a. the date and place of arrest;
- b. the arresting authority and names of arresting officers;
- c. whether any criminal charges were filed in connection with the arrest, and if so, the jurisdiction and disposition of the arrest;

- d. whether the records of the arrest have been expunged or sealed.

ANSWER: Defendant objects to this interrogatory as being overly broad and unduly burdensome and irrelevant. Notwithstanding and without waiving these objections, yes. Defendant Watts was arrested by the Federal Bureau of Investigation on February 12, 2012 and charged in the Northern District of Illinois under Title 18, United States Code, Sections 641 and 2. The records of the arrest have not been expunged or sealed. In answering further, Defendant Watts was arrested on November 18, 1984 and charged with interference with the police. Upon information and belief, this case was dismissed and expunged prior to Defendant Watts joining the Chicago Police Department.

10. Have you ever been interviewed (either in person, by telephone, or through any other means) by any law enforcement officer in connection with the investigation of any alleged wrongdoing, whether on your part or on the part of another? If so, state for each such interview:

- a. the date and place of the interview;
- b. the interviewing authority and name of the interviewing person or persons;
- c. the subject matter of the interview; and
- d. whether you were advised of any constitutional or statutory rights prior to or during the interview, and if so, the nature of the advice.

ANSWER: Defendant objects to this interrogatory as vague, ambiguous, overly broad, not sufficiently limited in time or scope, and not reasonably calculated to lead to the discovery of relevant or admissible evidence. Notwithstanding and without waiving these objections, Defendant Watts was detained and interviewed by agents of the Federal Bureau of Investigation following his arrest on February 12, 2012. In answering further, over the course of his career, Defendant Watts was “interviewed” on more than one occasion by investigators from the City of Chicago regarding various citizen complaints made against him or against other officers.

11. At any time, did Plaintiff make any statements (written, oral, or otherwise) to you or to anyone in your presence? If so, state:

- a. the nature, substance, and description of any such statement, setting forth verbatim any oral statement and providing any written or other recording, or setting forth the contents thereof verbatim, or if you cannot recall the statement verbatim, setting forth its contents as completely and accurately as possible;
- b. the identity of each person present when each such statement was made; and
- c. the nature, substance, and description of any statement you made to plaintiff, setting forth verbatim such oral statement(s) and providing any written or other recording, or setting forth the contents thereof verbatim, or if you cannot recall the statement(s) verbatim, setting forth its substantive contents as completely and accurately as possible.

ANSWER: Defendant objects to this interrogatory as being vague, overly broad, unduly burdensome and not sufficiently limited in time or scope. Notwithstanding and without waiving these objections, not that Defendant Watts recalls.

12. Which, if any, of the police reports identified below contain false or inaccurate statements? For each such false or inaccurate statement, identify the statement, state the manner in which the statement is false or inaccurate, and state what the true or accurate statement should be.

- a. Arrest Report, LIONEL WHITE 00368-00370
- b. Vice Case Report, LIONEL WHITE 00371-00372
- c. Inventory Sheet, LIONEL WHITE 00078-00081
- d. Tactical Response Report, LIONEL WHITE 00067

ANSWER: On the advice of Counsel, Defendant has been advised to assert and invoke, and hereby does assert and invoke, his privilege against self-incrimination and the protections guaranteed by the Fifth Amendment of the United States Constitution.

13. Does the transcript of your statement regarding Plaintiff's complaint, LIONEL WHITE 00138, contain false or inaccurate statements? If yes, identify each such statement, state the manner in which the statement is false or inaccurate, and state what the true or accurate statement should be.

ANSWER: On the advice of Counsel, Defendant has been advised to assert and invoke, and hereby does assert and invoke, his privilege against self-incrimination and the protections guaranteed by the Fifth Amendment of the United States Constitution.

14. Describe with reasonable specificity your conduct during, immediately preceding, and immediately following the arrest of plaintiff on April, 24, 2006.

ANSWER: On the advice of Counsel, Defendant has been advised to assert and invoke, and hereby does assert and invoke, his privilege against self-incrimination and the protections guaranteed by the Fifth Amendment of the United States Constitution.

15. Have you ever planted drugs or guns on a person, seen another police officer plant drugs or guns on a person, and/or directed another police officer to plant drugs or guns on a person? if so, for each incident, state:

- a. the full names and star numbers of all officers involved;
- b. the full name of the person on who drugs or guns were planted;
- c. the date, time, and location of the incident; and
- d. the complete nature of the actions that you and any other police officer took in the incident.

ANSWER: On the advice of Counsel, Defendant has been advised to assert and invoke, and hereby does assert and invoke, his privilege against self-incrimination and the protections guaranteed by the Fifth Amendment of the United States Constitution.

16. Are you aware that you will be personally responsible for the payment of any award of punitive damages that may be made against you in this lawsuit?

ANSWER: Defendant objects to this interrogatory, to the extent that it calls for information protected by the attorney client privilege. Notwithstanding and without waiving these objections, Defendant is aware that Plaintiff is seeking punitive damages as alleged in his Complaint, and is aware that punitive damages are generally paid by individual defendants themselves.

17. Do you own or do you have any interest in real property? Unless you answer is an unqualified “no,” state the location of any such property, the name or names in which the title is held, and the nature of your interest.

ANSWER: Defendant objects to this interrogatory in that it is overbroad and premature. Defendant will supplement this response in accordance with all appropriate scheduling orders and once it is determined whether evidence of financial status will be presented at trial.

18. Do you own any cash or checking or savings accounts? Unless your answer is an unqualified “no,” state the total value of the items owned and state, for each checking or savings account:

- a. the name of the financial institution the account is in;
- b. the type of account; and
- c. the present balance and the highest balance in the preceding 12 month period;

ANSWER: Defendant objects to this interrogatory in that it is overbroad and premature. Defendant will supplement this response in accordance with all appropriate scheduling orders and once it is determined whether evidence of financial status will be presented at trial.

19. Do you own any marketable securities such as stocks, bonds, or United States Government Bonds? Unless your answer is an unqualified “no,” for each security:

- a. the type of security
- b. the number of shares held (if applicable); and
- c. the present market value of the security.

ANSWER: Defendant objects to this interrogatory in that it is overbroad and premature. Defendant will supplement this response in accordance with all appropriate scheduling orders and once it is determined whether evidence of financial status will be presented at trial.

20. List the persons, if any, who are dependent on you for their support and state your relationship to any such person or persons.

ANSWER: Defendant objects to this interrogatory in that it is overbroad and premature. Defendant will supplement this response in accordance with all appropriate scheduling orders and once it is determined whether evidence of financial status will be presented at trial.

21. State your 10-year salary history.

ANSWER: Defendant objects to this interrogatory in that it is vague, ambiguous, overbroad and premature. Defendant will supplement this response in accordance with all appropriate scheduling orders and once it is determined whether evidence of financial status will be presented at trial.

22. Have you signed any financial statement or statements in the past 10 years? Unless your answer is an unqualified “no,” state for each financial statement:

- a. Date prepared;
- b. Entity to which the financial statement was submitted;
- c. Reason for submission of the statement;
- d. Whether you have access to a copy of such statement;

ANSWER: Defendant objects to this interrogatory in that it is vague, ambiguous, overbroad and premature. Defendant will supplement this response in accordance with all appropriate scheduling orders and once it is determined whether evidence of financial status will be presented at trial.

23. Identify any financial assets not described already and state their value.

ANSWER: Defendant objects to this interrogatory in that it is vague, ambiguous, overbroad and premature. Defendant will supplement this response in accordance with all appropriate scheduling orders and once it is determined whether evidence of financial status will be presented at trial.

24. If you refused to answer any portion of any interrogatory based on your assertion of your rights under the Fifth Amendment, state the basis for each invocation of those rights.

ANSWER: Defendant objects to this interrogatory on the basis that it is vague and confusing. Defendant further objects to the extent that this interrogatory calls for a legal conclusion. Notwithstanding and without waiving this objection, on information and belief, Defendant Watts and others are being investigated by the Cook County State’s Attorney’s Office.

JOHNSON & BELL, LTD.

By: /s/ Kevin A. Pacini
One of the attorneys for Defendant Watts

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CERTIFICATE OF SERVICE

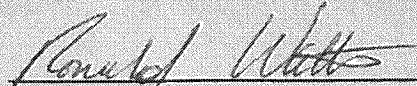
I, Kevin A. Pacini, an attorney, hereby certify that on March 2, 2018, I served a copy of the foregoing, Defendant Watts's Answers to Plaintiff's First Set of Interrogatories, to all counsel of record via email.

Dated: March 2, 2018

/s/ Kevin A. Pacini

VERIFICATION

The undersigned, being first duly sworn on oath, deposes and states that he is a defendant in the above-captioned matter, and that he has read the foregoing document and the Answers to Plaintiff's First Set of Interrogatories to Defendant Ronald Watts made herein are true, correct and complete to the best of his knowledge and belief.



Ronald Watts

EXHIBIT 2

Report Date: 24-MAR-2017
 Report Time: 18:17:09
 Produced By: Information Services
 Division
 Run By: PC0E124

Chicago Police Department Employee Assignment / Detail History WATSON, RODERICK S - Emp# 17208



CHANGE DATE	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CODE	UNIT DETAILED	DETAIL EFFECTIVE DATE	DETAIL END DATE
04-NOV-1996		POLICE OFFICER	9161	04-NOV-1996		044 RECRUIT TRAINING SECTION	04-NOV-1996	08-OCT-1997				
09-OCT-1997	14718	POLICE OFFICER	9161	04-NOV-1996		005 DISTRICT 005	09-OCT-1997	26-MAY-1999				
27-MAY-1999	14718	POLICE OFFICER	9161	04-NOV-1996		018 DISTRICT 018	27-MAY-1999	07-JAN-2004				
08-JAN-2004	14718	POLICE OFFICER	9161	04-NOV-1996		193 GANG INVESTIGATION DIVISION	08-JAN-2004	30-APR-2005				
01-MAY-2005	868	SERGEANT OF POLICE	9171	01-MAY-2005		003 DISTRICT 003	01-MAY-2005	25-MAY-2005				
26-MAY-2005	868	SERGEANT OF POLICE	9171	01-MAY-2005		003 DISTRICT 003	26-MAY-2005	29-MAR-2006				
30-MAR-2006	868	SERGEANT OF POLICE	9171	01-MAY-2005		189 NARCOTICS DIVISION	30-MAR-2006	10-OCT-2015				
11-OCT-2015	868	SERGEANT OF POLICE	9171	01-MAY-2005		009 DISTRICT 009	11-OCT-2015		A			
31-JAN-2016	868	SERGEANT OF POLICE	9171	01-MAY-2005		009 DISTRICT 009	11-OCT-2015			142 BUREAU OF PATROL	31-JAN-2016	



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Report Date: 24-MAR-2017
 Report Time: 18:17:43
 Produced By: Information Services
 Division
 Run By: PC0E124

Chicago Police Department

Employee Assignment / Detail History

WATTS, RONALD - Emp# 55618



CHANGE DATE	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CODE	UNIT DETAILED	DETAIL EFFECTIVE DATE	DETAIL END DATE
18-JAN-1994		POLICE OFFICER	9161	18-JAN-1994		044 RECRUIT TRAINING SECTION	18-JAN-1994	04-JAN-1995				
05-JAN-1995	3406	POLICE OFFICER	9161	18-JAN-1994		002 DISTRICT 002	05-JAN-1995	24-MAY-2000				
25-MAY-2000	2640	SERGEANT OF POLICE	9171	25-MAY-2000		015 DISTRICT 015	25-MAY-2000	28-FEB-2001				
01-MAR-2001	2640	SERGEANT OF POLICE	9171	25-MAY-2000		715 PUBLIC HOUSING SOUTH	01-MAR-2001	10-NOV-2004				
11-NOV-2004	2640	SERGEANT OF POLICE	9171	25-MAY-2000		002 DISTRICT 002	11-NOV-2004					



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EXHIBIT 3

Report Date: 11 May 2017
Report Time: 0935 Hrs

Produced by
Public Safety Information Technology
Data Warehouse

Chicago Police Department
Employee Assignment / Detail History
JONES, ALVIN



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
JONES, ALVIN	18-Mar-1996			POLICE OFFICER	9161	18-Mar-1996		044	RECRUIT TRAINING SECTION	18-Mar-1996	26-Feb-1997					
JONES, ALVIN	21-Aug-1996		19462	POLICE OFFICER	9161	18-Mar-1996		044	RECRUIT TRAINING SECTION	18-Mar-1996	26-Feb-1997					
JONES, ALVIN	27-Feb-1997		19462	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	27-Feb-1997	13-Oct-1999					
JONES, ALVIN	14-Oct-1999		19462	POLICE OFFICER	9161	18-Mar-1996		153	MOBILE STRIKE FORCE SPECIAL FUNCTIONS SUPPORT UNIT	14-Oct-1999	26-Apr-2000					
JONES, ALVIN	27-Apr-2000		19462	POLICE OFFICER	9161	18-Mar-1996		715	PUBLIC HOUSING SOUTH	27-Apr-2000	10-Nov-2004					
JONES, ALVIN	11-Nov-2004		19462	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	14-Dec-2012		19462	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	14-Dec-2012		1791	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	16-Dec-2012		1791	SERGEANT OF POLICE	9171	16-Dec-2012		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	19-Dec-2012		1791	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012						
JONES, ALVIN	04-Aug-2013		1791	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	04-Aug-2013	26-Oct-2013
JONES, ALVIN	25-Oct-2013		815	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	04-Aug-2013	26-Oct-2013
JONES, ALVIN	27-Oct-2013		815	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012			412	AREA SOUTH DEPUTY CHIEF - BUREAU OF PATROL	27-Oct-2013	08-Mar-2014

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Report Date: 11 May 2017
Report Time: 0935 Hrs

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Chicago Police Department
Employee Assignment / Detail History
JONES, ALVIN



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
JONES ALVIN	08-Jun-2014		815	SERGEANT OF POLICE	9171	18-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	08-Jun-2014	
JONES ALVIN	10-May-2017		815	SERGEANT OF POLICE	9171	18-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	08-Jun-2014	

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CITY-BG-003374

Report Date: 11 May 2017
Report Time: 0939 Hrs

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Chicago Police Department
Employee Assignment / Detail History
GONZALEZ, ROBERT



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
GONZALEZ, ROBERT R	14-Dec-1998			POLICE OFFICER	9161	14-Dec-1998		044	RECRUIT TRAINING SECTION	14-Dec-1998	08-Dec-1999					
GONZALEZ, ROBERT R	07-May-1999		12152	POLICE OFFICER	9161	14-Dec-1998		044	RECRUIT TRAINING SECTION	14-Dec-1998	08-Dec-1999					
GONZALEZ, ROBERT R	09-Dec-1999		12152	POLICE OFFICER	9161	14-Dec-1998		022	DISTRICT 022	09-Dec-1999	02-Feb-2000					
GONZALEZ, ROBERT R	03-Feb-2000		12152	POLICE OFFICER	9161	14-Dec-1998		715	PUBLIC HOUSING SOUTH	03-Feb-2000	10-Nov-2004					
GONZALEZ, ROBERT R	11-Nov-2004		12152	POLICE OFFICER	9161	14-Dec-1998		002	DISTRICT 002	11-Nov-2004						
GONZALEZ, ROBERT R	10-May-2017		12152	POLICE OFFICER	9161	14-Dec-1998		002	DISTRICT 002	11-Nov-2004						

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CITY-BG-003375

Report Date: 11 May 2017
Report Time: 0958 Hrs

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Chicago Police Department
Employee Assignment / Detail History
BOLTON, BRIAN



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
BOLTON, BRIAN J	08-Jun-1998			POLICE OFFICER	9161	08-Jun-1998		944	COPS GRANT RECR TRNG	08-Jun-1998	26-May-1999					
BOLTON, BRIAN J	26-Oct-1998		15903	POLICE OFFICER	9161	08-Jun-1998		944	COPS GRANT RECR TRNG	08-Jun-1998	26-May-1999					
BOLTON, BRIAN J	27-May-1999		15903	POLICE OFFICER	9161	08-Jun-1998		012	DISTRICT 012	27-May-1999	18-Aug-1999					
BOLTON, BRIAN J	19-Aug-1999		15903	POLICE OFFICER	9161	08-Jun-1998		025	DISTRICT 025	19-Aug-1999	02-Feb-2000					
BOLTON, BRIAN J	03-Feb-2000		15903	POLICE OFFICER	9161	08-Jun-1998		715	PUBLIC HOUSING SOUTH	03-Feb-2000	10-Nov-2004					
BOLTON, BRIAN J	11-Nov-2004		15903	POLICE OFFICER	9161	08-Jun-1998		002	DISTRICT 002	11-Nov-2004	30-Mar-2013					
BOLTON, BRIAN J	31-Mar-2013		15903	POLICE OFFICER	9161	08-Jun-1998		017	DISTRICT 017	31-Mar-2013		D				
BOLTON, BRIAN J	10-May-2017		15903	POLICE OFFICER	9161	08-Jun-1998		017	DISTRICT 017	31-Mar-2013						

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EXHIBIT 4

Report Date: 11 May 2017
Report Time: 0931 Hrs

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Public Safety Information Technology
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Chicago Police Department
Employee Assignment / Detail History
MOHAMMED, KALLATT



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
MOHAMMED, KALLATT	02-Sep-1997			POLICE OFFICER	9161	02-Sep-1997		044	RECRUIT TRAINING SECTION	02-Sep-1997	19-Aug-1998					
MOHAMMED, KALLATT	13-Feb-1998		14122	POLICE OFFICER	9161	02-Sep-1997		044	RECRUIT TRAINING SECTION	02-Sep-1997	19-Aug-1998					
MOHAMMED, KALLATT	20-Aug-1998		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	20-Aug-1998	23-May-2001					
MOHAMMED, KALLATT	24-May-2001		14122	POLICE OFFICER	9161	02-Sep-1997		715	PUBLIC HOUSING SOUTH	24-May-2001	10-Nov-2004					
MOHAMMED, KALLATT	11-Nov-2004		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004						
MOHAMMED, KALLATT	08-Feb-2012		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004						
MOHAMMED, KALLATT	09-Feb-2012		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004			376	ALTERNATE RESPONSE SECTION	09-Feb-2012	
MOHAMMED, KALLATT	23-Aug-2012			POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004			376	ALTERNATE RESPONSE SECTION	09-Feb-2012	
MOHAMMED, KALLATT	23-Aug-2012		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004			376	ALTERNATE RESPONSE SECTION	09-Feb-2012	

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EXHIBIT 5



Planet Depos®
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Transcript of Alvin Jones

Date: February 26, 2020

Case: Watts Coordinated Cases

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1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION
3

4 -----x

5 : Master Docket Case No.

6 : 19-cv-01717

7 In re: WATTS COORDINATED :

8 PRETRIAL PROCEEDINGS : Judge Andrea R. Wood

9 :

10 : Magistrate Judge

11 : Sheila M. Finnegan

12 -----x

13
14 VOLUME 1

15 Videotaped Deposition of SERGEANT ALVIN JONES

16 CHICAGO, ILLINOIS

17 Wednesday, February 26, 2020

18 10:12 a.m.
19
20
21

22 Job: 291160

23 Pages: 1 - 325

24 Transcribed by: Jerome E. Harris, CLDT-204

Transcript of Alvin Jones
Conducted on February 26, 2020

2

1 Videotaped Deposition of SERGEANT ALVIN JONES,
2 held at the offices of:

3 LOEVY & LOEVY

4 311 N. Aberdeen Street

5 3rd Floor

6 Chicago, IL 60607

7 (312) 243-5900

8
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15 Pursuant to notice, before Ryan Grzelak, Notary
16 Public in and for the State of Illinois.
17
18
19
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22
23
24

Transcript of Alvin Jones
Conducted on February 26, 2020

3

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Transcript of Alvin Jones
Conducted on February 26, 2020

4

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Transcript of Alvin Jones
Conducted on February 26, 2020

5

1 A P P E A R A N C E S C O N T I N U E D
2 ON BEHALF OF DEFENDANT, SERGEANT ALVIN JONES and
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24

ALSO PRESENT:
Rick Kosberg, Videographer

Transcript of Alvin Jones
Conducted on February 26, 2020

6

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ALVIN JONES		
BY MR. RAUSCHER:	8	

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Transcript of Alvin Jones
Conducted on February 26, 2020

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1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: This the video deposition of
3 Alvin Jones, taken by Loevy & Loevy, in the matter of
4 the Watts Coordinated Pre-Trial Proceedings, Master
5 Docket Case No. 19-cv-01717, held at Loevy & Loevy, 311
6 North Aberdeen Street, Chicago, Illinois.

7 Today is February 26, 2020. The time is 10:12.
8 The court reporter is Ryan Grzelak of Planet Depos. The
9 videographer is Rick Kosberg.

10 Counsel can now introduce themselves, and the
11 court reporter is free to administer the oath.

12 MR. RAUSCHER: Scott Rauscher for the
13 plaintiffs, represented by Loevy & Loevy in the
14 Coordinated Proceedings.

15 MR. FLAXMAN: Joel Flaxman for the Flaxman
16 plaintiffs.

17 MR. RAUSCHER: Let me just briefly. We do have
18 a couple of interns who are here for the week who are
19 sitting in for at least part of today's deposition.

20 MR. SCHALKA: I'm Michael Schalka for
21 defendants, Cadman and Spaargaren.

22 MR. RAVITZ: Gary Ravitz for Kallatt Mohammed.

23 MR. KOSOKO: I'm Ed Kosoko on behalf of Ronald
24 Watts.

Transcript of Alvin Jones
Conducted on February 26, 2020

8

1 MR. MICHALIK: Paul Michalik for defendant,
2 City and certain supervisory officials.

3 MR. BAZAREK: William E. Bazarek for Sergeant
4 Alvin Jones as well as the other individual defendants
5 represented by Hale & Monico.

6 THE REPORTER: Please raise your right hand.
7 Whereupon,

8 ALVIN JONES,
9 being first duly sworn or affirmed to testify to the
10 truth, the whole truth, and nothing but the truth, was
11 examined and testified as follows:

12 EXAMINATION BY COUNSEL FOR THE PLAINTIFFS:
13 BY MR. RAUSCHER:

14 Q Could you say and spell your name, please.

15 A Alvin Jones. A-L-V-I-N J-O-N-E-S.

16 Q Were you surprised when Ronald Watts and
17 Kallatt Mohammed were arrested?

18 A Yes, I was.

19 Q Why were you surprised?

20 A Because a police officer had been arrested for
21 wrongdoing.

22 Q Did you have any suspicions that they had been
23 engaged in wrongdoing over the years?

24 A I didn't have any suspicion that I can --

Transcript of Alvin Jones
Conducted on February 26, 2020

9

1 confirmed to be accurate, no.

2 Q Well, let me try to ask that again.

3 Did you have any suspicions over the years that
4 Kallatt Mohammed and Ronald Watts had engaged in
5 wrongdoing?

6 A A suspicion? What do you mean by the word,
7 suspicion?

8 Q Are you -- do you have an understanding of what
9 the word, suspicion, means?

10 A It means you think something may be happening
11 but it's not actually factual.

12 Q That's -- I would agree with that definition.

13 A Okay.

14 Q So let's use that definition of suspicion.

15 A That definition of suspicion? I can't say that
16 I did.

17 Q Are there any other definitions of suspicion
18 you could use that would -- you would answer it
19 differently?

20 A No.

21 Q Okay. When I first asked you, I think you said
22 you had nothing that you could confirm was true?

23 A Well, a lot of times you would hear things
24 about Watts. You'd hear things about Kallatt Mohammed

Transcript of Alvin Jones
Conducted on February 26, 2020

10

1 But there was nothing that would say concrete that would
2 -- that what was going on.

3 Q Tell me what you would hear about Watts and
4 Mohammed.

5 A Um --

6 Q And when you'd hear it.

7 A You'd hear -- was walking around down in the
8 area, you would hear that Watts was a dirty officer.
9 But it was more in the sense of people trying to trash
10 his name.

11 Q All right. When you say down in the area, can
12 you tell us what area you're talking about?

13 A The Ida B. Wells area.

14 Q And over what time period would you be hearing
15 that Watts was a dirty officers in the Ida B. Wells
16 area?

17 A I'm trying to figure out how long. I worked
18 down in Ida B. Wells from about 2003 till 2012.

19 Q Did you hear that whole nine year or so period
20 that Watts was dirty?

21 A It wasn't the whole nine-year period. From
22 time to time, you'd hear people with what I felt were
23 complacent grumps against him personally.

24 Q Complacent, you said?

Transcript of Alvin Jones
Conducted on February 26, 2020

11

1 A Personally.

2 Q Okay. You felt that the -- well, tell me --
3 tell me what you mean by that.

4 A Someone might have been arrested or someone
5 might have been not arrested, and they felt that
6 somebody should have been arrested, and they would say
7 Watts wasn't shit.

8 Q Was a what?

9 A Wasn't shit.

10 Q Wasn't shit?

11 A Yes. You'd hear things like that.

12 Q And what did -- what did you understand that to
13 mean?

14 A That they had a negative feelings toward him.

15 Q How frequently over the years did you hear that
16 Watts was a dirty officer?

17 A It wasn't like on a regular basis. I guess it
18 would define by what was going on in the area was, I
19 don't know. I can't put a specific time on it that it
20 like it always occurred because it didn't always occur.
21 But from time to time --

22 Q And who -- can you name any specific people you
23 heard this from, nicknames or otherwise?

24 A I don't recall any of those.

Transcript of Alvin Jones
Conducted on February 26, 2020

12

1 Q Do you recall any of their actual names?

2 A No.

3 Q Did you know the people at the time?

4 A By face, some of them.

5 Q So I'm just going to ask you if you can, if you
6 remember as we you go this deposition today and
7 tomorrow, and then further cases, if you see a picture
8 during the deposition, and that causes you to remember
9 that one of those people told you that Watts was dirty,
10 will you let me know that?

11 A Yes, I will.

12 Q All right. You said you heard -- you said that
13 they would say Watts wasn't shit. Did they say anything
14 else?

15 A No, pretty much that's what -- that's what it
16 was.

17 Q And can you give me specifics as to what you
18 thought that meant.

19 A They were mad at him for even them being locked
20 up or someone being locked up.

21 Q Them or someone else being locked up?

22 A Yes.

23 Q Or not being locked up?

24 A Yes.

Transcript of Alvin Jones
Conducted on February 26, 2020

13

1 Q Tell me about that part of it about people
2 being mad because Watts wasn't locking others up?

3 A Because they wasn't locking others up? People
4 sometimes felt like that people that should have been
5 locked up for certain crimes, they never were.

6 Q Can you tell me more about that.

7 A That's just specifically what it was.
8 Sometimes -- if you described the Ida B. Wells area,
9 there were like seven different buildings down there.
10 And those seven different buildings were like individual
11 cliques. So if you have a bunch of people hanging out
12 in one area, and they get locked, they don't get locked
13 up. Or you come over to another area where there are
14 where you are not over there locking anybody up for
15 trespassing or maybe most of those people that lived
16 over there were from that area. That's what I mean.

17 Q So trespassing is an example. What about drug
18 s, did they ever say anything about drugs?

19 A Not specifically.

20 Q Do you remember specifically someone telling
21 you or hearing from someone that other people should
22 have been arrested for trespassing?

23 A Yes.

24 Q All right. Can you tell me about some examples

Transcript of Alvin Jones
Conducted on February 26, 2020

14

1 of that.

2 A Like I said, the different various buildings
3 because they were located, couple of them were close
4 together, they were spaced out. So it was like working
5 with dealing with different cliques, well, you're not
6 over there fucking with them, why you over here fucking
7 with us.

8 Q And is that -- were people saying that to you
9 or did you hear them say that to Watts?

10 A Hear them just say that. You hear them say it
11 in passing. Sometimes people would say it to you. So
12 say it to members of the -- other members of the team.

13 Q And did you hear people say that specifically
14 about Watts?

15 A They would say it about Watts, they'd say it
16 about myself, they'd say is about other members of the
17 team.

18 Q And all right. So you also you had said that
19 you heard over the years rumors about Mohammed being a
20 dirty officer also?

21 A Well, people would say that, you know, he like
22 hanging out with the guys down there.

23 Q All right. Do you remember anybody that told
24 you Mohammed liked hanging out with the guys down there?

Transcript of Alvin Jones
Conducted on February 26, 2020

15

1 A Not that I can actually name, no.

2 Q And who -- can you tell me like were there
3 other officers saying that or was it citizens or both?

4 A Both.

5 Q All right. Tell me what officers would say
6 that.

7 A There were officers at a table felt like
8 Mohammed was a little too close with the people who
9 lived down there.

10 Q All right. Which officers on the team and felt
11 that way and when did you hear them express that view?

12 A We'll start with myself some days.

13 Q Okay.

14 A I'll start with myself some days. I thought he
15 was too close with the individuals who were down there
16 in that area.

17 Q All right. So let's start with you like you --
18 like you said, you thought he was too close. Why do you
19 think he was too close with the individuals in that
20 area?

21 A Because in doing his job, sometimes you have to
22 communication with those people in the area to actually
23 get a field for what's going on. But you can't be to
24 the point where you feel like you admiring what they

Transcript of Alvin Jones
Conducted on February 26, 2020

16

1 doing.

2 Q Okay.

3 A And I thought that he felt like man, it's
4 great, they -- whatever they're getting or however much
5 money they're are making, they're doing, it was
6 exciting.

7 Q And why did you think he felt that it was
8 exciting to see how much money people were making down
9 at Ida B. Wells?

10 A I can't -- no, I can't think of what his
11 mindset was. I had no idea. It was just my opinion.

12 Q Why did you come to that conclusion? Was it
13 observations?

14 A Observation. Listen, I mean, you got a
15 conversation with someone and you can as we call
16 bullshit, but the bullshit isn't always laughter with
17 that person. Always okay, it was it just seemed a
18 little too close for me.

19 Q You mean you observed Mohammed talking to
20 residents?

21 A Residents or people who I considered were in
22 the drug gang, and sometimes like in the admiration of
23 them.

24 Q And when earlier you had said that Mohammed --

Transcript of Alvin Jones
Conducted on February 26, 2020

17

1 I think you said kind of he admired how much people were
2 making?

3 A Yeah, because they would -- you know, they
4 would brag about how -- other people would brag about
5 how much money the building would be making, or who
6 would be making money in the building.

7 Q And you're talking about drug sales when you're
8 talking --

9 A Drug sales, yes.

10 Q Were there any people who you considered to be
11 part of a drug -- did you say drug game? Is that what
12 you said?

13 A Yeah, drug gang.

14 Q Would -- anyone you considered to be part of
15 the drug gang who you thought Mohammed seemed too close
16 to?

17 A No one specifically. I mean, just anywhere we
18 went. It was like an admiration of if somebody prefer
19 -- if for instance, there might be a bunch of people out
20 there talking and people that we believed to be in the
21 drug gang or knew to be in a drug gang, and how much
22 this building would make on this particular day per day.
23 And he may, wow, they getting that money good. That's
24 not admiration what's going on. It shouldn't have.

Transcript of Alvin Jones
Conducted on February 26, 2020

18

1 Q You mean he was they -- that is admiration?

2 A That is -- that was his admiration and it
3 shouldn't have been.

4 Q And how many times did you hear Mohammed say
5 something like that?

6 A Oh, I can't put a number on it, but I heard it
7 enough times that at sometimes I was asking what his
8 problem was.

9 Q And how many times did you ask him what his
10 problem is?

11 A I can't say specifically.

12 Q More than ten times?

13 A I'm not sure.

14 Q Was it more than once?

15 A It was more than once.

16 Q Do you know if it was more than five times?

17 A May have been.

18 Q And was it over a --a bunch of different years?

19 A Well over a period of time, yes.

20 Q Which period of time?

21 A Um. I'm not sure what period of time it was.

22 Q Was it kind of scattered throughout the 2003 to
23 2012 time period?

24 A Yes.

Transcript of Alvin Jones
Conducted on February 26, 2020

19

1 Q Was there ever a time when you don't remember
2 having that concern about Mohammed that he was admiring
3 the drug trade?

4 A Yes, sometimes he'd come to work and act like a
5 normal person. A normal police officer actually out
6 there trying to observe what's going on to do whatever
7 it is we were trying to do.

8 Q So I'm going to ask a follow-up on that, but
9 before let me just try to rephrase that the question
10 that I asked. So I understand you're saying there were
11 days when he would act normal. What I was trying to ask
12 was there any period of, like a substantial period of
13 time where you could oh, yeah, those couple years I
14 didn't -- I had no concern?

15 A I wouldn't say it was couple of years. I mean
16 it would -- it would vary sometimes in days.

17 Q All right. And so tell me the difference in
18 Mohammed's behavior on days when he would act like a
19 normal person and when he would act like someone who
20 admired the drug trade?

21 A It just varied. I mean it's not like this
22 week, okay, today, this is what he's acting like, or I
23 mean it might be just in a moment. And in a moment, I
24 just didn't find it admirable for what he was saying of

Transcript of Alvin Jones
Conducted on February 26, 2020

20

1 when, specifically when he hearing about how much money
2 these buildings are making.

3 Q And who would he hear from?

4 A I mean, people from down there in that area
5 would speak and walk about, or just happen in general
6 conversation that might be talking to each other. And
7 they say -- they'd say well, you know, we make this kind
8 of money or they said they making that kind of money
9 over in that building. Those are things you would hear
10 not just from the suspected drug dealers themselves, but
11 you'd hear it also from just residents that walked by in
12 the area. They would say different things like that.

13 Q When you confronted Mohammed and said what's
14 your problem on various times, how did that conversation
15 go?

16 A I don't think it went negatively a lot of
17 times. I mean but really this is what you think of
18 them, this is -- and that would be it. And I guess for
19 the most part he would pretty much calm down or whatever
20 it is he was talking about, but it was just not cool to
21 look like that.

22 Q Did you raise your voice when you had those
23 conversations with him?

24 A I didn't have to raise my voice with him at

Transcript of Alvin Jones
Conducted on February 26, 2020

21

1 that time, those times. You know, sometimes you just
2 speak and it's not having it. Somebody need to pull
3 your coattail.

4 Q What do you mean by that?

5 A They think that something that you're doing or
6 saying may not be correct thing to be doing or saying at
7 that particular time.

8 Q How did he react to you when you'd confront
9 him?

10 A He was always positive about it, you know. He
11 -- it wasn't like we'd get into a verbal debate about
12 it.

13 Q He was fine, he was --

14 A Yeah.

15 Q Yeah. Did he respond at all?

16 A I can't say remember exactly what kind of
17 response he would give me. But it was never nothing
18 where we got into a overly verb -- heated, verbal or
19 physical situation about it.

20 Q Did you ever confront Watts with any other
21 rumors about him being a dirty officer?

22 A I -- trying to remember. I would ask him how
23 to -- how would he -- how could he talk to these people
24 down here and knowing that they accusing you of certain

Transcript of Alvin Jones
Conducted on February 26, 2020

22

1 things.

2 Q So tell me more about those conversations.

3 A I was like you know they saying that you doing
4 this or you've done that. And he was like Al, you know
5 they gon' say what they want to say. We gon' keep on
6 working down here doing what we do.

7 Q Did you feel like you had a good grasp of what
8 was going on down at Ida B. Wells?

9 MR. BAZAREK: Object to just the form of that
10 question. And like vague and ambiguous.

11 A Grasped by the cop?

12 Q As in did you know what was going on down
13 there? You already said, for example, you'd hear drug
14 dealers or people talking about how much money they
15 made, yet seems like -- doesn't seem like you had a
16 sense of who was selling drugs, when they were doing it,
17 where they were doing, that sort of thing.

18 A Pretty much knew who some of the players were
19 down there. You knew that they always when they were up
20 selling. It was never in one area, let's say that.
21 Because it could be on the first floor, it could be on
22 the second floor, it could be on the third floor of the
23 building, it could be on the fourth floor of the
24 building. How high they felt safe in doing it. And how

Transcript of Alvin Jones
Conducted on February 26, 2020

23

1 far they wanted to make the customers come up in the
2 building.

3 Q Did you think you had a sense of who all the
4 big players were?

5 A I wouldn't say all of them, but we knew who
6 some of them were.

7 Q Have you learned of anyone since you left there
8 that you think is a big player but you didn't know it at
9 the time?

10 A No.

11 Q How do you think you missed the fact that Watts
12 and Mohammed were taking bribes?

13 MR. BAZAREK: I'd object to the form of the
14 question and foundation.

15 MR. RAVITZ: I'll join.

16 MR. KOSOKO: I join, and also argumentative.

17 A Excuse me?

18 Q How do you think you missed the fact that Watts
19 and Mohammed were taking bribes?

20 MR. KOSOKO: Also assumes facts not in
21 evidence.

22 MR. RAVITZ: Join.

23 MR. SCHALKA: Join.

24 A I don't know.

Transcript of Alvin Jones
Conducted on February 26, 2020

24

1 MR. KOSOKO: As to form.

2 Q Have you thought about that over the years?

3 A Not often.

4 Q Have you ever thought about it?

5 A Briefly when it happened. I just don't know.

6 Q And do you agree -- well, let me ask you this:

7 Do you know that Watts and Mohammed were taking bribes?

8 A Do I know? I won't say I knew they were taking
9 bribes but I know -- I know that they were arrested for
10 theft of government property.

11 Q And do you know any of the facts or the basis
12 for the charge of theft of government property?

13 A No.

14 Q Do you have any understanding of what they're
15 accused of stealing?

16 A No.

17 Q Do you think it has something to do with money
18 that they believed was connected to the drug trade?

19 A I'm not sure.

20 Q Well, it wasn't like printer paper or something
21 that they walked into a government building and took
22 out, right?

23 MR. BAZAREK: Object to the argumentative
24 nature of that question.

Transcript of Alvin Jones
Conducted on February 26, 2020

25

1 A I don't know.

2 Q Do you think that is even a remote possibility
3 that that's what they were charged with?

4 MR. BAZAREK: Objection to form.

5 MR. KOSOKO: Join.

6 A That what they were charged with what?

7 Q Taking something like printer paper out of a
8 government office?

9 A No.

10 Q Well, tell me what your understanding is of
11 what they were charged with beyond government property
12 generally?

13 A That they were taking some money from someone
14 they thought was a drug courier.

15 Q What was your reaction to learning of that
16 charge?

17 A Like I said, initial surprise like in what
18 else.

19 Q When you learned about the charge, did it cause
20 you to go back and think about any of the experiences
21 you had with Watts or Mohammed over the years and put
22 those in a different light?

23 MR. KOSOKO: Object to form.

24 A I think the initial -- initially, it's like

Transcript of Alvin Jones
Conducted on February 26, 2020

26

1 well, I went back and thought when -- how this could
2 been -- could have been possible.

3 Q And did you think well, all those people over
4 the years saying Watts was dirty were right?

5 A I didn't look at it that way. I don't know how
6 -- I didn't -- I just like I said, when -- when and how
7 this could have happened.

8 Q Any did you come to any conclusions about when
9 and how it could have happened?

10 A No, to my understanding, it was on their off
11 day, and that was as far as I knew.

12 Q Do you now think that maybe some of the people
13 over the years who were telling you that what the and
14 Mohammed were dirty were right?

15 A I'm not sure. I'm not sure because I heard
16 some -- one time, I think it was a young lady trying to
17 -- trying to tell her about -- trying to tell Watts
18 about himself, and she didn't even know she was talking
19 to Watts.

20 Q Tell me about that.

21 A She said you knew cops down here? I don't know
22 who she was. You all don't know Watts? She said, I
23 know what the. You'll get to know Watts. What the'
24 crew, they run things down here. Watts' crew run

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1 things. Yeah, they lock everybody up. And if you get
2 in their way, you gon' have problems. You all ain't
3 gon' have no room down here to lock nobody up.

4 She was actually talking to Watts, telling what
5 the this. And I just cracked up laughing because here
6 is how someone's spread something that they don't know
7 and you'd be down here talking to this guy.

8 Q But she didn't say Watts arrested her?

9 A No, she didn't. No, she didn't. But she was
10 trying to as I like to say at that point in time, she
11 was badmouthing him, and she didn't even know who he
12 was.

13 Q But she knew of him, right?

14 A That's what she said, she knew of him.

15 Q And do you know that she was wrong?

16 A Do I know that she was wrong? She was wrong
17 because she didn't know who he was. If she would have
18 known who he was, I don't think she would have been
19 saying that to him. So therefore, at that particular
20 time in that particular instance, it was like maybe
21 people down there trying to live up to the hype of
22 spreading the negative about him.

23 Q Can you tell me one thing that she said that
24 was factually incorrect?

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1 A Watts go like every -- Watts never made an
2 arrest.

3 Q Tell me -- Ronald Watts never made one arrest?

4 A No.

5 Q Okay. Tell me more about that.

6 A He was a sergeant.

7 Q So he just never made an arrest?

8 A No, he didn't make the arrest.

9 Q What is an arrest? What do you mean when you
10 say he never made an arrest?

11 A He would be the one who would have to process
12 the person who was in custody with the facts and prepare
13 the reports. He didn't make that -- he didn't make
14 arrests. He approved arrests.

15 Q Was he ever on scene for arrests?

16 A He was on scene for arrests.

17 Q Did he ever tell others go arrest that person?

18 A I wouldn't say he said go arrest anyone. He
19 would go -- he would say okay, all of those over there
20 who are trespassers, we gon' take all the trespassers
21 today. Or they're solicitation -- solicitation for
22 unlawful business, we gonna take those today.

23 Q So he'd go by group solicitation of drugs,
24 trespassing, selling, that sort of thing, and decide

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1 who's going to jail?

2 A In some circumstances, yes.

3 Q All right. So how does what you just described
4 conflict with that woman thinking that Watts' team
5 arrest everybody?

6 MR. BAZAREK: Object to the --

7 MR. KOSOKO: Object --

8 MR. BAZAREK: Yeah, object to the form of the
9 question.

10 MR. KOSOKO: Misstates prior testimony also.

11 MR. RAUSCHER: Okay. We can put on the record
12 that one objection is going to count for all?

13 MR. BAZAREK: We can.

14 MR. FLAXMAN: Yeah. Yeah, if it's not covered,
15 the point is you can have one attorney making an
16 objection, but I agree. We can do like we could do one
17 voice and cover all the attorneys --

18 MR. RAUSCHER: Yes, agreed.

19 MR. FLAXMAN: Like if someone else wants to
20 pipe in --

21 MR. RAUSCHER: If they have a different
22 objection --

23 MR. BAZAREK: I'll object that it's
24 argumentative.

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1 MR. FLAXMAN: No, we don't join, join, join.
2 We don't need that.

3 MR. BAZAREK: Yeah.

4 MR. RAUSCHER: I can't even -- I can't tell you
5 what I just asked you, so can I have the last question.

6 THE REPORTER: Yes, of course.

7 MR. RAUSCHER: I'll just ask a different one or
8 the same one again.

9 Q Can you tell me how the thing you just
10 described conflicts with that woman's story that Watts
11 arrested everybody?

12 MR. BAZAREK: Object to the form of the
13 question. Vague, ambiguous, compound.

14 A She was saying that he was making arrests that
15 he didn't make.

16 Q So you think that a layperson should know the
17 difference between a sergeant saying go take that person
18 to jail and someone somehow otherwise effectuating an
19 arrest --

20 MR. BAZAREK: Object --

21 Q -- is that your testimony?

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

24 A I think that at that point for what she was

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1 saying, if she knew Watts, she should have known who she
2 was talking to.

3 Q But that's a different -- I think that's a
4 different point. You -- I -- we've established --
5 you've established she didn't know who Watts was.

6 A Okay.

7 Q But what I want to know is what she said that
8 was wrong? She didn't say you -- Watts arrested me?

9 A I don't understand really what you trying to
10 get at.

11 Q Well, I think you're saying people were just
12 spreading rumors and she was wrong about what she said,
13 right?

14 A Part of, yes.

15 Q And I'm trying to -- I want to know what was --
16 what she said that was wrong?

17 A Because Watts didn't have to give a order to go
18 make an arrest. Anybody could make an arrest on their
19 own freewill. If we had a call of disturbance, or
20 someone else on the team had a call of a disturbance and
21 went down there, and they made the choice to make their
22 arrest, that's the difference.

23 Q How does that conflict with what she was
24 telling Watts?

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1 A Because she made it seem like Watts did
2 everything.

3 Q So was it your understanding she was saying
4 that Watts is the only person out here who can arrest
5 everybody?

6 A Yes.

7 Q And so I think let's get back to you said Watts
8 never made arrests. Now, let just try to get a time
9 frame down here. When you say that, what period of time
10 are you talking about?

11 A He was the supervisor. The officers, they work
12 to make the arrest.

13 Q I want to know what time period you're talking
14 about.

15 A From the time -- I would say 2003, 2004 that I
16 was on the team until he left.

17 Q Okay. When did he leave?

18 A When was it? 2012.

19 Q All right. So who's the person -- what does it
20 mean to say to you someone made an arrest?

21 A That means the officer made an arrest of
22 someone who had done something illegal.

23 Q Well, what is the part of the whole interaction
24 with someone that you consider the arrest?

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1 MR. KOSOKO: Objection. Calls for legal
2 conclusion. And it's argumentative.

3 A That would be the person who is going to take
4 the lead of what actually happened and do the processing
5 of that person.

6 Q What -- can you tell me more of what you mean
7 the lead of what happened?

8 A Yeah, you have a first arresting officer and a
9 second arresting officer.

10 Q Okay.

11 A So the first arresting officer would be the one
12 who has -- who has the probable cause to place that
13 person in custody.

14 Q So what did first -- who do they do with them?
15 Like their -- they place cuffs on the person? What is
16 that? What do you mean?

17 A Yeah, they place cuffs on them. They don't
18 have to be the person who -- the first person to put
19 cuffs on him. But officers process their arrests.

20 Q So the first person who place cuffs on the
21 person may not be the arresting officer?

22 A May not be.

23 Q What's the -- what's the purpose of the
24 arresting officer?

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1 A If you are not --

2 MR. MICHALIK: Object to form.

3 A If you and I were in the room, and there was an
4 illegal activity going on, you might have been closer to
5 him than I was, but you saw the same thing I did, but I
6 put the cuffs on him. That's the difference. But would
7 it be your arrest?

8 Q Let's -- let's try to just -- I want to try to
9 understand this, so let's -- you have a lawyer, your
10 counsel is right there, let's just as a hypothetical,
11 it's obviously just a hypothetical, say we saw him, we
12 both are police officers, we saw him do something
13 illegal. You place the cuffs on him, but I could be the
14 arresting officer?

15 A Yes.

16 Q How -- how is that?

17 A We're partners.

18 Q Okay. Who would decide who is the arresting
19 officer there?

20 MR. BAZAREK: I'll object to foundation, form.

21 A I guess the partners would at that point in
22 time.

23 Q Is that how it worked, whether you or the
24 partners would just decide who's the arresting officer?

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1 MR. KOSOKO: Object to form.

2 A Depending upon the circumstances.

3 Q What -- what -- where are you getting this
4 understanding of what an arresting officer is?

5 A Just through my years of experience, they
6 always wasn't the person who placed handcuffs on the
7 person who was the arresting officer.

8 Q Can you tell me then what you mean by arresting
9 officer?

10 A A person who's going to process a -- the
11 offender that's in custody.

12 Q All right. Well, let me ask you this: In a
13 situation, the hypothetical that we just described, if I
14 placed the cuffs on the person, would you expect that
15 the person who got cuffed would think you were the
16 arresting officer or I was?

17 A I don't know what they would think.

18 Q Why would they possibly think it was you?

19 MR. BAZAREK: Object to form.

20 MR. MICHALIK: And argumentative.

21 A We both are there. We both there saying the
22 same thing.

23 Q All right. You said the arresting officer does
24 the processing?

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1 A They do the lead processing, yes.

2 Q Would you agree that the way that you're using
3 arresting officer is more of an internal thing, the
4 police, versus an external thing that people could know
5 from serving?

6 MR. KOSOKO: Object to form. Vague, ambiguous.

7 A No.

8 Q Why do you disagree with that?

9 A Because when you get in a squad car, you decide
10 who's going to be the paper officer that day. And that
11 paper officer's usually the one who's arresting officer.
12 Whether his partner puts the cuff on him or not, the
13 arrest -- the paper officer is the arresting officer.

14 Q And does the person who's arresting know the
15 paper officer is?

16 MR. KOSOKO: Objection. Form and foundation.

17 A They know.

18 Q So how would someone who is arrested know who
19 the arresting officer is?

20 MR. MICHALIK: Objection. Calls for
21 speculation.

22 A It would be on their arrest report.

23 Q So they would have to read the arrest report
24 to know who?

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1 A They would have to get copies of the arrest
2 report and the case report to know who the arresting
3 officer was.

4 Q And is it always the first person on the report
5 or sometimes is it the second person on the report?

6 A As far as what?

7 Q Who the arresting officer is?

8 A They both are considered the arresting officer.

9 Q All right. What about the times when it lists
10 a partner who isn't actually there?

11 MR. KOSOKO: Object. Form and foundation.
12 Calls for speculative response.

13 A A partner doesn't have to actually be there all
14 the time.

15 Q So someone can be an arresting officer even if
16 they weren't there for the arrest?

17 A At some point, yes.

18 Q What do you mean at some point, yes?

19 A They were partners, and you put your partner in
20 box 2 of an arrest report.

21 Q And that makes your partner an arresting
22 officer?

23 A Yes.

24 Q Even though they had no part in the arrest?

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1 MR. KOSOKO: Object to the form of the
2 question.

3 A They might not have had a part of the initial
4 arrest, but they are there at some point to know and get
5 relaid to what happened, yes. That makes them an
6 arresting officer.

7 Q What do you mean to know and get relaid to what
8 happened?

9 A Sometimes the second officer shows up a short
10 time later or a little later on. They're partners.
11 They go on a case report together, first and second
12 arresting officer. He relays to his partner what he
13 saw.

14 Q And so you are an arresting officer if you show
15 up when the person is already in custody and your
16 partner says to you here is what happened, that makes
17 you an arresting officer?

18 A He tells him what happened. He makes him -- he
19 goes in box 2, yes.

20 Q So that makes him the arresting officer?

21 A Yes.

22 Q Where did you learn that, to do things that
23 way?

24 A At Chicago Police Department.

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1 Q Why pick a partner and not just some random
2 person on the police force?

3 MR. BAZAREK: I'd object. It's argumentative.
4 And sarcastic.

5 MR. RAUSCHER: No, I mean, it's not -- not
6 supposed to be sarcastic. It's like actual -- it's a
7 question.

8 MR. BAZAREK: Okay. I object. I have made my
9 objection.

10 A You have a partner, you working together, you
11 wouldn't choose a -- randomly choose your partner. You
12 working in tandem that day.

13 Q But why do -- what is it -- what's the purpose
14 of having a second arresting officer on the police
15 report?

16 A I don't know. I didn't invent the police
17 report. It's the box for a second arresting officer.

18 Q I'm sorry, I missed part of that answer.

19 A I do not invent the arrest report, but there's
20 a box there for second arresting officer, and usually
21 when two officers are working together, one goes in one
22 box, the other goes in a second box.

23 Q Did you ever split up from your partners when
24 you were working?

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1 A Yes.

2 Q All right. And what happened -- what would
3 happen if you split up from your partner and you were
4 with a different second person when the arrest happened,
5 who would go on the second box?

6 A Your partner.

7 Q Do you have any understanding of what, if
8 anything, police reports are used for after you've
9 created them?

10 A Yes.

11 Q Okay. What are they used -- what are police
12 reports used for?

13 A They are used to prosecute individuals based
14 upon what's in those reports.

15 Q All right. Well, do you think that listing
16 someone who wasn't there for the arrest as an arresting
17 officer interferes with that process of prosecuting a
18 case?

19 MR. BAZAREK: Object to the form of the
20 question. Compound.

21 A No, I don't. I think that what happens is when
22 you'd be an interview for the processing of him, if the
23 second arresting officer can't say what he knew, then he
24 can't testify to that. But putting him on a paper

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1 because you are a partner is what and how it's done.

2 Q So the second officer can only testify if he
3 saw what happened?

4 A He can only testify to what he saw. Or what he
5 was told.

6 Q All right. Then, how would -- how would a
7 defendant know who they should be asking questions to in
8 a criminal case if the report doesn't list the person
9 who's actually there?

10 MR. BAZAREK: Object to the form of the
11 question. Also calls for speculation.

12 A I don't know.

13 Q Do you think that might be problematic?

14 MR. BAZAREK: Objection. Argumentative.

15 A I don't know.

16 Q How many police reports have you completed or
17 reviewed in your years on the police force?

18 A Lots of them.

19 Q Yeah, I understand you can't give an exact
20 number today but what's your best estimate? Hundreds,
21 thousands?

22 A Of what kind of police?

23 Q Police reports, arrest reports?

24 A Arrest reports?

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1 Q Or vice case reports?

2 A Voice case reports? At least 200.

3 Q And in complete as things you completed and
4 also just things you reviewed that you didn't
5 complete --

6 A I don't understand.

7 Q So what -- there were -- there's a category of
8 arrest reports and vice case reports that you personally
9 completed, correct?

10 A Yes.

11 Q And is the 200 number just those or are you
12 counting other ones where in your job you reviewed the
13 report even though you weren't the one who created it?

14 A In the 200, there has been some that I didn't
15 create.

16 Q Okay. And in looking at or creating those 200
17 or so reports, did you ever wonder what the second box
18 was for?

19 A No.

20 Q And you said you learned how to do those police
21 reports in working for the Chicago Police Department?

22 A Yeah, they train you on how to write a report.

23 Q All right. So do you remember being trained
24 that you've always put your partner in the second box?

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1 A To the best of my recollection.

2 Q Tell me about the training where you were
3 taught to put your partner in the second box?

4 A A report writing class during the training
5 academy.

6 Q Do you remember anything about the class?

7 A No.

8 Q Do you remember when during the academy you
9 took that class?

10 A No.

11 Q Do you remember who taught it?

12 A No.

13 Q Did you ever talk to any of the -- of your
14 partners over the years about how to create police
15 reports?

16 A How to create reports?

17 Q Yeah.

18 A We've talked to other officers on how to
19 prepare a report.

20 Q And was it a uniformed practice, at least on
21 the Watts tactical team, that you list your partner as
22 the second arresting officer even if that person wasn't
23 there for the arrest?

24 A I wouldn't say it was just uniformal to his

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1 team. I think it was uniform across the department.

2 Q So yes, it was uniform on his team but also was
3 a broader practice?

4 A I think so.

5 Q How do you decide if there were -- well, let me
6 ask you this. Were there some days on the Watts Team
7 when you had more than one partner?

8 A Yes.

9 Q And when those situations, were there ever days
10 when you had more than one partner and you arrested
11 somebody?

12 A Yes.

13 Q And on those days, how did you decide who went
14 in box 2 on the report versus box 1 versus not being in
15 either?

16 A Whoever was the paper, who was writing the
17 paper that day.

18 Q Well, how did you decide on who was writing the
19 paper?

20 A I don't know exactly how we decided, but
21 whoever we decide was writing the paper for that day.

22 Q So it's just random who you listed?

23 A Yes.

24 Q Was it one person who wrote the paper for a

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1 whole day?

2 A Depending upon the circumstances.

3 Q All right. Well, tell me about what you mean
4 when you say depending upon the circumstances?

5 A In what instance are you referring to?

6 Q Well, we're -- the situation where you had two
7 partners and you made an arrest. Sorry, let me
8 rephrase.

9 The situation where there are two or more --
10 where you have two or more partners or three or more
11 officers or partners --

12 A Okay.

13 Q -- and you make an arrest, and then you
14 randomly decide between the three of you who would be in
15 which box on the paperwork.

16 A Okay.

17 Q What circumstances dictate who's going to be
18 the paper officer and who goes elsewhere?

19 A I -- I would like to say from my best
20 recollection is that after processing an arrest, if we
21 went out and did another arrest, and someone else would
22 be the paper, write the paper and be the first arresting
23 officer.

24 Q How did you decide who would go on -- who would

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1 go on box 2?

2 A Just it would be whoever was writing the paper
3 would decide.

4 Q How would the person who was writing the paper
5 decide who goes on box 2?

6 A If we were all there for the arrest, whoever
7 was writing the paper decide who would go on box 2 on
8 the paperwork.

9 Q What if only two of the three of you were there
10 for the arrest?

11 A If only two of the three were there, then it
12 would be the two there would be one in box 1 and box 2.

13 Q Why would the two people who were there be in
14 box 1 and box 2 instead of the third person?

15 A Because the third person probably was not there
16 at the time to get to relay the information and you put
17 them up there as part of the arrest in the witness area.

18 Q Why would you do it that way?

19 A Because that's the way the paperwork is set up
20 for you to do.

21 Q What do you mean it's set up for you to do it
22 that way?

23 A You have a first and a second arresting officer
24 up in higher thing, and the box asked for all additional

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1 officers, and that's where you place them.

2 Q But why -- why when you have three partners,
3 and only two of them witnessed the arrest, why do you
4 decide to put both of the two people who witnessed it in
5 box 1 and 2? Why not put the third in there?

6 A Because it only says box 1 and 1, and it goes
7 to box 3. And box 3 if is there is for the third or the
8 fourth or the fifth or higher, meaning officers that
9 were involved.

10 Q I understand that there is only certain number
11 of boxes at least on the vice case report, but I want to
12 know how do you decide who goes in box 2 when there are
13 three partners? Why should it be that the person who
14 witnessed it be in box 2?

15 A Pardon me?

16 Q Why should it be that the person who witnessed
17 the arrest goes in box 2 if there are three partners?

18 A If there are three partners, and two of them
19 there, and the other one comes along from somewhere
20 else, the two there, one of the two there going to write
21 the report. They're going to be the one doing make --
22 doing the arrest and filling it out, and they're going
23 to be in box 1 and 2, and the third person is going to
24 be in the third box.

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1 Q I understand that is what happened, that's how
2 you're testifying. What I'm trying to understand is
3 why? Why should the person who witnessed be in box 2 as
4 opposed to the other person?

5 Is it so obvious that the people who witnessed
6 it should be the ones on the report?

7 A I think it makes it look better since at that
8 point yes, that way.

9 Q All right. Why would it make more sense to
10 have the witnesses to the arrest be the arresting
11 officers?

12 MR. BAZAREK: Object to the form.

13 A I don't understand your question.

14 Q You just said it would make more sense that
15 that --

16 A Yes, it would make more sense.

17 Q All right. Why does it make more sense to have
18 the two people who witnessed the arrest be in box 1 and
19 2 as the arresting officers?

20 A If they are the officers who are processing the
21 arrest, yes.

22 Q What does that mean?

23 A That means if they are the officer there --
24 there, then they should -- they should be in box 1 and

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1 2.

2 Q Right, but why? Why should they be in box 1
3 and 2?

4 A Because I think they give a better account, a
5 better account of what go -- what went on.

6 Q Why is it important that the report lists the
7 people who can give an account of what went on?

8 MR. KOSOKO: Object to the form.

9 Q Why is it important that the arrest report
10 lists people who can give an account of what happened?

11 MR. KOSOKO: Object to the form.

12 A It's important because it should be you be able
13 to justify what went on and what you saw.

14 Q All right. How can you reconcile that with the
15 practice of putting a partner on who didn't witness
16 anything?

17 MR. MICHALIK: Object to the form of the
18 question.

19 A You can make and relay that information to your
20 partner as what had went on, and if you relay the
21 information, you can put it there.

22 Q Would you think it's a better practice if there
23 were two witnesses to an arrest and one wasn't your
24 partner, that that person should be listed as a second

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1 arresting officer?

2 MR. MICHALIK: Object to the form of the
3 question. Counsel --

4 A As a practice, a lot of things can be done
5 differently and better but I'm not sure if that would
6 make any difference.

7 Q Well, do you think it would be a better
8 practice to list the two people who saw the arrest and
9 were involved in it as opposed to automatically listing
10 your partner?

11 A My opinion?

12 Q Yes.

13 A It could be.

14 Q Okay. Why do you think it could be a better
15 practice to do it that way?

16 A It just could be. I -- there's no reason why
17 it couldn't be.

18 Q Would it be helpful in that situation to have a
19 report explain who saw what?

20 A You can have the person that's listed as a
21 witness help you explain the same way.

22 Q How long have you been a police officer?

23 A 23 years.

24 Q Can you -- how many times -- well, let me ask

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1 you this. Have you been deposed before today?

2 A Once.

3 Q All right. Tell me about that deposition.

4 A It was approximately 18 years ago.

5 Q Was that in connection with your job as a
6 police officer?

7 A Yes.

8 Q Were you a party in the case?

9 A Yes.

10 Q Which case was that, do you remember?

11 A I don't recall the names.

12 Q Do you know why you -- well, were you a
13 defendant?

14 A I was -- yeah, I was accused.

15 Q You were accused of doing something wrong?

16 A Yes.

17 Q What were you accused of doing wrong?

18 A I was accused of -- I'm trying to remember how
19 many people were in the vehicle, but I'm not sure. But
20 there were at least three teenaged girls. One said I
21 pointed a weapon at them. Another said I ran along the
22 side of the car with a weapon. And the third said I got
23 out of the car and walked up to the car with the weapon.

24 Q And I -- I'm going to pause you here.

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1 MR. RAUSCHER: I think this was a subject of a
2 CR also?

3 MR. KOSOKO: Yeah.

4 MR. MICHALIK: And also --

5 MR. RAUSCHER: What we're going to do with
6 that, we're not going -- yeah, go ahead.

7 MR. MICHALIK: I'll also add to the record
8 there was a question about the name of the case. I
9 believe the case is Rubinsky Skanza (phonetic) are two
10 of the plaintiffs, and the defendants were I recollect
11 the City, Sergeant Watts, and an officer. I believe his
12 name was Dan Hoard, H-O-A-R-D.

13 Q And just because of the way these cases are,
14 there are so many of them, we have certain agreements on
15 what to cover during depositions, so I'm not actually
16 going to ask you more questions about that today now
17 that I know what case you're talking about.

18 A Okay.

19 Q What did you do to prepare for your deposition
20 today?

21 Well, we're going to cover that a different
22 day. That's why we're not doing that. I don't want to
23 try to do that piecemeal.

24 What did you do to prepare for your deposition

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Conducted on February 26, 2020

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1 today?

2 A I looked at some vice case reports, some arrest
3 reports, some mugshots, rap sheets. I believe there
4 were a few affidavits.

5 Q Who did you meet with, if anybody? And I
6 don't -- if you met with your attorneys, I don't want to
7 know about your conversations with them, but I do want
8 to know if you met with them.

9 A Yes, I did.

10 Q Yea. Which attorneys did you meet with?

11 A I met with Bill here Thursday and Friday of
12 last week, and Monday and Tuesday of this week.

13 Q How long about were each of those meetings?

14 A Somewhere between four, five hours.

15 Q Was anybody else at those meetings except for
16 the two of you?

17 A Yes.

18 Q Who else was at those meetings?

19 A A couple of other attorneys at the firm.

20 Q At those firm?

21 A Yes.

22 Q Do you know their names?

23 A Brian, Allison, Tony.

24 Q Anyone else other than those people at the

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 meetings?

2 A Not at the meetings, no.

3 Q All right. Did you do anything else to prepare
4 other than meeting with your attorneys?

5 A No.

6 Q Have you talked to anybody about your testimony
7 or your upcoming testimony in this case?

8 A No.

9 Q Have you talked to anybody else who has been
10 deposed in this case about their testimony?

11 A No.

12 Q Have you talked to any of your codefendants
13 about any of the events at issue in these cases?

14 A No.

15 Q Did any of the vice case reports, mugshots, rap
16 sheets, affidavits or any other documents you looked at,
17 refresh your recollection about any of the events at
18 issue in these cases?

19 A A few did.

20 Q All right. Can you tell me which documents
21 refreshed your recollection?

22 A Some mugshots, couple of vice case reports.

23 Q Which mugshots refreshed your recollection?

24 A Lionel White.

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Conducted on February 26, 2020

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1 Q Lionel White, Sr., or Jr.?

2 A Sr.

3 Q Okay.

4 A I believe Rainey. Whoever the codefendant on
5 there with Rainey. The mugshot didn't ring a bell, but
6 the vice case report did.

7 Q Okay.

8 A And Lucky Pearson.

9 Q Which for lucky Lucky Pearson? Vice case or
10 mugshot or both?

11 A Both.

12 Q Is it the same for Lionel White, Sr., both?

13 A Both.

14 Q Anyone else?

15 A Angelo Shenult, Jr.

16 Q What was it that refreshed your recollection --

17 A A co --

18 Q I'm sorry.

19 A A codefendant, I can't think if it. I believe
20 last name is Scott.

21 Q And what was it that refreshed your
22 recollection for those two individuals?

23 A When I looked at the mugshot and the vice case
24 report.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q All right. Anything else?

2 A I can't think of the rest of them off the top
3 of my head.

4 Q And if you do, you know, as we're going along
5 and as we get into some specific cases, which most of
6 which will be tomorrow, would you tell me if you either
7 do get a refreshed recollection or if you're looking at
8 one and you remember oh, I remember seeing this in my
9 deposition and made me remember something?

10 A Yes, I will.

11 MR. RAUSCHER: Let's mark Exhibit 1,
12 DAFWHITE000007.

13 (Exhibit 1, Employee assignment detail history,
14 was marked for identification and is attached to the
15 transcript.)

16 A Yes.

17 Q Do you recognize this document?

18 A Yes.

19 Q Can you tell us what this document is?

20 A That's my employee assignment detail history.

21 Q Does that list all of your assignments over the
22 years?

23 A Yes.

24 Q Is it an accurate list of your assignments?

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Conducted on February 26, 2020

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1 A An accurate list? Yes, it's accurate.

2 Q So you started in 1996; is that right?

3 A Yes.

4 Q And you were -- you started in training?

5 A Yes.

6 Q And then, you moved immediately after that to
7 District 2?

8 A Yes.

9 Q Can you tell me anything else you -- we talked
10 some about you had some memory of a report writing
11 training?

12 A Yes.

13 Q Is that right?

14 A Yes.

15 Q Would that be during the '96, '97 time period
16 listed here?

17 A Yes.

18 Q What else do you remember getting trained on
19 during that time period?

20 A I got trained on firearms, I got trained on
21 traffic stops, I got trained on how to wear uniforms,
22 how to search.

23 Q What do you remember about training on how to
24 search?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A Vaguely. You always try to make sure there's
2 nothing in a waistband. If nothing harms you, that's
3 the first thing. Make sure their hands are clear in
4 their waistband where a weapon might could be stored.

5 Q Did you receive training on where searches
6 should be conducted if you're arresting people?

7 A I don't recall that.

8 Q Any other topics that you remember receiving
9 training on?

10 A I don't remember all the topics from the
11 academy.

12 Q Do you remember any other topics from the
13 academy that you received training on?

14 A No, not at this time.

15 Q All right. And what was your first assignment
16 after the academy?

17 A The 2nd District.

18 Q Did you ask to go to the second 2nd District?

19 A No.

20 Q Did you want to be in the 2nd District?

21 A I didn't know where I wanted to be. I was just
22 assigned there.

23 Q Before you came to the police station, were you
24 working for the Cook County Sheriff's Office?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A Yes, I was.

2 Q What was your job with the Cook County
3 Sheriff's Office?

4 A I was Cook County Sheriff correctional officer.

5 Q How long were you a Cook County Sheriff's
6 correctional officer?

7 A From approximately '94 to '96.

8 Q What did you do as a correctional officer for
9 Cook County?

10 A Guarded inmates.

11 Q Where did you guard inmates?

12 A On cell blocks.

13 Q Where?

14 Where? What was the location?

15 A 26th and California.

16 Q What did you do to guard inmates in cell blocks
17 at 26th and California?

18 A There's an interlock area where you sit and
19 observe inmates all day.

20 Q Did you like that job?

21 A It was okay.

22 Q Did you ever get accused of using excessive
23 force in that job?

24 A I don't remember.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q Did you ever get disciplined or reprimanded in
2 any way at that job?

3 A I don't remember.

4 Q You don't remember one way or the other?

5 A I don't remember one way or the other.

6 Q Did you ever use excessive force in that job?

7 A No.

8 Q Did you ever do anything that would have
9 warranted discipline?

10 A Not that I can remember.

11 Q What were your main responsibilities when you
12 worked as a correctional officer?

13 A To observe inmates during the course of the
14 tour to make sure that they were safe inside that --
15 that tier.

16 Q How did you accomplish your job of making sure
17 inmates were safe inside the tier?

18 A By sitting there and observing them for the
19 tour of duty.

20 Q How did you sit and observe them?

21 A After you get there, you do a count, and they
22 -- and a count clear, the doors are open, they are
23 allowed time to come out. Those that want to come out
24 come out. Those that don't, don't. After that, the

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 doors would be locked and everybody would be out for a
2 period of time. And my job was to sit there and watch
3 to make sure that nothing went wrong in there.

4 Q Did you ever have to break up fights at 26th
5 and California?

6 A Yeah, I think I had to break up a fight or two.

7 Q Do you have any specific recollection of doing
8 that?

9 A I remember a couple of fights I had to break
10 up, yes.

11 Q Tell me what you remember about fights that you
12 had to break up as a CO in 26th and California?

13 A As the CO?

14 Q Yeah.

15 MR. BAZAREK: Just object to the relevance of
16 this line of question.

17 A You see a fight break out, you get on the phone
18 and call for help, and then you wait until enough people
19 either come there before you all would go in to break up
20 that fight.

21 Q Why did you leave the Cook County Sheriff's
22 Office?

23 A The City paid more.

24 Q Did you leave voluntarily?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A Yes, I did.

2 Q All right. So you -- it looks like you were in
3 the 2nd District from -- initially from February 1997 to
4 the middle of October 1999?

5 A Actually --

6 Q Or just some of the other things continuing in
7 the 2nd District?

8 A Actually, I was in the 2nd District from --
9 well, no, because it was still assigned active duty.
10 You don't get assigned until after your probation is up,
11 but I was -- I went to the 2nd District in like August
12 of '96.

13 Q Okay.

14 A And after you come off probation, then you
15 actually get assigned to the district.

16 Q Okay. So your official assignment in the 2nd
17 District --

18 A Was in February.

19 Q But you had been there since August --

20 A Yes.

21 Q -- of '97. Got it.

22 And then, there's a --

23 MR. MICHALIK: I just think you missed -- I
24 thought he said August of '90 --

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 MR. RAUSCHER: 6.

2 MR. MICHALIK: -- 6, and I think you just said
3 August of '97.

4 MR. RAUSCHER: Oh, okay. But I --

5 Q But maybe you can -- I'm sorry, I didn't -- let
6 -- if you could just say it again, that might be the
7 cleanest.

8 A I went to the 2nd District in August of 196.

9 Q Okay.

10 A And I was actually assigned there in February
11 of 20 -- of 1997. Because after you leave the academy,
12 you still actually belong to the training academy.
13 That's why.

14 Q Understood. Thank you.

15 And then, Mobile Strike Force and Special
16 Function Support Unit, were those also within the 2nd
17 District?

18 A No.

19 Q Where were you assigned when you were on the
20 Mobile Strike Force?

21 A That was from out of Harrison, out of the Homan
22 Square area.

23 Q And then, where were you assigned when you were
24 in the Special Function Support Unit?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A It was the same thing.

2 Q All right. What were your main
3 responsibilities when you were -- well, what was your
4 job in the 2nd District from August '96 until October
5 13, '99?

6 A I worked on patrol.

7 Q And what were your -- I'm sorry, go ahead.

8 A I worked on patrol on a beat car.

9 Q What were your main responsibilities as the
10 patrol officer in a beat car in the 2nd District?

11 A I answered calls, I worked -- I don't -- if you
12 worked on a beat car, you patrol that beat, you worked
13 on a sector car, you patrolled that sector.

14 Q And did you rotate between beat car and sector
15 car?

16 A Well, sector cars were because of rapid
17 response vehicle. Sect -- beat car is a beat, that
18 specific beat. That wherever that block radius was.

19 Q What did you do day-to-day as a beat officer?

20 A Drove around, answered radio calls, responded
21 to radio calls. Responded to hand wavers.

22 Q What were the main types of calls you responded
23 to as a patrol officer in the 2nd District from August
24 '96 to middle of October '99?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A It varied. Domestics, battery in progress,
2 burglary in progress, narcotics calls, persons with gun.
3 It varied. Day-to-day.

4 Q Did you have a lot of calls about drugs?

5 A I would say it all varied out to equal out the
6 same.

7 Q So some about drugs?

8 A Some about drugs.

9 Q Did you have a partner at the time?

10 A Many. I had different partner day-to-day.
11 Until you actually assigned to a car.

12 Q Did you at some point as a patrol officer in
13 the 2nd District get assigned to a car with a more
14 permanent partner?

15 A Yes.

16 Q And when did that happen?

17 A I'm not exactly sure when.

18 Q What's your best estimate?

19 A Sometimes after -- sometime after that February
20 27th date of 1997.

21 Q Who was the first partner -- well, how many
22 partners did you have in the 2nd District when you were
23 a patrol officer?

24 A The first partner I can remember having was

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Aaron Long.

2 Q Aaron Long?

3 A Yes.

4 Q And how long was Aaron Long your partner?

5 A I don't remember.

6 Q Do you have any other partners you remember
7 from your time as patrol officer in the 2nd District?

8 A Yes.

9 Q Who else do you remember being partners with?

10 A Leonard Watts.

11 Q Any relation?

12 A No.

13 Q Any other partners you remember from your time
14 as a patrol officer in the 2nd District?

15 A Kurtisa Curtis.

16 Q Okay. Anyone else?

17 A I'm not sure what her name is. Tiana Woods.

18 Q Anyone else?

19 A No.

20 Q During your time as patrol officer in the 2nd
21 District from August '96 to the middle of October 1999,
22 did you ever hear rumors about dirty police officer?

23 A No.

24 Q All right. And then you moved over to Mobile

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Strike Force?

2 A Yes.

3 Q And let me -- actually, let's back up one step.
4 When you were a patrol officer, were the Ida B.
5 Wells Homes in the 2nd District?

6 A Yes.

7 Q Did you patrol Ida B. Wells?

8 A I didn't patrol but I take calls down there. I
9 take some calls down there.

10 Q How many calls, if you can even remember, did
11 you take at Ida B. Wells during your time as a patrol
12 officer in the 2nd District?

13 A I don't know.

14 Q Was it one of the more active places you'd get
15 calls from?

16 A Not necessarily.

17 Q Did you know the bigs players -- well, were
18 drugs a problem at Ida B. Wells during that time period
19 when you were a patrol officer?

20 A I don't know.

21 Q All right. So then, you moved over to the --
22 tell me about moving over to the Mobile Strike Force?

23 A There was a position opening, and I asked the
24 commander at the time about moving over there.

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Conducted on February 26, 2020

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1 Q Who was the commander whom you asked about
2 moving over to Mobile Strike Force?

3 A I believe it was Maryann Perry.

4 Q What was the Mobile Strike Force?

5 A It was a special operations section.

6 Q What was the Mobile Strike Force responsible
7 for?

8 A They would send extra patrol cars to various
9 districts on various days. They helped that district
10 with their problems.

11 Q They went to hot spots?

12 A Some.

13 Q Were there any specific types of crimes that
14 the Mobile Strike Force concentrated on?

15 A No, it's the same things like patrol.

16 Q Why did you want to move over to Mobile Strike
17 Force?

18 A It was something different.

19 Q Why did you want something different?

20 A It wasn't necessarily something different. It
21 was just something different other than being in the
22 district where you moved around from place to place.
23 Because they department have a specific district to be
24 in every at a. They might be in two districts, covered

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 two districts this day, then another two districts over
2 here another day.

3 Q You liked the idea of having a variety of
4 places to go?

5 A Move around and see the city.

6 Q Any other reasons you want to move to the
7 Mobile Strike Force?

8 A It was a choice. My wife was at the 2nd
9 District at the time, I had just gotten married, and we
10 had to go. One of us had to leave the District.

11 Q She wanted to stay?

12 A She wanted to stay.

13 Q What's your -- are you still married?

14 A Yes, I am.

15 Q What's your wife's name?

16 A Nedra.

17 Q Is she still a police officer?

18 A Yes.

19 Q What rank does she hold?

20 A She's a sergeant.

21 Q Was she a patrol officer at the time?

22 A Yes.

23 Q How did you land on the -- well, let me
24 rephrase that.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 How did you decide to try to move to the Mobile
2 Strike Force as opposed to some other place?

3 A I'm not really sure how that conversation went
4 about. But I remember between the commander and the
5 tactical lieutenant, that's what I came up with.

6 Q Who was the tactical lieutenant?

7 A Krumps.

8 Q Do you have a first name?

9 A I'm trying to remember her first name but I
10 know it's Krumps.

11 Q Were there other units or jobs that you were
12 interested in at the time?

13 A The Mass Transit Unit, but there was no
14 openings there.

15 Q What does the Mass Transit Unit do?

16 A They are the patrol officers who patrol the CTA
17 lots.

18 Q What was it about the Mass Transit Unit that
19 was appealing to you?

20 A Riding the trains.

21 Q And why was riding the trains appealing?

22 A Because at one point in time I worked for CTA
23 as a conductor. So it was appealing to me to ride the
24 trains.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q Did you like that conductor job?

2 A It had its ups and downs.

3 Q Why did you leave the CTA?

4 A Because I got a full-time job.

5 Q That was --

6 A And it was a part-time job.

7 Q All right. Tell me about what your main
8 responsibilities were on the Mobile Strike Force.

9 A To patrol whatever districts we were assigned
10 to just as we were a beat car in that district.

11 Q So you just had the same responsibilities as a
12 patrol officer like you did before but you'd go to
13 different places?

14 A Yes.

15 Q All right. And then, what's the Special
16 Functions Support Unit?

17 A It was the same thing.

18 Q Same thing. It's the same time period, I
19 guess, right?

20 A Yes.

21 Q So it's just a different title?

22 A Yes.

23 Q But there's no difference in the job? It
24 wasn't like one day --

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A No.

2 Q -- they said you're are on the desk unit and
3 one day you're on this one?

4 A Correct.

5 Q All right. Then you moved over to Public
6 Housing South April 27, 2000?

7 A Yes.

8 Q Why did you leave the Mobile Strike Force/
9 Special Functions Support Unit?

10 A The travel getting there back and forth was not
11 good.

12 Q Did you live closer to the 2nd District?

13 A No, I lived farther than the 2nd District.

14 Q So what was it about the travel?

15 A I was coming from the far South Side all the
16 way to the West Side in rush hour traffic. Back and
17 forth.

18 Q So it was getting to Holman Square that was
19 difficult?

20 A Yes, it was.

21 Q And it was easier -- I guess what I'm trying to
22 understand it was easier for you to get to the 2nd
23 District, or no?

24 A To the -- it's closer.

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Conducted on February 26, 2020

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1 Q Yeah, that's right. So the 2nd District was
2 closer to your home than Holman Square was?

3 A Yes.

4 Q Was there any other reason that you left that
5 Mobile Strike Force besides the commute?

6 A No.

7 Q It was a voluntary decision by you?

8 A Yes, it was.

9 Q How did you decide on Public Housing South?

10 A They were getting a new commander.

11 Q Did you know that commander?

12 A Yes; Ernie Brown.

13 Q You wanted to work under Ernie Brown?

14 A Yes.

15 Q Id you know Ernie Brown?

16 A I met him at the police academy.

17 Q And how did you -- what was the circumstance of
18 you meeting him at the police academy?

19 A I believe he -- at that time, he was a
20 supervisor at the academy.

21 Q And you hit it off with him?

22 A Yes, pretty much.

23 Q Did you keep in touch with him over the years?

24 A No.

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Conducted on February 26, 2020

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1 Q Did you talk to him about coming over to Public
2 Housing South?

3 A Yes.

4 Q How did that conversation come about?

5 A I asked him were there any openings over there,
6 and he said yes.

7 Q What was his title at the time you asked him if
8 there were openings?

9 A He was the commander.

10 Q Of Public Housing South?

11 A Of Public Housing South.

12 Q And how was it that you came to talk to him?

13 A I went to see him and asked him.

14 Q Were you particularly interested in Public
15 Housing South or was it more that you wanted to be under
16 his command, or both or neither?

17 A It was more of I wanted to be closer to home
18 coming to work.

19 Q Did you try to go back to being a patrol
20 officer in the 2nd District?

21 A No.

22 Q Why not?

23 A I didn't have any thoughts about it.

24 Q Was there something that was more appealing

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 about being in Public Housing South than being a patrol
2 officer?

3 A No.

4 Q Was the job different in Public Housing South
5 versus patrol officer?

6 A A little bit.

7 Q What was the job like in Public Housing South?

8 A It was same as patrol. You answered calls,
9 various calls that they received that end in that area.
10 Just like you would in the district. You just wasn't
11 assigned to a district. You were assigned to a unit.

12 Q All right. So what is -- what was the Public
13 Housing South Unit?

14 A What was it?

15 Q Yeah.

16 A It covered -- it covered all of the projects
17 within the 2nd District.

18 Q Housing projects?

19 A Housing projects, yes.

20 Q Were there tactical teams that were part of
21 Public Housing South?

22 A Yes.

23 Q And were there also officers who weren't on
24 tactical teams who were assigned to Public Housing

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 South?

2 A Yes.

3 Q And which one of those were you?

4 A I went there as a tactical officer.

5 Q Were you a tactical officer the whole time you
6 were in Public Housing South?

7 A No, for a short time I was riding around in the
8 van with everyone else.

9 Q What do you mean? What does it mean, riding
10 around in the vans with everyone else?

11 A There were more like they weren't tactical.
12 They were more like a beat car. For a short time.

13 Q And was that at the start of your tenure in
14 Public Housing South or did that sometime while you were
15 already there?

16 A That happened at sometime while I was already
17 there.

18 Q And did -- was that your choice or did someone
19 put you in that role?

20 A I think someone put me in that role.

21 Q Who put you in that role?

22 A I don't remember who it was.

23 Q Do you know why you were put in that role?

24 A No.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q Did you like being in that role?

2 A It was okay.

3 Q Did you prefer being a tactical officer?

4 A It really didn't make a difference.

5 Q When you were in the vans, were you in uniform
6 or plainclothes?

7 A In uniform.

8 Q When you were on the tact team, were you in
9 uniform or plainclothes?

10 A Plainclothes most of the time.

11 Q Were there -- there were times when as a tact
12 officer, you were in uniform though?

13 A Yes.

14 Q When would it be that you would be in uniform?
15 When -- let me rephrase that.

16 When as a tactical team officer on Public
17 Housing South would you be in uniform.

18 A An order would come down for everyone in the
19 city to be in uniform and you had to put a uniform on.

20 Q Other than some sort of city-wide order that
21 everyone needs to be in uniform, were there times when
22 you'd be in uniform when you were a tact officer in
23 Public Housing South?

24 A Yes.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q And tell me about those.

2 A It had to be some special circumstance
3 situation where the commander decided that everyone
4 needed to be in uniform.

5 Q How frequently did it happen where you'd be in
6 uniform as a tactical team officer?

7 A I don't know.

8 Q Was it rare?

9 A It was rare.

10 Q And when you were in uniform, did you do the
11 same things that you did when you were in plainclothes?

12 A Yes.

13 Q And so you'd -- well, okay.

14 You'd go out on patrol in Ida B. Wells in
15 uniform sometimes?

16 A Yes.

17 Q But presumably, you could not do a reverse
18 sting in a uniform?

19 A No.

20 Q Right?

21 Are there any other examples of things that you
22 can think of that you would do in plainclothes as a
23 tactical team officer but that you couldn't do in
24 uniform?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A No.

2 Q All right. So in November of 2004, that's the
3 end of your time on Possible Housing South. Is because
4 Public Housing South was disbanded?

5 A Yes.

6 Q And then, you stayed in the 2nd District until
7 December 2012, right?

8 A Yes.

9 Q Were you still a tactical team officer?

10 A Yes.

11 Q For that whole time period?

12 A Yes.

13 Q And then, you moved over to District 5 as a
14 sergeant; is that right?

15 A Yes.

16 Q Looks like were you also a sergeant for some
17 period of time in the 2nd District?

18 A No.

19 Q When did you become sergeant?

20 A November 11th -- no, that's not it. Let's see.
21 December -- November I got promote in November of 2012.

22 Q And you had sat for the sergeant exam before
23 that couple times; is that right?

24 A Yes, I had.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q And did you pass either of those times?

2 A Yes.

3 Q But you had not been promoted through that
4 process?

5 A No.

6 Q How did it -- how did you get promoted to
7 sergeant?

8 A Through the meritorious process.

9 Q Tell me about the meritorious process.

10 A They were getting ready to promote sergeants.
11 In the CO book there was an announcement that they were
12 taking to from reports for meritorious sergeants, and I
13 put in a to form report.

14 Q What's the CO book?

15 A Commanding officer's book.

16 Q Who did you submit the to from report to?

17 A The commander of the 2nd District.

18 Q And who was the commander of the 2nd District
19 at the time?

20 A Fred Waller.

21 Q What did you say in your to from to Fred
22 Waller?

23 A I don't remember.

24 Q Did you get a response to your to from?

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Conducted on February 26, 2020

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1 A Yes.

2 Q And who did the response come from?

3 A Fred Waller.

4 Q What did the response look like?

5 A It wasn't. It was verbal.

6 Q Okay. What did Fred Waller say to you in
7 response?

8 A That he was going to put me in for nomination
9 for meritorious sergeant.

10 Q When did you have that conversation with Fred
11 Waller?

12 A I don't recall.

13 Q When did you write the to from report?

14 A I don't recall when it was either.

15 Q Do you recall anything you said in the to from
16 report?

17 A No. Other than probably what was in the CO
18 book that they requested information, and I don't
19 remember what that information was.

20 Q Was it generally did you have to promote
21 yourself and say here good things I have done?

22 A No, they would do that.

23 Q I'm sorry, what?

24 A They would do that in a meritorious package.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q Who would do that in --

2 A Whatever -- whoever prepared the meritorious
3 package.

4 Q What is a meritorious package?

5 A When they decide who their nominee is going to
6 be, then they go look at their work history, and they
7 put together what is called a meritorious package that
8 goes to a merit board.

9 Q And so you were Fred Waller's nominee?

10 A Yes.

11 Q Did Fred Waller put anybody else up at the time
12 or did you only get one?

13 A I don't know.

14 Q Did you see the meritorious package he put
15 together?

16 A Yes.

17 Q And tell me what that package looked like?

18 A It consisted of several pages of a lot of
19 information.

20 Q What was in the information?

21 A I really don't remember.

22 Q Do you have any idea what was in it?

23 A It had the work or work I had done, and I think
24 the award information.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q What do you mean it had the work you had done?

2 A Just like you pulled this sheet here of my work
3 history, they pulled a record of what your -- what kind
4 of activity you had done as a police officer. I.e., how
5 many arrests you had made, how many police reports you
6 had written, guns you had recovered, cars you had
7 recovered, stolen cars recovered.

8 Q All right. So did you see that information all
9 in there? Number of arrests, number of guns recovered,
10 that sort of thing?

11 A I don't remember it.

12 Q You don't remember one way or the other?

13 A One way or the other.

14 Q But you know that is information that can be
15 pulled?

16 A Yes.

17 Q Have you ever pulled that by yourself?

18 A Sometimes.

19 Q Of your own information?

20 A Yes.

21 Q When did you pull that information?

22 A When I requested to go to tact the first time I
23 was in the 2nd District.

24 Q Why -- what information did you pull?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A You pull your -- what they call your activity
2 history for however long it appeared that the tactical
3 team he said he want to see your activity for.

4 Q So someone asked you for it?

5 A Yes.

6 Q Okay. Who is the person who asked you for your
7 activity history when you were trying to go over to the
8 tactical team?

9 A Who was the tact sergeant then, lieutenant
10 then?

11 Last name Johnson.

12 Q Do you remember first name?

13 A Not offhand.

14 Q Male or female?

15 A Male.

16 Q Do you know about how -- like height and
17 weight?

18 A Six feet maybe, 165, 70 pounds.

19 Q Did you know what ethnicity?

20 A Male black.

21 Q What was your height and weight when you were
22 on the 2nd District tact team?

23 A I don't know. I haven't grown too much in
24 height.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q That makes sense.

2 About how tall are you?

3 A Approximately 5'7".

4 Q And about -- can you ballpark your weight?

5 A Right now?

6 Q No. Well, maybe to compare it.

7 A When?

8 Q During your time on the tact team, did it
9 fluctuate?

10 A Yeah, it would fluctuate.

11 Q What was the range?

12 A I don't know. Bad eating habits, it
13 fluctuates.

14 Q I'm sorry, I don't mean why did it fluctuate.
15 I just want to know the range of.

16 A I don't know. It was I was fresh out of the
17 academy then, so I don't know. Maybe between 205 and
18 220.

19 Q And did you lift weights? Were you --

20 A Nope.

21 Q Were you the biggest member of the tact team?

22 A What -- when?

23 Q When -- were there other members of the tact
24 team who were bigger than you?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 MR. MICHALIK: I just object. Are you -- we
2 talking height, weight? That's all. Bigger.

3 MR. RAUSCHER: Yeah, okay.

4 Q I mean, not -- all right. We can do it one at
5 a time.

6 Were there members of the tact team who were
7 taller than you?

8 A Most of the time, yes.

9 Q And then, were there members of the tact team
10 who weighed more than you?

11 A Probably.

12 Q Who can you think of on the tact team who
13 weighed more than you?

14 A When?

15 Q At any time.

16 A My partner did at the time. Aaron Long, he
17 weighed more than I did.

18 Q Who was that?

19 A Aaron Long.

20 Q Aaron Long. He was on the 2nd District tact
21 team with you?

22 A Yes.

23 Q Anyone else other than Aaron Long?

24 A Not that I could remember.

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Conducted on February 26, 2020

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1 Q All right. Do you remember anything else about
2 your conversation with Fred Waller when he said he was
3 putting you up for merit review, beyond just him telling
4 you he was doing it?

5 A No.

6 Q And when did you -- after that conversation,
7 when did you next talk to him about the merit review
8 process?

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

10 Q How did he -- well, how did you see the
11 meritorious package?

12 A Because I had to sign it before it went down.

13 Q And then, did he -- did he come bring it to you
14 or did he --

15 A I went into the office and looked at it.

16 Q You went into his office and looked at it?

17 A Yes.

18 Q And what were you signing?

19 A I was signing my name to the bottom of the
20 meritorious package.

21 Q What were you saying --

22 A Accepting the meritorious nomination.

23 Q I got it.

24 Were you signing off on the accuracy of the

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 information?

2 A Yes.

3 Q Did that package have any information about
4 your CRs?

5 A I don't know.

6 Q Did you see any information on your CRs in
7 there?

8 A I don't remember.

9 Q About how big was the packet?

10 A I don't recall.

11 Q Like are you -- are we saying like a small
12 stack like three, four pages, or like hundreds and
13 hundreds?

14 A No, it wasn't hundreds and hundreds of pages.

15 Q Smaller stack?

16 A Yes.

17 Q After you signed that paper, did you get a copy
18 of your meritorious package?

19 A I don't remember if I got a package or not.

20 Q Do you remember if you ever got a copy of it --

21 A I don't.

22 Q -- for yourself.

23 You don't?

24 A I don't remember.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q You don't remember either way?

2 A Either way.

3 Q Okay. Did you ever see the meritorious package
4 again after you signed it that day?

5 A I don't remember.

6 Q What happened to it, if you know, after you
7 left Waller's office?

8 A I don't know.

9 Q Do you know what the process was to complete
10 the merit review?

11 A The process?

12 Q Yes. So Waller recommended you, you signed the
13 meritorious package, he did something with that, but
14 you're not sure what?

15 A I guess to -- I guess to the meritorious board.

16 Q And do you know when it got sent to the
17 meritorious board?

18 A No.

19 Q Do you know who is on the meritorious board?

20 A No.

21 Q Do you know how the meritorious board made its
22 decision?

23 A No.

24 Q Do you know anybody else who got a merit

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 promotion to sergeant?

2 A Do I know anyone who has a merit -- not
3 offhand, but I know there have been people who have been
4 promoted meritoriously.

5 Q Since you got promoted to sergeant, have you
6 seen any records of the promotion or any records
7 reflecting the promotion?

8 A No.

9 Q Are you surprised -- would you -- well, do you
10 know if the City has any records?

11 A I don't know.

12 Q Are you -- would you be surprised to learn they
13 have said they cannot find any records of your merit
14 promotion?

15 A They can't?

16 Q Yeah.

17 A I don't know. First time I've heard that.

18 Q Is that surprising to you?

19 A I wouldn't say surprising.

20 Q Would you expect a record showing something
21 about the merit process to be in your personal file or
22 somewhere else in the City?

23 MR. BAZAREK: Object to form.

24 A I don't know. I don't know what they do with

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 it, how they worked it out. I don't know.

2 Q Has the -- did CPD recently end the merit
3 process?

4 A I don't know if they ended it.

5 Q Or they put it on hiatus or something like
6 that?

7 A Something like that. I'm not sure what it is.

8 Q Do you think that was a good decision?

9 MR. MICHALIK: Objection. Foundation.

10 A No. Meritorious promotions are good.

11 Q And why do you think meritorious promotions are
12 good at CPD?

13 A Because you can earn your right to be promoted.
14 Everybody doesn't test well, and some people that earn
15 the right to be promoted should be promoted. So it
16 shouldn't be just based off a test.

17 Q How come you got the merit promotion as opposed
18 to getting it based on your test results?

19 MR. KOSOKO: Objection. Foundation.

20 A Whatever rank I was on that listing, I -- it
21 hadn't got to my number yet.

22 Q What did you do to earn your merit promotion to
23 sergeant?

24 A What did I do?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q Well, do you think it was deserved? Do you
2 think you deserved to be promoted as a sergeant when you
3 got promoted?

4 A Yes.

5 Q And why did you deserve to be promoted to
6 sergeant in 2012?

7 A Because I had come to work, I worked, I made a
8 lot of arrests, I made a lot of -- wrote a lot of case
9 reports, I did a lot of various things for the
10 department. As a -- as a officer.

11 Q Have you ever done anything as an officer that
12 you regret?

13 A Not that I can think of.

14 Q Do you regret not saying anything about what
15 you heard about Watts or Mohammed over the years?

16 A Would I regret it?

17 Q Do you regret it?

18 A Regret? I can't say that I was factual about
19 anything that I knew about Watts and Mohammed going on
20 at the time. I can't say that.

21 Q So no, you don't regret not saying anything?

22 A I didn't say I didn't regret it. I'm saying I
23 just department have anything -- I can't say one way or
24 the other because I didn't have any factual basis to say

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1 one way or the other.

2 Q What type of factual basis would you have
3 needed to feel comfortable reporting what you had heard
4 about Watts and Mohammed?

5 A Actually, seeing something that warranted that
6 fact.

7 Q Like seeing it with your own eyes?

8 A Yes.

9 Q Firsthand?

10 A Firsthand. People in that area down here, as I
11 said, they would say a whole lot of things about all the
12 officers that worked down there. Not just the people on
13 Watts' team. Any other teams that came down there.
14 Teams that didn't time come down there often. The
15 special operations team. So no.

16 Q But what you're saying is today you're not --
17 you can't really say one way or the other whether you --

18 A I can't say one way or the other.

19 Q Hold on. I just want to make sure we're
20 answering the question I was asking.

21 You can't say one way or the other whether you
22 regret not saying anything about what you were hearing
23 about Watts and Mohammed?

24 A I didn't know if that was true what was being

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1 said. I had no basis or foundation for that to be
2 actual fact be able to say to have a regret or not a
3 regret. It could go either way.

4 Q So if you found out that some of it was true,
5 would you then say you regret not saying anything about
6 it?

7 A If I found out some of it was true?

8 Q If you found out -- if you found out now that
9 something one of those people were saying was true,
10 would you regret not having said something at the time?

11 A Yes.

12 Q And why -- why would you regret not having said
13 something if you found out that one of the accusations
14 against Watts or Mohammed was true?

15 A Because it would have been the correct thing to
16 do.

17 Q Why would it have been a correct thing to do?

18 A Because if I knew factually what they were
19 doing, then something should have been done about it.

20 Q Why were you comfortable relying on things that
21 your colleagues and your partners told you treating that
22 as fact but not relying on things that citizens told you
23 and treating that as fact?

24 MR. KOSOKO: Objection. Misstates prior

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1 testimony.

2 Q Did I -- does that misstate your testimony? I
3 don't want to do that.

4 A I think you have.

5 Q Okay. Tell me what I -- what did I say that
6 was wrong?

7 A Individuals down there were lied to each other.
8 They were lied to each other and on each other. So you
9 couldn't take what they said as value either. Unless
10 you saw it for yourself. And I know that you would see
11 at times we knew what would happen when it happened when
12 an arrest situation, how it went down, whatever. In
13 order for them to save face with their people, they
14 would lie on the other ones. They would lie back to
15 each other. So a couple of days later you'd come back
16 and say oh, man, you didn't lock him up. Ah, you locked
17 him up and you said you take his money. You know that's
18 not true because you saw money inventory. So he gon'
19 lie so he can keep the money or whatever, who he gave it
20 off to.

21 That would happen. So you never could really
22 trust most of the things that were being said down there
23 because they would lie on each other, to each other.

24 Q But you could trust your partners?

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1 A You should have trusted your partners.

2 Q And so I guess what -- I do still want to
3 understand though did I say that was misstating your
4 testimony? I was just asking why you trust your
5 partners instead of citizens?

6 A Citizens not always going to be truthful to you
7 either. And I don't know if my partners were not being
8 truthful to me, but I do know that citizens would not be
9 truthful also. I knew that for a fact, because I had
10 been in situations where, like I said, two or three days
11 later, they are coming around and saying oh, you all
12 took -- you all? Who the hell is you all? I didn't
13 take no money off anybody. Nobody know was -- how much
14 narcotics was taken, know how much money was recovered.
15 And they go back and say they did this, or someone did
16 that. No.

17 Q Sometimes you know what happened because your
18 partner told and sometimes you know because you saw
19 firsthand, right?

20 A No, sometimes I know because I'd be the person
21 making the arrest.

22 Q Right sometimes.

23 A That's -- that's what would make you mad
24 because you know in those situations that they aren't

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1 telling the truth.

2 Q And sometimes your -- your basis for believing
3 you know what happened in an arrest is because your
4 partner or someone else on your team has told you?

5 A Sometimes that may be the case.

6 Q And when that's the case, you don't actually
7 know, right?

8 A Probably not.

9 Q Had you ever made any decisions on promoting
10 people?

11 A No.

12 Q Do you -- would you like to know the good and
13 the bad for people working under you?

14 A You should.

15 Q And why should you know good and bad?

16 A Because the bad may sometimes you might be able
17 to help them with that, straighten it out. They might
18 be falling short somewhere. And the bad meaning you
19 bad, you bad at writing report. You're bad at observing
20 what you should be observing. That's the bad I'm
21 talking about.

22 The good, sometimes the good is well but they
23 need to take that, help spread it throughout the team.
24 Help the team out to learn can grow.

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1 Q And do you like to know when your team members
2 are accused of wrongdoing?

3 A Do I want to know?

4 Q Yes.

5 A Yeah, you should know.

6 Q Why should you know as a leader if your team
7 members are accused of wrongdoing?

8 A Because you should know. That's the part of if
9 someone makes an accusation against your team, you
10 should know that. And as a supervisor, I'm not sure
11 how, depending upon the allegation, the supervisor
12 usually the one who has to investigate the allegation.

13 Q Do you sometimes have to investigate your team
14 members?

15 A Not presently.

16 Q Because you are on desk duty?

17 A Not just that but not presently. The position
18 that what I do they don't -- we don't have -- we do
19 community engagement.

20 Q Have you ever had to investigate CRs involving
21 subordinates?

22 A Yes.

23 Q What is your process for investigating
24 subordinate CRs?

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1 A I haven't done one in a while, so I think the
2 first thing you do is try to contact complainant.

3 Q How do you go about contacting the complainant?

4 A You get a -- the complaint, you start the
5 process of acknowledging who the department that you
6 receive the complaint, send that back, and then you try
7 to reach out to the complainant to schedule an interview
8 with them.

9 Q Why is that the first step in the process?

10 A That's the way it was taught to me.

11 Q Do you ever go talk to the officers who are
12 accused first?

13 A No.

14 Q And if you can't hear -- if you don't hear back
15 from the complainant, do you just close the CR?

16 A No.

17 Q What do you do if you don't hear back from the
18 complainant?

19 A You try a second time.

20 Q And what if you don't hear back a second time?

21 A You send a certified letter.

22 Q And what if the certified letter does not get
23 answered?

24 A Initially, you would close it out.

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1 Q What do you mean initially, you'd close it out?

2 A I think recently in the past couple of years,
3 you actually have to go to that location to try to
4 locate that complainant.

5 Q All right. But if you can't after some
6 reasonable effort get in touch with the complainant, is
7 the CR closed?

8 A Yes.

9 Q Without ever talking to the officer about it?

10 A Yes.

11 Q And do you think that's a good policy?

12 MR. KOSOKO: Objection.

13 A My personal belief?

14 Q Yes.

15 A Depending upon what the allegation is.

16 Q All right. What allegations does it make sense
17 to do that with, what allegations does it not make sense
18 to do that with?

19 A I don't know. It's just depends on what --
20 what the allegation is.

21 Q Can you think of any allegations where you
22 think it's not a good idea to close out a CR without at
23 least talking to the officer?

24 And by talking to the officer, I mean the

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1 officer who was accused of wrongdoing?

2 A Sometimes it may be. Sometimes -- I'm -- it
3 might be a verbal abuse beef, but the complainant might
4 have felt a verbal abuse beef because the officer talks
5 loud. There's no reason to go talk to an officer about
6 that.

7 Q What about an excessive force complaint,
8 someone, a citizen, says this officer beat me up for no
9 reason, you can't find the citizen.

10 MR. MICHALIK: Just going to make an objection
11 there for the foundation as to the questioning officer
12 who investigates excessive force complaints within the
13 Chicago Police Department.

14 A A regular sergeant on leave would not
15 investigate one of those.

16 Q Okay. Can you answer the question though.

17 A Do I think you should -- yeah, you should.

18 Q Why should you go talk to the officer before
19 you close out an excessive force complaint?

20 MR. KOSOKO: Objection. Foundation.

21 A Because that's a serious accusation, and you
22 should at least go get their side of the story. Because
23 you already have the complainant's side of the story.

24 Q As a sergeant, were you ever assigned to

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1 investigate a CR where you are on the scene of the
2 incident?

3 A No.

4 Q Do you think that would be problematic?

5 MR. KOSOKO: Objection to the form.

6 A No.

7 Q What would you -- well, okay.

8 What would investigate if you had already been
9 on the scene and seen everything?

10 MR. KOSOKO: Objection.

11 Q What would you investigate as the sergeant if
12 you were also on scene when the incident happened?

13 MR. MICHALIK: Objection. Form. Incomplete
14 hypothetical.

15 A What would -- what would you investigate? You
16 would investigate whatever the complaint was.

17 Q All right. But you have never done that,
18 right?

19 A No.

20 MR. RAUSCHER: Take a quick break.

21 MR. BAZAREK: Sure.

22 THE VIDEOGRAPHER: Off the record. 11:55.

23 (A brief recess was taken.)

24 THE VIDEOGRAPHER: Back on the record. 12:04.

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1 (Exhibit 2, Jones' Responses to
2 Interrogatories, was marked for identification and is
3 attached to the transcript.)

4 MR. RAUSCHER: We just marked as Exhibit 2
5 right before we came back on the record, Defendant,
6 Jones', Responses to Plaintiff, Lionel White, First Set
7 of Interrogatories. That's Lionel White, Sr.

8 BY MR. RAUSCHER:

9 Q And I may have some specific questions, but the
10 first general question is have you seen this document
11 before?

12 A Not recently.

13 Q Did you review the responses before it was
14 submitted?

15 A I don't recall.

16 Q Can you take sometime to look it over and let
17 me know if you can swear under oath that the substantive
18 responses are true?

19 A Yes.

20 Q Yes, they're true?

21 A Yes, I will take my time and look it over for
22 you.

23 Q Got it. Thank you.

24 (Pause.)

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1 Q Have you had sufficient time to review all the
2 responses you gave in those Interrogatories?

3 A Yes, sir.

4 Q And can you say under oath that the substantive
5 responses are true?

6 A Yes.

7 Q And did you make some changes or additions in
8 there?

9 A Yes.

10 Q Can you tell me and what you changed?

11 A Bottom of page 3, number 7, During the time
12 that you worked as a Chicago police officer, did you
13 ever apply for a promotion or higher paid position?

14 It doesn't have on here that I took the
15 lieutenant's exam two years ago.

16 Q Okay. What was the result of you taking the
17 lieutenant's exam?

18 A I'm on the lieutenant's list.

19 Q You passed the exam?

20 A Yes, I did.

21 Q Are there any other changes that you made?

22 A No.

23 Q Do you -- number 5 says you're on
24 administrative duties -- or I'm sorry, it says, In late

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1 2007, defendant, Jones, was assigned to administrative
2 duty.

3 A In 2017? Yes.

4 Q Are you still on administrative duty?

5 A Yes.

6 Q And that was in response to a question asking
7 have you ever been the subject of any disciplinary
8 proceedings?

9 A What number is that?

10 Q Number 5.

11 A Yes.

12 Q Do you consider being on administrative duty to
13 be a form of discipline?

14 A Yes, I do.

15 Q Why do you consider being on administrative
16 duty a form of discipline?

17 A Because I have been falsely accused, and a lot
18 of these, all of these complaints from these defendants,
19 nobody ever asked me anything. I was just taken off the
20 streets and placed on desk duty. Nobody said nothing.
21 Just moved on to desk duty. Took me away from being
22 able to be on the street doing community service that I
23 liked to do now. I have been part of police, and what I
24 do now with community engagement and helping community

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1 and stakeholders merge with the police department is
2 something I really enjoy. And I don't get to do that
3 face-to-face with them anymore.

4 Q What are you allowed to do and not allowed to
5 do on administrative duty?

6 A I am not allowed to go out on the street as a
7 police officer and have person-to-person contact with
8 citizens. I can contact them by phone for the people
9 that my team deals with, which are stakeholders in the
10 community. Be it the organization office, churches,
11 organizations just to keep them in contact with each
12 other.

13 I also oversee ISR reports. I check them to
14 see if they are accurately prepared, and I keep a track
15 on who's deficient in training. Or reports that need to
16 be approved.

17 Q What are ISR reports?

18 A Investigative stock reports.

19 Q And what do you do for investigative stock
20 reports?

21 A I review them to see if all the information is
22 in there that meets the criteria for an investigative
23 stop.

24 Q And what was the next thing? You check for

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1 deficiencies in the training?

2 A Yes, for the unit.

3 Q You mean whether people have met their training
4 requirements?

5 A Right. They have training that needs to be
6 done, then I inform them that they need to get certain
7 training done by a certain period of time, or refer them
8 to the lieutenant for the lieutenant to get them in a
9 training.

10 Q What else do you do since you've been on
11 administrative leave?

12 A What else --

13 MR. MICHALIK: Leave.

14 MR. RAUSCHER: I'm sorry, you're right.
15 Administrative duty. Thanks.

16 A What else do I do? I make sure that the car
17 team comes in on time and go out as they are supposed to
18 and come back in. I make sure they check off at the end
19 of the day as they should. I fill in as the
20 administrative sergeant in the deputy chief's office
21 until the administrative sergeant arrives in the course
22 of the day.

23 Q Anything else?

24 A Check court records and make sure anyone has

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1 court. Approve time off.

2 Q Anything else?

3 A That's about it that I can think of right now.

4 Q So you are still in a supervisory role?

5 A Yes, I am.

6 Q Still a sergeant?

7 A Yes, I am.

8 Q Have you been -- has your pay been reduced at
9 all?

10 A No, it has not.

11 Q Have you been given any indication as to when,
12 if ever, you will come off of administrative duty?

13 A No, I have not.

14 Q Can you arrest people?

15 A No.

16 Q Has someone told you you can't arrest people?

17 A They told me they didn't want me having contact
18 with individuals on the street.

19 Q Who told you they didn't want you having
20 contact with people on the street?

21 A Chief Waller.

22 Q When did Chief Waller tell you that?

23 A November 2017.

24 Q So is Chief Waller the person who told you you

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1 were getting placed on administrative duty?

2 A Yes, he is.

3 Q All right. And that was in November 2017?

4 A Yes.

5 Q Was that in person?

6 A No, it was over the phone.

7 Q Where were you when the phone call came?

8 A Las Vegas, Nevada.

9 Q Were you working or on vacation?

10 A Vacation.

11 Q All right. What did Waller tell you during
12 that call?

13 A Waller told me that I would have to be going on
14 desk duty because of the situation with the case has
15 been overturned and with Watts and Mohammed, I was being
16 assigned to the desk duty.

17 Q So he said both because of all the cases being
18 overturned --

19 A Yes.

20 Q -- and because of Watts and Mohammed?

21 A Yes.

22 Q Did he give you any detail on what he meant?

23 A No.

24 Q Did you have any understanding of what he

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1 meant?

2 A Yes.

3 Q What was your understanding of what Waller was
4 talking about?

5 A That I could not go on the streets and I'll be
6 working behind a desk in an office.

7 Q What was your understanding of why you were
8 being put in that position?

9 A Because of the relationship of having worked
10 with Watts and Mohammed.

11 Q Did he tell you anything specific about Watts
12 or Mohammed?

13 A No.

14 Q Did he tell you why it was so many years after
15 they were convicted before they placed you on desk duty?

16 A No.

17 Q Do you think that was a reasonable period of
18 delay?

19 MR. MICHALIK: Objection. Form.

20 Q I'm going to rephrase. I'll try to rephrase
21 that one.

22 Do you think that waiting so many years before
23 -- between when Watts and Mohammed were convicted and
24 placing you on desk duty was reasonable?

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1 A I still don't think --

2 MR. BAZAREK: Objection to form.

3 A -- it's reasonable for me sitting on desk duty
4 now.

5 Q Because you think all the accusations are
6 false; is that right?

7 A Pertaining to who?

8 Q Do you have any opinion as to the accuracy of
9 the allegations made against other officers?

10 A Do I have any what?

11 Q Opinion about whether the accusations made
12 against officers other than you are accurate?

13 A All I know is that the accusations have been
14 made against me are false.

15 Q You don't know one way or the other whether the
16 accusations made against the other officers are true?

17 A What accusation are you referring to?

18 Q Any accusations.

19 A Can you be more specific. I don't know what
20 accusations you're referring to.

21 Q Are you aware that other officers have been
22 sued?

23 A Yes.

24 Q Are you aware of any of the allegations made

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1 against them?

2 A No.

3 Q Have you tried to challenge the decision to
4 place you on desk duty?

5 A No, I haven't.

6 Q Is there a mechanism that would allow you to
7 challenge that decision?

8 A I'm not sure.

9 Q Have you tried to put a grievance in or
10 anything like that?

11 A No, I haven't.

12 Q Are you a member of a union?

13 A Yes, I am.

14 Q What union are you a member of?

15 A PBPA.

16 Q What does that stand for?

17 A Good question -- good question. I don't have
18 my union card in my pocket.

19 Q Are you on duty today?

20 A Yes.

21 Q You get paid to be here?

22 A Yes.

23 Q Do you know why Waller called you when you were
24 on vacation?

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1 A Because I was going on desk duty. He didn't
2 know I was on vacation.

3 Q Got it.

4 How do you know he didn't know you were on
5 vacation?

6 A He did. He just did -- he doesn't call me all
7 the time. He called me randomly that day for whatever
8 the reason specific he did. And he said well, you'll be
9 on desk duty. I said well, I'm on vacation now in Las
10 Vegas. He never knew I was on vacation.

11 Q But I'm saying how do you know he didn't know
12 you were on vacation?

13 A He called me. He said he didn't know. He just
14 called me as he was going down the list of whoever he
15 had to contact.

16 Q When you said I'm on vacation, he said I didn't
17 know you were on vacation?

18 A Yes.

19 Q Got it.

20 You are aware that you're not the only member
21 of the Watts Team that's on desk duty?

22 A Yes.

23 Q Have you talked to anyone else who's on desk
24 duty?

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1 A No.

2 Q So you don't know whether they think it's fair
3 that they are on desk duty?

4 A No.

5 Q Do you know whether being on desk duty impacts
6 your ability to become a lieutenant?

7 A I don't know.

8 Q Have you ever tried to find the answer out to
9 that?

10 A No.

11 Q Why not?

12 A It hadn't crossed my mind.

13 Q Would you like to become a lieutenant?

14 A Possibly.

15 Q Are there any downsides to being a lieutenant
16 over your current job?

17 A No. I think everyone wants to be promoted.

18 Q Do you carry a gun still?

19 A Yes.

20 Q Have you been stripped of your police powers?

21 A No.

22 MR. RAUSCHER: Let's mark this as Exhibit 3,
23 please.

24 (Exhibit 3, Responses to Interrogatories, was

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1 marked for identification and is attached to the
2 transcript.)

3 Q You can look at all of it if you'd like, but
4 actually for today, I'm only going to ask you question
5 about the first one.

6 A Yes.

7 Q Have you had a chance to look at that question
8 to you?

9 A Yes.

10 Q And I see you've stated, This one needs to
11 verify under oath already. At the back. You see that
12 back page. Turn it over.

13 A Yes.

14 Q It's missing a date, but did you verify under
15 penalty of perjury that the answers to this are true and
16 correct to the best of your knowledge, information and
17 belief?

18 A Yes.

19 Q And is that your signature on the last page?

20 A Yes.

21 Q I see that you have said you did not write or
22 play a role in posting -- I'll say comment of blogpost
23 from the Second City blog that's referenced in
24 Interrogatory 1.

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1 A No, I did not.

2 Q And do you -- is there anybody who you know of
3 who fits the description of the person in here, the one
4 who said the description of someone being removed from a
5 tact, a tact team and sent to a beat car?

6 A No, I don't.

7 Q You can't think of anybody who that happened to
8 while you were on the tact team?

9 A No.

10 Q Do you know of anybody complaining to -- do you
11 know who Commander GL is?

12 A I'm not sure.

13 Q Was Genisa Lewis a commander in the 2nd
14 District?

15 A Yes.

16 Q Are there any other GLs who are commanders that
17 you can think of in the 2nd District?

18 A No.

19 Q And what about Lieutenant KM?

20 A I would assume that would be Kenny Mann.

21 Q There's no other Lieutenant KMs that you can
22 think of from the 2nd District?

23 A Not that I remember.

24 Q Do you know of anybody complaining to either of

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1 them about Kallatt Mohammed or Ronald Watts?

2 A No, I don't.

3 Q Are there any other officers from that, your
4 time in the 2nd District who you can think of with the
5 initials Kallatt Mohammed? Not lieutenants just police
6 officers, other than Kallatt Mohammed?

7 A Any other officers? Not that I remember.

8 Q Any other sergeants with the initials, RW,
9 other than Ronald Watts?

10 A Not that I remember.

11 Q When you were switched from the TAC team and
12 being in the vans, would that be considered a move from
13 the tact team to a beat car?

14 MR. BAZAREK: I think I'll throw in an
15 objection. Not sure it's characterizing his prior
16 testimony as to when he was in the van and then becoming
17 a tact.

18 A Question again, sir.

19 Q Yeah. You did testify earlier, I believe, that
20 at some point after you started on the tact team, you
21 were removed to the vans?

22 A Yes.

23 Q And --

24 MR. BAZAREK: I withdraw my objection.

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1 Q When you were moved to the vans from the tact
2 team, would you consider that being placed in a beat
3 car?

4 A It was like working in the beat car, yes.

5 Q Is there -- but just to be clear, this
6 description, even if you didn't post it, doesn't
7 describe you?

8 A No.

9 Q And then, is there anybody else you can think
10 of who was moved from the tact team to the vans while
11 you were there?

12 A While I was where?

13 Q In the 2nd District?

14 A First of all, the vans were assigned to Public
15 Housing.

16 Q Okay.

17 A They weren't assigned to the 2nd District.

18 Q Okay.

19 A They was in Public Housing.

20 Q Thank you for clarifying.

21 A And --

22 Q Let's do still in Public Housing.

23 A It was still in the Public Housing.

24 So not that I could remember. Because the vans

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1 were considered vertical patrol.

2 Q What does vertical patrol mean?

3 A Vertical patrol in the high-rise buildings.
4 They would answer calls in high-rise buildings and
5 low-rise buildings. But they were -- the title for
6 their section was vertical patrol.

7 Q Was Watts the sergeant -- I guess you said
8 Watts was the sergeant the whole time you were on the
9 tact team, correct?

10 A No.

11 Q Oh, I'm sorry.

12 How long was -- well, you did tell. Well,
13 you've answered when he wasn't the sergeant, right?

14 A When he was the sergeant of what?

15 Q Of the tact team?

16 A Which tact team?

17 Q The -- well, were you on multiple tact teams
18 with him?

19 A No, I was on multiple -- I was on two other
20 tactical teams with two other supervisors.

21 Q All right. So what were the years when
22 sergeant Watts was the sergeant of the tact team that
23 you were on with him?

24 A I'm not sure when he took over the tactical

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1 team. But if somewhere maybe around 2003.

2 Q And how -- when did you start on the tact team?

3 A My first assignment was to a tactical team when
4 I went to Public Housing.

5 Q How many sergeants other than Watts did you
6 serve under on tact teams in Public Housing?

7 A Two.

8 Q All right. Who were those and when were they
9 the sergeants?

10 A Mark Moore was the first.

11 Q So when you got over to Public Housing, Mark
12 Moore was the sergeant on the tact team?

13 A Yes, that I worked on.

14 Q All right. And what years -- was he was
15 already in place when -- -

16 A He was already there.

17 Q And then, for how long did he stay as the
18 sergeant at tact team? Or better way to state --

19 A Maybe six, eight months before he moved on, and
20 then I worked for Ed Thomas.

21 Q Same tact team?

22 A Yes.

23 Q All right. How long did Ed Thomas stay in that
24 role?

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1 A Maybe a year, year-and-a-half. A year to two
2 years before the unit was split up and sent to Ida B.
3 Wells.

4 Q So during those first -- when you were under
5 Moore and Thomas, were you in Ida B. Wells at all?

6 A You'd go in either Ida B. Wells, Stateway
7 Gardens, you'd go into all of them.

8 Q All right. So then, what changed after that
9 one to two-year period?

10 A I don't remember, but I ended up working
11 vertical patrol for a while, and then I was placed on
12 another team. Oh, there was another sergeant. Henry
13 Harris.

14 Q When were you under Henry Harris?

15 A For a short period, I would assume, before
16 sergeant Watts took over.

17 Q So you were put on the vans during vertical
18 patrol when Ed Thomas was a sergeant?

19 A I'm trying to figure. Was put on the van, and
20 we had just filled in at times from the van. I'm not
21 really sure, but it wasn't like a permanent assignment
22 to that.

23 Q But it was while Ed Thomas was a Sergeant?

24 A I believe so.

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1 Q And if not Thomas, it would have been Harris?

2 A After I -- yes, after I went for Ed Thomas.

3 Q And then, you had said something liken then
4 after Ed Thomas was a sergeant and the unit moved over
5 to Ida B. Wells?

6 A Yeah, they moved -- it was like we worked --
7 initially when I worked, I worked out of the Robert
8 Taylor Homes, and then I moved to the Ida B. Wells.

9 Q When you were -- does that mean you were based
10 there?

11 A Yes.

12 Q But when you were at Robert Taylor Homes, would
13 you also go into Ida B. Wells?

14 A Yes.

15 Q And when you were in Ida B. Wells, did you also
16 go into other Public Housing?

17 A Yes.

18 Q Would you spend more time at the base homes?

19 A No, I wouldn't say that.

20 Q When you were -- when the unit moved to Ida B.
21 Wells, did the unit spend more time -- let me -- it's
22 not a unit right, the tact team?

23 A It's the unit.

24 Q The whole unit?

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1 A Yes.

2 Q So when the unit moved to Ida B. Wells, did the
3 unit spend more time in Ida B. Wells?

4 A The office that was in Ida B. Wells.

5 Q You would spend more time in that office?

6 A Yes.

7 Q Did you spend more time doing investigations and
8 patrols in Ida B. Wells as opposed to other homes?

9 A Yes.

10 Q And was that something that started when the
11 unit moved to Ida B. Wells or had it always been the
12 case?

13 A I think it was always the case.

14 Q Why is it that the unit spent more time in Ida
15 B. Wells than in other places?

16 A I think that's the way it was broken down.
17 They had the Ida B. Wells unit, and then they had the
18 Robert Taylor section unit out of 47th Street, 49th
19 Street.

20 Q And were you -- but, well, let me try to
21 understand the time.

22 At some point, were you part of the Robert
23 Taylor unit?

24 A Yes.

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1 Q Can when you were on the Robert Taylor unit,
2 was there also an Ida B. Wells unit?

3 A Yes.

4 Q So you were removed to the Ida B. Wells unit?

5 A Yes.

6 Q It's not that the whole unit moved from --

7 A Right.

8 Q -- Robert Taylor to Ida B. Wells?

9 A Right.

10 Q When you moved over to the Ida B. Wells unit,
11 was Henry Harris the sergeant?

12 A No, Ed Thomas was.

13 Q All right. Who was the sergeant when you were
14 in the Robert Taylor section?

15 A Mark Moore.

16 Q All right. And then, you were -- how long were
17 you in the Robert Taylor section?

18 A Not too long, because I think Mark Moore left
19 the unit and Ed Thomas took over the team.

20 Q And where was Ed Thomas? Where were you based
21 when Ed Thomas took over?

22 A Ida B. Wells.

23 Q So did the whole team move over to Ida B.
24 Wells?

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1 A Yes.

2 Q And then, did a new team come into Robert
3 Taylor?

4 A I don't know.

5 Q But did some team maintain a presence at Robert
6 Taylor?

7 A There were several teams at Robert Taylor.

8 Q Got it.

9 Any other sergeants you worked under on
10 tactical teams under Moore, Thomas, Harris and Watts?

11 A No.

12 Q Can you tell me did they have different
13 leadership styles, the four of them?

14 A I think every sergeant has a different
15 leadership style.

16 Q Did you have a favorite sergeant among that
17 group?

18 A I wouldn't -- I don't -- I wouldn't say a
19 favorite of anybody.

20 Q Did you have one you liked more than others?

21 A I wouldn't say that.

22 Q Was there one that was easier to work for than
23 others?

24 A I wouldn't say that.

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1 Q What were the differences in their leadership
2 styles?

3 A I don't know. I can't say what the difference
4 was in their leadership style. Every -- I think every
5 leader is different in some kind of way. I just can't
6 find one specific reason or thing to say why they were
7 different.

8 Q Was Watts more hands-on?

9 A Hands-on how?

10 MR. KOSOKO: Objection to form. Foundational.

11 Q Were there any ways in which you observed Watts
12 to be more hands-on as a leader?

13 A What do you mean by hands-on?

14 Q Well, was he -- did he go out to investigate
15 more with the team than other leaders?

16 A I don't think so.

17 Q You think the other sergeants went out the same
18 amount?

19 A Yeah, they all worked. They all would go out.

20 Q Did they all do the same things when they would
21 went out?

22 A What do you mean the same thing?

23 Q Well, did they all do the same things when they
24 went out?

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1 A Same things as what?

2 Q As each other.

3 MR. MICHALIK: Yeah, I --

4 MR. KOSOKO: Object to form. Foundation.

5 A I'm still not understanding.

6 Q So you would go out to do investigations,
7 patrols, walk around the homes, right?

8 A Yes.

9 Q And sometimes Watts or the other sergeants
10 would be with you?

11 A Yes.

12 Q Okay. When you observed those people, the
13 sergeants, were they doing the same things as each other
14 over time?

15 A What do you mean by same things?

16 Q What did the sergeants do when they went out in
17 a field?

18 A They went out with the team and investigated as
19 the team did. Or they went and answered calls as the
20 team did.

21 Q Did they do the same things as other team
22 members?

23 A What do you mean by same things?

24 Q Same actions, same activities, same roles?

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1 A I don't think so.

2 Q Okay. And what was different about the
3 sergeant role than officer role?

4 A I don't think at that time -- trying to
5 remember. I'm trying to remember. Trying -- I can't
6 remember when with Henry, but I'm quite sure he was the
7 same way at some point some days.

8 Let's say we go in and try to get into a
9 building, and we go into a building and we hide.
10 Sometime they would go into the building and hide with
11 us.

12 The only thing I could say, one difference was
13 when -- no, because Ed Thomas did reverse stings with us
14 also. So that's about that I remember. I don't
15 remember Henry Harris doing a reverse sting and I don't
16 remember Mark Moore doing a reverse sting, but they
17 happened.

18 Q But they didn't, Moore and Harris, you don't
19 remember them participating?

20 A I can't remember them participating.

21 Q Did Thomas and Watts participate in reverse
22 stings the same way as each other?

23 A In a supervisory role, yes.

24 Q In any role. I'm just asking. You're --

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1 sorry, you're answering that yes, in a supervisory role?

2 A In a supervisory role, yes, they oversaw them.

3 Q How did Thomas and Watts oversee -- well,
4 actually, before we get into details about the reverse
5 stings, did Thomas and Watts oversee reverse stings in
6 the same way?

7 MR. BAZAREK: Let me just can I object to
8 foundation. Just the line of questions in terms of kind
9 of vague.

10 A In the same way? They'd be on the same -- they
11 would be in the same location in the area where we were.

12 About the same to me.

13 Q Did they interact with citizens in the same
14 way?

15 A In the same way?

16 Q Yeah.

17 MR. BAZAREK: Object to form. Foundation.

18 A I'm trying to remember. I don't think Sergeant
19 Thomas -- well, I don't think either one of them really
20 often played a role as a seller too much. They would
21 oversee the security of those people who were coming in
22 and been arrested in the reverse sting.

23 Q When you say oversee the security, you mean
24 like once people are arrested?

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1 A Yes.

2 Q More generally though, take it outside of the
3 context of reverse stings, did you observe Watts and
4 Thomas interact with citizens?

5 A Yeah, they would talk to citizens.

6 Q Did they talk to them, did they seem to have a
7 similar rapport with citizens?

8 A No.

9 Q Tell me what the differences were in the
10 rapport that you saw between Watts and citizens versus
11 Thomas and citizens?

12 A Watts would talk to everybody. Watts would
13 talk to any and everybody.

14 Q Thomas not so much?

15 A Not so much. I mean, it was sometimes part of
16 the day because when I worked with Thomas, it was
17 usually we worked at night so you didn't have a lot of
18 citizens out in different.

19 Q Thomas was at night, you said?

20 A Yes.

21 Q That's reverse stings at night?

22 A Early evening before it got dark, dark, yes.
23 Doing the reverse sting, yes.

24 Q Was Watts the last sergeant you served under on

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1 the tact team?

2 A Yes.

3 Q Did you think he was a good sergeant?

4 A He had some problems, personal -- -
5 personalized personal problems.

6 Q Tell me about -- well, all right. But before
7 we go into the personal problems, did those personal
8 problems affect his ability to do the job as sergeant?

9 A No.

10 Q Right. So do you think he was a good sergeant?

11 A It depends what you say a sergeant is.

12 Q Well, I want to know if you think he was a good
13 sergeant?

14 A Yeah.

15 Q Okay. Is it fair to say you hesitated before
16 giving that answer?

17 A Because I had to think about what I would --
18 what I would consider a good sergeant to be.

19 Q Okay. And what -- what was the thought process
20 to get to the yes?

21 A To get to the yes? The being able -- the
22 ability to be able to judge situations in your
23 personnel, to be able to be able to work with other --
24 other people, other coworkers.

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1 Q Anything else?

2 A No.

3 Q All right. What did you mean be able to judge
4 situations?

5 A Every supervisor takes situations and look at
6 them differently depending upon the circumstances of
7 what they are. And some may overreact, some may be less
8 reactive. Some may be able to communicate better in the
9 situation than others.

10 Q And where did Watts fall in that continuum?

11 A Depending upon the circumstance.

12 Q Some good, some bad?

13 A Some good, some bad.

14 Q What were some things he was bad at?

15 A Sometimes communicating with other people.

16 Q All right. How was Watts bad at communicating
17 with other people?

18 A Because sometimes it was his train of thought
19 and his way. He had an arrogance about his self at
20 times.

21 But as far as making sure that people were on
22 time and doing what they should be doing, making sure
23 that they were preparing to get things together, he's
24 pretty good at that. If you didn't -- if he didn't have

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1 an answer for you when you needed an answer, he'd find
2 an answer or somebody who knew the answer.

3 Q Is he -- go ahead.

4 A He pretty much was at work most of the time.

5 Q What do you mean pretty much most of time he
6 was at work?

7 A He didn't take off too often other than
8 vacations. He wouldn't take -- he wouldn't even take
9 off a lot.

10 Q So you were not saying sometimes he just didn't
11 show up?

12 A No.

13 Q Was he an intimidating boss?

14 A Not to me.

15 Q Was he intimidating to other people?

16 MR. KOSOKO: Objection. Foundation.

17 A I don't know.

18 Q Did he yell at people?

19 A Sometimes.

20 Q When would he yell at -- and when I say people,
21 I mean on the team.

22 A I don't know every situation, but he'd yell at
23 you sometimes. He yelled at me.

24 Q What were the types of things that would make

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1 him yell?

2 A I don't know. I mean, in my -- in my instance
3 one time, I was trying -- I wasn't trying to. I thought
4 the correct way to prepare something or who to contact
5 to notify on a situation, and he yelled at me about
6 that.

7 Q Do you remember what the general subject matter
8 was?

9 A No, I don't. But it was about -- it was
10 something about a notification being made somewhere to
11 somebody for the case report I was doing.

12 Q Was he right?

13 A I don't remember. I don't -- I really don't
14 remember. I just remember that's a conversation he was
15 yelling at me for.

16 Q And how did you respond when he yelled at you?

17 A Initially, I thought maybe I could be right.
18 Afterwards, I didn't say anything. I -- after I found
19 out the correct way, and I'm not sure who was correct in
20 the situation.

21 Q Did you yell back at him?

22 A No.

23 Q You said he was arrogant?

24 A Oh, yeah, he talked a lot.

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1 Q So tell me -- tell me more about him being
2 arrogant?

3 A He'll tell you about his self. He had no
4 problems with telling you about his self. He had no
5 problem with telling you about how much he liked to be
6 outside with his -- with his team. He liked like he
7 would tell you about like he liked to play cards. He
8 just had that air about himself.

9 Q Why was he telling you that he liked to be
10 outside with his team a sign of arrogance?

11 A This is some sergeants who probably would never
12 leave the office as a tactical officer. And I don't
13 degree with it, but there are some who never would leave
14 the office. They wouldn't see their team until the team
15 came in and they had to approve whatever reports would
16 come in what they were doing.

17 Q What was arrogant about it? Was he saying
18 like I need to be out here, I'm better than everyone, or
19 what was the --

20 A He wasn't saying that. It was, you know, I'm
21 one here and I can still do the job as like he's lead.

22 Q Like he is in charge of -- -

23 A Like he's in charge.

24 Q Was he? Was he in charge of the --

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1 A He was the supervisor.

2 Q But did you -- did he have an accurate
3 perception of himself and his abilities?

4 A He was pretty good at it.

5 Q I guess if you thought he was arrogant, maybe
6 you didn't think he was good as he said he was?

7 A At times.

8 Q Did he fall short in any certain areas?

9 A What type of scenarios are you referring to?

10 Q Well, do you think there were any scenarios
11 where he felt short of his own view of himself?

12 A Maybe when he came to sometimes judgment of
13 people.

14 Q All right. Tell me in more about problems with
15 his judgment of people?

16 A I mean, yes, he's a supervisor, he's the case
17 officer, he's out there talking trying to get to know,
18 as you should, the people and the players out there.
19 But at times, you know, the laughing and the joking
20 sometimes went a little overboard.

21 Q Laughing and joking with who?

22 A People we would consider players and drug
23 dealers in that area.

24 Q Which ones specifically?

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1 A Specifically? Sometimes -- what was the name?
2 Wilbert Moore.

3 Q Big Shorty?

4 A Big Shorty.

5 Q That's the same person, just for the -- right?

6 A Yes.

7 Q Allan Jackson. B Low. Shock. I don't know.
8 He would -- those are all people he would joke around
9 with?

10 A Yeah, he would joke around with.

11 Q In a way that you felt was not appropriate?

12 A Sometimes.

13 Q Anyone else?

14 A Not that I can think of right now.

15 Q Can you tell me more about your observations of
16 him joking around with those four people in that way
17 that you found it inappropriate?

18 A We worked there, we didn't live there. And
19 neither did they, for that matter. And that's -- that's
20 how -- that's how sometimes the communication of they
21 felt like they were too friendly to come and talk to us.
22 And you shouldn't -- you shouldn't -- if you know that
23 you a drug dealer, you shouldn't feel that comfortable
24 all the time coming to talk to us.

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1 Q Did you think they felt comfortable because
2 some of them were paying them?

3 A I don't know.

4 Q Did you ever tried to find out?

5 A No, because I didn't know.

6 Q In this case, have you seen any documents
7 talking about Watts taking bribes?

8 A In this case? I -- I can't remember what
9 documents I've seen about that.

10 Q You can't remember whether you've seen them?

11 A Whether I've seen them.

12 Q Would you like to see them if they exist?

13 A You want to show me a document and refer to --

14 Q No, I just -- I'm asking as a police officer
15 who worked with them. That's not a -- I'm not trying to
16 lay -- well, I'm just going to ask the question.

17 As a police officer who worked with Watts and
18 Mohammed, if there are documents showing that they were
19 taking bribes while you worked with them, would you like
20 to see those documents?

21 A What point would that serve for me?

22 Q I'm asking. If the answer is no, it's no.

23 A It doesn't really matter to me.

24 Q It doesn't matter to you whether you see the

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1 documents or it doesn't matter to you whether they were
2 taking bribes --

3 A It matters to me whether they were taking
4 bribes. It doesn't matter if I look at the document.

5 Q Why does it matter to you if they were taking
6 bribes while you worked with them?

7 A Because at this point right now, it has cast a
8 bad reflection on everyone.

9 Q Would you be interested in knowing how they
10 were doing it so you could be on the lookout if anyone
11 else was doing it who you worked with?

12 MR. MICHALIK: I'd object to the form of the
13 question. It's also argumentative.

14 A The question again?

15 Q Would you be interested in knowing how Watts
16 and Mohammed operated to take the bribes, for example,
17 so you could maybe look out for behavior like that from
18 other officers?

19 A A really don't care because I won't be
20 supervising a tactical team. I supervise community
21 engagement for the little bit that I do, and what I've
22 have been doing since I'm a sergeant. I had no contact
23 and no interest ever to be a tactical sergeant.

24 Q Why don't you want to be a tactical sergeant?

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1 A I'm older now. That's for younger -- younger
2 exuberant guys. I'm a little older now.

3 Q Of the four people who you named who you
4 thought Watts had inappropriate interactions with, was
5 there any one he was seen closer to than others?

6 A Not in my opinion.

7 Q Okay. Yeah, just I'm asking for your --

8 A Not in my opinion.

9 Q Was there anyone who of those four he talked to
10 more than others?

11 A Not in my opinion.

12 Q Did you ever see him get anything of value from
13 any of those people?

14 A Yes.

15 Q All right. Tell me about that.

16 A Shock will sell clothes at times. They'd go
17 buy -- what's the neighborhood guys would buy? There
18 was a clothing store on 47th and J-Bees. Sometime they
19 would -- and it just might not be Shock and them. Might
20 be one of those four guys. But people come dope here
21 with clothing from J-Bees or somewhere, something like
22 that. And they had something that looked nice, and
23 Watts, he'd buy it.

24 Q Watts would buy clothes from Shock and others?

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1 A He would buy it, yes.

2 Q Do you know that he bought it from anyone else
3 other than Shock?

4 A I just remember Shock.

5 Q Okay.

6 A And then, I remember him having a foot race
7 with Big Shorty, \$400.

8 Q When did the foot race happen with Watts and
9 Big Shorty?

10 A I don't know, but it was one of the funniest
11 things I'd seen.

12 Q Who won?

13 A Take a guess.

14 Q I'm going to say Watts.

15 A Big Shorty.

16 Q All right. I was wrong. Usually I don't
17 answer questions during this but --

18 A I understand.

19 Q All right. Did Watts pay him?

20 A Yeah, they both put the money on the ground.

21 Q Do you know when this race happened?

22 A Don't remember when it happened.

23 Q Did you think that was inappropriate?

24 A No, that was just some -- some natural things

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1 that happened in the neighborhood between two people
2 that were having a conversation arguing about who could
3 outrun who, being two fat boys. It's almost like
4 community engagement.

5 Q But was something was different about the
6 clothes?

7 A It wasn't so much different about the clothes.
8 I mean, it just -- just one of those things, you know.
9 I -- there would be people down here and things going on
10 in Ida B. Wells that most people, I don't care how long
11 you sit and tell them, they would never understand it.
12 For instance, people coming down here selling things.
13 I'm not just talking about criminal activity. I'm
14 talking about things that made Ida B. Wells Ida B.
15 Wells. And that area where it was just -- it was just
16 different.

17 Q I'm not questioning whether people were selling
18 things like food or clothes or anything else for right
19 now. I'm just asking was there something different
20 about you seeing Watts buy clothes from Shock and seeing
21 him race Big Shorty?

22 A No, I mean I just -- well --

23 Q Because I thought you said that it was
24 inappropriate for him to be --

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A Here is my point. They liked the clothing that
2 they wore down here. I mean, we would try to wear
3 clothing to fit in. I didn't like to wear that type of
4 clothing. That's just my personal opinion.

5 Q But you weren't -- you weren't saying the
6 problem was with the clothing?

7 A It was the problem if -- why you have to buy
8 from them? You can go buy for yourself somewhere else
9 if that's the point, you know what I mean? You don't
10 have to just buy just because they were selling. You
11 don't have to do that.

12 Q Did at one point did, you confront him over
13 getting clothes from Shock?

14 A Once.

15 Q Tell me about confronting Watts over buying,
16 getting clothes from Shock?

17 A I was in the station, we were get -- we had an
18 arrest, we had -- we were getting ready to process, I
19 wanted -- but I knew it was going to be a long process
20 so I wanted to get my clothes out of the dry cleaner
21 before they close.

22 As I get ready to leave out, he asked me to
23 meet Shock to get whatever clothing that he had.

24 When I saw Shock, after I come out the

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1 cleaners, he had a J-Bees bag with his clothing in it.

2 Q And what was the confrontation?

3 A Because I was uncomfortable with meeting
4 someone to get the bag at that point in time. So I
5 guess at that point, one of those things you might maybe
6 want to say well, did you have a suspicion? Might have
7 been but I didn't know. It was nothing factual that I
8 could say this here, other than I picked up clothes, but
9 just didn't feel right.

10 Q What was the suspicion that you had?

11 A I just didn't know why I -- just why I had to
12 go meet him. Just because I'm going out to get my
13 clothes, you gon' -- you can go get your own clothes.
14 You can go get your clothes yourself while we process.

15 Q And so did you take -- did you say anything to
16 Watts?

17 A I said to him later on.

18 Q What did you say to him?

19 A I said if this clothing issue here isn't
20 something other than what it is, it's some bullshit, and
21 don't put me in the middle of it again.

22 Q You said if this clothing situation isn't -- is
23 something other than what it is?

24 A Yes.

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1 Q Meaning that if it wasn't just an exchange of
2 clothing?

3 A Yes.

4 Q What did you mean?

5 A Exactly what I meant, because I wasn't sure as
6 to the contents of the bag.

7 Q What did you think was in the bag?

8 A Clothing. Along with clothing.

9 Q Clothing along with clothing?

10 A Along -- along with his change from whatever,
11 because I had seen him earlier giving him money for
12 these clothing, he's gon' get whatever, whatever. So I
13 thought it was his change. Now you put his change in
14 this bag.

15 Q So there was money in the bag?

16 A There was a few dollars in the bag.

17 Q How much?

18 A I don't remember how much it was. It wasn't --
19 it wasn't a lot of money.

20 Q But you thought it was more than just change?

21 A I thought it was more -- I don't know. It
22 could have been.

23 Q You thought it was?

24 A It could have been.

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1 MR. BAZAREK: Objection. Argumentative.

2 Q Did you think it was more than just change?

3 A I thought it could have been.

4 Q If it was enough -- how many times over the
5 years did you confront Sergeant Watts on something?

6 A That was the one time I did confront him about
7 that.

8 Q If you didn't think it was more than just
9 change, would you have gone out to him and told him that
10 it was bullshit?

11 A If I didn't think it was more than just change?

12 Q Yeah.

13 A Yes, I would have.

14 Q You would have, even if it was just change?

15 A Even if it was just change, I would have
16 confronted him about it.

17 Q And you would have said that if this is
18 something more than just clothing?

19 A This is bullshit, and don't involve me in it.

20 Q Even if you didn't think there was a basis? If
21 you had no basis to think --

22 A If I had no basis to think it.

23 Q You'd still say that?

24 A I would still say that.

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1 Q Why?

2 A Because he could have done picked it up his
3 self.

4 Q But then why would you click the part in about
5 how it's something different than change?

6 A Because as we've been talking and discussing,
7 they were always people talking about things about him.
8 And at that particular moment , that date and time, it
9 sent a little red flag up in my head. And that's all it
10 was. And I felt I had to say what I wanted to him about
11 that.

12 Q You didn't know?

13 What's your best estimate of how much money was
14 in the bag?

15 A I don't know.

16 Q No idea?

17 A No idea.

18 Q How do you know it was the change then?

19 A Because it was in his hand.

20 Q Whose hand?

21 A It was in Shock's hand. He put it in the bag
22 because he tried -- and I don't know. You put his --
23 whatever belonged to him in that bag, and it was his --
24 it wasn't a thick amount of money. I mean, you could

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1 have money this thick. It was just it was -- it looked
2 like change.

3 Q Is it fair to say you don't really know if it
4 was change or not?

5 A I don't know.

6 Q The only thing you know for sure is that he did
7 put money in the bag?

8 A Yeah.

9 Q Do you remember when this happened?

10 A No, I don't.

11 Q Did you say anything to Shock?

12 A Not really, other than put his property in his
13 bag.

14 Q You said put Watts' property in his bag?

15 A Yeah. That's --

16 Q You -- you didn't want to hold it?

17 A No. I didn't want to touch it, no, because I
18 didn't know. Wasn't gon' be a part of it.

19 Q All right. And what did Shock say to you? He
20 just do it?

21 A He just do it and then he gave me the bag and
22 he drove off. And I drove back to the station.

23 Q And you went back and you just told, you
24 confronted Watts?

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1 A I didn't confront him then.

2 Q Okay. When did --

3 A We had the processing and we went on to
4 finishing doing the processing. And as we finished the
5 processing, he was gone. So his bag wasn't there, so I
6 had to take it to his house. I called him and asked him
7 where he was. He had left.

8 Q What did you do with the bag in the meantime?

9 A The bag was in the squad car where my dry
10 cleaning and everything else was until I got ready to go
11 home. And I wanted to get my dry cleaning out the car,
12 get his bag, give him his bag, and he was gone.

13 Q Watts was gone?

14 A Yes.

15 Q Any did you call him or did you go to his
16 house?

17 A I called him.

18 Q What did you say to him?

19 A I said where you at. He told me he had left.

20 Q Did you say why you were calling him?

21 A I told him he had left his bag.

22 Q What did he say?

23 A He didn't say anything. He said I'm at home,
24 bring it to me. And then, when I got to his house, I

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1 thought about that. I got to his house, dropped the bag
2 off, and that's when I confronted him with the words
3 that I said.

4 Q Were you mad that he tried -- that he made you
5 bring it to his house?

6 A Yes, I was.

7 Q Why were you mad he mad it -- made you --

8 A Because I wasn't sure, and it was just my
9 instincts of what I might have thought been going on,
10 yes. So I felt some kind of way about it.

11 Q Can you tell me specifically what you felt
12 might have been going on?

13 A What I felt might have been going on?

14 MR. KOSOKO: Object. Calls for speculative
15 response.

16 A Maybe something inappropriate. I wasn't sure.
17 I had no way of knowing for sure. But I felt
18 inappropriate about it.

19 Q So I want to try to drill down on that a little
20 bit. I understand you have said a bunch of times today
21 you did not know for sure. What I want to know is you
22 said I thought there was something wrong.

23 A Yes.

24 Q I want to know you had a particular suspicion,

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1 you got something from a drug dealer, including money,
2 and you were supposed to bring it to Watts. I want to
3 know specifically what did you think might be wrong?
4 What did you think was going on?

5 A I thought it was inappropriate for him to be --
6 to be handing me money or put money in a bag for him
7 with whatever items he had in the bag. Although I had
8 seen it happen prior to that.

9 Q You had?

10 A Yeah, he used to -- when he was -- when he
11 would buy something from Shock, it's not like he's
12 hiding it. He was out in the open. It's nowhere like
13 he's hiding somewhere. Hey, Shock showed up, how about
14 this. He want to buy, he buys it. That money exchange
15 hands like a normal sale, put it in the bag, and he
16 gone.

17 Q You saw him exchange -- you saw him give Shock
18 money, Shock would give him clothes and change?

19 A Yeah. Clothes and change sometimes, yes.

20 Q Did you see him getting change before?

21 A Yes.

22 Q Okay. And in any of those occasions, did you
23 say anything to Watts?

24 A No, because it's openly wide. Everybody is out

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1 there for see. I didn't -- it didn't look suspicious to
2 me.

3 Q Was he paying a fair price for the clothes?

4 A I don't know what he was paying for them.

5 Q All right. So this at a, the one where you
6 confronted Watts --

7 A Yes.

8 Q -- did you think that maybe it was payoff money
9 from Shock?

10 A I don't know. I wouldn't call it payoff money.
11 I -- it's just -- it just didn't feel right to me.

12 Q Did you think maybe it was bribe money?

13 A I don't know what was. It just didn't feel
14 right to me.

15 Q I know you don't know what it was, but can you
16 just tell me what you thought it was? What was the
17 concern?

18 A I don't know --

19 MR. BAZAREK: Objection. Asked and answered.

20 A -- it just didn't feel right to me.

21 Q Okay. You can't say anything else about it
22 other than it just didn't feel right?

23 A It just didn't feel right.

24 MR. RAUSCHER: I don't know what time it is.

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1 Do you want to --

2 MR. MICHALIK: We can go -- why don't we go to
3 1:15 and then or you got -- you going into a new area
4 or?

5 MR. RAUSCHER: I don't know yet.

6 MR. MICHALIK: Okay.

7 MR. RAUSCHER: You all tell me. I'll keep
8 going. If you want, whenever you get to it, just tell
9 me and I'll stop.

10 MR. BAZAREK: Take a lunch break. Right?

11 MR. MICHALIK: Yeah.

12 MR. RAUSCHER: Okay.

13 THE VIDEOGRAPHER: Off the record. 108.

14 (Lunch was taken.)

15 THE VIDEOGRAPHER: Back on the record. 2:02.

16 BY MR. RAUSCHER:

17 Q Before we took a lunch break, we were talking
18 about the incident where you took -- I think, as I
19 understand it, you had a bag of clothes and some money
20 from Shock and brought it to Watts?

21 A Yes.

22 Q We had talked about that in a little bit of a
23 disjointed way, I think, and so what I'd like you to do
24 can you just walk me through step-to-step how that

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1 incident occurred.

2 A I was in the station, we were getting ready to
3 process some arrestees. I knew it was going to take a
4 long time. So I asked him to go -- if I could go to the
5 cleaners to pick up my clothes. He said oh, yeah, by
6 the way, can you stop and get my bag from Shock with the
7 five purchasing.

8 Okay. I go to the cleaners. Shock was by the
9 cleaners where I go get my -- go pick up my clothes.
10 Come out the cleaners, put my clothes in the squad car,
11 go to the car, he has a bag. He has whatever
12 denominations of money in his hands. I don't know how
13 much there were. I told him no, you could put it in the
14 bag.

15 I took the bag back to the station. I go back
16 in. I go to start the process, and I don't look for him
17 right away. Leave my clothes, the bag, in the squad car
18 because I move all my stuff, I load in my car when I
19 ready to go home.

20 But when we finished processing, he was gone.
21 So I'm looking around for him like where you at. So he
22 tells me he's at home, to bring him his bag, bring the
23 back to home.

24 Then I go to his house. And that's where I

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1 could say what I had to say, didn't stay long, and I
2 left.

3 Q And I'm sorry if I -- if you already answered
4 this. What did Watts say to you in response when you
5 sort of confronted him?

6 A I don't recall what he said. I don't think I
7 even stuck around to say. I wasn't there that long.

8 Q Were you mad at him when you confronted him?

9 A I had -- I felt a warm kind of way.

10 Q What; warm?

11 A Warm kind of way.

12 Q You were mad?

13 A I felt a warm kind of way.

14 Q What does that mean?

15 A I -- because I felt uneasy about it, I was -- I
16 wasn't, I wouldn't say mad but I felt a warm kind of way
17 that I had to express my opinion to him.

18 Q Were you yelling at him?

19 A No, it wasn't yelling but it was a firm way of
20 expressing myself.

21 Q You said Shock was by the cleaners where you
22 went to get your clothes?

23 A Yes.

24 Q Did he -- did he live by the cleaners?

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1 A I don't know where he lived, and I don't know
2 how -- Watts knew where I was going to the cleaners at,
3 so I don't know how Shock eventually found where I was
4 going to the cleaners at. I don't know.

5 Q Did you tell Shock?

6 A No.

7 Q Do you know if Watts and Shock would talk on
8 the telephone?

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

10 Q Is there any way that you can think of that
11 Shock would have known where you'd be other than --

12 A He would have to talk to him and tell him I was
13 going to.

14 Q Watts would --

15 A I would assume that. So I don't know.

16 Q Right. Other than -- you assume that Watts
17 told Shock?

18 A Yes.

19 Q Because otherwise, there's no really any way
20 you could think of that he would know?

21 A Correct.

22 Q Where was the cleaners?

23 A 42nd and King Drive.

24 Q Do you know what it was called?

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1 A No.

2 Q Do you know if it's still there?

3 A I don't know.

4 Q Did you pick up your clothes?

5 A Yes.

6 Q And then, did you talk to Shock after you
7 picked up your clothes or before?

8 A After.

9 Q Where did Shock meet you?

10 A Right there by the cleaners.

11 Q Right in -- -

12 A Right across the street from the cleaners at
13 42nd and King Drive.

14 Q Across the street?

15 A Yeah. The cleaners was on one side of the
16 street, he was parked across the street.

17 Q He was in his car?

18 A Yes.

19 Q Did you go up to his car?

20 A Yes.

21 Q Did he get out of his car?

22 A No.

23 Q What kind of car did Shock have?

24 A I don't remember.

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1 Q How did you know he was there?

2 A I saw him.

3 Q How did you know that you were supposed to go
4 approach him?

5 A How do I know I was supposed to go approach
6 him?

7 Q Yeah.

8 A Watts had asked me to pick up the bag whatever
9 he had for him.

10 Q Did Watts tell you -- Watts said he wanted you
11 to get the bag?

12 A Yeah, with the clothe in it, yes.

13 Q When he told you that, did he say where Shock
14 would be?

15 A No. I'm going to the cleaners.

16 Q You said I'm going to the cleaners?

17 A Right.

18 Q Watt said Shock has the bag?

19 A Right. So I don't know how. He must have told
20 Shock to meet me at the cleaners, is my assumption.

21 Q Other than you telling Shock to put the money
22 in the bag and not give it to you directly, did you
23 exchange -- did you exchange any words with him?

24 MR. BAZAREK: I just object to the way that the

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1 question was formed. And also I think it
2 mischaracterizes his prior testimony.

3 Q That I want to make sure that I'm getting it
4 right. Did I mischaracterize your testimony?

5 A What -- what are you saying?

6 Q My question was other than you telling Shock to
7 put the money in the bag instead of in your hands --
8 hold on. Just let me finish for the record.

9 A Uh-hum.

10 Q Other than you telling Shock to put the money
11 in your bag -- no, I'm sorry.

12 Other than telling Shock to put the money in
13 the bag instead of handing it to you, did you exchange
14 any other words with Shock?

15 A No.

16 Q So the first question is -- all right. So no.

17 A Right. Put that in the bag. That's not mine.
18 That's his. Put it in the bag.

19 Q That exchange happened?

20 A That exchange happened. He never said nothing
21 to me.

22 Q He just complied when you said put it in the
23 bag?

24 A He -- yeah.

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1 Q Did you think about telling him I'm not taking
2 the money?

3 A I didn't know if it was change or not. I told
4 you it wasn't -- I couldn't tell the denomination. It
5 wasn't a large denomination of money. So I don't know
6 if it had been change or not from whatever the purchase,
7 whatever the situation was.

8 Q That's not my question. The question is did
9 you think about not taking the money?

10 A Not taking the money?

11 Q Yeah. Did you think about telling him no, I'm
12 not taking that money?

13 A No, I didn't think about that at that moment.

14 Q What kind of bag was it?

15 A It was a J-Bees bag, clothing bag.

16 Q A plastic bag or like --

17 A Plastic bag.

18 Q -- a garment bag?

19 A Plastic bag. J-Bees clothing bag.

20 Q What color?

21 A I don't recall.

22 Q Did you see the clothes inside?

23 A No.

24 Q Do you know that there were clothes inside?

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1 A There was something in there, yes.

2 Q I know there was something. Do you know that
3 there were clothes?

4 A They had -- yeah. A folded bag. I didn't look
5 in it to see what was in there.

6 Q But it felt like clothing?

7 A Yes.

8 Q What did it -- was it soft?

9 A It was foldable.

10 Q What --

11 A Foldable. You know, it wasn't like something
12 that wouldn't fold. Like clothes. You can feel clothes
13 through a bag.

14 I didn't decide to see what they were.

15 Q You had said something Watts had told you that
16 he wanted you to go get a bag of. Was it things he had
17 bought? Is that what he told you?

18 A I guess he had -- clothing. Whatever it was he
19 had bought. That he had purchased from Shock. Earlier
20 I had seen them in conversation about what -- whatever,
21 whatever. He asked me to go pick up the ones he had
22 purchased from Shock.

23 Q So earlier in the day, you saw Watts talking to
24 Shock?

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1 A Yes.

2 Q And did you hear what they were talking about?

3 A No.

4 Q So you don't know if that conversation related
5 to the -- this exchange that you previously --

6 A No, I don't.

7 Q And do you remember Watts said to you can you
8 go pick up the bag of stuff I purchased from Shock?

9 A Yeah.

10 Q That's what he said?

11 A Yes.

12 MR. BAZAREK: I'm just going to lodge like a
13 standing objection to all these questions. Mr. Alvin
14 indicated that Shock. We covered it ad nauseam. And
15 he's not one of the plaintiffs in the Watts Coordinated
16 Pretrial Proceedings. So standing objection to all this
17 line of questioning.

18 Q You had said you had seen Watts get clothing
19 from Shock on other occasions?

20 A Yes.

21 Q Do you know how Shock got the clothing?

22 A No, I don't.

23 Q Did you have any belief or understanding that
24 he was stealing the clothing or that others were

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1 stealing it for him?

2 A No.

3 Q You never suspected that?

4 A No.

5 Q All right. You had also, when you were talking
6 about the ways in which Shock displayed arrogance, you
7 said something about he talked about how he liked to
8 play cards?

9 A Yes.

10 Q Tell me more about that.

11 A He was a bid whist player.

12 Q Big what?

13 A Bid whist card player.

14 Q What does that mean?

15 A It's a card game.

16 Q What kind of game is that?

17 A It's a card game.

18 Q Just a -- all right.

19 A It's called.

20 Q Did you ever play with him?

21 A Yes.

22 Q Did he gamble a lot?

23 A What do you mean a lot?

24 Q Did you gamble with Watts?

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1 A On what?

2 Q On anything?

3 A Yeah.

4 Q All right. How frequently would you gamble
5 with Watts?

6 A We might bet on a game.

7 Q Small amounts, big amounts?

8 A Depending upon how big the game was.

9 Q What's the biggest bet you made with Watts?

10 A About \$100.

11 Q And when I was asking -- when I said do you
12 gamble with Watts, were you saying you bet against him
13 on things?

14 A Yes.

15 Q Did you ever go to casinos with him?

16 A Once.

17 Q Tell me about going to a casino with Watts?

18 A We were Albuquerque, New Mexico, at a training
19 class.

20 And in a week, that week before we left, the
21 night before, a few feel from the training class, we all
22 went to the casino.

23 Q What kind of training class?

24 A Bomb tech, I believe it was.

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1 Q Do you remember when this happened?

2 A No.

3 Q Did either you or Watts gamble a lot of money
4 at the casino?

5 A I don't know what he was gambling because he
6 was playing another game and I was playing the slot
7 machine.

8 Q So you did not gamble too much?

9 A Oh, I played the slot.

10 Q No, I'm sorry, it was -- it was a slow
11 question.

12 You were not gambling large amounts of money?

13 A No.

14 Q But would you know what Watts was playing?

15 A No. He was playing card game somewhere.

16 Q All right. What was arrogant about Watts and
17 his playing -- is it bid whist? Is that how you say it?

18 A Yes.

19 Q What was arrogant about that?

20 A Talk loud, you talk intimidating to other
21 people. That the source of how the game is played
22 amongst people.

23 Q So you're saying he just acted arrogant during
24 the games?

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1 A Yeah, he acted very arrogant during the game.
2 That's a trait of playing the game.

3 Q So that's how you are supposed to act in the
4 game?

5 A If you that good at it. If you think you're
6 good at it.

7 Q Was he?

8 A He was pretty good at it.

9 Q So when you -- when you were saying Watts and
10 you in which he was arrogant, when he was, you know,
11 acting like he was in charge of everything when he was
12 outside, I think you were saying that as a negative?

13 A Yes. At times.

14 Q Is the playing cards and acting like he's good
15 at it during the game a negative?

16 A I wouldn't call it negative at that time.

17 Q You had also mentioned, when I first asked you
18 if Watts was a good sergeant, that he had personal
19 problem?

20 A Sometimes people don't know how to communicate
21 with people. And that's in any profession. Whether it
22 be a sergeant or any profession.

23 Q Let's just stick to it. Try to just listen to
24 the questions and answer these questions.

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1 What are the personal problems that you are
2 referring to with Sergeant Watts?

3 A Personal communication-wise to people.

4 Q How did that show itself?

5 A Other officers sometimes didn't like the way he
6 communicated to them.

7 Q How did he communicate with other officers that
8 caused problems?

9 A I would say in a way of speaking as an
10 authority figure to them and they -- they weren't
11 officers on our team.

12 Q What sort of things would he say that would
13 bother people?

14 A I don't know what they are directly, but you
15 know, a lot of people would have an opinion of okay, I
16 got to listen to what the sergeant says at his direction
17 but he's an arrogant asshole, behind his pack.

18 Q They would say that about Watts?

19 A Yes.

20 Q Do you remember anyone specifically that said
21 that?

22 A No.

23 Q Anyone in your team said that?

24 A Not that I remember but you know, we shared an

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1 office with several other teams. Sometimes he might be
2 the only sergeant for that shift.

3 Q Did you ever say that about him?

4 A What?

5 Q That he was an arrogant asshole?

6 A If I felt like that at that moment.

7 Q Was that a yes, you said it?

8 A Yes, I have.

9 Q And did you say that when you were working for
10 him on the tact team?

11 A Yes.

12 Q And when you said it, what types of things were
13 you referring to?

14 A Whatever the situation was that he had done at
15 that time, and I felt the need to say what I had to say
16 about him.

17 Q Do you remember any specific or general things
18 that you were -- that you said that about him while you
19 were on the tact team?

20 A No.

21 Q Were there any other things that we haven't
22 talked about that you observed from Watts that you felt
23 were problematic?

24 A Not that I could think of at this time.

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1 MR. RAUSCHER: Let's mark this as Exhibit 4.
2 City BG056464.

3 (Exhibit 4, Personnel File Request, was marked
4 for identification and is attached to the transcript.)

5 Q Have you seen this document before?

6 A I don't remember.

7 Q Do you remember asking -- well, let me ask you
8 this: Does this reflect you asking to see your
9 personnel file?

10 A Yes.

11 Q Do you remember asking to see your personnel
12 file in November 2005?

13 A No.

14 Q Do you know why you asked to see your personnel
15 file in November 2005?

16 A No.

17 Q Do you remember ever asking to see your
18 personnel time?

19 A No.

20 MR. RAUSCHER: Let's mark this as Exhibit 5,
21 city BG056496.

22 (Exhibit 5, VRA Suspension Notice, was marked
23 for identification and is attached to the transcript.)

24 Q Do you recognize this document?

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1 A Yes, I do.

2 Q Can you explain it to us.

3 A It's a VRI suspension notice.

4 Q What's VRA?

5 A Voluntary -- voluntary -- overtime basically.

6 Q Okay.

7 A Or to work overtime.

8 Q What is a suspension notice?

9 A Suspension notice? Failure to record or
10 incorrectly record activity in a clear database system.

11 Q Do you know what activity it's accusing you of
12 not recording?

13 A Doing -- if I can remember correctly which is
14 what they have me do every day is you are supposed to do
15 activity report. And I don't remember if this is early
16 on first time working there, and I didn't do a activity
17 report for what the team had done and recorded it in the
18 database.

19 Q What is an activity report?

20 A It's an -- it shows what the people working
21 under you did for that time on the watch. If they made
22 a arrest, if they made parking tickets, whatever, moving
23 tickets, whether they wrote curfews, you're supposed to
24 list all that in there and make it. And I wasn't sure

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1 I guess how to do it or that I was supposed to print it
2 out and submit it.

3 Q So I think you did it but didn't print it out
4 and submit it?

5 A I don't remember if I did or not.

6 Q What -- how long -- well, do you know if there
7 were activity reports when you were on the tact team in
8 the 2nd District in Public Housing?

9 A No, I don't.

10 Q You don't know either way?

11 A No, I don't.

12 Q Did you ever review any activity reports before
13 you became a sergeant?

14 A No.

15 Q Did you ever create any activity reports before
16 you became a sergeant?

17 A Not that I remember.

18 Q Do you remember ever seeing an activity report
19 at any time before you became a sergeant?

20 A Not that I remember.

21 Q Did you agree with this notice, like what they
22 say in here, correct?

23 A Yes.

24 Q You didn't challenge it?

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1 A Because I realized I hadn't done it, whatever
2 it was, or what I didn't actually put it in because you
3 have to save it first after you list it -- well, you
4 make it out. It's a box to check first next to
5 beginning of the tour, of labelling it, where your
6 locations are. Then when you go back at the end of the
7 tour, you are to put the information in, uncheck the
8 box, save it, then go to another place and pull it up
9 and print it.

10 And I wasn't aware of all that at the time and
11 I don't -- I don't know which mistake I made, if I
12 didn't print it out or if I just didn't actually get it
13 done. So no, I didn't.

14 Q Do you recall ever giving a performance review?

15 A No.

16 Q Do you ever complete performance reviews for
17 people under your commands?

18 A Yes.

19 Q How long have you -- do you still do
20 performance reviews in your current role?

21 A Yes.

22 Q How long have you been completing performance
23 reviews for?

24 A Since I've been a sergeant.

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1 Q How often do you do that?

2 A As often as they said amount. Quarterly, if
3 whoever is up, I get an email to say looking in their
4 performance of evaluation.

5 Q How frequently are people under your command
6 reviewed?

7 A I don't know. It just pops up, like I say
8 quarterly.

9 Q Okay. Do you think you review each person
10 under you quarterly?

11 A No.

12 Q This is some sort of rotation?

13 A I would assume so because I don't know, I don't
14 pick it. I don't know --

15 Q Okay.

16 A -- how it's done.

17 Q What are the questions if you know -- well,
18 actually, just tell me what a performance review looks
19 like from your end?

20 A From my end? It looks like the five or six --
21 five or six categories. From those categories, you have
22 things in those bracket -- in the default in here
23 whether they doing exceptional, whether they doing okay
24 or whether they need some help with it.

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1 Q And is there room for comments?

2 A Yes.

3 Q Do you put comments in all the time?

4 A Yes -- you have to fill it. It won't go past
5 the next step if you don't put in what -- whether they
6 exceed, meet or needs improvement.

7 Q And how do you decide which category to put
8 people in? What are you looking at?

9 A I look at a performance evaluation chart.

10 Q How do you -- what does the performance
11 evaluation chart tell you?

12 A It has wording in there for whether they
13 exceed, it has wording for whether they meet it, and
14 wording in there whether they need help in it.

15 Q And what do you look at to decide how to slot
16 people into different categories?

17 A It's a -- it's a performance evaluation chart.

18 Q Let me try -- I'll try to clarify that. We'll
19 just -- can we do another hypothetical if your lawyer.

20 If you're reviewing him, you have the chart
21 that says, you know, exceeds, meets, or needs help?

22 A Yes.

23 Q And then, you must know something about him to
24 decide which ones of those he meets, right?

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1 A Correct.

2 Q So what are the things that you look at for the
3 person you're reviewing?

4 A I think about the daily activity that they
5 brought in based upon what their daily activity sheet
6 that they -- the kind of work that they do.

7 Q Do you use any like you have personal
8 observations in addition to that or is it just the hard
9 data on the sheets?

10 A Take personal observation in there also.

11 Q And do you look at CRs or anything like that?

12 A No, I haven't looked at a CR, no, I don't know
13 where.

14 Q Do you look at the number of complaints that
15 are raised against people?

16 A No.

17 MR. RAUSCHER: Let me mark this -- and we're
18 at 6?

19 (Exhibit 6, Performance Review, was marked for
20 identification and is attached to the transcript.)

21 Q Before you actually before you review that, do
22 you know if the people you're reviewing get the reviews
23 that you complete?

24 A Yes.

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1 Q Then, do you sit down and do you talk to them
2 about that?

3 A Yes.

4 Q But that and so just to be clear, you don't
5 remember ever having that kind of meeting when you were
6 -- at any time before you were a sergeant?

7 A A -- for the review of my --

8 Q Like you being on the other side of it, getting
9 your review?

10 A I don't remember, no.

11 Q Okay. Take a look at this document. Let me
12 know when you've had a chance to look it over.

13 A Yes.

14 Q Have you seen this document before today?

15 A I don't recall seeing it.

16 Q Do you recognize it looking at it?

17 A No.

18 Q Do you know what -- do you see that it says
19 performance ratings on the far right-hand columns?

20 A Yes.

21 Q And then, it looks like it's as got a year or
22 four different years, and then some numbers and certain
23 months. You see that?

24 A Yes.

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1 Q Do you have any idea what any of those mean?

2 A Those are the performance rating numbers.

3 Q Are you saying that just because it's under the
4 performance rating heading or do you have some basis to
5 think that beyond looking at the document?

6 A I believe that's what they are from that point
7 in time.

8 Q What is that basis? What is your belief based
9 on?

10 A Because it says here Performance rating, and
11 someone would have rated, as you look at the year, '97,
12 somebody from -- January, June they gave me a 91, and
13 from July to December, they would have given me a 94.

14 Q And do you remember getting ratings of any
15 sort?

16 A I don't remember.

17 Q Do you know if there was a rating system in
18 place at the time?

19 A I don't remember what the system was.

20 Q Do you know if there wasn't any system at all?

21 A Yeah, there was some type of system.

22 Q Some type of review system?

23 A Yes.

24 Q How do you know there was a review system?

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1 A Because we were told there was a review system.
2 I just didn't know what it was.

3 Q Got it. Okay. You don't know what these
4 numbers measure?

5 A No.

6 Q And you don't know who filled this form out?

7 A No.

8 Q Do you know if there has always been a review
9 system? Since you've been on the force?

10 A I'm not sure.

11 Q Were there any reviews or any papers that
12 looked anything like this in your meritorious package?

13 A I don't know.

14 Q Did you see any?

15 A I don't remember.

16 Q All right. Tell me who you remember being on
17 the Watts Team while you were on the team.

18 And when I say Watts Team, I'm talking about
19 the time period when Watts was the sergeant on the
20 tactical team you served on.

21 A Myself, Kenny Young, Brian Bolton, Robert
22 Gonzalez, Ed Caddman, Michael Spaargaren, Kallatt
23 Mohammed, Darrell Edwards, Jerome Sommers, Calvin Rojea,
24 Katherine Hughes, Doug Nipples, Manny Leono, Elsworth

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1 Smith, Cynthia Torres, Miguel Cabrera, Darius Smith,
2 Caroline Smith.

3 I don't know. I can't remember anybody else.

4 Q Lamonica Lewis.

5 A Lamonica Lewis.

6 Q Was she known as Coco?

7 A Yes.

8 Q And obviously Ronald Watts?

9 A Yes.

10 Q Did he have a nickname?

11 A People called him Big Smooth.

12 Q Did people other than him call him Big Smooth?

13 A Did people other than him?

14 Q I've heard --well, did you hear him refer to
15 himself as Big Smooth?

16 A Yes.

17 Q Did anyone else call him Big Smooth?

18 A There was people in the office that called him
19 Big Smooth.

20 Q All right. Which officers called him Big
21 Smooth.

22 A I don't know the particulars. Some he had
23 probably worked in the past.

24 Q Did any of the residents -- did you ever hear

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1 any of the residents call him Big Smooth?

2 A Sometimes.

3 Q Any resident, any particular residents or
4 people who were around you you remember calling him Big
5 Smooth?

6 A No.

7 Q Any other members of the team who you remember
8 having nicknames?

9 A Given nicknames or their own nicknames?

10 Q You mean -- oh, so either -- either one.

11 Nicknames that people -- you mean nicknames that people
12 gave them?

13 A Nicknames that people gave them in the streets.

14 Q So let -- let's do this. Tell me what you
15 remember and just tell me which category it falls in and
16 sort of who called them that, whether it was the team or
17 people in the streets or both.

18 A I think people in the streets called me AJ
19 because they heard other people call me AJ by my
20 initials.

21 Q Did you ever hear anybody in the streets refer
22 to you as the Watts Team enforcer?

23 A No.

24 Q Have you ever heard anyone say that people said

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1 that about you?

2 A No.

3 Q All right. What other nicknames?

4 A They call Manny Charter Man. I'm trying to
5 remember the nicknames they were calling. I -- they
6 just don't jump off at me.

7 Q Edwards or Mohammed or Sommers or Kenny Young
8 have any nicknames that you can remember?

9 A Kenny was called KY.

10 Q Initials?

11 A Yes.

12 Q Team members or people in the street or both?

13 A Both.

14 Q Did people on the team call you AJ?

15 A Yes.

16 Q And then, what about Lamonica Lewis, people on
17 the street and team members call her Coco?

18 A Coco.

19 Q She called herself Coco?

20 A Yes.

21 Q Which, if any of the people who you've listed
22 as part of the Watts Team were you friends with outside
23 of work?

24 A Outside of work? I spent time with most of

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1 them at some point or another.

2 Q Which ones would you consider to be friends, if
3 any?

4 A I considered them all to be friends.

5 Q Still consider them all to be friends?

6 A Well, I haven't seen a lot of them in a long
7 time, so no.

8 Q At the time, though, when you were on the team,
9 you considered them all your friends?

10 A Some.

11 Q Which ones did you not consider friends?

12 A I mean, I didn't have a really outside of the
13 work job with Miguel Cabrera.

14 Q Anybody else you were really friends with?

15 A Darrell Edwards. We were -- we knew each other
16 but we didn't really hang out, hang out, like that. We
17 might have a drink somewhere. I think I may have went
18 to his house once. I think he may have come to my
19 house once.

20 Q Who did you -- was there anyone else who falls
21 in that category of people you don't really consider
22 friends?

23 A I -- no.

24 Q And let's go to the other end of the spectrum.

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1 Were there people who you would say you were closer
2 with?

3 A Yeah, I was closer with few of them.

4 Q Who were you closest with on the team?

5 A I was close with Watts. We played cards. With
6 other police officers. We'd have drinks in bars with
7 other police officers. With some of the team, team.
8 Same for Jerome Sommers.

9 Q Okay. Same type of things; play cards?

10 A Yes.

11 Q Anyone else?

12 A I don't think the rest of the guys were card
13 players.

14 Q Yeah, let's not limit it to cards. Just --

15 A I mean it started because that's what it was.
16 He liked -- they liked to frequent the bar. I couldn't
17 play, unless we were playing with other police officers
18 at somebody's house or at a function somewhere, it was
19 bid whisk. He played straight whisk a lot at a bar. I
20 didn't play straight whisk so I didn't go there too
21 often when they played cards.

22 Q All right. Who else did you socialize with a
23 lot on the Watts Team, if anyone?

24 A A lot? Jerome Sommers.

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1 Q So we got Sommers and Watts.

2 A I went by Coko's house a few times for drinks.
3 Went by Mohammed's house a couple of times for drinks,
4 few times for drinks. Kenny didn't drink.

5 Q Were you in his wedding or was he in your
6 wedding?

7 A I was in his wedding.

8 Q Would you consider yourself close with Kenny
9 Young when you were on the team together?

10 A Yes.

11 Q All right. Did he leave the team before you
12 did?

13 A Yes.

14 Q Do you know why he left the team?

15 A No, I did not.

16 Q Did you ever talk to him about it?

17 A No, I did not.

18 Q Did you ever hear any rumors about why he left
19 the team?

20 A No.

21 Q Was the wedding before or after he left the
22 team?

23 A I think it was before.

24 Q Was it while he was on the tact team?

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1 A Yes.

2 Q Did you stay close with him when he left the
3 team?

4 A Yeah, I talked to him.

5 Q You still in touch with him?

6 A I haven't talked to him in a while.

7 Q Did you miss having him on the team?

8 A Excuse me?

9 Q Did you miss having him on the team?

10 A Yeah; Kenny was a nice person.

11 Q Did you ever want know why he left?

12 A No.

13 Q All right. Anybody else you socialized with?

14 A Calvin Rojeo. We'd go to his house a couple of
15 times a year. He would have a summer barbecue once a
16 year.

17 Brian had a party he would have once a year in
18 the summertime, and I went up there a couple times.

19 I went to Doug's house too at a social for
20 something once.

21 I was invited to Manny's house but I never made
22 it.

23 That's it outside of there I socialized with.

24 Q Elsworth Smith at all?

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1 A Elsworth. Me and Elsworth would hang out and
2 smoke cigars.

3 Q How frequently did you hang out with Elsworth
4 Smith outside of work?

5 A Not often. I mean maybe once a month. So we'd
6 go to the same cigar place.

7 Q Well, once a month you would go smoke a cigar
8 with him?

9 A Yes, outside of work.

10 Q At a cigar shop?

11 A At a cigar shop, or if something was going on
12 where another event where some people were that we all
13 knew. Other police officers.

14 Q And that's included in the once a month
15 estimate?

16 A Yes.

17 Q Anyone else who you remember socializing with
18 on the team.

19 Catherine Hughes?

20 A Vaguely. I went to her house a couple of
21 times. She came by my house a couple of times.

22 Q Are you still in touch with any members of the
23 Watts Team?

24 A Not really. I see Catherine Hughes because we

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1 work in the same building.

2 Q Is she on administrative duty also?

3 A I don't know.

4 Q Have you ever talked to any of the other Watts
5 Team members about being on administrative duty?

6 A No.

7 Q Have you ever talked to any of them about the
8 accusations being made against you at all?

9 A No.

10 Q Were there any people you remember from that
11 team who didn't get along, like it was obvious they
12 didn't get along with each other?

13 A Not that I know of.

14 Q Nothing you observed --

15 A Nothing I observed where --

16 Q Go ahead, sorry.

17 A No, nothing I observed that would say they
18 really didn't like each other, no.

19 Q Any rumors about people not getting along on
20 the team?

21 A Nope, not that I remember.

22 Q Were there particular types of crimes at the
23 2nd that the Watts Team was responsible for
24 investigating?

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1 A No.

2 Q Were there particular types of crimes that you
3 came upon more often than others when you were on the
4 Watts Team?

5 A More narcotics sales down there in that area.

6 Q And when you say that, you mean Ida B. Wells?

7 A Ida B. Wells area, yes.

8 Q Ida B. Wells was the primary area where you all
9 worked, correct?

10 A Primary area, yes.

11 Q Did you ever hear of any of the building in Ida
12 B. Wells referred to as a Watts building or the Watts
13 buildings?

14 A No.

15 Q Do you know if he was involved in the drug
16 trade?

17 A No, I do not.

18 Q You don't know either way?

19 A I don't know either way.

20 Q Was that one of the rumors about him back in
21 the day?

22 A I don't remember hearing that rumor.

23 Q When -- so you've named, I think, some people
24 you believed were bigger plays in the drug trade?

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1 A Yes.

2 Q Shock, Big Shorty?

3 A Yes.

4 Q Allan Jackson?

5 A Yes.

6 Q B-Low?

7 A Yes.

8 Q Are there any others who you remember who you
9 thought were big players?

10 A Ben Baker. Leonard Gibson. That's what comes
11 to mind right now.

12 Q And how did you know that those six people were
13 big players in the drug trade?

14 A Because they carried themselves down there like
15 they were better than everybody else, and to that end,
16 people would say that. And the other officers who were
17 down there trying to make arrests and also had
18 experience with being down there in the Ida B. Wells
19 area.

20 Q Did you have any confidential informants that
21 you worked with when you were a member of the Watts
22 Team?

23 A No.

24 Q Did you know of any confidential informants

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1 that the team was working with?

2 A No.

3 Q Do you know whether the team had confidential
4 informants or whether anyone on the team had
5 confidential informants?

6 A I don't know.

7 Q You don't know either way?

8 A No.

9 Q All right. Did you use the term, concerned
10 citizen?

11 A Yes.

12 Q What does concerned citizen mean to you?

13 A That means someone who was giving information
14 because they were concerned with what was going on in
15 that area.

16 Q Who like generally who were the concerned
17 citizens?

18 A Some would be people who lived down there.
19 There would be people who would just be around down in
20 the area.

21 Q And is a concerned citizen different than a CI,
22 confidential informant?

23 A Yes.

24 Q What's the difference between a confidential

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1 informant and a concerned citizen?

2 A The confidential informant is someone who has
3 to be signed up on the payroll book to be getting paid.
4 And the concerned citizen is someone who just gives you
5 information about what they know to be a problem to
6 them.

7 Q Have you ever worked with confidential
8 informants in your time on the Chicago Police
9 Department?

10 A No.

11 Q What is your understanding of what a -- where
12 does your understanding of what a confidential informant
13 come from?

14 A Pardon me?

15 Q You -- I had asked you to tell me the
16 difference between a confidential informant and a
17 concerned citizen, and you did. And I'm just wondering
18 what is the basis for your belief as to what a
19 confidential informant is?

20 A The confidential informant goes down into the
21 buildings or wherever to find out what illegal activity
22 is going on, and they report it back to the police.

23 Q They are kind of working undercover?

24 A I would say so.

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1 Q So what's your basis for that, for having that
2 belief as to like that's what a confidential informant
3 is?

4 A I have read reports about that.

5 Q Okay. Did you personally frequently get tips
6 from concerned citizens when you were working at Ida B.
7 Wells?

8 A Yeah, you would get concerned tips all time.

9 Q You, you personally?

10 A I would get some, yes.

11 Q Do you remember any specific concerned citizens
12 you got tips from?

13 A No.

14 Q So other than getting tips from concerned
15 citizens, how would you go about finding out where
16 illegal activity was taking place in Ida B. Wells?

17 A We would go down there on a regular basis.
18 Sometimes just to be there as your presence. Other
19 times going down there trying to get up in the
20 buildings. And you would know because people would run
21 scattered when the police would come.

22 Q All right. So one way to know about illegal
23 activity is a concerned citizen; is that fair?

24 A Yes.

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1 Q And then, did you say another one is if you
2 showed up and people ran away?

3 A Ran away, and if you got up in the building to
4 see illegal activity going on.

5 Q What is it about people running and scattering
6 that tells you they've done something illegal?

7 A Because they are yelling a term called clean up
8 which was meant to alert the police that the -- I mean,
9 alert the drug dealers that the police were coming.

10 Q So that the people yelling clean up, you
11 believe they were involved in the drug trade?

12 A Yeah, they are a part of it.

13 Q And then all the people running you also
14 believed to be?

15 A Not all -- not all the time because some of the
16 people running might be people coming to buy narcotics,
17 might be the people outside on security.

18 Q Or could just be people there who didn't want
19 to talk to the police?

20 A I wouldn't say didn't want to talk to the
21 police. Why would anyone want to go to an area -- well,
22 I don't believe anyone would want to go to that area
23 just to hang out. It was not that kind of appealing
24 area. It wasn't a resort area.

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1 Q Right. I'm not suggesting it was a resort
2 area. What I'm saying is there could be people who were
3 not doing anything illegal but still didn't want to be
4 stopped by the police, so they ran away. Are you saying
5 that it's impossible at Ida B. Wells?

6 A It's possible.

7 Q But you think it's unlikely?

8 A I'm not saying it's unlikely. It's possible.

9 Q Was your assumption when somebody ran that they
10 did something --

11 A Well, they were part of something, yes.

12 Q Well, let me finish just so --

13 A I'm sorry.

14 Q -- it's a clean record.

15 A I apologize.

16 Q I know we're both trying.

17 A Okay.

18 Q Was it your assumption when you were working in
19 Ida B. Wells that when somebody ran, it was because they
20 were doing something illegal connected to the drug
21 trade?

22 A Yes.

23 Q Do you think it would have been appropriate to
24 arrest somebody who you saw running but who you didn't

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1 actually observe do anything illegal?

2 MR. KOSOKO: Objection. Calls for legal
3 conclusion.

4 MR. BAZAREK: I'll join.

5 A Not just for running. There's no crime in
6 running.

7 Q So if you didn't see -- if you suspected
8 someone was there to buy drugs, but you didn't see them
9 buy drugs, and they ran, and you didn't find drugs on
10 them, it would not be appropriate to arrest that person
11 for drugs, right?

12 A Not for narcotics, no.

13 Q Maybe for trespassing if they were trespassing?

14 A Maybe.

15 Q Maybe not?

16 A Maybe not.

17 Q And you said earlier on sometimes Watts would
18 say we're taking people for trespassing today, we're
19 taking people for possession; is that right?

20 A We're taking them for trespassing or we're
21 taking them for unlawful solicitation of business.

22 Q And can you tell me more about what you mean.

23 A So every -- every time we'd go down there, it's
24 not like -- it's like going fishing. You weren't

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1 catching a fish. You wasn't catching someone selling
2 narcotics. But over time, you keep going down there,
3 and the same people who don't live down there who you
4 have given warning and signs posted down there for
5 trespassing, been down there illegally who had been
6 warned previous, you take them to jail.

7 Q You say it's like going fishing, meaning
8 sometimes you catch a fish, others you don't?

9 A Sometimes you don't.

10 Q What does that have to do with the description
11 of how Watts decided on who should go to jail?

12 MR. KOSOKO: Objection. Misstates -- misstates
13 prior testimony.

14 A If we go down there, a bunch of people down
15 there, we stop as many people as we can. Some people
16 rush in the building trying to get to where the illegal
17 narcotics were and what people were selling narcotics,
18 and you didn't get there. There were people that were
19 detained outside who we had seen down there previous or
20 we had watched on our camera, possibly on a Pod camera.

21 You run their information to make sure, check
22 their ID, they wasn't residents of that area. So they
23 would get arrested for tres -- criminal trespassing,
24 stay supported lane.

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1 Q And then, who would -- but what is Watts --
2 what was Watts' role in that? That's what I'm trying --

3 A He's out there with us. He said okay, we're
4 taking everybody for trespassing today that's
5 trespassing.

6 Q So if everybody he would -- what does -- I'm
7 going to try to hopefully clarify maybe.

8 A Okay.

9 Q Say you stopped 30 people --

10 A Yes.

11 Q -- and none of them lived there --

12 A Yes.

13 Q -- are you saying Watts would decide one day
14 we're taking all of these people for trespassing?

15 A Yes.

16 Q What if -- if some of them lived there, would
17 he say we're taking these people for trespassing but
18 we're going to not charge these other people with
19 anything?

20 A If they lived there?

21 Q Yeah. Like if what if they lived -- well,
22 actually --

23 A You can't --

24 Q -- strike that.

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1 Not say wasn't. That's not even what I meant,
2 so let's strike that question.

3 A Okay.

4 Q Would there ever be a time when there were say
5 there were 30 people stopped, none of them lived there,
6 but Watts say we're taking these 20 people for
7 trespassing, these 10 get out of there?

8 A Sometimes.

9 Q What would be the basis for that decision?

10 A We didn't have enough room to transport them
11 in. Sometimes you could take all of them.

12 Q Did you ever charge anyone for trespassing who
13 wasn't trespassing?

14 A Not that I know of.

15 Q Now, let's use a -- not just for trespassing
16 but for, let's say, drug possession.

17 Were there ever -- were there ever more people
18 who were stopped for drug possession than were actually
19 arrested and transported?

20 A No.

21 Q Always took everyone if it was drugs?

22 A If you had narcotics on you, you -- you went to
23 jail.

24 Q You had talked -- I think you had touched on

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1 reverse stings earlier.

2 A Yes.

3 Q I think we both did a little bit.

4 Where would reverse stings fall into the ways
5 in which you could detect drug activity at Ida B. Wells?
6 Is it its own category?

7 A I don't -- I'm not understanding the question.

8 Q I think you said you regularly would go into
9 the buildings and you would see transactions or you
10 would see people run or you'd get tips from concerned
11 citizens. Those were the ways you listed in which you
12 all could detect drug activity in Ida B. Wells?

13 A That's some ways, yes.

14 Q Are there other ways?

15 A Yeah, you get -- you actually were able to
16 sneak up in the building and observe for yourself.

17 Q Yeah, I think that is one of the ones you
18 mentioned. Is that are there other ones?

19 A I'm not -- I'm not clear on what you mean.

20 Q I'm asking if there are other ways in which you
21 can investigate drug sales. Like you mentioned Pod
22 cameras or Pod videos earlier.

23 A Yeah, you can look at a Pod video and you can
24 tell it's a bunch of people down there, you know that

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1 they're up and working selling narcotics really good
2 down there.

3 Q Where could you watch the Pod video?

4 A People watch the Pod from any police station.

5 Q Could you watch -- you'd watch live feed?

6 A I don't know if it was -- oh, it probably was
7 live, yeah. I'm not sure. Yeah.

8 Q And then, if you arrested somebody because you
9 saw them on a Pod video, you'd put that in the report,
10 right?

11 A If that's what the case was, yes.

12 Q Yeah, of course. If you arrested them because
13 you saw them do something on the Pod video --

14 A It's called a Pod mission.

15 Q Yeah, you would write Pod mission. That means
16 you saw something and you went and you arrested them?

17 A Yes.

18 Q And then, where -- are reverse stings their own
19 category of like a different way you could ferret out
20 drug activity?

21 A Do what with drug activity?

22 Q Find it.

23 A Find it? Reverse stings isn't like looking
24 for narcotics sellers. Reverse stings is looking for

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1 people to come buy narcotics to try to deter them from
2 being down into buying narcotics in a certain area.

3 Q All right. Tell me -- tell me how reverse
4 stings worked in your experience?

5 A We would take a group of police officers, as
6 many as we could, we'd go down to an area. When we got
7 to that area, some people would get stopped outside that
8 area. And if they were -- if they were out there
9 seeing, yelling information or calling out names of dope
10 lines, then we'd hold onto them.

11 At that point, we might actually use them,
12 stick them right back out there, stand out there with
13 them while other -- after we set up, posing as drug
14 dealers to come into the building and do a reverse
15 sting.

16 Q What was the incentive for someone to help you
17 out with a reverse sting?

18 A To not be arrested for criminal trespass or
19 unlawful solicitation of business, which we had seen
20 them do in previous to that.

21 Q Were there times when you wanted to do a
22 reverse sting but you were detected on the way in and
23 people were yelling clean up and you weren't able to do
24 it?

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1 A I'm not sure if that happened. I mean
2 sometimes people would scatter out and we had nobody --
3 and then we had nobody sometimes or just a few. We'd
4 stand the building, because now there's no drug dealers
5 there's just no narcotics being sold, and you still have
6 people who were for back -- lack of a better term, drug
7 users who were just focused on coming down here to get
8 narcotics.

9 Q So they may not notice that you are police
10 officers?

11 A No, some may not.

12 Q Were reverse stings some of them more effective
13 techniques you or one of the more effective techniques
14 you had?

15 A It was hit or miss.

16 Q Were there times you'd try a reverse sting and
17 didn't catch anybody?

18 A We might catch a few, not a lot.

19 Q What is the range of people you would catch in
20 reverse sting?

21 A It depends upon the weather outside.

22 Q Well, what was --

23 A Well, I mean a lot of people are coming in,
24 they weren't coming to get narcotics out there in the

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1 snow or the cold out there. But in the summertime, you
2 have a lot of people. There's some people who hadn't --
3 who would just walk in a building, and oblivious we were
4 the police because we didn't wear our vest outside. And
5 some, even the residents who lived down there, they
6 laugh at them. They laugh at them well, look at them
7 walking in there and they gon' get caught up. Laugh at
8 them.

9 Q So it was less people came by in the winter?

10 A Yeah, it was much less.

11 Q So let's take a nice day. What's a range of
12 people you would typically ketch in a reverse sting on a
13 nice day?

14 A On a nice day, um. You'd ketch five in five
15 minutes.

16 Q How long would a reverse sting typically last?

17 A Until we decided how many we were going to take
18 or we were gon' process.

19 Q How would you make that decision?

20 A I don't recall how we would make that decision
21 but yeah.

22 Q Like would it go on for hours?

23 A Sometimes it would.

24 Q Even when -- what's the most people you think

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1 that were arrested at any given -- sorry. Let me
2 restart that.

3 What's the most people who were ever arrested
4 in any one reverse sting you participated in?

5 A That I participated in?

6 Q Yeah.

7 A In what location?

8 Q In Ida B. Wells.

9 A I would estimate somewhere between 20 to 25.

10 Q And would there be --

11 A Or more. I'm sorry, what?

12 Q Would there be an arrest report for each of
13 those people?

14 A Yes.

15 Q But the same officer typically would be the one
16 -- like one officer would be the arresting officer in
17 that situation like how you described earlier, they
18 would be the one doing all the reports?

19 A Not always.

20 Q Okay. How would you decide in a reverse sting
21 situation who would be the one to write the reports?

22 A The officer who would be performing as the
23 supposed drug dealer probably more than likely would be
24 the reporting and arresting officer.

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1 Q Why is that?

2 A Because they would be the ones who would be
3 able to give the information of what happened. The
4 person approached them and asked for this or that. And
5 normally when we had a large number of people going in a
6 reverse sting operation, it would just -- it would be
7 more than just our team. It would be other teams from
8 the district.

9 Q Would you all set up in different locations or
10 would it just be one reverse sting?

11 A It'd be one reverse sting.

12 Q One building?

13 A One building. We'd pick out a building.

14 Q And so how many drug dealers would there be --
15 or not -- how many pretend drug dealers would there be?

16 A I don't know. Sometimes there might be two,
17 sometimes there might be four. Sometimes there might be
18 one.

19 Q And then, would the person who was pretending
20 to sell drugs who wrote the report, they would be in box
21 1?

22 A They would be in box 1.

23 Q Any then, their partner would be in box 2?

24 A More than likely, yes.

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1 Q Did -- were there ever times like when you were
2 in the middle of a reverse sting, the team would be
3 exposed?

4 A Sometimes.

5 Q How frequently did that happen?

6 A You ketch one or two who rise up before they
7 got into the building.

8 Q But how often would it happen that you would
9 get exposed -- that a team, the team would get exposed
10 during your reverse sting?

11 A It could happen every time. I mean, some
12 people -- like I say, they would, like, being drawn to
13 the dealer for dope, and sometimes they look up and they
14 back away and they gone. It could happen. And then,
15 they might go as they going away see somebody else
16 coming. Hey, that's the police over there, don't go
17 over there.

18 Q Did that happen frequently?

19 A It happened. I would say half the time.

20 Q When you did reverse stings, did you typically
21 also carry out other missions or investigations on the
22 same day?

23 A It's possible.

24 Q Was it more likely than not, or it just

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1 depended?

2 A It would just depend.

3 Q Who were the people on the team or from other
4 teams who were most commonly the fake drug dealers in
5 reverse stings?

6 A The black officers.

7 Q All of the black officers?

8 A Yes.

9 Q Did you play that role?

10 A Yes.

11 Q Who decided on any given reverse sting who had
12 what role?

13 A Whoever wanted to play their role that day.

14 Q It was just like a group decision?

15 A The group, somebody said okay, I'm going to be
16 here today, or somebody else stood outside, I'm going to
17 be outside with the security on security today. It
18 wasn't no, okay, you doing this side was.

19 Q Did you have a particular role that you
20 preferred over others?

21 A No.

22 Q What other roles were there for the police
23 officers on reverse stings?

24 A Security for the people who were arrested in

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1 the reverse sting. The people who would stand outside
2 and act as the lookouts or the security for the reverse
3 sting.

4 Q And they're lookouts as if they're pretending
5 to be lookouts for the drug dealers?

6 A Yes.

7 Q And that -- would that be police officers and
8 civilians?

9 A Yes.

10 Q Any other roles?

11 A No.

12 Q What about the -- who did the -- who would
13 actually effectuate the arrests?

14 A Who would actually effect the arrests?
15 Probably the officer playing the drug dealer?

16 Q And how -- would that person just tell them or
17 did you just -- say you are the drug dealer, would you
18 just tell that person you're under arrest or would you
19 have some other officer come out or what would you do?

20 A They come in there, they would come in and ask
21 the officer what -- hey, officer, which one, what you
22 need. I need -- they tell you what drug line they
23 looking for. As soon as they produce money that you can
24 see, then they would be placed in custody for if attempt

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1 for possession of controlled substance.

2 Q How did you place them in custody?

3 A They would be taken to the side and handcuffed
4 over to the side somewhere in security out of the view
5 of the doorway of where other people were coming
6 through that we were waving people through there.

7 Q Did you do reverse stings on different floors
8 of the building?

9 A No.

10 Q Where did you do them?

11 A We usually did reverse stings in the lobby
12 area. On the first floor.

13 Q In your experience, how did -- separate from
14 reverse stings, how did actual drug transactions happen
15 at Ida B. Wells?

16 A How did they happen?

17 Q What was the flow of the transaction?

18 A A drug transaction could take less than ten
19 seconds.

20 Q And what were the steps?

21 A Whoever the drug dealer was would be there
22 selling, and there is a line. People come in in line.
23 They have to line to get their -- have your money, they
24 get -- have your money out. They have their money out,

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1 how you want? Two, three, they get the money. Boom,
2 they count the money. It would be boom, hand them three
3 and they're gone. They out back out the door, they
4 gone.

5 Q So it typically was the person -- the person
6 who wants the drugs comes out with money, they hand it
7 to the drug dealer, the dealer hands them drugs, and
8 they leave?

9 A Turn right around and they gone.

10 Q Any other -- were there any other ways of how
11 it went down?

12 A It was -- it was versatile ways they would go
13 down. I mean, depends upon the layout of where they
14 were or what floor they were on.

15 Q Tell me some of the other ways.

16 A They might send them down the other stair but
17 they not let them. They get them up here, they get them
18 on this floor here, they send them down the other stair,
19 but they don't let them come up the stairwell where the
20 line is going up to get. They get their stuff, they
21 send them down the other stairwell.

22 Q So they come up, but that still the transaction
23 works. They give them the money --

24 A Same thing. They give them the money.

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1 Q Drug dealer gives the drugs?

2 A Give them the drug, boom.

3 Q They just may say you got to exit a different
4 way?

5 A Yeah.

6 Q Is there always a line?

7 A Not always but it was a flow. Sometimes there
8 would be a line.

9 Q Is it a pretty constant flow during the day?

10 A Pretty constant.

11 Q Was the flow more or less when you were doing
12 reverse stings that it was when there were just normal
13 drug sales?

14 A When we doing --

15 Q Or the same.

16 A Doing a reverse sting, we would never let a
17 line line up like that. I mean, it was just enough of
18 us to take care of it to get the person, people coming
19 in, but we didn't -- we would never let a line form.
20 But the actual people who was selling narcotics down
21 there, they'd have a line. And they sometimes they'd
22 have a line because they ran out and they needed to go
23 get more.

24 Q How did you make sure there wasn't a line?

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1 A How did we make sure there wasn't a line?

2 Q Yeah.

3 A We would stop people.

4 Q How?

5 A Made a little hold up. You tell them hold up,
6 hold up. Wait a minute. Okay. Now you can go.

7 Yeah, we would stop them, outside.

8 Q So then, would there be a line outside?

9 A No. I mean, people we knew okay, we got it,
10 let's go, keep -- let's keep it moving. But we never
11 form -- let people form in a line like that. You know
12 what I mean. They -- it just didn't happen.

13 Q Were there -- did you have any special way of
14 stopping one other than telling people to hold up?

15 A No, same way that the people who are actually
16 selling narcotics, as time went on, they would stop
17 people, hold up, if they -- if they felt they line got
18 too long.

19 Q But doesn't stopping people turn zone line?

20 A Nope. I mean, people are still mulling around,
21 they don't get in line. They don't -- you don't be keep
22 -- hey, move around, we'll let you know when you come
23 out. Okay, now come on in.

24 Q So when you were doing reverse stings, you'd

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1 hold people outside the building?

2 A Sometimes.

3 Q And then, they'd come in one at a time?

4 A Yep. One or two or three at a time, yes.

5 Q And that -- was that sometimes real drug
6 dealers did that also, you're saying?

7 A Yes.

8 Q How frequently did your team do reverse stings
9 while you were on the team?

10 A I don't know. It wasn't like routine of we
11 gon' do reverse stings once a week or once a month. It
12 was okay, we gon' do reverse sting today depending upon
13 how many people we had.

14 Q How many people, how many officers you had?

15 A Officers, yes.

16 Q Who would decide whether you should be doing a
17 reverse sting at any given day?

18 A A supervisor.

19 Q Would that be Watts?

20 A He -- it could have been Watts.

21 Q What other supervisors would make that call?

22 A If another team was going with us and they
23 wanted to do reverse down there, then we all go down
24 there and do reverse. Or if the lieutenant said okay,

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1 go down there and do a reverse sting down at this
2 location today.

3 Q Who were the lieutenants with command over the
4 Watts Team when you were there?

5 A Joe Patterson. Kenny Mann.

6 Q Kenny Mann?

7 A Kenny Mann. Mark Moore. I can't think of the
8 last guy. But there was a fourth.

9 Q You had said there were 20 to -- 20 to 25 you
10 think is the most people probably arrested in a reverse
11 sting when you were at Ida B. Wells?

12 A I would estimate that.

13 Q Were there -- did you ever -- were you ever
14 involved tin reverse stings outside of Ida B. Wells that
15 resulted in more arrests?

16 A Yes.

17 Q Tell me about that.

18 A When we first learned how to do reverse stings,
19 we did them on the West Side of the 11th District. And
20 they had police officers come from all over, and we
21 stood on the corner out there on the West Side because
22 there weren't buildings. And people would come up, and
23 then and you stood on the corner just like you looking
24 out, whatever, and you point them to that direction of

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1 where the building was, where we was staging the reverse
2 sting. And they would send them back down again a
3 gangway where other officers would be waiting after they
4 asked for whatever, whatever and lined up.

5 And I think the biggest reverse sting netted
6 I'm going to say eight people or more, several cars were
7 taking them for what purpose, yeah.

8 Q And in Ida B. Wells, how were people typically
9 transported to a police station after a reverse sting?

10 A Depending upon how many people, in a wagon or
11 in a caged vehicle.

12 Q Which is bigger?

13 A A paddy wagon.

14 MR. BAZAREK: We take a break?

15 MR. RAUSCHER: Yeah, of course.

16 THE VIDEOGRAPHER: Off the record, 3:14.

17 (A recess was taken.)

18 THE VIDEOGRAPHER: Back on the record. 3:25.

19 BY MR. RAUSCHER:

20 Q I'm not going to revisit the testimony that you
21 gave earlier about the Shock incident with the cleaner,
22 the bag near the cleaners. But I did have a question
23 that I don't think I asked, which is were there any
24 other incidents other than that one you testified to

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1 where Watts asked you or directed you to get anything
2 from Shock?

3 A No.

4 Q Back to reverse stings. Can you tell me when
5 the paperwork would be -- so during your time at Ida B.
6 Wells when you were on the Watts Team, when would the
7 paperwork be completed about arrests made during reverse
8 stings?

9 A After the reverse sting was over.

10 Q And where would that report be completed?

11 A In the 2nd District.

12 Q At the station?

13 A Yes.

14 Q Where was the police station?

15 A 51st and Wentworth.

16 Q About how long did it take to get from 51st and
17 Wentworth to Ida B. Wells?

18 A Actually -- actually driving or after getting
19 somebody, getting on all the prisoners loaded onto?

20 Q Yeah, that's it.

21 A Your drive time?

22 Q Good question. So let's say drive time.

23 A Drive time, seven to ten minutes.

24 Q And then, how long would typically elapse in

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1 total between when you finished a reverse sting and when
2 you'd get back to the station?

3 A Depends upon how -- how long it took the wagon
4 or enough transport cars to get to the location to get
5 all of the people that were being arrested loaded up for
6 transportation.

7 Q Say there were ten people, what's the -- do you
8 have an estimate of how long it would take from when you
9 said we are done with this reverse sting to when you got
10 back to the station?

11 A It would vary depending upon how long it took
12 the transportation car to get there.

13 Q Is there a -- can you give any -- do you have a
14 high, low estimate for how long it would take?

15 A No, because you never know where the
16 transportation vehicle was coming from.

17 Q What steps were there on the scene to finish up
18 when you -- so like when you -- when the team decided
19 we're done with the reverse sting, what else would need
20 to happen before you went back to the station?

21 A Before we went back to the station? You do a
22 subtle pat down of the people who were being arrested
23 and you would make sure they was secured to be
24 transported.

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1 Q How would you make sure they were secured?

2 A We would either have FlexiCuffs or we'd have --
3 have to have enough handcuffs to put them in -- in
4 handcuff together. Sometimes we'd handcuff them
5 together, and then at the end we would separate them and
6 put them in flex cuffs so they wouldn't be sitting there
7 however long we'd be sitting there with those flex cuffs
8 on.

9 Q Would you -- did you have to change the way
10 they were cuffed before they had gotten into the
11 transport vehicle?

12 A Yes.

13 Q Tell me -- can you explain that.

14 A If we had three or four people handcuffed to
15 each other like a chain link, we'd have to separate
16 them, put them in the flex cuffs with their hands behind
17 their backs so they could be transported.

18 Q Who's -- who would make the decision on the
19 scene to end a reverse sting?

20 A It could be the supervisor, it could be another
21 officer.

22 Q How would an officer make that decision?

23 A Is that okay, we've had enough for the day, we
24 done. We --

Transcript of Alvin Jones
Conducted on February 26, 2020

219

1 Q What is -- sorry, go ahead.

2 A We have enough people and enough that we have
3 to process.

4 Q What does it mean we have enough people for the
5 day?

6 A We have enough people in this reverse sting.
7 And it's going to take us sometime we know to process
8 them. So we have enough, let's cut this off right here.

9 Q Were you trying to make sure that you get it
10 done before your shift ended?

11 A You would try to.

12 Q So would you cut it off based on when the shift
13 would end?

14 A That could be a reason, yes.

15 Q Were there other reasons?

16 A Probably didn't have enough, let's say,
17 transportation.

18 Q How would you know how much transportation was
19 available?

20 A We -- you could listen to the radios. If the
21 wagon was tied down somewhere, if you're going to have
22 to call extra beat cars or whatever. You -- if you hit
23 the wagon, you know you got seven, eight people already
24 on the wall. But the wagon has to take a transport.

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1 You hit the wagon taking the transport all the way down
2 to 26th and California, now you got to wait for the
3 wagon to come back. So you try to cut it off and see if
4 the wagon could get to you before they made their
5 transport. If they call the wagon in to make a
6 transport, we gon' need it, so maybe we need to cut them
7 off here, let the wagon come first, pick these guys up,
8 take them to the station, then they could take wherever
9 they going.

10 Q Would you get that information from the radio?

11 A Yeah, you can get that information from the
12 radio.

13 Q Was there any other way to get that
14 information?

15 A Not that I know of. Sometimes if we had enough
16 people like that and we knew we had another wagon set
17 aside, we'd have some officer with a wagon somewhere
18 sitting off. And then okay, we know we got this one
19 wagon, we put so many people in this wagon, so many
20 people in this car. Okay. That's enough people for the
21 transport, cut it off, we close, call the wagon in at
22 (inaudible) and load them in the vehicle so we can go
23 ahead and trip, I mean process.

24 Q Did the wagon ever make multiple trips?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A I don't think so.

2 Q Could you have asked the wagon to do that if
3 you had more people than you could --

4 A Could have.

5 Q Any reason not to do that you had more people
6 to arrest?

7 A Because you have -- you didn't -- you didn't
8 want to leave people down in that area by themselves to
9 guard people. And you got to have people to go back to
10 the station to sit on the first group of people that you
11 had sitting there.

12 Q You never --

13 A So more likely than not, it would be a wagon
14 and extra, couple extra cars if you need it too.

15 Q So whenever the reverse storages was done, the
16 whole team would go back to the 15th District?

17 A Everybody would go back.

18 Q Well, was that always how it happened?

19 A Yes, you'd take everybody to process them.

20 Q Was there any particular time when the reverse
21 stings would start?

22 A No.

23 Q How did you clear out the drug, the real drug
24 dealers from the buildings?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A We would come down there in a -- a bunch of
2 cars just come down there, and we didn't really care.
3 Sometimes they got away. We just wanted to clear them
4 out so that we could go and set up and do what we wanted
5 to do.

6 Q So sometime, some period of time elapsed from
7 when you would get there until when you would have the
8 reverse sting up and running?

9 A It might take a while, yes.

10 Q Did it always take a while?

11 A Depending upon circumstances, we might have to,
12 you know, because we still had to clear all those cars
13 out that we came down in, we clear the people out or
14 getting the people that we holding onto at that time
15 that we're probably going to be a part of the reverse
16 sting operation.

17 Q Was there ever a time when you just got there
18 right away and you set up the reverse sting and you were
19 up and running?

20 A No.

21 Q How did you remember all of -- say you arrest
22 10, 15, 20, 25 people. How do you remember all of the
23 details to put in the police report at the end of the
24 reverse sting?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A How did you remember?

2 Q Yeah.

3 A Someone was taking notes of that.

4 Q How did they take notes?

5 A They would write it down.

6 Q Where would they write it?

7 A We would have a -- usually we knew we were
8 going to do a reverse sting, we would take a kit. And
9 somebody would be as they came in, you'd have an
10 inventory bag, you'd have a piece of paper that you put
11 their name on, how much money they in, and what time
12 they came in.

13 Q And you said a kit?

14 A Yes, a kit. We call it reverse sting kit. It
15 had, let's say, a inventory bag for their money, a sheet
16 of paper for you to write on what number they were in
17 order, and the time, and their name in.

18 Q The time, what was the time? The time they got
19 -- they showed up?

20 A The time that they -- the time that they showed
21 up.

22 Q And how did the person -- who filled out the
23 kits?

24 A I don't know. Whoever was back there on

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Conducted on February 26, 2020

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1 security, if you were number 1, your name would go
2 there, number 1, how much money you had, what time you
3 were there.

4 The next person come in, number 2's name would
5 go on the list, the money in the bag, what time is
6 there.

7 Q So it was one kit for a reverse sting and it
8 would have a bunch of different lines?

9 A Yes.

10 Q Okay. And one of the security people would
11 fill that out?

12 A Yes, usually, they usually keep up with that.

13 Q And when I say the security, we're talking
14 about the people who would watch over the arrestees?

15 A Yes.

16 Q And how would that person know what to put on
17 there?

18 A What do you mean what to put on there?

19 Q How would they know what time that sting
20 happened, how much money there was?

21 A The person would actually, they would have it
22 in their hands. So when they ask for the identity, you
23 place them in custody and get the money out of their
24 hands. Okay, this is your money, what's your name? Put

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1 your name. Here's the bag, put your name on the bag.
2 Put it with the thing. So that when you got back there
3 to do the inventory, you knew whose money went with who.

4 Q And so then, they would know the time because
5 they would be brought over right away; is that right?

6 A The time would be written down on the sheet as
7 to what time they came in.

8 Q What time the person who got arrested came in?

9 A Yes.

10 Q In that the officer would know that because
11 fake drug dealer would immediately after doing that
12 pretend exchange call for that officer; is that right?

13 A No, he'd hand them off to that officer.

14 Q Would that officer be -- would that officer see
15 it?

16 A He would be nearby.

17 Q Would that officer be in a position to witness
18 the exchange?

19 A At some times.

20 Q If they didn't witness it, how would they know
21 what time that it happened?

22 A Because when they grab them right there, it
23 mean if they not there, you walk them around the walk
24 because they -- we didn't have people sitting out in the

Transcript of Alvin Jones
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1 open where they could see the people actually doing the
2 narcotics -- the narcotics sales. You knew it had to
3 have just happened because they just brought them
4 around?

5 Q Do you -- was it standard to have this reverse
6 sting kit when --

7 A When it was applicable. When we actually, when
8 we actually knew that's what we were going to go do,
9 yes.

10 Q Were there times you did reverse stings when
11 you didn't know before you got there you were going to
12 do them?

13 A Yes.

14 Q How often did that happen?

15 A I don't know. It varied.

16 Q Was it more common that you know in advance or
17 more common you just would show up and then all of a
18 sudden people would decide to do a reverse sting?

19 A More common that we know we were going to go do
20 a reverse sting.

21 Q When it -- when you didn't know and you got
22 there and you did a reverse sting, how did it come, like
23 how did you decided to do it?

24 A Same thing. We take a piece of paper.

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Conducted on February 26, 2020

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1 Q Wait, I'm sorry, I -- I shouldn't have. That's
2 not what -- I was trying to ask a different question.

3 So you're out patrolling at Ida B. Wells?

4 A Uh-hum.

5 Q You have no plans to do a reverse sting, right,
6 and then at some point, you started a reverse sting?

7 A Yes.

8 Q How -- how did you decide to start one and who
9 made that decision?

10 A Usually the supervisor.

11 Q That would be Watts?

12 A Yes.

13 Q And -- all right. So then tell me how you keep
14 records during in those situations.

15 A Get a piece of paper, write all the information
16 down. Name, money, times. Same thing.

17 Q And what was Watts' role typically in reverse
18 stings?

19 A I don't know. It varied.

20 Q Sometimes he was the dealer?

21 A Sometimes the dealer, sometimes he was out on
22 security.

23 Q Out on security in front of the buildings or --

24 A Yes.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q Was he ever security for the people arrested?

2 A Yes.

3 Q And in those situations, was he ever the
4 arresting officer?

5 A The arresting officer of what?

6 Q For people?

7 A He was never the arresting officer because he
8 wasn't posing as the dealer dealer. They wouldn't
9 approach him for anything. He would be overseeing
10 pretty much the security area that people can come in
11 that okay, this is where he came, this is what he asked
12 for, this is the money, this is where he go, this is
13 where he is, write this down.

14 Q I thought you said he was a dealer sometimes?

15 A He'd stand there but he wouldn't actually be
16 the dealer. He'd be there. He could be out front in
17 the hallway with the other guys as the dealer.

18 Q So he was not the dealer?

19 A No.

20 Q All right.

21 A But he standing out there with them acting like
22 he was.

23 Q What does that mean? There was no real dealer
24 involved?

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1 A There was no real dealer act --

2 Q So what does it mean? What did you say about

3 --

4 A I'm saying he's standing out there like he's it
5 one of those characters that the other officers claim.
6 He could still be out there in the same area with those
7 officers playing the fake drug dealers.

8 Q And then, what would he be doing?

9 A Observing and overseeing okay, this guy came,
10 he did ask for narcotics. Okay, we going to arrest him,
11 send him back there. He'd walk him back to the
12 security. Okay, this is what this guy asked for, this
13 is his money, take his name down. He do that direction.

14 Q So what -- how would you describe that role if
15 it's not a dealer?

16 A That's the supervisor of police doing a --
17 supervising the reverse sting.

18 Q So does that have a role in the reverse sting?
19 Is that one of the actors in the reverse sting?

20 A I wouldn't say it was a role in the reverse
21 sting. I said this what he did, he's a supervisor, saw
22 it happen. That's how I saw most supervisors do.

23 Q When you said sometimes Watts was the dealer in
24 the reverse sting, was that --

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1 A Yeah, he would stand out there like he was the
2 dealer, but he -- no one asked him what he asking what
3 you need. That's not what he was doing. He was out
4 there in the role with his two or three out standing
5 there.

6 Q Well, then, how was he the dealer?

7 A He was standing there out there with whomever
8 the other gentlemen were playing the dealer just like
9 he's a dealer there.

10 Q Was he saying anything that would suggest he
11 was a dealer?

12 A No.

13 Q He was just standing there?

14 A He'd just be there.

15 Q Okay. You mentioned the -- well, actually,
16 before I move. So regardless of whether the team knew
17 in advance they were doing a reverse sting, or rather
18 that Watts decided while you're out there to do a
19 reverse sting, you kept accurate records of who was
20 arrested, when they were arrested, and how much money
21 that had?

22 A Yeah, you'd have to write it in down line by
23 line, number by number who and what order they were.

24 Q And you did that at the time of the

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1 occurrences?

2 A At the time of the occurrences.

3 Q You would -- you were never in a position where
4 you just had to guess at the time when you got back to
5 the police station?

6 A I wouldn't say you had to guess, no. I don't
7 know. I don't believe so. Because somebody would have
8 to accurately know who was number 1, who was number 2,
9 who was number 3.

10 Q And what time they were each arrested?

11 A What time they were arrested pretty much.

12 Q So then, the person who's writing those notes,
13 that's one of the security --

14 A Yes.

15 Q -- over the arrestees?

16 A Yes.

17 Q And the person who does the paperwork is the
18 dealer usually?

19 A Usually.

20 Q And so does the -- does that -- do they do the
21 paperwork together or does that person who has the notes
22 hand it off to the pretend dealer?

23 A You make a copy and hand it almost to everyone.
24 And they, depending upon what you were doing, that you

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1 worked off that list.

2 Q Okay. And then where do you put the copies
3 when or the original when you're done with that?

4 A They probably would go in the garbage.

5 Q All of every copy?

6 A The copies? Yeah, pretty much.

7 Q And all the notes too, all the originals?

8 A Yes.

9 Q Why would you throw them in the garbage?

10 A Because you have an arrest report that states
11 what happened on there and what time it was.

12 Q What if the arrest reports are inaccurate?

13 A Then they would be inaccurate, but never kept
14 the notes like that.

15 Q Did someone tell you to throw the notes out?

16 A No, we were never directed to throw the notes
17 out.

18 Q You said that one of the ways you kept the
19 notes was on an inventory bag with money in them?

20 A We had inventory bag, yes.

21 Q You must not have thrown that one out, right?

22 A Oh, no.

23 Q So where did that one go?

24 A Inventory bag, it's sealed and sent to ERPS.

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1 Q So there should still be inventory bags that
2 reflect --

3 A A reverse sting.

4 Q -- with including a time of all the arrests?

5 A I don't know if the time went on them. If the
6 -- I don't even remember if the time went on there. It
7 might have. It might have.

8 Q You think -- yeah.

9 A On a -- on a blue bag. Yeah, it might have.

10 Q That's what you said earlier, right?

11 A Yes.

12 Q Do you have any reason to think your earlier
13 testimony wasn't correct?

14 A I haven't seen a inventory bag in a long time.

15 Q But that's how you remember it?

16 A Yes.

17 Q Do you remember anywhere else where the time of
18 arrest was written down while you were on the scene of a
19 reverse sting other than inventory bags or on the
20 unplanned ones you had that other sheet?

21 A No. I don't remember nowhere.

22 Q Was all -- you say there were ten people
23 arrested in the reverse sting. Were all ten people's
24 money put into the same inventory bag?

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1 A No.

2 Q They each had an inventory bag?

3 A They had their own separate inventory bag.

4 Q Did each inventory bag have the time of arrest
5 written on it?

6 A It should have.

7 Q Were copies made of the inventory bags?

8 A Copies of the bags?

9 Q Copies of the cover of the bag?

10 A Copies of the what?

11 Q The cover of the bag?

12 A No, there would be an inventory sheet that
13 would go with it.

14 Q All right. Tell me what the -- what does the
15 inventory sheet look like?

16 A It's a white piece of paper that comes out of
17 the system where you go in to do an inventory and states
18 what's being inventoried.

19 Q When was that sheet created?

20 A At the station when we would be doing process.

21 Q Who would be the person who would create the
22 inventory sheet after reverse stings?

23 A I don't know. It depends.

24 Q Would it be the same person that did the arrest

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1 paperwork?

2 A No.

3 Q What does it depend on?

4 A Who would -- who was handling security back
5 there and what they show they were working on the
6 inventories. The other ones would work on probably the
7 complaints.

8 Q What do you mean the complaints?

9 A It has to have a complaint that go with it
10 also. And a processing. So someone would work on the
11 complaint, someone would work on the inventory, someone
12 would be doing a searching, someone would be doing a
13 name checks. The arresting officer probably would be
14 doing and throwing in the case report and the arrest
15 report.

16 Q But they couldn't be doing the arrest report
17 and the case report at the same time that person was
18 doing the inventory sheets, right?

19 A Yes, they could.

20 Q How would they have the information about the
21 time?

22 A Because they would give it to them. That's why
23 they would make a copy of the written sheet and pass it
24 around. So okay, this is this person's name and the

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1 time and this is what they had.

2 Q I thought written sheets were only used on days
3 whether you showed up without a plan to do a reverse
4 sting?

5 A If sometimes you had a piece of paper -- it
6 didn't take nothing but a piece of paper to write just
7 like writing on the back of this piece of paper here.

8 Q I don't -- what do you mean?

9 A If we decided to do a reverse sting and we
10 didn't have a kit with us, and we didn't have a kit that
11 we had prepared knowing that we were going down there to
12 do a reverse sting.

13 Q Right.

14 A You just get a piece of paper and they would
15 write down the information.

16 Q Right. I think I get that part of it. But in
17 a situation where you had a plan, let's say you had a
18 kit --

19 A Yes.

20 Q -- is the kit -- are there ten kits? If ten
21 people are arrested, are there ten kits created?

22 A Are there ten separate inventories you're
23 asking?

24 Q Well, what is the kit? Is that different from

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1 the inventory?

2 A It was a box where you had -- if you had ten
3 people, you had ten bags, with that a sheet of paper, a
4 sheet of paper that had the numbers and the lines on it
5 that reflected the names of the people. And then the
6 amount of money that went in the bag with it.

7 Q So let me -- tell me if I'm correctly
8 understanding this testimony. We are talking about days
9 where you went out with a reverse sting kit?

10 A Yes.

11 Q That's a box. It has a bunch of stuff in the
12 box?

13 A Yes.

14 Q And one of the things in the box is the sheet
15 that you use to track whoever you arrested?

16 A Yes.

17 Q Any that separate from that, there are
18 inventory bags that will list how much money was taken
19 from the person, and when they were arrested, and what
20 number they were?

21 A Yes.

22 Q So there are two places where it's written down
23 what time someone was arrested and what number they
24 were?

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1 A It should be, yes.

2 Q Okay. Those on the days when you had reverse

3 --

4 A Yes.

5 Q -- sting kits?

6 A Yes.

7 Q And the sheet that you're talking about, you
8 make a copy and hand that off while people are doing
9 reports?

10 A Yes.

11 Q And then, you all destroy every copy of that?

12 A Yeah, you throw it away.

13 Q And but not the inventory sheets, obviously?

14 A Not the inventory sheets. The inventory goes
15 with the inventory bag with the money. The person being
16 arrested gets a copy of their inventory, and then one
17 goes with the court copy to the paperwork.

18 Q But the inventory sheet you create, you make
19 that inventory sheet using the inventory bag?

20 A You make what inventory sheet?

21 Q I thought you were saying you typed something
22 in a computer to the create an inventory sheet?

23 A Yes, you do.

24 Q You don't have to memorize that information

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1 though, right? You have an inventory in the bag and the
2 inventory bag has notes on it, and you take notes --

3 A Yes, you take --

4 Q -- of that event?

5 A -- you put the person's information in, you put
6 what you recovered from them, you put the charges, those
7 things that populate itself, and then you print it all
8 out when you're done after they have approved.

9 Q When you are filling in that inventory sheet,
10 what is the source of your information? Would you say
11 your memory or is it something you had written down from
12 earlier?

13 A That's the sheet of paper, whoever was taking
14 that first sheet that they made copies and handed out to
15 everyone else to do whatever they doing.

16 Q So you don't use the inventory bag to create
17 the inventory sheet?

18 A I'm not -- I'm not following what you saying.

19 Q There is -- isn't there a bag where you're
20 saying there's bag where I put the money in?

21 A Uh-hum.

22 Q And I write down when this person was
23 arrested --

24 A Right.

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1 Q -- and who they were.

2 Are you saying you do not use those bags, you
3 don't look at those when you're creating the inventory
4 sheets?

5 A I'm quite sure to day that I would look at both
6 of them.

7 Q Okay. That's what I was trying to ask you.

8 A Okay.

9 Q But they should, those things should have the
10 same information?

11 A They should.

12 Q Do you think there is a code of silence in
13 Chicago Police Department?

14 A Yes.

15 Q Tell me about that. Tell me why you think
16 there's a code of silence in Chicago Police Department?

17 A I think that sometimes people because of the
18 nature of the job and through historic reasons have had
19 that code of silence amongst each other.

20 Q When you say code of silence, when you hear
21 code of silence, can you explain, tell us what it means
22 to you?

23 A That means that some -- some group of people
24 have knowledge of certain things and don't share it with

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1 the outside, people outside of the department.

2 Q Or inside the department?

3 A Or inside the department at times, yes.

4 Q When you say people have knowledge of certain
5 things that they don't share, you're talking about
6 negative behavior by police, correct?

7 A It could be negative behavior.

8 Q Was there a code of silence to stop people from
9 talking about positive behavior?

10 A They could be.

11 Q Are you aware of one?

12 A No.

13 Q Okay. Do you think that code of silence
14 prevented the wronging of Watts and Mohammed from coming
15 to light earlier?

16 A I don't know. I don't know anybody that knew
17 what was going on with Watts and Mohammed.

18 Q Do you think if there wasn't a code of silence
19 you would have felt more comfortable sharing your
20 concerns?

21 MR. BAZAREK: Objection. Calls for
22 speculation.

23 A The concern I --

24 MR. BAZAREK: Incomplete hypothetical.

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1 MR. MICHALIK: And argumentative.

2 A The concern I saw raised a issue with me for
3 how I felt. I wasn't thinking it was criminal and the
4 nature of that like to that degree.

5 Q What does that mean?

6 A To the degree where they were arrested for what
7 they were arrested for.

8 Q But is the only type of wrongful police
9 behavior that you think should be reported criminal in
10 nature?

11 A No. It does not have to be criminal in nature.
12 I mean, if you witness someone doing something they
13 shouldn't be, you should speak up to a supervisor.

14 Q Have you ever done that?

15 A Spoken up to a supervisor?

16 Q About something you thought was done that
17 shouldn't have been done?

18 A Yes.

19 Q All right. Can you tell me about or tell us
20 about any instances like that.

21 A There was a time when a tenant from Ida B.
22 Wells, Charlene Campbell, was calling me --

23 Q You know, I'm going to just pause you for a
24 second.

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1 MR. BAZAREK: Yeah. That's a topic we're going
2 -- will be for another day.

3 THE WITNESS: Okay.

4 Q We had talked, you wouldn't have been privy to
5 that conversation, that's ought to be fair --

6 A Okay.

7 Q -- to counsel and everyone, hold off on that.

8 MR. BAZAREK: But so it's clear, you'll be able
9 to talk about the event with Charlene Campbell, but it
10 will just be at another day.

11 THE WITNESS: Okay.

12 MR. BAZAREK: And that was through an agreement
13 of the parties when we were discussing this, myself and
14 plaintiff's counsel.

15 Q Are there any other instances, other than that
16 specific one, where you spoke up to a supervisor about
17 wrongdoing by police officers?

18 A No, because I never witnessed any wrongdoing.

19 Q And do you think you have to witness it
20 firsthand to report it?

21 A How would you know if -- if you didn't witness
22 it?

23 Q Someone could tell you.

24 A Someone could tell. In that instance, if

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1 someone tells you, that hey, you should go to depend --
2 well, I won't say depending. If someone tells you that
3 specifically, then you maybe you should go to a
4 supervisor and let a CR number get initiated.

5 Q Only if that someone is another police officer?

6 A No, not necessarily from a police officer.

7 Q Who else should you listen to if they raised
8 complaints about officer wrongdoing?

9 You know what, let me rephrase that.

10 Who else falls into the category of people
11 where if they raised officer wrongdoing, you should go
12 report it to a supervisor?

13 A A citizen, only if you believe that that
14 citizen is giving you information that is legitimate.

15 Q Do you think you have any responsibility as a
16 police officer to try to determine whether a citizen is
17 giving you legitimate information?

18 A As -- as a police officer, sometimes, yeah,
19 because people bullshit you. And you know they're
20 bullshitting you. So yes. You know that this bullshit
21 could have happened the way they say it happened. So
22 no. Most of it, it wouldn't warrant you going to
23 another -- going to a supervisor to report it.

24 Q If you know for a fact it didn't happen, you

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1 would say you don't have a responsibility. What if you
2 don't know?

3 A What you mean if you don't know?

4 Q What if you don't know either way? They come
5 up, they give you incidents of alleged wrongdoing and
6 you don't know whether it's true or not, do you think
7 you have any responsibility to try to figure out at all
8 if it's true?

9 A I think you -- that's a personal decision that
10 you have to make as a police officer and how you police.

11 Q What's your view on that?

12 A What's my view on it?

13 Q Yeah.

14 A Then a supervisor, and having aspiration to be
15 a supervisor beforehand, if that was the case, then you
16 should.

17 Q Obviously as a police officer, many, many, many
18 times you heard things from citizens, and you did go to
19 investigate them, just not about police officers, true?

20 A Not all the time.

21 Q But that was a common thing where citizens
22 would raise issues with a team, and then the team would
23 go investigate that, right?

24 A Not all the time.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q I'm not saying all the time. I'm asking if it
2 was common.

3 A Well, at times, yes.

4 Q I'm sorry, we're talking way too fast.

5 A I'm sorry.

6 Q Was it common that citizen would report
7 information to the Watts team and then the team would go
8 and investigate that information to determine whether it
9 was true?

10 A Most times.

11 Q What would be the situations where a citizen
12 would report some alleged wrongful behavior and the team
13 just wouldn't investigate it?

14 A Maybe we didn't have time because we might be
15 at the end of reverse sting and we getting ready to
16 leave. And they working over here in the hallway, over
17 there in the back of the building over there. We didn't
18 have time to go investigate that.

19 Q Any other reasons?

20 A No.

21 Q All right. Have you ever had any personal
22 experience where you felt you've run up into the code of
23 silence? Or seen the code of silence in action?

24 A No.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q So why do you think -- what's your basis for
2 thinking that there is a code of silence in the Chicago
3 Police Department?

4 A Because historically you've heard that. You've
5 heard it and seen it on TV, you've heard the mayor talk
6 about it, so yes.

7 Q When you say you've heard, you've heard it on
8 TV, you mean you've heard reports of officer misconduct
9 coming to light or you've heard people saying there's a
10 code of silence?

11 A Heard people on TV saying there is a code of
12 silence.

13 Q And do you believe that?

14 A It could be possible, yes.

15 Q Do you believe that there is a code of silence?

16 A I'm not sure. I've never witnessed a situation
17 where there was a code of silence, had to be a code of
18 silence, so I can't say, but I believe there could be.

19 Q Do you have any reason to disagree with the
20 mayor or mayors who have said that, or the police chief?

21 A No, they have -- they have right to their own
22 opinion.

23 Q Do you disagree with their opinions?

24 MR. MICHALIK: Objection.

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Conducted on February 26, 2020

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1 Q On the code of silence?

2 MR. MICHALIK: Still objection to the foundation
3 of that question.

4 A Not really.

5 Q Were you working when Big Shorty was killed?

6 A We worked on that day.

7 Q Do you remember that day?

8 A Vaguely.

9 Q Tell me what you remember about the day Big
10 Shorty was killed.

11 A We had just gotten to work, and then I don't
12 know if it was over the radio. Somebody heard over the
13 radio or through a phone call that he had been shot down
14 on 42nd and somewhere down there off of 43rd Street.

15 Q Was that in the area that your team covered?

16 A It was close to.

17 Q But it was not an area that you would patrol?

18 A We drive through that area. There's a
19 residential area. It wasn't a project area.

20 Q What do you mean you drive through it?

21 A Different blocks, streets, going through there.
22 We didn't always stay in the projects when we were
23 working.

24 Q Would you drive through it for work, that's

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1 what I'm asking, to investigate things to --

2 A Not normally, no.

3 Q Who were you with when that call or radio came
4 in?

5 A Who was -- Lee Watson was in the office. Just
6 got to the office. I don't know what other team members
7 were there, and they got the -- the call because I don't
8 know if it was over like say over the radio, whatever,
9 but cars were licensed sirens to that location.

10 Q And were you with Watts at the time?

11 A I think I might have been.

12 Q Did you go to the scene?

13 A Yeah, I went there.

14 Q Why did you go to the scene?

15 A Because it was a call of a person shot, and we
16 had just started work. I mean we had just come into
17 work.

18 Q Was it common that you when -- were you on the
19 Watts Tactical Team at the time?

20 A Yes.

21 Q Was it common when you were a member of the
22 Watts Tactical Team that you'd respond to the scenes of
23 people shot outside of that area that you patrolled?

24 A Yes.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q How frequently did you respond to those kind of
2 calls?

3 A Any time you heard the call, shots fired or
4 persons shot, and you wasn't doing anything else, you
5 would go to that location.

6 Q And anywhere in the city?

7 A Anywhere in the district that you were in the
8 radio zone of.

9 Q Did you go over there with Watts?

10 A I believe yeah, I was in the car with him when
11 we went over there, yes.

12 Q Did you ever talk about anything?

13 A No.

14 Q How strong is your memory that you were with
15 Watts when you learned that Big Shorty had been killed?

16 A Big -- I was down there, and I don't know who
17 else might have jumped in the car with us. But I do
18 know, yes, we were there.

19 Q You had a clear -- I'm sorry, you have a clear
20 memory of going to the scene with Watts?

21 A Yes.

22 Q Do you know who was driving?

23 A Don't remember.

24 Q Were you in a -- what kind of car were you in?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A A tactical unmarked vehicle.

2 Q Were you and Watts some of the first people on
3 the scene?

4 A No, I think there was another car there.
5 Another couple of cars there.

6 Q Do you remember anyone else who was on the
7 scene when you got there?

8 A No.

9 Q Did Watts seem upset?

10 A I don't remember how he felt about what he
11 looked like.

12 Q What -- what were your feelings toward Big
13 Shorty, if any?

14 A What were they?

15 Q Yeah.

16 A I didn't have no personal feelings about it one
17 way or the other.

18 Q Did Watts seem like he had a pretty friendly
19 relationship with him?

20 A Yeah, it seemed like they could talk, they
21 would talk.

22 Q Is that -- that was one of the ones that you
23 felt was inappropriate, one of the relationships?

24 A Sometimes.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q And were there any specific times you remember
2 other than you talked about that race, but I think you
3 said that wasn't inappropriate?

4 A The race wasn't something I would have called
5 inappropriate. The race was, I've said, was like
6 community engagement. You standing out there with
7 everybody talking back and forth.

8 How do I want to say this?

9 It's like playing, when he playing a cat and
10 mouse game because you sitting out there talking having
11 conversations, you trying to feel them out, they trying
12 to feel you out. That's part of policing. But at the
13 time, it wasn't something of that nature because nothing
14 was going on, or Big Shorty wasn't doing anything
15 illegal at that time in the view of what we was looking
16 at. So they talking trash back and forth to each other.
17 And that's how the race came about.

18 Q And what are the things that you thought were
19 inappropriate about how Watts interacted with Big
20 Shorty?

21 A I mean, sometimes you see them go off and walk
22 and talk. They never go anywhere out of eye distance,
23 whatever, but you seen them walk off and talk.

24 Q And why was that inappropriate and not just

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 regular policing?

2 A Sometimes it was. I just didn't -- I just
3 didn't feel that then you should be that close to
4 someone all the time. But maybe that was my way of
5 policing and my way of thinking.

6 Q What was it about them walking off that made
7 you feel like they were doing something inappropriate?

8 A It wasn't the same as inappropriate that way
9 but it looks inappropriate. So if you need to have a
10 conversation with someone or you need to get information
11 from someone, I mean, maybe you need to walk off that
12 far and get information. And at times, it would happen
13 where all of the people, not just Big Shorty, who may
14 not have been as important as Big Shorty while they're
15 in the quote, unquote "thug game." And that's what I'm
16 saying. Because I wouldn't -- I mean, if somebody want
17 to tell me something, just tell me. Come over here and
18 tell me. I'm standing over here by myself over there
19 (inaudible) come on, or you walk over here. But I just
20 didn't -- I -- I wasn't comfortable with being that kind
21 of way with him. Or with him or other alleged drug
22 dealers like that.

23 Q Were people drinking champagne, smoking cigars
24 after Big Shorty's death?

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1 A No. We smoked a cigar. We did have a cigar
2 because we were smoking already.

3 Q You -- you had a cigar with you that day?

4 A Yes, sir.

5 Q You were smoking a cigar at the scene?

6 A Yeah. I think I was -- I was there for a long
7 time.

8 Q Because you were already smoking the cigar
9 before you went over there?

10 A No. I had a cigar, we got over there to the
11 scene, I know we got close enough to see where the body
12 was. And we were standing around as the other officer
13 were coming around and other trying to gather
14 information. And yes, sir, I do remember lighting a
15 cigar. Myself and might have been Elsworth with me,
16 with the three of us.

17 But no, we weren't drinking champagne. We were
18 on duty.

19 Q So you, Elsworth Smith and Ronald Watts were at
20 the scene of Big Shorty's murder not doing any
21 investigating, you were by the body but smoking a cigar?

22 MR. BAZAREK: Just going to object to the form
23 of the question the way that's phrased.

24 A Sergeant Watts was walking around talking to

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1 people presumably trying to gather information. But you
2 had a lot of police officers on the scene, you had the
3 detectives come to the scene, the crime scene, and was
4 standing off across the street somewhere on -- excuse
5 me. And yes, I had a cigar.

6 Q How many times did you stand at a murder scene
7 as a police officer smoking a cigar?

8 A I don't know how many times I stood in a murder
9 scene or a person dropped dead. But that wasn't the
10 only time.

11 Q No, no, I'm not saying how many times did you
12 go to a murder scene as a police officer. How many
13 times did you go to the scene of a murder as a police
14 officer and smoke a cigar while you were there?

15 A How many times did I do it?

16 Q Yeah.

17 A I don't know.

18 Q You mean you did it more than once?

19 MR. BAZAREK: Just standing objection to this
20 whole inquiry.

21 A I may have, yes.

22 Q All right. Do you remember any other instances
23 of doing that?

24 A Of doing what?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 Q Smoking a cigar at the scene of a murder while
2 you were on duty as a police officer?

3 A I don't know.

4 Q Was Elsworth Smith smoking the cigar?

5 A I believe he was, yes.

6 Q Was Ronald Watts smoking the cigar?

7 A I believe he was.

8 Q How frequently did you and Elsworth Smith and
9 Ronald Watts smoke cigars while you were on duty?

10 A Sometimes. Elsworth at the time was a bigger
11 smoker than myself or Watts. Elsworth always smoked a
12 cigar. I might have smoked a cigar every other day
13 every few days.

14 Q On duty?

15 A On duty.

16 Q Okay.

17 A Yes.

18 Q What about Watts?

19 A He may have also.

20 Q Was it a celebratory cigar?

21 A No, it was not.

22 Q Were you happy to have Big Shorty out of the
23 way?

24 A Pardon me?

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1 MR. BAZAREK: Object to the form of the
2 question. Foundation, argumentative, vague and
3 ambiguous.

4 Q I'll rephrase out of way.

5 Were you -- if that was part of the problem.

6 Were you happy to have Big Shorty not be around
7 at Ida B. Wells anymore?

8 A I'm never happy that anybody dies. I was never
9 happy anybody, see anybody be killed.

10 Q Were you -- was it a positive that Big Shorty
11 wouldn't be at Ida B. Wells anymore in your view?

12 MR. BAZAREK: Object to the form.

13 A I don't think so.

14 Q Why was it not positive that he wouldn't be at
15 Ida B. Wells anymore?

16 A Why was it not positive?

17 Q I'm not trying -- I'm not asking you now if you
18 were happy that he was killed. I heard you answer that
19 I'm saying why wasn't it a positive thing that he wasn't
20 going to be at Ida B. Wells anymore?

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

23 A A life had been taken off this earth, whether
24 he was a gang banger or drug dealer, whatever. So that

Transcript of Alvin Jones
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1 couldn't be positive in no fashion.

2 Q Okay. Was Ida B. Wells a safer place without
3 him there?

4 A I don't think so. I don't think either way.

5 Q You said Watts was walking around you think
6 trying to gather information?

7 A Yeah, he was walking around talking to people
8 who had gathered like he was canvassing the crowd.

9 Q He was -- was he talking to civilians or other
10 officers?

11 A Civilians.

12 Q And was he taking notes?

13 A I don't know if he was taking notes or not.

14 Q Would you typically take notes when you are
15 canvassing a crowd, during an investigation?

16 A I don't know if you just physically take notes.
17 You might remember certain things and write them down
18 and pass them along to someone else or whoever the
19 detectives were.

20 Q Do you know did someone ask Watts to go around
21 canvassing the scene?

22 A Not that I know of.

23 Q When you're saying canvassing, you mean he was
24 going around sort of interviewing people?

Transcript of Alvin Jones
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1 A Yes.

2 Q Did you hear him have any of those
3 conversations?

4 A No.

5 Q Do you know why he wanted -- why he decided
6 that he should go canvas the scene?

7 A No.

8 Q Did you ever ask him?

9 A No.

10 Q Did you think it was unusual?

11 A No.

12 Q Why?

13 A As a supervisor police, I thought he was going
14 to do what he was supposed to be doing as an officer of
15 the Chicago Police Department. It wasn't my crime
16 scene, there were other things, other people going on.
17 Although as a tactical officer, I didn't get into it.

18 Q Was it his crime scene?

19 A No, it wasn't his crime scene.

20 Q Do you know if he ran any reports?

21 A No, I don't.

22 Q Do you know if he relayed any of the
23 information that he got to anybody else?

24 A No, I do not.

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1 Q How long were you at the scene?

2 A We were there a good while. At least 45
3 minutes to an hour.

4 Q How quickly did you light -- did you and Watts
5 and Smith light your cigars?

6 A We had -- me and Smith had been there for a
7 while with him. We were just standing over off away
8 from the crowd. We weren't doing anything. We stood
9 back waiting, whatever, and we lit a cigar.

10 Q Were you with Watts when you lit the cigars?

11 A No.

12 Q Did he smoke -- when did he light his cigar?

13 A I don't know when he lit his cigar.

14 Q Was he with you when he lit his cigar?

15 A I don't recall.

16 Q And over the years, you had not heard any
17 rumors about Big Shorty paying Watts or Watts getting
18 money from Big Shorty, drugs or anything like that?

19 A No.

20 Q Did you ever know Watts to give drugs to
21 people?

22 A No.

23 Q Did you ever hear rumors that he gave drugs to
24 people?

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1 A No.

2 Q Over the years, have you ever told any
3 civilians how to file a complaint with OPS or IAD or
4 COPA or HIPAA or anything like that?

5 A In my career as a police officer? Yes.

6 Q How frequently have you done that?

7 A I wouldn't say it was frequent at all.

8 Q Do you remember any specific instances of
9 telling someone how to go file a complaint?

10 A No.

11 Q But you know you've done it?

12 A Yes.

13 Q Did you ever tell any of the people who told
14 you that Watts was dirty to go file, how they could file
15 a complaint about that?

16 A No.

17 Q Did you ever tell any of the people who told
18 that you Mohammed was dirty how to go file a complaint?

19 A The people that told me Mohammed was dirty?

20 Q Did I mishear that? I thought you said you
21 heard humors they were both dirty.

22 MR. BAZAREK: Object.

23 A I don't recall saying that. I recall people
24 saying that Mohammed acted too friendly with him.

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Conducted on February 26, 2020

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1 Q Got it. Okay. Did you ever -- so getting back
2 to Watts. But you said no, you never told anybody
3 who --

4 A No.

5 Q Why didn't you tell anything who came up and
6 told you that they felt Watts was dirty how to go file a
7 complaint?

8 A Because I thought in what I was thinking that
9 it was trash-talking him, so I didn't take it seriously.

10 Q Have you ever given false testimony under oath?

11 A No.

12 Q Did you have any voice in deciding from --
13 well, let me rephrase that.

14 When you were on the Watts Team, did you have
15 any role in deciding who would go to court to testify in
16 cases involving arrests that your team made?

17 A No.

18 Q Do you know how -- were you ever involved in
19 discussions with the prosecutor or prosecutors about who
20 should testify in a particular case?

21 A Involved with a prosecutor in who should
22 testify?

23 Q Yeah, deciding who should testify.

24 A No. I went to court, when I went to court and

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 they looked and me and reviewed the case, what do you
2 know, what do you know, what do you know, and they
3 decided who they were going to put on the stand.

4 Q The prosecutors did that?

5 A The prosecutors. Each.

6 Q You would have to go through multiple people
7 for each arrest?

8 A If that was the case, yes.

9 Q Were there any times when you went in, it was
10 just you, and they said what do you know and you said
11 well, I was only number two, I don't know anything so I
12 can't testify?

13 A I can't remember that.

14 Q Did you ever testify as to what somebody else
15 told you without disclosing that's what you were doing?

16 MR. BAZAREK: Object to the form of the
17 question. Foundation.

18 A I don't recall that.

19 Q Did you understand my question?

20 A You asked if I ever went to court and I was not
21 the person in box 1, and I would have to testify to
22 something that somebody had relayed to me.

23 Q Not necessarily whether you were in box 1 but
24 just yes, that you hadn't seen it.

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A That I hadn't seen it?

2 Q So did you -- right, you hadn't seen what
3 happened. You went to court, you testified as if you
4 had seen it, even though you were just really relaying
5 what someone else told you?

6 MR. BAZAREK: Object to the form of the
7 question.

8 A I don't recall.

9 Q You don't recall ever doing that?

10 A I don't recall ever doing that.

11 Q Did anybody on your team or Watts himself ever
12 ask you to testify as to something they saw?

13 A No.

14 Q Was it common for people on the team to sign
15 the names of other people on the team on reports?

16 MR. KOSOKO: Object to form.

17 A Yes.

18 Q Before that happened, would the person whose
19 name was -- the person whose name was being added
20 without their own signature, would they have reviewed
21 the report?

22 A Sometimes. Sometimes they wouldn't.

23 Q So tell me about the second part of that when
24 they wouldn't?

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 A Sometimes when they wouldn't?

2 Q Yeah.

3 A It was already understood or what the
4 circumstance were, they knew whoever was writing the
5 report was going to fill out all the report and sign
6 their name to it. You were in box 2, okay, you in box
7 2, I'm in box 1, I'm writing this, and this is what
8 happened, and then you sign your name when you completed
9 the report.

10 Q They would tell you what was going in the
11 report?

12 A Yes.

13 Q So you know what they were going to say?

14 A Pretty much.

15 Q What do you mean pretty much?

16 A Pretty much you knew what the person in box 1
17 who would prepare the report, you had pretty much knew
18 what they were going to put in the report.

19 Q Are you aware of any situations where someone's
20 name was added to a report, signed without their
21 knowledge?

22 A I can't recall that.

23 Q Did you ever do that?

24 A Sign someone's name to a report without their

Transcript of Alvin Jones
Conducted on February 26, 2020

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1 knowledge? No.

2 Q Have you had any interactions with any of the
3 plaintiffs in these cases since you left the Watts Team?
4 If you know?

5 A Plaintiffs?

6 Q Yes, so the people filing suit.

7 A Filing suit? I think one.

8 Q Who's that?

9 A Lee Rainey, Jr.

10 Q And when did you see Lee Rainey?

11 A Before I was put on desk assignment, probably
12 that summer, 2017 or spring. I saw him in a convenience
13 store playing the lottery.

14 Q Did you talk to him?

15 A We spoke.

16 Q What did you speak about?

17 A Hello. Good luck.

18 Q You said hello, good luck to him?

19 A He said -- he said hey, what's happening, good
20 luck. He bought his raffle -- his lottery tickets, I
21 bought mine. He walked out, said good luck, I said good
22 luck.

23 Q Good luck about the lottery tickets?

24 A The lottery tickets.

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Conducted on February 26, 2020

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1 Q Was there anything else to that conversation?

2 A No.

3 Q Did you remember who he was?

4 A Yes.

5 Q It sounds like he remembered you?

6 A Yes.

7 Q How long was that interaction about?

8 A The interaction?

9 Q Yeah.

10 A Seconds.

11 MR. RAUSCHER: Take a quick break.

12 MR. BAZAREK: (Inaudible) the Rainey case, have
13 you covered it?

14 MR. RAUSCHER: I don't think so.

15 THE VIDEOGRAPHER: Off the record. 4:16.

16 (A brief recess was taken.)

17 MR. VIDEOGRAPHER: Back on the record. 4:22.

18 MR. RAUSCHER: We're going to mark Exhibit 7,
19 which is defendant, Jones', Answer to plaintiff's,
20 Lionel White's, case March 23, 2018, Interrogatory.

21 (Exhibit 7, Answer to Interrogatories, was
22 marked for identification and is attached to the
23 transcript.)

24 BY MR. RAUSCHER:

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1 Q Do you recognize this document?

2 A Yes.

3 Q And is it correct that you were -- that you
4 assisted the Narcotics In Gaining Intelligence Section
5 from approximately February 2005 through August 2005?

6 A Yes.

7 Q Can you tell me how you assisted the Narcotics
8 in Gaining Intelligence Section during that time?

9 A Myself and Officer Young would identify drug
10 dealers, a drug transaction that occurred off a video by
11 narcotics.

12 Q And at the time, were you still on the Watts
13 Tactical Team?

14 A Yes.

15 Q And you were just -- you weren't assigned a
16 detail to the other unit?

17 A That's correct.

18 Q Okay. Do you remember any specific people you
19 identified for that -- that unit during this time?

20 A There were a lot of people who were we
21 identified off videotape.

22 Q But as you sit here today, do you remember any
23 specific people?

24 A Not really. I mean, there was so many of them,

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1 it was like -- normal, everyday people that you would
2 see down there.

3 Q Were you asked to identify people who had been
4 caught on video engaging in drug transactions or was it
5 just people?

6 A No, that had been engaged in drug transactions.

7 Q And were the transactions captured on video?

8 A Yes.

9 Q And it was people you saw routinely?

10 A Yes.

11 Q But you just as of today, you don't remember
12 who?

13 A No.

14 Q Is there anywhere you could look to get that
15 information?

16 A To know what -- who I identified?

17 Q Yeah.

18 A There was a book made of who we identified and
19 those things but I know the videotapes, I don't know.
20 We identified most of the people that were in the book,
21 that they placed in the book. But what part of the
22 narcotics activity they were actually played or were
23 doing at the time, we didn't -- we pretty much
24 identified from the video.

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1 Q Okay. I think at the beginning of your
2 deposition today or toward the beginning, you mentioned
3 that Lee Rainey was one of the people who you either
4 remembered or you thought whom your recollection was
5 refreshed when you looked at documents?

6 A Yes.

7 Q Is that right?

8 A Yes.

9 Q Is he someone whose arrest you remembered
10 before you began preparing for your deposition, or was
11 it something that came to you when you looked at some
12 paperwork?

13 A It's when I looked at the paperwork. I
14 remember looking at his mugshot.

15 Q Before that, did you remember who he was?

16 A Vaguely.

17 Q When you saw him in 2017, was he the same
18 person you were talking about?

19 A Yes.

20 Q Okay. When you saw him in 2017, did you
21 remember him clearly?

22 A I didn't hear your last part.

23 Q When you saw him in 2017, did you remember him
24 clearly?

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1 A Yes.

2 Q And did you know who it was or did you just
3 know he was somebody you knew?

4 A I knew who he was.

5 Q Did something change between 2017 and 2020 by
6 your memory of him?

7 A Not really. I looked at -- we looked at a case
8 report and an arrest report.

9 Q And do you remember what it was in what you saw
10 that refreshed your recollection?

11 A In the report?

12 Q Yeah.

13 A Yes.

14 Q All right. Tell me what refreshed your
15 recollection.

16 A In the report as we were in line, I remember
17 him coming down and saying we're up.

18 Q Did you know Lee Rainey before you were
19 involved in his arrest?

20 A I had seen him, yes, up where we was.

21 Q Do you know how many times you were involved in
22 arresting him?

23 A No, I do not.

24 Q All right. So you tell me you saw -- you knew

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1 Lee Rainey before you arrested him?

2 A Yes.

3 Q Do you know if he knew you?

4 A I'm -- I would say he did.

5 Q Who did he say we're up to?

6 A Excuse me?

7 Q He said we're up? That's the --

8 A To the other defendant in the arrest
9 identification board, who by his mugshot I don't recall
10 who he is.

11 Q Thomas Jefferson?

12 A I believe that's his name.

13 Q I'm saying. You're saying you just -- you
14 looked at it and you don't remember?

15 A I don't recall his face.

16 Q Where were you when you heard Lee Rainey say
17 we're up?

18 A I was in the stairwell leading up towards the
19 second floor.

20 Q And there was -- where was a line of other
21 people?

22 A Yes.

23 Q Did you see him engage in drug transactions
24 with those other people?

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1 A Yes.

2 Q How many people did you see them -- how many
3 people did you see engage in drug transactions?

4 A I don't know how many it was, but there were
5 people in front of me in line before I got up too close
6 to the front to him where he was.

7 Q How many people were in front of you in line?

8 A I don't remember.

9 Q Where was the line?

10 A The line was in the hallway in the back of the
11 building, I believe it was.

12 Q It was in -- was it in the lobby?

13 A No, the line, I believe it was in the hallway
14 leading upstairs in the back stairwell.

15 Q The people were lining up on the stairs?

16 A Yes.

17 Q Do you have any estimate of how many people it
18 was?

19 A No.

20 Q Did you arrest other people in front of you who
21 bought drugs?

22 A No.

23 Q Why not?

24 A Because I was -- at that point in time, I was

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1 focusing on getting to the top where the sellers were.

2 Q Why couldn't you have done both?

3 A Because my intentions were to get to the seller
4 at that time. They were -- it was like we got in the
5 building up on the person, people that were actually
6 selling. So that was my goal and intentions, not to
7 arrest the people who had bought narcotics from them.

8 Q Why -- why didn't you just arrest both of them?

9 A Because I didn't have time to arrest all of the
10 other people.

11 Q Could you not have just announced your office
12 when you saw the first transaction and arrested
13 Jefferson, Rainey and the first drug purchaser?

14 A Probably not.

15 Q Okay. Why not?

16 A Because I probably would have never got up to
17 the top of the stairs where they were. They probably
18 would have gotten away and I would have been stuck in
19 the cluster with those people on the stairwell.

20 Q But you knew Rainey?

21 A I knew who he was.

22 Q So what would -- if he got away again, can you
23 just find him again and written up the report?

24 A As what?

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1 Q I'm just asking you could you not have done
2 that?

3 A No.

4 Q Why not?

5 A Because I might not have caught him with the
6 narcotics on him at the time.

7 Q So if you see someone engage in a narcotics
8 transaction, you watch that person sell drugs, and then
9 they get away from you, you can't write up a report
10 about that and then have them arrested a different time?

11 MR. KOSOKO: Objection. Calls for conclusion.

12 A You couldn't lock him up for control --
13 possession of a controlled substance or selling
14 narcotics, but you have no narcotics that they sold.

15 Q So you made a determination basically you had
16 to let him sell a certain amount before you got close
17 enough to catch him?

18 A No, I made a determination that I was going to
19 work my way to the top of the line up there and ketch
20 him with what they had up there at the top of the line.

21 Q Is that because you needed to be physically
22 close enough to get everybody and get away?

23 A Yes, I -- if it's close enough to him.

24 Q How close did you think you needed to be to him

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1 before you could announce your office and avoid letting
2 him get away?

3 A Far enough to reach out to grab him.

4 Q Was this case unusual in that you let other
5 people buy drugs right in front of you and get away?

6 A No.

7 Q That happened frequently?

8 A Sometimes.

9 Q Did it happen a lot?

10 A If you were to sneak into a building and
11 undetected and get in a line like that, yes.

12 Q And then, would you typically just get in the
13 line till you got close enough to the seller?

14 A Yes.

15 Q How frequently did something like that happen
16 where you did sneak in a building undetected, got in a
17 drug line, got close enough to the seller without being
18 exposed?

19 A It didn't happen often. It was hard.
20 Sometimes you never get -- make it into the building.

21 Q How often did that happen?

22 A I don't know how often. Like I said, it
23 happened. It was rare that you made it all the way into
24 the building into a line.

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1 Q More than once?

2 A More than once when?

3 Q Did it happen more than once when you were on
4 the Watts Team?

5 A Yes.

6 Q Did it happen more than five times when your
7 were on the Watts -- five times when you were on the
8 Watts Team?

9 A It could have been. I just don't remember it.

10 Q Do you think it happened more than five times?

11 MR. BAZAREK: Objection. Asked and answered.

12 A It could have.

13 Q Do you think it could have happened more than
14 ten times where you got in undetected, got far enough in
15 the line to catch the drug dealer in the act?

16 A Not just myself, but I mean, people on the team
17 would also do, do the same thing.

18 Q You think it might have happened ten times
19 while you were on the team but not while you were the
20 person who got in?

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

23 Q Is that right?

24 A I didn't understand the question.

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Conducted on February 26, 2020

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1 Q You're saying that maybe it happened ten times
2 over the course of your time on the Watts Team but not
3 every time would have been you as the person who got in?

4 A Correct.

5 Q And when you were giving estimate about --
6 well, not an estimate. When you were saying it maybe
7 happened more than five times, was that you saying maybe
8 you individually got it done five times or maybe a total
9 of five times?

10 A No, I'm saying the team, someone on the team
11 made it in there successfully.

12 Q Do you remember ever successfully making it in
13 in the way it happened in the Rainey case, you
14 personally other than this one?

15 A Maybe one other time.

16 Q What's the one other time?

17 A I don't know. But it may have happened one
18 other time.

19 Q Maybe it did or maybe it didn't?

20 A Maybe it did or maybe it didn't.

21 Q What did we're up signify to you?

22 A That they were -- they had narcotics and they
23 were ready to sell them.

24 Q And what was Rainey's role, and what was

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1 Jefferson's role?

2 A I believe Rainey came down with Jefferson,
3 handed Jefferson the narcotics and said we're up.

4 Q So what did you see Rainey do?

5 A Rainey handed the bag of suspect narcotics to
6 Jefferson and they started selling.

7 Q And then, what was Rainey doing while Jefferson
8 was -- well, all right. So then, did Jefferson give the
9 drugs to the people in the line?

10 A I'm not sure if Jefferson or Rainey. I know
11 one of them was collecting money and one of them was
12 selling, giving narcotics.

13 Q So how were those transactions working? The
14 people in the line would go up. When they get to the
15 front, then what would they do?

16 A They handed them the money, they got -- they
17 counted off the narcotics.

18 Q They handed the money to one person and got the
19 narcotics from a different person?

20 A I believe so.

21 Q Is that different than the way you were
22 describing how those transactions worked earlier in your
23 testimony?

24 A No.

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1 Q I thought you said there was the same person
2 who got the money and had the drugs?

3 A Sometimes it would be the same person. Be one
4 seller and give the money and the narcotics. Sometimes
5 it would be two.

6 Q All right. Was there --

7 A Sometimes --

8 Q Yeah, go ahead.

9 A At this particular thing, it was two people in
10 the hallway.

11 Q And was it sometimes it was three people?

12 A Pardon me? Yeah, sometimes it would be more
13 than.

14 Q What's the most people who would be in the
15 hallway selling drugs together that you remember?

16 A I don't know. The entire while, they would be
17 giving all. They would be together selling different --
18 different lines of narcotics.

19 Q And you have mentioned lines a few times. What
20 are lines of narcotics?

21 A Lines would mean the street names of the
22 narcotics. It's not -- not as heroin but nicknames that
23 they would give the narcotics.

24 Q What are some of the nicknames the lines that

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1 you remember?

2 A You said Ricky Lake earlier.

3 Q No, I don't think I said Ricky Lake.

4 A I thought I heard the word, Ricky Lake,
5 earlier. But I remember that I also remember Obama. I
6 remember -- it wasn't from down there. It was from
7 another location, because it was always funny to him.
8 They would call Mad Dog, and whoever would be out there
9 yelling, maybe it was some kind of round that went with
10 it that made me remember that one.

11 Q But Mad Dog wasn't in Ida B. Wells?

12 A No, I don't believe that was Ida B. Wells.

13 Q And like was Blow the name of a line or is that
14 different?

15 A Oh, Blow is the street name for heroin.

16 Q Would people walk up and say they wanted blows
17 or no?

18 A More time they asked for the brand name of what
19 they wanted.

20 Q Do you know if Ricky Lake and Obama were lines
21 of heroin?

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

23 Q Are there any other names, any other lines that
24 you remember as you sit here today?

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1 A Not at this time.

2 Q When you were doing reverse stings, would you
3 call out the names of lines?

4 A Sometimes, yes.

5 Q And what would you call out?

6 A Whatever the name of the line we had heard them
7 using before we got there.

8 Q Would you call out anything else?

9 A Sometimes.

10 Q What else would you call out?

11 A I would make a name up.

12 Q You just different names though?

13 A Just make a different name up.

14 Q You would always make a line or pretend line or
15 something like that?

16 A Yes.

17 Q Do you know how it is that you knew Lee Rainey
18 when you arrested him with Thomas Jefferson?

19 A I can't remember how I knew him. I had seen
20 him in the area, had had contact with him. I don't know
21 if I had arrested him or not or participated in
22 arresting him or not.

23 MR. RAUSCHER: All right. I'm going to mark
24 Exhibit 8. This is a vice case report, DO Joint

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1 00597879.

2 (Exhibit 9, Vice case report, was marked for
3 identification and is attached to the transcript.)

4 Q Have you had a chance to review this report?

5 A Yes.

6 Q Is this one of the reports that you looked at
7 before your deposition?

8 A Yes.

9 Q And did this help refresh your recollection
10 about the arrest of Thomas Jefferson and Lee Rainey?

11 A Yes.

12 Q So does this report memorialize the arrest that
13 you were just telling me about?

14 A Pretty much.

15 Q And you see in the narrative description?

16 A Yes.

17 Q It says that -- it looks to me, and you tell me
18 if I'm wrong, that you and Sergeant Watts entered the
19 rear, other officers went in through the front of the
20 building?

21 A Yes.

22 Q Were those others officers seen when they went
23 in the front of the building?

24 A I don't know.

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1 Q You didn't hear anything?

2 A No.

3 Q Could you hear -- if people were yelling to
4 clean up or anything like that in the front, would you
5 be able to hear in the back?

6 A I don't remember that.

7 Q But typically would you be able to?

8 A I don't know.

9 Q Okay. Who were your partners this day?

10 A It says Cathy Moses Hughes and Kenny Young.

11 Q There's a line that says date, looks to me box
12 47, date investigation completed, time. Is that right?
13 Right next to Kenny Young and Catherine Hughes'
14 name?

15 A Yes.

16 Q Did you put the information that's in that box,
17 did you put it in here?

18 A Yes, that looks like my handwriting.

19 Q The 13 time looks like your handwriting?

20 A That looks like my handwriting.

21 Q Did you type up this report?

22 A Yes, I did.

23 Q You used a typewriter for it?

24 A Yes, I did.

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1 Q What does it mean? What's that time, 13:10,
2 indicate?

3 A The time we finished with the processing of the
4 arrest.

5 Q And what's entailed in with that processing of
6 this arrest?

7 A Finish going back to the station, doing the
8 case report, doing inventories, doing complaint, running
9 maims, searching individual.

10 Q Why did you list Hughes and young as the
11 reporting officers with you?

12 A Because I believe it was the three of us
13 together working together that day.

14 Q Why didn't you just pick one and put the other
15 somewhere else?

16 A I don't recall why.

17 Q Is it -- are they described in the report where
18 it says ROs generally, is that talking about Hughes and
19 Young at all?

20 A Excuse me?

21 Q The recording you see in the narrative, on a
22 bunch of places it says ROs did something?

23 A Yes.

24 Q Are Hughes and Young part of the ROs described

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1 there?

2 A Yes.

3 Q What -- can you tell me what they did?

4 A I don't remember what they did.

5 Q Does it say in the report what they did?

6 A No, it doesn't.

7 Q Should the report have said what they did?

8 A The report is just a summary of the actions
9 that happened. And no, I don't.

10 Q How are these reports used?

11 A They are used in criminal processing.

12 Q The box 5 and 6 says date of occurrence and
13 date RO arrived, and times. You see that?

14 A Yes.

15 Q What do those boxes mean?

16 A That means the time we get on scene and the
17 time that the occurrence of this incident.

18 Q Did those two things happen at the same time?

19 A Pretty much simultaneously, yes.

20 Q So you got into the building, got in a line and
21 arrested him and exited the scene quickly?

22 A Pretty much everything was pretty quickly.

23 Q Is that -- was that common?

24 A No.

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1 Q So usually the time should be different?

2 A Yes.

3 Q How did you know what time to put? What were
4 you basing it on?

5 A I don't remember?

6 Q Did you have a standard practice?

7 A I don't remember how I came up with it that
8 time.

9 Q When you say came up with it --

10 A How did I determine that was the time, I don't
11 recall how.

12 Q And did you have a standard practice for
13 determining what time those two things happened during
14 arrests?

15 A It could have been an estimation. I could have
16 looked at a watch, I could have looked on my phone. I
17 don't know how I did that time.

18 Q Did you do all of those things?

19 A I don't recall if I did any of those things or
20 how, or if somebody -- or if somebody else, be it Moses
21 Hughes or Young gave me the time, I don't know.

22 Q I understand you don't remember for this one.
23 What I'm trying to ask is was there one or more of those
24 methods that you just described that you used more

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1 frequently than others?

2 A No, but it like in the back of your mind you
3 know when it happened, you can search things like that
4 happened, you need to check the time because you need --
5 you got to put it on the report.

6 Q Did you care to get the times accurate?

7 A Pardon me?

8 Q Did you care about getting the times accurate
9 on the reports?

10 A Yes, you should.

11 Q Why should you care about making sure the times
12 are accurate?

13 A Because this is what you're supposed to do.
14 That's what you supposed to do. So yeah, that's one of
15 the things, okay, we done made the arrest, what time the
16 arrest was made, okay, how long before, when we came in
17 here did the arrest. You guesstimate, estimated,
18 however you looked at it, yes.

19 Q Why did you have to estimate it?

20 A Because sometimes it wouldn't happen just when
21 you got there. You might arrive at this time but the
22 arrest might happen later.

23 Q Did you have anything on you typically where
24 you could check to see what time it was?

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1 A You probably would look at like I say your
2 phone or your watch or ask somebody well, how long we
3 been here, what time is it, how long you think we been
4 here.

5 Q You didn't take any -- you didn't like mark it
6 off either mentally or in writing when you got to the
7 scene?

8 A Not always.

9 Q Sometimes?

10 A Sometimes.

11 Q You how would you describe whether to do that
12 or not?

13 A It varied from day-to-day, situation is
14 situation.

15 Q Any reasons like that would make you do it or
16 not do it?

17 A Human beings, you just you're not a robot, you
18 just don't do it all the way the same time.

19 Q Did you carry a cellphone with you in October
20 2004?

21 A I'm quite sure I did.

22 Q Do you remember the number of that cellphone?

23 A Yes.

24 Q Can you --

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1 MR. RAUSCHER: We can mark this attorneys' eyes
2 only but I'm going to ask him for the number.

3 MR. BAZAREK: Yeah, I'm going to --

4 MR. RAUSCHER: If you want to do it off the
5 record, that's fine, but --

6 MR. BAZAREK: Yeah, let's -- I'm going to put
7 an objection. We can have further discussion on that
8 cell phone.

9 MR. RAUSCHER: I mean, there are relevant cell
10 phone records that have been produced in the case, so
11 I'm thinking we should at least be able to know the
12 number.

13 MR. BAZAREK: Okay.

14 MR. RAUSCHER: We can treat it as attorneys'
15 eyes only.

16 MR. BAZAREK: Okay. So we can just talk about
17 that and you know --

18 MR. RAUSCHER: Fine.

19 MR. BAZAREK: -- we can move on.

20 Q Yeah, I guess I should ask do you remember what
21 your number was at the time?

22 A Yes.

23 Q Is it the same one you have now?

24 A Pretty much, I believe so.

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1 Q It's --

2 A I believe so.

3 Q Okay. Got it.

4 All right. Do you remember who went in the
5 front of the building?

6 A I would assume that would be Ed -- judging by
7 this -- Young and Hughes.

8 Q Because it doesn't list anyone else in the
9 report? Other than Watts?

10 MR. BAZAREK: Read back that question.

11 MR. RAUSCHER: I'll ask a different one. I can
12 rephrase it.

13 MR. BAZAREK: Yeah, I just wanted to hear --
14 just wanted to hear.

15 MR. RAUSCHER: No, no, you can hear it.

16 MR. BAZAREK: Yeah, just so I can hear it.

17 Q All right. Do you remember who went in the
18 front of the building?

19 MR. BAZAREK: You asked about the --

20 MR. RAUSCHER: There was actually a different
21 question. That came after --

22 MR. KOSOKO: Yeah, I just don't know if he was
23 --

24 MR. RAUSCHER: I don't know if he understood

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1 it was supposed to be a question.

2 MR. KOSOKO: Yeah.

3 MR. BAZAREK: Yeah.

4 MR. RAUSCHER: So I'm going to reask.

5 Q Just you don't have to answer it or whatever
6 might have been hanging out there, I'm going to ask a
7 different question, which is the reason is you assume it
8 was Ms. Moses Hughes and Young who went in the back
9 because there are no other officers other than Watts
10 listed on the report?

11 A Yes, that's what I want to assume.

12 Q It says in here, In summary, ROs received
13 information that narcotics were being sold in the
14 hallway at the CHA Building located at 559 East
15 Browning.

16 You see that?

17 A Yes.

18 Q Who received that information?

19 A I don't recall who received it.

20 Q Where did it come from?

21 A I don't recall where it came from.

22 Q Is there any anywhere you could look to
23 determine who received the information or where it came
24 from?

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1 A No.

2 Q Does it -- does it necessarily have to be you,
3 Hughes or Young who got the information?

4 A Not necessarily.

5 Q Who else could it be?

6 A It could have been Watts.

7 Q Was Watts one of the ROs described in this?

8 A Yes. I would assume, yes.

9 Q I thought Watts was not a reporting officer
10 because he was a sergeant. Did I misunderstand that?

11 A No, he's RO in here with that because he was in
12 there but he's not a reporting officer. And if he had
13 gotten the information, he could have relayed the
14 information to one of us. And that's on the plan with
15 the vice or all three of us to get in there. I don't
16 know who received the information.

17 Q So you are saying that ROs as used in this
18 report includes Sergeant Watts?

19 A It includes Sergeant Watts.

20 Q So why did you write one RO and Sergeant Watts
21 entered the rear instead of just ROs?

22 A It was just the practice of how I did. I was a
23 singular RO going in the back door with Watts.

24 Q I thought he was an RO also?

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1 A I was a singular officer going in the door, and
2 that's the way I wrote it. That's how we would write
3 paperwork.

4 Q I'm sorry, I didn't catch the last part.

5 A That's how I wrote the paperwork. I wrote
6 myself as the RO. I didn't refer to him as reporting
7 sergeant or officer.

8 Q So he was not the person who got the
9 information that narcotics were being sold in the
10 hallway because that's an RO?

11 MR. BAZAREK: Objection to the form of the
12 question. I think it mischaracterizes what he has
13 testified to.

14 A I don't know who received the information
15 first.

16 Q But I thought -- correct me if I am misstating
17 this. I thought you just said you did not list Watts as
18 an RO?

19 A No, I did not.

20 Q So this says ROs got the information, so that
21 means it wasn't watt?

22 A It says ROs so I don't know. ROs might have
23 gotten information from Watts. I don't remember. He
24 might have been the one who first received the

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1 information.

2 Q And then, you would write that up as even if
3 Watts is the one who gave the information, you'd say ROs
4 received the information as opposed to Watts got the
5 information?

6 A Yes.

7 Q Why?

8 A Because that's what it was. ROs received
9 information. If they had been the case.

10 Q But wouldn't Watts be a relevant witness if he
11 got the information?

12 MR. BAZAREK: Objection.

13 Q At least potentially?

14 MR. BAZAREK: Objection. Argumentative.

15 A Possibly.

16 Q All right. So why -- if Watts is the one who
17 got the information, should you have said that?

18 A Not necessarily.

19 MR. BAZAREK: Object to the form of the
20 question.

21 A Not necessarily.

22 Q Maybe?

23 A Not necessarily.

24 Q Can you think of any reasons why it would have

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1 been helpful to actually write down who got the
2 information?

3 A Not necessarily.

4 Q Does it matter who got the information?

5 A I don't know. I don't know.

6 Q Does it matter that you even received
7 information as opposed --

8 A Yes, it matters --

9 Q -- to you just showed up there?

10 A It matters that you received information.

11 Q Why does it matter that you received
12 information?

13 A Because something was going on there that
14 somebody had a problem with. So I don't know, I don't
15 recall how the information was received. I don't know
16 if it -- one of the three of us as POs got -- received
17 it. I don't know if we received the information from
18 Watts or he learned the information. I have -- I don't
19 really remember.

20 Q Would it be problematic if you wrote a report
21 that said ROs received information about narcotics and
22 it wasn't true?

23 Not that the information wasn't true, but that
24 it wasn't true that you had actually received the

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1 information?

2 A I don't understand what you're trying to say.

3 Q Would it be problematic if you wrote in a
4 report ROs received information that narcotics were
5 being sold in the hallway at the CHA Building even if
6 you had not actually received that information?

7 A ROs had received that information. That's what
8 you write. That's what happened.

9 Q But I'm asking is treated as a hypothetical,
10 would it be problematic if you as an officer wrote in a
11 report ROs received information about narcotic sales
12 even if it wasn't true that you had actually received
13 any such information.

14 MR. BAZAREK: Object to the form of the
15 question.

16 A I don't understand why you would write that
17 information if it wasn't true.

18 Q Would it be a problem if you did write that
19 information and it wasn't true?

20 A I've never seen information put in a report
21 that wasn't true.

22 Q Never seen any information in a report that
23 wasn't true?

24 A No, not that I know of.

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1 Q Okay. Have people ever questioned you as to
2 whether information in a report is true?

3 A Have people questioned? Yes.

4 Q Has it come up in criminal cases where people
5 have questioned, the defendants have questioned it?

6 A Defendants?

7 Q Yeah, criminal defendants or lawyers, have they
8 ever questioned whether information that as used the way
9 you say an arrest had been happened?

10 A Yes, it has come up.

11 Q All right. And in those situations, is it good
12 to be able to come back say no, here's the information
13 we had, here's how we got it?

14 MR. BAZAREK: Object to the form of the question
15 and the hypothetical.

16 A No, you'd go based off this case report which
17 is a summary of what happened to help you relate what
18 you were given.

19 Sometimes it's like say it's a summary to help
20 you jog your memory as to what you do remember. What
21 role you played.

22 Q But looking at this report doesn't jog your
23 memory about where this information on narcotic sales
24 came from?

Transcript of Alvin Jones
Conducted on February 26, 2020

299

1 MR. BAZAREK: Objection. Asked and answered.

2 A No, it does not.

3 Q Did you commonly hear people say we open?

4 A No.

5 Q Did you know what it meant?

6 A Yes.

7 Q And did you know Thomas Jefferson?

8 A I can't say that I remember him.

9 Q Did you read Lee Rainey's affidavit?

10 A Yes, I did.

11 Q And do you see where he says he encountered you
12 in the hallway of 559 East Browning?

13 A In the hallway where?

14 Q All right. He says, On October 16, 2004, I
15 encountered Watts again. This time, I was standing in
16 the hallway at 559 East Browning with three other people
17 including Thomas Jefferson. I saw Watts and Officer L
18 Jones and one other female officer approached the front
19 of the building on foot.

20 A That's not true.

21 Q That's false?

22 A Yes.

23 Q What is false about that?

24 A That's not how it happened.

Transcript of Alvin Jones
Conducted on February 26, 2020

300

1 Q Where did -- did you -- when you went to Ida B.
2 Wells that morning, who did you drive with?

3 A THE WITNESS: I don't remember.

4 Q When did you and Watts split up from Moses,
5 Hughes and Young?

6 A I don't remember.

7 Q So how do you know that he's not telling the
8 truth that he saw you at some point walking up toward
9 the front of the building?

10 A Because I didn't come in the front of the
11 building.

12 Q Did you walk toward the front of the building
13 ever?

14 A Excuse me?

15 Q Did you walk toward the front of the building
16 ever?

17 A I don't recall going to the front of the
18 building at all.

19 Q All right. Then, he says that he didn't run,
20 even though other people ran?

21 Actually, you know what, let me --

22 MR. RAUSCHER: I'm just going to show him --
23 show him the affidavit.

24 All right. We're going to mark the affidavit

Transcript of Alvin Jones
Conducted on February 26, 2020

301

1 as Exhibit 9.

2 (Exhibit 9, Affidavit, was marked for
3 identification and is attached to the transcript.)

4 Q The part about 2004 starts on paragraph 9.

5 A Paragraph where?

6 Q 9. If -- you're welcome to read the whole
7 thing if you would like to but I'm just pointing you to
8 the parts I may have questions about for now.

9 Are you ready?

10 A Yes.

11 Q Okay. Is anything that he says in here true?

12 A No.

13 Q Did Watts go to the second floor in the 559
14 East Browning that day?

15 A Not that I know of, no.

16 Q All right. But is it possible he went up and
17 you didn't see him?

18 A No.

19 Q So he did not go up?

20 A No. What he's -- what he's saying here is all
21 a lie.

22 Q Do you know who Marcus Jefferson is?

23 A Marcus Jefferson?

24 Q Yeah. MJ?

Transcript of Alvin Jones
Conducted on February 26, 2020

302

1 A Vaguely.

2 Q What do you know about MJ?

3 A The little that I remember, but I just remember
4 the name.

5 Q Was he involved in the drug trade?

6 A I don't know.

7 Q Was it common that when you were all out doing
8 investigations or out at Ida B. Wells, Watts would
9 separate from the team?

10 A Sometimes other officers would separate from
11 the team.

12 Q I just want -- I'm just asking about Watts.

13 A Sometimes, yes.

14 Q All right. Would he go upstairs in the
15 building without other officers?

16 A Usually not.

17 Q Sometimes?

18 A Maybe.

19 Q Well, did it happen or did it not happen?

20 A It didn't happen on this date at this time.

21 Q Did it sometimes happen?

22 A Sometimes, yes.

23 Q Okay. Well, do you know where he went when he
24 would go up stairs without other officers?

Transcript of Alvin Jones
Conducted on February 26, 2020

303

1 A No.

2 Q Do you know what he did?

3 A No.

4 Q Do you know why he'd go upstairs without other
5 officers?

6 A No.

7 Q Would you all have to wait around while he did
8 that?

9 A Wait around? What do you mean by wait around?

10 Q Well, if you were in the lobby, and Watts went
11 upstairs, would you have to wait for him before you
12 could leave?

13 A I don't think we would leave him in the
14 building by his self if he went upstairs, or any other
15 officer that went upstairs.

16 Q So yes?

17 A Yes, if a officer went upstairs, whether it
18 would be Watts or someone else, we would wait until they
19 came back before we all left.

20 Q Did other officers go up in those buildings by
21 themselves separate from the other team members?

22 A Sometimes, yes.

23 Q All right. Tell me who else you remember going
24 up alone in the Watt -- in the building?

Transcript of Alvin Jones
Conducted on February 26, 2020

304

1 MR. BAZAREK: I'm just going to do a standing
2 objection to all of the questions as to foundation.

3 A As to who? I've gone up in there by myself
4 sometimes.

5 Q Okay. What have you gone up there for?

6 A We go and we look and we see if there is
7 anybody else up on a higher floor somewhere maybe
8 hiding. That would probably be selling narcotics also.

9 Q And so are you doing that, like is that like a
10 chase type of thing or are you just --

11 A No, sometimes you walk up and you what we call
12 like a building walk down where you check each floor to
13 see if anybody was hiding in a hallway or higher up
14 because they didn't believe or think you would come up
15 that high. Or there was a -- what is it called? Where
16 the garbage room was. Sometimes those doors would be
17 open and they could get into the laundry room, they
18 close it behind them and hide.

19 Q And so you would go looking for those
20 situations?

21 A Sometimes, yes.

22 Q And is that Watts was doing when he'd go
23 upstairs?

24 A I don't know what he was doing when he'd go

Transcript of Alvin Jones
Conducted on February 26, 2020

305

1 upstairs.

2 Q How frequently did you separate from the team
3 and go walk around the building by yourself?

4 A It depended upon the circumstances.

5 Q Well, how -- I just want to know how
6 frequently? Did it happen a lot?

7 A I don't know. It's a long time ago. I mean, a
8 lot of things happened on those days. They different
9 circumstances. Circumstances dictate whether you going
10 up or not.

11 Q Was it unusual to have an officer be all by him
12 or herself in one of the buildings?

13 A All by themselves?

14 Q Yeah.

15 A No one else in the building but them?

16 Q No, fair enough. I mean, maybe other people
17 are in the lobby but the officer alone is walking around
18 upstairs?

19 A Yeah, that would happen.

20 Q Would that be unusual or not?

21 A No, it's not unusual.

22 Q Did Watts know a lot of the residents in the
23 559 Building in 2004?

24 A I don't know.

Transcript of Alvin Jones
Conducted on February 26, 2020

306

1 Q Did you know all the residents in that building
2 in 2004?

3 A I don't know.

4 Q Was it a high -- were any buildings at the
5 time, did any of them have more drug activity than
6 others?

7 A I don't know if they had more or not.
8 Sometimes I mean, you might have all several buildings
9 working at the same time. I don't know.

10 Q Did it -- did it rotate buildings like
11 day-to-day which building were up and selling drugs?

12 A No. No, we didn't rotate.

13 Q So were multiple buildings -- did multiple
14 buildings have drug sales going on in 2004?

15 A Yes.

16 Q Which other buildings do you remember to having
17 drug sales in 2004?

18 A There was the 574 East 36th Street. The 575
19 East Browning. The 527 East Browning.

20 Q Those are the high-rise or mid-rise?

21 A They were seven-story high-rise buildings.

22 Q 559?

23 A Yes.

24 Q Did you ever see Watts transport anyone from

Transcript of Alvin Jones
Conducted on February 26, 2020

307

1 Ida B. Wells to a station?

2 A Transporting them? I don't recall.

3 Q Do you know whether Rainey is telling the truth
4 when he says I was put in a squad car with Watts and
5 another officer?

6 A I don't recall.

7 Q Do you remember if you were the other officer?

8 A I don't recall.

9 Q Do you remember Rainey asking whether Watts --
10 asking Watts what he is being arrested for?

11 A No, I do not.

12 Q Did you go to McDonald's with Watts to get
13 Rainey food?

14 A No, I did not go to McDonald's.

15 Q Did you ever get any -- well, do you know if
16 Watts ever let people get McDonald's after he arrested
17 them?

18 A I can't remember that happening.

19 Q Did you ever let anyone get McDonald's after
20 arresting them?

21 A No.

22 Q You would not do that?

23 A No, I would not do that.

24 Q Did you tell Rainey and Thomas -- well, did

Transcript of Alvin Jones
Conducted on February 26, 2020

308

1 you tell Rainey at the station that he was being -- him
2 and Thomas Jefferson were being charged with possession?

3 A I don't remember having a conversation with
4 them at the station.

5 Q Have you read this --

6 A Yes.

7 Q -- paragraph.

8 So is it fair to say because you don't
9 remember, you can't really say whether he was telling
10 the truth or not in that paragraph?

11 MR. BAZAREK: What paragraph?

12 MR. RAUSCHER: 15.

13 A He's lying here. I didn't frame him, I didn't
14 put him any drugs on him.

15 Q Did he tell you he was being framed?

16 A I don't recall him saying that.

17 Q So at least you don't know if it's true that he
18 told you he was being framed but you know he wasn't
19 being framed?

20 A I know he wasn't being framed.

21 Q Did you tell him that you had -- that the team
22 or someone on the team had found some drugs on the
23 second floor?

24 A I don't recall telling him that at all.

Transcript of Alvin Jones
Conducted on February 26, 2020

309

1 Q Was he on the second floor when you saw him?

2 A He was coming down from the second floor area
3 in the hallway of the stairwell where the narcotic sales
4 had begin where the line was.

5 Q Do you remember charging other people with
6 trespass that day?

7 A No, I do not.

8 Q Do you know what happened to Rainey's case?

9 A I don't recall what happened to his case.

10 Q What about Thomas Jefferson, do you know what
11 happened to him?

12 A I don't recall what happened to his case.

13 Q Do you remember how you all decided who was
14 going to go where that day?

15 A No, I do not.

16 Q Was it common to split up the team and some
17 people go in the back, some people go in the front?

18 A Yes.

19 Q What's the purpose of doing that?

20 A In case somebody ran out, they would come out
21 in front and run into the other officers.

22 Q Did you know that Rainey was going to be on the
23 second floor coming down when you came in the building?

24 A No, I did not.

Transcript of Alvin Jones
Conducted on February 26, 2020

310

1 Q Did you have any information as to where the
2 drugs were being sold in the building?

3 A I don't remember having any information where
4 they were being sold.

5 Q Did you have any information about who was
6 selling the drugs?

7 A I don't remember that, no.

8 Q How was it that you went, you got in there so
9 quickly and you saw him selling drugs?

10 A There were people standing outside. We were
11 able to get past security and in line right behind the
12 people that were in line.

13 Q And how -- how were you and Watts able to get
14 past the security?

15 A I can't remember what I was dressed like that
16 day. I don't recall what I had on.

17 Q Do you remember what he had on?

18 A No, I do not.

19 Q Were you talking to each other when you went
20 in?

21 A Not really. You just tried to get in there if
22 you can get in there undetected and you saw the line.
23 And you got -- we got in the line, and immediately they
24 went, Here they come, we're up.

Transcript of Alvin Jones
Conducted on February 26, 2020

311

1 And as I worked my way to the top of the line,
2 there they were. Together.

3 MR. RAUSCHER: All right. Let's -- it's a
4 little bit after 5:00. You want me to finish this one
5 or --

6 MR. BAZAREK: Yeah, do you -- do you --

7 MR. RAUSCHER: I'm good with doing that. I
8 just --

9 MR. BAZAREK: Yeah.

10 MR. RAUSCHER: -- didn't know whether you all
11 wanted to.

12 MR. BAZAREK: Uh-hum.

13 MR. RAUSCHER: So let's finish the 2004 arrest,
14 and then if you want to, I'll pick up on the 2003 in the
15 morning.

16 MR. BAZAREK: Sure.

17 MR. RAUSCHER: Or I can do that one. I --
18 let's just keep going for this one.

19 All right. We're going to mark the next. It
20 says DOJOINT 005972 to 73.

21 (Exhibit 10, Arrest report, was marked for
22 identification and is attached to the transcript.)

23 Q Do you recognize this document?

24 A Yes.

Transcript of Alvin Jones
Conducted on February 26, 2020

312

1 Q Did you prepare this report?

2 A Yes.

3 Q And is that your name in the swear under
4 penalty of perjury that the report is true?

5 A Yes.

6 Q Did you sign any of the other names on this
7 report?

8 A Sign?

9 Q Yes. Did you sign your own name on that?

10 A I signed my name.

11 Q Did you sign anybody else's name?

12 A I don't see a place for signature for their
13 name.

14 Q Well, for like Watts' signature on here,
15 there's a couple other ones. Did you sign those?

16 A No.

17 Q All right. Did you ever sign for Watts?

18 A No.

19 Q Did he ever let anybody else sign for him?

20 A No, he's the supervisor. He would sign.

21 Q And just for very briefly turning back to the
22 vice case report which was Exhibit 9. Did you sign any
23 of the other names on that report?

24 A I signed Hughes' name and Young's name.

Transcript of Alvin Jones
Conducted on February 26, 2020

313

1 Q And do you remember if you had permission from
2 them to sign?

3 A I don't remember.

4 Q Do you remember if they looked at the report?

5 A I don't recall.

6 Q I'm sorry if I re-ask this. Did they witness
7 any of the thing -- any of the events?

8 A I don't remember what they witnessed.

9 Q This one, the arrest report, Exhibit 10, has
10 got a alias or nickname, a J-Dawg in box 7. You see
11 that?

12 A Yes.

13 Q Where did you get that from?

14 A It says the tattoo.

15 Q Okay. So you saw his tattoo?

16 A If I put it there, that's what it said.

17 Q Well, do you know why you wrote that refused
18 under nickname on the vice case report?

19 A I don't. I don't recall that.

20 Q It says in the narrative description here,
21 Subject now known Thomas Jefferson -- then we skip over
22 just a few of the descriptive words.

23 The subject, Jefferson, then proceeded to
24 conduct hand-to-hand transaction with unknown

Transcript of Alvin Jones
Conducted on February 26, 2020

314

1 individuals? You see that?

2 A Yes.

3 Q What is the hand -- what is a hand-to-hand
4 transaction as described in this paragraph?

5 A Where he would give from hand to the other, he
6 would hand out narcotics.

7 Q He would hand out narcotics?

8 A Yes.

9 Q And he would get the money?

10 A Um.

11 Q Or did Rainey get the money?

12 A According to this report, from what I remember
13 it would probably, it was -- Rainey.

14 Q You said according to the report from what I
15 remember?

16 A Yes.

17 Q Do you actually remember that or are you just
18 reading the report?

19 A Well, not. Pretty much reading the report.

20 MR. RAUSCHER: All right. We're going to mark
21 Exhibit 11, City BG 011816.

22 (Exhibit 11, Police report, was marked for
23 identification and is attached to the transcript.)

24 Q Did you prepare this report?

Transcript of Alvin Jones
Conducted on February 26, 2020

315

1 A Yes.

2 Q And did you sign your own name on it?

3 A Yes.

4 Q Is this report accurate?

5 A As far as I can see.

6 Q Do you know where the alias or nickname, TE,
7 comes from?

8 A No.

9 Q In box -- box 17, which is asking for things
10 like marks, scars, disabilities, it says NV?

11 A Yes.

12 Q What does that stand for?

13 A I believe nonvisible.

14 Q Meaning you didn't see any? Nothing that fits
15 that description?

16 A I believe so.

17 Q Okay. By the time you got up to the line so
18 you were close enough to arrest them, was anybody else
19 still around? Was there anybody behind you in line?

20 A I don't know if people were behind me in line.
21 I don't know.

22 Q Okay. Do you know if there was anybody left
23 who had been in front of you in line?

24 A I'm not sure.

Transcript of Alvin Jones
Conducted on February 26, 2020

316

1 Q Because it all happened --

2 A It just happened real -- real fast.

3 Q So probably there were other people around,
4 right?

5 A No, but I got to the front of the line.

6 Q But you got to the building and arrested him
7 the same minute basically, right?

8 A It happened so fast. It doesn't take, even
9 like a narcotic transaction five or seven seconds.

10 Q And then get all of them and get out of the
11 building?

12 A And get out of the building. It moves that
13 fast.

14 Q You just don't remember one way or the other
15 whether there was anybody still around?

16 A No.

17 Q Do you remember if anybody else was in the
18 lobby?

19 A I don't recall.

20 Q Where did you go after they were arrested?
21 Where did you take them? What was the next steps?

22 A Where did we take them?

23 Q Yeah.

24 A We took them to our substation at 38th and

Transcript of Alvin Jones
Conducted on February 26, 2020

317

1 Cottage Grove, and that's where we processed them there.

2 Q Who took them there?

3 A It says 4512Boy. That would have been our
4 team.

5 Q That's your -- that's you that day, right?
6 Your car, right?

7 A Yes, that what it says.

8 Q Does it mean you drove them there?

9 A According to the report, yes.

10 Q And it says it's possible that Watts was in the
11 car with you?

12 A Possible.

13 Q Do you have any way to either prove or disprove
14 whether he was in the car with you?

15 A No.

16 Q Do you know if you have ever talked to Marcus
17 Jefferson?

18 A I don't remember.

19 Q Did you read Thomas Jefferson's affidavit?

20 A I don't recall reading his affidavit.

21 Q Do you know whether you met up with Young and
22 Moses Hughes after the arrest?

23 A We all went back to the same place for
24 processing.

Transcript of Alvin Jones
Conducted on February 26, 2020

318

1 Q I mean, do you remember if you met up with them
2 at the scene?

3 MR. BAZAREK: Object to the form of the question
4 and the phrasing. Vague and ambiguous.

5 A They were on the scene at some point. We all
6 converged in that area where the narcotics were being
7 sold.

8 Q So they came up to where you were?

9 A Yeah. I don't know if they came from the top,
10 went around and came up the other stairwell to the top,
11 but they came up from behind. I just don't recall.

12 Q Do you -- but you definitely recall they came
13 up there --

14 A They did.

15 Q You didn't meet them in the lobby or something
16 else?

17 A No.

18 Q And you have an independent recollection of
19 them coming up?

20 A Yes, I do.

21 Q Okay. Do you remember where you saw them?

22 A We were all in the same hallway.

23 Q But you just don't remember which direction
24 they came from?

Transcript of Alvin Jones
Conducted on February 26, 2020

319

1 A Right.

2 Q First floor though?

3 A Between the first and second floor area.

4 Q They came up on the stairs?

5 A I don't know. I don't know which way they came
6 from.

7 Q No, but I mean did they -- did they walk up the
8 stairs so they weren't on the first floor lobby anymore?

9 A I don't recall how they got to up there but
10 they were up there. I don't know if they came up the
11 stairway behind me or if they came around a front
12 stairwell round to the other stairwell.

13 Q I think you've answered. What I was trying to
14 get at was do you remember that you saw them somewhere
15 else other than the first floor?

16 MR. BAZAREK: Object to foundation. At what
17 point?

18 A Did I see who?

19 Q Young and Moses Hughes?

20 MR. BAZAREK: Objection. Foundation.

21 A Somewhere other than the first floor? Yes.

22 Q And where was -- that was somewhere between the
23 first and second floors?

24 A In the stairwell, yes.

Transcript of Alvin Jones
Conducted on February 26, 2020

320

1 Q Did you announce your office to Rainey and
2 Jefferson?

3 A I don't remember.

4 Q Would it be unusual if you just cuffed somebody
5 without announcing your office?

6 A No.

7 Q All right. Did you handcuff them?

8 A I'm not sure if I did or not.

9 Q Would it have been either you or Watts?

10 A Or it could have been Hughes or Young when they
11 got around there.

12 Q How would you have detained them before those
13 other people arrived without announcing your office?

14 A You there too could be, you grab them right
15 there, you got on top of them. Watts was behind me. I
16 don't know. If they showed up, they immediately right
17 there too. But it all happened so fast.

18 Q So you might have grabbed them and gotten on
19 top of them without saying you were a police officer?

20 A Well, you always say you police. You look up,
21 they look, police. And you reach out and grab them.

22 Q In announcing your office different than saying
23 something like police?

24 A What do you mean different?

Transcript of Alvin Jones
Conducted on February 26, 2020

321

1 Q Well, I mean, I think you said you might not
2 have announced your office at all?

3 A Might not have all. You look up, yeah, I got
4 you, police. I don't know what terminology we used that
5 day, or if we used the terminology at all.

6 Q So you might have just grabbed them and not
7 said who you were?

8 A Might have.

9 Q Why would you do that?

10 A Because I'm the police and I witnessed
11 narcotics sale by those individuals.

12 Q And you don't have any responsibility to tell
13 them that you are the police?

14 MR. KOSOKO: Object to the form of the
15 question.

16 A You have to tell them that you're the police
17 after you witnessed?

18 At some point in time, yeah, you let them know
19 that you are the police, but I don't know if we did that
20 first before you put your hands on them.

21 Q Does it present any sort of safety risk for you
22 to just be grabbing people without telling them who you
23 are?

24 MR. KOSOKO: Object to the form of the

Transcript of Alvin Jones
Conducted on February 26, 2020

322

1 question.

2 A Not necessarily.

3 Q Possibly?

4 A Possibly. Possibly could.

5 Q And people probably don't take too kindly to
6 just having people jump on them usually, right?

7 MR. BAZAREK: Object to the form of the
8 question.

9 A Probably not. But as the police, sometimes you
10 don't have time to announce your office, you have to
11 take an action.

12 Q Is there anything in this report that suggests
13 you didn't have time to announce your office?

14 A I don't recall anything in that report. From
15 my experience in working in those projects trying to get
16 up on individuals selling narcotics, you get up there,
17 you say police, whatever you did. If you don't say
18 nothing at all, you grab them and let them know. I'll
19 be grabbing to let you police.

20 Q Right.

21 A You have to immediately do whatever it is you
22 going to do to take charge of them.

23 Q What do you mean immediately?

24 A Immediately. Otherwise, they are going to try

Transcript of Alvin Jones
Conducted on February 26, 2020

323

1 to get away or escape. Now you in a either in a foot
2 chase or they perhaps get away.

3 MR. RAUSCHER: Okay. I don't think I have any
4 other questions about this one. Did you want to pick up
5 on the 2003 one in the morning?

6 MR. BAZAREK: Yeah.

7 MR. RAUSCHER: Okay. All right. Well, then,
8 that's going to be all for today. We're going to
9 continue tomorrow. I'm happy to keep it at 10:00. If
10 you want to do it earlier, we can start earlier.

11 Well, if it's okay with everyone.

12 THE VIDEOGRAPHER: This concludes day 1 of
13 Alvin Jones. The time is 5:18.

14 (Off the record at 5:18 p.m.)
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24

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Conducted on February 26, 2020

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CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, RYAN GRZELAK, the officer before whom the foregoing proceedings were taken, do hereby certify that said proceedings were electronically recorded by me; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 26th day of February, 2020.



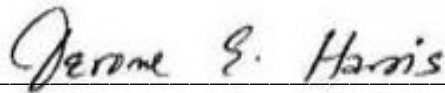
RYAN GRZELAK, Notary Public
for the State of Illinois

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Conducted on February 26, 2020

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CERTIFICATE OF TRANSCRIBER

I, Jerome E. Harris, do hereby certify that
the foregoing transcript is a true and correct record
of the recorded proceedings; that said proceedings were
transcribed to the best of my ability from the audio
recording and supporting information; and that I am
neither counsel for, related to, nor employed by any
of the parties to this case and have no interest,
financial or otherwise, in its outcome.

A handwritten signature in cursive script that reads "Jerome E. Harris". The signature is written in dark ink and is positioned above a horizontal line.

Jerome E. Harris, CDLT-204

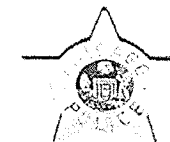
March 15, 2020

EXHIBIT 6

Report Date: 11 May 2017
Report Time: 0931 Hrs

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Public Safety Information Technology
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Chicago Police Department
Employee Assignment / Detail History
MOHAMMED, KALLATT



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
MOHAMMED, KALLATT	02-Sep-1997			POLICE OFFICER	9161	02-Sep-1997		044	RECRUIT TRAINING SECTION	02-Sep-1997	19-Aug-1998					
MOHAMMED, KALLATT	13-Feb-1998		14122	POLICE OFFICER	9161	02-Sep-1997		044	RECRUIT TRAINING SECTION	02-Sep-1997	19-Aug-1998					
MOHAMMED, KALLATT	20-Aug-1998		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	20-Aug-1998	23-May-2001					
MOHAMMED, KALLATT	24-May-2001		14122	POLICE OFFICER	9161	02-Sep-1997		715	PUBLIC HOUSING SOUTH	24-May-2001	10-Nov-2004					
MOHAMMED, KALLATT	11-Nov-2004		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004						
MOHAMMED, KALLATT	08-Feb-2012		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004						
MOHAMMED, KALLATT	09-Feb-2012		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004			376	ALTERNATE RESPONSE SECTION	09-Feb-2012	
MOHAMMED, KALLATT	23-Aug-2012			POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004			376	ALTERNATE RESPONSE SECTION	09-Feb-2012	
MOHAMMED, KALLATT	23-Aug-2012		14122	POLICE OFFICER	9161	02-Sep-1997		002	DISTRICT 002	11-Nov-2004			376	ALTERNATE RESPONSE SECTION	09-Feb-2012	

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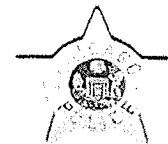
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CITY-BG-003372

Report Date: 11 May 2017
Report Time: 0935 Hrs

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Chicago Police Department
Employee Assignment / Detail History
JONES, ALVIN



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
JONES, ALVIN	18-Mar-1996			POLICE OFFICER	9161	18-Mar-1996		044	RECRUIT TRAINING SECTION	18-Mar-1996	26-Feb-1997					
JONES, ALVIN	21-Aug-1996		19462	POLICE OFFICER	9161	18-Mar-1996		044	RECRUIT TRAINING SECTION	18-Mar-1996	26-Feb-1997					
JONES, ALVIN	27-Feb-1997		19462	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	27-Feb-1997	13-Oct-1999					
JONES, ALVIN	14-Oct-1999		19462	POLICE OFFICER	9161	18-Mar-1996		153	MOBILE STRIKE FORCE SPECIAL FUNCTIONS SUPPORT UNIT	14-Oct-1999	26-Apr-2000					
JONES, ALVIN	27-Apr-2000		19462	POLICE OFFICER	9161	18-Mar-1996		715	PUBLIC HOUSING SOUTH	27-Apr-2000	10-Nov-2004					
JONES, ALVIN	11-Nov-2004		19462	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	14-Dec-2012		19462	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	14-Dec-2012		1791	POLICE OFFICER	9161	18-Mar-1996		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	16-Dec-2012		1791	SERGEANT OF POLICE	9171	16-Dec-2012		002	DISTRICT 002	11-Nov-2004	18-Dec-2012					
JONES, ALVIN	19-Dec-2012		1791	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012						
JONES, ALVIN	04-Aug-2013		1791	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	04-Aug-2013	26-Oct-2013
JONES, ALVIN	25-Oct-2013		815	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	04-Aug-2013	26-Oct-2013
JONES, ALVIN	27-Oct-2013		815	SERGEANT OF POLICE	9171	16-Dec-2012		005	DISTRICT 005	19-Dec-2012			412	AREA SOUTH DEPUTY CHIEF - BUREAU OF PATROL	27-Oct-2013	08-Mar-2014

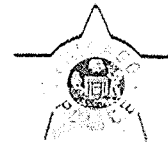
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Report Date: 11 May 2017
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JONES, ALVIN



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
JONES ALVIN	08-Jun-2014		815	SERGEANT OF POLICE	9171	18-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	08-Jun-2014	
JONES ALVIN	10-May-2017		815	SERGEANT OF POLICE	9171	18-Dec-2012		005	DISTRICT 005	19-Dec-2012			212	BUREAU OF PATROL - AREA SOUTH	08-Jun-2014	

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CITY-BG-003374

Report Date: 11 May 2017
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Chicago Police Department
Employee Assignment / Detail History
GONZALEZ, ROBERT



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
GONZALEZ, ROBERT R	14-Dec-1998			POLICE OFFICER	9161	14-Dec-1998		044	RECRUIT TRAINING SECTION	14-Dec-1998	08-Dec-1999					
GONZALEZ, ROBERT R	07-May-1999		12152	POLICE OFFICER	9161	14-Dec-1998		044	RECRUIT TRAINING SECTION	14-Dec-1998	08-Dec-1999					
GONZALEZ, ROBERT R	09-Dec-1999		12152	POLICE OFFICER	9161	14-Dec-1998		022	DISTRICT 022	09-Dec-1999	02-Feb-2000					
GONZALEZ, ROBERT R	03-Feb-2000		12152	POLICE OFFICER	9161	14-Dec-1998		715	PUBLIC HOUSING SOUTH	03-Feb-2000	10-Nov-2004					
GONZALEZ, ROBERT R	11-Nov-2004		12152	POLICE OFFICER	9161	14-Dec-1998		002	DISTRICT 002	11-Nov-2004						
GONZALEZ, ROBERT R	10-May-2017		12152	POLICE OFFICER	9161	14-Dec-1998		002	DISTRICT 002	11-Nov-2004						

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CITY-BG-003375

Report Date: 11 May 2017
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Chicago Police Department
Employee Assignment / Detail History
CABRALES, MIGUEL



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
CABRALES, MIGUEL C	07-May-1999		10719	POLICE OFFICER	9161	14-Dec-1998										
CABRALES, MIGUEL C	09-Dec-1999		10719	POLICE OFFICER	9161	14-Dec-1998		002	DISTRICT 002	09-Dec-1999	08-Dec-1999					
CABRALES, MIGUEL C	09-Dec-1999		10719	POLICE OFFICER	9161	14-Dec-1998		002	DISTRICT 002	09-Dec-1999	04-Jan-2014					
CABRALES, MIGUEL C	05-Jan-2014		10719	POLICE OFFICER	9161	14-Dec-1998		009	DISTRICT 009	05-Jan-2014		D				
CABRALES, MIGUEL C	10-May-2017		10719	POLICE OFFICER	9161	14-Dec-1998		009	DISTRICT 009	05-Jan-2014						

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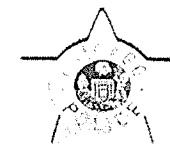
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CITY-BG-003376

Report Date: 11 May 2017
Report Time: 0946 Hrs

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Chicago Police Department
Employee Assignment / Detail History
STEVENS, MICHAEL



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
STEVENS, MICHAEL J	26-Mar-1990			POLICE OFFICER	9161	26-Mar-1990		044	RECRUIT TRAINING SECTION	26-Mar-1990	27-Feb-1991					
STEVENS, MICHAEL J	26-Mar-1990		6459	POLICE OFFICER	9161	26-Mar-1990		044	RECRUIT TRAINING SECTION	26-Mar-1990	27-Feb-1991					
STEVENS, MICHAEL J	28-Feb-1991		6459	POLICE OFFICER	9161	26-Mar-1990		015	DISTRICT 015	28-Feb-1991	11-Sep-1991					
STEVENS, MICHAEL J	12-Mar-1991		17269	POLICE OFFICER	9161	26-Mar-1990		015	DISTRICT 015	28-Feb-1991	11-Sep-1991					
STEVENS, MICHAEL J	12-Sep-1991		17269	POLICE OFFICER	9161	26-Mar-1990		760	G/C UNIT NORTH	12-Sep-1991	06-Jan-1993					
STEVENS, MICHAEL J	07-Jan-1993		17269	POLICE OFFICER	9161	26-Mar-1990		023	DISTRICT 023	07-Jan-1993	24-Jun-1998					
STEVENS, MICHAEL J	25-Jun-1998		17269	POLICE OFFICER	9161	26-Mar-1990		017	DISTRICT 017	25-Jun-1998	15-Jun-1999					
STEVENS, MICHAEL J	16-Jun-1999		17269	SERGEANT OF POLICE	9171	16-Jun-1999		015	DISTRICT 015	16-Jun-1999	24-May-2000					
STEVENS, MICHAEL J	16-Jun-1999		17269	SERGEANT OF POLICE	9171	01-Oct-2004		015	DISTRICT 015	16-Jun-1999	24-May-2000					
STEVENS, MICHAEL J	16-Jun-1999		17269	SERGEANT OF POLICE	9171	16-Jun-1999		015	DISTRICT 015	16-Jun-1999	24-May-2000					
STEVENS, MICHAEL J	16-Jun-1999		2051	SERGEANT OF POLICE	9171	01-Oct-2004		015	DISTRICT 015	16-Jun-1999	24-May-2000					
STEVENS, MICHAEL J	25-May-2000		2051	SERGEANT OF POLICE	9171	01-Oct-2004		017	DISTRICT 017	25-May-2000	13-Oct-2004					
STEVENS, MICHAEL J	01-Oct-2004		2051	LIEUTENANT OF POLICE	9173	01-Oct-2004		017	DISTRICT 017	25-May-2000	13-Oct-2004					
STEVENS, MICHAEL J	01-Oct-2004		609	LIEUTENANT OF POLICE	9173	01-Oct-2004		017	DISTRICT 017	25-May-2000	13-Oct-2004					
STEVENS, MICHAEL J	14-Oct-2004		609	LIEUTENANT OF POLICE	9173	01-Oct-2004		002	DISTRICT 002	14-Oct-2004	24-May-2006					
STEVENS, MICHAEL J	25-May-2006		609	LIEUTENANT OF POLICE	9173	01-Oct-2004		024	DISTRICT 024	25-May-2006	08-Nov-2006					

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Chicago Police Department
Employee Assignment / Detail History
STEVENS, MICHAEL



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
STEVENS, MICHAEL J	18-Jun-2006		609	LIEUTENANT OF POLICE	9173	01-Oct-2004		024	DISTRICT 024	25-May-2006	08-Nov-2006		142	BUREAU OF PATROL	18-Jun-2006	08-Nov-2006
STEVENS, MICHAEL J	09-Nov-2006		609	LIEUTENANT OF POLICE	9173	01-Oct-2004		142	BUREAU OF PATROL	09-Nov-2006	18-Jul-2007					
STEVENS, MICHAEL J	03-Jun-2007		609	LIEUTENANT OF POLICE	9173	01-Oct-2004		142	BUREAU OF PATROL	09-Nov-2006	18-Jul-2007		017	DISTRICT 017	03-Jun-2007	18-Jul-2007
STEVENS, MICHAEL J	19-Jul-2007		609	LIEUTENANT OF POLICE	9173	01-Oct-2004		015	DISTRICT 015	19-Jul-2007	12-Oct-2013					
STEVENS, MICHAEL J	11-May-2012		361	LIEUTENANT OF POLICE	9173	01-Oct-2004		015	DISTRICT 015	19-Jul-2007	12-Oct-2013					
STEVENS, MICHAEL J	13-Oct-2013		361	LIEUTENANT OF POLICE	9173	01-Oct-2004		019	DISTRICT 019	13-Oct-2013	08-Oct-2016					
STEVENS, MICHAEL J	09-Oct-2016		361	LIEUTENANT OF POLICE	9173	01-Oct-2004		016	DISTRICT 016	09-Oct-2016		D				
STEVENS, MICHAEL J	10-May-2017		361	LIEUTENANT OF POLICE	9173	01-Oct-2004		016	DISTRICT 016	09-Oct-2016						

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CITY-BG-003378

Report Date: 11 May 2017
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Chicago Police Department
Employee Assignment / Detail History
NICHOLS JR, DOUGLAS



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
NICHOLS JR, DOUGLAS E	12-Sep-2003		12415	POLICE OFFICER	9161	24-Feb-2003										
NICHOLS JR, DOUGLAS E	19-Aug-2004		12415	POLICE OFFICER	9161	24-Feb-2003		002	DISTRICT 002	19-Aug-2004	18-Aug-2004					
NICHOLS JR, DOUGLAS E	19-Aug-2004		12415	POLICE OFFICER	9161	24-Feb-2003		002	DISTRICT 002	19-Aug-2004						
NICHOLS JR, DOUGLAS E	10-May-2017		12415	POLICE OFFICER	9161	24-Feb-2003		002	DISTRICT 002	19-Aug-2004						

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Report Date: 11 May 2017
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Chicago Police Department
Employee Assignment / Detail History

BAKER, CLAUDE
LEANO, MANUEL



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
BAKER, CLAUDE N	15-Sep-2006		491													
LEANO, MANUEL S	08-Nov-2001		4303	POLICE OFFICER	9161	26-Mar-2001										
LEANO, MANUEL S	28-Feb-2002		4303	POLICE OFFICER	9161	26-Mar-2001		002	DISTRICT 002	28-Feb-2002	27-Feb-2002					
LEANO, MANUEL S	28-Feb-2002		4303	POLICE OFFICER	9161	26-Mar-2001		002	DISTRICT 002	28-Feb-2002						
LEANO, MANUEL S	19-Jun-2011		4303	POLICE OFFICER	9161	26-Mar-2001		002	DISTRICT 002	28-Feb-2002			013	DISTRICT 013	19-Jun-2011	
LEANO, MANUEL S	10-May-2017		4303	POLICE OFFICER	9161	26-Mar-2001		002	DISTRICT 002	28-Feb-2002			013	DISTRICT 013	19-Jun-2011	

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CITY-BG-003380

Report Date: 11 May 2017
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Employee Assignment / Detail History
BOLTON, BRIAN



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
BOLTON, BRIAN J	08-Jun-1998			POLICE OFFICER	9161	08-Jun-1998		944	COPS GRANT RECR TRNG	08-Jun-1998	26-May-1999					
BOLTON, BRIAN J	26-Oct-1998		15903	POLICE OFFICER	9161	08-Jun-1998		944	COPS GRANT RECR TRNG	08-Jun-1998	26-May-1999					
BOLTON, BRIAN J	27-May-1999		15903	POLICE OFFICER	9161	08-Jun-1998		012	DISTRICT 012	27-May-1999	18-Aug-1999					
BOLTON, BRIAN J	19-Aug-1999		15903	POLICE OFFICER	9161	08-Jun-1998		025	DISTRICT 025	19-Aug-1999	02-Feb-2000					
BOLTON, BRIAN J	03-Feb-2000		15903	POLICE OFFICER	9161	08-Jun-1998		715	PUBLIC HOUSING SOUTH	03-Feb-2000	10-Nov-2004					
BOLTON, BRIAN J	11-Nov-2004		15903	POLICE OFFICER	9161	08-Jun-1998		002	DISTRICT 002	11-Nov-2004	30-Mar-2013					
BOLTON, BRIAN J	31-Mar-2013		15903	POLICE OFFICER	9161	08-Jun-1998		017	DISTRICT 017	31-Mar-2013		D				
BOLTON, BRIAN J	10-May-2017		15903	POLICE OFFICER	9161	08-Jun-1998		017	DISTRICT 017	31-Mar-2013						

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Report Date: 11 May 2017
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Employee Assignment / Detail History
YOUNG JR, KENNETH



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
YOUNG JR, KENNETH	22-May-1991			POLICE OFFICER	9161	22-May-1991		044	RECRUIT TRAINING SECTION	22-May-1991	29-Apr-1992					
YOUNG JR, KENNETH	12-Sep-1991		17931	POLICE OFFICER	9161	22-May-1991		044	RECRUIT TRAINING SECTION	22-May-1991	29-Apr-1992					
YOUNG JR, KENNETH	30-Apr-1992		17931	POLICE OFFICER	9161	22-May-1991		002	DISTRICT 002	30-Apr-1992	20-Jul-1994					
YOUNG JR, KENNETH	21-Jul-1994		17931	POLICE OFFICER	9161	22-May-1991		715	PUBLIC HOUSING SOUTH	21-Jul-1994	10-Nov-2004					
YOUNG JR, KENNETH	11-Nov-2004		17931	POLICE OFFICER	9161	22-May-1991		002	DISTRICT 002	11-Nov-2004	31-Jan-2015					
YOUNG JR, KENNETH	25-Apr-2010		17931	POLICE OFFICER	9161	22-May-1991		002	DISTRICT 002	11-Nov-2004	31-Jan-2015		116	DEPLOYMENT OPERATIONS CENTER	25-Apr-2010	31-Jan-2015
YOUNG JR, KENNETH	01-Feb-2015		17931	POLICE OFFICER	9161	22-May-1991		116	DEPLOYMENT OPERATIONS CENTER	01-Feb-2015		F				
YOUNG JR, KENNETH	10-May-2017		17931	POLICE OFFICER	9161	22-May-1991		116	DEPLOYMENT OPERATIONS CENTER	01-Feb-2015						

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CITY-BG-003382

Report Date: 11 May 2017
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Chicago Police Department
Employee Assignment / Detail History
SOLTIS, DAVID



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
SOLTIS, DAVID T	04-Dec-1995			POLICE OFFICER	9161	04-Dec-1995		044	RECRUIT TRAINING SECTION	04-Dec-1995	06-Nov-1996					
SOLTIS, DAVID T	14-May-1996		19523	POLICE OFFICER	9161	04-Dec-1995		044	RECRUIT TRAINING SECTION	04-Dec-1995	06-Nov-1996					
SOLTIS, DAVID T	07-Nov-1996		19523	POLICE OFFICER	9161	04-Dec-1995		010	DISTRICT 010	07-Nov-1996	05-Dec-2001					
SOLTIS, DAVID T	08-Dec-2001		19523	POLICE OFFICER	9161	04-Dec-1995		153	MOBILE STRIKE FORCE SPECIAL FUNCTIONS SUPPORT UNIT	06-Dec-2001	05-Mar-2003					
SOLTIS, DAVID T	06-Mar-2003		19523	POLICE OFFICER	9161	04-Dec-1995		002	DISTRICT 002	06-Mar-2003	08-Jul-2008					
SOLTIS, DAVID T	01-Dec-2007		19523	POLICE OFFICER	9161	04-Dec-1995		002	DISTRICT 002	06-Mar-2003	08-Jul-2008		543	DETACHED SERVICES - MISCELLANEOUS DETAIL	01-Dec-2007	08-Jul-2008
SOLTIS, DAVID T	25-Apr-2008		19523	POLICE OFFICER	9161	04-Dec-1995		002	DISTRICT 002	06-Mar-2003	08-Jul-2008		543	DETACHED SERVICES - MISCELLANEOUS DETAIL	01-Dec-2007	08-Jul-2008
SOLTIS, DAVID T	09-Jul-2008		19523	POLICE OFFICER	9161	04-Dec-1995		045	DISTRICT REINSTATEMENT UNIT	09-Jul-2008			543	DETACHED SERVICES - MISCELLANEOUS DETAIL	09-Jul-2008	
SOLTIS, DAVID T	09-Jul-2008			POLICE OFFICER	9161	04-Dec-1995		045	DISTRICT REINSTATEMENT UNIT	09-Jul-2008			543	DETACHED SERVICES - MISCELLANEOUS DETAIL	09-Jul-2008	
SOLTIS, DAVID T	09-Jul-2008			POLICE OFFICER	9161	04-Dec-1995		045	DISTRICT REINSTATEMENT UNIT	09-Jul-2008			543	DETACHED SERVICES - MISCELLANEOUS DETAIL	09-Jul-2008	

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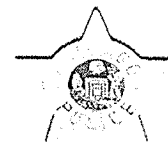
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SOLTIS, DAVID



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
SOLTIS, DAVID T	01-Jul-2010		19523	POLICE OFFICER	9161	04-Dec-1995		045	DISTRICT REINSTATEMENT UNIT	09-Jul-2008			543	DETACHED SERVICES - MISCELLANEOUS DETAIL	09-Jul-2008	
SOLTIS, DAVID T	01-Jul-2010		19523	POLICE OFFICER	9161	04-Dec-1995		045	DISTRICT REINSTATEMENT UNIT	09-Jul-2008			543	DETACHED SERVICES - MISCELLANEOUS DETAIL	09-Jul-2008	

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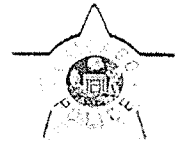
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Report Date: 11 May 2017
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SMITH JR, ELSWORTH



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
SMITH JR, ELSWORTH J	25-Oct-1999			POLICE OFFICER	9161	25-Oct-1999		044	RECRUIT TRAINING SECTION	25-Oct-1999	11-Oct-2000					
SMITH JR, ELSWORTH J	23-Mar-2000		11737	POLICE OFFICER	9161	25-Oct-1999		044	RECRUIT TRAINING SECTION	25-Oct-1999	11-Oct-2000					
SMITH JR, ELSWORTH J	12-Oct-2000		11737	POLICE OFFICER	9161	25-Oct-1999		006	DISTRICT 006	12-Oct-2000	03-Jan-2001					
SMITH JR, ELSWORTH J	04-Jan-2001		11737	POLICE OFFICER	9161	25-Oct-1999		003	DISTRICT 003	04-Jan-2001	21-Jul-2004					
SMITH JR, ELSWORTH J	22-Jul-2004		11737	POLICE OFFICER	9161	25-Oct-1999		002	DISTRICT 002	22-Jul-2004						
SMITH JR, ELSWORTH J	10-May-2017		11737	POLICE OFFICER	9161	25-Oct-1999		002	DISTRICT 002	22-Jul-2004						

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GRIFFIN, EDWARD



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
GRIFFIN, EDWARD W	20-Nov-1972			POLICE OFFICER	9161	20-Nov-1972		051	AIRPORT LAW ENFORCEMENT SECTION - SOUTH	20-Nov-1972	09-Aug-1981					
GRIFFIN, EDWARD W	10-Aug-1981			POLICE OFFICER	9161	20-Nov-1972		911	UNKNOWN	10-Aug-1981	25-May-1983					
GRIFFIN, EDWARD W	26-May-1983			POLICE OFFICER	9161	20-Nov-1972		008	DISTRICT 008	26-May-1983	11-Mar-1986					
GRIFFIN, EDWARD W	12-Mar-1986			PO AS DETECTIVE	9165	16-Feb-1991		612	VIOLENT CRIMES DDA 1	12-Mar-1986	27-Feb-1991					
GRIFFIN, EDWARD W	12-Mar-1986			PO AS DETECTIVE	9165	12-Mar-1986		612	VIOLENT CRIMES DDA 1	12-Mar-1986	27-Feb-1991					
GRIFFIN, EDWARD W	15-Feb-1991		1788	PO AS DETECTIVE	9165	16-Feb-1991		612	VIOLENT CRIMES DDA 1	12-Mar-1986	27-Feb-1991					
GRIFFIN, EDWARD W	16-Feb-1991		1788	SERGEANT OF POLICE	9171	16-Feb-1991		612	VIOLENT CRIMES DDA 1	12-Mar-1986	27-Feb-1991					
GRIFFIN, EDWARD W	28-Feb-1991		1788	SERGEANT OF POLICE	9171	06-Apr-1995		008	DISTRICT 008	28-Feb-1991	22-Jul-1992					
GRIFFIN, EDWARD W	23-Jul-1992		1788	SERGEANT OF POLICE	9171	06-Apr-1995		612	VIOLENT CRIMES DDA 1	23-Jul-1992	05-Apr-1995					
GRIFFIN, EDWARD W	06-Apr-1995		1788	LIEUTENANT OF POLICE	9173	16-Aug-2004		010	DISTRICT 010	06-Apr-1995	04-Feb-1998					
GRIFFIN, EDWARD W	06-Apr-1995		1788	LIEUTENANT OF POLICE	9173	06-Apr-1995		010	DISTRICT 010	06-Apr-1995	04-Feb-1998					
GRIFFIN, EDWARD W	06-Apr-1995		294	LIEUTENANT OF POLICE	9173	16-Aug-2004		010	DISTRICT 010	06-Apr-1995	04-Feb-1998					
GRIFFIN, EDWARD W	05-Feb-1998		294	LIEUTENANT OF POLICE	9173	16-Aug-2004		543	DETACHED SERVICES - MISCELLANEOUS DETAIL	05-Feb-1998	14-Aug-2004					
GRIFFIN, EDWARD W	11-Aug-2004		77	LIEUTENANT OF POLICE	9173	16-Aug-2004		543	DETACHED SERVICES - MISCELLANEOUS DETAIL	05-Feb-1998	14-Aug-2004					

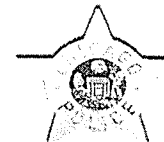
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GRIFFIN, EDWARD



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
GRIFFIN, EDWARD W	15-Aug-2004		77	LIEUTENANT OF POLICE	9173	16-Aug-2004		002	DISTRICT 002	15-Aug-2004	15-Aug-2004					
GRIFFIN, EDWARD W	16-Aug-2004		77	CAPTAIN OF POLICE	9175	16-Aug-2004		002	DISTRICT 002	16-Aug-2004	06-Dec-2006					
GRIFFIN, EDWARD W	16-Aug-2004		77	CAPTAIN OF POLICE	9175	16-Aug-2004		002	DISTRICT 002	16-Aug-2004	06-Dec-2006					
GRIFFIN, EDWARD W	16-Aug-2004		77	CAPTAIN OF POLICE	9175	16-Aug-2004		002	DISTRICT 002	16-Aug-2004	06-Dec-2006					
GRIFFIN, EDWARD W	07-Dec-2006		77	CAPTAIN OF POLICE	9175	16-Aug-2004		009	DISTRICT 009	07-Dec-2006						
GRIFFIN, EDWARD W	15-Jun-2009			CAPTAIN OF POLICE	9175	16-Aug-2004		009	DISTRICT 009	07-Dec-2006						
GRIFFIN, EDWARD W	15-Jun-2009		77	CAPTAIN OF POLICE	9175	16-Aug-2004		009	DISTRICT 009	07-Dec-2006						

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Employee Assignment / Detail History
KIRBY, DEBRA



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
KIRBY, DEBRA K	16-Jun-1986			POLICE OFFICER	9161	16-Jun-1986		044	RECRUIT TRAINING SECTION	16-Jun-1986	27-May-1987					
KIRBY, DEBRA K	28-May-1987			POLICE OFFICER	9161	16-Jun-1986		005	DISTRICT 005	28-May-1987	11-Aug-1990					
KIRBY, DEBRA K	12-Aug-1990			PO AS DETECTIVE	9165	01-Apr-1996		621	PROP CRIMES DDA 2	12-Aug-1990	26-Mar-1996					
KIRBY, DEBRA K	12-Aug-1990			PO AS DETECTIVE	9165	12-Aug-1990		621	PROP CRIMES DDA 2	12-Aug-1990	26-Mar-1996					
KIRBY, DEBRA K	10-Nov-1991		20297	PO AS DETECTIVE	9165	01-Apr-1996		621	PROP CRIMES DDA 2	12-Aug-1990	26-Mar-1996					
KIRBY, DEBRA K	26-Mar-1996		820	PO AS DETECTIVE	9165	01-Apr-1996		621	PROP CRIMES DDA 2	12-Aug-1990	26-Mar-1996					
KIRBY, DEBRA K	27-Mar-1996		820	PO AS DETECTIVE	9165	01-Apr-1996		008	DISTRICT 008	27-Mar-1996	20-Jun-2001					
KIRBY, DEBRA K	01-Apr-1996		820	SERGEANT OF POLICE	9171	01-Apr-1996		008	DISTRICT 008	27-Mar-1996	20-Jun-2001					
KIRBY, DEBRA K	01-Apr-1996		820	SERGEANT OF POLICE	9171	01-Apr-1996		008	DISTRICT 008	27-Mar-1996	20-Jun-2001					
KIRBY, DEBRA K	23-Dec-1999		820	LIEUTENANT OF POLICE	9173	23-Dec-1999		008	DISTRICT 008	27-Mar-1996	20-Jun-2001					
KIRBY, DEBRA K	23-Dec-1999		761	LIEUTENANT OF POLICE	9173	17-Sep-2002		008	DISTRICT 008	27-Mar-1996	20-Jun-2001					
KIRBY, DEBRA K	21-Jun-2001		761	LIEUTENANT OF POLICE	9173	17-Sep-2002		192	VICE & ASSET FORFEITURE DIVISION	21-Jun-2001	27-Jul-2004					
KIRBY, DEBRA K	17-Sep-2002		761	COMMANDER	9752	17-Sep-2002		192	VICE & ASSET FORFEITURE DIVISION	21-Jun-2001	27-Jul-2004					
KIRBY, DEBRA K	17-Sep-2002		761	COMMANDER	9752	17-Sep-2002		192	VICE & ASSET FORFEITURE DIVISION	21-Jun-2001	27-Jul-2004					
KIRBY, DEBRA K	28-Jul-2004		761	ASST DEPUTY SUP	9755	28-Jul-2004		121	BUREAU OF INTERNAL AFFAIRS	28-Jul-2004	15-Mar-2008					

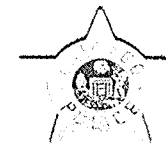
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KIRBY, DEBRA



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
KIRBY, DEBRA K	28-Jul-2004		761	ASST DEPUTY SUP	9755	16-Mar-2008		121	BUREAU OF INTERNAL AFFAIRS	28-Jul-2004	15-Mar-2008					
KIRBY, DEBRA K	28-Jul-2004		761	ASST DEPUTY SUP	9755	28-Jul-2004		121	BUREAU OF INTERNAL AFFAIRS	28-Jul-2004	15-Mar-2008					
KIRBY, DEBRA K	23-Aug-2005		181	ASST DEPUTY SUP	9755	16-Mar-2008		121	BUREAU OF INTERNAL AFFAIRS	28-Jul-2004	15-Mar-2008					
KIRBY, DEBRA K	23-Aug-2005		761	ASST DEPUTY SUP	9755	16-Mar-2008		121	BUREAU OF INTERNAL AFFAIRS	28-Jul-2004	15-Mar-2008					
KIRBY, DEBRA K	16-Mar-2008		181	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	16-Feb-2011		114	LEGAL AFFAIRS SECTION	16-Mar-2008	15-Feb-2011					
KIRBY, DEBRA K	16-Mar-2008		181	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	16-Mar-2008		114	LEGAL AFFAIRS SECTION	16-Mar-2008	15-Feb-2011					
KIRBY, DEBRA K	16-Mar-2008		181	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	16-Mar-2008		114	LEGAL AFFAIRS SECTION	16-Mar-2008	15-Feb-2011					
KIRBY, DEBRA K	16-Mar-2008		181	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	16-Mar-2008		114	LEGAL AFFAIRS SECTION	16-Mar-2008	15-Feb-2011					
KIRBY, DEBRA K	16-Mar-2008		181	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	16-Mar-2008		114	LEGAL AFFAIRS SECTION	16-Mar-2008	15-Feb-2011					
KIRBY, DEBRA K	16-Mar-2008		181	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	16-Mar-2008		114	LEGAL AFFAIRS SECTION	16-Mar-2008	15-Feb-2011					
KIRBY, DEBRA K	16-Mar-2008		181	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	16-Mar-2008		114	LEGAL AFFAIRS SECTION	16-Mar-2008	15-Feb-2011					
KIRBY, DEBRA K	16-Feb-2011		181	DEPUTY SUPT.	9782	16-Feb-2011		112	BUREAU OF PROFESSIONAL STANDARDS	16-Feb-2011	15-Aug-2011					
KIRBY, DEBRA K	16-Feb-2011		181	DEPUTY SUPT.	9782	16-Aug-2011		112	BUREAU OF PROFESSIONAL STANDARDS	16-Feb-2011	15-Aug-2011					
KIRBY, DEBRA K	16-Aug-2011		181	CHIEF	9785	16-Aug-2011		119	OFFICE OF INTERNATIONAL RELATIONS	16-Aug-2011	17-Jun-2012					

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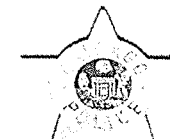
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KIRBY, DEBRA



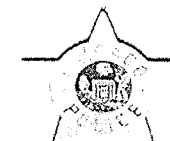
NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
KIRBY, DEBRA K	16-Aug-2011		181	CHIEF	9785	16-Aug-2011		119	OFFICE OF INTERNATIONAL RELATIONS	16-Aug-2011	17-Jun-2012				
KIRBY, DEBRA K	17-Jun-2012		181	CHIEF	9785	16-Aug-2011		119	OFFICE OF INTERNATIONAL RELATIONS	16-Aug-2011	17-Jun-2012		130 BUREAU OF STAFF SERVICES BUREAU OF TECHNICAL SERVICES BUREAU OF ORGANIZATIONAL DEVELOPMENT	17-Jun-2012	17-Jun-2012
KIRBY, DEBRA K	18-Jun-2012		181	CHIEF	9785	16-Aug-2011		130	BUREAU OF STAFF SERVICES BUREAU OF TECHNICAL SERVICES BUREAU OF ORGANIZATIONAL DEVELOPMENT	18-Jun-2012					
KIRBY, DEBRA K	08-Jan-2014			CHIEF	9785	16-Aug-2011		130	BUREAU OF STAFF SERVICES BUREAU OF TECHNICAL SERVICES BUREAU OF ORGANIZATIONAL DEVELOPMENT	18-Jun-2012					

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ROWAN, KAREN



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
ROWAN, KAREN A	19-Jul-1982			POLICE OFFICER	9161	19-Jul-1982		044	RECRUIT TRAINING SECTION	19-Jul-1982	20-Jul-1983					
ROWAN, KAREN A	19-Jul-1982		12543	POLICE OFFICER	9161	19-Jul-1982		044	RECRUIT TRAINING SECTION	19-Jul-1982	20-Jul-1983					
ROWAN, KAREN A	19-Jul-1982		4464	POLICE OFFICER	9161	19-Jul-1982		044	RECRUIT TRAINING SECTION	19-Jul-1982	20-Jul-1983					
ROWAN, KAREN A	21-Jul-1983		4464	POLICE OFFICER	9161	19-Jul-1982		018	DISTRICT 018	21-Jul-1983	06-Nov-1991					
ROWAN, KAREN A	07-Nov-1991		4464	POLICE OFFICER	9161	19-Jul-1982		111	OFFICE OF THE SUPERINTENDENT	07-Nov-1991	02-Aug-1992					
ROWAN, KAREN A	03-Aug-1992		4464	POLICE OFFICER	9161	19-Jul-1982		121	BUREAU OF INTERNAL AFFAIRS	03-Aug-1992	26-Mar-1996					
ROWAN, KAREN A	16-Aug-1995		4464	POLICE AGENT	9174	16-Aug-1995		121	BUREAU OF INTERNAL AFFAIRS	03-Aug-1992	26-Mar-1996					
ROWAN, KAREN A	26-Mar-1996		1107	POLICE AGENT	9174	01-Apr-1996		121	BUREAU OF INTERNAL AFFAIRS	03-Aug-1992	26-Mar-1996					
ROWAN, KAREN A	27-Mar-1996		1107	POLICE AGENT	9174	01-Apr-1996		018	DISTRICT 018	27-Mar-1996	22-May-1996					
ROWAN, KAREN A	01-Apr-1996		1107	SERGEANT OF POLICE	9171	01-Apr-1996		018	DISTRICT 018	27-Mar-1996	22-May-1996					
ROWAN, KAREN A	23-May-1996		1107	SERGEANT OF POLICE	9171	01-Apr-1998		121	BUREAU OF INTERNAL AFFAIRS	23-May-1996	31-Jan-2000					
ROWAN, KAREN A	01-Apr-1998		1107	PO LEGAL OFF 2	9016	01-Apr-1998		121	BUREAU OF INTERNAL AFFAIRS	23-May-1996	31-Jan-2000					
ROWAN, KAREN A	23-Dec-1999		1107	LIEUTENANT OF POLICE	9173	23-Dec-1999		121	BUREAU OF INTERNAL AFFAIRS	23-May-1996	31-Jan-2000					

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ROWAN, KAREN



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ROWAN, KAREN A	23-Dec-1999		240	LIEUTENANT OF POLICE	9173	01-Feb-2000		121	BUREAU OF INTERNAL AFFAIRS	23-May-1996	31-Jan-2000					
ROWAN, KAREN A	01-Feb-2000		240	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	01-Feb-2000		111	OFFICE OF THE SUPERINTENDENT	01-Feb-2000	31-Dec-2001					
ROWAN, KAREN A	01-Feb-2000		240	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	27-Oct-2002		111	OFFICE OF THE SUPERINTENDENT	01-Feb-2000	31-Dec-2001					
ROWAN, KAREN A	01-Jan-2002		240	GENERAL COUNSEL TO THE SUPERINTENDENT	9756	27-Oct-2002		114	LEGAL AFFAIRS SECTION	01-Jan-2002	26-Oct-2002					
ROWAN, KAREN A	27-Oct-2002		240	ASST DEPUTY SUP	9755	27-Oct-2002		121	BUREAU OF INTERNAL AFFAIRS	27-Oct-2002	25-Jul-2004					
ROWAN, KAREN A	27-Oct-2002		240	ASST DEPUTY SUP	9755	27-Oct-2002		121	BUREAU OF INTERNAL AFFAIRS	27-Oct-2002	25-Jul-2004					
ROWAN, KAREN A	26-Jul-2004		240	ASST DEPUTY SUP	9755	27-Oct-2002		121	BUREAU OF INTERNAL AFFAIRS	26-Jul-2004						
ROWAN, KAREN A	20-Mar-2006			ASST DEPUTY SUP	9755	27-Oct-2002		121	BUREAU OF INTERNAL AFFAIRS	26-Jul-2004						

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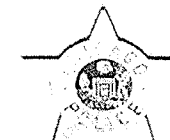
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CITY-BG-003392

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CLINE, PHILIP



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
CLINE, PHILIP J	01-Mar-1983			SERGEANT OF POLICE	9171	14-Sep-1970		091	NARC SPECIAL ENFORCE	01-Mar-1983	10-Dec-1985					
CLINE, PHILIP J	02-Dec-1985		265	SERGEANT OF POLICE	9171	14-Sep-1970		091	NARC SPECIAL ENFORCE	01-Mar-1983	10-Dec-1985					
CLINE, PHILIP J	02-Dec-1985		265	SERGEANT OF POLICE	9171	14-Sep-1970		091	NARC SPECIAL ENFORCE	01-Mar-1983	10-Dec-1985					
CLINE, PHILIP J	11-Dec-1985		265	LIEUTENANT OF POLICE	9173	04-Jun-1994		021	DISTRICT 021	11-Dec-1985	20-Aug-1986					
CLINE, PHILIP J	11-Dec-1985		265	LIEUTENANT OF POLICE	9173	11-Dec-1985		021	DISTRICT 021	11-Dec-1985	20-Aug-1986					
CLINE, PHILIP J	21-Aug-1986		265	LIEUTENANT OF POLICE	9173	04-Jun-1994		622	VIOLENT CRIMES DDA 2	21-Aug-1986	19-Jul-1989					
CLINE, PHILIP J	20-Jul-1989		265	LIEUTENANT OF POLICE	9173	04-Jun-1994		011	DISTRICT 011	20-Jul-1989	06-Jan-1993					
CLINE, PHILIP J	07-Jan-1993		265	LIEUTENANT OF POLICE	9173	04-Jun-1994		156	GANG CRIME SECTION	07-Jan-1993	03-Jun-1994					
CLINE, PHILIP J	04-Jun-1994		265	COMMANDER	9752	30-Jul-1998		650	DETECTIVE SECTION - AREA 5	04-Jun-1994	29-Jul-1998					
CLINE, PHILIP J	04-Jun-1994		265	COMMANDER	9752	04-Jun-1994		650	DETECTIVE SECTION - AREA 5	04-Jun-1994	29-Jul-1998					
CLINE, PHILIP J	30-Jul-1998		265	COMMANDER	9752	30-Jul-1998		189	NARCOTICS DIVISION	30-Jul-1998	31-Jan-2000					
CLINE, PHILIP J	30-Jul-1998		265	COMMANDER	9752	01-Feb-2000		189	NARCOTICS DIVISION	30-Jul-1998	31-Jan-2000					
CLINE, PHILIP J	30-Jul-1998		265	COMMANDER	9752	01-Feb-2000		189	NARCOTICS DIVISION	30-Jul-1998	31-Jan-2000					
CLINE, PHILIP J	01-Feb-2000		265	DEP CHIEF	9796	12-Apr-2001		188	BUREAU OF ORGANIZED CRIME	01-Feb-2000	27-Apr-2003					
CLINE, PHILIP J	01-Feb-2000		265	DEP CHIEF	9796	01-Feb-2000		188	BUREAU OF ORGANIZED CRIME	01-Feb-2000	27-Apr-2003					

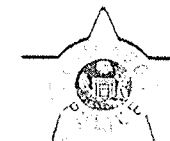
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Report Date: 11 May 2017
Report Time: 1022 Hrs

Produced by
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Chicago Police Department
Employee Assignment / Detail History
CLINE, PHILIP



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
CLINE, PHILIP J	12-Apr-2001		265	CHIEF	9785	12-Apr-2001		188	BUREAU OF ORGANIZED CRIME	01-Feb-2000	27-Apr-2003					
CLINE, PHILIP J	28-Apr-2003		265	FIRST DEPUTY SUPT.	9781	28-Apr-2003		140	OFFICE OF THE FIRST DEPUTY SUPERINTENDENT	28-Apr-2003	05-Oct-2003					
CLINE, PHILIP J	28-Apr-2003		265	FIRST DEPUTY SUPT.	9781	06-Oct-2003		140	OFFICE OF THE FIRST DEPUTY SUPERINTENDENT	28-Apr-2003	05-Oct-2003					
CLINE, PHILIP J	06-Oct-2003		265	SUPT OF POLICE	9957	06-Oct-2003		111	OFFICE OF THE SUPERINTENDENT	06-Oct-2003						
CLINE, PHILIP J	06-Oct-2003		265	SUPT OF POLICE	9957	06-Oct-2003		111	OFFICE OF THE SUPERINTENDENT	06-Oct-2003						
CLINE, PHILIP J	06-Oct-2003		265	SUPT OF POLICE	9957	06-Oct-2003		111	OFFICE OF THE SUPERINTENDENT	06-Oct-2003						
CLINE, PHILIP J	04-Aug-2007			SUPT OF POLICE	9957	06-Oct-2003		111	OFFICE OF THE SUPERINTENDENT	06-Oct-2003						
CLINE, PHILIP J	09-Aug-2007		265	SUPT OF POLICE	9957	06-Oct-2003		111	OFFICE OF THE SUPERINTENDENT	06-Oct-2003						

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Report Date: 11 May 2017
Report Time: 1031 Hrs

Produced by:
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Chicago Police Department
Employee Assignment / Detail History
WATSON, RODERICK



NAME	CHANGE DATE	EMP. NO.	STAR	TITLE DESCR	TITLE CODE	TITLE EFFECTIVE DATE	TITLE END DATE	UNIT ASSIGNED	UNIT ASSIGNED NAME	ASSIGNED EFFECTIVE DATE	ASSIGNED END DATE	TRANSFER CD	UNIT DETAILED	UNIT DETAILED NAME	DETAIL EFFECTIVE DATE	DETAIL END DATE
WATSON, RODERICK S	04-Nov-1996			POLICE OFFICER	9161	04-Nov-1996		044	RECRUIT TRAINING SECTION	04-Nov-1996	08-Oct-1997					
WATSON, RODERICK S	22-Apr-1997		14718	POLICE OFFICER	9161	04-Nov-1996		044	RECRUIT TRAINING SECTION	04-Nov-1996	08-Oct-1997					
WATSON, RODERICK S	09-Oct-1997		14718	POLICE OFFICER	9161	04-Nov-1996		005	DISTRICT 005	09-Oct-1997	26-May-1999					
WATSON, RODERICK S	27-May-1999		14718	POLICE OFFICER	9161	04-Nov-1996		018	DISTRICT 018	27-May-1999	07-Jan-2004					
WATSON, RODERICK S	08-Jan-2004		14718	POLICE OFFICER	9161	04-Nov-1996		193	GANG INVESTIGATION DIVISION	08-Jan-2004	30-Apr-2005					
WATSON, RODERICK S	28-Apr-2005		868	POLICE OFFICER	9161	04-Nov-1996		193	GANG INVESTIGATION DIVISION	08-Jan-2004	30-Apr-2005					
WATSON, RODERICK S	01-May-2005		868	SERGEANT OF POLICE	9171	01-May-2005		003	DISTRICT 003	01-May-2005	25-May-2005					
WATSON, RODERICK S	01-May-2005		868	SERGEANT OF POLICE	9171	01-May-2005		003	DISTRICT 003	01-May-2005	25-May-2005					
WATSON, RODERICK S	01-May-2005		868	SERGEANT OF POLICE	9171	01-May-2005		003	DISTRICT 003	01-May-2005	25-May-2005					
WATSON, RODERICK S	26-May-2005		868	SERGEANT OF POLICE	9171	01-May-2005		003	DISTRICT 003	26-May-2005	29-Mar-2006					
WATSON, RODERICK S	30-Mar-2006		868	SERGEANT OF POLICE	9171	01-May-2005		189	NARCOTICS DIVISION	30-Mar-2006	10-Oct-2015					
WATSON, RODERICK S	11-Oct-2015		868	SERGEANT OF POLICE	9171	01-May-2005		009	DISTRICT 009	11-Oct-2015		A				
WATSON, RODERICK S	31-Jan-2016		868	SERGEANT OF POLICE	9171	01-May-2005		009	DISTRICT 009	11-Oct-2015			142	BUREAU OF PATROL	31-Jan-2016	
WATSON, RODERICK S	10-May-2017		868	SERGEANT OF POLICE	9171	01-May-2005		009	DISTRICT 009	11-Oct-2015			142	BUREAU OF PATROL	31-Jan-2016	

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EXHIBIT 7



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Transcript of Manuel Leano

Date: September 26, 2019

Case: Watts Coordinated Cases

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

IN RE:)
) Master Docket
WATTS COORDINATED CASES) Case No. 19-cv-01717
)

Videotaped Deposition of:
MANUEL LEANO
Chicago, Illinois
Thursday, September 26, 2019
11:28 a.m.

Job No.: 262544
Pages: 1 - 215
Reported by: Kimberly Winkler Christopher, CSR

Transcript of Manuel Leano
Conducted on September 26, 2019

2

1 Videotaped Deposition of MANUEL LEANO, at
2 the location of:

3
4 LOEVY & LOEVY
5 311 North Aberdeen Street
6 3rd Floor
7 Chicago, Illinois 60606
8 (312) 2432-5900
9
10
11
12

13 Pursuant to notice, before Kimberly Winkler
14 Christopher, a Certified Shorthand Reporter in and
15 for the State of Illinois.
16
17
18
19
20
21
22
23
24

Transcript of Manuel Leano
Conducted on September 26, 2019

3

A P P E A R A N C E S

ON BEHALF OF CERTAIN PLAINTIFFS:

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SCOTT R. RAUSCHER, ESQUIRE

LOEVY & LOEVY

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200 South Michigan Avenue

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Transcript of Manuel Leano
Conducted on September 26, 2019

4

1 A P P E A R A N C E S (Continued)

2 ON BEHALF OF DEFENDANTS ALVIN JONES, ROBERT
3 GONZALEZ, MIGUEL CABRALES, DOUGLAS NICHOLS, JR.,
4 MANUEL S. LEANO, BRIAN BOLTON, KENNETH YOUNG,
5 JR., DAVID SOLTIS, ELSWORTH J. SMITH, JR., JOHN
6 RODRIGUEZ, GEROME SUMMERS, JR., CALVIN RIDGELL,
7 JR., LAMONICA LEWIS, REBECCA BOGARD, FRANKIE
8 LANE, and KATHERINE MOSES-HUGHES, DARRYL EDWARDS:

9 ANTHONY E. ZECCHIN, ESQUIRE

10 HALE & MONICO, LLC

11 53 West Jackson Boulevard

12 Suite 337

13 Chicago, Illinois 60604

14 (312) 870-6933

15
16 ON BEHALF OF DEFENDANT KALLATT MOHAMMED:

17 ERIC S. PALLES, ESQUIRE

18 RAVITZ & PALLES, P.C.

19 203 North LaSalle Street

20 Suite 2100

21 Chicago, Illinois 60601

22 (312) 558-1689
23
24

Transcript of Manuel Leano
Conducted on September 26, 2019

5

1 A P P E A R A N C E S (Continued)

2 ON BEHALF OF DEFENDANT RONALD WATTS:

3 AHMED A. KOSOKO, ESQUIRE

4 JOHNSON & BELL LTD.

5 33 West Monroe Street

6 Suite 2700

7 Chicago, Illinois 60603

8 (312) 372-0770

9
10 ON BEHALF OF DEFENDANTS CITY OF CHICAGO, PHILIP
11 CLINE, DEBRA KIRBY, KAREN ROWAN, JOSE LOPEZ,
12 JEROME A. FLUDER, MIKE RYLE, EDWARD W. GRIFFIN,
13 and JERROLD BOSAK:

14 PAUL A. MICHALIK, ESQUIRE

15 REITER BURNS LLP

16 311 South Wacker Drive

17 Suite 5200

18 Chicago, Illinois 60606

19 (312) 982-0090
20
21
22
23
24

Transcript of Manuel Leano
Conducted on September 26, 2019

6

1 A P P E A R A N C E S (Continued)

2 ON BEHALF OF DEFENDANTS MICHAEL SPAARGAREN and

3 MATTHEW CADMAN:

4 MICHAEL J. SCHALKA, ESQUIRE

5 LEINENWEBER BARONI & DAFFADA LLC

6 120 North LaSalle Street

7 Suite 2000

8 Chicago, Illinois 60602

9 (312) 663-3003

10
11 ALSO PRESENT:

12 MR. RICK KOSBERG, Videographer

Transcript of Manuel Leano
Conducted on September 26, 2019

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C O N T E N T S

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By Mr. Flaxman	194, 210
By Mr. Kosoko	199
By Mr. Zecchin	205, 212

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Transcript of Manuel Leano
Conducted on September 26, 2019

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P R O C E E D I N G S

THE VIDEOGRAPHER: This is the video deposition of Manuel Leano taken by Loevy & Loevy in the matter of the Watts coordinated pretrial proceedings, Master Docket Case No. 19-cv-01717, held at Loevy & Loevy, 311 North Aberdeen Street, Chicago, Illinois. Today is September 26th, 2019. The time is 11:28.

The court reporter is Kim Christopher of Planet Depos. The videographer is Rick Kosberg. Counsel can now introduce themselves and the court reporter is free to administer the oath.

MR. RAUSCHER: Scott Rauscher on behalf of all the -- all the plaintiffs represented by Loevy & Loevy in the Watts coordinated cases.

MS. KLEINHAUS: Theresa Kleinhaus on behalf of the Loevy & Loevy plaintiffs.

MR. FLAXMAN: Joel Flaxman on behalf of the Flaxman plaintiffs.

MR. SCHALKA: Michael Schalka on behalf of defendants Spaargaren and Cadman.

MR. PALLES: Eric Palles on behalf of defendant Mohammed.

MR. KOSOKO: Ahmed Kosoko on behalf of

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Transcript of Manuel Leano
Conducted on September 26, 2019

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1	Ronald Watts.	11:27:59
2	MR. MICHALIK: Paul Michalik on behalf of	11:28:00
3	defendant City of Chicago and certain municipal	11:28:02
4	official defendants.	11:28:04
5	MR. ZECCHIN: Anthony Zecchin on behalf of	11:28:05
6	Officer Leano and the individual defendants	11:28:07
7	represented by the Hale & Monico law firm.	11:28:09
8	THE COURT REPORTER: Please raise your right	11:28:12
9	hand.	11:28:13
10	(Witness sworn.)	11:28:21
11	MANUEL LEANO,	11:28:21
12	having been duly sworn, testified as follows:	11:28:21
13	DIRECT EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS	11:28:22
14	BY MR. RAUSCHER:	11:28:22
15	Q Mr. Leano, you understand you are a	11:28:24
16	defendant in a number of case -- individual cases in	11:28:26
17	the Watts coordinated cases?	11:28:30
18	A Yes.	11:28:32
19	Q And today we are going to ask questions	11:28:32
20	specifically about four cases. And just for the	11:28:35
21	record, I'm going read the case captions and numbers	11:28:38
22	into the record.	11:28:41
23	So we have Anthony McDaniels -- and I'm just	11:28:42
24	going to list the plaintiffs and case numbers.	11:28:45

Transcript of Manuel Leano
Conducted on September 26, 2019

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1	Anthony McDaniels, Case No. 18-cv-5126; Christopher	11:28:47
2	Scott, 18-cv-5128; Taurus Smith, 18-cv-5130; and	11:28:52
3	Lionel White, Senior, Case No. 17-cv-2877.	11:29:02
4	Do you understand that you are here to	11:29:08
5	answer questions about those cases?	11:29:10
6	A Yes.	11:29:12
7	Q And it sounds like we have some construction	11:29:12
8	going on upstairs so let me know if you ever can't	11:29:16
9	hear one of my questions, okay?	11:29:19
10	A Yes.	11:29:21
11	Q And then also let me know if I ask a	11:29:22
12	question and you don't understand it, okay?	11:29:24
13	A Okay.	11:29:26
14	Q And if you don't do that, I'm going to	11:29:26
15	assume that you did understand the question.	11:29:28
16	A Okay.	11:29:31
17	Q How many times have you been deposed in the	11:29:31
18	past?	11:29:37
19	A I would say at least two.	11:29:37
20	Q Does that mean you have a specific	11:29:39
21	recollection of being deposed twice?	11:29:43
22	A Yes.	11:29:45
23	Q Tell me about those cases, please.	11:29:45
24	A One was -- involved a shooting and the	11:29:47

Transcript of Manuel Leano
Conducted on September 26, 2019

11

1	second was also involved shooting.	11:29:51
2	Q Were they police shootings?	11:29:53
3	A Yes, police involved shooting.	11:29:55
4	Q Do you know the names of the plaintiffs in	11:29:57
5	those cases?	11:29:58
6	A The officers you mean?	11:29:59
7	Q No. The persons suing.	11:30:01
8	A The persons suing? The first one was -- if	11:30:02
9	I'm not mistaken, is Christian Green; and the second	11:30:06
10	would be Ronald Johnson, I believe.	11:30:11
11	Q Were you a defendant in those cases?	11:30:13
12	A In the beginning, yes.	11:30:19
13	Q And then you were voluntarily dismissed?	11:30:21
14	A I believe so.	11:30:25
15	Q Do you know how the cases were resolved?	11:30:26
16	A The first one went to trial and the second	11:30:30
17	one I believe is still ongoing.	11:30:37
18	Q Do you know the result of the trial in the	11:30:38
19	Green case?	11:30:45
20	A I believe they found in favor of the	11:30:47
21	plaintiff.	11:30:49
22	Q But by the time of trial you were not a	11:30:49
23	defendant anymore?	11:30:52
24	A No.	11:30:53

Transcript of Manuel Leano
Conducted on September 26, 2019

12

1	Q No, you were not?	11:30:54
2	A I was not.	11:30:55
3	Q Were you the -- one of the officers who had	11:30:57
4	been accused of shooting people in those cases?	11:31:13
5	A No, I wasn't.	11:31:16
6	Q Are you currently a Chicago police officer?	11:31:17
7	A Yes, I am.	11:31:29
8	Q What's your current role with the police	11:31:29
9	department?	11:31:32
10	A Administrative.	11:31:32
11	Q How long have you been in an administrative	11:31:33
12	role?	11:31:42
13	A Since last -- November of 2017, I believe.	11:31:42
14	Q How long have you been with the department?	11:31:47
15	A A little over 18 years.	11:31:49
16	Q Was your move to an administrative role	11:31:51
17	voluntary?	11:31:55
18	MR. ZECCHIN: Objection to form. You can	11:31:57
19	answer.	11:31:58
20	A I don't believe so.	11:31:59
21	Q Why do you not believe your move to an	11:32:00
22	administrative role in November of 2017 was	11:32:05
23	voluntary?	11:32:06
24	A Could you repeat that?	11:32:08

Transcript of Manuel Leano
Conducted on September 26, 2019

13

1	Q	Sure. You said you don't believe that your	11:32:08
2		move to an administrative role was voluntary?	11:32:11
3	A	It wasn't voluntary.	11:32:14
4	Q	Okay. And how did it come about that you	11:32:15
5		got moved to an administrative role?	11:32:18
6	A	Well, I was a street officer and all of a	11:32:20
7		sudden I was informed I was going to be placed into	11:32:24
8		administrative duties.	11:32:26
9	Q	Who told you you were getting moved to	11:32:28
10		administrative duties?	11:32:30
11	A	I believe the commander at the time in the	11:32:30
12		2nd District.	11:32:33
13	Q	And who was the commander at the time in the	11:32:34
14		2nd District?	11:32:37
15	A	I believe it's Crystal King.	11:32:37
16	Q	Crystal King?	11:32:39
17	A	Yes, sir.	11:32:40
18	Q	And what did Crystal King tell you about why	11:32:41
19		you were getting moved to an administrative role?	11:32:43
20	A	I don't recall what was said except we were	11:32:46
21		being reassigned to administrative duties.	11:32:49
22	Q	Who is the "we"?	11:32:50
23	A	Myself, Officer Nichols, and I believe	11:32:51
24		Officer Gonzalez.	11:32:55

Transcript of Manuel Leano
Conducted on September 26, 2019

14

1	Q And was that one conversation with the three	11:32:56
2	of you and Crystal King?	11:33:04
3	A I don't recall whether it was individual or	11:33:05
4	all at once.	11:33:08
5	Q Was it an in-person conversation?	11:33:09
6	A Yes.	11:33:12
7	Q Is it Ms. King, Crystal King?	11:33:13
8	A I couldn't tell you if it was Ms. King or	11:33:23
9	Mrs. King.	11:33:25
10	Q All right. Do you remember anything else	11:33:26
11	that -- we'll say Ms. King for today -- Ms. King	11:33:31
12	told you about why you were getting moved to	11:33:33
13	administrative duty?	11:33:35
14	A No.	11:33:36
15	Q So she just said you're getting moved to	11:33:36
16	administrative duty with no context?	11:33:39
17	A Yes.	11:33:40
18	Q Did you have any questions about that?	11:33:41
19	A I -- I might have asked why, but I wasn't	11:33:44
20	told at that moment why.	11:33:49
21	Q You think you asked her why but didn't get a	11:33:50
22	response?	11:33:54
23	A No.	11:33:55
24	Q No, you don't think --	11:33:56

Transcript of Manuel Leano
Conducted on September 26, 2019

15

1	A	No, I didn't get a response.	11:33:57
2	Q	All right. Let's back up a step.	11:33:58
3		When you were -- when Ms. King told you that	11:34:00
4		you were being moved to administrative duty, did you	11:34:02
5		ask her why?	11:34:04
6	A	Yes, I believe I did.	11:34:04
7	Q	And did she give you any sort of response?	11:34:06
8	A	I don't believe she did.	11:34:09
9	Q	How long was your conversation with Ms. King	11:34:10
10		when she told you you were getting moved to	11:34:13
11		administrative duty?	11:34:16
12	A	Maybe 5, 10 minutes.	11:34:16
13	Q	Is -- and so what -- you think that all she	11:34:19
14		said in that 5 to 10 minutes was you're getting	11:34:23
15		moved to administrative duty?	11:34:25
16	A	I believe so, yes.	11:34:26
17	Q	Did she say it in multiple different ways?	11:34:29
18	A	She said we were being taken off the street	11:34:34
19		and placed into administrative duties. The context	11:34:37
20		of the conversation, that's all I can remember.	11:34:41
21	Q	Do you remember where you were when you had	11:34:43
22		this conversation?	11:34:46
23	A	I believe we were in a tac office and then	11:34:46
24		we were called into her office.	11:34:49

Transcript of Manuel Leano
Conducted on September 26, 2019

16

1	Q And I think you've already said you don't	11:34:50
2	remember if you were individually called in or	11:34:54
3	called in together; is that right?	11:34:56
4	A That is correct.	11:34:57
5	Q Is desk duty another name for administrative	11:34:58
6	duty?	11:35:07
7	A You could say so.	11:35:07
8	Q Is it referred to as desk -- is	11:35:08
9	administrative duty referred to as desk duty at	11:35:11
10	the --	11:35:14
11	A Well, administrative duty is basically	11:35:14
12	you're not on the street.	11:35:16
13	Q You're at a desk?	11:35:17
14	A At a desk or somewhere in the station.	11:35:18
15	Q And what have you specifically been doing	11:35:21
16	since November of 2017?	11:35:23
17	A I've been entering what is called blue	11:35:24
18	cards, which is basically officers documenting their	11:35:27
19	traffic stop where a citation is not given.	11:35:30
20	Q Do you consider being placed on desk duty --	11:35:33
21	well, let me back up.	11:35:45
22	Is it -- do you refer to what you're on as	11:35:47
23	desk duty?	11:35:49
24	A Administrative.	11:35:49

Transcript of Manuel Leano
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17

1	Q	Okay. Do you consider being moved to	11:35:50
2		administrative duty discipline?	11:35:53
3	A	Do I believe?	11:35:54
4	Q	Yes.	11:35:57
5	A	Yes.	11:35:57
6	Q	Why do you believe that you've been	11:35:58
7		disciplined?	11:36:00
8	A	Why do I believe I've been disciplined?	11:36:01
9	Q	Yes.	11:36:04
10	A	Because -- I can't say, but it has to do	11:36:05
11		something with all these cases being exonerated.	11:36:11
12	Q	When you were told that you got placed on	11:36:13
13		administrative duty, did you talk to Nichols or	11:36:31
14		Gonzalez?	11:36:36
15	A	Did I talk to -- I believe they were present	11:36:36
16		when we were told we were being placed into	11:36:39
17		administrative duty.	11:36:42
18	Q	Do you think it's more likely that all three	11:36:42
19		of you were told at the same time?	11:36:44
20	A	We were probably told at the same time, but	11:36:46
21		we probably spoke to the commander individually at	11:36:47
22		some point.	11:36:50
23	Q	On the same day or --	11:36:51
24	A	At the same -- at that day.	11:36:52

Transcript of Manuel Leano
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18

1 Q And when you were all told at the same time, 11:36:55
2 did anybody else respond? 11:36:58

3 A I'm pretty sure they had, but I can't 11:36:59
4 remember what that response would be. 11:37:02

5 Q Have you -- since then have you talked to 11:37:04
6 them about the fact that you're on administrative 11:37:08
7 duty? 11:37:11

8 A As to what context? 11:37:11

9 Q At all. 11:37:13

10 A I mean, we -- Officer Nichols and I, we 11:37:13
11 still work together in the same office as an 11:37:17
12 administrative officer. 11:37:21

13 Q Have you ever talked -- have you ever talked 11:37:21
14 to either of them about whether you -- whether they 11:37:22
15 think that it's fair that they're on administrative 11:37:27
16 duty? 11:37:31

17 A I have -- I mean, I know it's not -- it's 11:37:31
18 not fair on my part being on administrative duty. I 11:37:33
19 don't know if they have mentioned it to me that they 11:37:36
20 feel that it's unfair on them also, but I know it's 11:37:39
21 unfair on mine. 11:37:42

22 Q You said you don't know if they've mentioned 11:37:43
23 to you? 11:37:45

24 A No, I don't recall whether they mentioned it 11:37:46

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19

1	or not.	11:37:48
2	Q You know it's unfair on your part?	11:37:48
3	A Yes.	11:37:50
4	Q Why is it unfair that you've been placed on	11:37:52
5	administrative duty?	11:37:55
6	A Well, I used to be an officer that's on the	11:37:56
7	street and now all of a sudden I'm on administrative	11:37:58
8	duty entering blue cards that document that the	11:38:00
9	officers -- traffic stop when a citation is not	11:38:03
10	given. I don't believe that's a police -- as an	11:38:06
11	officer, I don't believe that's a police duty that I	11:38:10
12	should be doing.	11:38:13
13	Q So it sounds like you don't like the job of	11:38:13
14	administrative duty. Is that fair?	11:38:16
15	A I would rather be on the street, if that's	11:38:17
16	what you're asking me to.	11:38:19
17	Q Well, I think -- that's one question is	11:38:20
18	whether you enjoy the job responsibilities of being	11:38:23
19	on administrative duty.	11:38:27
20	A No, I don't enjoy being on administrative	11:38:27
21	duty.	11:38:27
22	Q And a separate question is you said you	11:38:31
23	don't believe it was fair to -- for you to be placed	11:38:34
24	on administrative duty, right?	11:38:35

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20

1	A Yes.	11:38:36
2	Q And tell me why it wasn't fair for the	11:38:36
3	Chicago Police Department to put you on	11:38:38
4	administrative duty?	11:38:40
5	A Because I believe I didn't do anything wrong	11:38:41
6	to be placed on administrative duties.	11:38:43
7	Q Do you still carry a gun?	11:38:45
8	A Yes, sir.	11:39:06
9	Q Are you -- do you still have the power to	11:39:07
10	arrest people?	11:39:09
11	A Yes, sir.	11:39:10
12	Q Have you been stripped of any of your police	11:39:10
13	powers?	11:39:13
14	A No, I haven't.	11:39:13
15	Q Do you still get paid the same amount that	11:39:14
16	you were getting paid in November 2017?	11:39:16
17	A For the most part, yes.	11:39:18
18	Q So you haven't gotten any pay deducted or	11:39:19
19	gotten lower pay or --	11:39:23
20	A My regular pay is still the same.	11:39:25
21	Q Okay. How long have you been a police	11:39:27
22	officer?	11:39:33
23	A A little over 18 years.	11:39:33
24	Q When you were placed on administrative duty,	11:39:35

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21

1	were you given any paperwork to sign?	11:39:50
2	A I don't believe so.	11:39:52
3	Q Were you moved into a different unit when	11:39:54
4	you got placed on administrative duty?	11:40:04
5	A No, I wasn't.	11:40:06
6	Q What unit are you currently in?	11:40:07
7	A Still the 2nd District assigned to 264 team.	11:40:10
8	Q Assigned to what?	11:40:15
9	A 264 team.	11:40:18
10	Q Are you assigned to a different team than	11:40:18
11	you used to be assigned to?	11:40:23
12	A I was previously assigned to that unit.	11:40:24
13	Q Were you previously assigned to the 264	11:40:28
14	team?	11:40:31
15	A Yes. I was assigned to 264 and remain in	11:40:32
16	264.	11:40:36
17	Q But you're just doing different things; is	11:40:36
18	that right?	11:40:39
19	A Just in administrative portion of it.	11:40:39
20	Q What shift do you currently work?	11:40:41
21	A 1700 to 0200.	11:40:50
22	Q So the same shift you were working before?	11:40:53
23	A Before we used to rotate nights and days.	11:40:57
24	So nights would be 1700 to 0200. Days would be	11:41:01

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22

1	either 0900 to -- it was 6:00 p.m., 1800 or 10:00	11:41:06
2	a.m. to 1900.	11:41:16
3	Q So now you're working nights?	11:41:18
4	A Yeah, strictly nights.	11:41:20
5	Q And was that a choice by you?	11:41:21
6	A Yes, it was.	11:41:23
7	Q Do you remember the year you started with	11:41:24
8	the Chicago Police Department?	11:41:33
9	A Excuse me?	11:41:34
10	Q Do you remember what year you started with	11:41:35
11	the Chicago Police Department?	11:41:37
12	A I started March -- March 26th, 2001.	11:41:38
13	Q Walk me through your various roles with the	11:41:41
14	police department, if you can put times around them	11:41:53
15	if they've changed over the years.	11:41:55
16	A March 26th, 2001, I was at the academy. I	11:41:58
17	believe I hit the street November of 2001. I worked	11:42:04
18	first watch, midnights, from 2- -- November 2001	11:42:11
19	until November of 2004. That's when I came to tac	11:42:17
20	team/housing team, 264 team, and remained on that	11:42:25
21	team until the present day as being in	11:42:29
22	administrative duties.	11:42:33
23	Q So from '04 to November -- so basically is	11:42:33
24	it November of 2004?	11:42:40

Transcript of Manuel Leano
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23

1	A	November 2004.	11:42:41
2	Q	Until November of 2017 you were on the tac	11:42:43
3		team in the 2nd District on the street?	11:42:46
4	A	Yes.	11:42:50
5	Q	Okay. And then since then you've been on	11:42:51
6		the tac team in the 2nd District but just in an	11:42:54
7		administrative role?	11:42:57
8	A	That would be correct.	11:42:57
9	Q	What has your title been?	11:42:58
10	A	My title?	11:43:06
11	Q	What is your title?	11:43:07
12	A	Police officer.	11:43:08
13	Q	Has that always been your title?	11:43:09
14	A	Yes.	11:43:11
15	Q	Did your responsibilities change from '04 to	11:43:12
16		November 2017?	11:43:22
17	A	Did my responsibilities change --	11:43:24
18	Q	So setting apart the administrative duty,	11:43:27
19		there was a 13-year period or so when you were on	11:43:30
20		the street as a member of the tac team, correct?	11:43:33
21	A	Yes.	11:43:35
22	Q	And did your responsibilities as a member of	11:43:36
23		the tac team change over the years?	11:43:38
24	A	No.	11:43:39

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24

1	Q What were your main responsibilities as a	11:43:41
2	member of the tac team in the 2nd District from '04	11:43:44
3	to 2017?	11:43:46
4	A Our main responsibilities, any housing	11:43:47
5	project in the 2nd District.	11:43:50
6	Q What do you mean when you say your	11:43:58
7	responsibilities are the housing projects?	11:44:00
8	A Any housing projects -- we patrol any	11:44:01
9	housing project that's located in the 2nd District.	11:44:06
10	Q And from November 26, 2004, to November 2017	11:44:07
11	what were the housing projects located in the 2nd	11:44:16
12	District?	11:44:19
13	A There's Ida B. Wells; there's a Washington	11:44:19
14	Park Homes; there's small scattered places; and	11:44:24
15	there's also Stateway.	11:44:28
16	Q And did you patrol all three of those -- or	11:44:31
17	would you say three of them are like the main	11:44:47
18	housing projects in the 2nd District during that	11:44:50
19	time period?	11:44:52
20	A I would say the main ones are Ida B. Wells	11:44:52
21	and Stateways.	11:44:54
22	Q Did you patrol both Ida B. Wells and	11:44:55
23	Stateways?	11:45:02
24	A Yes.	11:45:02

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25

1	Q And were there different time periods when	11:45:03
2	you patrolled them or was it one day at Ida B. Wells	11:45:05
3	and maybe the next day at Stateways?	11:45:08
4	A It varies. Whichever we have more	11:45:09
5	complaints, we would focus on that housing projects.	11:45:12
6	Q How frequently would it vary where you went?	11:45:14
7	A I mean, it all depends. We try to patrol	11:45:21
8	all the housing projects in the 2nd District during	11:45:24
9	the day at some point.	11:45:28
10	Q So it could be one day you're at both Ida B.	11:45:29
11	Wells and Stateways?	11:45:32
12	A Yes.	11:45:33
13	Q And when you're out patrolling the housing	11:45:34
14	projects -- when you were out patrolling the housing	11:45:40
15	projects in the 2nd District, what were you doing	11:45:42
16	specifically?	11:45:44
17	A Looking for any criminal activities, whether	11:45:44
18	it be drugs, guns, gang activities, battery,	11:45:47
19	robberies.	11:45:52
20	Q What were the most common types of crimes in	11:45:54
21	Ida B. Wells and Stateways from November of 2004 to	11:46:04
22	November 2 of 2017?	11:46:07
23	A I mean, I state whether most obvious crime	11:46:08
24	would be narcotics.	11:46:13

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26

1	Q	You said the most obvious crime --	11:46:14
2	A	Yeah.	11:46:14
3	Q	(Continuing) -- would be narcotics?	11:46:18
4	A	Narcotics, yes.	11:46:19
5	Q	How many members of the tac team were there	11:46:21
6		from, let's say, November of 2004 to 2- -- to the	11:46:39
7		end of 2008?	11:46:43
8	A	Could you repeat that question?	11:46:44
9	Q	Do you know how many members of the tac team	11:46:45
10		there were from November of 2004 until the end of	11:46:48
11		2008?	11:46:52
12	A	Are you speaking of our tac team?	11:46:52
13	Q	Your tac team.	11:46:55
14	A	It consist of eight officer and one	11:46:56
15		sergeant.	11:46:58
16	Q	Who were those officers during the 2004 to	11:46:58
17		2008 time frame?	11:47:03
18	A	That would be Ronald Watts. And if I'm not	11:47:04
19		mistaken, it would be Kenny Young, Officer Jones,	11:47:08
20		Elsworth Smith, Cynthia Torres I believe, myself,	11:47:18
21		Officer Douglas Nichols, Brian Bolton, and Robert	11:47:20
22		Gonzalez, if I'm not mistaken.	11:47:25
23	Q	And from 2004 -- from November of 2004	11:47:28
24		through the end of 2008, did your shifts rotate	11:47:40

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27

1	night and day?	11:47:44
2	A Yes.	11:47:44
3	Q How frequently did your shifts rotate?	11:47:45
4	A Every period, which is basically every	11:47:47
5	month.	11:47:50
6	Q Were the eight officers led by Sergeant	11:47:50
7	Watts -- did you all work together every day?	11:48:01
8	A Did we work together every day?	11:48:02
9	Q Yes.	11:48:04
10	A I don't believe we do -- we worked together	11:48:05
11	every day, no.	11:48:07
12	Q Did you work together -- did you work with	11:48:08
13	other people also during that time period?	11:48:11
14	A Did I work with other people? If my partner	11:48:13
15	is off that day, I probably worked with a different	11:48:16
16	officer that day.	11:48:19
17	Q Would it be a different officer who's on the	11:48:19
18	tac team?	11:48:21
19	A On my -- on our tac team.	11:48:22
20	Q So I should rephrase the question.	11:48:23
21	Did you all work -- did the eight officers	11:48:27
22	and Sergeant Watts all work together on the days	11:48:30
23	when they were working?	11:48:34
24	A I don't understand the question you're	11:48:36

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28

1	asking me.	11:48:39
2	Q So -- you were all on a team, the eight	11:48:39
3	officers led by Sergeant Watts?	11:48:45
4	A Yes.	11:48:47
5	Q And did other officers go out patrolling	11:48:47
6	with your tac team?	11:48:50
7	A I don't understand what you mean by other	11:48:51
8	officer.	11:48:54
9	Q Other officers who are not members of your	11:48:54
10	tac team.	11:48:57
11	A They patrol -- it doesn't restrict them of	11:48:57
12	patrolling any of the housing projects. They're	11:49:01
13	Chicago police officers.	11:49:05
14	Q Who was your partner from 2004 to 2008,	11:49:06
15	partner or partners?	11:49:10
16	A My regular partner would be Officer Douglas	11:49:11
17	Nichols.	11:49:14
18	Q Did your shifts rotate with him? Did you	11:49:14
19	and him rotate together?	11:49:29
20	A Yes, we did.	11:49:30
21	Q What did it mean for your job to be a member	11:49:32
22	of -- can I call it the Watts team? Will you	11:49:40
23	understand what I'm talking about?	11:49:43
24	A If you want to refer as the Watts team, but	11:49:44

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29

1	I refer to it as 264 team.	11:49:47
2	Q 264 team?	11:49:49
3	A Yes.	11:49:50
4	Q Did you call it the 264 team at the time?	11:49:51
5	A Yes.	11:50:01
6	Q Okay. What did it mean for your day to day	11:50:02
7	to be a member of the 64 team?	11:50:07
8	MR. ZECCHIN: Objection to form. You can	11:50:10
9	answer if you understand the question.	11:50:11
10	A It's kind of vague, what question -- what	11:50:13
11	you're asking me.	11:50:15
12	Q Well, can you just describe what a typical	11:50:17
13	day would look like as a member of the 264 team for	11:50:21
14	you?	11:50:24
15	A We would patrol the entire 2nd District, but	11:50:25
16	mostly the housing, and try to arrest people	11:50:29
17	committing crimes.	11:50:33
18	Q How would the day start as a member of the	11:50:34
19	264 team?	11:50:39
20	A We would have a roll call in the 2nd	11:50:40
21	District.	11:50:42
22	Q And who would lead the roll call?	11:50:42
23	A The sergeant of 264 team would be Ronald	11:50:45
24	Watts.	11:50:48

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30

1	Q What topics were covered at the roll calls	11:50:48
2	led by Ronald Watts?	11:50:55
3	A What happened the night before or the	11:50:56
4	previous day or any complaints that's been received	11:51:00
5	that day or the night before and what we need to	11:51:03
6	focus on that day.	11:51:06
7	Q How long did roll calls led by Ronald Watts	11:51:07
8	last?	11:51:13
9	A It varies. Sometimes ten minutes, sometimes	11:51:13
10	half an hour.	11:51:17
11	Q And then what's the next thing you as an	11:51:18
12	officer would do after roll call finished?	11:51:35
13	A We'd get our gears together and then we	11:51:38
14	would hit the street.	11:51:41
15	Q Would someone tell you where you should be	11:51:42
16	going?	11:51:45
17	A If there's a special problem that was -- we	11:51:46
18	needed to address that day, yes. If not, we're free	11:51:50
19	to roam the 2nd District or any housing project in	11:51:55
20	the 2nd District.	11:51:58
21	Q If there was a special problem that you were	11:51:59
22	supposed to be concentrating on, who would tell you	11:52:03
23	where you should be going?	11:52:06
24	A Either our sergeant or any other sergeant in	11:52:07

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31

1	the tac office.	11:52:12
2	Q How many arrests do you think you	11:52:13
3	participated in as a member of the 2nd District tac	11:52:29
4	team?	11:52:34
5	A I can't even guess to tell you.	11:52:34
6	Q Was it in the thousands?	11:52:36
7	A I -- I can't answer whether it's in the	11:52:38
8	thousand or in the hundreds.	11:52:43
9	Q Can you say it's more than 500?	11:52:44
10	A I believe possibly more than 500.	11:52:48
11	Q Do you think it's more than a thousand?	11:52:51
12	A It could be.	11:52:56
13	Q Do you think it's more than 2,000?	11:52:57
14	A Possible, but I don't it.	11:53:00
15	Q So somewhere between 500 and 2,000 most	11:53:02
16	likely?	11:53:05
17	MR. ZECCHIN: Objection, form. You can	11:53:06
18	answer.	11:53:08
19	A I guess.	11:53:09
20	Q Is between 500 and 2,000 your best estimate	11:53:21
21	of how many arrests you participated in as a member	11:53:23
22	of the 2nd District tactical team?	11:53:26
23	A If I would have to guess, maybe.	11:53:28
24	Q Do you have a specific recollection of many	11:53:32

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32

1	of those arrests?	11:53:46
2	A A few or a couple.	11:53:47
3	Q When you say "A few or a couple," you mean	11:53:50
4	two to three?	11:53:54
5	A Two or three maybe, yes.	11:53:55
6	Q And I know we have specific cases to cover	11:53:59
7	today, but can you just give me a list of the two to	11:54:07
8	three cases -- two to three arrests that you	11:54:10
9	specifically remember?	11:54:12
10	A That I can't recall at this moment.	11:54:13
11	Q So you don't -- you don't remember the names	11:54:15
12	of the two to three arrests you remember?	11:54:18
13	A No.	11:54:20
14	Q What do you remember about them?	11:54:20
15	A Well, the two shootings and McDaniels. I	11:54:22
16	remember McDaniels.	11:54:31
17	Q So those are the three things that you	11:54:32
18	remember --	11:54:34
19	A Yes.	11:54:34
20	Q (Continuing) -- from your 13 years on the	11:54:34
21	tac team?	11:54:36
22	A I mean, nothing sticks out at this moment.	11:54:37
23	There may be something that could refresh my memory,	11:54:39
24	but at this moment I don't know what that might be.	11:54:42

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33

1	Q Has your memory about McDaniels been	11:54:44
2	refreshed or do you have an independent	11:54:47
3	recollection?	11:54:49
4	A No, I have an independent recollection of	11:54:49
5	McDaniels.	11:54:52
6	Q Is there some particular reason you think --	11:54:52
7	let me rephrase that.	11:54:58
8	Is there a particular reason that you can	11:54:59
9	think of why you remember Anthony McDaniels' arrest	11:55:01
10	but no other ones other than two shootings?	11:55:06
11	MR. ZECCHIN: Objection to form. You can	11:55:08
12	answer.	11:55:12
13	A Well, McDaniels is a gun arrest. I don't	11:55:13
14	make -- I haven't made too many arrests -- gun	11:55:16
15	arrests. And it's kind of particular. There was an	11:55:19
16	actual chase that happened, a car chase and a foot	11:55:24
17	chase. So it sticks -- something that sticks out in	11:55:29
18	my memory.	11:55:29
19	Q Got it. You didn't have to chase a lot of	11:55:33
20	people over the years?	11:55:35
21	A Chase, but nothing that sticks out like	11:55:36
22	McDaniels sticks out.	11:55:39
23	Q How many foot chases do you think you	11:55:40
24	participated in on your 13 years on the tac team in	11:55:42

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34

1	the 2nd District?	11:55:45
2	A I couldn't -- I couldn't tell you.	11:55:46
3	Q What's your best estimate of how many foot	11:55:48
4	chases you participated in on the 2nd District tac	11:55:52
5	team?	11:55:52
6	A I can't even guess.	11:55:56
7	Q Is it because it's too many to guess?	11:55:57
8	A I wouldn't say too many, but I don't want to	11:56:00
9	give you the wrong amount or number.	11:56:04
10	Q Was it more than five?	11:56:07
11	A Yes.	11:56:09
12	Q Did you have to chase more than 10 people in	11:56:11
13	13 years?	11:56:14
14	A Probably.	11:56:15
15	Q Do you think you've had to chase more than	11:56:15
16	50 people in your 13 years on the tac team?	11:56:18
17	A Possible.	11:56:20
18	Q Do you think you chased more than a hundred	11:56:21
19	people in 13 years on the tac team?	11:56:24
20	A Possible.	11:56:26
21	Q Do you think you chased more than 500 people	11:56:26
22	in 13 years on the tac team?	11:56:30
23	A I doubt it.	11:56:30
24	Q Somewhere between 100 and 500?	11:56:31

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1	A	Could be.	11:56:34
2	Q	Do you think you chased more than 200 people	11:56:34
3		as a member of the 2nd District tactical team?	11:56:37
4	A	Possible.	11:56:39
5	Q	Do you think you chased more than 300 people	11:56:40
6		as a member of the 2nd District tactical team?	11:56:43
7	A	Possible.	11:56:46
8	Q	Do you think you chased more than 400	11:56:47
9		people?	11:56:49
10	A	Like I said, again, possible.	11:56:50
11	Q	But as you sit here today, you don't	11:56:52
12		remember any of those up to 500 chases other than	11:56:56
13		McDaniels?	11:56:59
14	A	Well, out of those chase, nothing really	11:57:00
15		sticks out in my mind.	11:57:03
16	Q	So do you remember any of the 500 or so	11:57:04
17		chases?	11:57:08
18	MR. ZECCHIN:	Objection to form. You can	11:57:09
19		answer.	11:57:11
20	A	No.	11:57:11
21	Q	Did you ever patrol with Ronald Watts?	11:57:23
22	A	I'm pretty sure I have.	11:57:29
23	Q	Do you know how many times you went out on	11:57:31
24		patrol with Ronald Watts?	11:57:34

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1	A	That I can't recall.	11:57:35
2	Q	And you said you remembered McDaniels and	11:57:36
3		then the two shootings.	11:57:55
4		Are those the two shootings that you talked	11:57:55
5		about at the beginning?	11:57:57
6	A	Yes.	11:57:58
7	Q	Okay. How many gun arrests have you been	11:57:58
8		involved in as a police officer?	11:58:03
9	A	I can't -- I can't guess how many.	11:58:05
10	Q	Is it more than a hundred?	11:58:10
11	A	Probably.	11:58:12
12	Q	Do you think it's more than 500?	11:58:13
13	A	Possible, but I doubt it.	11:58:15
14	Q	Somewhere between 100 and 500 gun arrests?	11:58:18
15	A	Possible.	11:58:21
16	Q	And all of those as a member of the 2nd	11:58:22
17		District tactical team?	11:58:26
18	A	Yes.	11:58:27
19	Q	And when I've been asking questions about	11:58:27
20		the 2nd District tactical team, have you understood	11:58:31
21		those to be about your time on the 264 team?	11:58:35
22	A	Yes.	11:58:37
23	Q	Other than McDaniels, which gun arrests do	11:58:38
24		you remember?	11:58:44

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1	A	Actually nothing sticks out in my mind at	11:58:44
2		this moment.	11:58:48
3	Q	Did members of the 264 team socialize	11:58:49
4		together?	11:59:08
5	MR. ZECCHIN:	Objection to the word	11:59:11
6		"socialize."	11:59:12
7	A	I don't understand what you mean by	11:59:13
8		"socialize."	11:59:14
9	Q	Did you spend time together outside of work	11:59:17
10		with any of the members of the 264 team?	11:59:20
11	A	A police department involved function, yes.	11:59:22
12	Q	I'm sorry. Say that again.	11:59:27
13	A	Police department involved functions, yes.	11:59:28
14	Q	If there was police department sponsored	11:59:30
15		events basically?	11:59:32
16	A	For the most part, yes.	11:59:33
17	Q	Would you go get drinks together?	11:59:35
18	A	Would we go get drinks together? I'm pretty	11:59:37
19		sure it happens once or twice, but more than that I	11:59:42
20		don't recall.	11:59:46
21	Q	Were you friends with any of the members of	11:59:46
22		the 264 team outside of work?	11:59:51
23	A	I mean, I consider them friends, but we	11:59:53
24		rarely hang out afterwards.	11:59:56

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1	Q And has that always been the case?	11:59:58
2	A Yes.	12:00:00
3	Q Which members of the 264 team do you	12:00:01
4	consider to be personal friends?	12:00:04
5	A I consider everyone on the 264 team my	12:00:06
6	personal friends.	12:00:11
7	Q Including Ronald Watts?	12:00:11
8	A Yes.	12:00:13
9	Q Was Kallatt Mohammed on the 264 team?	12:00:13
10	A Yes, he was.	12:00:17
11	Q Is he a friend of yours?	12:00:18
12	A I consider him a friend, yes.	12:00:19
13	Q When was the last time you talked to Ronald	12:00:21
14	Watts?	12:00:24
15	A Last time I talked to him or bump into him?	12:00:24
16	Q Either or both.	12:00:33
17	A I think the last time I bumped into him was	12:00:35
18	after he got arrested.	12:00:40
19	Q Did you talk to him then?	12:00:40
20	A We -- we were eating lunch. He just	12:00:42
21	happened to walk in when we were eating lunch. Not	12:00:45
22	much was said. We just -- he ordered his food,	12:00:47
23	ate -- and we ate.	12:00:50
24	Q Who were you with?	12:00:51

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1	A	Officer Nichols, I believe.	12:00:52
2	Q	And who was Watts with anybody?	12:00:54
3	A	I don't believe -- I believe he was by	12:00:57
4		himself.	12:00:59
5	Q	Was he already off of the force by the time?	12:01:00
6	A	Excuse me?	12:01:02
7	Q	Was he already off the force when you saw	12:01:03
8		him?	12:01:06
9	A	Yes.	12:01:06
10	Q	Where did you -- where did you bump into	12:01:06
11		him?	12:01:09
12	A	I believe a restaurant. I can't recall the	12:01:09
13		restaurant. Somewhere on the South Side.	12:01:12
14	Q	Did you say anything to him?	12:01:14
15	A	Hi, how you doing. That's about it.	12:01:19
16	Q	And what did he say in response to you?	12:01:24
17	A	He didn't say much. He said he was doing	12:01:26
18		all right. I believe that was his response.	12:01:29
19	Q	How long was Nichols your partner?	12:01:32
20	A	Nichols was my partner from November '04 --	12:01:49
21		he took maybe a six-month break, went back to the	12:01:55
22		watch for six months and then came back and became	12:02:00
23		my partner again. So from 2004 until now except	12:02:02
24		that six months when he went back to the watch.	12:02:05

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1	Q	He went back to the watch?	12:02:09
2	A	Yes.	12:02:12
3	Q	What does that mean?	12:02:13
4	A	He went back to the watch. He was no longer	12:02:14
5		on the tac team.	12:02:16
6	Q	What does it mean to be on the watch?	12:02:17
7	A	You work in a marked vehicle, respond to	12:02:19
8		radio calls.	12:02:23
9	Q	Do you know why he went back to the watch	12:02:24
10		for six months?	12:02:28
11	A	I didn't ask him.	12:02:29
12	Q	But do you know why he went back to the	12:02:30
13		watch?	12:02:35
14	A	No, I didn't.	12:02:35
15	Q	Did anybody tell you why?	12:02:36
16	A	No.	12:02:37
17	Q	Did you -- do you have any information as to	12:02:38
18		why he went to the watch?	12:02:42
19	A	I don't recall -- I don't recall why he went	12:02:44
20		to the watch.	12:02:46
21	Q	Do you know -- can you tell me again what	12:02:47
22		time period it was that he went to the watch?	12:02:50
23	A	That I couldn't tell you, the time period he	12:02:52
24		went back to the watch.	12:02:54

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1	Q And were you curious as to why he wasn't	12:02:54
2	your partner anymore?	12:02:57
3	A He said he was going on the watch and I left	12:02:58
4	it at that.	12:03:01
5	Q Why didn't you ask him any follow-up	12:03:01
6	questions?	12:03:04
7	A I didn't believe I needed to. If that's	12:03:04
8	what he wanted to do, I guess that's what was best	12:03:10
9	for him at that moment.	12:03:15
10	Q And then when he came back, did you talk	12:03:17
11	about why he had left then?	12:03:20
12	A No.	12:03:22
13	Q Who was your partner while Nichols was on	12:03:23
14	the watch?	12:03:26
15	A I believe Mark -- I'm probably going to	12:03:27
16	butcher his last name. Kowetski (phonetic) or	12:03:31
17	something like that. Probably I even said it wrong.	12:03:33
18	Mark something.	12:03:37
19	Q When you were on the 264 team, were you	12:03:37
20	patrolling in unmarked vehicles?	12:03:54
21	A That would be correct, yes.	12:03:58
22	Q And did you wear uniforms?	12:04:00
23	A Wear plain clothes with a vest over it, a	12:04:01
24	bulletproof vest.	12:04:07

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1	Q Did you get to know a lot of the residents	12:04:08
2	in Ida B. Wells over the years as a member of the	12:04:11
3	264 team?	12:04:14
4	A I don't understand what you mean "get to	12:04:14
5	know." I mean, I say hi to people that says hi to	12:04:17
6	me.	12:04:20
7	Q Did you begin to recognize certain people?	12:04:20
8	A Yeah. Certain people I recognized, yes.	12:04:23
9	Q And did people recognize you as a police	12:04:26
10	officer?	12:04:31
11	A Yes.	12:04:31
12	Q You weren't undercover?	12:04:31
13	MR. ZECCHIN: Objection to form.	12:04:40
14	A I don't understand what you mean "under	12:04:42
15	cover."	12:04:43
16	Q Well, was it -- it wasn't any sort of secret	12:04:45
17	that you were a police officer even though you	12:04:48
18	weren't wearing a uniform. Is that fair?	12:04:50
19	A Yes, that's fair.	12:04:51
20	Q Did you have cell phone numbers of other	12:04:53
21	members of the 264 team?	12:05:03
22	A I believe I did, yes.	12:05:04
23	Q And did you all talk on your cell phones?	12:05:06
24	A Yes.	12:05:08

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1	Q And did you talk with other members of the	12:05:11
2	264 team on your cell phones about work?	12:05:15
3	A It could be work or it could be something	12:05:18
4	else.	12:05:22
5	Q How frequently would you call each other on	12:05:22
6	your cell phones to talk about the things that were	12:05:25
7	happening in the 2nd District?	12:05:27
8	A I don't understand what you mean how often.	12:05:28
9	Q So how frequent -- like every day would you	12:05:31
10	call people on their cell phones to talk about	12:05:33
11	things that happened on the job?	12:05:35
12	A You mean after work would I call them and	12:05:36
13	say --	12:05:40
14	Q No, no. Did -- well, okay. Let me back up.	12:05:40
15	Did you use your cell phone during a shift	12:05:42
16	to talk about things that were happening on the	12:05:45
17	shift?	12:05:47
18	A I doubt it.	12:05:49
19	Q You don't remember doing that?	12:05:50
20	A No, I don't believe I used my phones about	12:05:54
21	what was going on that day.	12:05:57
22	Q Sorry. Say that again.	12:05:58
23	A I don't believe I used my phone to call	12:06:00
24	another officer to discuss what was going on that	12:06:03

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1	day.	12:06:08
2	Q Do you know whether the Cook County State's	12:06:08
3	Attorney's Office will call you as a witness in	12:06:17
4	criminal cases?	12:06:18
5	A Could you repeat that?	12:06:20
6	Q Do you know whether the Cook County State's	12:06:21
7	Attorney's Office will currently use you as a	12:06:25
8	witness in criminal cases?	12:06:27
9	A From what I have seen in the news and in the	12:06:28
10	Internet, no, they're not willing to call us for any	12:06:32
11	cases.	12:06:37
12	Q And I just mean you specifically.	12:06:37
13	A Me? No, they're not willing to call me in	12:06:38
14	any cases.	12:06:42
15	Q Has anybody told you other than a news	12:06:42
16	report?	12:06:45
17	A I found out as -- like everyone else, when	12:06:45
18	it came out on the news media that I was no longer	12:06:48
19	going to be called on any testimony regarding Cook	12:06:52
20	County.	12:06:57
21	Q And did you ever get a memo or anything like	12:06:58
22	that?	12:07:01
23	A No, I did not.	12:07:02
24	Q Other than being placed on administrative	12:07:03

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1	duty, have you ever been disciplined as a Chicago	12:07:11
2	police officer?	12:07:14
3	A I don't believe I have.	12:07:15
4	Q You would know if you had, right?	12:07:16
5	A Yes, that would be correct.	12:07:21
6	Q What's your best estimate of how many people	12:07:23
7	the 264 team arrested during your 13 years on the	12:07:36
8	street with that team?	12:07:40
9	MR. ZECCHIN: Objection to foundation from	12:07:41
10	this witness. You can answer if you know.	12:07:42
11	A I don't -- I don't recall. I can't even	12:07:45
12	give you a guess.	12:07:48
13	Q It's in the thousands, though, right?	12:07:49
14	A Probably, yes.	12:07:51
15	Q You mentioned a few types of the most common	12:07:52
16	crimes from your time on the 2nd District tactical	12:08:00
17	team, on Team 264. You didn't talk about	12:08:04
18	trespassing.	12:08:08
19	Did you ever arrest people for trespassing	12:08:09
20	frequently?	12:08:11
21	A Did I arrest people -- yes.	12:08:11
22	Q What was the standard that you used to	12:08:13
23	decide whether someone should be arrested for	12:08:15
24	trespassing?	12:08:17

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1	A I would give them a verbal warning, stating,	12:08:18
2	If you don't live in the area and you're not	12:08:22
3	visiting anyone -- there's signs posted all over the	12:08:25
4	building no criminal trespass, no loitering. And if	12:08:28
5	you return, then I'll lock you up; but I give you a	12:08:33
6	verbal warning first.	12:08:35
7	Q So you'd only arrest people for trespassing	12:08:36
8	if you had specifically seen them on a different day	12:08:39
9	trespassing and giving them warning?	12:08:42
10	MR. ZECCHIN: Objection. Misstates his	12:08:43
11	answer.	12:08:45
12	A I usually give them a verbal warning that	12:08:46
13	day. Whether I saw them last night, I would give	12:08:48
14	them a verbal warning that day because he could be	12:08:52
15	visiting someone that day. So I would give him a	12:08:56
16	verbal warning. If you're not here visiting anyone	12:08:58
17	and you don't live here, there's a sign posted no	12:09:00
18	loitering, no trespassing. And when they come back	12:09:04
19	after I give them that verbal warning, then I lock	12:09:07
20	them up for criminal trespass.	12:09:09
21	Q All right. Maybe you can help me understand	12:09:11
22	more about the verbal warnings.	12:09:13
23	You said -- so you could give someone a	12:09:15
24	verbal warning, let's say, last night. Let's	12:09:16

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1 pretend it's today. Let's say last night you saw 12:09:20
2 someone and gave them a verbal warning. You see 12:09:22
3 them the next day. You would give them another 12:09:24
4 verbal warning? 12:09:27

5 A Yeah, it's a different day. Last night he 12:09:27
6 could have just been hanging out not visiting 12:09:31
7 anyone. The following day he could be there -- 12:09:33
8 legitimately there to see someone. So I would do 12:09:39
9 the same thing. I'm like, Are you here to visit 12:09:40
10 anyone? I know you don't live there. And if you're 12:09:43
11 not here to visit anyone, if you don't live here, 12:09:46
12 I'm giving you a warning to leave the area otherwise 12:09:49
13 you'll be locked up for trespass. 12:09:51

14 Q And so then it would only be if someone came 12:09:53
15 back the same day after that warning? 12:09:55

16 A Yes. 12:09:57

17 Q That you would arrest them for trespassing? 12:09:58

18 A Yes. 12:10:00

19 Q How would you know that the second time that 12:10:01
20 day they weren't there to visit somebody? 12:10:06

21 A I would ask them. If they said, I'm 12:10:08
22 visiting so and so, you verify whether that's true 12:10:13
23 or not. 12:10:15

24 Q Did it frequently happen that you'd tell 12:10:15

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1	somebody, You can't be here unless you're visiting.	12:10:18
2	If you come back, you're going to get arrested.	12:10:20
3	Then they would come back and they would admit to	12:10:22
4	you they weren't visiting anybody?	12:10:25
5	A Could you repeat that?	12:10:26
6	Q Yeah, sure. Did it happen frequently where	12:10:27
7	you would give somebody a warning along the lines	12:10:29
8	of, You can't be here unless you're visiting	12:10:32
9	somebody or you live here and then they would come	12:10:34
10	back that very same day and admit to you that they	12:10:35
11	weren't visiting anybody?	12:10:37
12	A If they admit to me they weren't visiting	12:10:38
13	someone?	12:10:41
14	Q Did that happen a lot?	12:10:41
15	A I'm not going to say it never happened, but	12:10:43
16	I don't recall the incident that actually happened	12:10:46
17	that way that you spoke of.	12:10:50
18	Q Is there another way you could have arrested	12:10:50
19	someone for trespassing?	12:10:53
20	A I don't understand that question. What do	12:10:54
21	you mean another way?	12:10:57
22	Q Well, I guess you said you don't remember it	12:10:57
23	happening a lot the way that I described the	12:11:00
24	sequence, right?	12:11:01

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1	A That -- that the individual come up to me	12:11:02
2	and say, I was actually lying; I wasn't here to	12:11:05
3	visit? Is that what you're trying to say?	12:11:09
4	Q No. What I'm asking you is you said, as I	12:11:11
5	understand it -- and tell me if I am	12:11:13
6	misunderstanding -- you said you arrest people for	12:11:16
7	trespassing only when you've already given them a	12:11:18
8	verbal warning that very same day that they can't be	12:11:20
9	in the place and then they come back that same day.	12:11:23
10	A Okay.	12:11:27
11	Q Is that right?	12:11:27
12	A Yes.	12:11:28
13	Q And you only know the second time that	12:11:29
14	they're not there to see someone legitimately if you	12:11:32
15	ask them, correct?	12:11:35
16	A If I ask them? I would have verified that	12:11:36
17	from the first encounter. So next time I see them I	12:11:40
18	know they weren't there to see anyone because I	12:11:45
19	already gave them a verbal warning to leave.	12:11:48
20	Q How do you know that the next time that they	12:11:50
21	weren't there to see someone?	12:11:51
22	A I probably verified it again if they give me	12:11:52
23	a different person or a different location that they	12:11:55
24	were going to.	12:11:59

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1	Q And then you would just make your best	12:11:59
2	estimate?	12:12:03
3	A No. I would verify -- let's say, I spoke to	12:12:03
4	a subject the first time that say, I'm here to go	12:12:08
5	visit someone in 201 named Smith. I go up there.	12:12:10
6	Does anyone Smith lives in this apartment. They say	12:12:14
7	no. Then I give him that warning to leave. The	12:12:17
8	second time, I told you already. I told you to	12:12:21
9	leave and then he gives me another excuse. Well, I	12:12:24
10	actually got the apartment wrong. I wanted to go	12:12:26
11	301. And I know myself 301 is a vacant apartment,	12:12:29
12	so then I lock him up.	12:12:33
13	Q Okay. Did you participate in surveillance	12:12:34
14	operations as a member of the 264 team?	12:12:44
15	A Surveillance? Pretty sure I have, but I	12:12:46
16	don't recall any of those at this time.	12:12:50
17	Q Was -- were -- well, what types of	12:12:53
18	surveillance did you participate in as a member of	12:12:57
19	the Watts team?	12:13:00
20	A Probably narcotics.	12:13:00
21	Q Probably narcotics you said?	12:13:01
22	A Most likely narcotics.	12:13:04
23	Q Do you remember how you conducted	12:13:06
24	surveillance as a member of the Watts team?	12:13:08

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1	A	Probably pick an area where I could see the	12:13:11
2		subject, whatever the subject was selling drugs,	12:13:16
3		where I can't be seen and see the narcotics	12:13:19
4		transaction.	12:13:23
5	Q	When you say you probably did it that way,	12:13:23
6		did you do it that way?	12:13:27
7	A	Most likely I would do it that way.	12:13:28
8	Q	But you don't have no specific memory right	12:13:31
9		now of ever conducting surveillance as a member of	12:13:35
10		the Watts team?	12:13:39
11	A	Nothing comes to mind at this moment.	12:13:39
12	Q	And you can't say for certain one way or the	12:13:41
13		other whether you actually conducted surveillance as	12:13:44
14		a member of the Watts team?	12:13:46
15	A	I'm pretty sure I have, but I just don't	12:13:47
16		recall of those at this moment.	12:13:50
17	Q	So you know you did it. You just don't	12:13:51
18		remember any specific times; is that right?	12:13:54
19	A	That would be correct.	12:13:56
20	Q	And do you know any specific methods that	12:13:57
21		you used?	12:13:59
22	A	It varies on the situation.	12:13:59
23	Q	Well, tell me about -- I'm not asking you to	12:14:02
24		generally describe how someone might conduct	12:14:05

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1	surveillance. I want to just know what do you	12:14:07
2	remember about how you conducted surveillance as a	12:14:10
3	member of the Watts team?	12:14:13
4	A I mean, it varies. I could -- we could just	12:14:14
5	sit in a squad car far enough where they can't see	12:14:16
6	us but we could still see them. Or we could	12:14:20
7	actually get out of the car, you know, find a place	12:14:22
8	where we can't be seen but we could see them. It	12:14:25
9	all depends on the situation.	12:14:28
10	Q Are there any other methods other than the	12:14:29
11	two you just described?	12:14:32
12	A I mean, if we had a covert car, we might use	12:14:33
13	a covert car, which is just a car with regular	12:14:38
14	plates on it.	12:14:40
15	Q What's --	12:14:40
16	A It's a regular -- it's a covert -- we call	12:14:41
17	it a covert car.	12:14:45
18	Q Covert scar?	12:14:45
19	A Yeah. But it's basically a regular car with	12:14:45
20	regular plates in it. Instead of having a municipal	12:14:48
21	plate, it would have regular plates.	12:14:52
22	Q Was it sometimes your role to transport	12:14:55
23	people to the police station who had already been	12:15:04
24	arrested by other officers?	12:15:06

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1	A	It happens, yes.	12:15:08
2	Q	How frequently did that happen as a member	12:15:09
3		of the Watts team?	12:15:12
4	A	I can't say. If there's no beat cars	12:15:13
5		available at that moment, we might transfer them	12:15:20
6		ourselves.	12:15:22
7	Q	Was that a weekly occurrence?	12:15:23
8	A	Again, it varies.	12:15:25
9	Q	Sometimes every week, sometimes not?	12:15:28
10	A	It could be every week or it could happen	12:15:30
11		once a month, once every two months. It just varies	12:15:33
12		on how busy the district that day where there's no	12:15:36
13		available squad car to transport for us.	12:15:39
14	Q	Did any of the -- do you remember anybody	12:15:42
15		ever telling you when you were transporting them to	12:15:54
16		the police station that they had been framed or they	12:15:57
17		weren't guilty?	12:15:59
18	A	They had been framed? I don't believe so.	12:16:00
19	Q	Or that they weren't guilty?	12:16:02
20	A	That they were guilty?	12:16:06
21	Q	Were not.	12:16:06
22	A	I don't believe so.	12:16:07
23	Q	What about that they were guilty. Did	12:16:07
24		anybody ever tell you they were guilty?	12:16:10

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1	A	That would be actually good if they would	12:16:12
2		tell us they were guilty.	12:16:16
3	Q	Yeah. But did anyone do it?	12:16:16
4	A	I don't believe so.	12:16:18
5	Q	That would be highly unusual?	12:16:19
6	A	I would say so.	12:16:21
7	Q	Which members of the Watts team do you still	12:16:23
8		work with?	12:16:36
9	MR. MICHALIK:	I'm just going to object to	12:16:40
10		the -- I think he said before that -- he called it	12:16:43
11		the 264 team, not the Watts team.	12:16:45
12	A	I mean, I still work with Officer Nichols.	12:16:46
13		If you call that working administratively, yes, that	12:16:49
14		would be Officer Nichols.	12:16:51
15	Q	Anyone else?	12:16:52
16	A	That's about it.	12:16:53
17	Q	When was the last time you talked to Kenny	12:17:00
18		Young?	12:17:07
19	A	Probably months.	12:17:07
20	Q	And what did you talk with him about when	12:17:15
21		you last talked?	12:17:17
22	A	Probably that was at our civil lawyer's	12:17:18
23		building. Probably just said hi. I can't remember	12:17:22
24		when that was.	12:17:28

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1	Q And what about Al Jones?	12:17:28
2	A Probably the same, at our civil law firm.	12:17:31
3	Q You just said hi also?	12:17:35
4	A Yes. For the most part, yes.	12:17:37
5	Q And what about Smith?	12:17:39
6	A Smith, probably a week ago said hi because	12:17:40
7	he works the radio in the 2nd District.	12:17:44
8	Q He's also on administrative duty?	12:17:46
9	A I believe so, yes.	12:17:49
10	Q You said Cynthia Torres?	12:17:50
11	A Yes.	12:17:53
12	Q And when was the last time you talked to	12:17:54
13	Cynthia Torres?	12:17:58
14	A Couldn't remember. Maybe months or even a	12:17:58
15	year.	12:18:02
16	Q Okay. And what did you talk with her about?	12:18:02
17	A She works the desk so probably said hi.	12:18:05
18	Q Do you still talk to Nichols every day?	12:18:13
19	A We work together in the same room, yes.	12:18:19
20	Q And when was the last time you talked to	12:18:22
21	Bolton?	12:18:25
22	A Probably at one of our fantasy leagues	12:18:25
23	together.	12:18:31
24	Q Are you still in that -- is it football -- a	12:18:31

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1	fantasy football league?	12:18:37
2	A Yes, that would be correct.	12:18:39
3	Q Are you still on a league with him?	12:18:40
4	A Yes.	12:18:42
5	Q What's his team name?	12:18:43
6	A I can't remember his team name.	12:18:44
7	Q What's your team name?	12:18:46
8	A My team name? On that one, My Butkus -- My	12:18:48
9	Ditka and Our Butkus.	12:18:56
10	Q Who else is in that fantasy football league?	12:18:58
11	A That one -- that league would be Officer	12:19:06
12	Bolton, Gonzalez, and other officer that I can't	12:19:10
13	remember their names.	12:19:16
14	I remember some of them. Do you want me to	12:19:18
15	mention them?	12:19:20
16	Q Yeah.	12:19:20
17	A Lieutenant Jones, Sergeant Cologne, Ryan	12:19:22
18	Goldie, Derrick Cross. I know I'm forgetting	12:19:28
19	something. Sergeant Stevens, a retired officer	12:19:33
20	Marvin Jones. I know I'm forgetting something	12:19:39
21	because it's a 12-man league. I'm probably	12:19:44
22	forgetting an officer.	12:19:47
23	Q When you said Lieutenant Jones, who are you	12:19:48
24	talking about?	12:19:51

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1	A	A different Jones.	12:19:51
2	Q	Okay. What's Gonzalez's team name?	12:19:51
3	A	I believe Los Chingones.	12:19:54
4	Q	And when's the last time you talked to	12:19:57
5		Officer Gonzalez?	12:19:57
6	A	Probably last month because he rotates, so	12:20:04
7		sometimes we work the same shifts.	12:20:06
8	Q	Have you ever talked to anybody other than	12:20:09
9		your lawyers about the allegations made against you	12:20:13
10		in the civil cases?	12:20:16
11	A	No.	12:20:17
12	Q	Have you ever talked to anyone other than	12:20:18
13		your lawyers about your being moved to	12:20:20
14		administrative duty?	12:20:25
15	A	No.	12:20:26
16	Q	Has anyone ever come talk to you -- any	12:20:27
17		other defendants in these cases ever come to you and	12:20:35
18		said anything about the cases or about whether they	12:20:37
19		think it's fair or they did anything wrong?	12:20:39
20	A	No.	12:20:41
21	Q	Do you still have Watts' phone number?	12:20:42
22	A	I don't believe I -- I don't have.	12:21:10
23	Q	You think you do not have it anymore?	12:21:13
24	A	I don't believe -- I don't have his number	12:21:16

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1	anymore.	12:21:17
2	Q What about Kallatt Mohammed?	12:21:18
3	A The same. I don't think I have -- I don't	12:21:20
4	have his number anymore.	12:21:21
5	Q I'm sorry if I'm repeating this, but when's	12:21:22
6	the last time you talked to Mohammed?	12:21:24
7	A The last time I bumped into him or talked to	12:21:26
8	him, probably after he got out of jail.	12:21:29
9	Q How long after?	12:21:31
10	A That I couldn't tell you how long after he	12:21:32
11	got out of jail.	12:21:35
12	Q Do you know where you were?	12:21:36
13	A We were just patrolling the 2nd District.	12:21:37
14	And I guess he was driving and we just happened to	12:21:40
15	see him on the street.	12:21:43
16	Q Did you stop and talk to him?	12:21:45
17	A Yeah. Said hi, how he was doing, to that	12:21:47
18	extent.	12:21:48
19	Q And what did he say to you?	12:21:50
20	A He said he was fine.	12:21:50
21	Q Was it you and Nichols?	12:21:51
22	A I believe -- yes.	12:21:53
23	Q Did you ever suspect that Ronald Watts was	12:21:57
24	corrupt?	12:22:09

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1	A No.	12:22:10
2	Q Did you ever suspect that Kallatt Mohammed	12:22:10
3	was corrupt?	12:22:14
4	A No.	12:22:16
5	Q Have you ever suspected that any Chicago	12:22:16
6	police officers were corrupt that you worked with?	12:22:18
7	A No.	12:22:20
8	Q Do you -- are you familiar with the term	12:22:21
9	"code of silence"?	12:22:24
10	A Other than what I heard in the media and	12:22:25
11	from the former mayor, no.	12:22:27
12	Q Do you have an understanding of what a code	12:22:29
13	of silence is?	12:22:34
14	A From what the media and former mayor, yes.	12:22:35
15	Q What's your understanding of what a code of	12:22:40
16	silence means?	12:22:42
17	A According to the media, it's another officer	12:22:43
18	don't turn an officer over.	12:22:46
19	Q And do you know whether there is a code of	12:22:48
20	silence in the Chicago Police Department?	12:22:51
21	A I don't believe so.	12:22:52
22	Q You -- you've never seen any other officers	12:22:54
23	engage in wrongdoing, though, right?	12:22:59
24	A No, I haven't.	12:23:01

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1	Q And you've never heard of any other officers	12:23:01
2	engage in wrongdoing?	12:23:04
3	A No, I haven't.	12:23:06
4	Q No civilians have ever complained to you	12:23:06
5	about officer wrongdoing?	12:23:12
6	A Any civilians? I don't recall.	12:23:13
7	Q You don't recall one way or the other?	12:23:16
8	A No.	12:23:18
9	Q If you would have known that a different	12:23:19
10	member of your team was extorting civilians, you	12:23:25
11	would have said something about it?	12:23:29
12	A I would have probably brought it up to --	12:23:31
13	not probably. I would have brought it to one of the	12:23:33
14	supervisors.	12:23:36
15	Q Which supervisors would you have brought it	12:23:36
16	to?	12:23:38
17	A If the suspect was on our team, then I would	12:23:38
18	have brought it up to a different supervisor. If he	12:23:41
19	was on another team, then I would have told my	12:23:44
20	sergeant.	12:23:46
21	Q Did you work with Lamonica Lewis?	12:23:46
22	A I'm for sure I have.	12:23:59
23	Q Do you know if she was a member of the 264	12:24:00
24	team?	12:24:03

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1	A Yes, she was.	12:24:03
2	Q And was she on the 264 team when you were on	12:24:04
3	the team?	12:24:07
4	A At some point, yes.	12:24:07
5	Q Do you remember what years she was on the	12:24:09
6	team?	12:24:11
7	A She got on the team after us. The year, I	12:24:11
8	couldn't tell you what year she joined our team.	12:24:15
9	Q Do you remember when Mohammed became part of	12:24:17
10	the team?	12:24:20
11	A Mohammed was there when I got there.	12:24:20
12	Q Was there when you got there?	12:24:23
13	A Yes, in 2- -- in 2004.	12:24:25
14	Q Did Watts and Mohammed often go do things on	12:24:26
15	their own out of view of you or other officers?	12:24:32
16	A Could you repeat that?	12:24:35
17	Q Sure. Were Watts and Mohammed often doing	12:24:36
18	things outside of your view?	12:24:39
19	A I don't understand what you mean outside my	12:24:40
20	view.	12:24:43
21	Q Well, if you would go with a group on the	12:24:43
22	264 team to arrest people --	12:24:48
23	A Again, I don't understand the question	12:24:49
24	you're asking me right now.	12:24:51

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1	Q All right. Well, did you ever go out with	12:24:52
2	multiple people on the 264 team to go do	12:24:58
3	surveillance or run operations?	12:25:02
4	A I mean, it depends on the situation. If the	12:25:04
5	situation dictate that it needs more than two	12:25:06
6	officers to do a surveillance, yes. But if it just	12:25:09
7	need me and my partner, me and my partner will do	12:25:13
8	the surveillance. It all depends on the situation.	12:25:18
9	Q Did you participate in reverse stings?	12:25:20
10	A Yes.	12:25:23
11	Q Tell me what a reverse sting is.	12:25:23
12	A A reverse sting is where our focus is on the	12:25:26
13	buyer, not the seller.	12:25:28
14	Q A reverse sting that focuses on the buyer?	12:25:29
15	A Yes.	12:25:36
16	Q And how does a -- what is a -- how does a	12:25:37
17	reverse sting work?	12:25:39
18	A A reverse sting? Officers would pretend to	12:25:41
19	be a drug dealer where the buyer would approach him	12:25:45
20	and ask him for certain type of narcotics. And then	12:25:50
21	they would be arrested for attempted -- attempted	12:25:54
22	purchase of narcotics.	12:25:58
23	Q Did you ever play the role of a pretend drug	12:26:00
24	dealer in a reverse sting?	12:26:02

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1	A	I don't believe I have.	12:26:03
2	Q	Which members of the Watts 264 team that	12:26:05
3		you're aware of played the role of a pretend drug	12:26:12
4		dealer?	12:26:14
5	A	That would be the African American officer.	12:26:15
6	Q	Which ones specifically?	12:26:19
7	A	It varies. It could be Al Jones, Officer	12:26:20
8		Smith, Officer Lamonica, Officer Kallatt Mohammed.	12:26:24
9		Am I missing anyone? That would be the officer that	12:26:29
10		would pretend to be the drug dealers.	12:26:37
11	Q	Would Watts ever do it?	12:26:39
12	A	I'm pretty sure he had.	12:26:41
13	Q	You're pretty sure he has?	12:26:45
14	A	Yes.	12:26:47
15	Q	How do reverse stings work in an area -- how	12:26:48
16		were they successful?	12:26:56
17	A	Could you repeat that?	12:26:57
18	Q	The 264 team was a pretty big presence in	12:26:58
19		Ida B. Wells, correct?	12:27:02
20	A	Okay.	12:27:03
21	Q	I'm asking. Is that -- do you agree with	12:27:03
22		that?	12:27:03
23	A	Yeah. We're known in Ida B. Wells, yes.	12:27:06
24	Q	How was it that you were able to	12:27:09

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1	successfully run reverse stings?	12:27:10
2	MR. ZECCHIN: Objection, form and	12:27:14
3	foundation. You can answer.	12:27:15
4	A Well, the African American officer would	12:27:17
5	pretend to be the drug dealers. And there would be	12:27:21
6	normal residents still hanging outside or in the	12:27:24
7	lobby.	12:27:27
8	Q So residents would help out?	12:27:28
9	A Not help out, but we wouldn't kick them out	12:27:31
10	while we're doing it.	12:27:34
11	Q And then people would approach the	12:27:35
12	officer --	12:27:37
13	A Yes.	12:27:37
14	Q (Continuing) -- to try and buy drugs?	12:27:38
15	A Yes.	12:27:39
16	Q And did residents or anyone -- well, did	12:27:40
17	residents or other civilians warn people of reverse	12:27:44
18	stings?	12:27:48
19	A I'm pretty sure they have. I'm pretty sure	12:27:48
20	there's people that warn saying we're in the	12:27:52
21	building. I'm pretty sure that happens often.	12:27:53
22	Q How frequently did the Watts 264 team run	12:27:56
23	reverse stings?	12:28:01
24	A It all depends. If we got too much	12:28:01

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1	complaint of too many drug activities at certain	12:28:05
2	location, we might do one every week. Or if not we	12:28:10
3	might do once a month or once every other month. It	12:28:13
4	all depends on the situation.	12:28:16
5	Q Did you have a target for how many people	12:28:17
6	you wanted to arrest on a reverse sting?	12:28:23
7	A We usually try not to have a target, but we	12:28:26
8	usually try to give it enough time to -- or for a	12:28:29
9	sting to work.	12:28:36
10	Q And what's a --	12:28:36
11	A We try to give it at least an hour, an hour	12:28:38
12	and a half, two hours.	12:28:41
13	Q How -- and do you have an estimate of how	12:28:43
14	many people you typically would arrest in an hour	12:28:58
15	and a half, 2-hour reverse sting?	12:29:01
16	A Could you repeat that?	12:29:03
17	Q Do you have any estimate of how many people	12:29:04
18	would typically be arrested during an hour and a	12:29:05
19	half or 2-hour reverse sting?	12:29:08
20	A I would say probably on average anywhere	12:29:10
21	from 10 to 15 maybe.	12:29:13
22	Q What was your role specifically on reverse	12:29:15
23	stings?	12:29:23
24	A My role would most likely be	12:29:23

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1	enforcement/processing team.	12:29:26
2	Q What is the enforcement/processing team?	12:29:29
3	A That's where we would be somewhere inside	12:29:32
4	the lobby where the officer would bring the subject	12:29:35
5	that attempted to buy narcotics, where we would	12:29:39
6	assist in placing that subject into custody.	12:29:43
7	Q Tell me how it would work? Like what are	12:29:45
8	the logistics like? Someone comes in, they go talk	12:29:47
9	to an officer and they try to buy drugs.	12:29:50
10	Where are you standing then and how do you	12:29:53
11	get alerted?	12:29:55
12	A We would be somewhere inside the building	12:29:56
13	where we can't be seen from the outside. Now, if	12:29:58
14	you're asking me how it happened outside, I can't	12:30:02
15	tell you that. I'm not one of the officer. But	12:30:06
16	usually the officer pretending to be drug dealers	12:30:11
17	would walk that individual to us and then we would	12:30:13
18	assist in placing that subject into custody. And	12:30:15
19	then the officer would inform us what he bought, how	12:30:18
20	much money he tendered. And then from then I would	12:30:21
21	write down the time he was arrested, the person's	12:30:26
22	name, what he attempted to purchase, and the amount	12:30:29
23	of money he tendered that officer.	12:30:32
24	Q And so the officer who was the pretend drug	12:30:34

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1	dealer, you say that they were outside the building	12:30:41
2	or inside?	12:30:43
3	A Some of them is outside. Some of them might	12:30:43
4	be hanging out in the lobby, but they could be seen	12:30:46
5	from the outside. The public from the outside could	12:30:49
6	see them.	12:30:53
7	Q And then -- so then the public could	12:30:53
8	presumably see them walking someone else away to	12:30:56
9	you, right?	12:30:59
10	MR. ZECCHIN: Objection, form and foundation	12:30:59
11	from this witness.	12:31:01
12	A What are you trying -- I can't -- I don't	12:31:02
13	understand your question.	12:31:03
14	Q Yes. Well, if they could be seen from the	12:31:05
15	outside and then they arrested somebody and brought	12:31:06
16	them over to you, the public could see that also,	12:31:08
17	right?	12:31:10
18	A No.	12:31:11
19	MR. ZECCHIN: The same objection to	12:31:11
20	foundation, what somebody else could see.	12:31:12
21	A They would walk them to us where -- where	12:31:14
22	we're at where the subject can't see us.	12:31:18
23	Q Where the subject -- right. You can't be	12:31:19
24	seen, right?	12:31:21

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1	A Yes.	12:31:21
2	Q But the officer could be seen from the	12:31:22
3	outside walking the person away, right?	12:31:24
4	A Okay, yes. That's possible yes.	12:31:26
5	Q How do they walk them to you? Do they just	12:31:28
6	voluntarily?	12:31:33
7	A Most of the time they're walking side by	12:31:33
8	side, and then the minute they see us they know	12:31:37
9	they're being arrested.	12:31:39
10	Q And so they don't know they were arrested	12:31:41
11	until they see you?	12:31:46
12	A Yes. You see an Asian guy, a white guy in	12:31:46
13	the lobby and they're being walked by and then, you	12:31:51
14	know, they know they're being arrested. That's when	12:31:57
15	we assist them in placing them into custody.	12:32:00
16	Q When you're doing reverse stings -- I mean	12:32:02
17	you, not just the team. When you are working on	12:32:04
18	reverse stings and you're in enforcement and	12:32:07
19	processing role, can you see the transaction	12:32:11
20	happening?	12:32:11
21	A No.	12:32:12
22	Q Is the only officer who can see the	12:32:12
23	transaction the one who's being the pretend drug	12:32:19
24	dealer?	12:32:24

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1	A I believe so, yes.	12:32:24
2	Q And do reverse sting, the way they work is	12:32:25
3	each time someone tries to buy drugs, a pretend drug	12:32:36
4	dealer officer will walk them over to you or another	12:32:40
5	member of the enforcement team?	12:32:42
6	A That would be correct, yes.	12:32:44
7	Q And then on the ones where you're working,	12:32:46
8	you will write down at that time when they were	12:32:51
9	arrested?	12:32:52
10	A Yes.	12:32:53
11	Q And what do you write that down on?	12:32:54
12	A Usually we have a bag, a packet for each	12:32:55
13	individual; the time he was arrested, his name, what	12:32:59
14	he tried to purchase, the amount of money he	12:33:01
15	tendered.	12:33:05
16	Q And where do you get that information from?	12:33:06
17	A From -- well, the officer will give -- will	12:33:08
18	inform us what he tried to purchase and how much	12:33:13
19	money he tendered, and we would ask that individual	12:33:15
20	what his name is.	12:33:19
21	Q And when you say "the officer," you mean the	12:33:20
22	officer who was the pretend drug dealer?	12:33:26
23	A That would be correct, yes.	12:33:27
24	Q So you have no way to verify whether that is	12:33:29

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1	true other than the officer telling you that. Is	12:33:31
2	that fair?	12:33:34
3	A I have no reason to doubt that officer that	12:33:34
4	it isn't true.	12:33:38
5	Q Well, that's a different question.	12:33:38
6	You have no reason to verify that the	12:33:39
7	officer's information is accurate other than the	12:33:41
8	officer?	12:33:43
9	A That would be correct, yes.	12:33:44
10	Q You said you have a packet for each	12:33:45
11	individual who's arrested?	12:33:59
12	A It's a bag.	12:34:00
13	Q A bag?	12:34:01
14	A Basically a bag --	12:34:02
15	Q And what --	12:34:02
16	A (Continuing) -- where --	12:34:03
17	Q No. Go ahead.	12:34:03
18	A We would write their name, like I stated	12:34:05
19	earlier, what time he got arrested, what he	12:34:08
20	attempted to purchase, how much money he tendered.	12:34:11
21	Q What is -- what kind of bag? I mean,	12:34:13
22	literally a bag?	12:34:16
23	A It's a clear -- it's a property -- prisoner	12:34:16
24	property bag. It's a clear plastic bag. I would	12:34:19

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1	say -- probably would have to guess -- 6 by 12	12:34:23
2	maybe.	12:34:27
3	Q And you write what they tried to buy, how	12:34:28
4	much they tendered on that bag?	12:34:38
5	A Yes.	12:34:39
6	Q And you write what time they were arrested	12:34:40
7	on that bag?	12:34:42
8	A Yes.	12:34:44
9	Q And --	12:34:44
10	A I try to do it anyway.	12:34:45
11	Q You tried to or --	12:34:47
12	A No. I do it anyway when that individual is	12:34:49
13	handed to me.	12:34:53
14	Q And then do you know -- what do you do with	12:34:54
15	the bags?	12:35:01
16	A I keep it with me until we go back to the	12:35:01
17	station.	12:35:05
18	Q Were you -- would you bring people back one	12:35:05
19	by one or you wait until the reverse sting's over?	12:35:11
20	A We usually wait until the operation is done	12:35:14
21	and then the wagon would come transport all the	12:35:17
22	individuals.	12:35:21
23	Q And when you get back to the station, what	12:35:21
24	do you do with the bags?	12:35:29

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1	A	Keep it with me and then put it with the	12:35:31
2		individual's packet.	12:35:35
3	Q	When you say put it with the packet, what do	12:35:36
4		you mean by that?	12:35:39
5	A	We usually do a packet with his background	12:35:39
6		check, name check, make sure he doesn't have a	12:35:43
7		warrant, the case report, the complaints, and the	12:35:46
8		inventory copies.	12:35:53
9	Q	If you were the person who filled out the	12:35:57
10		prisoner property bag, would you also be the one who	12:35:59
11		writes the reports back at the station?	12:36:02
12	A	Not necessarily.	12:36:03
13	Q	How do you decide who should be writing the	12:36:04
14		reports on reverse stings?	12:36:07
15	A	For the most part it would be the processing	12:36:09
16		team/enforcement.	12:36:12
17	Q	Is processing team different than	12:36:14
18		enforcement?	12:36:16
19	A	It could be, but sometimes it goes hand in	12:36:17
20		hand, enforcement/processing team.	12:36:22
21	Q	All right. Well, let's try to break it down	12:36:24
22		then.	12:36:26
23		What does the enforcement team do?	12:36:27
24	A	Enforcement team is assisting and placing	12:36:29

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1	the subject in custody when the officer brings them	12:36:31
2	back to us.	12:36:33
3	Q And then what is the processing team?	12:36:34
4	A Processing team is completing the arrest	12:36:36
5	packet for that individual.	12:36:39
6	Q And so does the arrest packet include both	12:36:41
7	the property bag that you do on scene and the	12:36:48
8	reports that you do back at the station?	12:36:51
9	A Well, the property bag is just our reference	12:36:51
10	so we know who's who, what money he tendered and	12:36:54
11	what he tried to purchase.	12:36:58
12	Q And do you put the money in the property	12:36:59
13	bag?	12:37:01
14	A No. We put it in a -- we inventory it and	12:37:01
15	we put it in a different bag that's strictly for	12:37:04
16	money.	12:37:07
17	Q You do that at the scene?	12:37:08
18	A On the -- in the station.	12:37:09
19	Q What do you do with the money until you get	12:37:11
20	back to the station?	12:37:13
21	A Keep it in the bag me.	12:37:14
22	Q In the property bag?	12:37:16
23	A Yes.	12:37:17
24	Q And so when you are filling out reports as a	12:37:18

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1	member of the processing team of a reverse sting,	12:37:34
2	you're doing so based on what another officer has	12:37:37
3	reported to you as happening?	12:37:41
4	A That would be correct, yes.	12:37:42
5	Q Who gives you -- for reverse stings who	12:37:44
6	would be the person to give you an assignment?	12:37:53
7	A Well, for the most part it would be the	12:37:55
8	sergeant, but it's pretty obvious our role would be	12:37:58
9	strictly enforcement/processing team.	12:38:03
10	Q Because no one would believe that you're a	12:38:06
11	drug dealer?	12:38:08
12	A That would be correct.	12:38:09
13	Q Did you ever -- other than fantasy football,	12:38:10
14	did you do any gambling with the members of the 264	12:38:29
15	Watts team?	12:38:31
16	A Gambling, I don't believe so.	12:38:32
17	Q Did you ever go to a casino with anyone on	12:38:33
18	the Watts 264 team?	12:38:36
19	A Casino, any on Watts -- I don't recall	12:38:38
20	having gone to a casino with any Watts team or 264	12:38:42
21	team.	12:38:46
22	Q Do you know if Watts liked to gamble?	12:38:46
23	A I can't tell you whether he likes to gamble.	12:38:51
24	I know he plays the lottery.	12:38:56

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1	Q He plays the lottery?	12:38:58
2	A Yes.	12:38:59
3	Q How do you know he plays the lottery?	12:38:59
4	A He's got -- he's got lotto tickets with him.	12:39:01
5	Q Back in the day?	12:39:04
6	A I'm pretty sure, yes.	12:39:05
7	Q But you're not in touch with him now, right?	12:39:08
8	A No.	12:39:11
9	Q Did you receive any training as a police	12:39:12
10	officer on how to complete reports?	12:39:24
11	A In the academy and also in the field.	12:39:25
12	Q Tell me about your training in the academy	12:39:29
13	on completing police reports.	12:39:32
14	A I don't understand what you mean, tell you.	12:39:33
15	Q What was your training?	12:39:38
16	A We were -- probably in class on how to	12:39:39
17	prepare a case report, arrest report and that stuff.	12:39:44
18	Q Do you remember what you learned about how	12:39:47
19	to prepare reports in the academy?	12:39:51
20	A 18 years ago, I can't recall how we were	12:39:52
21	taught in the academy.	12:39:56
22	Q And you said you had some additional	12:39:58
23	training in report writing?	12:40:03
24	A Yes.	12:40:05

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1	Q And tell me when you had additional	12:40:05
2	report --	12:40:07
3	A When I was a PPO, I would be riding with an	12:40:08
4	FTO.	12:40:11
5	Q What's a PPO; what's an FTO?	12:40:11
6	A PTO is probationary police officer. FTO is	12:40:13
7	field training officer.	12:40:17
8	Q You'd receive training from field	12:40:18
9	training --	12:40:23
10	A Yes.	12:40:23
11	Q (Continuing) -- officers?	12:40:24
12	A Yes.	12:40:24
13	Q When did that happen?	12:40:25
14	A Right -- right after we -- I got out of the	12:40:26
15	academy and got assigned to the 2nd District.	12:40:31
16	Q How long were you a probationary officer?	12:40:33
17	A I don't remember whether the probationary	12:40:35
18	was a year or a year and a half. I believe we was a	12:40:41
19	year when I was -- when I came out of the academy.	12:40:45
20	Q And did you spend that whole year with the	12:40:48
21	field training officer?	12:40:50
22	A The first believe three months you had a	12:40:51
23	field training officer, and then after that you get	12:40:57
24	assigned to a regular POs.	12:40:59

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1	Q What do you recall learning about preparing	12:41:02
2	police reports from the field training officers?	12:41:09
3	A For the most part we get a job. Let's say a	12:41:11
4	battery. He would assist me in how to properly fill	12:41:15
5	out a battery case report.	12:41:19
6	Q And how would they assist you on how to	12:41:20
7	properly fill it out?	12:41:27
8	A They would help us, say first you've got to	12:41:28
9	get an RD. Make sure you get the UCR code, get all	12:41:33
10	the information, the victims, and self-explanatory;	12:41:38
11	fill out the case report.	12:41:41
12	Q What's an RD?	12:41:42
13	A An RD is a unique number that's attached to	12:41:45
14	an incident.	12:41:50
15	Q How do you get an RD number?	12:41:51
16	A You -- either by dispatch or -- now we're	12:41:56
17	able to put it in the computer when we're preparing	12:42:02
18	a case report.	12:42:05
19	Q It just generates automatically?	12:42:06
20	A Yes. You put in the right UCR code and it	12:42:07
21	generates an RD for you.	12:42:11
22	Q You said UCR?	12:42:13
23	A Yes.	12:42:18
24	Q What does that stand for?	12:42:19

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1	A	It's a -- UCR is a classification for types	12:42:20
2		of crimes; battery, burglary, handgun, that type.	12:42:23
3	Q	And you said an RD number is generated in	12:42:28
4		the computer. What system do you use?	12:42:31
5	A	We use Era I believe right now.	12:42:33
6	Q	Era?	12:42:36
7	A	Yes.	12:42:38
8	Q	How long have you used the Era system?	12:42:40
9	A	I couldn't tell you when it started, but --	12:42:42
10		I can't give the date when Era started.	12:42:45
11	Q	You agree that it's important to have	12:42:48
12		complete and accurate police reports?	12:42:55
13	A	Yes.	12:42:57
14	Q	Why is it important to have complete and	12:42:58
15		accurate police reports?	12:43:00
16	A	You want to be as accurate as possible as to	12:43:01
17		what happened or occurred that moment.	12:43:05
18	Q	And why do you want to be as accurate as	12:43:07
19		possible as to what occurred at that moment?	12:43:10
20	A	Why do I want to be as accurate? You	12:43:12
21		want -- you want to put as much facts and accurate	12:43:19
22		to an incident as accurate as you can.	12:43:22
23	Q	What's the reason for wanting to be accurate	12:43:26
24		in police reports or reasons?	12:43:29

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1	A	What's the reason? I don't understand what	12:43:30
2		you mean by "the reason."	12:43:34
3	Q	Well, why do you -- why does it matter if	12:43:34
4		you're accurate when completing police reports?	12:43:40
5	A	Why does it matter why -- if you're accurate	12:43:41
6		in a police report?	12:43:43
7	Q	Yeah.	12:43:44
8	A	You want to be as close to as accurate as to	12:43:45
9		what happened at that moment. You want to put it	12:43:49
10		down as accurate as you can.	12:43:51
11	Q	Right. But why do you want to have an	12:43:52
12		accurate police report? What's the reason for that?	12:43:54
13	A	I don't understand the question, what you	12:43:56
14		mean by "What's the reason for that."	12:44:01
15	Q	You're a police officer. You've been one	12:44:01
16		for 18 years.	12:44:03
17	A	Yes.	12:44:03
18	Q	You've completed thousands of reports?	12:44:04
19	A	Yes.	12:44:05
20	Q	Have you ever thought about why it matters	12:44:06
21		that you write complete, accurate reports?	12:44:09
22	A	I don't know -- I'm kind of confused on your	12:44:10
23		question.	12:44:15
24	Q	Well, what's the point of a police report?	12:44:15

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1	A	To document an incident as accurate as you	12:44:18
2		can.	12:44:21
3	Q	And are they used for things?	12:44:21
4	A	For trial, for criminal proceedings.	12:44:23
5	Q	Okay. How are they used in criminal	12:44:28
6		proceedings in your experience with 18 years on the	12:44:31
7		force?	12:44:33
8	A	How they're used in criminal proceedings?	12:44:33
9	Q	Yes.	12:44:37
10	A	To pros- --	12:44:37
11	MR. KOSOKO:	I'm going to object to the way	12:44:41
12		the question is phrased.	12:44:42
13	MR. MICHALIK:	I'm going to object to form.	12:44:44
14	MR. PALLES:	And I'm going to object to lack	12:44:46
15		of foundation.	12:44:48
16	Q	Do you have experience testifying in court	12:44:48
17		during your 18 years as a police officer?	12:44:50
18	A	Yes.	12:44:51
19	Q	Did you use reports in connection with that	12:44:52
20		testimony sometimes?	12:44:54
21	A	Yes.	12:44:54
22	Q	Based on your substantial experience as a	12:44:55
23		police officer, do you have an understanding of how	12:44:57
24		police reports are used in criminal proceedings?	12:45:00

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1	A Yes.	12:45:02
2	Q Okay. How are police reports used in	12:45:02
3	criminal proceedings?	12:45:04
4	MR. ZECCHIN: Objection, asked and answered.	12:45:06
5	You can answer again.	12:45:07
6	A How is a police report used in a criminal	12:45:08
7	proceeding? Police reports are used to prosecute an	12:45:11
8	individual where the facts are stated in a case	12:45:16
9	report as accurate as you can.	12:45:18
10	Q So the reports need to be accurate so that	12:45:20
11	prosecutors have accurate information, right?	12:45:23
12	A Yes.	12:45:25
13	Q And if prosecutors don't have accurate	12:45:26
14	information, how do they make reasoned decisions on	12:45:29
15	whether to prosecute people?	12:45:32
16	MR. ZECCHIN: Objection, foundation from	12:45:34
17	this witness as to what a prosecutor does.	12:45:35
18	MR. KOSOKO: Join.	12:45:39
19	Q You can still answer.	12:45:44
20	A I don't understand the question.	12:45:45
21	Q Would you refer to your police reports	12:45:48
22	before you would testify?	12:45:50
23	A Yes.	12:45:51
24	Q Why would you refer to your police reports	12:45:52

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1	before you would testify?	12:45:54
2	A To refresh my memory on what happened at	12:45:55
3	that -- at that moment.	12:45:58
4	Q Because you're so busy and you do so many	12:45:58
5	things, you can't remember everything you do, right?	12:46:01
6	A Because you want to be refreshed to make	12:46:03
7	sure that what you put down was accurate and help	12:46:07
8	your memory when you're testifying in criminal	12:46:11
9	proceeding.	12:46:13
10	Q And as we sit here today, we've asked you	12:46:13
11	about -- you've told me you have a specific	12:46:18
12	recollection of 3 of the potentially 2,000 arrests	12:46:20
13	you made in your team -- your time on the Watts	12:46:25
14	team, right?	12:46:29
15	A Yes.	12:46:29
16	MR. ZECCHIN: Object to form. You misstated	12:46:29
17	the number he said, but you can answer the question.	12:46:31
18	A Yes.	12:46:31
19	Q So the only way that you can even talk about	12:46:35
20	what happened in other ones is to look at your	12:46:38
21	police reports, right?	12:46:41
22	MR. KOSOKO: Objection, form of the	12:46:43
23	question.	12:46:44
24	MR. MICHALIK: Join.	12:46:46

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1	A I mean, it would -- it might help my --	12:46:46
2	refresh my memory by looking back on my case report.	12:46:48
3	Q You have no other source of information	12:46:55
4	other than what's in your police reports, do you?	12:46:56
5	MR. KOSOKO: Objection, form of the	12:47:01
6	question.	12:47:02
7	MR. MICHALIK: Join.	12:47:02
8	A I guess.	12:47:04
9	Q So if your reports aren't accurate, then	12:47:06
10	your testimony can't be accurate?	12:47:08
11	A That would be correct.	12:47:10
12	MR. KOSOKO: Objection, form of the	12:47:11
13	question.	12:47:12
14	MR. PALLES: Lack of foundation.	12:47:12
15	MR. MICHALIK: Join.	12:47:14
16	Q You said that your -- Nichols was your	12:47:19
17	partner?	12:47:22
18	A Yes.	12:47:22
19	Q From 2004 to 2008 who -- can you tell me the	12:47:23
20	other partners on the Watts 264 team?	12:47:26
21	A Like I stated earlier, most likely it would	12:47:29
22	be Kenny Young, Alvin Jones.	12:47:34
23	Q So I'm sorry. Let me clarify the question.	12:47:37
24	I'm sorry to interrupt. But who was partnered with	12:47:40

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1	who?	12:47:42
2	A Okay. The partner would be most likely --	12:47:43
3	264 Adam would be Officer Young, Officer Jones. 264	12:47:47
4	Boy would be Officer Gonzalez, Officer Bolton. 264	12:47:52
5	Charlie would be myself and Officer Douglas Nichols.	12:47:57
6	264 David would most likely be Officer Smith and	12:48:02
7	Officer Cynthia Torres.	12:48:07
8	Q When you were saying "most likely" there, is	12:48:08
9	that because it would depend on if people were	12:48:14
10	working on a given day or because you don't remember	12:48:15
11	exactly or some other reason?	12:48:18
12	A You gave me a period from 2004 to 2007. I	12:48:19
13	don't remember when Officer Torres left --	12:48:24
14	Q Okay.	12:48:26
15	A (Continuing) -- so. . .	12:48:27
16	Q Do you remember who replaced Officer Torres?	12:48:28
17	A That I couldn't remember. I don't know	12:48:31
18	whether it was Officer Cabrales or Officer Lamonica	12:48:34
19	Lewis.	12:48:39
20	Q Lewis. And that's Coco?	12:48:39
21	A Yes, that would be correct.	12:48:40
22	Q Whoever replaced Torres, would they become	12:48:43
23	Smith's partner? Is that what happened?	12:48:48
24	A If Torres would have left, yes.	12:48:51

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1	Q Yeah. And I'm not trying to get you to	12:48:57
2	answer a question you don't know about timing. But	12:49:00
3	I just mean whenever Torres left, was the person --	12:49:03
4	A The person that got replaced would have been	12:49:05
5	working with Officer Smith.	12:49:07
6	Q Okay.	12:49:09
7	MR. RAUSCHER: Is it okay if we take a quick	12:49:11
8	break?	12:49:13
9	MR. ZECCHIN: Sure.	12:49:13
10	THE VIDEOGRAPHER: Off the record, 1:50	12:49:16
11	(sic).	12:49:19
12	(A recess was taken from 12:50 p.m. to 1:02	12:49:19
13	p.m.)	12:49:19
14	THE VIDEOGRAPHER: Back on the record, 1:03.	13:02:43
15	Q We were talking about partners among the	13:02:52
16	Watts 264 team before the break. And I asked you to	13:02:55
17	identify who was on the team from the 2004 to 2008	13:03:01
18	period.	13:03:04
19	Can you tell me other members of the team	13:03:05
20	over the year -- over the years who you haven't	13:03:06
21	mentioned yet?	13:03:08
22	A Over the years? The only person that I	13:03:09
23	could think of that I haven't mentioned is Dorian	13:03:14
24	Smith.	13:03:18

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1	Q And about how long was Dorian Smith on the	13:03:19
2	Watts 264 team?	13:03:24
3	A That I couldn't remember. I know he came in	13:03:25
4	towards the tail end of it.	13:03:29
5	Q Did you ever ask to get taken off of the	13:03:30
6	Watts 264 team?	13:03:37
7	A No.	13:03:38
8	Q Did you ever ask to get transferred out of	13:03:39
9	the 2nd District?	13:03:41
10	A No.	13:03:42
11	Q Did you ever seek a promotion?	13:03:42
12	A Did I ever seek promotion? Yes.	13:03:44
13	Q When did you seek promotions?	13:03:48
14	A When I took the sergeant exam twice.	13:03:50
15	Q And what was the result of you taking the	13:03:53
16	sergeant exam?	13:03:55
17	A I didn't do too well.	13:03:56
18	Q When did you take the sergeant exam?	13:03:58
19	A I think the first one -- I'm not exact on	13:04:01
20	the date. It might have been 2005. And the last	13:04:07
21	one was whenever the last sergeant exam was.	13:04:11
22	Q And you've described your day-to-day	13:04:15
23	responsibilities when you were an active street	13:04:21
24	police officer.	13:04:25

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1	Can you describe Watts's responsibilities on	13:04:26
2	a day-to-day basis?	13:04:29
3	A Basically to supervise the eight officers.	13:04:30
4	Q And was he out on the street with you?	13:04:34
5	A With us or --	13:04:36
6	Q With -- not just with you, with the team.	13:04:39
7	A For the most part, yes.	13:04:41
8	Q Almost every day?	13:04:43
9	A I couldn't say every day, but for the most	13:04:44
10	part, yes.	13:04:49
11	Q Typically he would be on the street with the	13:04:49
12	team?	13:04:52
13	A Yes.	13:04:52
14	Q And what would he be doing?	13:04:53
15	A That I couldn't answer.	13:04:55
16	Q Did you see him?	13:04:57
17	A At some point during the day, yes.	13:04:58
18	Q And when you saw him during the day, what	13:05:01
19	would he typically be doing?	13:05:04
20	MR. ZECCHIN: Objection to form of the	13:05:05
21	question.	13:05:06
22	A Most of the time he would log us saying he	13:05:07
23	saw us here, saw us at a location.	13:05:10
24	Q Would he participate in arrests?	13:05:13

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1	A	Would he participate in an arrest? I'm	13:05:16
2		pretty sure there's certain time he would be on the	13:05:20
3		scene.	13:05:23
4	Q	What do you mean there you're pretty sure	13:05:23
5		there are certain times he'd be on the scene?	13:05:28
6	A	If we're making an arrest, he might drive up	13:05:30
7		on the scene to make sure we're all right or to see	13:05:33
8		what -- what we had.	13:05:35
9	Q	Did he ever arrest people when you were a	13:05:35
10		member of the 264 Watts team?	13:05:38
11	A	Did he arrest people by himself or along	13:05:39
12		with other officers?	13:05:44
13	Q	Along with -- either by himself or along	13:05:45
14		with others.	13:05:48
15	A	For sure he has assisted. Like I said, when	13:05:48
16		we make arrests, sometimes he's on the scene.	13:05:52
17	Q	How frequently would he be on the scene?	13:05:55
18	A	How frequent? I can't give you a guess on	13:05:58
19		that one.	13:06:03
20	Q	Would it be every week?	13:06:03
21	A	Maybe.	13:06:05
22	Q	Do you think he was on the scene of arrests	13:06:08
23		every week?	13:06:12
24	A	On whose arrests?	13:06:13

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1	Q Just generally when he was the sergeant of	13:06:15
2	the 264 team, was he on the scene of arrests every	13:06:18
3	week?	13:06:21
4	A I can't speak whether he would be on the	13:06:21
5	scene of the other vehicle. I'm not, you know, in	13:06:24
6	that vehicle.	13:06:28
7	Q I'm not asking if he was at every arrest.	13:06:29
8	But do you have any understanding of whether he was	13:06:31
9	on the scene of arrests, period, every week when he	13:06:36
10	was the sergeant?	13:06:38
11	MR. KOSOKO: I'm going to object to just the	13:06:41
12	form of the question.	13:06:43
13	MR. ZECCHIN: I'm going to join.	13:06:43
14	A I don't understand your questioning.	13:06:44
15	Q Do you know one way or the other whether	13:06:46
16	Sergeant Watts was on the scene of arrests every	13:06:48
17	week while he was the sergeant of the tac team?	13:06:50
18	MR. KOSOKO: I'm going to object to the form	13:06:55
19	again.	13:06:55
20	A Again, I mean, whose arrests? There's four	13:06:57
21	different cars on a team.	13:06:59
22	Q Any -- any arrests at all.	13:07:01
23	A Well, I can't speak for those other three	13:07:02
24	cars, whether he was on the scene while they were	13:07:04

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1	making an arrest.	13:07:06
2	Q So my question is do you know one way or the	13:07:07
3	other whether Watts was on the scene of at least	13:07:10
4	some arrests on a weekly basis when he was the	13:07:13
5	sergeant of the tac team?	13:07:16
6	A I mean, I can't answer that. Probably, but	13:07:18
7	I can't answer that -- I'm not on those vehicles.	13:07:22
8	Q Did you see him on a weekly basis at the	13:07:26
9	scene of arrests?	13:07:30
10	A On my arrests?	13:07:30
11	Q Did you see him on anyone's arrests?	13:07:32
12	A Again, I can't speak for those other	13:07:34
13	officers. We're not -- we're not always together.	13:07:36
14	Q Let me try again.	13:07:39
15	A Okay.	13:07:40
16	Q Because I'm asking did you see him, you see	13:07:41
17	him physically? Did you see Ronald Watts on the	13:07:45
18	scene of arrests every week while he was the	13:07:49
19	sergeant?	13:07:51
20	A Every week?	13:07:51
21	Q Yes.	13:07:53
22	A I don't know if I see him every week on the	13:07:53
23	scene of an arrest. I can't -- I don't know every	13:07:55
24	week.	13:07:59

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1	Q Did you -- would it be -- did you frequently	13:07:59
2	see him on the scene of arrests?	13:08:02
3	A I mean, if someone made an arrest and I	13:08:04
4	happened to stop by and I see him, then I see Watts	13:08:07
5	on the scene of an arrest; but other than that, I	13:08:11
6	can't answer that.	13:08:13
7	Q Did you -- you can't answer if you saw him	13:08:14
8	frequently at the scene of arrests?	13:08:17
9	A I'm confused by your question. Like I said,	13:08:19
10	I'm not on those vehicles. So if they made an	13:08:22
11	arrest somewhere else and I'm somewhere else, how am	13:08:26
12	I supposed to know if Officer Watts -- I mean,	13:08:28
13	Sergeant Watts then was on that arrest? I can't	13:08:28
14	answer that.	13:08:32
15	Q Yeah. Let me try to help you.	13:08:32
16	What is -- what are you finding confusing	13:08:33
17	about my question?	13:08:35
18	A You're asking me if Watts was on an arrest	13:08:36
19	on a weekly basis. I don't understand that	13:08:41
20	question.	13:08:43
21	Q You don't understand it or you don't know	13:08:43
22	the answer?	13:08:46
23	A I don't understand it.	13:08:46
24	Q Do you have an understanding of what it	13:08:48

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1	means to be at the scene of on arrest?	13:08:50
2	A Yes.	13:08:51
3	Q Okay. What is your understanding of what it	13:08:51
4	means to be at the scene of an arrest?	13:08:53
5	A You're present when someone was arrested.	13:08:55
6	Q What do you not understand about the	13:08:58
7	question of whether Watts was at the scene of	13:09:00
8	arrests on a weekly basis?	13:09:02
9	A I'm asking whose arrests are you talking	13:09:04
10	about?	13:09:07
11	Q Any arrests.	13:09:07
12	A Again, if I wasn't there, I can't speak of	13:09:09
13	whether Watts was there on the scene of an arrest.	13:09:13
14	Q So you do understand what the question	13:09:15
15	means, right?	13:09:17
16	A Yes.	13:09:18
17	Q Okay. But you just are saying you don't	13:09:18
18	know if he was at every arrest that you didn't see?	13:09:21
19	A That would be correct.	13:09:23
20	Q I'm not asking you about arrests you didn't	13:09:24
21	see.	13:09:28
22	What I want to know is do you know one way	13:09:28
23	or the other whether Ronald Watts would go --	13:09:31
24	whether he was at the scene of arrests on a weekly	13:09:35

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1	basis when he was the sergeant of the tac team that	13:09:38
2	you worked on?	13:09:40
3	MR. KOSOKO: I'm going to object based on	13:09:41
4	form of the question. I understand where you're	13:09:43
5	trying to go, but I think there's a fundamental	13:09:45
6	misunderstanding of what goes on at the scene.	13:09:47
7	MR. ZECCHIN: I'm going to join.	13:09:50
8	A I mean, pretty sure most -- most, not all of	13:09:51
9	them, he would be on the scene of an arrest, yes.	13:09:58
10	Q And what would his role typically be at the	13:10:03
11	scene of an arrest?	13:10:06
12	MR. ZECCHIN: Objection to the form --	13:10:07
13	MR. KOSOKO: Object to foundation.	13:10:08
14	MR. ZECCHIN: (Continuing) -- as to arrests	13:10:09
15	he's not present for.	13:10:10
16	MR. KOSOKO: And I object to foundation as	13:10:11
17	to a sergeant's role.	13:10:13
18	A What would his role would be? He's a	13:10:14
19	supervisor. Supervise.	13:10:16
20	Q And did you see Watts supervising arrest	13:10:19
21	scenes over the years?	13:10:22
22	MR. KOSOKO: Again, I'm going to object	13:10:24
23	based upon foundation as to the supervisor's role	13:10:26
24	and what the supervisors do.	13:10:28

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1	A I mean, what do you mean by supervise? He	13:10:30
2	could just be there as he's present supervising. He	13:10:32
3	wouldn't have to say anything. He could just be	13:10:37
4	present at the scene supervise. Just his presence	13:10:39
5	alone is supervise, make sure everything went well.	13:10:41
6	Q Okay. So one role of a supervisor would	13:10:48
7	just be to be there and make sure everything went	13:10:50
8	well, right?	13:10:53
9	A Or that went all right.	13:10:54
10	MR. KOSOKO: I just fundamentally object as	13:10:56
11	to his foundation as to what the supervisor's	13:10:58
12	duties, roles, and responsibilities are.	13:11:01
13	Q How many years did you work with Ronald	13:11:04
14	Watts as your supervisor?	13:11:05
15	A From 2004 until the time he got arrested.	13:11:07
16	Q How many years was that?	13:11:11
17	A 2004, I forgot the year he got arrested.	13:11:14
18	You would have to tell me.	13:11:18
19	Q More than ten years? No, sorry.	13:11:19
20	A I mean, I could do the math if you tell	13:11:24
21	me -- I don't know the year he got arrested.	13:11:25
22	Q You worked with him for many years. Is that	13:11:27
23	fair?	13:11:29
24	A Okay. That's fair.	13:11:29

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1 Q In your many years of working under Ronald 13:11:30
2 Watts' supervision, did you gain some understanding 13:11:33
3 of what his responsibilities were at the scene of an 13:11:35
4 arrest? 13:11:37

5 MR. ZECCHIN: Objection to the formation, 13:11:38
6 asked. 13:11:40

7 A I mean, it bears on the situation. 13:11:42

8 Q Okay, great. So tell me the different 13:11:44
9 various things that he was responsible for doing at 13:11:46
10 the scene of an arrest based on your experience 13:11:49
11 working with him. 13:11:51

12 MR. MICHALIK: Object to form and 13:11:53
13 foundation. 13:11:54

14 MR. ZECCHIN: Join. 13:11:55

15 MR. MICHALIK: That's not a question. 13:11:56

16 MR. KOSOKO: Join. 13:11:57

17 THE WITNESS: I mean, like I said, just his 13:11:58
18 presence alone, make sure his officer are safe. 13:12:02
19 That's one thing. He hears us on a job somewhere, 13:12:04
20 he might drop by, make sure his officer are all 13:12:06
21 right. 13:12:06

22 Q And how would he -- in your experience from 13:12:10
23 what you observed, how would he make sure that 13:12:13
24 officers were safe at the scene of arrests? 13:12:15

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1	A I mean, he --	13:12:18
2	MR. KOSOKO: Object as to form as to what --	13:12:18
3	what my client knew and did.	13:12:21
4	A I mean, he could just act as a guard officer	13:12:24
5	while we're doing our investigation.	13:12:27
6	Q And what does a guard officer do?	13:12:29
7	A You make sure the officers safe while	13:12:31
8	they're doing what they're doing.	13:12:35
9	Q And how does a guard officer make sure that	13:12:37
10	people are safe?	13:12:39
11	A Your responsibility is to be aware of your	13:12:40
12	surroundings, make -- keeping your officers safe,	13:12:44
13	make sure no one walks up behind them while they're	13:12:46
14	doing their investigation.	13:12:49
15	Q Did you ever see Ronald Watts arrest anybody	13:12:51
16	himself?	13:12:57
17	A I don't recall.	13:12:58
18	Q You don't recall one way or the other?	13:12:59
19	A No.	13:13:02
20	Q Did you ever see your partner, Nichols,	13:13:03
21	arrest anybody?	13:13:06
22	A Yes.	13:13:07
23	Q Did you ever tell a civilian how they can	13:13:08
24	file a complaint against any officers?	13:13:35

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1	A Did I ever tell?	13:13:37
2	Q Yeah.	13:13:39
3	A If an -- if an individual come up to me	13:13:39
4	saying they have a complaint against an officer, I	13:13:42
5	usually refer them to OPS at the time. I always	13:13:45
6	tell them, You can call OPS if you have a complaint	13:13:49
7	on any officer.	13:13:51
8	Q And what type of complaints did you get from	13:13:53
9	civilians over the years?	13:13:55
10	A I don't recall the complaint. They would	13:13:56
11	just say, How do I file a complaint on an officer?	13:14:00
12	I would state, Call OPS.	13:14:03
13	Q Did you tell them how to get in touch with	13:14:04
14	OPS?	13:14:08
15	A Yes.	13:14:08
16	Q Did you give them a phone number or --	13:14:08
17	A Yes. I would look in my book. Or if I	13:14:10
18	don't have my book at that time, I would advise them	13:14:12
19	to call 311 and ask for OPS's number.	13:14:14
20	Q Do you remember any specific officers people	13:14:18
21	wanted to complain about?	13:14:22
22	A No.	13:14:23
23	Q Do you remember anyone ever coming up to you	13:14:24
24	and saying Watts did anything wrong?	13:14:29

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1	A	No.	13:14:30
2	Q	How many people over the years do you think	13:14:32
3		you gave OPS's telephone number to?	13:14:34
4	A	That I couldn't tell you.	13:14:37
5	Q	More than a hundred?	13:14:38
6	A	I doubt it.	13:14:41
7	Q	More than 50?	13:14:42
8	A	Maybe.	13:14:43
9	Q	How did you learn that Mohammed and Watts	13:14:46
10		had been charged with crimes?	13:14:57
11	A	How did I learn? On the news.	13:15:00
12	Q	Do you have any source of information about	13:15:02
13		what they were charged or convicted of other than	13:15:07
14		the news?	13:15:09
15	A	No, just the news.	13:15:09
16	Q	Did you ever talk about it with current or	13:15:11
17		former members of the 264 Watts team?	13:15:15
18	A	Other than what was on the news, no.	13:15:17
19	Q	But you've talked to them about what was on	13:15:21
20		the news?	13:15:23
21	A	Yeah, about what they were locked up for.	13:15:24
22	Q	Who did you talk to about that?	13:15:26
23	A	Probably discussed it with my partner that,	13:15:28
24		Did you read on the paper -- on the news that Watts	13:15:31

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1	and Mohammed got locked up.	13:15:34
2	Q When did you have that conversation or those	13:15:37
3	conversations with Nichols?	13:15:41
4	A Probably the day the news broke out or right	13:15:42
5	after.	13:15:47
6	Q How many times do you think you've talked to	13:15:47
7	Nichols about the Watts and Mohammed criminal	13:15:52
8	proceedings?	13:15:54
9	A Probably just a couple of times after --	13:15:55
10	immediately after they got arrested.	13:15:59
11	Q What did you say to him, what did he say to	13:16:01
12	you?	13:16:04
13	A I just said, Did you know what -- probably	13:16:04
14	to the extent, Did you know what Watts and Mohammed	13:16:08
15	got locked up for according to the news media, to	13:16:11
16	that extent.	13:16:14
17	Q And what did he say to you?	13:16:15
18	A He probably stated he read -- he also read	13:16:17
19	the media or what was in the news.	13:16:20
20	Q And did you have any -- did either of you	13:16:25
21	express any surprise, disbelief?	13:16:28
22	A I mean, we were shocked that they got	13:16:30
23	arrested; but other than that, no.	13:16:34
24	Q Why were you shocked that they got arrested?	13:16:37

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100

1	MR. KOSOKO: I'm going to object as to form	13:16:44
2	of the question.	13:16:46
3	A That they just got arrested.	13:16:46
4	Q Why were you shocked that they had been	13:16:49
5	arrested?	13:16:51
6	A I had no reason to believe that they would	13:16:51
7	be arrested.	13:16:56
8	Q Why was Nichols shocked? Did he tell you?	13:16:57
9	A I didn't -- did I say he was shocked? I	13:17:00
10	don't believe I stated he was shocked.	13:17:03
11	Q I thought you said, We were shocked.	13:17:04
12	A Okay. I might have spoken -- I was shocked.	13:17:06
13	Q You don't know how Nichols --	13:17:10
14	A No, I don't know how Nichols felt.	13:17:12
15	Q He didn't say to you, I'm shocked that they	13:17:14
16	got arrested --	13:17:16
17	A No --	13:17:16
18	Q (Continuing) -- or anything like that?	13:17:16
19	A (Continuing) -- I don't believe he did.	13:17:17
20	Q How long was this conversation with you and	13:17:19
21	Nichols about Watts and Mohammed?	13:17:23
22	A About a couple minutes, not more than that.	13:17:24
23	Q Was it at the police station?	13:17:26
24	A I couldn't remember if it was the police	13:17:28

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101

1	station. Most likely probably, yes, the police	13:17:30
2	station.	13:17:33
3	Q We had talked about report writing, and a	13:17:33
4	lot of it was in connection with reverse stings.	13:17:42
5	How do you decide who writes a report after	13:17:45
6	an arrest outside of the reverse sting context?	13:17:47
7	A Usually the arresting officer or the person	13:17:51
8	that actually observed the crime would do the	13:17:55
9	paperwork, but there are certain instances where	13:18:00
10	that doesn't happen.	13:18:04
11	Q What are the incidents when that doesn't	13:18:05
12	happen?	13:18:11
13	A That they don't write --	13:18:11
14	Q So -- well, let's back up.	13:18:13
15	Who's the -- when you say "arresting	13:18:15
16	officer," who is the arresting officer?	13:18:16
17	A The person that observed the crime being	13:18:18
18	committed.	13:18:21
19	Q So there is -- when you said the arresting	13:18:21
20	officer or the person who writes or who observed the	13:18:26
21	crime being committed, is that the same person?	13:18:29
22	A What was that?	13:18:30
23	Q The arresting officer, that means that's the	13:18:33
24	person who witnessed the crime being observed?	13:18:34

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1	A For the most part, yes, but it doesn't	13:18:36
2	really -- it doesn't -- there are certain incident	13:18:39
3	where that doesn't happen.	13:18:41
4	Q Where the arresting officer doesn't observe	13:18:42
5	it?	13:18:44
6	A Yes.	13:18:44
7	Q And is it like -- is a reverse sting an	13:18:45
8	example of that?	13:18:47
9	A Yes; yes.	13:18:48
10	Q What are some other examples of when the	13:18:51
11	arresting officer would not be someone who observed	13:18:53
12	the incident?	13:18:56
13	A Well, I could give you an example. Let's	13:18:56
14	say there's a person shot. I didn't witness that,	13:18:59
15	but I'm relying on information I received from the	13:19:02
16	citizen or other officer. I might be the arresting	13:19:06
17	officer, but I didn't witness that incident. So	13:19:10
18	certain situation like that.	13:19:12
19	Q And when -- so let's take a drug	13:19:14
20	transaction.	13:19:18
21	Does the -- would the arresting officer	13:19:19
22	typically be someone who observed the transaction?	13:19:22
23	A The arresting officer would be the --	13:19:23
24	typically, yes, but there's incident where maybe	13:19:27

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103

1	not.	13:19:30
2	Q And what would be the incidents where maybe	13:19:30
3	the arresting officer wouldn't have observed the	13:19:33
4	transaction?	13:19:35
5	A The arresting officer wouldn't be the person	13:19:35
6	that observed the transaction. Well, let's say I'm	13:19:38
7	the surveillance officer. I observed a transaction.	13:19:48
8	Then I arrested the person. I'm relying on the	13:19:53
9	surveillance officer information of what happened.	13:19:56
10	Q So let me just understand. Who are you in	13:19:59
11	this scenario you just gave?	13:20:05
12	A Let's say I'm an enforcement officer and	13:20:07
13	there's a surveillance officer. Let's say so and so	13:20:09
14	individual did a transaction and I placed that	13:20:12
15	subject in custody and I end up being the arresting	13:20:14
16	officer. That's the incident I didn't observe what	13:20:17
17	happened, but I'm relying on the information from	13:20:20
18	the officer that actually witnessed the incident.	13:20:22
19	Q Understood. And then who -- should all that	13:20:26
20	information be written in the report so that someone	13:20:29
21	could look at it and know who saw what?	13:20:31
22	A Yes.	13:20:33
23	Q I'm going to shift gears a little bit again.	13:20:35
24	We talked about the members of the team over the	13:20:39

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104

1	years.	13:20:41
2	Did any of them have nicknames that you're	13:20:42
3	aware of, including you?	13:20:44
4	A Do any of them nicknames? I know some of	13:20:45
5	the resident would call me Chinaman. But as to the	13:20:51
6	other officer, I can't remember what nicknames they	13:20:55
7	have.	13:20:59
8	Q Other than we talked about Lewis. We know	13:20:59
9	some people referred to her as Coco; is that right?	13:21:02
10	A I believe so.	13:21:04
11	Q And anyone else you can think of?	13:21:05
12	A Sometimes they would refer to my partner as	13:21:10
13	Big Country. Robert Gonzalez, I'm not positive.	13:21:15
14	Make Gonzo. And Brian Bolton, some of them would	13:21:19
15	refer to him as Blue Eyes; but that's about it.	13:21:26
16	Q Do you know Shannon Spalding?	13:21:29
17	A Other than what I hear in the media, no.	13:21:35
18	Q You never met her?	13:21:38
19	A Never met her.	13:21:39
20	Q What about Echeverria?	13:21:40
21	A The same thing.	13:21:45
22	Q Never met him?	13:21:46
23	A Never met him.	13:21:47
24	Q So never worked with either of them?	13:21:48

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1	A No.	13:21:51
2	Q Were you ever interviewed by Internal	13:21:51
3	Affairs about Watts or Mohammed?	13:22:06
4	A I don't believe so.	13:22:08
5	Q Are you aware of any internal investigation	13:22:10
6	into Watts or Mohammed while they were officers?	13:22:18
7	A No.	13:22:21
8	Q And were you ever made aware while Watts and	13:22:22
9	Mohammed were still on the force of any	13:22:25
10	investigation involving either of them?	13:22:28
11	A No.	13:22:29
12	Q After they were arrested, did anyone from	13:22:30
13	the City or COPA or IPRA come talk to you about	13:22:37
14	Watts or Mohammed before these cases were filed?	13:22:41
15	A No.	13:22:44
16	Q You've talked to COPA, correct?	13:22:45
17	A Yes.	13:22:50
18	Q Other than COPA, has anyone from the City	13:22:50
19	talked to you about Watts or Mohammed?	13:22:53
20	A No.	13:22:56
21	Q And Internal Affairs, no one from the CPD,	13:22:56
22	anything like that?	13:23:03
23	A No.	13:23:04
24	Q Do you have any reason to believe that Watts	13:23:05

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1	and Mohammed are not guilty?	13:23:10
2	A Do I have reason to believe they're not	13:23:16
3	guilty?	13:23:18
4	MR. ZECCHIN: Objection, foundation. You	13:23:18
5	can answer if you know.	13:23:20
6	A I can't answer that.	13:23:25
7	Q You don't know one way or the other?	13:23:27
8	A No.	13:23:28
9	Q Tell me what you did to prepare for your	13:23:28
10	deposition today?	13:23:40
11	A Looked at a couple of paperwork, case	13:23:40
12	reports.	13:23:42
13	Q What case reports paperwork did you look at?	13:23:43
14	A What do you mean?	13:23:50
15	Q What case reports or paperwork did you look	13:23:51
16	at to prepare for your deposition?	13:23:57
17	A Case report for McDaniels, maybe looked at	13:23:58
18	Lionel White, Scott, Martin -- I mean, not Martin,	13:24:02
19	Smith. I'm sorry.	13:24:17
20	Q Taurus Smith?	13:24:17
21	A Is that her name? Okay, Taurus Smith.	13:24:18
22	Q Do you remember specifically which reports	13:24:21
23	you looked at?	13:24:28
24	A Probably Arrest Report, whether -- if it's	13:24:28

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1	vice or case report. I don't recall whether it was	13:24:32
2	vice or case report.	13:24:36
3	Q Did any of the documents you looked at to	13:24:36
4	prepare for your deposition refresh your	13:24:51
5	recollection?	13:24:53
6	A Refresh my recollection? No.	13:24:53
7	Q How long -- well, did you do anything other	13:24:54
8	than look at documents to prepare for your	13:25:02
9	deposition?	13:25:04
10	A No.	13:25:04
11	Q Did you meet with your attorney?	13:25:05
12	A Yes, I met with --	13:25:06
13	Q I don't want to know what you talked about	13:25:07
14	with him --	13:25:08
15	A Yes.	13:25:08
16	Q (Continuing) -- but I do want to know if you	13:25:09
17	met with him.	13:25:11
18	A Yes, I met with my civil attorneys.	13:25:11
19	Q How -- when did you meet with your	13:25:12
20	attorneys?	13:25:14
21	A To prepare for this?	13:25:14
22	Q Yeah.	13:25:16
23	A Last three days, I believe.	13:25:17
24	Q All three days?	13:25:21

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1	A Yes, I believe so.	13:25:22
2	Q How long did each meeting last?	13:25:24
3	A Probably from -- any time between 10:00 to	13:25:26
4	2:00 or 3:00.	13:25:37
5	Q And who was at the meetings?	13:25:37
6	A Counsel, Tony.	13:25:39
7	Q Okay. Is that it?	13:25:42
8	A And some other ones who might drop in, like	13:25:44
9	Allyson, Bill, and Brian; but for the most part just	13:25:50
10	Tony.	13:25:52
11	Q All from Mr. Hale's office?	13:25:53
12	A That would be correct.	13:25:55
13	Q When was the last time you saw -- so you saw	13:25:56
14	a bunch of -- well, I shouldn't say "a bunch."	13:26:08
15	You saw some reports over the last few days	13:26:11
16	to prepare for your deposition, right?	13:26:13
17	A Yes.	13:26:14
18	Q Before that when was the last time you	13:26:15
19	looked at any of those reports?	13:26:18
20	A Before that, probably a couple of months.	13:26:19
21	Q And was that -- it was something else in	13:26:22
22	connection with this case?	13:26:24
23	A I don't remember if it's in connection with	13:26:26
24	this case; but at the same law firm, Hale's law	13:26:27

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1	firm.	13:26:32
2	Q Before these cases were filed, do you know	13:26:32
3	the last time you looked at any of those reports, if	13:26:39
4	ever?	13:26:41
5	A I don't recall the last time I looked at	13:26:41
6	those reports.	13:26:43
7	MR. RAUSCHER: I'm just going to go grab --	13:27:13
8	it's in here.	13:27:16
9	MR. ZECCHIN: Oh, sure.	13:27:16
10	(Brief pause.)	13:27:17
11	Q I'm going to mark Exhibit 1, which is a	13:27:42
12	document Bates-stamped CITY-BG-52330 through 31.	13:27:45
13	Hand that to you.	13:28:03
14	(Leano Exhibit No. 1 was marked for	13:28:04
15	identification and is attached to the transcript.)	13:28:04
16	Q And this is on the Smith case.	13:28:06
17	Have you seen this document before?	13:28:36
18	A Yes.	13:28:38
19	Q Is this one of the documents you looked at	13:28:40
20	to prepare for your deposition today?	13:28:41
21	A Yes.	13:28:43
22	Q Tell me what this document is.	13:28:43
23	A It is a Vice Case Report.	13:28:45
24	Q And what's it a Vice Case Report of?	13:28:49

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1	A	A vice Case Report is usually done on	13:28:55
2		narcotics.	13:28:57
3	Q	And Taurus Smith is one of the offenders	13:28:58
4		listed here, the second window?	13:29:05
5	A	Yes.	13:29:08
6	Q	Do you know whether you were involved in Mr.	13:29:09
7		Smith's arrest?	13:29:12
8	A	I don't believe I was.	13:29:14
9	Q	And tell me why you don't think you were	13:29:15
10		involved?	13:29:18
11	A	I was never assigned to the Unit 715.	13:29:18
12	Q	And that's the unit that arrested him?	13:29:21
13	A	Yes.	13:29:24
14	Q	And how do you know that?	13:29:25
15	A	I wasn't on the team on April 3rd, 2004.	13:29:27
16	Q	Because you started November '04?	13:29:32
17	A	Yes.	13:29:34
18	Q	Where were you in April of 2004?	13:29:34
19	A	I was assigned to midnight, first watch.	13:29:36
20	Q	And were you assigned to midnight, first	13:29:40
21		watch the whole month of April 2004?	13:29:42
22	A	I was assigned to midnight, first watch, 2nd	13:29:46
23		District November of '01 until November of '04.	13:29:52
24	Q	Did you ever work other shifts during that	13:29:55

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1	time period?	13:29:58
2	A No.	13:29:58
3	Q Did you ever work with members of Watts's	13:29:59
4	team during that time period?	13:30:09
5	A No.	13:30:11
6	Q Are you familiar with Vice Case Reports	13:30:11
7	generally?	13:30:37
8	A Yes.	13:30:37
9	Q Did you complete a number of Vice -- have	13:30:38
10	you completed a number of Vice Case Reports over the	13:30:40
11	years?	13:30:42
12	A Yes.	13:30:42
13	Q Row 18 on there has a few choices.	13:30:43
14	A Row 18.	13:30:50
15	Q You see they're numbered at the top. It's	13:30:51
16	got a check mark for Witnessed and a bunch of	13:30:55
17	officer names in there?	13:30:57
18	A Yes.	13:30:58
19	Q Do you have any understanding of what	13:30:59
20	that -- when Witnessed is checked there, what that's	13:31:03
21	supposed to indicate in a Vice Case Report?	13:31:06
22	A I mean, from my understanding, Witnessed	13:31:08
23	means he witnessed something. As to what, I	13:31:10
24	couldn't tell you.	13:31:14

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1	Q And what are the things someone might	13:31:14
2	witness that would warrant being included in a -- as	13:31:18
3	a witness in a Vice Case Report?	13:31:20
4	A I mean, if you're in an assisting unit, you	13:31:22
5	might have witnessed the subject being arrested, the	13:31:26
6	narcotics being recovered. As to what you	13:31:29
7	witnessed, I couldn't tell you from this document.	13:31:31
8	Q And I'm not asking specifically if you --	13:31:34
9	A I understand.	13:31:36
10	Q You're saying you can't remember this one.	13:31:37
11	But it could be narcotics being recovered. What	13:31:40
12	else could it be?	13:31:42
13	A There are numerous things.	13:31:43
14	Q What other numerous things?	13:31:44
15	A Witness the subject being transport to 2nd	13:31:45
16	District.	13:31:49
17	Q What else?	13:31:53
18	A Observing -- witnessing someone for going	13:31:53
19	custodial search or actually witnessing the crime	13:32:01
20	being committed.	13:32:08
21	Q So one would be witnessed -- let me just	13:32:13
22	make sure I get the list right. Witnessed the crime	13:32:15
23	being committed?	13:32:17
24	A Yes.	13:32:18

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113

1	Q	Witness the transport of the offender?	13:32:19
2	A	Yes.	13:32:21
3	Q	Witness a search?	13:32:22
4	A	Yes.	13:32:23
5	Q	Anything else?	13:32:24
6	A	Witness narcotics being recovered.	13:32:25
7	Q	And is that different than witnessing the	13:32:29
8		crime?	13:32:32
9	A	Well, you -- if you observe a hand-to-hand	13:32:32
10		transaction, you might not have witnessed that but	13:32:38
11		you might witness the recovery portion of it.	13:32:40
12	Q	So you may find -- someone may find drugs	13:32:43
13		somewhere else? You may see that, but --	13:32:46
14	A	Yes. Or while he's in custody, you might	13:32:47
15		witness an officer recovering another narcotics	13:32:50
16		somewhere on the -- on his person.	13:32:54
17	Q	Is there anywhere on this form, these	13:32:55
18		reports, or elsewhere that you know of where you're	13:32:58
19		supposed to detail who saw what?	13:33:01
20	A	On the narrative.	13:33:03
21	Q	And so the narrative should say who saw the	13:33:05
22		transport, who saw the arrest?	13:33:09
23	A	The narrative should -- would hopefully say	13:33:10
24		who did who or what officer is involved in it.	13:33:14

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114

1	Q Was it your practice to say which officers	13:33:18
2	did what in the narrative?	13:33:21
3	A For the most part I would try to put in the	13:33:23
4	narrative what each officer did or done.	13:33:26
5	Q And so to do that would you have to go talk	13:33:28
6	to other officers before you completed reports?	13:33:31
7	A If I wasn't present as to what happened,	13:33:33
8	yes, I would talk to them. But if I was there and	13:33:37
9	observed what he did, I may still talk to them but	13:33:40
10	not necessarily.	13:33:43
11	Q Did you ever sign other officers' names on	13:33:44
12	your reports?	13:33:50
13	A Other officer's name? I might have signed	13:33:51
14	my partner's name for the most part, but that's	13:33:54
15	about it.	13:33:57
16	Q Would you get his authority to sign a	13:33:57
17	specific report?	13:34:00
18	A Yes. Before I do that I would have his	13:34:00
19	authority to sign on his behalf.	13:34:03
20	Q And would he review the report?	13:34:04
21	A Yes.	13:34:06
22	Q Then why wouldn't he just sign it himself?	13:34:07
23	A If he's doing something else. I say, Hey, I	13:34:10
24	told you to read it. You forgot to sign it. He	13:34:14

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115

1	goes, Oh, okay, I read it anyways. It's good. Just	13:34:17
2	sign it on my behalf.	13:34:19
3	Q That would be the only time you'd sign for	13:34:20
4	someone else?	13:34:24
5	A Or something chaotic. You know what I mean?	13:34:24
6	Something -- a lot of stuff going on. He already	13:34:26
7	read it, I read it, and the last thing is he forgot	13:34:30
8	to sign it so he might give me permission to sign on	13:34:31
9	his behalf.	13:34:34
10	Q But you would only sign on his behalf if you	13:34:35
11	had specific permission to sign that particular	13:34:38
12	report after he had reviewed it?	13:34:40
13	A Yes.	13:34:41
14	Q And did you ever know of others signing your	13:34:42
15	name on reports?	13:34:45
16	A Not that I'm aware of except my partner, but	13:34:46
17	I would have to give him -- I would have gave him	13:34:49
18	permission, the same.	13:34:52
19	Q And that would only be after you reviewed	13:34:52
20	the report?	13:34:55
21	A Yes.	13:34:55
22	Q Do you know Taurus Smith?	13:34:56
23	A Taurus Smith?	13:35:00
24	Q Taurus Smith. Do you know who that is?	13:35:02

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1	A No, I don't. I don't recall who that is.	13:35:03
2	Q All right. You can put this to the side or	13:35:06
3	just try to keep them stacked.	13:35:21
4	You listed Anthony McDaniels earlier as one	13:35:33
5	of the few cases you have an independent	13:35:35
6	recollection of?	13:35:37
7	A Yes.	13:35:38
8	Q Tell me every fact that you remember related	13:35:38
9	to Mr. McDaniels' arrest.	13:35:43
10	A I know he ran out of 5613 holding his side	13:35:44
11	yelling, Go, go, go and jumped into a vehicle. The	13:35:54
12	color or make of that vehicle I can't recall at this	13:35:56
13	moment.	13:35:59
14	That vehicle then went eastbound on 56th	13:36:00
15	where we followed it where the vehicle failed to	13:36:05
16	stop at a stop sign on 56th and King. Around 58 and	13:36:08
17	King we activated the lights. He refused to stop.	13:36:14
18	He went maybe one block south and then immediately	13:36:17
19	West, I believe -- that's either 59th or 60th. And	13:36:23
20	then he made another right into the alley, west	13:36:27
21	alley of King Drive. Maybe a block, not a block --	13:36:30
22	or half a block the car slowed down. He jumped out.	13:36:36
23	I chased him. He fell. A gun ejected and fell to	13:36:41
24	the floor. I recovered that and maybe 30 feet away	13:36:47

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1	in a vacant lot he was apprehended by my partner,	13:36:53
2	Officer Nichols.	13:36:58
3	Q How long did that whole thing you just	13:36:58
4	described take?	13:37:04
5	A Probably a minute or two at the most.	13:37:05
6	Q Including the driving?	13:37:10
7	A Yes.	13:37:15
8	Q So from running out of the building until	13:37:16
9	he's under arrest from Nichols -- well, let me ask,	13:37:18
10	did Nichols arrest him?	13:37:22
11	A Yes.	13:37:23
12	Q So from running out of the building until	13:37:24
13	Nichols arrested him took 1 to 2 minutes?	13:37:26
14	A Yes.	13:37:29
15	Q When did this happen?	13:37:30
16	A The date, I can't tell you exactly. I would	13:37:33
17	have to look at a document to tell you that.	13:37:36
18	Q What about the year?	13:37:39
19	A That I couldn't tell you the year either.	13:37:40
20	Q What was the weather like that day?	13:37:42
21	A The weather like? I couldn't tell you the	13:37:44
22	weather.	13:37:46
23	Q Was it night or day?	13:37:46
24	A I believe it might have been day.	13:37:48

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1	Q Why do you think it might have been day?	13:37:50
2	A I just believe it was days. No other	13:37:52
3	reason. I believe it was days.	13:37:56
4	Q Was the sun out?	13:37:57
5	A I couldn't -- I can't answer that.	13:37:59
6	Q How many people were around when he ran out	13:38:01
7	of the building yelling, Go, go, go?	13:38:03
8	A I believe it was just him that came -- that	13:38:05
9	came out of the building saying, Go, go, go.	13:38:08
10	Q No one else was standing around?	13:38:09
11	A No, I don't believe so.	13:38:11
12	Q Who were you with?	13:38:12
13	A My partner.	13:38:13
14	Q Where were you?	13:38:14
15	A We were parked on the corner.	13:38:15
16	Q Windows rolled up or down?	13:38:18
17	A Might have been down.	13:38:20
18	Q Might have been or they were?	13:38:22
19	A I like to have the window down when I	13:38:23
20	patrol.	13:38:26
21	Q Typically they were down?	13:38:26
22	A Yes, on my side anyway.	13:38:28
23	Q And were you driving or Nichols driving?	13:38:29
24	A For the most part my partner drives.	13:38:31

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1	Q Who was driving day?	13:38:33
2	A Officer Nichols.	13:38:35
3	Q You remember that?	13:38:36
4	A Yes.	13:38:37
5	Q Which direction was your car facing?	13:38:37
6	A Not a hundred percent positive. I believe	13:38:39
7	it was facing eastbound.	13:38:43
8	Q And what direction did -- was Mr. McDaniels	13:38:44
9	running when he came out of the building?	13:38:48
10	A Yes.	13:38:50
11	Q Which direction?	13:38:50
12	A Was he running?	13:38:51
13	Q Yeah.	13:38:53
14	A Came out of the house going northwest.	13:38:53
15	Q So away from your car?	13:38:57
16	A No. We were on the opposite side of the	13:39:00
17	street on the corner.	13:39:06
18	Q Was he running towards your car or away from	13:39:07
19	it?	13:39:10
20	A Towards our car.	13:39:10
21	Q How far away was your car from the building?	13:39:12
22	A Whatever size the street is plus the	13:39:15
23	sidewalk, at an angle, so I don't know. Maybe 50,	13:39:21
24	60 feet.	13:39:26

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1	Q Did you know Mr. McDaniels?	13:39:26
2	A Prior to this, no.	13:39:29
3	Q How fast was he running when he came out of	13:39:31
4	the building?	13:39:38
5	MR. ZECCHIN: Object to the form.	13:39:40
6	A It wasn't a sprint, but it wasn't a -- maybe	13:39:42
7	a light jog.	13:39:46
8	Q What was he wearing?	13:39:50
9	A That I can't recall what was he wearing.	13:39:52
10	Q What were you wearing?	13:39:54
11	A Plain clothes.	13:39:56
12	Q Like what clothes?	13:39:57
13	A I can't tell you what clothes I was wearing.	13:39:57
14	Q What clothes was your partner wearing?	13:39:59
15	A I can't tell you that either.	13:40:01
16	Q Why were you parked where you were parked?	13:40:12
17	A Excuse me?	13:40:13
18	Q Why were you parked in the location where	13:40:14
19	you parked?	13:40:16
20	A That's a high narcotics area.	13:40:16
21	Q A lot of traffic -- a lot of foot traffic?	13:40:20
22	A Usually, yes.	13:40:22
23	Q But at that time there wasn't?	13:40:23
24	A The moment he came out of the building, no,	13:40:24

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1	there wasn't.	13:40:26
2	Q Before he had come out of the building was	13:40:27
3	there other foot traffic?	13:40:30
4	A I don't recall.	13:40:31
5	Q So you saw him walk in the building?	13:40:32
6	A No, he did not.	13:40:34
7	Q You didn't see him go in?	13:40:35
8	A No.	13:40:37
9	Q Taurus was on or -- I'm sorry. The car was	13:40:37
10	on or it wasn't on when he got out of it? Let me	13:40:43
11	rephrase.	13:40:45
12	The car that he got into, was that on or not	13:40:46
13	on when he came out of the building?	13:40:49
14	A I don't recall if it was on or off.	13:40:51
15	Q Was it parked?	13:40:53
16	A Yes.	13:40:54
17	Q And were there people in it?	13:40:54
18	A There was a driver in it.	13:40:56
19	Q When did you first notice there was a driver	13:40:58
20	in that car?	13:41:00
21	A When he jumped in the passenger side of the	13:41:00
22	vehicle.	13:41:03
23	Q How many other cars were there parked near	13:41:03
24	you?	13:41:05

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1	A I couldn't tell you that.	13:41:06
2	Q How far away was the car from -- was the car	13:41:08
3	that Mr. McDaniels got into from your car?	13:41:11
4	A Like I said -- stated earlier, the	13:41:13
5	building's probably, what, 50 to 60. So the car, I	13:41:16
6	would put it probably 40 feet away from us.	13:41:20
7	Q And you don't remember how many other -- was	13:41:23
8	it on the street?	13:41:27
9	A Yes.	13:41:28
10	Q You don't remember how many other cars were	13:41:29
11	on the street?	13:41:31
12	A No, I don't.	13:41:31
13	Q That was part of your job, making sure that	13:41:32
14	you knew your surroundings and you were aware of	13:41:35
15	your surroundings?	13:41:37
16	MR. MICHALIK: Object to the form of the	13:41:38
17	question.	13:41:39
18	MR. ZECCHIN: Join.	13:41:39
19	MR. KOSOKO: Join.	13:41:41
20	A Yes, I'm supposed to be aware of my	13:41:42
21	surroundings, but I don't count every vehicle on the	13:41:44
22	block.	13:41:46
23	Q You don't know if there were any other	13:41:47
24	vehicles on the block with people in them?	13:41:49

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1	MR. ZECCHIN: Objection, asked and answered.	13:41:51
2	You can answer again.	13:41:52
3	A I couldn't tell you if there was people in	13:41:53
4	the vehicle, but I know there was other vehicles in	13:41:56
5	the block.	13:41:58
6	Q Do you know how many other vehicles were on	13:41:59
7	the block?	13:42:01
8	A Like I stated, I couldn't tell you how many	13:42:01
9	vehicles on the block.	13:42:04
10	Q And I'm sorry. You may have already	13:42:05
11	answered this, but do you remember what kind of car	13:42:07
12	it was?	13:42:10
13	A Like I stated earlier, I can't recall what	13:42:11
14	kind of car it was.	13:42:13
15	Q The other person -- how many other people	13:42:13
16	were in the car?	13:42:19
17	A I believe just a driver.	13:42:20
18	Q And what's the driver's name?	13:42:22
19	A That I couldn't tell you.	13:42:29
20	Q What did the driver look like?	13:42:31
21	A That I couldn't tell you.	13:42:33
22	Q What did the -- who talked to the driver?	13:42:34
23	Which officers talked to the driver?	13:42:37
24	A No one.	13:42:39

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1	Q	What did Mr. McDaniels say the driver's name	13:42:39
2		was?	13:42:49
3	A	He didn't.	13:42:49
4	Q	Did you ask him?	13:42:50
5	A	I don't recall whether I did or not.	13:42:50
6	Q	Did anybody ask him?	13:42:53
7	A	I don't recall.	13:42:55
8		MR. ZECCHIN: Objection, foundation. You	13:42:55
9		can answer.	13:42:58
10	Q	So you recovered a gun and Nichols arrested	13:43:07
11		Mr. McDaniels?	13:43:11
12	A	Yes. Placed him in custody, that's correct.	13:43:12
13	Q	And then the driver took the car away? What	13:43:14
14		happened with the driver?	13:43:19
15	A	When he jumped out of the car --	13:43:20
16	Q	I'm sorry. When who jumped out of the car?	13:43:22
17	A	Anthony McDaniels. When he jumped out of	13:43:26
18		the car, the car proceeded to go northbound on the	13:43:29
19		alley.	13:43:29
20	Q	The car got away?	13:43:32
21	A	Yes.	13:43:33
22	Q	Whose car was it?	13:43:33
23	A	I couldn't tell you that.	13:43:36
24	Q	Did you call this in on the radio?	13:43:38

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1	A Yes, I did.	13:43:58
2	Q You, yourself, not your partner?	13:43:59
3	A Yes, I did.	13:44:01
4	Q What did you call in?	13:44:02
5	A Most likely we're behind a car going	13:44:03
6	southbound on King that refused to stop and gave	13:44:09
7	a -- gave a description. And then as he -- as	13:44:13
8	Mr. McDaniels bailed out of the car, probably gave	13:44:19
9	his description, holding his side. And then when he	13:44:23
10	fell, when I recovered the gun, I probably stated	13:44:26
11	gun recovered.	13:44:28
12	Q You said a car going southbound you would	13:44:29
13	have called in?	13:44:32
14	A What was that? Initially when we activated	13:44:33
15	our lights, yes, he was going southbound on King.	13:44:36
16	Q Okay. Was it unusual for someone -- in your	13:44:38
17	experience was it unusual to see someone jog out of	13:44:51
18	a building yelling, Go, go, go?	13:44:54
19	A Is it unusual? Yes.	13:44:55
20	Q Did you ever ask him why he was yelling, Go,	13:44:56
21	go, go?	13:44:59
22	A No, I did not.	13:45:00
23	Q Who was he yelling it to?	13:45:01
24	MR. ZECCHIN: Objection, foundation from	13:45:03

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1	this witness.	13:45:06
2	A I assume the driver.	13:45:06
3	Q Can you think of any reasons why he would	13:45:11
4	have needed to yell for the driver to start going	13:45:14
5	from outside of the car?	13:45:15
6	A Could you repeat that?	13:45:18
7	Q Yeah. So can you think of any reasons	13:45:19
8	when -- why Mr. McDaniels would have needed to yell,	13:45:21
9	Go, go, go while he was jogging to the car?	13:45:24
10	MR. KOSOKO: Objection. Calls for a	13:45:27
11	speculative response.	13:45:29
12	MR. PALLES: Object to the form.	13:45:29
13	MR. ZECCHIN: Object to the form.	13:45:31
14	A Do you want me to answer?	13:45:32
15	Q Yes.	13:45:33
16	A Maybe he just committed a crime.	13:45:34
17	Q What crime did he --	13:45:36
18	A That I couldn't tell you.	13:45:37
19	MR. ZECCHIN: Objection. Foundation, form.	13:45:38
20	MR. KOSOKO: It calls for a speculative	13:45:40
21	response.	13:45:40
22	Q So any other reasons you can think of why he	13:45:44
23	would have jogged to the car yelling, Go, go, go?	13:45:45
24	A Other than maybe committing a crime because	13:45:48

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1	that is a dope house, no.	13:45:51
2	Q Do you think he committed a drug crime?	13:45:54
3	A I can't speak for Mr. McDaniels.	13:45:56
4	Q Did you find any drugs on him?	13:45:58
5	A No, I did not.	13:46:00
6	Q Did you search him for drugs?	13:46:01
7	A I did a custodial search in the station,	13:46:03
8	yes.	13:46:07
9	Q Did Nichols find any drugs on him?	13:46:07
10	A I don't believe he did.	13:46:09
11	Q Do you know if the car was ever recovered --	13:46:12
12	A Yes.	13:46:30
13	Q (Continuing) -- by the police?	13:46:31
14	It was?	13:46:34
15	A Yes.	13:46:34
16	Q How did that come about?	13:46:35
17	A I believe 264 David -- that would be Officer	13:46:36
18	Mohammed, Lamonica, and Smith -- stating they	13:46:41
19	recovered a vehicle west alley around -- I might be	13:46:44
20	getting the address off -- 57 and King, 5720 King	13:46:49
21	unoccupied.	13:46:57
22	Q Was that near where you arrested -- or where	13:46:57
23	Mr. McDaniels was arrested?	13:47:09
24	A Yes.	13:47:11

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1	Q How close was it to where he was arrested?	13:47:12
2	A Probably less than a block.	13:47:14
3	Q How do you know that they're the ones who	13:47:16
4	recovered the vehicle?	13:47:21
5	A I believe they went on the air.	13:47:22
6	Q They went on the air and --	13:47:23
7	A Yes.	13:47:23
8	Q (Continuing) -- said that?	13:47:26
9	So what happened next after you recovered	13:47:28
10	the gun and Nichols arrested Mr. McDaniels?	13:47:31
11	A He was transported to the 2nd District.	13:47:36
12	Q Who transported him to the 2nd District?	13:47:38
13	A I believe Beat 214, Officer Carlos, I	13:47:41
14	believe.	13:47:45
15	Q And what did you and Nichols do next?	13:47:45
16	A Again, we probably relocated to 2nd District	13:47:53
17	to process the arrest.	13:47:55
18	Q What did you do to process the arrest?	13:47:57
19	A Sat at a computer, generated an Arrest	13:48:04
20	Report, and probably -- I don't know if we were	13:48:08
21	automated then. Probably a general case report at	13:48:10
22	that time.	13:48:13
23	Q Do you remember how much later after the	13:48:13
24	arrest the car was recovered?	13:48:24

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1	A	Excuse me?	13:48:26
2	Q	Do you remember how much after the arrest --	13:48:28
3		like how long elapsed between the arrest and when	13:48:30
4		the car was recovered?	13:48:33
5	A	After McDaniels Daniel was placed in custody	13:48:34
6		by Officer Nichols? I would say a minute or two.	13:48:36
7	Q	So Mohammed, Lewis, and Smith got that car	13:48:40
8		within a minute or two after McDaniels was arrested?	13:48:46
9	A	Yes.	13:48:49
10	Q	And what did they do with it?	13:48:51
11	A	I believe they drove it back to the 2nd	13:48:54
12		District.	13:48:59
13	Q	Who drove it back to the 2nd District?	13:48:59
14	A	One of those officers on 264 David.	13:49:01
15	Q	Did any of them ever tell you?	13:49:04
16	A	No. All they stated was they drove the	13:49:06
17		vehicle to the 2nd District.	13:49:09
18	Q	And did you put in your report that someone	13:49:10
19		drove the vehicle back?	13:49:14
20	A	Yes.	13:49:15
21	Q	Who did you write down drove the vehicle	13:49:16
22		back?	13:49:20
23	A	264 David relocated the vehicle to the 2nd	13:49:20
24		District.	13:49:25

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1	Q Why did one of the officers drive	13:49:25
2	Mr. McDaniels -- well, why did not Mr. McDaniels --	13:49:28
3	why did one of the officers drive that car back to	13:49:31
4	the station?	13:49:34
5	A It's just easier to have the vehicle towed	13:49:34
6	in the 2nd District where you don't have to have an	13:49:39
7	officer sitting in that vehicle while waiting for	13:49:41
8	the tow truck.	13:49:43
9	Q Were there any policies -- CPD policies at	13:49:44
10	the time about officers driving cars of civilians?	13:49:52
11	A Relocating -- relocating to the 2nd District	13:49:56
12	for towing? No.	13:50:00
13	Q How frequently did it happen that officers	13:50:01
14	in your unit drove civilian cars to the police	13:50:03
15	station to get them towed?	13:50:06
16	MR. MICHALIK: I'm sorry. Can you repeat	13:50:11
17	that question?	13:50:12
18	MR. RAUSCHER: Yeah.	13:50:12
19	Q How --	13:50:12
20	MR. MICHALIK: I may object to the form of	13:50:12
21	that.	13:50:13
22	Q How frequently did it happen in your	13:50:14
23	experience in your unit that officers would drive	13:50:16
24	civilian cars back to the station to be towed?	13:50:19

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1	MR. MICHALIK: Object to the form of the	13:50:24
2	question.	13:50:24
3	A The majority of the time.	13:50:26
4	Q What do you mean "The majority of the time"?	13:50:27
5	A Majority of the time that we would relocate	13:50:29
6	the vehicle to the second district.	13:50:32
7	Q So the majority of time people were arrested	13:50:34
8	with cars, an officer would drive it back to the	13:50:37
9	station?	13:50:39
10	A Yes.	13:50:40
11	Q How often did you do that personally?	13:50:40
12	A How often would we do that?	13:50:45
13	Q No. You personally.	13:50:48
14	A If we have the keys to the vehicle, most	13:50:49
15	likely we would drive that vehicle to the 2nd	13:50:53
16	District.	13:50:56
17	Q What's your best estimate of how many times	13:50:56
18	you drove a civilian car back to the 2nd District to	13:50:57
19	be towed?	13:51:01
20	A You want me to give you a percentage or --	13:51:01
21	Q No. A number -- just a number.	13:51:03
22	A Probably, if I would have to give you a	13:51:05
23	number, 8 out of 10 we would do it.	13:51:08
24	Q How many times total did you personally do	13:51:10

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1	that?	13:51:14
2	A That I can't tell you.	13:51:14
3	Q More than a hundred?	13:51:15
4	A Again, probably. But it would just be a	13:51:16
5	guess.	13:51:21
6	Q More than 500?	13:51:21
7	A I doubt it, but anything is possible.	13:51:23
8	Q Was Mr. McDaniels car -- was the car that	13:51:27
9	McDaniels was in -- was that searched?	13:51:39
10	A I'm pretty sure it was.	13:51:41
11	Q And who searched it?	13:51:42
12	A We probably searched it, other officers	13:51:44
13	searched it, make sure there was no other	13:51:48
14	contrabands in the vehicle.	13:51:49
15	Q What do you remember about it? Do you	13:51:51
16	remember you searching it?	13:51:53
17	A I don't remember whether it was myself or	13:51:55
18	Officer Nichols that searched it.	13:51:57
19	Q So you don't know if it was you, Nichols, or	13:51:58
20	somebody else; but you assume somebody searched it?	13:52:00
21	A Yes.	13:52:03
22	Q And why do you assume that someone searched	13:52:04
23	that vehicle?	13:52:06
24	A Before -- it's a policy you search the	13:52:07

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1	vehicle to make sure there's no contraband before	13:52:11
2	it's being towed.	13:52:13
3	Q So someone searched it at the scene where it	13:52:15
4	was left?	13:52:18
5	A Most likely, yes, it was searched at the	13:52:18
6	scene and searched again in the 2nd District.	13:52:21
7	Q And was that something written in a report?	13:52:23
8	A That the vehicle was searched? I don't	13:52:28
9	think so.	13:52:32
10	Q Why would that not have been written down in	13:52:32
11	a report?	13:52:35
12	A It's just a common practice that all	13:52:35
13	vehicles to be towed are searched for any	13:52:40
14	contrabands or illegal -- any contrabands in the	13:52:43
15	vehicle.	13:52:47
16	Q And you don't write down that you did it and	13:52:48
17	didn't find any contraband?	13:52:49
18	A I don't believe I -- if we would have found	13:52:51
19	something, we would have wrote that we found	13:52:54
20	something in the vehicle. But most likely if there	13:52:57
21	was nothing found, we didn't write anything down.	13:53:00
22	Q You don't think it was important before you	13:53:01
23	just drove someone's car to write down that there	13:53:04
24	was no contraband in it?	13:53:07

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1	A	To write down there's no contraband?	13:53:08
2	MR. ZECCHIN:	Object to the form.	13:53:09
3	A	If there's nothing found, there's no need to	13:53:11
4		write down there was no contraband found.	13:53:13
5	Q	Why would you not -- why would it not be	13:53:17
6		important to write down that you searched and didn't	13:53:21
7		find any contraband?	13:53:22
8	A	What would be the purpose of it?	13:53:24
9	Q	So there's no purpose you can think of?	13:53:25
10	A	If there's no narcotics or contrabands, why	13:53:29
11		would I need to put down no narcotics or contraband	13:53:32
12		found in the vehicle?	13:53:36
13	Q	Well, to have a complete report.	13:53:36
14	MR. ZECCHIN:	Form. Is that a question?	13:53:41
15	MR. RAUSCHER:	That's a question.	13:53:43
16	A	I mean, it's not relevant. There was	13:53:44
17		nothing relevant to the case that was found in the	13:53:46
18		vehicle.	13:53:51
19	Q	Where did the keys come from?	13:53:59
20	A	Where did the keys come from?	13:54:01
21	Q	Yeah.	13:54:01
22	A	Couldn't tell you.	13:54:03
23	Q	You don't know --	13:54:04
24	A	No.	13:54:05

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1	Q (Continuing) -- how they got the keys?	13:54:05
2	A No, couldn't tell you.	13:54:07
3	Q You talked to McDaniels that day?	13:54:09
4	A Yes.	13:54:16
5	Q And where did -- when did you talk to him?	13:54:17
6	A Most likely in the 2nd District.	13:54:20
7	Q What do you remember?	13:54:22
8	A I believe -- I don't remember if it was	13:54:25
9	myself or Officer Nichols read him his rights and	13:54:27
10	asked him why he has the gun.	13:54:31
11	Q So you don't actually remember whether you	13:54:33
12	talked to McDaniels or Nichols did at the station?	13:54:39
13	A No, I don't.	13:54:42
14	Q So you don't remember him saying anything to	13:54:43
15	you then either?	13:54:47
16	A I would -- I would have been present when he	13:54:47
17	was Mirandized and the questions being asked.	13:54:50
18	Q But you don't remember him saying anything?	13:54:52
19	A Yes, I remember him saying --	13:54:55
20	Q You don't remember --	13:54:57
21	A I just don't know if it was me that asked	13:54:58
22	the question or Officer Nichols did.	13:55:00
23	Q But you remember the response?	13:55:02
24	A Yes.	13:55:03

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1	Q	Okay. What do you remember McDaniels saying	13:55:04
2		to you and Officer Nichols?	13:55:07
3	A	This is not verbatim, but I believe he said,	13:55:09
4		I bought the gun on the street for protection.	13:55:12
5	Q	Anything else?	13:55:15
6	A	That's it.	13:55:17
7	Q	You had already read him his rights or	13:55:18
8		someone had read him his rights?	13:55:26
9	A	Yes.	13:55:29
10	Q	Was it common that people would answer	13:55:30
11		questions about why they had contraband after you	13:55:33
12		read them their rights?	13:55:37
13	A	Some would. There's some people that would	13:55:38
14		ask. Some wouldn't.	13:55:41
15	Q	Was it more frequently people refused to	13:55:42
16		answer or answered?	13:55:45
17	A	I would say half and half.	13:55:46
18	Q	Were you surprised when McDaniels told you	13:55:48
19		he bought the gun on the street for protection?	13:55:52
20	A	No.	13:55:53
21	Q	Did you ask him why he needed it or why he	13:55:54
22		thought he needed protection?	13:55:57
23	A	No, I did not.	13:55:58
24	Q	Why not?	13:56:00

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1	A I just didn't ask him that.	13:56:00
2	Q Have you read Mr. McDaniels' affidavit	13:56:03
3	describing the events?	13:56:19
4	A I believe I did.	13:56:21
5	Q And is there anything in that that you	13:56:22
6	remember you agree with?	13:56:25
7	A Do I agree with? I don't agree to any of	13:56:26
8	it.	13:56:30
9	Q So you don't agree that his conviction	13:56:30
10	should have been vacated?	13:56:56
11	A No. His conviction should never have been	13:56:57
12	vacated.	13:57:00
13	Q Why do you think his conviction should not	13:57:01
14	have been vacated?	13:57:14
15	A Why? Because everything that happened	13:57:15
16	happened the way it happened and his conviction	13:57:21
17	shouldn't have been vacated. He committed a crime	13:57:25
18	and we arrested him lawfully, truthfully; and	13:57:30
19	there's no reason for his case to be vacated.	13:57:33
20	Q Was his car towed from the 2nd District?	13:57:35
21	A I believe so, yes.	13:57:39
22	Q Why do you believe that to be the case?	13:57:40
23	A Because it was relocated to the 2nd District	13:57:42
24	so it would have been picked up from the 2nd	13:57:46

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1	District.	13:57:48
2	Q Did you call in for the tow?	13:57:48
3	A I don't know if I did or some other officer	13:57:50
4	did.	13:57:52
5	Q Did you see the car at the 2nd District?	13:57:52
6	A Did I see the car at the 2nd District? I	13:57:54
7	can't -- I can't recall whether I did or not.	13:57:57
8	Q Did you see a tow come pick it up?	13:57:58
9	A I don't believe I did.	13:58:01
10	Q So you don't know one way or the other	13:58:03
11	whether it was towed from the 2nd District?	13:58:05
12	A No, but I was informed by an officer that it	13:58:07
13	was relocated to 2nd District.	13:58:10
14	Q Who told you that?	13:58:13
15	A Most like 264 David.	13:58:15
16	Q Mohammed, Lewis --	13:58:16
17	A One of the two -- one of those officers in	13:58:18
18	that car.	13:58:19
19	Q It was most likely them or it was them?	13:58:20
20	A One of those three officers on 264 David	13:58:22
21	would have informed me that the car was located to	13:58:26
22	the 2nd District.	13:58:29
23	Q And did one of them tell you it was towed	13:58:30
24	from the 2nd District?	13:58:33

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1	A I don't believe, no.	13:58:34
2	Q What?	13:58:36
3	A I don't believe so, no.	13:58:37
4	Q Do you remember them telling you that they	13:58:39
5	relocated it to the 2nd District?	13:58:45
6	A They would have had to tell me because I put	13:58:46
7	it down in my report for 264 David, car was	13:58:50
8	relocated to the 2nd District.	13:58:54
9	Q You only -- you know that they told you it	13:58:55
10	was relocated to the 2nd District. You don't	13:58:58
11	actually know if it happened; is that fair?	13:59:01
12	A If you're asking me if I went in the parking	13:59:02
13	lot and physically looked at the car, no.	13:59:05
14	Q I'm just going to shift gears for one	13:59:07
15	second. I should have asked you this earlier. But	13:59:24
16	for Taurus Smith, you don't have an opinion about	13:59:26
17	whether his conviction should have been vacated?	13:59:28
18	A Taurus Smith?	13:59:30
19	Q Yeah.	13:59:31
20	A Like I said, I wasn't --	13:59:32
21	MR. ZECCHIN: I'm going to object to any	13:59:33
22	questions about Taurus Smith. He wasn't involved in	13:59:35
23	an arrest. But go ahead. You can answer the	13:59:37
24	question.	13:59:39

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1	A	Like I said, I don't know anything about	13:59:40
2		that case. I wasn't involved in that arrest so I	13:59:41
3		can't speak either or.	13:59:43
4	Q	What kind of gun did you recover from Mr.	13:59:53
5		McDaniels?	13:59:57
6	A	I believe it was a Glock 9 millimeter.	13:59:58
7	Q	Why do you believe it was a 9 millimeter?	14:00:00
8	A	Why do I believe? I mean, I would have to	14:00:04
9		look at my case report to verify it, but I believe	14:00:07
10		it was a Glock 9 millimeter.	14:00:13
11	Q	So you don't have an independent	14:00:14
12		recollection of what kind of gun it was?	14:00:16
13	A	No.	14:00:18
14	Q	And do you remember what it looked like?	14:00:19
15	A	Blue steel.	14:00:21
16	Q	Blue steel?	14:00:23
17	A	Blue steel is basically a black gun.	14:00:24
18	Q	How big was it?	14:00:26
19	A	How big was it? I'm bad with -- what would	14:00:28
20		you consider this? Maybe 6, 7 inches.	14:00:38
21	Q	Do you remember that -- do you remember what	14:00:41
22		it looked like?	14:00:46
23	A	Yeah. It's a Glock.	14:00:46
24	Q	Did the gun fall or did he throw it?	14:00:48

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1	A	It fell.	14:00:57
2	Q	What did -- describe how you saw it. Did	14:00:58
3		you see it fall?	14:01:00
4	A	As he fell, the cuff -- as he fell, the gun	14:01:00
5		fell.	14:01:03
6	Q	Where did it fall from?	14:01:03
7	A	From his waistband.	14:01:05
8	Q	When he was leaving the building, when he	14:01:06
9		was jogging out of the building when you first saw	14:01:12
10		him, did you think he had a gun?	14:01:15
11	A	He was holding his side.	14:01:17
12	Q	But did you think he had a gun?	14:01:18
13	A	Most likely, yes, by the way he was holding	14:01:20
14		his side, yes.	14:01:23
15	Q	Did you call in and say, We think we're	14:01:24
16		following someone who's fleeing with a gun?	14:01:35
17	A	No, I did not.	14:01:35
18	Q	Why would you not have included that	14:01:36
19		information?	14:01:38
20	A	Because I didn't have verification that it	14:01:38
21		was a gun. I was -- I'm just thinking he might have	14:01:41
22		a gun the way he was holding his side.	14:01:43
23	Q	So you wouldn't call something in on the	14:01:44
24		radio if you suspected he had a gun until you saw	14:01:47

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1	it?	14:01:50
2	A Yes, I would say he was holding his side. I	14:01:50
3	wouldn't say he had a gun when I eventually wouldn't	14:01:50
4	see a gun.	14:01:54
5	Q You wouldn't even say, I think he might have	14:01:54
6	a gun?	14:01:57
7	A No. I would say he was holding his side.	14:01:57
8	Q So you would have called in and said,	14:01:59
9	Someone is fleeing southbound and they were holding	14:02:02
10	their side when they got in the car?	14:02:04
11	A When he got out of the car, I believe that's	14:02:06
12	when I said he was holding his -- holding his side.	14:02:07
13	Q When he got out of the car?	14:02:08
14	A Yes.	14:02:10
15	Q What about when he got into the car the	14:02:10
16	first time?	14:02:12
17	A No, I didn't call that -- we didn't call	14:02:13
18	that -- I didn't call out the car chase until we	14:02:14
19	activated our lights on 58th Street.	14:02:18
20	Q But by that time you had already seen him	14:02:20
21	leave a building jogging and holding his side,	14:02:22
22	right?	14:02:24
23	A Yes.	14:02:24
24	Q And that's the time I was asking about, the	14:02:25

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1	first -- when he did that, you thought he was	14:02:28
2	holding a gun?	14:02:31
3	A No. I suspect he might be.	14:02:32
4	Q Did you think he likely was -- had a gun?	14:02:35
5	MR. MICHALIK: Object to the form of the	14:02:42
6	question.	14:02:43
7	MR. ZECCHIN: Join.	14:02:44
8	MR. MICHALIK: Argumentative.	14:02:44
9	A Most likely he might, but I'm not sure	14:02:46
10	because I didn't have visible indication that he has	14:02:48
11	a gun.	14:02:51
12	Q Would you have wanted other officers to know	14:02:53
13	if he had a gun if they came across him?	14:02:54
14	A When they came across him? When he got out	14:02:57
15	of the car, that's when I said he was still -- he	14:03:01
16	was holding his side. Or while he's in the car I	14:03:03
17	didn't give that -- I didn't give that information	14:03:07
18	out.	14:03:09
19	Q So why did you give it out when he got out	14:03:09
20	of the car?	14:03:12
21	A Because he was still holding his side when	14:03:13
22	he got out of the car.	14:03:15
23	Q Did you see the gun then?	14:03:16
24	A Yes.	14:03:17

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1	Q	You saw the gun right when he got out of the	14:03:18
2		car?	14:03:21
3	A	No, not right away.	14:03:21
4	Q	Okay. So then why did you call it in?	14:03:21
5	A	Why did I call it in?	14:03:24
6	Q	Did you call in the gun -- did you call in	14:03:26
7		that he was holding his side before you saw a gun or	14:03:27
8		after?	14:03:30
9	A	Before I saw the gun, I stated he jumped out	14:03:30
10		of the car holding his side. And then when I	14:03:33
11		visually saw the butt of the gun, I think I stated	14:03:37
12		he has a gun.	14:03:40
13	Q	So why did you call in that he was holding	14:03:42
14		his side when he got out of the car but not when he	14:03:44
15		got in the car?	14:03:46
16	A	I didn't call that out when he got in the	14:03:47
17		car.	14:03:53
18	Q	Did you call in -- did you first call in	14:03:53
19		this call -- did you first call this in over the	14:03:56
20		radio after Mr. McDaniels was out of his car?	14:03:59
21	A	Repeat that.	14:04:01
22	Q	Did you first call in this event after	14:04:02
23		Mr. McDaniels was out of his car?	14:04:05
24	A	No. I called in this while he was going	14:04:06

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1	southbound on King on 58th Street when we activated	14:04:10
2	the lights.	14:04:14
3	Q And at that time why didn't you mention that	14:04:14
4	he had been holding his side when he was jogging out	14:04:16
5	of the building before the car --	14:04:18
6	A Well, I don't know if he still had the gun	14:04:19
7	on him. He might have just left it in the car. So	14:04:22
8	when he got out of the car still holding his sides,	14:04:24
9	that's when I went over the air, Subject jumped out	14:04:26
10	of the car holding his side. And then when I had	14:04:30
11	visible indication that he does have a gun, that's	14:04:31
12	when I probably stated, Subject has a gun.	14:04:33
13	Q I thought you just said you called in that	14:04:36
14	he was holding his side before he had a gun?	14:04:38
15	A Yes, when he got out of the car.	14:04:40
16	Q What do you mean -- but when you said he	14:04:43
17	might have left it in the car, what do you mean by	14:04:46
18	that?	14:04:48
19	A Well, weren't you asking me why didn't I	14:04:48
20	call that he was holding his side while he was in	14:04:51
21	the car? While he's in the car, I don't know where	14:04:53
22	the gun is.	14:04:56
23	Q Why would that matter?	14:04:57
24	A Okay. Like I said, I had no visible	14:04:58

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1	indication that he had a gun. He was just holding	14:05:02
2	his side. So I'm not going to tell the officer, So	14:05:05
3	and so we're chasing has a gun when I don't have	14:05:08
4	visible indication a hundred percent that he has a	14:05:13
5	gun.	14:05:15
6	Q What was different about the -- well, let me	14:05:15
7	try to rephrase that.	14:05:20
8	Why did you say that he was holding his side	14:05:21
9	when he got out of the car but not describe that	14:05:24
10	event when you called it in before he got out of the	14:05:27
11	car?	14:05:30
12	There were two times when he was holding his	14:05:31
13	side, right?	14:05:33
14	A Yes.	14:05:33
15	Q Once before he got in the car and once	14:05:33
16	after, right?	14:05:35
17	A I didn't get on the radio when he was coming	14:05:36
18	out of the car. I got on the radio when we	14:05:38
19	activated our lights at 58th Street.	14:05:42
20	Q And where was that in this chain?	14:05:43
21	A What do you mean where was that?	14:05:45
22	Q What was he doing?	14:05:48
23	A I don't know what he was doing. He was in	14:05:49
24	the car.	14:05:52

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1	Q That was -- but before he got in the car,	14:05:52
2	you saw him holding his side, right?	14:05:52
3	A Correct.	14:05:55
4	Q You thought that he might have a gun?	14:05:55
5	A Yes.	14:05:57
6	Q And then you called it in while he was still	14:05:57
7	in the car?	14:06:00
8	A Correct.	14:06:01
9	Q Why did you not say then he was holding his	14:06:01
10	side when he jumped in his car?	14:06:05
11	A Couldn't tell you why I didn't say it.	14:06:07
12	Q Why did you say it when he got out of the	14:06:09
13	car?	14:06:13
14	A Why did I say it?	14:06:13
15	Q Yeah.	14:06:16
16	A I'm giving a description letting other	14:06:16
17	officer responding he might -- might have a gun.	14:06:20
18	Q Did other officers respond?	14:06:23
19	A I believe so.	14:06:27
20	Q Which other officers responded?	14:06:30
21	A That I couldn't tell you.	14:06:32
22	Q Did Nichols see the gun at the scene?	14:06:33
23	A Did Nichols see the gun? After he was	14:06:39
24	placed in custody, I probably showed him.	14:06:43

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1	Q But you don't remember?	14:06:45
2	A No.	14:06:47
3	Q How long were you talking to Mr. McDaniels	14:06:47
4	at the station? You and -- I'm sorry. Let me	14:06:56
5	rephrase.	14:06:58
6	How long were you and Nichols talking to	14:06:58
7	Mr. McDaniels at the station?	14:07:00
8	A Probably a minute or two. How long it takes	14:07:01
9	for us to read him his rights and how long for him	14:07:10
10	to answer that he bought the gun on the street for	14:07:11
11	protection.	14:07:15
12	Q So just straightaway he told you?	14:07:15
13	A Yes.	14:07:17
14	Q Do you remember that it was a minute or two	14:07:18
15	or are you just --	14:07:24
16	A I'm approximating it.	14:07:25
17	Q Did Nichols ask how many -- did Nichols ask	14:07:26
18	him who was driving the car?	14:07:54
19	A I don't -- I don't believe so.	14:07:55
20	Q Did the person driving the car commit a	14:07:57
21	crime?	14:08:03
22	A Yes.	14:08:04
23	Q What crime did that person commitment?	14:08:05
24	A Failing to stop at a stop sign.	14:08:07

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1	Q Have you ticketed or arrested people over	14:08:09
2	the years for failing to stop at a stop sign?	14:08:13
3	A If they don't have a license, they're	14:08:15
4	suspended otherwise it would just be a citation.	14:08:19
5	Q Is there some sort of crime fleeing from the	14:08:24
6	police?	14:08:30
7	A Fleeing from the police? Yes.	14:08:30
8	Q And had the driver committed that crime?	14:08:34
9	A If he would have been apprehended, most	14:08:38
10	likely he would have been charged with that citation	14:08:41
11	and fleeing the police.	14:08:43
12	Q So he -- in your opinion the driver did	14:08:44
13	illegally flee from the police?	14:08:49
14	A Yes.	14:08:51
15	Q Is it common in your -- well, have you had	14:08:52
16	other instances of people trying to flee from the	14:08:54
17	police?	14:08:57
18	A Yes.	14:08:57
19	Q And is it common in your experience that if	14:08:57
20	one person or multiple people is caught fleeing from	14:09:00
21	the police you don't even ask who the other person	14:09:03
22	is?	14:09:06
23	A Would we ask? We might ask, but they don't	14:09:06
24	usually -- for the most part they won't give you the	14:09:13

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1	driver's name or the person's name.	14:09:16
2	Q But you ask?	14:09:17
3	A I don't -- like I said, I don't know if we	14:09:19
4	did or not.	14:09:21
5	Q But typically you would ask?	14:09:22
6	A You would.	14:09:23
7	Q It would be pretty unusual to not even ask	14:09:24
8	who was with you, right?	14:09:27
9	A It would.	14:09:27
10	Q Of course you would ask, right?	14:09:28
11	MR. ZECCHIN: Objection, argumentative.	14:09:32
12	Q All right. You don't have to answer that.	14:09:34
13	Are there any reasons you can think of why	14:09:38
14	you wouldn't have asked or why Nichols wouldn't have	14:09:40
15	asked who was driving the car that fled from the	14:09:43
16	police?	14:09:46
17	A I don't recall why. We might have just	14:09:50
18	forgot to ask who was in the vehicle, who was	14:09:53
19	driving the vehicle.	14:09:55
20	Q Other than forgetting to ask, are there any	14:10:00
21	other reasons you can think of why no one would have	14:10:03
22	asked who was driving the vehicle?	14:10:06
23	A I mean, for the most part they wouldn't tell	14:10:07
24	you who was driving the vehicle anyway. So for the	14:10:09

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1 most part we would just give a description, a
2 physical description of who was driving the car.

3 Q But I'm not asking how people answer. I'm
4 asking are there any other reasons other than you
5 just forgot to ask why you wouldn't have asked who
6 was driving the car?

7 A I mean, most of the time we probably would
8 ask, but I don't know why we didn't ask in this
9 incident or I didn't ask in that incident.

10 Q So there's no other reasons you can think of
11 other than just forgetting?

12 A Yes.

13 Q Yes, you're agreeing you can't think of --

14 A Yes, I'm agreeing with you.

15 Q If Mr. McDaniels was willing to openly tell
16 you why he had a gun, do you think he would have
17 fallen in the category of people who wouldn't have
18 told you who the driver was or who would have?

19 MR. ZECCHIN: Objection, form and foundation
20 from this witness.

21 A I can't tell you whether he would or not. I
22 can't get in McDaniels' mind.

23 Q Did you testify in criminal proceedings
24 brought against Mr. McDaniels?

14:10:12

14:10:16

14:10:18

14:10:22

14:10:24

14:10:27

14:10:28

14:10:30

14:10:33

14:10:35

14:10:37

14:10:39

14:10:39

14:10:42

14:10:44

14:10:56

14:10:59

14:11:02

14:11:04

14:11:06

14:11:07

14:11:09

14:11:32

14:11:34

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1	A Yes, I did.	14:11:35
2	Q How many times?	14:11:36
3	A I don't remember if this went to the Grand	14:11:37
4	Jury. So if he went to the Grand Jury, I probably	14:11:43
5	testified at Grand Jury and at his trial.	14:11:46
6	Q You remember testifying at his trial?	14:11:49
7	A Yes.	14:11:51
8	Q How did you prepare to testify at his trial?	14:11:51
9	A Look at the documents.	14:11:54
10	Q Which documents did you look at?	14:11:55
11	A The Arrest Report, probably the general case	14:11:57
12	report.	14:12:00
13	Q Do you know who else testified at his trial?	14:12:13
14	A That I can't recall who else testified at	14:12:15
15	his trial.	14:12:17
16	Q Did you talk to anybody else in preparation	14:12:18
17	for your testimony?	14:12:21
18	A In preparation for this?	14:12:23
19	Q No, no. In preparation for your testimony	14:12:24
20	at Mr. McDaniels' -- did you talk to anyone else	14:12:26
21	before you testified at Mr. McDaniels' criminal	14:12:28
22	trial?	14:12:31
23	A The State's Attorneys.	14:12:31
24	Q Do you remember which State's Attorneys you	14:12:32

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1	talked to?	14:12:35
2	A No, I don't.	14:12:36
3	Q Do you remember how long you talked to them?	14:12:36
4	A That I can't tell you.	14:12:38
5	Q Did you talk to Mohammed?	14:12:40
6	A Did I talk to Mohammed? If he was in the	14:12:44
7	courtroom, probably yes.	14:12:48
8	Q Did you talk to him about your testimony?	14:12:49
9	A Did I talk to him? I talked to the State's	14:12:51
10	Attorney about my testimony.	14:12:55
11	Q Right.	14:12:56
12	A I don't know if I talked to Mohammed about	14:12:57
13	my testimony.	14:12:59
14	Q Is it possible that you talked to Mohammed	14:13:00
15	about what your testimony was going to be before he	14:13:03
16	testified?	14:13:05
17	A He might have been in the room while I was	14:13:05
18	talking to the State's Attorney, but. . .	14:13:08
19	Q So if Mohammed was in the room when you were	14:13:10
20	preparing with the State's Attorney, then he would	14:13:17
21	have known about -- then you would have talked to	14:13:19
22	him about your testimony, but otherwise you wouldn't	14:13:21
23	have independently just talked to him?	14:13:24
24	A I probably wouldn't talk to him about my	14:13:25

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1	testimony because I would have probably been talking	14:13:27
2	to the State's Attorney.	14:13:29
3	Q Did you talk to anybody else other than the	14:13:30
4	State's Attorney about what you were going to be	14:13:33
5	testifying about --	14:13:36
6	A No.	14:13:36
7	Q (Continuing) -- Nichols, anybody?	14:13:36
8	A No.	14:13:38
9	Q Do you know how many criminal trials you've	14:13:38
10	testified in over the years?	14:13:47
11	A I can't give you a number.	14:13:48
12	Q A best estimate.	14:13:52
13	A Probably a hundred or less.	14:13:53
14	Q What's the process you typically go through	14:13:55
15	to prepare for testimony in criminal cases?	14:14:05
16	A I would review the document -- the Arrest	14:14:06
17	Report, whether the vice or case.	14:14:11
18	Q Is that it?	14:14:18
19	A Yes.	14:14:18
20	Q And then would you also talk to the State's	14:14:20
21	Attorney?	14:14:21
22	A Yes.	14:14:21
23	Q Do you remember what you talked to the	14:14:22
24	State's Attorney about before you testified in	14:14:24

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1	McDaniels' trial?	14:14:26
2	A The case.	14:14:26
3	Q Anything specifically?	14:14:28
4	A Of what happened, the facts of the case.	14:14:30
5	Q Did you cover the car being towed with the	14:14:32
6	State's Attorney?	14:14:41
7	A Did we cover? I'm pretty sure we did.	14:14:41
8	Q Do you remember talking about that with the	14:14:43
9	State's Attorney or you just think you would have	14:14:46
10	because it's a part of the story?	14:14:48
11	A I don't have no independent recollection	14:14:49
12	whether we talked about the case report with the	14:14:51
13	State's Attorney, but most likely we would have.	14:14:54
14	Q Do you have any independent recollection of	14:14:56
15	your conversation with the State's Attorney about	14:14:58
16	the McDaniels case?	14:15:00
17	A Independent recollection, no.	14:15:01
18	Q You're just going based on typical practice?	14:15:04
19	A Yes.	14:15:06
20	Q After you recovered the -- when you	14:15:07
21	recovered the gun, did you see any other civilians	14:15:28
22	around?	14:15:30
23	A I don't believe I did.	14:15:30
24	Q Did people gather around at all after	14:15:33

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1	Mr. McDaniels was arrested?	14:15:37
2	A I don't believe so.	14:15:39
3	MR. RAUSCHER: Let me grab the McDaniels	14:15:51
4	reports. Anybody need a short break while I get	14:15:54
5	this or do you want to just hang out?	14:16:15
6	MR. PALLES: No, that's fine.	14:16:18
7	MR. RAUSCHER: All right. We're going to	14:16:43
8	mark -- we're going to mark as Exhibit 2 a report,	14:16:45
9	Bates-stamped DO-JOINT 5777 through 5779.	14:16:55
10	(Leano Exhibit No. 2 was marked for	14:17:50
11	identification and is attached to the transcript.)	14:17:50
12	Q Just let me know when you've had a chance to	14:18:01
13	read through it.	14:18:03
14	A Okay.	14:18:04
15	(Witness examining document.)	14:18:13
16	Q Have you seen this document before?	14:20:17
17	A Yes.	14:20:18
18	Q Is this one of the documents you looked at	14:20:18
19	to prepare for your deposition today?	14:20:21
20	A Yes.	14:20:22
21	Q Did you create this document?	14:20:22
22	A Yes, I did.	14:20:25
23	Q And tell us what the document is?	14:20:26
24	A It is Original Case Incident Report.	14:20:28

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1	Q What is an Original Case Incident Report?	14:20:31
2	A It's a general case report.	14:20:33
3	Q And what's the purpose of creating an	14:20:35
4	Original Case Incident Report?	14:20:38
5	A To document a crime incident that happened.	14:20:38
6	Q And what's the crime incident that you were	14:20:41
7	documenting in this Original Case Incident Report?	14:20:45
8	A Weapon violation, unlawful handgun.	14:20:47
9	Q This is Anthony McDaniels' arrest that we've	14:20:50
10	been talking about?	14:20:53
11	A Yes.	14:20:54
12	Q When did you create this report in relation	14:20:54
13	to the events?	14:20:59
14	A Probably right after we got back in the 2nd	14:21:00
15	District.	14:21:06
16	Q Why do you think it was probably right after	14:21:06
17	you got back?	14:21:08
18	A As soon as we relocated to 2nd District, got	14:21:09
19	situated is when most likely I started this case	14:21:14
20	report.	14:21:17
21	Q You see toward the end you have -- we're on	14:21:17
22	Page DO-JOINT 5779, Page 3 of 3.	14:21:26
23	A Okay.	14:21:30
24	Q There's a -- it looks like a quote, I think.	14:21:31

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1	It says -- well, let's -- there's a sentence that	14:21:34
2	says, "R/Os read subject rights from F.O.P. book at	14:21:36
3	1428 hours. Subject then stated 'I bought the gun	14:21:41
4	on the street for protection and I wanted to get the	14:21:45
5	gun out of my car'."	14:21:47
6	Do you see that?	14:21:49
7	A Yes.	14:21:50
8	Q Is that a verbatim quote of something	14:21:50
9	Mr. McDaniels told you and Mr. Nichols?	14:21:54
10	A Yes, that would be verbatim.	14:21:56
11	Q And did you ask him why he wanted to get the	14:21:58
12	gun out of his car?	14:22:01
13	A No, I did not.	14:22:03
14	Q Did you have any opinion as to why he might	14:22:04
15	have wanted to get the gun out of his car?	14:22:07
16	MR. RAUSCHER: Objection. Foundation, form.	14:22:09
17	A I can't tell you why he said he wanted it	14:22:11
18	out of his car.	14:22:14
19	Q Why did you not ask him why he wanted to get	14:22:17
20	it out of his car?	14:22:20
21	A I can't recall why.	14:22:21
22	Q Do you know if a gun was in his car -- well,	14:22:24
23	do you know if the Taurus was his car?	14:22:31
24	A At that moment, no; but if I look at this,	14:22:33

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1	at this case report, it says, Owner, McDaniels.	14:22:40
2	Q Does that mean to you that the gun was in	14:22:42
3	the car when he jumped in the car in the first place	14:22:48
4	or you do not know one way or the other?	14:22:51
5	A Could you repeat that?	14:22:53
6	Q Yeah. Do you know where the gun was when	14:22:55
7	Mr. McDaniels jogged out of the building yelling,	14:22:59
8	Go, go, go?	14:23:02
9	A No, I don't.	14:23:03
10	Q You don't know if it was in the car or with	14:23:04
11	him somewhere else?	14:23:06
12	A That would be correct.	14:23:07
13	Q It says here, "Further investigation	14:23:08
14	revealed above offender is a convicted felon," and	14:23:19
15	then you list a case number?	14:23:22
16	A Yes.	14:23:23
17	Q What -- did you do the investigation to	14:23:23
18	determine that he was a convicted felon?	14:23:26
19	A I would have ran his rap sheet.	14:23:28
20	Q How would you have run his rap sheet?	14:23:30
21	A Either by his IR or by his name.	14:23:32
22	Q Would you have done it before you talked to	14:23:36
23	him or after?	14:23:37
24	A Before I talked to him? What do you mean	14:23:38

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1	before I talked to him?	14:23:41
2	Q Before you read him his rights or after.	14:23:42
3	Before his rights were read to him or after.	14:23:44
4	A That I couldn't tell you whether it was	14:23:47
5	before or after that.	14:23:49
6	Q The report lists a number of people in	14:23:50
7	different roles.	14:23:53
8	Do you see that?	14:23:54
9	A Yes.	14:23:55
10	Q So it's got the first arresting officer.	14:23:55
11	That's you, right?	14:23:59
12	A Yes.	14:24:00
13	Q And star number 4303?	14:24:01
14	A Yes.	14:24:03
15	Q Has that always been your star number?	14:24:03
16	A Yes.	14:24:05
17	Q It's still your star number?	14:24:06
18	A Yes.	14:24:07
19	Q What is first -- well, let me ask you this	14:24:08
20	first: Do you as the person who created this	14:24:11
21	report -- did you get to decide who got listed in	14:24:14
22	what category here?	14:24:17
23	A Do I decide?	14:24:18
24	Q Yeah.	14:24:21

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1	A I mean, I would be the first arresting	14:24:21
2	officer and then my partner would be the second	14:24:25
3	arresting officer and everyone else would be	14:24:28
4	assisting.	14:24:29
5	Q But you're the one who -- the report writer	14:24:30
6	in this case, you, you're the one who makes the	14:24:33
7	decision about whose names go on here?	14:24:35
8	A Not necessarily.	14:24:37
9	Q Okay. Did you in this case?	14:24:38
10	A Yes.	14:24:40
11	Q Okay. Who else -- in other situations who	14:24:40
12	else other than the person writing the report would	14:24:47
13	decide which person goes into which category or	14:24:49
14	who's listed on a report?	14:24:52
15	A If I was the one that observed the crime, I	14:24:54
16	might say I'll be Box 1 and whoever is writing the	14:24:58
17	report, you guys can go in Box 2.	14:25:04
18	Q And what's Box 1, Box 2?	14:25:06
19	A Just --	14:25:08
20	Q You're talking about the different layout of	14:25:09
21	reports?	14:25:11
22	A No. In this case report, Box 1 is just	14:25:11
23	reporting officer who is preparing the case report.	14:25:16
24	Q Okay. Why were you the first arresting	14:25:19

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1	officer?	14:25:22
2	A Why was I the first arresting officer?	14:25:23
3	Q Yes. What does that mean?	14:25:26
4	A I'm the one that arrest him and most likely	14:25:28
5	I'm the one that will be testifying in a court	14:25:33
6	proceedings.	14:25:35
7	Q How were you the one who arrested him? What	14:25:36
8	did you do to be the one who arrested him?	14:25:43
9	A What did I do?	14:25:44
10	Q Yeah.	14:25:46
11	A What do you mean what did I do?	14:25:48
12	Q I thought Nichols arrested him?	14:25:50
13	A Placed him in custody, yes.	14:25:51
14	Q So why are you the one who arrested him?	14:25:53
15	That's what I'm trying to understand.	14:25:56
16	A We both arrested him. I just happened to be	14:25:58
17	in Box 1. He could have gone in Box 1 if he wanted	14:26:01
18	to, but I just happened to go in Box 1.	14:26:05
19	Q Who decided that you should go in Box 1?	14:26:06
20	A Who decided? I mean, we both observed a	14:26:09
21	crime being committed. If he wanted to go in Box 1,	14:26:12
22	he could have gone in Box 1; but we made a decision	14:26:15
23	I would be in Box 1.	14:26:18
24	Q Yeah. So I'm not trying -- for this	14:26:19

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1	question I don't want to know generally how you	14:26:21
2	would decide that. I just want to know in this case	14:26:23
3	who decided who would be in Box 1?	14:26:26
4	A Most likely I did.	14:26:28
5	Q And why did you decide that you would go in	14:26:29
6	Box 1?	14:26:32
7	A Why did I decide? Probably just told my	14:26:32
8	partner, I'm taking this one; I'll be in Box 1.	14:26:34
9	Q And why would you have been in Box 1 as	14:26:36
10	opposed to Nichols in this case?	14:26:39
11	MR. ZECCHIN: Objection, asked and answered.	14:26:41
12	You can answer it again.	14:26:42
13	Q Well, is there a reason or is it just	14:26:44
14	random?	14:26:46
15	A I mean, we usually decide -- we both	14:26:47
16	observed a crime being committed. Do you want to be	14:26:49
17	in Box 1 or do you want to be in Box 2, and this day	14:26:52
18	I decided to be in Box 1.	14:26:55
19	Q And Box 1 is the person who's likely going	14:26:57
20	to testify?	14:26:59
21	A Most likely, but there's other ways, like in	14:26:59
22	the narrative where you observe something, you might	14:27:05
23	be also called to testify. For the most part the	14:27:06
24	State's Attorney usually subpoena the first	14:27:11

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1	arresting officer.	14:27:13
2	Q Did you -- when you both observed a crime,	14:27:14
3	did you try to trade off to keep it even who would	14:27:16
4	be in Box 1?	14:27:19
5	A No. It's -- we don't try to keep it even.	14:27:20
6	It just depends on that day. Like, All right, I'm	14:27:25
7	taking this one. You might take the next two or you	14:27:28
8	might take the next one. So there's no random	14:27:31
9	reason. I just decided to take the first arresting	14:27:35
10	officer in this case.	14:27:38
11	Q But you're not trying to testify more than	14:27:39
12	Nichols as a general matter?	14:27:42
13	A No, no.	14:27:44
14	Q So can you tell me what specifically it is	14:27:44
15	supposed to indicate when it says first arresting	14:27:52
16	officer and how it -- if anything is different than	14:27:54
17	second arresting officer?	14:27:58
18	A First arresting officer is usually the	14:27:59
19	officer that would be testifying in a criminal	14:28:03
20	proceeding. Second arresting officer could also	14:28:05
21	testify in a -- in the criminal proceeding, just	14:28:09
22	depending on what he observed or what he saw. I	14:28:12
23	mean, I could be the first arresting officer. I	14:28:18
24	might not observe as much as the second arresting	14:28:20

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1	officer. I just decide I'm taking the -- I'll be	14:28:23
2	the first arresting officer.	14:28:25
3	Q Are you aware of any CPD rules or guidelines	14:28:26
4	in place to decide who should be listed as first	14:28:30
5	versus second arresting officer?	14:28:33
6	A Not that I'm aware as long as you indicate	14:28:35
7	the facts truthfully and accurately as possible in a	14:28:40
8	case report.	14:28:43
9	Q Why is Nichols listed as assisting arresting	14:28:44
10	officer and the second arresting officer?	14:29:00
11	A Might just be a typo.	14:29:02
12	Q And it's with different beats?	14:29:04
13	A Might just be a typo on my part.	14:29:05
14	Q Is there any reason you can think of other	14:29:08
15	than a typo?	14:29:11
16	A No, just -- it's just a typo on my part.	14:29:12
17	Q Do you think that means there should be an	14:29:17
18	additional officer listed as an assisting arresting	14:29:19
19	officer?	14:29:21
20	A I might just click -- put his star number by	14:29:22
21	accident and then would delete it.	14:29:25
22	Q When you fill out this form, are you -- do	14:29:27
23	you have to manually type in the beat?	14:29:33
24	A Yes.	14:29:34

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1	Q	So you have to assign -- so when you write	14:29:36
2		Bolton, Beat 264B, you're actually writing 264B?	14:29:39
3	A	Typing it, yes.	14:29:43
4	Q	And that's not a drop-down or anything?	14:29:44
5	A	There is. You can type it or there's a	14:29:46
6		drop-down.	14:29:49
7	Q	But it's not like it autopopulates, like you	14:29:49
8		put in a name and it --	14:29:52
9	A	No.	14:29:53
10	Q	What was Brian Bolton's role in the arrest	14:29:54
11		of Mr. McDaniels?	14:30:04
12	A	I couldn't tell you. Might have been	14:30:05
13		arrived on the scene, but I couldn't tell you what	14:30:09
14		his role was.	14:30:14
15	Q	What is the point of writing him down as an	14:30:14
16		assisting arresting officer?	14:30:17
17	A	What is the point?	14:30:18
18	Q	Yeah.	14:30:20
19	A	If he showed up at my call, whether he did	14:30:20
20		minimal, he could be an assisting unit. Whether	14:30:26
21		it's just standing there or making sure everything	14:30:30
22		is okay, he could be an assisting unit.	14:30:34
23	Q	Or he might not have had any role. Is that	14:30:37
24		fair?	14:30:42

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1	A That could also be fair.	14:30:42
2	Q What are you trying to capture when you	14:30:44
3	write down assisting arresting officers on a report?	14:30:46
4	A Person that assisted you in your lawful duty	14:30:49
5	as an officer.	14:30:53
6	Q And that can range from just having	14:30:54
7	responded to the call and being at the scene to	14:30:59
8	what?	14:31:02
9	A Helping with paperworks, helping with	14:31:02
10	searches, various ways.	14:31:06
11	Q If Bolton would have had a substantive role	14:31:10
12	in the response, it would have been listed in the	14:31:16
13	narrative; is that right?	14:31:18
14	A Yes.	14:31:19
15	Q It says in here Beat 264A located the	14:31:20
16	vehicle -- I'm paraphrasing. I'm not quoting. But	14:31:29
17	located the vehicle at 57 South King in the west	14:31:32
18	alley unoccupied.	14:31:35
19	A Yes.	14:31:36
20	Q And then it says that beat relocated the	14:31:37
21	vehicle to the 2nd District?	14:31:40
22	A Yes.	14:31:41
23	Q Do you know who provided you with that	14:31:42
24	information?	14:31:46

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1	A	One of the officers on Beat 264A. I might	14:31:46
2		have spoken earlier that I said 264 David, but that	14:31:52
3		beat that day was actually 264 Adam.	14:31:56
4	Q	But you're talking about the same people you	14:31:58
5		mentioned earlier, right?	14:32:00
6	A	Smith, Coco, and Mohammed.	14:32:01
7	Q	And the only way that you know that it was	14:32:06
8		someone from that beat who told you that they had	14:32:08
9		found a car unoccupied and brought it back to the	14:32:11
10		station is because you wrote down Beat 264A in this	14:32:13
11		report?	14:32:17
12	A	Well, the car being located at 5720, that	14:32:17
13		was broadcast over the air. Being relocated to the	14:32:20
14		2nd District, I would have had to receive that	14:32:24
15		information from one of those three officers.	14:32:27
16	Q	And you remember sitting here today, you	14:32:28
17		have an independent recollection of hearing that the	14:32:30
18		car had been located at 5720?	14:32:31
19	A	Yes.	14:32:34
20	Q	But you don't remember who said it?	14:32:34
21	A	No, I don't.	14:32:37
22	Q	Were you only on certain channels over the	14:32:38
23		radio?	14:32:47
24	A	It would be the 2nd District broadband,	14:32:47

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1	whatever the 2nd District frequency would be.	14:32:50
2	Q But you don't remember what that is at this	14:32:53
3	time?	14:32:55
4	A It would be Zone 5.	14:32:55
5	Q Zone 5?	14:32:56
6	A Yes.	14:32:57
7	Q At the time it was Zone 5?	14:32:57
8	A I think it's still Zone 5.	14:32:59
9	Q Okay. Why didn't you write in the report	14:33:01
10	who specifically relocated the vehicle to the 2nd	14:33:19
11	District?	14:33:22
12	A Put in the beat. I thought it was	14:33:22
13	sufficient enough. When it came to court, the	14:33:30
14	State's Attorney could have actually asked what	14:33:35
15	individual actually located the car. But I thought	14:33:35
16	it was sufficient just putting the beat number that	14:33:38
17	one of them -- Beat 264 Adam relocated the car to	14:33:41
18	the 2nd District.	14:33:46
19	Q You didn't think there was a reason to just	14:33:46
20	identify which officer it was?	14:33:48
21	A I didn't felt it was necessary at that time.	14:33:49
22	Q And do you know why you didn't think it was	14:33:51
23	necessary at the time?	14:33:55
24	A Because I already put down what beat	14:33:55

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1	transported. I don't know who was driving so I	14:34:00
2	don't know who transported, but I know it was Beat	14:34:02
3	264 Adam.	14:34:05
4	Q How fast was the Taurus moving when	14:34:06
5	Mr. McDaniels got out?	14:34:10
6	A The Taurus was moving?	14:34:11
7	Q It was moving, right?	14:34:14
8	A It was in motion, but I wouldn't -- maybe if	14:34:16
9	I would have to guess, 3 miles, 2 miles an hour.	14:34:19
10	Q Just barely rolling?	14:34:23
11	A Yes.	14:34:25
12	Q How far away was your car from the Taurus	14:34:26
13	when Mr. McDaniels jumped out?	14:34:35
14	A Maybe a car length, two at the most.	14:34:37
15	Q And then how long did it take you and	14:34:41
16	Nichols to catch up with him?	14:34:45
17	A To catch up with who?	14:34:46
18	Q With Mr. McDaniels once he got out.	14:34:47
19	A Probably seconds or a minute.	14:34:52
20	Q Did he resist arrest at all?	14:34:55
21	A Did he resist? I wasn't there when he was	14:34:57
22	placed in custody. I don't believe so, no.	14:35:00
23	Q If he would have resisted, it would have	14:35:03
24	been --	14:35:05

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1	A	It would have been indicated somewhere.	14:35:05
2	Q	You've got in here that seven -- there were	14:35:07
3		seven live rounds and one in the chamber?	14:35:16
4	A	Yes.	14:35:17
5	Q	And how did you know that?	14:35:17
6	A	How did I know that? I recovered the gun.	14:35:19
7	Q	And then what did you do with the gun when	14:35:23
8		you recovered it?	14:35:25
9	A	I deemed it safe.	14:35:26
10	Q	What did you do to deem it safe?	14:35:27
11	A	I would eject the slide back so the	14:35:28
12		ammunition would eject out. Then I would make a	14:35:32
13		physical -- visual and physical inspection of the	14:35:36
14		gun, making sure there's no other live rounds in the	14:35:39
15		gun.	14:35:42
16	Q	What did you do with the gun and the	14:35:42
17		ammunition after you completed that process of	14:35:47
18		making sure it was safe?	14:35:49
19	A	Kept it on my person.	14:35:50
20	Q	Until when?	14:35:51
21	A	Until we got to the 2nd District.	14:35:52
22	Q	When you kept it on your person, how did	14:35:54
23		you -- did you have an evidence bag? What --	14:35:56
24	A	I probably kept it in one of my pockets if I	14:35:57

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1	was wearing cargo pants. I'm not sure what kind of	14:36:00
2	pants I was wearing.	14:36:03
3	Q And do you -- do you remember what you did	14:36:04
4	with them when you got back to the station?	14:36:05
5	A Probably -- I don't know if I did	14:36:07
6	inventories. But if I did inventories, I would	14:36:12
7	probably generated a unique inventory number with	14:36:14
8	all the classification of the gun, serial number and	14:36:18
9	all that. If not, if I didn't do the inventories, I	14:36:24
10	probably would have handed that weapon to the person	14:36:26
11	generating that inventory number.	14:36:29
12	Q And then where would -- physically where	14:36:31
13	would the gun go?	14:36:35
14	A Where would the gun go?	14:36:36
15	Q Yeah.	14:36:38
16	A After we're done with inventory, it would be	14:36:38
17	placed in a gun -- in a gun safe in the front desk	14:36:42
18	until it's picked up by ERPS.	14:36:47
19	Q To an evidence --	14:36:49
20	A Evidence technician, yes.	14:36:51
21	Q And do you have any independent recollection	14:36:53
22	of doing any of those things you've just described	14:36:56
23	with this --	14:36:59
24	A Like I said --	14:36:59

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1	Q (Continuing) -- particular gun other than	14:36:59
2	making it safe?	14:37:00
3	A Like I said, I don't know if I'm the one	14:37:01
4	that inventoried the gun or someone else.	14:37:05
5	Q And I should ask you this: Do you have an	14:37:06
6	independent recollection of making sure the gun was	14:37:08
7	same? Do you know you did that?	14:37:10
8	A Yes.	14:37:11
9	Q You remember doing that?	14:37:12
10	A Yes.	14:37:13
11	Q And you did that at the scene?	14:37:14
12	A I do that with all the guns.	14:37:15
13	Q But do you remember doing it with this gun?	14:37:16
14	A Yes.	14:37:19
15	Q Or do you just know you do it with all the	14:37:19
16	guns?	14:37:22
17	A No. I remember doing it with this gun.	14:37:22
18	Q How long did that process take you?	14:37:24
19	A The process?	14:37:28
20	Q Just making sure the gun was safe.	14:37:28
21	A Seconds or less than a minute.	14:37:31
22	Q Did you ever see the gun again after you	14:37:32
23	brought it back to the station?	14:37:38
24	A At trial, yes.	14:37:39

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1	Q Not in between that?	14:37:40
2	A No.	14:37:41
3	Q How do you know if it was the same gun at	14:37:42
4	trial?	14:37:45
5	A The same serial number, same make.	14:37:45
6	Q You looked at the serial number?	14:37:48
7	A The inventory numbers.	14:37:50
8	Q And were you asked to do all those things,	14:37:52
9	look at all those things?	14:37:54
10	A What was that?	14:37:55
11	Q You would compare the serial number and that	14:37:56
12	sort of thing?	14:37:59
13	A It would be the unique inventory number	14:38:00
14	attached to that gun.	14:38:03
15	Q Okay. So I just want to know what you	14:38:04
16	remember.	14:38:06
17	Do you remember looking at serial numbers,	14:38:07
18	doing comparisons?	14:38:08
19	A When?	14:38:09
20	Q At the trial, any time -- so the only time	14:38:10
21	you saw the gun was the day when you are testifying	14:38:11
22	you recovered it and then at trial; is that right?	14:38:16
23	A Yes.	14:38:17
24	Q And do you remember doing any like	14:38:18

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1	comparing, seeing if it was the same serial number	14:38:20
2	or anything like that?	14:38:22
3	A Do I remember independently, no, but most	14:38:24
4	likely that's what would have been done.	14:38:27
5	Q That's what commonly you would be asked to	14:38:28
6	do?	14:38:31
7	A Yes.	14:38:31
8	Q Do you have any estimate of how many gun	14:38:31
9	cases you've testified in?	14:38:40
10	A Testified in? I can't tell you that.	14:38:40
11	Q Do you have an estimate as to how many	14:38:48
12	arrests you were involved in that Mohammed was	14:38:52
13	involved in in some way?	14:38:54
14	A That I can't tell you.	14:38:56
15	Q Do you think it's in the hundreds?	14:38:57
16	A Possible.	14:38:59
17	Q Likely? Is it likely in the hundreds?	14:39:04
18	A Possible, yes.	14:39:05
19	Q Can you move it past the possible category	14:39:06
20	or no?	14:39:09
21	A Probably a hundred, yes.	14:39:10
22	Q Do you see Edgar Carlos is also listed as an	14:39:12
23	assisting arresting officer?	14:39:20
24	A Yes.	14:39:22

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1	Q Do you know Mr. Carlos?	14:39:23
2	A Yes.	14:39:24
3	Q Was he ever a member of the Watts 264 team?	14:39:27
4	A He was never a member of the 264 team.	14:39:29
5	Q Do you know what his role was in assisting	14:39:32
6	the McDaniels arrest?	14:39:34
7	A I believe he was the transport officer.	14:39:35
8	Q Do you have an independent memory of that?	14:39:37
9	A Independent memory of it? No.	14:39:40
10	Q Why do you think he was the transport	14:39:41
11	officer?	14:39:43
12	A Why -- I don't know if I indicated on my	14:39:43
13	report or not, but I believe he was the transport	14:39:45
14	officer.	14:39:47
15	Q Is that just a role he frequently had?	14:39:48
16	A No. Usually he was still in a beat car. So	14:39:53
17	if he was on scene, most likely we would have asked	14:39:56
18	him to transport for us.	14:39:59
19	MR. RAUSCHER: Take another quick --	14:40:06
20	MR. ZECCHIN: Sure.	14:40:08
21	THE VIDEOGRAPHER: Off the record, 2:40.	14:40:12
22	(A recess was taken from 2:40 p.m. to 2:57	14:40:12
23	p.m.)	14:56:15
24	THE VIDEOGRAPHER: Back on the record, 2:57.	14:56:15

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1	Q Do you remember how many people you arrested	14:56:25
2	on November 21st, 2008?	14:56:27
3	A No, I don't.	14:56:29
4	Q Do you know if you arrested anyone other	14:56:30
5	than Mr. McDaniels?	14:56:32
6	A I don't recall if we did or not.	14:56:33
7	Q You don't recall either way?	14:56:35
8	A No.	14:56:37
9	Q Do you remember what kind of car you were	14:56:37
10	driving that day?	14:56:39
11	A Most likely would have been a Crown Vic.	14:56:39
12	Q But you don't remember specifically?	14:56:43
13	A I don't have no independent recollection	14:56:44
14	whether it was a Crown Vic, but most likely it would	14:56:47
15	be.	14:56:50
16	Q Why do you think it was most likely a Crown	14:56:50
17	Vic?	14:56:53
18	A That was the car we drove at that time.	14:56:53
19	Q What color was it?	14:56:55
20	A Most likely it would have been gray.	14:56:57
21	Q Did it have automatic windows or locks?	14:57:00
22	A I believe so.	14:57:03
23	Q Both, both automatic windows and locks?	14:57:04
24	A Yes.	14:57:09

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1	Q Do you know if your partner, Nichols, knew	14:57:10
2	Mr. McDaniels?	14:57:15
3	A I don't recall.	14:57:16
4	Q You don't know --	14:57:19
5	A I don't know if he knows Mr. McDaniels.	14:57:20
6	Q Do you know if Mohammed knew Mr. McDaniels?	14:57:23
7	A That I don't know either.	14:57:26
8	Q Were you pressed for time for any reason	14:57:26
9	when you were back at the station after	14:57:31
10	Mr. McDaniels had been arrested?	14:57:34
11	A I don't believe so.	14:57:35
12	Q You had plenty of time to ask him whatever	14:57:36
13	you wanted to?	14:57:39
14	A Yes.	14:57:40
15	Q Did you hear a tow truck driver testify	14:57:40
16	during Mr. McDaniels trial?	14:57:50
17	A I believe he did.	14:57:51
18	Q Did you hear his testimony?	14:57:52
19	A No.	14:57:54
20	Q Do you know his testimony conflicts with the	14:57:55
21	idea that the car was towed from the 2nd District?	14:57:57
22	A I believe, yes, it did conflict with 2nd	14:57:59
23	District.	14:58:05
24	Q And who told you that it conflicts with --	14:58:05

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1	A	Probably one of the State's Attorney.	14:58:07
2	Q	Do you have any explanation as to why the	14:58:10
3		tow truck driver is giving testimony that conflicts	14:58:13
4		with your version of events?	14:58:15
5	A	I can't --	14:58:15
6	MR. ZECCHIN:	Objection, form and	14:58:17
7		foundation.	14:58:18
8	A	I can't answer that question.	14:58:18
9	Q	So you don't know?	14:58:20
10	A	I don't know.	14:58:20
11	Q	Have you ever spoken to the tow truck	14:58:22
12		driver?	14:58:24
13	A	No.	14:58:24
14	Q	And have you ever talked with anybody other	14:58:25
15		than the State's Attorney about the car being towed?	14:58:29
16	A	No.	14:58:32
17	Q	Do you know whether anyone else on the Watts	14:58:33
18	264	team had any interactions with McDaniels --	14:59:00
19	A	That I can't --	14:59:04
20	Q	(Continuing) -- the day of his arrest,	14:59:05
21		November 21st, 2008?	14:59:06
22	A	Could you repeat that?	14:59:07
23	Q	Yeah. I was going slow. I'll try again,	14:59:09
24		so. . .	14:59:09

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1	Do you know whether anyone else on the Watts	14:59:12
2	264 team had any interaction with Mr. McDaniels on	14:59:14
3	November 21st, 2008, other than the events that	14:59:18
4	you've described today?	14:59:21
5	A I don't recall.	14:59:22
6	Q You don't know?	14:59:23
7	A I don't know.	14:59:26
8	Q Do you know whether anyone on the Watts 264	14:59:27
9	team had any interactions with Mr. McDaniels on any	14:59:30
10	other day ever?	14:59:32
11	A I don't know.	14:59:33
12	Q You never asked anybody?	14:59:34
13	A No.	14:59:37
14	Q I'm going to shift gears again and ask you	14:59:37
15	about Christopher Scott.	15:00:13
16	A Okay.	15:00:15
17	Q Do you know who Christopher Scott is?	15:00:17
18	A No, I don't.	15:00:19
19	Q Do you have any recollection of being	15:00:20
20	involved in arresting Mr. Scott?	15:00:23
21	A No, I don't.	15:00:24
22	Q Are you aware, though, that you're a	15:00:26
23	defendant in a lawsuit he's brought?	15:00:28
24	A Yes.	15:00:29

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1	Q Do you have any basis one way or the other	15:00:29
2	to determine whether the allegations in the lawsuit	15:00:32
3	are correct?	15:00:36
4	A Could you repeat that?	15:00:37
5	Q Yeah. Do you know whether what Mr. Scott is	15:00:39
6	alleging happened actually happened?	15:00:41
7	A No, it didn't happen the way he's alleging.	15:00:43
8	Q And how do you know that if you don't have	15:00:47
9	any memory of arresting him?	15:00:48
10	A I have no reason to doubt any of the	15:00:50
11	officers of their lawful duty in that arrest.	15:00:53
12	Q You still think Mohammed and Watts didn't do	15:00:57
13	anything wrong?	15:01:03
14	A At that --	15:01:04
15	MR. ZECCHIN: Objection, argumentative.	15:01:04
16	A At that moment I have no reason to doubt any	15:01:06
17	officer, their credibility or their lawful duty in	15:01:08
18	that incident.	15:01:12
19	Q So even now that you know that Watts and	15:01:13
20	Mohammed have been convicted and they abused their	15:01:16
21	power, you don't doubt their actions?	15:01:19
22	A Like I stated --	15:01:21
23	MR. KOSOKO: I'm going to -- I'm going to	15:01:22
24	object to the form of the question.	15:01:23

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1	A	Like I stated, I have no reason to doubt	15:01:25
2		those officers at that time.	15:01:27
3	Q	Do you agree that Watts and Mohammed abused	15:01:28
4		their power as police officers?	15:01:31
5	A	Could you repeat that?	15:01:33
6	Q	Do you agree -- let me rephrase it.	15:01:33
7		Did Officer Watts and Officer Mohammed abuse	15:01:35
8		their power as police officers?	15:01:39
9		MR. ZECCHIN: Objection; form, foundation.	15:01:40
10	A	Abused their power on what incident?	15:01:44
11	Q	Generally. Did they abuse their power as	15:01:46
12		police officers ever?	15:01:49
13	A	Ever other than what I heard in the news? I	15:01:50
14		have no other knowledge of them abusing their police	15:01:53
15		power.	15:01:56
16	Q	From what you heard on the news, do you	15:01:56
17		agree that they did abuse their police power?	15:01:57
18	A	According to the news, they were locked up	15:02:01
19		for taking funds from a government agency.	15:02:02
20	Q	Is that an abuse of power?	15:02:06
21	A	At that --	15:02:08
22		MR. KOSOKO: Object to the form.	15:02:12
23	A	At that moment, yes. That incident, yes.	15:02:15
24	Q	So, yes, they abused their power as police	15:02:18

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1	officers?	15:02:21
2	MR. ZECCHIN: Objection. That's not what he	15:02:21
3	testified to. If you're going to ask a different	15:02:23
4	question, that's fine.	15:02:25
5	A At that incident, yes.	15:02:26
6	Q But after that incident you have no reason	15:02:29
7	to think they might have done that or something	15:02:31
8	similar ever a different time?	15:02:34
9	A I have never witnessed any officer commit	15:02:36
10	any unlawful act in my presence or otherwise.	15:02:39
11	Q Have you read the complaints -- any of the	15:02:43
12	complaints that list you as a defendant?	15:02:46
13	A Any of the complaints, some of them, yes.	15:02:47
14	Q Have you read the parts where the federal	15:02:49
15	government accused Watts and Mohammed of abusing	15:02:51
16	their power repeatedly?	15:02:56
17	A I don't know if I ever read that one.	15:02:57
18	Q So if the federal government did make that	15:02:59
19	accusation, do you have any reason to believe it's	15:03:02
20	wrong?	15:03:03
21	MR. KOSOKO: Objection. Calls for a	15:03:03
22	speculative response.	15:03:06
23	A I can't answer it.	15:03:06
24	Q Because you don't think you read that part	15:03:08

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1	of the complaint?	15:03:10
2	A I mean, I never witnessed any wrongful act	15:03:10
3	by any officer in my presence.	15:03:14
4	Q And if the federal government had accused	15:03:17
5	them of that, it still wouldn't give you any pause	15:03:20
6	as to their actions that you didn't observe?	15:03:23
7	A There was other officers involved in most of	15:03:26
8	those arrests.	15:03:29
9	Q What does that mean?	15:03:31
10	A So I have no reason to doubt those other	15:03:32
11	officers and their lawful duty as a police officer	15:03:35
12	in that incident.	15:03:38
13	Q Because they haven't been convicted yet?	15:03:38
14	MR. ZECCHIN: I'm going to object as --	15:03:41
15	Q I didn't mean that to assume.	15:03:42
16	Is that because they haven't -- there are no	15:03:45
17	other officers who have been convicted?	15:03:45
18	A Not just that. I have never witnessed any	15:03:47
19	officer do any wrongful thing in my presence.	15:03:49
20	Q Did you review any reports relating to	15:03:53
21	Christopher Scott's arrest before --	15:04:03
22	A Yes.	15:04:03
23	Q (Continuing) -- your deposition?	15:04:03
24	Did the reports refresh your recollection at	15:04:05

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1	all?	15:04:06
2	A No.	15:04:06
3	MR. RAUSCHER: Let's mark this as Exhibit 3.	15:04:14
4	This is Bates-stamped CITY-BG-32187 to 188 -- no, to	15:04:16
5	190.	15:04:21
6	MR. ZECCHIN: Could you read those again,	15:04:23
7	Scott?	15:04:25
8	MR. RAUSCHER: Yeah, sure. It's	15:04:25
9	CITY-BG-32187 to 190.	15:04:26
10	(Leano Exhibit No. 3 was marked for	15:04:26
11	identification and is attached to the transcript.)	15:04:26
12	Q Have you seen this document before?	15:05:17
13	A Yes.	15:05:17
14	Q Tell me what this document is.	15:05:21
15	A It's an Arrest Report.	15:05:22
16	Q And do you have any independent knowledge as	15:05:25
17	to whether what's alleged in this report is true?	15:05:28
18	A Independent, no.	15:05:30
19	Q Do you have any knowledge that isn't -- any	15:05:32
20	knowledge as to whether it's true?	15:05:37
21	A Do I have what?	15:05:39
22	Q Any knowledge at all as to whether what's	15:05:40
23	alleged in this report is true?	15:05:43
24	A That is true independent, no.	15:05:44

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1	Q	You just assume it is accurate because one	15:05:45
2		of your fellow officers wrote it; is that right?	15:05:49
3	A	Yes.	15:05:50
4	Q	But you've never talked to anybody about	15:05:51
5		Christopher Scott's arrest?	15:05:54
6	A	No.	15:05:55
7	Q	Do you remember being at the scene of his	15:05:56
8		arrest?	15:05:59
9	A	I don't believe I was at this arrest.	15:05:59
10	Q	Why do you think you weren't at this arrest?	15:06:01
11	A	I believe I was on furlough at this time.	15:06:04
12	Q	How long were you on furlough for?	15:06:06
13	A	Depends on the year and the amount of time I	15:06:08
14		have on the job.	15:06:11
15	Q	When you say "furlough," are you talking	15:06:12
16		about a vacation?	15:06:16
17	A	A vacation.	15:06:17
18	Q	Why do you think you were on vacation for	15:06:17
19		this particular arrest?	15:06:20
20	A	I recall looking at A&As indicating I was on	15:06:21
21		furlough on this date.	15:06:26
22	Q	Do you know who Lionel White, Senior is?	15:06:27
23	A	Do I know who he is?	15:06:49
24	Q	Yeah.	15:06:50

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1	A	Not really.	15:06:53
2	Q	Do you know who he is at all?	15:06:54
3	A	No.	15:06:56
4	Q	Do you know if you were involved in his	15:06:56
5		arrest or any arrest any time arresting him?	15:07:01
6	A	Maybe, but I'm not a hundred percent sure.	15:07:04
7	Q	Why do you say "maybe"?	15:07:07
8	A	I might have looked at a document stating I	15:07:08
9		was assisting on it.	15:07:12
10	Q	No independent -- you don't have any --	15:07:13
11	A	No.	15:07:13
12	Q	(Continuing) -- independent recollection of	15:07:16
13		being involved in any arrest of Lionel White,	15:07:17
14		Senior?	15:07:22
15	A	No.	15:07:22
16	MR. RAUSCHER:	I'm going to mark Exhibit 4,	15:07:31
17		a document that's BAKER GLENN 4144 through 4150.	15:07:32
18		(Leano Exhibit No. 4 was marked for	15:07:32
19		identification and is attached to the transcript.)	15:07:32
20		(Witness examining document.)	15:07:32
21	MR. PALLES:	Those of us following the	15:08:33
22		Lionel White matter.	15:08:34
23	MR. RAUSCHER:	Yes.	15:08:34
24	MS. KLEINHAUS:	All of us are following the	15:08:38

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1	line.	15:08:39
2	MR. RAUSCHER: I'm not sure.	15:08:40
3	MR. PALLES: They told me I've got to stay	15:08:43
4	awake.	15:08:44
5	Q Have you had a chance to review that?	15:10:15
6	A Yes.	15:10:16
7	Q Is this or some of this at least documents	15:10:16
8	you reviewed in preparation for your deposition	15:10:19
9	today?	15:10:21
10	A Yes.	15:10:21
11	Q And you see your name is listed on what's	15:10:22
12	BAKER GLENN 4147?	15:10:27
13	A Uh-huh, yes.	15:10:34
14	Q And it lists you as a witness?	15:10:35
15	A Yes.	15:10:38
16	Q Did you witness anything relating to	15:10:38
17	Mr. White's arrest?	15:10:42
18	A Witnessed something; but as to what, I don't	15:10:43
19	recall at this time.	15:10:47
20	Q You don't -- you don't really know if you	15:10:47
21	witnessed anything, right?	15:10:50
22	A No, I witnessed something; but to the	15:10:52
23	capacity of what I witnessed, I don't recall what	15:10:54
24	that is.	15:10:56

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1	Q How do you know that you witnessed	15:10:56
2	something?	15:10:58
3	A It's checked I witnessed so I must have	15:10:58
4	witnessed something.	15:11:01
5	Q Or the report's wrong?	15:11:02
6	A Possible, but I doubt it.	15:11:04
7	Q Do you know who -- who created this report?	15:11:07
8	A I'm just assuming here since reporting	15:11:10
9	officer is Officer Jones, it would be Officer Jones.	15:11:15
10	Q Did you ever talk to Officer Jones about his	15:11:17
11	report?	15:11:20
12	A Did I ever talk to Officer Jones about his	15:11:20
13	report?	15:11:24
14	Q This report.	15:11:24
15	A This report? No.	15:11:25
16	Q Do you remember anything you did on this	15:11:26
17	day?	15:11:35
18	A No, I don't.	15:11:36
19	Q Do you remember Officer Jones getting into	15:11:37
20	fight with anybody when he was an officer?	15:11:41
21	A Getting in fights?	15:11:44
22	Q Yeah.	15:11:46
23	A Probably --	15:11:48
24	MR. KOSOKO: I'm going to object to the --	15:11:48

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1	I'm going to object to the way it was phrased.	15:11:51
2	A I probably observe him in a struggle trying	15:11:53
3	to arrest someone, but I wouldn't call that a fight.	15:11:55
4	Q Did you ever observe him getting punched by	15:11:57
5	a civilian he was trying to arrest?	15:12:00
6	A I don't recall if I have or not.	15:12:02
7	Q You don't know one way or the other?	15:12:03
8	A No.	15:12:06
9	Q No, you don't know?	15:12:07
10	A No, I don't know.	15:12:09
11	Q Did you ever observe him punching anybody?	15:12:09
12	A I don't recall.	15:12:12
13	MR. ZECCHIN: Objection to form. You mean	15:12:16
14	in this instance or ever?	15:12:18
15	MR. RAUSCHER: I actually mean ever.	15:12:18
16	Q Do you remember him punching anybody ever?	15:12:20
17	A I don't believe so.	15:12:22
18	Q You don't think you've ever seen him punch	15:12:24
19	anybody?	15:12:26
20	A No.	15:12:26
21	Q Do you ever remember him coming and telling	15:12:26
22	you, Hey, someone just punched me in the face when I	15:12:29
23	tried to arrest them or something like that?	15:12:32
24	A I don't believe so.	15:12:34

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1	Q Do you remember him ever coming to you and	15:12:35
2	saying, I just had to punch somebody to subdue them	15:12:37
3	in connection with an arrest or anything like that?	15:12:41
4	A No, I don't believe so.	15:12:44
5	Q Did looking at any of these documents	15:12:45
6	refresh your recollection as to whether you were	15:12:47
7	involved in the arrest of Lionel White?	15:12:49
8	A My involvement, no.	15:12:50
9	Q Or as to whether you were involved at all?	15:12:51
10	A It has me listing as assisting. So in some	15:12:54
11	capacity I assisted the officer in their lawful	15:12:58
12	duties.	15:13:03
13	Q But that doesn't mean you actually assisted	15:13:03
14	with --	15:13:03
15	A With the physical arrest?	15:13:07
16	Q Yeah. Or that you saw anything that he did	15:13:07
17	or was alleged to have done?	15:13:10
18	A Right.	15:13:12
19	Q It could mean you just got there and you	15:13:12
20	were making sure the scene was -- the officers were	15:13:14
21	safe, right?	15:13:15
22	A Yes.	15:13:15
23	Q Or you were just there. You had responded	15:13:16
24	to the call and you were there?	15:13:18

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1	A Yes.	15:13:19
2	Q Is there anything you can think of at all	15:13:20
3	that would refresh your recollection as to whether	15:13:30
4	you actively participated in Mr. White's arrest?	15:13:33
5	A I mean, there's -- might be some, but at	15:13:37
6	this moment I don't know what that something is.	15:13:41
7	Q Yeah, you can't think of anything?	15:13:42
8	A No.	15:13:44
9	Q And did you try to -- did you try to think	15:13:45
10	of ways to refresh your recollection before the	15:13:46
11	deposition?	15:13:49
12	A I mean, I tried. But there might be a way;	15:13:49
13	but as I say, at this moment I don't know what that	15:13:52
14	might be.	15:13:55
15	Q Is that the same for Christopher Scott?	15:13:56
16	A Christopher Scott, I believe I was on	15:13:58
17	furlough at that time.	15:14:03
18	Q And then Mr. McDaniels, other than things	15:14:04
19	you say you have an independent recollection of, is	15:14:06
20	there anything you can think of that would refresh	15:14:09
21	your recollection as to the other events?	15:14:11
22	A Could you repeat that question?	15:14:12
23	Q Yeah. So you said you have an independent	15:14:14
24	recollection of certain things relating to	15:14:16

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1	Mr. McDaniels' arrest.	15:14:18
2	A Yes.	15:14:19
3	Q And then there's certain things you don't	15:14:19
4	remember exactly?	15:14:22
5	A Yes.	15:14:23
6	Q Is there anything that would refresh your	15:14:23
7	recollection as to those events that you can think	15:14:24
8	of?	15:14:27
9	A There might be; but like I stated earlier, I	15:14:27
10	don't know what that stuff might be.	15:14:29
11	MR. RAUSCHER: You know, let us take another	15:14:43
12	quick break. And we should -- I want to talk --	15:14:44
13	maybe we can talk about the best way to move forward	15:14:45
14	with cases.	15:14:50
15	MR. ZECCHIN: Sure.	15:14:50
16	MR. RAUSCHER: Just real quick.	15:14:51
17	MR. ZECCHIN: Yeah.	15:14:52
18	THE VIDEOGRAPHER: Off the record, 3:15.	15:14:55
19	(A recess was taken from 3:15 p.m. to 3:21	15:14:55
20	p.m.)	15:14:55
21	THE VIDEOGRAPHER: Back on the record, 3:21.	15:20:54
22	MR. RAUSCHER: I'm actually -- I think I'm	15:20:56
23	through with my questions. I think Joel has a	15:20:58
24	couple questions so I'm going to pass to him.	15:21:00

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1	CROSS-EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS	15:21:00
2	BY MR. FLAXMAN:	15:21:00
3	Q Sir, do people call you Manny?	15:21:10
4	A Sometimes.	15:21:14
5	Q And another thing that Mr. Rauscher asked	15:21:15
6	you about were nicknames for some of the officers on	15:21:18
7	your team.	15:21:21
8	Do you remember that?	15:21:22
9	A Yes.	15:21:22
10	Q Do you remember hearing Officer Mohammed	15:21:23
11	ever called Smoke?	15:21:24
12	A Smoke? No.	15:21:25
13	Q And do you ever remember hearing Officer	15:21:27
14	Jones called AJ?	15:21:32
15	A No.	15:21:32
16	Q AJ are his initials, though, right?	15:21:33
17	A I thought you said EJ.	15:21:37
18	Q Oh, I'm sorry. Let me ask it again.	15:21:39
19	Have you ever heard Officer Jones referred	15:21:41
20	to as AJ?	15:21:43
21	A AJ? Maybe.	15:21:44
22	MR. FLAXMAN: Okay. Those are all my	15:21:46
23	questions. Thank you.	15:21:47
24	A I thought you said EJ.	15:21:48

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1	MR. RAUSCHER: You guys are up.	15:21:57
2	MR. PALLES: No questions for me.	15:21:58
3	MR. KOSOKO: Watts has a couple questions.	15:22:02
4	CROSS-EXAMINATION BY COUNSEL FOR DEFENDANT RONALD WATTS	15:22:02
5	BY MR. KOSOKO:	15:22:02
6	Q Officer Leano, have you ever been --	15:22:04
7	THE VIDEOGRAPHER: Pass the mic, please.	15:22:07
8	(Discussion off the record.)	15:22:07
9	Q You wouldn't have been listed in any	15:22:30
10	reports, whether it be a Vice Case Report or Arrest	15:22:32
11	Report, unless you were either a surveillance	15:22:35
12	officer, an enforcement officer, or a processing	15:22:37
13	officer; is that correct?	15:22:40
14	MR. FLAXMAN: Objection, foundation.	15:22:44
15	A Could you repeat that, sir?	15:22:44
16	Q You wouldn't have been listed in either any	15:22:48
17	Vice Reports or Arrest Reports if you either	15:22:49
18	didn't -- didn't work as a surveillance officer in	15:22:52
19	the incident, an enforcement officer, or helped in	15:22:54
20	some formal way of the processing?	15:22:58
21	MR. FLAXMAN: Objection, foundation.	15:22:58
22	A Unless I was an assisting officer in some	15:23:02
23	capacity.	15:23:04
24	Q Now, back in 2008 do you remember if there	15:23:10

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1	was any gang warfare between any gangs in the 2nd	15:23:13
2	District?	15:23:17
3	A No, I don't.	15:23:18
4	Q Now, you've been on the force for 18 years;	15:23:18
5	is that correct?	15:23:22
6	A Yes.	15:23:22
7	Q Has any -- has any State's Attorney ever	15:23:22
8	used your report in lieu of your live testimony?	15:23:26
9	A No.	15:23:28
10	Q Okay. So what is the -- the purpose of your	15:23:30
11	report is to assist you in recollecting the	15:23:34
12	incident; is that correct?	15:23:37
13	MR. RAUSCHER: Object to form.	15:23:37
14	A Yes.	15:23:37
15	Q Okay. Now, what is the Felony Review Unit,	15:23:40
16	Officer Leano?	15:23:44
17	A It's part of the State's Attorney. You call	15:23:44
18	to get an approval for a felony.	15:23:46
19	Q Okay. Now, the Felony Review Unit doesn't	15:23:48
20	require approval on all felonies; is that correct?	15:23:52
21	A Yes.	15:23:54
22	Q Okay. So drug charges you don't need to	15:23:54
23	call -- small drug charges you don't need to call	15:23:57
24	Felony Review; is that correct?	15:24:01

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1	MR. RAUSCHER: Object to form.	15:24:01
2	A All drug charges, if it's felony, you don't	15:24:02
3	need to call for a felony.	15:24:06
4	Q So an officer can initiate a complaint and	15:24:08
5	charge an individual without contacting the Cook	15:24:10
6	County State's Attorney's Office?	15:24:14
7	A For a drug felony, no.	15:24:14
8	Q What about gun cases. Can you ever charge a	15:24:16
9	felony gun case without contacting the Cook County	15:24:18
10	State's Attorney's Office?	15:24:22
11	A No.	15:24:22
12	Q Okay. So the Cook County State's Attorney's	15:24:23
13	Office has a vetting system, is that correct, upon	15:24:26
14	which --	15:24:29
15	MR. FLAXMAN: Objection, foundation.	15:24:29
16	Q Are you aware of --	15:24:32
17	MR. RAUSCHER: And form.	15:24:32
18	MR. KOSOKO: Huh? And form?	15:24:34
19	Q Are you aware that the Cook County State's	15:24:35
20	Attorney's Office has a vetting system for all	15:24:39
21	felony gun cases?	15:24:40
22	MR. RAUSCHER: Object to form. I think	15:24:41
23	that -- and I will explain. I think there are legal	15:24:44
24	questions which I don't think are proper.	15:24:45

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1	Q Explain to us the felony review process.	15:24:47
2	A I know we would have to call Felony Review	15:24:50
3	to get a felony approval on a weapon.	15:24:52
4	Q On a weapon charge?	15:24:55
5	A Yes.	15:24:55
6	Q On a felony weapon charge?	15:24:56
7	A Yes.	15:24:58
8	Q Okay. Could you on your own charge an	15:24:58
9	individual without contacting the Cook County	15:25:00
10	State's Attorney's Office Felony Review Unit?	15:25:03
11	A No.	15:25:04
12	Q Okay. Going back to Mr. McDaniels' arrest,	15:25:05
13	did you call Felony Review?	15:25:09
14	A Yes.	15:25:11
15	Q Explain to all of us what's the difference	15:25:11
16	between a phone case and a personal case in Felony	15:25:13
17	Review?	15:25:16
18	A Could you repeat that?	15:25:16
19	Q What is the difference between a phone case	15:25:17
20	and a personal case in Felony Review?	15:25:19
21	A What do you -- I don't understand what you	15:25:21
22	mean by a phone case.	15:25:23
23	Q Did a State's Attorney come out to 51st and	15:25:23
24	Wentworth to speak to you or did you just call the	15:25:26

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1	case in?	15:25:26
2	A I believe we just called the case in.	15:25:29
3	Q Okay. And when you call the case in, what	15:25:30
4	is it -- what happens?	15:25:34
5	A We tell them what happened. We give them --	15:25:34
6	we give them his background check --	15:25:38
7	Q Okay.	15:25:38
8	A (Continuing) -- and they make the	15:25:39
9	determination on that.	15:25:40
10	Q Okay. So they verify the facts of the	15:25:41
11	incident as you relay to them?	15:25:47
12	A Yes.	15:25:48
13	MR. RAUSCHER: Object to the form and	15:25:48
14	foundation.	15:25:49
15	Q And including the criminal history of the	15:25:51
16	assailant?	15:25:51
17	A That would be correct.	15:25:55
18	Q Okay. And the State's Attorney's office	15:25:56
19	decides whether or not to charge or not?	15:25:58
20	A Correct.	15:25:59
21	Q Okay. Now, in regards to Mr. McDaniels'	15:26:00
22	case, which occurred in November of 2008, did	15:26:08
23	Mr. McDaniels file a complaint with either OPS or if	15:26:13
24	it was called IPRA then on you based on this arrest?	15:26:17

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1	A I don't believe so.	15:26:21
2	Q Okay. Did you, yourself -- eventually	15:26:22
3	McDaniels was charged with armed habitual criminal;	15:26:28
4	is that correct?	15:26:28
5	A Correct.	15:26:33
6	Q Okay. When you called the case in to Felony	15:26:33
7	Review, did you call it in as armed habitual or just	15:26:35
8	UUW?	15:26:38
9	A UUW.	15:26:38
10	Q Okay. So the State's Attorney's office	15:26:39
11	determined that Mr. McDaniels should be indicted for	15:26:41
12	armed habitual?	15:26:41
13	A That would be --	15:26:41
14	MR. FLAXMAN: Objection, foundation.	15:26:47
15	A That would be correct.	15:26:48
16	Q Now, after Mr. McDaniels was indicted for	15:26:49
17	armed habitual criminal, at some point you remember	15:26:54
18	testifying in the matter; is that correct?	15:26:55
19	A Correct.	15:26:56
20	Q Okay. Do you remember if you testified in	15:26:57
21	the motion to quash the arrest?	15:26:59
22	A I don't recall whether I did or not.	15:27:00
23	Q Do you recall if -- and at some point you	15:27:03
24	testified at his criminal trial; is that correct?	15:27:10

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201

1	A Yes.	15:27:11
2	Q And that was a bench trial?	15:27:12
3	A Yes.	15:27:13
4	Q Was that a bench trial or jury trial?	15:27:14
5	A Bench.	15:27:16
6	Q And the judge found him guilty?	15:27:17
7	A Correct.	15:27:18
8	Q Okay. After that testimony, did the Cook	15:27:19
9	County State's Attorney's Office ever subpoena you	15:27:23
10	again to testify regarding the arrest of Anthony	15:27:24
11	McDaniels?	15:27:27
12	A No.	15:27:27
13	Q Okay. But he was exonerated anyways?	15:27:28
14	A Yes.	15:27:30
15	Q So nothing changed from the date you called	15:27:31
16	the Felony Review Unit up until Mr. McDaniels had	15:27:33
17	been arrested?	15:27:36
18	MR. RAUSCHER: Object to form.	15:27:37
19	MR. FLAXMAN: Objection, foundation.	15:27:39
20	MR. RAUSCHER: And form.	15:27:39
21	A Correct.	15:27:40
22	Q Now, we can surmise that the reason	15:27:43
23	Mr. McDaniels was indicted was because my client	15:27:45
24	back in 2012 had pled guilty to theft of government	15:27:48

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1	funds; is that correct?	15:27:51
2	A Yes.	15:27:52
3	MR. FLAXMAN: Objection to form.	15:27:54
4	MR. KOSOKO: Huh?	15:27:56
5	MR. FLAXMAN: You said, We can surmise that	15:27:56
6	McDaniels was indicted because your client --	15:27:56
7	Q Why do you think Mr. McDaniels was	15:28:00
8	exonerated?	15:28:00
9	A Why do I think?	15:28:02
10	Q Yeah.	15:28:04
11	A Based on Officer -- formerly Officer	15:28:04
12	Mohammed and Sergeant Watts being convicted of a	15:28:09
13	crime, federal crime.	15:28:12
14	Q Was Sergeant Watts on duty the date you	15:28:13
15	arrested Mr. McDaniels?	15:28:17
16	A I don't -- I don't recall, but I would have	15:28:17
17	to look at the Arrest Report whether he is or not.	15:28:22
18	Q Okay. I'll give you an opportunity to --	15:28:24
19	let's go back to -- is there anything that would	15:28:26
20	help you refresh your recollection?	15:28:34
21	A Probably the case report or the Arrest	15:28:36
22	Report.	15:28:40
23	Q Okay. So we can look at Exhibit No. 2.	15:28:40
24	A Do you have a case report on there? The	15:28:42

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1	case report might tell me whether he was on duty.	15:29:21
2	Q The Original Case Incident Report?	15:29:23
3	A Yes, whether he approved it or not.	15:29:24
4	MR. RAUSCHER: Do you want to say what Bates	15:29:24
5	number that is?	15:29:24
6	MR. KOSOKO: Yeah. That's just your Exhibit	15:29:33
7	No. 2. That's just Exhibit No. 2.	15:29:35
8	Q Handing you Exhibit No. 2.	15:29:36
9	A I don't recall whether he was on duty or	15:30:01
10	not.	15:30:03
11	Q Did Sergeant Watts approve your report?	15:30:03
12	A No.	15:30:05
13	Q I'll take that back. Now, in order to	15:30:05
14	charge Mr. McDaniels with a UUW or to seek approval	15:30:16
15	of charging him with a UUW, you needed to verify his	15:30:19
16	criminal history, correct?	15:30:23
17	A Correct.	15:30:24
18	Q Okay. So when you called -- when you called	15:30:24
19	the matter in, you were able to determine that he,	15:30:26
20	in fact, was a felon?	15:30:29
21	A Correct.	15:30:29
22	Q Okay. And in order for Mr. McDaniels to be	15:30:30
23	charged with armed habitual, he would have been	15:30:37
24	previously convicted of multiple gun charges; is	15:30:41

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1	that correct?	15:30:45
2	A I don't know how the State's Attorney	15:30:45
3	determined charging him with armed habitual.	15:30:47
4	Q Are you aware that Mr. McDaniels has been to	15:30:49
5	prison for murder?	15:30:53
6	A Yes.	15:30:53
7	Q Okay. And, again, you've never been asked	15:30:53
8	to testify regarding this arrest since his bench	15:30:55
9	trial. The State's Attorney's office hasn't	15:30:59
10	subpoenaed you to testify?	15:31:03
11	A No.	15:31:03
12	Q You don't -- do you recall ever testifying	15:31:04
13	at a third stage evidentiary hearing post conviction	15:31:06
14	petition?	15:31:09
15	A No.	15:31:09
16	Q Okay. So as it stands now, no one has asked	15:31:10
17	you -- nothing has changed as far as what you've put	15:31:12
18	forward in regard to why Mr. McDaniels was charged	15:31:15
19	with the gun charge that date?	15:31:18
20	A No.	15:31:20
21	Q Okay. Do you think it was safe for the Cook	15:31:20
22	County State's Attorney's Office to exonerate an	15:31:26
23	armed habitual criminal without asking you any	15:31:28
24	further questions?	15:31:31

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1	A	Could you repeat that question?	15:31:31
2	Q	Do you think -- do you think it's safe for	15:31:34
3		the 2nd District that the Cook County State's	15:31:36
4		Attorney's Office exonerated a known murderer and	15:31:39
5		armed habitual criminal without asking you any	15:31:44
6		additional questions?	15:31:46
7	A	No, it's not safe for the City of Chicago.	15:31:47
8		MR. KOSOKO: No further questions.	15:31:50
9		MR. MICHALIK: I have no questions.	15:31:54
10		MR. ZECCHIN: I just have a few.	15:31:55
11		CROSS-EXAMINATION BY COUNSEL FOR CERTAIN DEFENDANTS	15:31:55
12		BY MR. ZECCHIN:	15:31:55
13	Q	Officer Leano, you were asked questions	15:31:58
14		about Lionel White, Senior and the arrest that was	15:32:00
15		made by Officer -- Sergeant Jones, at the time	15:32:03
16		Officer Jones, correct?	15:32:07
17	A	Yes.	15:32:08
18	Q	Did you see anything -- any interaction	15:32:08
19		between Mr. White and Officer Jones?	15:32:13
20	A	No, I did not.	15:32:15
21	Q	Did you see any physical contact between	15:32:16
22		Officer Jones and Mr. White?	15:32:19
23	A	No, I did not.	15:32:20
24	Q	Did you see anything involving the narcotics	15:32:22

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1	that Mr. White was ultimately charged with in	15:32:24
2	relation to Mr. Jones?	15:32:27
3	A No, I did not.	15:32:28
4	Q And that day do you recall there being a	15:32:29
5	reverse sting being held in the lobby of that	15:32:33
6	building?	15:32:35
7	A I believe so.	15:32:36
8	Q And was that separate and apart from the	15:32:37
9	arrest of Mr. White?	15:32:39
10	A I believe so.	15:32:40
11	Q And was your involvement limited to that	15:32:41
12	reverse sting and not involving the arrest of Mr.	15:32:44
13	White?	15:32:46
14	A Correct.	15:32:46
15	Q But did the arrest take place of Mr. White	15:32:47
16	at approximately the same time the reverse sting was	15:32:50
17	taking place?	15:32:52
18	A Yes.	15:32:57
19	MR. ZECCHIN: I don't think I have any other	15:32:59
20	questions.	15:33:00
21	REDIRECT EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS	15:33:00
22	BY MR. RAUSCHER:	15:33:00
23	Q You talked a little bit about the felony	15:33:04
24	review process.	15:33:05

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1	Would you agree that for the prosecutors to	15:33:07
2	make an informed decision, you have to give them	15:33:09
3	accurate information?	15:33:12
4	A Correct.	15:33:13
5	Q So if you lied to the officers, then they	15:33:14
6	obviously couldn't make an informed decision about	15:33:16
7	whether to file charges?	15:33:18
8	MR. MICHALIK: Object to the form.	15:33:20
9	A Could you repeat that?	15:33:21
10	Q If you --	
11	MR. MICHALIK: Did you mean attorneys?	
12	MR. RAUSCHER: I'm sorry.	
13	MR. MICHALIK: You said officers. Did you	
14	mean attorneys?	
15	MR. RAUSCHER: I didn't mean to interrupt.	
16	Yeah, thanks.	
17	Q If a police officer lies to a prosecutor and	15:33:26
18	says certain events happened in a way that they	15:33:30
19	didn't, the prosecutor can't make an informed	15:33:32
20	decision about whether to press charges, correct?	15:33:35
21	A If an officer lied?	15:33:37
22	Q Yes.	15:33:39
23	A That would be correct.	15:33:39
24	Q Tell me what you remember about the reverse	15:33:39

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1	sting the morning of when Lionel White, Junior --	15:33:42
2	I'm sorry -- when Lionel White, Senior was arrested.	15:33:45
3	A Tell you about the reverse sting?	15:33:48
4	Q Yeah. Tell me what you remember about that	15:33:50
5	particular reverse sting.	15:33:51
6	A We were -- I was probably part of the	15:33:52
7	enforcement processing team.	15:33:55
8	Q I'm sorry. Don't -- and I don't mean to cut	15:33:58
9	you off, but I don't want to know what you probably	15:33:59
10	think you would have done. I want to know what you	15:34:02
11	remember.	15:34:04
12	A I don't -- I don't have no independent	15:34:04
13	recollection of that.	15:34:05
14	Q Of the reverse sting at all?	15:34:06
15	A Yes.	15:34:08
16	Q How do you know you were involved in a	15:34:08
17	reverse sting?	15:34:10
18	A We -- I know we did one and I'm -- I tested	15:34:10
19	a couple of the -- of the offenders that was	15:34:15
20	arrested for attempted PCS.	15:34:21
21	Q So you looked at some other documents?	15:34:21
22	A Yes.	15:34:23
23	Q And do you remember which documents you	15:34:24
24	looked at in particular?	15:34:26

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1	A	That would be probably the vice and the case	15:34:29
2		report -- I mean, the Arrest Report.	15:34:30
3	Q	For what?	15:34:30
4	A	For individuals that was locked up that day	15:34:31
5		for attempted PCS.	15:34:33
6	Q	And do you know who those individuals were?	15:34:35
7	A	No, I don't, not offhand.	15:34:37
8	Q	How long ago did you look at those	15:34:38
9		documents?	15:34:41
10	A	Probably the time last week when we prepare	15:34:41
11		for this deposition.	15:34:49
12	Q	You mean the last few days?	15:34:50
13	A	Yes.	15:34:52
14	Q	And did those documents refresh your	15:34:52
15		recollection or are you just saying, I looked at	15:34:56
16		documents and they said there was a reverse sting?	15:34:59
17	A	I mean, they didn't refresh my recollection;	15:35:00
18		but according to the document, a reverse sting was	15:35:03
19		conducted.	15:35:05
20	Q	And does the reverse sting say any -- do any	15:35:06
21		of those documents say anything about Lionel White,	15:35:09
22		Senior?	15:35:12
23	A	No, it doesn't.	15:35:12
24	Q	And how do you know that they -- that they	15:35:13

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210

1	mean you didn't have anything to do with Lionel	15:35:15
2	White, Senior's arrest?	15:35:19
3	A Because I would have been focused on the	15:35:20
4	reverse sting part of the operation.	15:35:22
5	Q How do you know that?	15:35:23
6	A Because I would have been part -- like I	15:35:25
7	stated earlier, I would have been part of the	15:35:27
8	processing or enforcement team.	15:35:30
9	Q But with no independent recollection of what	15:35:32
10	you did that day, how do you know that you were more	15:35:35
11	involved with the reverse sting than with Lionel	15:35:36
12	White, Senior's arrest?	15:35:38
13	A How do I know that?	15:35:40
14	Q Yeah.	15:35:41
15	A Off of my head, off of my memory, I can't	15:35:41
16	answer it.	15:35:44
17	MR. RAUSCHER: I don't have anything else.	15:35:47
18	RE CROSS-EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS	15:35:47
19	BY MR. FLAXMAN:	15:35:47
20	Q Were the officers arresting Mr. White	15:35:52
21	involved in the reverse sting?	15:35:54
22	A At some point, yes.	15:35:55
23	Q But then at some other point they arrested	15:35:57
24	Mr. White?	15:36:00

Transcript of Manuel Leano
Conducted on September 26, 2019

211

1	A I mean, at that time they were locking up	15:36:00
2	Mr. White, they were probably not involved with that	15:36:04
3	reverse sting.	15:36:07
4	Q And the question I asked you was the	15:36:08
5	officers involved in White's arrest. The Arrest	15:36:34
6	Report lists Officer Jones and Officer Smith as the	15:36:38
7	arresting -- as the arresting officers.	15:36:40
8	Do you remember that?	15:36:43
9	A Yes.	15:36:44
10	Q And it's your testimony that at some point	15:36:44
11	during the day those officers were involved in the	15:36:46
12	reverse sting?	15:36:48
13	A Yes.	15:36:49
14	Q And the Vice Case Report that you looked at,	15:36:49
15	which is also part of Exhibit 4, lists certain other	15:36:54
16	officers, including yourself. And that's the report	15:36:58
17	for Mr. White.	15:37:04
18	Do you remember looking at that?	15:37:04
19	A Yes.	15:37:05
20	Q Are the -- all the officers listed on this	15:37:06
21	Vice Case Report related to Mr. White's arrest also	15:37:11
22	officers who were involved in the reverse sting on	15:37:16
23	that same day?	15:37:17
24	A Yes.	15:37:18

Transcript of Manuel Leano
Conducted on September 26, 2019

212

1	MR. RAUSCHER: I'm sorry. I said I was	15:37:29
2	done, but I have just a couple more related to that.	15:37:30
3	FURTHER RECROSS-EXAMINATION	15:37:30
4	BY COUNSEL FOR CERTAIN PLAINTIFFS	15:37:30
5	BY MR. RAUSCHER:	15:37:30
6	Q Who played what role in the reverse sting	15:37:31
7	that day?	15:37:33
8	A Like I stated earlier, most likely the	15:37:33
9	African American officers would be the pretend drug	15:37:36
10	dealers.	15:37:39
11	Q So who would have been that -- who would	15:37:41
12	that have been that day?	15:37:43
13	A It would have been Officer Smith, Officer	15:37:43
14	Mohammed, Officer Jones. And then Officer Leano,	15:37:46
15	Bolton, Gonzalez and I would have been the	15:37:54
16	enforcement processing team.	15:37:54
17	MR. RAUSCHER: Okay. I don't have any more	15:37:56
18	questions.	15:37:57
19	MR. ZECCHIN: Just two quick ones.	15:37:58
20	RECROSS-EXAMINATION BY COUNSEL FOR CERTAIN DEFENDANTS	15:37:58
21	BY MR. ZECCHIN:	15:37:58
22	Q Your name's not listed anywhere on this	15:37:59
23	Arrest Report for Mr. Lionel White; is that correct?	15:38:02
24	The Arrest Report I'm speaking --	15:38:02

Transcript of Manuel Leano
Conducted on September 26, 2019

213

1	A	The Arrest report?	15:38:06
2		MR. RAUSCHER: Object to form.	15:38:08
3	A	No.	15:38:08
4	Q	And you didn't write the Vice Case Report in	15:38:20
5		this case either, did you?	15:38:23
6	A	No, I did not.	15:38:24
7		MR. ZECCHIN: No other questions.	15:38:26
8		MR. RAUSCHER: I think we're done.	15:38:28
9		THE VIDEOGRAPHER: This concludes the	15:38:30
10		deposition. Time, 3:39.	15:38:31
11		MR. ZECCHIN: I'm going to reserve, please.	15:38:36
12		(Off the record at 3:39 p.m.)	
13			
14			
15			
16			
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18			
19			
20			
21			
22			
23			
24			

Transcript of Manuel Leano
Conducted on September 26, 2019

214

ACKNOWLEDGMENT OF DEPONENT

I, MANUEL LEANO, do hereby acknowledge that
I have read and examined the foregoing testimony,
and the same is a true, correct, and complete
transcription of the testimony given by me and any
corrections appear on the attached errata sheet
signed by me.

(DATE)

(SIGNATURE)

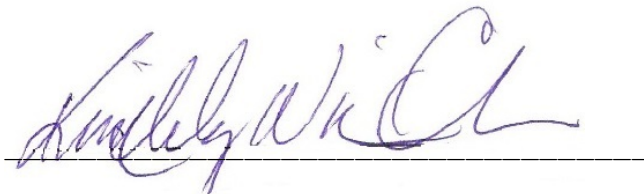
Transcript of Manuel Leano
Conducted on September 26, 2019

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1 CERTIFICATE OF SHORTHAND REPORTER

2
3 I, Kimberly R. Christopher, the officer
4 before whom the foregoing proceedings were taken, do
5 certify that the foregoing transcript is a true and
6 correct record of the proceedings, that said
7 proceedings were taken by me stenographically and
8 thereafter reduced to typewriting under my
9 supervision, and that I am neither counsel for,
10 related to, nor employed by any of the parties to
11 this case and have no interest, financial or
12 otherwise, in its outcome.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand this 10th day of October 2019.

15
16
17 
18

19 C.S.R. Certificate No. 084-002752
20
21
22
23
24

EXHIBIT 8



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Transcript of Elsworth Smith, Jr.

Date: February 17, 2020

Case: Watts Coordinated Cases

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

- - - - - x
WATTS COORDINATED CASES. : Master Docket
: Case No. 19-cv-01717
- - - - - x

Videotaped Deposition of
ELSWORTH SMITH, JR., Volume I
Chicago, Illinois
Monday, February 17, 2020
10:09 a.m.

Job No.: 281824
Pages: 1 - 314
Reported by: Joanne E. Ely, CSR, RPR

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

2

1 Videotaped deposition, Volume I, of ELSWORTH
2 SMITH, JR., held at the location of:

3
4
5 LOEVY & LOEVY
6 311 North Aberdeen Street
7 Third Floor
8 Chicago, Illinois 60607
9 312.243.5902
10
11
12

13 Pursuant to notice, before Joanne E. Ely,
14 a Certified Shorthand Reporter, and a Notary
15 Public in and for the State of Illinois.
16
17
18
19
20
21
22
23
24

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

3

A P P E A R A N C E S

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Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

4

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Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

5

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10 ON BEHALF OF DEFENDANTS SPAARGAREN

11 AND CADMAN:

12 MICHAEL J. SCHALKA, ESQUIRE, via telephone

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16 Chicago, Illinois 60601

17 866.786.3705

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

6

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ON BEHALF OF DEFENDANT OFFICERS:

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HALE & MONICO

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ALSO PRESENT:

RICK KOSBERG, Videographer

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

9

1	P R O C E E D I N G S	10:09:29
2	THE VIDEOGRAPHER: This is the video	10:09:29
3	deposition of Ellsworth Smith, Jr., taken by Loevy	10:09:33
4	& Loevy in the matter of the Watts coordinated	10:09:36
5	pretrial proceedings, Master Docket No.	10:09:39
6	19-cv-0171, held at Loevy & Loevy, 311 North	10:09:44
7	Aberdeen Street, Chicago, Illinois.	10:09:49
8	Today is February 17th, 2020. The time is	10:09:50
9	10:09. The court reporter is Joanne Ely. The	10:09:55
10	videographer is Rick Kosberg.	10:09:59
11	The counsel can now introduce themselves,	10:10:01
12	and Joanne is free to administer the oath.	10:10:03
13	MR. RAUSCHER: Scott Rauscher for the	10:10:06
14	plaintiffs represented by Loevy & Loevy in the	10:10:08
15	coordinated Watts proceedings.	10:10:10
16	MS. KLEINHAUS: Theresa Kleinhaus for the	10:10:12
17	Loevy plaintiffs.	10:10:13
18	MR. FLAXMAN: Joel Flaxman for the Flaxman	10:10:14
19	Plaintiffs.	10:10:18
20	MR. PALLES: Eric Palles for Kallatt	10:10:18
21	Mohammed.	10:10:20
22	MR. KOSOKO: Ahmed Kosoko on behalf of	10:10:21
23	Ronald Watts.	10:10:22
24	MR. MICHALIK: Paul Michalik on behalf of	10:10:22

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

10

1	Defendants City and certain supervisory officials.	10:10:25
2	MR. STEFANICH: Brian Stefanich for	10:10:26
3	Officer Smith and the other defendant officers.	10:10:28
4	MR. SCHALKA: And Michael Schalka for	10:10:31
5	Defendants Spaargaren and Cadman.	10:10:33
6	ELSWORTH SMITH, JR.,	10:10:33
7	having been duly sworn, testified as follows:	10:10:33
8	EXAMINATION BY COUNSEL FOR THE LOEVY PLAINTIFFS	11:40:16
9	BY MR. RAUSCHER:	10:10:41
10	Q Say and spell your name, please.	10:10:43
11	A My name is Elsworth Smith. My first name	10:10:45
12	is E-l-s-w-o-r-t-h, Smith, S-m-i-t-h.	10:10:47
13	Q Are you on duty today?	10:10:52
14	A Yes, I am.	10:10:54
15	Q What are your responsibilities today?	10:10:55
16	A I am currently on administrative desk	10:10:56
17	duty. I work inside the radio room in the 2nd	10:10:59
18	District.	10:11:02
19	Q What specifically are you doing for the	10:11:02
20	police department today, this day?	10:11:06
21	A Today, right now, I'm doing this	10:11:07
22	deposition.	10:11:10
23	Q Will you be going to work after this	10:11:10
24	deposition?	10:11:10

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

11

1	A To my knowledge, after speaking to my	10:11:13
2	supervisors, they're going to count this as a tour	10:11:14
3	of duty for me.	10:11:17
4	Q So this is the only thing you're doing for	10:11:17
5	the police department today?	10:11:20
6	A Yes.	10:11:21
7	Q How come you wore your uniform today?	10:11:22
8	A I felt more comfortable wearing my	10:11:24
9	uniform.	10:11:27
10	Q Did you -- you were for a while on the	10:11:27
11	Watts tactical team?	10:11:29
12	A Yes, I was.	10:11:30
13	Q Did you wear a uniform during that time?	10:11:31
14	A Sometimes.	10:11:34
15	Q How frequently did you wear a uniform or	10:11:34
16	not wear a uniform during that time period?	10:11:38
17	A I don't remember how many times we wore a	10:11:40
18	uniform.	10:11:43
19	Q Were you more commonly wearing a uniform	10:11:44
20	or in plainclothes when you were on the Watts	10:11:47
21	tactical team?	10:11:49
22	A More commonly in plainclothes.	10:11:49
23	Q Were there specific occasions when you'd	10:11:52
24	wear uniforms during that time period?	10:11:55

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

12

1	A Yes.	10:11:57
2	Q What occasions would you wear uniforms	10:11:58
3	while you were in the -- on the Watts tactical	10:12:02
4	team?	10:12:04
5	A On occasions, if we had to work special	10:12:04
6	functions or details, or sometimes they would come	10:12:08
7	from the request from the chief of patrol.	10:12:11
8	Q Why would the chief of patrol request that	10:12:14
9	your tactical team wear a uniform?	10:12:19
10	MR. MICHALIK: Objection; foundation.	10:12:21
11	MR. STEFANICH: Join.	10:12:23
12	You can answer.	10:12:25
13	A I don't know.	10:12:26
14	Q Do you remember the chief of patrol ever	10:12:27
15	requesting that you put a uniform on when you were	10:12:31
16	on the Watts tactical team?	10:12:33
17	A As of this moment, no.	10:12:34
18	Q What did you do to prepare for your	10:12:36
19	deposition today?	10:12:42
20	A I looked over some case reports, arrest	10:12:42
21	reports pertaining to the individuals who are	10:12:47
22	falsely accusing me of these allegations.	10:12:47
23	Q You said individuals who are falsely	10:12:52
24	accusing you?	10:12:55

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

13

1	A That's correct.	10:12:56
2	Q Are there any individuals who are not	10:12:56
3	falsely accusing you?	10:12:59
4	A No.	10:13:01
5	Q So all of the individuals who have accused	10:13:01
6	you of wrongdoing are falsely accusing you?	10:13:06
7	A That's correct.	10:13:08
8	Q Did any of the documents you looked at	10:13:09
9	refresh your recollection?	10:13:11
10	A No.	10:13:12
11	Q Did you look at any pictures?	10:13:13
12	A Yes, I did.	10:13:14
13	Q Did looking at any of the pictures refresh	10:13:15
14	your recollection about anything?	10:13:18
15	A No.	10:13:18
16	Q What's your title at the police	10:13:19
17	department?	10:13:27
18	A I'm a police officer.	10:13:27
19	Q Have you always been a police officer	10:13:29
20	since you started working at CPD?	10:13:31
21	A Yes, I have.	10:13:33
22	Q Just back to dep prep for a little bit.	10:13:34
23	How many times did you prepare -- what did	10:13:39
24	you do beyond looking at reports to prepare for	10:13:42

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

14

1	your deposition, if anything?	10:13:45
2	A Nothing out of the ordinary that I recall.	10:13:46
3	Q What do you mean out of the ordinary?	10:13:51
4	A From what I remember, just preparing for	10:13:55
5	this, I looked over the vice -- some vice case	10:13:56
6	reports, some arrest reports, a few inventory	10:14:01
7	reports, and a few affidavits.	10:14:06
8	Q Did you do that on your own or in the	10:14:11
9	presence of your attorneys or both?	10:14:13
10	A In the presence of my attorneys.	10:14:15
11	Q How long did you meet with your attorneys	10:14:16
12	to prepare for your deposition?	10:14:20
13	A I don't recall.	10:14:21
14	Q Can you tell me approximately how long	10:14:21
15	it was?	10:14:25
16	A I don't -- I couldn't give you an answer.	10:14:25
17	I don't know for certain.	10:14:29
18	Q Did you spend the whole day with them?	10:14:30
19	A Probably but I don't -- like I said, I	10:14:32
20	don't know the exact time that I spent with my	10:14:35
21	attorneys.	10:14:42
22	Q How many times did you meet with them to	10:14:42
23	prepare for your deposition?	10:14:45
24	A That I don't recall.	10:14:45

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

15

1	Q	More than once?	10:14:46
2	A	It's been more than once.	10:14:48
3	Q	Was it more than twice?	10:14:50
4	A	More than twice.	10:14:51
5	Q	More than five times?	10:14:51
6	A	Perhaps but I don't recall.	10:14:53
7	Q	When was the last time you met with your	10:14:55
8		attorneys?	10:14:57
9	A	This morning.	10:14:57
10	Q	How long did you meet this morning?	10:14:58
11	A	Probably, maybe a half hour before coming	10:15:00
12		here.	10:15:04
13	Q	And what was the last time before that?	10:15:04
14	THE WITNESS:	When was it, Brian? Last	10:15:09
15		Friday?	10:15:11
16	MR. STEFANICH:	I can't answer actually.	10:15:12
17	THE WITNESS:	I'm sorry.	10:15:12
18	MR. STEFANICH:	Just do your best from	10:15:13
19		what you remember.	10:15:14
20	A	I think this past Friday.	10:15:15
21	Q	How long, about, this past Friday did you	10:15:16
22		meet with them?	10:15:21
23	A	It may have been a couple hours.	10:15:22
24	Q	And do you remember any times before that	10:15:26

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

16

1	you met with your attorneys to prepare for your	10:15:32
2	deposition?	10:15:34
3	A I don't remember the exact date, but I	10:15:34
4	did.	10:15:40
5	Q And that time before this past Friday, how	10:15:40
6	long, about, did you meet with your attorneys	10:15:44
7	then?	10:15:46
8	A I don't remember how long.	10:15:47
9	Q Do you ever remember a time when you got	10:15:48
10	there in the morning and you left in the evening?	10:15:52
11	A No.	10:15:54
12	Q At any of these meetings, was anyone	10:15:54
13	present other than you and attorneys from the Hale	10:15:58
14	& Monico firm?	10:16:02
15	A No.	10:16:02
16	Q Have you talked about your deposition with	10:16:02
17	any of the other defendants in any of the Watts	10:16:05
18	cases?	10:16:07
19	A No.	10:16:08
20	Q Have you talked about your deposition	10:16:08
21	today with anyone other than your attorneys?	10:16:10
22	A No.	10:16:12
23	Q Do you have any sense of how many	10:16:12
24	documents you looked at to prepare?	10:16:19

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

17

1	A	That I have no clue.	10:16:20
2	Q	You said you were on desk duty currently?	10:16:23
3	A	Yes, that's correct.	10:16:37
4	Q	How long have you been on desk duty?	10:16:38
5	A	I believe it's over two years now.	10:16:42
6	Q	How were you told you'd be -- you were	10:16:43
7		being placed on desk duty?	10:16:48
8	A	I believe it was from my former	10:16:49
9		2nd District commander, Crystal King Smith.	10:16:54
10	Q	And how did Ms. Smith tell you you were	10:16:58
11		being placed on desk duty?	10:17:04
12	A	I don't recall.	10:17:05
13	Q	Was it in person or was it in writing or	10:17:06
14		by the telephone or some other way?	10:17:08
15	A	I'm not certain to be exactly sure, but I	10:17:10
16		believe it was in person.	10:17:14
17	Q	Do you remember what she told you?	10:17:15
18	A	I don't remember specifically; but as	10:17:17
19		far as -- as far as I know, I was just told that I	10:17:22
20		was going to be placed on administrative duty.	10:17:25
21	Q	And the administrative duty is the same	10:17:28
22		thing as desk duty?	10:17:30
23	A	That's correct.	10:17:32
24	Q	Did you ask her why?	10:17:32

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

18

1	A	Yes.	10:17:33
2	Q	And what did she tell you?	10:17:34
3	A	It was pertaining to the Watts	10:17:35
4		investigation.	10:17:39
5	Q	Did she say anything other than just the	10:17:39
6		general statement it's pertaining to the Watts	10:17:42
7		investigation?	10:17:45
8	A	As far as I remember, yes.	10:17:45
9	Q	As far as you remember, she did say other	10:17:47
10		things?	10:17:50
11	A	No. As far as I remember, it was just	10:17:50
12		only that I was being placed on administrative	10:17:53
13		desk duty because of the Watts investigation.	10:17:55
14	Q	Did you say anything to her when she told	10:17:58
15		you that?	10:18:02
16	A	I don't recall what I said.	10:18:02
17	Q	Did you say something, though?	10:18:03
18	A	I'm sure I did, but I don't recall.	10:18:05
19	Q	How did you react when she told you?	10:18:06
20	A	I was shocked.	10:18:08
21	Q	Why were you shocked?	10:18:09
22	A	I was shocked because I could not	10:18:17
23		believe I was being accused of these -- I was	10:18:22
24		shocked because these allegations against me are	10:18:25

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

19

1	false.	10:18:27
2	Q Which allegations did she tell you about,	10:18:28
3	if any?	10:18:32
4	A I don't recall her specifically telling me	10:18:32
5	any allegations.	10:18:35
6	Q Were you aware of any allegations against	10:18:37
7	you at the time when she told you you were being	10:18:39
8	placed on desk duty?	10:18:42
9	A I don't think I did at that time.	10:18:43
10	Q How did you know that they were false if	10:18:45
11	you didn't know what they were?	10:18:47
12	A Well, I know that the allegations with all	10:18:48
13	these complainants, all these allegations are	10:18:50
14	false because I've never done anything wrong.	10:18:53
15	Q You've never done anything wrong?	10:18:55
16	A No.	10:19:01
17	Q Has anyone on the Watts team ever done	10:19:01
18	anything wrong?	10:19:08
19	A Not in my presence.	10:19:09
20	Q Have you ever heard of anyone on the Watts	10:19:10
21	team doing anything wrong?	10:19:13
22	A No, not while I -- that I can recall at	10:19:14
23	this moment.	10:19:18
24	Q You're aware that Watts and Mohammed both	10:19:28

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

20

1	pled guilty to committing federal crimes; right?	10:19:30
2	A That's correct.	10:19:34
3	Q Was that activity that led to them	10:19:35
4	pleading guilty wrong?	10:19:39
5	MR. MICHALIK: Objection; foundation,	10:19:41
6	form.	10:19:45
7	A I'd have no clue; but whatever they were	10:19:46
8	charged with, I'm certain that it was.	10:19:49
9	Q I'm not sure I understood that.	10:19:50
10	You said you have no clue?	10:19:54
11	A I followed the reports pertaining to their	10:19:57
12	indictment. As far as anything else, I have no	10:20:03
13	clue; and from my time working with Kallatt	10:20:06
14	Mohammed or Sergeant Ronald Watts, I have never	10:20:09
15	witnessed either of them doing anything criminal.	10:20:15
16	Q So I want to make sure I understand your	10:20:18
17	testimony on that last point.	10:20:24
18	Are you saying you have no clue whether	10:20:25
19	the activity that led to them pleading guilty is	10:20:28
20	wrongful, or did I misunderstand that?	10:20:31
21	MR. STEFANICH: I'll object, that it	10:20:33
22	mischaracterizes his testimony.	10:20:34
23	You can answer it, though.	10:20:35
24	A Well, the activity against him, yes, it	10:20:36

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

21

1	was wrongful.	10:20:39
2	BY MR. RAUSCHER:	10:20:39
3	Q You mean the activity they engaged in?	10:20:40
4	A What they were charged with, yes.	10:20:43
5	Q All right. Do you have any understanding	10:20:45
6	of what they were charged with?	10:20:57
7	A As far as I read, from what I can recall,	10:20:59
8	they were charged with stealing government funds.	10:21:02
9	Q Do you have any information beyond just	10:21:05
10	the general they were charged with stealing	10:21:09
11	government funds?	10:21:11
12	A Not that I am aware of.	10:21:12
13	Q Do you have any -- any sense of what the	10:21:14
14	circumstances were of them stealing the government	10:21:17
15	funds?	10:21:19
16	A No, not that I'm aware of.	10:21:20
17	Q Did they think it was money -- drug money?	10:21:21
18	MR. MICHALIK: Objection --	10:21:26
19	MR. STEFANICH: Objection.	10:21:26
20	MR. MICHALIK: -- foundation.	10:21:27
21	MR. STEFANICH: Join.	10:21:27
22	MR. KOSOKO: Join.	10:21:28
23	A I don't have any idea.	10:21:30
24	Q Well, did they walk into the Federal	10:21:30

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

22

1	Reserve and take money out?	10:21:33
2	A I do not know.	10:21:35
3	Q Do you think it might have been that?	10:21:36
4	A I have no clue.	10:21:38
5	Q Okay. Were you ever curious?	10:21:39
6	A Sure. I was curious but --	10:21:45
7	Q Yeah. Go ahead.	10:21:47
8	A But, like I said, I don't know the facts	10:21:48
9	or circumstances that led to their indictment or	10:21:51
10	what they were charged with.	10:21:54
11	Q Did you do anything to satisfy your	10:21:58
12	curiosity about what they were charged with?	10:22:04
13	A From what I can recall, the only thing I	10:22:06
14	read -- might have read or heard from listening	10:22:09
15	was from the media.	10:22:12
16	Q What did you hear or read in the media	10:22:13
17	about Watts and Mohammed's charges?	10:22:16
18	A Like I said, that's all I heard, that they	10:22:18
19	were charged with stealing government funds.	10:22:21
20	Q And you were curious about the	10:22:23
21	circumstances, but you didn't do anything to find	10:22:26
22	out what they were?	10:22:29
23	A Not that I'm aware of.	10:22:29
24	Q How long did you work with Watts and	10:22:30

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

23

1	Mohammed?	10:22:40
2	A I believe maybe four -- between -- I don't	10:22:41
3	know certain, but between four to five years,	10:22:46
4	perhaps.	10:22:48
5	Q Watts was your direct supervisor?	10:22:50
6	A That's correct.	10:22:52
7	Q Mohammed was at the same level as you?	10:22:53
8	A Yes.	10:22:56
9	Q Was he ever your partner?	10:22:57
10	A Yes, at one point in time.	10:22:58
11	Q How long was Mohammed your partner for?	10:23:01
12	A I don't recall specifically.	10:23:03
13	Q Have you had any other partners or	10:23:05
14	supervisors charged with committing federal	10:23:07
15	crimes?	10:23:10
16	A No, not that I'm aware of.	10:23:10
17	Q Was it a pretty big deal to you when they	10:23:12
18	were charged?	10:23:15
19	A Yes, it was.	10:23:15
20	Q Why was it a big deal when they were	10:23:16
21	charged?	10:23:19
22	A Because, like I said, it was shocking	10:23:20
23	because I did not believe that they would do	10:23:23
24	anything that they were being charged with.	10:23:27

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

24

1	Q Even though you didn't know what they were	10:23:29
2	charged with?	10:23:32
3	MR. MICHALIK: Objection.	10:23:32
4	A As I stated, I was familiar with some	10:23:34
5	aspect of what they were charged with, and I	10:23:38
6	learned that through the media.	10:23:40
7	Q And you just couldn't believe that they	10:23:42
8	would steal government funds?	10:23:44
9	A As I sit here today, no. Because from my	10:23:45
10	time of working with either Watts or Mohammed, I	10:23:49
11	never witnessed them doing anything of that	10:23:52
12	nature.	10:23:54
13	Q And has -- knowing that they were charged	10:23:54
14	with stealing government funds, has that caused	10:24:12
15	you to think back and question any of the things	10:24:15
16	that they did over the years at all?	10:24:18
17	A No. Because, like I stated, I never	10:24:20
18	witnessed them doing anything criminal while I was	10:24:23
19	a member of the Watts team, or I've never	10:24:25
20	witnessed them do anything in my presence during	10:24:28
21	my time working with them.	10:24:31
22	Q Knowing that they have pled guilty to	10:24:32
23	stealing government funds, has it made you even	10:24:37
24	consider the possibility that some of the	10:24:40

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

25

1	plaintiffs could be telling the truth at least	10:24:43
2	about the allegations against Watts and Mohammed?	10:24:45
3	A It could be possible that they may have	10:24:47
4	been telling the truth about Watts or Mohammed;	10:24:50
5	but all these allegations against me, I know that	10:24:53
6	they are telling a lie.	10:24:55
7	Q What years did you work in the	10:25:03
8	2nd District?	10:25:14
9	A I believe I first came to the 2nd District	10:25:15
10	somewhere around July 2004, and I'm currently	10:25:19
11	still in -- assigned to the 2nd District.	10:25:25
12	Q So since July 2004, you've been in the	10:25:27
13	2nd District?	10:25:29
14	A That's -- as far as I can recall, yes.	10:25:29
15	Q How long -- you said you were working	10:25:32
16	under Watts for about four years?	10:25:35
17	A I believe so.	10:25:37
18	Q Were you on the tactical team for those	10:25:37
19	whole four years?	10:25:49
20	A Yes.	10:25:50
21	Q Was there a name for it?	10:25:50
22	A We were the 264 team.	10:25:52
23	Q Was that in public housing for any part of	10:25:54
24	that time?	10:26:01

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

26

1	A	No.	10:26:02
2	Q	Had that public housing unit already been	10:26:02
3		disbanded when you joined the tac team?	10:26:06
4	A	To the best of my knowledge, yes.	10:26:08
5	Q	Did the 26 -- was Watts the team leader	10:26:10
6		for your whole time on the 264 team?	10:26:17
7	A	As I recall, yes.	10:26:19
8		(Smith Deposition Exhibit 1 marked for	10:26:19
9		identification and attached to the transcript.)	10:26:19
10	MR. RAUSCHER:	Let's just go ahead and	10:26:31
11		mark this Exhibit 1, DO-Joint 005146.	10:26:33
12	Q	Let me know when you've had a chance to	10:27:26
13		look this over.	10:27:29
14	A	All right. I've had a chance to look	10:27:30
15		it over.	10:27:33
16	Q	Do you recognize this document?	10:27:34
17	A	Honestly, this is my first time seeing	10:27:37
18		this.	10:27:43
19	Q	Is the information contained in this	10:27:43
20		document accurate, to the best of your knowledge?	10:27:45
21	A	To the best of my knowledge, I would say	10:27:48
22		that it's accurate.	10:27:51
23	Q	This is the -- this is your units,	10:27:51
24		assignment and dates that you were assigned to	10:27:54

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

27

1	them; correct?	10:27:57
2	A That's correct.	10:27:57
3	Q And does the information here match your	10:27:57
4	memory of your assignments and dates?	10:28:00
5	A From what I recall, yes, it does.	10:28:02
6	I'm sorry.	10:28:09
7	Q No. Go ahead.	10:28:10
8	A Other than my time being in 2nd District,	10:28:11
9	it doesn't differentiate when I was a tactical	10:28:14
10	officer or when I was a patrol officer.	10:28:21
11	Q I'm sorry. Go ahead.	10:28:24
12	It does not tell you what specific jobs	10:28:25
13	you were doing, basically, in each district;	10:28:27
14	right?	10:28:30
15	A No, it does not.	10:28:31
16	Q Is that what you're saying?	10:28:31
17	A Well, particularly in the 2nd District.	10:28:33
18	As far as the other districts, I have no	10:28:35
19	doubt that it appears to be accurate from my time	10:28:38
20	in those districts; but from the 2nd District, it	10:28:42
21	states that I started in July 20,000 -- 2004, but	10:28:47
22	other than that, it does not designate what my --	10:28:50
23	what unit I was assigned to, whether I was	10:28:55
24	assigned to tac or as a patrolman.	10:28:58

Transcript of Elsworth Smith, Jr.
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28

1	Q And were you a patrolman in District 6 and	10:29:03
2	District 3 for the whole time you were there?	10:29:08
3	A Yes.	10:29:09
4	Q And then in District 2, you were -- part	10:29:09
5	time you were tac and part time patrol?	10:29:13
6	A Like I said, I don't recall the specific	10:29:15
7	time I was assigned to the tactical unit but I	10:29:18
8	was -- I spent most of my time, the majority of my	10:29:23
9	time in the 2nd District in patrol.	10:29:26
10	Q So you've been there about 16 years now or	10:29:29
11	so in the 2nd District?	10:29:34
12	A I think that would be a fair assumption --	10:29:35
13	a fair, accurate time, yes.	10:29:38
14	Q About four of those years you were on the	10:29:40
15	Watts 264 tactical team?	10:29:43
16	A As I stated, I don't remember the exact	10:29:45
17	time or how many years exactly I spent with Watts,	10:29:47
18	but between four to five years maybe.	10:29:52
19	Q And then the rest of the time, have you	10:29:54
20	been patrol other than the last two when you've	10:29:57
21	been on desk duty?	10:29:59
22	A I think at one point in time I did go back	10:30:00
23	to work another tac -- for another tactical unit;	10:30:05
24	and then after that, the remainder of my time	10:30:08

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

29

1	since I've been in 2 has been in the patrol unit.	10:30:12
2	Q What was the other tactical unit?	10:30:16
3	A I believe it was the 263 team.	10:30:18
4	Q About how long were you on the 263 team?	10:30:20
5	A Again, I don't recall specifically. I	10:30:23
6	don't think it was more than a year.	10:30:28
7	Q Who was the leader of the 263 team when	10:30:29
8	you were on that tactical team?	10:30:33
9	A The sergeant was Nathan Silas.	10:30:35
10	Q And currently on desk duty, are you in a	10:30:38
11	uniform, or what's your dress for that role?	10:30:47
12	A I'm in uniform.	10:30:49
13	Q And what are your responsibilities on desk	10:30:51
14	duty?	10:30:53
15	A I strictly work in the radio room passing	10:30:54
16	out keys and other equipment to the officers that	10:30:59
17	are working in patrol.	10:31:04
18	Q Has that been your sole responsibility	10:31:08
19	since you've been on desk duty?	10:31:11
20	A Yes, it has.	10:31:13
21	Q Have you ever asked to get taken off desk	10:31:14
22	duty?	10:31:17
23	A I've questioned it.	10:31:17
24	Q Who have you questioned it to?	10:31:22

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

30

1	A I don't recall -- I believe I've	10:31:23
2	questioned my captain, Captain Mark Moore. I've	10:31:28
3	questioned supervisors and other officers who I've	10:31:33
4	worked with.	10:31:37
5	Q Which supervisors have you questioned?	10:31:37
6	A I don't remember specifically all of the	10:31:41
7	supervisors, but I have spoken to some supervisors	10:31:44
8	about this.	10:31:46
9	Q Do you remember any of the supervisors	10:31:47
10	you've spoken to?	10:31:49
11	A I don't remember specifically.	10:31:50
12	Q Were they supervisors -- what were the	10:31:51
13	supervisors' jobs?	10:31:56
14	A Sergeants.	10:31:57
15	Q And then you said people you worked with?	10:31:58
16	A Yes.	10:32:04
17	Q Which people?	10:32:04
18	A On the desk.	10:32:05
19	Q People you work with on the desk.	10:32:06
20	A Yes.	10:32:08
21	Q People from your tac team, your old tac	10:32:09
22	team?	10:32:13
23	A No.	10:32:13
24	Q Which people?	10:32:13

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

31

1	A	People that are currently assigned to	10:32:14
2		desk -- to the desk that I work with.	10:32:16
3	Q	What are their names?	10:32:17
4	A	It varies from day-to-day.	10:32:19
5	Q	I'm sorry. Just to be -- I'm not asking	10:32:22
6		for every name of a person you work with on desk	10:32:24
7		duty. I just want to know which people you've	10:32:27
8		questioned while you're on desk duty.	10:32:29
9	A	I don't remember specifically every person	10:32:31
10		I spoke to, but, like I said, at our -- there are	10:32:34
11		certain people that are assigned to the desk. And	10:32:36
12		I have not spoken to anyone -- to any individual	10:32:39
13		that I've worked the desk with anything particular	10:32:42
14		about this -- these individual cases or anything	10:32:45
15		pertaining to the Watts investigation.	10:32:48
16		The only the thing I've questioned is why	10:32:50
17		I've been on -- placed on administrative desk	10:32:53
18		duty.	10:32:56
19	Q	And when you say you've questioned why	10:32:56
20		you're placed on administrative desk duty, what do	10:32:58
21		you say to those people?	10:33:01
22	A	I don't remember specifically what I said	10:33:02
23		but I've questioned -- basically, I've questioned	10:33:05
24		as to why am I put in this position.	10:33:08

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

32

1	Q Do you think the people you work with on	10:33:09
2	the desk will have answers to that question?	10:33:16
3	A I don't have -- I have no clue. I can't	10:33:18
4	speak for anyone else.	10:33:22
5	Q Well, why are you asking the people you	10:33:23
6	work with on the desk if -- why you're on desk	10:33:28
7	duty?	10:33:30
8	A Because I think it's unfair that I am on	10:33:30
9	administrative desk duty.	10:33:34
10	Q Is it that you're basically complaining to	10:33:35
11	them about it?	10:33:39
12	A No.	10:33:39
13	Q So you are asking -- like, I'm just -- is	10:33:40
14	it literally you'll say to someone on desk duty	10:33:45
15	with you, Why am I on desk duty?	10:33:48
16	A I've been questioned as to why I've	10:33:50
17	been -- why I work -- why am I assigned to the	10:33:53
18	desk; and all I've said I -- you know, I can't	10:33:54
19	give you any specific information. The only thing	10:33:57
20	I can tell you is that I'm on administrative desk	10:34:01
21	duty.	10:34:03
22	Q So people ask -- let me just -- I'm not	10:34:03
23	sure I am understanding this correctly, and I want	10:34:08
24	to make sure I don't misstate what you are saying.	10:34:10

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

33

1	Are you saying that people who you work	10:34:12
2	with on desk duty, they will ask you why you are	10:34:15
3	on desk duty?	10:34:17
4	A That is correct.	10:34:17
5	Q But you're not saying you affirmatively go	10:34:17
6	to them and say why am I on desk duty?	10:34:20
7	A No.	10:34:23
8	Q Got it.	10:34:23
9	And -- but when you were talking about	10:34:24
10	the -- about Mark Moore and other supervisors, are	10:34:26
11	you saying they have asked you why you're on desk	10:34:31
12	duty or you've asked them?	10:34:34
13	A I've asked Captain Moore specifically	10:34:35
14	myself.	10:34:39
15	Q And when you've questioned Captain Moore	10:34:39
16	as to why you were on desk duty, what did he say	10:34:42
17	to you?	10:34:45
18	A I don't recall the answer that he gave me.	10:34:46
19	Q Do you recall anything?	10:34:47
20	A I don't recall.	10:34:48
21	Q Did he apologize? Did he say you	10:34:48
22	shouldn't be on desk duty? Did he say you should	10:34:51
23	be?	10:34:54
24	A I don't remember what his comment was.	10:34:54

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

34

1	Q	Were you satisfied by his response?	10:34:56
2	A	No, I was not.	10:34:59
3	Q	And what do you remember, if anything,	10:35:00
4		about you -- what did you say to him after he	10:35:03
5		responded to you?	10:35:06
6	A	I don't recall what -- our conversation	10:35:07
7		detail, but after speaking with him, I was not	10:35:09
8		happy with the -- you know, the outcome.	10:35:12
9	Q	Do you remember when you talked to Captain	10:35:19
10		Moore about why you were on desk duty?	10:35:23
11	A	I don't recall when exactly it was.	10:35:25
12	Q	Do you remember what year it was?	10:35:27
13	A	I don't recall if it was this year or last	10:35:28
14		year. I have no idea.	10:35:31
15	Q	What shift do you currently work?	10:35:32
16	A	I'm currently working third watch.	10:35:38
17	Q	What are the hours for third watch?	10:35:40
18	A	We work from 1300 hours to 23 --	10:35:43
19		2230 hours.	10:35:49
20	Q	2230?	10:35:50
21	A	That's correct.	10:35:52
22	Q	Has anyone told you when, if ever, you may	10:35:53
23		be off desk duty?	10:36:06
24	A	I don't -- at this time, I don't recall	10:36:07

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

35

1	having a conversation about anyone pertaining to	10:36:11
2	that.	10:36:14
3	Q Do you consider being placed on desk duty	10:36:14
4	to be a form of discipline?	10:36:18
5	A Yes, I do.	10:36:19
6	Q And why do you consider being placed on	10:36:20
7	desk duty to be a form of discipline?	10:36:22
8	A Because I have not done anything to these	10:36:24
9	individuals who are making these false allegations	10:36:27
10	against me.	10:36:29
11	Q I understand you don't agree with the	10:36:30
12	decision.	10:36:34
13	What I want to know is why do you think it	10:36:34
14	was -- it's considered discipline to be placed on	10:36:36
15	desk duty?	10:36:39
16	A As I stated, because I've done nothing	10:36:39
17	wrong.	10:36:42
18	Q So what were you doing -- what was your	10:36:42
19	job the day before you were placed on desk duty?	10:36:44
20	A I was in patrol.	10:36:47
21	Q And why is it discipline to be moved from	10:36:48
22	patrol to desk duty?	10:36:52
23	A I didn't ask to be assigned to the desk.	10:36:54
24	Q You perceive it as a disciplinary measure.	10:36:56

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

36

1	A Yes.	10:37:00
2	Q Has anyone told you that it's considered	10:37:00
3	discipline to be placed on desk duty?	10:37:05
4	A I don't recall specifically.	10:37:07
5	Q Have you generally heard that?	10:37:08
6	A From what I perceive -- and I don't recall	10:37:11
7	anyone telling me that, but from my perception,	10:37:16
8	it's punishment for me.	10:37:18
9	Q You'd prefer to be on patrol.	10:37:20
10	A Yes, I do.	10:37:22
11	Q Are you detailed to a unit right now?	10:37:25
12	A No, I'm not.	10:37:28
13	Q Do you still have your police powers?	10:37:29
14	A As I sit here, I don't recall having any	10:37:32
15	conversations with any supervisors or anyone	10:37:40
16	within the Chicago Police office -- excuse me --	10:37:43
17	within the Chicago Police Department clearly	10:37:48
18	defining my role.	10:37:49
19	Q You're not quite sure what you're allowed	10:37:50
20	to and not allowed to do?	10:37:53
21	A One thing -- excuse me -- that I recall	10:37:55
22	being specifically told that I cannot do is write	10:37:57
23	reports. All I've been told is I can work the	10:38:00
24	radio room, and I can't work in patrol.	10:38:05

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1	Q Do you still have a gun?	10:38:07
2	A Yes, I do.	10:38:09
3	Q A Chicago -- CPD-issued gun?	10:38:09
4	A Yes, I do.	10:38:12
5	Q Are you still allowed to arrest people?	10:38:13
6	A As far as I know. I'm not for certain.	10:38:15
7	Q Have you arrested anyone since you were	10:38:18
8	placed on desk duty?	10:38:21
9	A No. I don't even carry my weapon with me.	10:38:22
10	Q Do you carry the weapon while you're at	10:38:27
11	work?	10:38:31
12	A No, I do not.	10:38:31
13	Q Where is your weapon?	10:38:32
14	A It's at home locked in my gun case.	10:38:34
15	Q Did someone tell you not to carry your	10:38:36
16	weapon?	10:38:42
17	A No. Like I said, I don't recall having	10:38:42
18	any specific conversations with anyone clearly	10:38:45
19	detailing or defining my role.	10:38:47
20	Q Is it fair to say you're frustrated with	10:38:50
21	how you were placed on desk duty?	10:38:54
22	A Yes, I am.	10:38:55
23	Q What do you think the process should have	10:38:56
24	looked like inside the CPD?	10:38:59

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1	MR. MICHALIK: Object to the form.	10:39:01
2	A I can't -- I cannot answer it, but I do	10:39:05
3	feel that this is unfair.	10:39:08
4	BY MR. RAUSCHER:	10:39:08
5	Q Do you think that when faced with all of	10:39:12
6	the complaints relating to Watts and the tactical	10:39:15
7	team, CPD should have done anything to	10:39:18
8	investigate?	10:39:22
9	MR. MICHALIK: Objection to the form.	10:39:22
10	Q And when I say "the complaints," I'm	10:39:24
11	talking about these -- the recent civil complaints	10:39:28
12	and all the exonerations.	10:39:28
13	MR. STEFANICH: Object to the form.	10:39:32
14	A I'm sure that some investigations should	10:39:34
15	have taken place.	10:39:36
16	Q And what do you think that investigation	10:39:36
17	should have looked like?	10:39:39
18	A I have no clue. I'm not in a command	10:39:39
19	position, so I have no idea.	10:39:44
20	Q Well, we know that one thing you think	10:39:47
21	should not have happened is you shouldn't have	10:39:49
22	been placed on desk duty; right?	10:39:52
23	A Yes.	10:39:53
24	Q You're comfortable saying that.	10:39:53

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1	A I am definitely comfortable saying that.	10:39:56
2	Q Are you comfortable suggesting any steps	10:39:58
3	that you think should have fairly been taken in an	10:40:01
4	investigation by CPD?	10:40:05
5	MR. MICHALIK: Object to the form.	10:40:06
6	A Yes.	10:40:07
7	Q All right. Tell me what steps you think	10:40:08
8	should have been taken by CPD.	10:40:11
9	A First and foremost, I have not talked to	10:40:13
10	anyone other than my civil attorneys and the COPA	10:40:16
11	investigation -- investigators and yourself as far	10:40:21
12	as these allegations falsely brought against me.	10:40:23
13	I haven't spoke to anyone from internal affairs or	10:40:28
14	any other agencies.	10:40:31
15	Q And so you mentioned internal affairs.	10:40:37
16	Who else do you think should have come	10:40:40
17	spoken to you, if anyone?	10:40:42
18	A Well, whoever was doing the investigation.	10:40:43
19	I don't know if that was -- if that would be the	10:40:46
20	FBI or any other federal agencies, but I have not	10:40:50
21	spoken to anyone.	10:40:53
22	Q All right. Are there any other steps,	10:40:54
23	other than coming to talk to you, that you think	10:40:58
24	CPD should have taken?	10:41:02

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1	MR. MICHALIK: Object to the form.	10:41:03
2	A Like I said, I think they should have did	10:41:11
3	a little bit more research as far as investigating	10:41:14
4	these allegations.	10:41:17
5	Q Anything else?	10:41:18
6	A No, sir, not that I can think of at this	10:41:21
7	moment.	10:41:24
8	Q What research should CPD have done to	10:41:25
9	investigate the allegations before placing you --	10:41:30
10	and you understand there are others on desk duty	10:41:32
11	as well; right?	10:41:35
12	A Yes, I am.	10:41:36
13	Q What research should CPD have done before	10:41:37
14	placing you and others on desk duty?	10:41:40
15	MR. MICHALIK: Object to form, foundation.	10:41:43
16	MR. STEFANICH: Join.	10:41:45
17	You can answer.	10:41:49
18	A Okay. I think they should have spoken to	10:41:50
19	all the officers that are being falsely accused.	10:41:52
20	They should have taken more time to probably	10:41:56
21	investigate these individual cases and research	10:42:01
22	the -- all the pertinent facts involving these	10:42:04
23	arrests.	10:42:09
24	Q And you said they should have talked to	10:42:10

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1	all the investigators who were falsely accused.	10:42:16
2	They should have spoken to all the	10:42:19
3	officers regardless of whether they were falsely	10:42:22
4	accused; right?	10:42:25
5	MR. MICHALIK: Objection; form, misstates	10:42:26
6	his testimony.	10:42:28
7	A I think they should have -- they --	10:42:29
8	someone should have done an interview or some type	10:42:30
9	of investigation with the people, like myself and	10:42:34
10	others, who are being accused.	10:42:37
11	Q And you said research the pertinent facts?	10:42:39
12	A Yes.	10:42:42
13	Q What facts should CPD have looked at to do	10:42:43
14	that research?	10:42:46
15	A They should have looked at all of the	10:42:47
16	reports involved and also they should have -- like	10:42:50
17	I said, from doing the interviews with the	10:42:53
18	officers involved in these arrests.	10:42:55
19	Q Should they have interviewed	10:42:58
20	third-parties?	10:43:02
21	A Certainly, yes. But I don't think that	10:43:02
22	they have done -- I don't think that they've done	10:43:10
23	their -- excuse me -- I'm trying to think of the	10:43:14
24	correct way to phrase this.	10:43:17

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1	I don't think they've done -- handled this	10:43:19
2	correctly or done their job properly.	10:43:22
3	Q Why do you think they should have taken	10:43:25
4	those steps that you mentioned -- talking to the	10:43:26
5	officers, investigating, looking into the facts,	10:43:30
6	talking to third-parties -- before placing people	10:43:31
7	on desk duty?	10:43:34
8	A My knowledge and experience as a police	10:43:36
9	officer, I think that's what you are supposed to	10:43:41
10	do, especially when someone is being falsely	10:43:43
11	accused of something that they did not do.	10:43:47
12	Q Why is it important to conduct a thorough	10:43:49
13	investigation when someone allegedly has been	10:43:54
14	falsely accused of something?	10:43:57
15	A Because they need to find the truth.	10:43:59
16	Q I assume you'd agree it's important to	10:44:14
17	conduct a thorough investigation when an officer	10:44:18
18	says they're falsely accused and when a civilian	10:44:22
19	says they're falsely accused; correct?	10:44:25
20	A That's correct.	10:44:26
21	Q There's no reason why you should only	10:44:26
22	conduct that thorough investigation when it's an	10:44:28
23	officer saying they're falsely accused.	10:44:30
24	A I would agree with you.	10:44:33

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43

1 Q Would you agree that officers can do 10:44:34
2 things that are wrong? 10:44:38

3 A That's possible, but I know that I've 10:44:39
4 never done anything wrong. Anything that these -- 10:44:40
5 any of these individuals, what they are alleging, 10:44:40
6 I have not done what they are accusing me of 10:44:42
7 doing. 10:44:45

8 Q I understand that you're saying that. 10:44:46
9 I just -- you would agree that officers at 10:44:48
10 times do things that are wrong. 10:44:50

11 A I'm not aware of that. I know that the 10:44:52
12 officers that I have worked with while I was a 10:44:55
13 member of the tactical team under Sergeant Watts' 10:44:57
14 supervision or any of my partners, I never 10:45:02
15 witnessed them do anything that -- especially 10:45:04
16 anything that these individuals are alleging. 10:45:07

17 Q But you don't know that the officers never 10:45:10
18 did anything wrong. 10:45:16

19 You're saying you just didn't witness it; 10:45:17
20 right? 10:45:19

21 A From what I know of them based off of 10:45:19
22 their character and the amount of years that I've 10:45:22
23 worked with them, I would be surprised if they did 10:45:24
24 anything criminal. 10:45:27

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1	Q How do you explain Watts and Mohammed	10:45:27
2	then?	10:45:29
3	A I was surprised myself. I have no answer	10:45:29
4	for that.	10:45:33
5	Q Did it make you think that maybe I didn't	10:45:38
6	see everything that happened?	10:45:48
7	A Yes, I did think that; but like I said, I	10:45:49
8	never witnessed them doing that.	10:45:54
9	Q And it hasn't caused you to think, well,	10:45:55
10	maybe there are other incidents that I just didn't	10:46:02
11	see but that were wrong?	10:46:05
12	MR. STEFANICH: Objection; asked and	10:46:06
13	answered.	10:46:06
14	You can answer again, Officer.	10:46:09
15	A Yes, I did think that.	10:46:10
16	Q Do you think it?	10:46:12
17	A The thought has entered my mind; but like	10:46:14
18	I said, there again, I've never witnessed it, but	10:46:16
19	it made me think.	10:46:19
20	Q Have you ever talked about that thought	10:46:21
21	with anyone else?	10:46:23
22	A As I sit here today, no one, especially	10:46:24
23	not the police.	10:46:27
24	Q Why do you say "especially not the	10:46:28

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45

1	police"?	10:46:32
2	A Because I don't talk to police that often	10:46:32
3	other than when I'm at work.	10:46:37
4	Q Is there any particular reason why you	10:46:39
5	don't talk to police officers often other than	10:46:44
6	when you're at work?	10:46:47
7	A That's just my personal preference. When	10:46:48
8	I'm not -- when I'm not at work, that's my	10:46:49
9	personal time, and how I departmentalize or step	10:46:52
10	away from the job is not to associate with people	10:46:58
11	outside of work because I don't like to talk about	10:47:01
12	work that much.	10:47:04
13	Q Have you been like that for other jobs	10:47:04
14	where work is work and you like to leave it at	10:47:11
15	work, or is that something sort of unique to your	10:47:15
16	experience as a police officer?	10:47:17
17	A No. That's pretty much how I've always	10:47:18
18	been. I've always been -- not to say that I have	10:47:21
19	friends out -- who I've worked with. But for the	10:47:21
20	most part, I try to separate work from personal	10:47:26
21	relationships with other people.	10:47:30
22	Q Do you think that someone should be	10:47:31
23	believed or not believed just because they have a	10:47:44
24	conviction?	10:47:46

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1	MR. MICHALIK: Objection; form.	10:47:48
2	A I have no idea. I can't speak for no one	10:47:52
3	else, but I speak for myself; and as I sit here	10:47:54
4	today, I know that these accusations against me	10:47:57
5	are false.	10:48:00
6	MR. RAUSCHER: I'm going to move to strike	10:48:01
7	that.	10:48:01
8	BY MR. RAUSCHER:	10:48:01
9	Q Can you just try to please listen to the	10:48:02
10	question and answer the question.	10:48:04
11	Do you have an opinion as to whether	10:48:05
12	someone should be believed or disbelieved merely	10:48:08
13	because they have a conviction?	10:48:11
14	MR. MICHALIK: Object to form.	10:48:12
15	A I have no clue.	10:48:14
16	Q What's your opinion on that question as to	10:48:15
17	whether someone should be believed or not believed	10:48:17
18	just because they have a conviction?	10:48:20
19	A It depends on the person.	10:48:21
20	Q So is that a no, as a general matter you	10:48:23
21	don't think someone just because they're convicted	10:48:26
22	of something should either be believed or not	10:48:29
23	believed just because of the conviction?	10:48:31
24	MR. KOSOKO: Objection; calls for a legal	10:48:32

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1	conclusion also.	10:48:35
2	A No. Because people can lie.	10:48:36
3	BY MR. RAUSCHER:	10:48:36
4	Q What do you mean by that?	10:48:38
5	A That people can make up things. They can	10:48:39
6	tell -- not be completely honest when they make	10:48:42
7	the allegations against people, whether they're	10:48:45
8	the police or not.	10:48:47
9	Q Anyone can make up an allegation is what	10:48:49
10	you're saying.	10:48:52
11	A That's correct.	10:48:52
12	Q And so the fact that someone making an	10:48:53
13	allegation or denying an allegation has a	10:48:58
14	conviction doesn't mean that person should be	10:49:00
15	believed or disbelieved on its own?	10:49:03
16	MR. KOSOKO: Objection; calls for a legal	10:49:05
17	conclusion.	10:49:07
18	A Again, like I said, it depends on the	10:49:07
19	person.	10:49:09
20	Q You've got to take it case-by-case?	10:49:10
21	A That's correct. It depends on the person.	10:49:12
22	Like I said, you know, not all people are	10:49:15
23	trustworthy.	10:49:18
24	Q Do you still consider Watts or Mohammed to	10:49:23

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1	be trustworthy?	10:49:26
2	A Based on what they were charged with, no.	10:49:30
3	Q How long was Mohammed your partner?	10:49:34
4	A I don't recall.	10:49:56
5	MR. STEFANICH: Objection; asked and	10:49:56
6	answered.	10:49:56
7	A I don't recall specifically.	10:49:58
8	Q Can you generally just estimate the best	10:50:00
9	you can?	10:50:03
10	A I don't know who was -- maybe even longer	10:50:03
11	than a year and I -- like I said, I don't -- as of	10:50:07
12	this date, I don't remember specifically.	10:50:08
13	Q When you worked with Mohammed, were you	10:50:10
14	assigned to a specific beat?	10:50:22
15	A Yes, I was.	10:50:23
16	Q What beat?	10:50:24
17	A I believe we were the 264 David.	10:50:25
18	Q When you were on the 264 Watts team, about	10:50:32
19	how many arrests did you participate in?	10:50:40
20	A I could not tell you. As of this date, I	10:50:41
21	don't know.	10:50:45
22	Q Do you think it was hundreds?	10:50:45
23	A I don't know.	10:50:46
24	Q Over the course of your career, have you	10:50:47

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1	participated in hundreds of arrests?	10:50:50
2	A As of this date, I'm certain I probably	10:50:51
3	did more than a hundred, but I could not give you	10:50:55
4	the exact number.	10:50:57
5	Q Somewhere north of a hundred?	10:50:58
6	A As of this date, I would assume, yes.	10:51:00
7	Q Do you think you're close to a thousand	10:51:02
8	arrests over your career?	10:51:06
9	A I don't know specifically. I haven't	10:51:07
10	checked my personnel records in a long time, and I	10:51:09
11	couldn't tell you the last time that I did.	10:51:13
12	Q Have you ever done a check of how many	10:51:14
13	arrests you've participated in?	10:51:17
14	A As I sit here, I couldn't give you the	10:51:17
15	exact date, but it's been many years ago.	10:51:21
16	Q You did it at some point, though?	10:51:24
17	A At some point in time, I have.	10:51:26
18	Q Why did you check how many arrests you	10:51:28
19	participated in?	10:51:31
20	A Just out of curiosity.	10:51:31
21	Q Do you remember what the number was?	10:51:33
22	A Again, as I sit here today, I don't	10:51:35
23	recall.	10:51:38
24	Q Do you remember about when you did that	10:51:38

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1	check?	10:51:42
2	A As I stated before, I don't recall	10:51:42
3	exactly.	10:51:46
4	Q No, not exactly but do you just -- can you	10:51:46
5	even estimate?	10:51:47
6	A I couldn't give you an estimate of the	10:51:49
7	time. I don't remember.	10:51:51
8	Q Do you remember what your job was at the	10:51:51
9	time?	10:51:55
10	A I believe when I was a tactical officer.	10:51:55
11	Q Was it when you were on the Watts team?	10:51:57
12	A I believe so.	10:51:59
13	Q Do you have any context for why you did	10:52:00
14	that check?	10:52:07
15	A As I sit here today, no. Basically, as I	10:52:07
16	said, out of curiosity.	10:52:11
17	Q Do you remember how you did it? How did	10:52:12
18	you go check how many arrests you had participated	10:52:17
19	in?	10:52:19
20	A It was on the CPD data warehouse system.	10:52:19
21	Q And what did you -- was it a computer	10:52:23
22	program you looked at?	10:52:26
23	A Yes.	10:52:27
24	Q What did you go and search to pull up the	10:52:28

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1	number of arrests you participated in?	10:52:32
2	A As I sit here today, I don't -- without	10:52:34
3	looking at the computer screen, I couldn't tell	10:52:36
4	you.	10:52:38
5	Q Do you know if it included arrests other	10:52:39
6	than ones where you were the reporting officer?	10:52:42
7	Like if you were a witness or anything like --	10:52:45
8	assisting or anything like that?	10:52:47
9	A As I sit here today, I don't recall.	10:52:48
10	Q Were you ever detailed or did you ever	10:52:49
11	fill in in the 2nd District or work in the	10:53:11
12	2nd District in any capacity before you were	10:53:13
13	officially assigned there on July 22nd, 2004?	10:53:17
14	A No, I was not.	10:53:20
15	Q Did you ever spend a day working there?	10:53:21
16	A No. As I sit here today, as far as I am	10:53:24
17	aware of, no.	10:53:27
18	Q Did you know any members of the 264 team	10:53:28
19	before you moved over to the 2nd District?	10:53:32
20	A Not that I'm aware of.	10:53:34
21	Q At some point, did you take the detective	10:53:35
22	exam?	10:53:47
23	A Yes. I do not recall what year I took the	10:53:47
24	test.	10:53:51

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1	Q Do you remember what the result of taking	10:53:51
2	the test was?	10:53:54
3	A As of today, I don't remember the result,	10:53:54
4	what my score was, but I do recall passing the	10:53:58
5	test.	10:54:01
6	Q And then did you try to become a	10:54:01
7	detective?	10:54:04
8	A Well, the determination is not left up	10:54:05
9	to me; and as far as I -- as I sit here today, I	10:54:09
10	have not been promoted to detective.	10:54:13
11	Q Did you have to do -- were there any steps	10:54:16
12	that were under your control after you take the	10:54:19
13	exam to try to become a detective?	10:54:22
14	A To my knowledge, no.	10:54:24
15	Q It was just up to the higher-ups?	10:54:25
16	A I'd say, again, I don't make the personnel	10:54:27
17	decisions as far as who is promoted or not. So I	10:54:31
18	have no idea.	10:54:34
19	Q Do you keep in touch with Al Jones?	10:54:34
20	A No, I do not.	10:54:41
21	Q Do you know what his current role is	10:54:41
22	at CPD?	10:54:44
23	A From what I've been told, that he's a	10:54:44
24	sergeant.	10:54:46

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1	Q Do you know how he got promoted to be	10:54:46
2	sergeant?	10:54:49
3	A No, I do not.	10:54:50
4	Q Do you have any opinion as to whether he	10:54:52
5	should be a sergeant?	10:54:54
6	MR. STEFANICH: Objection; form.	10:54:55
7	A That's not my determination to make that	10:54:57
8	decision.	10:54:59
9	Q Do you have an opinion as to whether he	10:55:00
10	should be a sergeant?	10:55:02
11	A My opinion of him, I have no problem with	10:55:03
12	him -- if he was promoted to sergeant, then	10:55:07
13	obviously the bosses or someone in charge felt	10:55:10
14	that he should have been promoted to sergeant. So	10:55:13
15	that's not my determination.	10:55:16
16	Q From what you know of him, do you think he	10:55:17
17	should be a sergeant?	10:55:21
18	A I have no problems with him being a	10:55:21
19	sergeant.	10:55:23
20	Q Do you know anything about the merit	10:55:24
21	promotion system?	10:55:27
22	A I've heard about it.	10:55:28
23	Q What have you heard about the merit	10:55:29
24	promotion system?	10:55:31

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1	A	That the merit -- I don't know much, but	10:55:32
2		I've heard that it's just basically who you know.	10:55:36
3	Q	In your experience, do you think that's an	10:55:39
4		accurate description of the merit promotion	10:55:50
5		system?	10:55:53
6	A	From what I've heard -- like I said, I	10:55:54
7		don't know much about it, but that's what I've	10:55:56
8		heard.	10:55:59
9	Q	Who have you heard that from?	10:55:59
10	A	I don't remember specifically, but I've	10:56:01
11		heard that throughout the department.	10:56:05
12	Q	Do you know of anyone who has received a	10:56:07
13		merit promotion?	10:56:09
14	A	As far as -- to the best of my knowledge,	10:56:10
15		no. Other than Alvin Jones, no.	10:56:13
16	Q	And how do you know that Jones got a merit	10:56:16
17		promotion?	10:56:18
18	A	That I am aware of through this	10:56:18
19		investigation that he is a sergeant and I heard	10:56:22
20		that -- like I said, I don't recall who told me.	10:56:24
21		Like I said, that's all I know.	10:56:28
22	Q	Does he know people who you think would	10:56:29
23		have promoted him to become a sergeant?	10:56:32
24	MR. MICHALIK:	Objection; foundation.	10:56:35

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1	A I'm not certain.	10:56:37
2	BY MR. RAUSCHER:	10:56:37
3	Q In line with the idea of it's all about	10:56:40
4	who you know, do you know of anyone Al Jones	10:56:43
5	knows?	10:56:46
6	MR. MICHALIK: Objection; foundation.	10:56:46
7	A I don't know. I'm certain he knows	10:56:49
8	someone. I don't know if that was how he got	10:56:51
9	promoted or not. There again, I don't know who Al	10:56:54
10	knows.	10:56:56
11	Q When we're saying here "who Al knows,"	10:56:57
12	we're talking about who he knows who might have	10:57:01
13	gotten him promoted; right?	10:57:03
14	A If that's how he was --	10:57:06
15	MR. MICHALIK: Objection; foundation,	10:57:06
16	assumes facts not in evidence.	10:57:07
17	A If that's -- indeed, that's how he was	10:57:09
18	promoted, I have no idea. I don't know who Al	10:57:11
19	knows and who he doesn't know.	10:57:14
20	Q You had said you assume Al knows someone,	10:57:16
21	I think. Of course, he knows people.	10:57:22
22	I just want to make sure of the context	10:57:23
23	for saying you assume he knows someone who would	10:57:25
24	have helped him with the promotion.	10:57:27

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1	A	That's not what I said.	10:57:29
2	Q	Okay.	10:57:30
3	A	I said I assumed that he knows somebody.	10:57:31
4		I don't know specifically if that's how he was	10:57:33
5		promoted or not. That's what I heard, but I don't	10:57:36
6		know if that's the truth or not.	10:57:39
7	Q	Who did you hear that from?	10:57:40
8	A	Like I said, I don't remember	10:57:41
9		specifically.	10:57:43
10	Q	What were your main responsibilities in	10:57:44
11		the 6th district and the 3rd District?	10:57:58
12	A	I was a patrolman.	10:58:00
13	Q	What did you do as a patrolman in the 6th	10:58:02
14		and the 3rd?	10:58:02
15	A	I had many different functions as a	10:58:07
16		patrolman.	10:58:07
17	Q	Can you just tell me generally what they	10:58:09
18		were?	10:58:10
19	A	Visible patrol and respond to your radio	10:58:10
20		calls, the radio assignments.	10:58:13
21	Q	And were they for all kinds of crimes,	10:58:15
22		alleged crimes?	10:58:18
23	A	Yes.	10:58:19
24	Q	How did you end up in the 2nd District?	10:58:19

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1	A I bid it to come to the 2nd District. I	10:58:23
2	completed a PAR form and transferred.	10:58:29
3	Q A what form?	10:58:31
4	A A PAR form.	10:58:32
5	Q What's a PAR form?	10:58:34
6	A I forget what the acronym stands for, it's	10:58:35
7	the personnel -- personnel form that you fill out	10:58:40
8	when you request to be transferred to a different	10:58:44
9	district.	10:58:47
10	Q Why did you want to move to the	10:58:47
11	2nd District?	10:58:50
12	A I wanted to transfer to the 2nd District	10:58:50
13	because I heard that -- eventually that the	10:58:53
14	district was going to change once all of the	10:58:57
15	housing developments were taken down.	10:59:00
16	And the talk within the department at that	10:59:03
17	time was that it was going to be like the land of	10:59:07
18	milk and honey or meaning that it was going to be	10:59:09
19	not that much crime and it would be a lot -- an	10:59:12
20	easy district to work in. So that was one of the	10:59:15
21	reasons why I transferred there.	10:59:18
22	Q Did it work out like that?	10:59:20
23	A For the most part.	10:59:22
24	Q So in your experience, being in the	10:59:23

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1	2nd District has been a relatively easy job?	10:59:33
2	A Somewhat.	10:59:37
3	Q Easier than the 3rd and 6th District as a	10:59:39
4	patrolman?	10:59:44
5	A I don't have much recollection of my time	10:59:45
6	in the 6th district because I was a -- still a	10:59:50
7	probationary police officer.	10:59:54
8	And, like I said, the 3rd district,	10:59:56
9	although I liked the 3rd District, I wanted to	11:00:04
10	change.	11:00:07
11	Q Why did you want to change when you were	11:00:07
12	in the 3rd District?	11:00:09
13	A Because the 3rd District was becoming	11:00:10
14	extremely busy; and, like I said, I heard the	11:00:14
15	rumors about, you know, what the 2nd District	11:00:18
16	might become. So I was looking for a change as	11:00:20
17	far as working as hard.	11:00:23
18	Q And you said it pretty much worked out the	11:00:25
19	way that you heard it would work out in the	11:00:30
20	2nd District; right?	11:00:32
21	A That's correct.	11:00:33
22	Q Was it -- when did it become like that,	11:00:34
23	where it became kind of an easy job, not as much	11:00:37
24	crime?	11:00:44

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1	A	Eventually after the projects were torn	11:00:45
2		down.	11:00:47
3	Q	Was that after you were done being on the	11:00:50
4		264 tactical team?	11:00:54
5	A	Well, I left the 264 team prior to the	11:00:55
6		housing projects or developments that were in the	11:00:58
7		district were torn down.	11:01:02
8	Q	Was there a lot of crime in the	11:01:03
9		2nd District while you were on the 264 Watts team?	11:01:14
10	A	There was a lot of crime prior to me	11:01:17
11		becoming a member of Watts team. Like I said,	11:01:21
12		before I was a member of Watts team, I was there	11:01:23
13		in July.	11:01:26
14	Q	There was a lot of crime when you got	11:01:27
15		there?	11:01:30
16	A	From what I recall, yes.	11:01:31
17	Q	Did that continue through your time on the	11:01:32
18		Watts team?	11:01:35
19	A	Yes, it did.	11:01:36
20	Q	How long were you in the 2nd District	11:01:37
21		before you became a member of the 264 team?	11:01:40
22	A	I don't remember specifically. My best	11:01:42
23		guess is, I believe, it was about three months.	11:01:47
24	Q	Did you ask to become a member of the	11:01:49

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1	Watts team?	11:01:53
2	A No, I did not.	11:01:54
3	Q Did you want to be a member of the team?	11:01:54
4	A No, I did not.	11:01:57
5	Q Why did you not want to be a member of	11:01:58
6	Watts team?	11:02:01
7	A Because I did not ask to be a member of	11:02:01
8	his team.	11:02:04
9	Q Why didn't you want to do it?	11:02:04
10	A Because I didn't want to be a tactical	11:02:06
11	officer when I transferred to the 2nd District.	11:02:11
12	Q What was it about being a tactical officer	11:02:13
13	that you didn't like?	11:02:15
14	A It was nothing specifically. I just	11:02:16
15	didn't want to be a tactical officer at that time.	11:02:19
16	Q There wasn't anything about the tactical	11:02:22
17	officer job that made you not want to do it?	11:02:24
18	A No. As I sit here, nothing. And the only	11:02:27
19	reason why I was placed on Watts team is because	11:02:31
20	of reverse seniority.	11:02:33
21	Q What does that mean?	11:02:37
22	A Because I did not have enough years or	11:02:37
23	enough time on the job, the district commander at	11:02:41
24	that time put me on Watts team.	11:02:44

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1	Q So it was not a particularly desirable job	11:02:45
2	in the 2nd District to be on that team?	11:02:50
3	MR. MICHALIK: Objection; foundation.	11:02:51
4	A I didn't have any prior knowledge of	11:02:54
5	Ronald Watts when I came to the 2nd District,	11:02:58
6	never heard of him. So at that time, I had no	11:02:58
7	knowledge of him; and at that time, being a	11:03:00
8	tactical officer was a desirable position, but it	11:03:02
9	was something that I did not request.	11:03:05
10	Q The fact that you were put there because	11:03:07
11	you didn't have enough seniority to not be put	11:03:11
12	there, does that suggest that others more senior	11:03:14
13	to you didn't ask to be put there?	11:03:18
14	MR. MICHALIK: Objection; form, calls for	11:03:21
15	speculation.	11:03:23
16	A I have no idea.	11:03:23
17	Q Well, how else would it work?	11:03:25
18	A I have no idea. I did not make the	11:03:27
19	decision, so I would not be able to answer that	11:03:29
20	question.	11:03:31
21	Q But you were told that you were placed	11:03:31
22	there because you didn't have enough seniority to	11:03:33
23	request to not be there?	11:03:36
24	A To the best of my knowledge, yes.	11:03:38

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1	Q And who told you that?	11:03:39
2	A The commander, who at that time was Walter	11:03:40
3	Green, and he's been retired, and I don't know how	11:03:43
4	many years he's been retired.	11:03:46
5	Q Do you remember specifically what Walter	11:03:48
6	Green told you when he said you were going to be	11:04:03
7	part of the Watts team?	11:04:05
8	A I don't remember exactly, but his words,	11:04:06
9	just to paraphrase it, was I'm placing you on my	11:04:10
10	tac team.	11:04:15
11	Q What was he the commander of? What was	11:04:15
12	Walter Green the commander of at the time?	11:04:18
13	A He was the commander of the 2nd District.	11:04:21
14	Q Did you have an understanding of what	11:04:22
15	tactical team officers did when Walter Green came	11:04:38
16	to you and said I'm placing you on my tactical	11:04:41
17	team?	11:04:44
18	A No, I did not.	11:04:44
19	Q How did you learn what tactical officers	11:04:45
20	did?	11:04:49
21	A Just from what I recall during my time	11:04:50
22	working under Ronald Watts and the other members	11:04:54
23	of the 264 team.	11:04:57
24	Q Did Watts train you?	11:04:58

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1	A I wouldn't necessarily call it train but I	11:05:00
2	guess -- that's a way of saying it, I guess.	11:05:05
3	Q What would you call it?	11:05:07
4	A Well, I guess he told me how to become --	11:05:08
5	I said -- I guess you could say that. So at that	11:05:12
6	time I wasn't a probationary officer. I was just	11:05:16
7	a new tactical officer. I did have some	11:05:18
8	experience as a police officer.	11:05:24
9	Q What did Watts tell you about being a	11:05:25
10	tactical team officer?	11:05:28
11	A I don't recall specifically, as I sit here	11:05:29
12	today?	11:05:32
13	Q What about generally?	11:05:32
14	A I don't recall specifically.	11:05:33
15	Q Do you recall generally?	11:05:36
16	A Generally, I don't recall, but our main	11:05:37
17	assignment was to prevent crime happening in the	11:05:42
18	Ida B. Wells and other public housing	11:05:44
19	developments, and that consisted of many different	11:05:47
20	things.	11:05:51
21	Q When you say "that consisted of many	11:05:51
22	different things," you mean there were lots of	11:05:57
23	different crimes or different responsibilities or	11:05:58
24	both?	11:06:00

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1	A	Many different responsibilities and many	11:06:00
2		different crimes.	11:06:27
3	Q	All right. What were your main	11:06:03
4		responsibilities on the tac team?	11:06:05
5	A	As I sit here today, from what I recall,	11:06:09
6		the main objective was to prevent violent crimes,	11:06:11
7		the distribution of illegal narcotics.	11:06:16
8	Q	Anything else?	11:06:30
9	A	At the moment, I can't recall.	11:06:31
10	Q	Did the tac team spend more time in Ida B.	11:06:34
11		Wells then elsewhere?	11:06:39
12	A	As I sit here today, from the best of my	11:06:40
13		memory, perhaps so.	11:06:43
14	Q	Do you think it's likely that the tac	11:06:44
15		team, while you were there, spent more time at	11:06:52
16		Ida B. Wells than elsewhere?	11:06:54
17	A	As I said, I don't remember specifically,	11:06:56
18		but my best guess is we did spend probably the	11:06:57
19		majority of the time in the Ida B. Wells.	11:07:02
20	Q	Do you recall ever having any sort of	11:07:04
21		meeting with Watts when you moved over to the tac	11:07:13
22		team to start off, introduce yourself, learn the	11:07:16
23		basics of the job, anything like that?	11:07:19
24	A	As I sit here today, I don't recall.	11:07:21

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1	Q Do you think that didn't happen, or you	11:07:23
2	don't recall one way or the other?	11:07:26
3	A I don't recall one way or the other.	11:07:27
4	Q Did you learn how to do the job of a	11:07:29
5	tactical officer by watching Ronald Watts do	11:07:39
6	the job?	11:07:43
7	MR. KOSOKO: Objection; form of the	11:07:44
8	question.	11:07:45
9	A I learned from all -- any partners I	11:07:46
10	worked with from the time I was in patrol, a	11:07:49
11	combination of working with different people, and	11:07:51
12	from my experience and training from the police	11:07:54
13	academy.	11:07:54
14	MR. RAUSCHER: Could you read back that	11:07:54
15	question, please.	11:07:54
16	(Pending question read.)	11:08:14
17	A The combination of watching him and other	11:08:14
18	tactical officers, not just necessarily members of	11:08:17
19	the 264 team; but as I sit here today, I don't	11:08:20
20	recall specifically.	11:08:26
21	Q And I don't mean to suggest that you only	11:08:26
22	learned how to do your job from watching Ronald	11:08:32
23	Watts, but I just want to know did you learn from	11:08:35
24	watching Ronald Watts in part?	11:08:38

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1	A As I sit here today, I don't recall	11:08:39
2	specifically. I'm sure I've learned -- did learn	11:08:42
3	from watching him and other tactical officers.	11:08:46
4	Q Was he out on the street with the team	11:08:49
5	frequently?	11:08:53
6	MR. KOSOKO: Object to the form of the	11:08:54
7	question.	11:08:55
8	A To the best of my memory, yes.	11:08:55
9	Q Was he out with his team more than other	11:08:57
10	sergeants in your experience?	11:09:01
11	MR. KOSOKO: Object to the form of the	11:09:02
12	question, foundation.	11:09:04
13	A Again, based on my knowledge, probably	11:09:06
14	more so than some other sergeants.	11:09:08
15	Q You said Sergeant Silas was a sergeant for	11:09:11
16	your other team?	11:09:14
17	A Yes.	11:09:15
18	Q Your other tactical team?	11:09:15
19	A Yes.	11:09:16
20	Q Was Watts out on the street with his team	11:09:16
21	more than Sergeant Silas was out with that	11:09:20
22	tactical team when you served on the tactical	11:09:23
23	team?	11:09:26
24	A As I sit here today, I couldn't guess.	11:09:26

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1	Sergeant Silas did spend some time with the 263	11:09:30
2	team, but I couldn't tell you comparing him to	11:09:34
3	Watts.	11:09:36
4	Q How would you compare the two as bosses,	11:09:45
5	Silas verse Watts?	11:09:48
6	A Comparing in what way?	11:09:50
7	Q Did you like one of them more?	11:09:55
8	A I didn't have a preference either way.	11:09:57
9	Q Were they both effective leaders?	11:09:59
10	And I'm sorry. Can I just ask you to put	11:10:11
11	your hand down just for the video, so we can make	11:10:13
12	sure I see the answer.	11:10:15
13	A As far as being an effective leader, I	11:10:16
14	guess so. I had to -- you know, I guess so.	11:10:20
15	Can you rephrase that question for me	11:10:30
16	because I don't completely understand it?	11:10:31
17	Q Sure. Was there anything that Sergeant	11:10:33
18	Watts did as a head of the tactical team that you	11:10:40
19	didn't agree with at the time?	11:10:43
20	MR. KOSOKO: Object to the form of the	11:10:47
21	question.	11:10:48
22	A I'm certain I probably had some	11:10:49
23	disagreements with Sergeant Watts as well as	11:10:52
24	Sergeant Silas. As I sit here today, I probably	11:10:54

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1	had some disagreements with sergeants that I'm	11:11:00
2	currently or presently assigned to work under, but	11:11:02
3	I wouldn't say any more difference than one or the	11:11:05
4	other.	11:11:09
5	BY MR. RAUSCHER:	11:11:09
6	Q And I appreciate you wanting to give some	11:11:10
7	context, but I'm just going to ask if you can just	11:11:12
8	try to just answer the question that I'm asking.	11:11:13
9	A Okay. I thought I did. Again, as I sit	11:11:16
10	here today, from what I recall, I don't recall	11:11:20
11	having too many -- too much differences from	11:11:23
12	working with Sergeant Watts than I did with	11:11:26
13	Sergeant Silas or any other sergeant.	11:11:30
14	Q Do you recall having any disagreements	11:11:31
15	with Sergeant Watts?	11:11:34
16	MR. KOSOKO: Object to the form of	11:11:36
17	question.	11:11:37
18	A As I sit here today, I can't recall too	11:11:38
19	many disagreements that I've had with him.	11:11:41
20	Q Do you recall any?	11:11:43
21	A As I sit here today, I don't recall	11:11:44
22	specifically. I'm sure I have had some	11:11:46
23	disagreements with him.	11:11:48
24	Q You're just saying generally it would be	11:11:49

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1	normal to have disagreements with the boss; is	11:11:52
2	that the idea?	11:11:55
3	A I'm not saying that's normal. No, I would	11:11:55
4	not say that's normal.	11:11:58
5	Q Okay.	11:11:58
6	A And, as I said, I don't have a problem	11:12:00
7	with anyone that I work with and I have had -- I	11:12:01
8	haven't had too many disagreements with anyone	11:12:04
9	that I've worked with.	11:12:05
10	And as I sit here today, is it possible	11:12:07
11	that I've had some disagreements? Certainly, in	11:12:09
12	20 years as being a police officer. I'm not going	11:12:12
13	to say that just specifically Ronald Watts. I've	11:12:15
14	had issues with other sergeants.	11:12:19
15	Q What issues have you had with other	11:12:20
16	sergeants?	11:12:22
17	A I can't give any specifics. As I sit here	11:12:22
18	today, I don't recall; but it's not just, like I	11:12:25
19	said, pertaining -- you're asking me strictly to	11:12:27
20	Ronald Watts. There's a lot of sergeants or other	11:12:30
21	supervisors that I've had issues with their	11:12:32
22	leadership skills. So I wouldn't just single out	11:12:34
23	Ronald Watts.	11:12:37
24	Q All right. Well, tell me about all the	11:12:40

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1 issues you've had with other sergeants' leadership
2 and other supervisors' leadership skills.

3 A As I sit here today, I cannot give you a
4 specific, and I've worked with many different
5 sergeants in my 20 years as a police officer. And
6 I can't remember every last sergeant's name that
7 I've worked under because I've had many different
8 sergeants being in patrol, and I can't remember
9 every last one of their names.

10 Q Can you give me any single instance of
11 having a disagreement with a supervisor or a
12 sergeant of any sort while you were at the CPD?

13 A Nothing stands out in my mind.

14 Q Did Sergeant Watts and Sergeant Silas have
15 a different leadership style?

16 A Yes, they did.

17 Q Tell me about the differences in their
18 leadership styles.

19 A From what I recall, Sergeant Watts was
20 generally a jokester. He was more hands-on than
21 Silas. Sergeant Silas was more gruffy, his
22 disposition or his attitude, and I wouldn't say he
23 was as nice as Sergeant Watts.

24 Q Watts was nicer?

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1	A Yes.	11:14:00
2	Q And the descriptions you were just giving	11:14:01
3	about how Watts joked around more and was more	11:14:06
4	hands-on and was nicer, are you talking about his	11:14:09
5	interactions and leadership of officers under his	11:14:13
6	command?	11:14:15
7	A Yes. To the best of my knowledge, yes.	11:14:15
8	Q And when you say he was more hands-on than	11:14:17
9	Silas, can you tell me what you mean by that?	11:14:18
10	A Like I said, to the best of my knowledge,	11:14:20
11	what I meant by that, that he was more -- because	11:14:24
12	I did state earlier that Watts, comparing the two,	11:14:27
13	that he probably rode or he worked with us in the	11:14:30
14	field more so than Sergeant Silas did.	11:14:34
15	Not to say that Sergeant Silas didn't do	11:14:36
16	it on a regular basis, but, you know, his --	11:14:38
17	Sergeant Silas' attitude was more laid back and	11:14:42
18	laissez-faire. He really didn't care as much.	11:14:46
19	Q I'm sorry. You said Silas was more laid	11:14:49
20	back?	11:14:51
21	A Yes.	11:14:52
22	Q Didn't care as much?	11:14:52
23	A Yes. That's just my perception.	11:14:54
24	Q And what do you -- what -- didn't care as	11:14:57

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1	much about what?	11:14:59
2	A As far as -- to me he didn't care too much	11:15:00
3	as far as overseeing everything. He took, like, a	11:15:04
4	hands-off approach more so from what I can recall.	11:15:12
5	You know, Silas pretty much let you do your own	11:15:19
6	thing, you know. Not to say that Watts didn't let	11:15:26
7	you do your own thing; but, like I said, Silas	11:15:30
8	didn't seem to care as much about the job as much	11:15:33
9	as Ronald Watts did.	11:15:37
10	Q Can you -- I'm sorry. Go ahead.	11:15:37
11	Can you give me some examples of how it	11:15:38
12	played out where Watts was more hands-on and	11:15:40
13	overseeing you more closely than Silas?	11:15:43
14	A Well, Watts seemed to have more street	11:15:46
15	knowledge. He knew who the guys were that was	11:15:50
16	involved in the narcotics, involved in selling	11:15:54
17	narcotics or the people in the gangs. He had more	11:15:58
18	awareness of what was going on than Sergeant Silas	11:16:03
19	did.	11:16:07
20	Q And did he oversee your team's daily	11:16:08
21	activities more closely than Silas did?	11:16:13
22	A I wouldn't necessarily say that. Like I	11:16:16
23	said, Sergeant Watts did work with us from time to	11:16:21
24	time more often, I would say, than Sergeant Silas	11:16:23

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1	did; and, again, I said Sergeant Silas did ride	11:16:25
2	with us, from what I recall, on a consistent	11:16:28
3	basis, probably not as much as Watts did.	11:16:30
4	Q Did Watts ride with you all almost every	11:16:33
5	day?	11:16:37
6	A Sitting here today, I couldn't say on a	11:16:37
7	consistent basis every day.	11:16:40
8	MR. STEFANICH: Put your hand down.	11:16:42
9	THE WITNESS: I'm sorry.	11:16:44
10	Q Would he go out with you multiple times a	11:16:46
11	week? And by "you," I mean, the team.	11:16:49
12	Would Watts go out with the tactical team	11:16:49
13	multiple times each week?	11:16:51
14	A As I sit here today, I couldn't give you a	11:16:53
15	number.	11:16:56
16	Q One way or the other, whether he was there	11:16:56
17	every day or once a week or once a month?	11:16:59
18	A Again, as I stated, I don't have a --	11:17:01
19	wouldn't recall how many times he rode with us per	11:17:04
20	week, but he did ride with us quite often. I just	11:17:06
21	can't recall how many times per week.	11:17:09
22	Q Typically, it was multiple times per week	11:17:11
23	at least; is that fair?	11:17:15
24	A Possibly.	11:17:16

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1	Q Possibly or yes in your experience?	11:17:16
2	A As I stated, again, I don't know exactly,	11:17:18
3	but it is possible that he rode with us multiple	11:17:19
4	times a week.	11:17:23
5	Q Do you think he rode with you multiple	11:17:24
6	times each week?	11:17:26
7	A Again, as I stated, I don't know. I can't	11:17:27
8	give you a specific answer, but it might have been	11:17:29
9	maybe one or two times. It could possibly be	11:17:30
10	more.	11:17:33
11	Q All right. How did Watts gain the	11:17:33
12	knowledge that you believe he had regarding gangs	11:17:37
13	and drugs and who the players were?	11:17:40
14	MR. STEFANICH: Objection.	11:17:44
15	MR. KOSOKO: Objection; form of the	11:17:44
16	question, calls for speculative response, form,	11:17:48
17	foundation.	11:17:48
18	A Like I said, I can't answer for Ronald	11:17:50
19	Watts. Just based off my observation, maybe he	11:17:52
20	was more street savvy than I was. I did have --	11:17:54
21	come to find out that he grew up in the Ida B.	11:17:57
22	Wells, so that could also have given him a lot	11:18:00
23	more information that led him to be more	11:18:01
24	knowledgeable than me.	11:18:06

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1	Also at that time, he had more years on	11:18:07
2	the job than I did.	11:18:16
3	BY MR. RAUSCHER:	11:18:16
4	Q How did you come to learn that Watts had	11:18:17
5	grown up in Ida B. Wells?	11:18:20
6	A I don't recall exactly when and who told	11:18:22
7	me; but at some point in time during my years	11:18:24
8	working with him, I did learn that.	11:18:27
9	Q Did you ever talk to him about the fact	11:18:29
10	that he had grown up in Ida B. Wells?	11:18:31
11	A I'm certain I may have. I don't recall	11:18:33
12	specifically.	11:18:35
13	Q How else did -- was Silas more	11:18:35
14	laissez-faire and hands-off than Watts?	11:18:56
15	A That's going back so many years ago. Like	11:18:58
16	I said, I don't recall. Like I said -- like I	11:19:03
17	said, I didn't work with Silas that long, and I	11:19:08
18	don't remember every detail about Silas.	11:19:11
19	Like I said, I knew Silas prior to working	11:19:15
20	with him. Not to say that we were personal	11:19:17
21	friends, but I couldn't tell you too much of a	11:19:20
22	difference between Ronald Watts, other than	11:19:23
23	they -- you know, like I said, the difference in	11:19:25
24	their personalities.	11:19:26

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1	Q Was one of the ways that Watts acted in a	11:19:27
2	more hands-on manner by telling officers on the	11:19:30
3	tac team who they should arrest?	11:19:34
4	MR. MICHALIK: Object to form.	11:19:37
5	A As I sit here today, I don't recall Watts	11:19:40
6	ever specifically telling us who we had to arrest.	11:19:41
7	Q Did he -- do you remember him ever telling	11:19:44
8	the team who they should go look for and	11:19:50
9	investigate?	11:19:54
10	A Again, I'm certain at some point in time	11:19:54
11	we probably had conversations during roll call if	11:19:58
12	we were -- if he received information from certain	11:20:02
13	individuals about a certain person, I'm sure it	11:20:05
14	might have come up.	11:20:09
15	Q Do you -- outside of roll call, do you	11:20:09
16	ever remember having Watts tell anybody on the tac	11:20:13
17	team who they should investigate?	11:20:17
18	A As again, as I sit here, I don't recall,	11:20:20
19	but I'm certain it may have come up.	11:20:22
20	Q When do you think it may have come up	11:20:24
21	outside of roll call?	11:20:28
22	A When we were working in the field.	11:20:29
23	Q And why do you think that in the field	11:20:31
24	Watts was telling tac team members who they should	11:20:34

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1	investigate?	11:20:38
2	A As again, like I stated, I don't recall	11:20:38
3	specifically; but Ronald Watts was the sergeant,	11:20:41
4	and being under his command as a sergeant, he did	11:20:44
5	give us the -- we were supposed to follow his	11:20:49
6	orders as far as certain things.	11:20:52
7	So he had a lot of info -- a lot of people	11:20:55
8	where he received information from. I don't know	11:20:58
9	everyone who Ronald Watts spoke to, where he got	11:21:00
10	his information from. From time to time, I do --	11:21:04
11	from the best of my memory, he would give us	11:21:07
12	information based off of what was conveyed to him	11:21:09
13	or told to him.	11:21:12
14	Q And when he would do that, give you	11:21:13
15	information based on what he had learned or what	11:21:17
16	he knew, did he tell you where the information	11:21:19
17	came from?	11:21:21
18	A As I sit here today, I don't recall.	11:21:22
19	Q You don't recall one way or the other?	11:21:24
20	A No. Like I said, I don't have -- I don't	11:21:27
21	recall exactly. He may have, and as I just	11:21:31
22	stated, I don't recall.	11:21:34
23	Q As your sup- -- well, as Watts was your	11:21:35
24	superior officer, did you have to follow his	11:21:54

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1	commands?	11:21:56
2	A To a certain degree.	11:21:56
3	Q When would you not have to follow his	11:21:58
4	commands?	11:22:01
5	A If his commands were to tell me to do	11:22:02
6	something criminal.	11:22:04
7	Q Other than that, though, other than	11:22:05
8	criminal, you'd have to follow his commands?	11:22:06
9	A Well --	11:22:10
10	MR. MICHALIK: Objection to the form.	11:22:10
11	MR. KOSOKO: Join.	11:22:12
12	A Or if I felt his commands were unethical.	11:22:13
13	Q Did you ever have a time where you	11:22:14
14	disobeyed one of Ronald Watts's commands?	11:22:17
15	A As I sit here today, I don't recall.	11:22:20
16	Q Have you ever, in your career as a police	11:22:24
17	officer, disobeyed a superior officer's commands?	11:22:27
18	MR. KOSOKO: Object to the form of the	11:22:37
19	question.	11:22:38
20	A As I sit here today, I don't think so. I	11:22:39
21	never received discipline -- disciplinary action	11:22:41
22	as a result of that. So to the best of my	11:22:44
23	knowledge, I would say no.	11:22:47
24	Q If Ronald Watts would have said to you, Go	11:22:49

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1 arrest that guy over there, he's got drugs; and 11:22:55
2 you found out that that guy didn't actually have 11:22:58
3 drugs, would you have still effectuated the 11:23:02
4 arrest? 11:23:07

5 A As I sit here today, I would have asked 11:23:07
6 him -- may have asked him, you know, how did he 11:23:10
7 observe this. And if I wrote the report, maybe I 11:23:13
8 would probably document, you know, the reason in 11:23:16
9 my report why I was arresting this individual, 11:23:20
10 based on the observations of Ronald Watts or maybe 11:23:23
11 another member of my team. 11:23:26

12 Q But if Watts told you, Go arrest that 11:23:28
13 person, he has drugs, and you found out that 11:23:32
14 person didn't actually have drugs, you're saying 11:23:34
15 you still might arrest him? 11:23:37

16 A No. 11:23:38

17 MR. KOSOKO: Objection to the form, calls 11:23:40
18 for a speculative response, incomplete 11:23:42
19 hypothetical. 11:23:42

20 A No. If Sergeant Watts told me to arrest 11:23:43
21 someone and they did not have any drugs on them, I 11:23:44
22 would not arrest them. 11:23:47

23 Q Is what you were saying before, that if 11:23:47
24 Sergeant Watts asked you to arrest someone and you 11:23:54

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1	hadn't firsthand seen what had happened, you would	11:23:57
2	ask Watts for the basis?	11:23:59
3	A Yes.	11:24:01
4	Q And did that happen frequently?	11:24:01
5	A As I sit here today, I don't recall	11:24:03
6	specifically, but I'm certain it might have.	11:24:05
7	Q Why are you certain that it might have	11:24:07
8	happened?	11:24:10
9	A I can't -- as I said, I don't -- I'm not	11:24:10
10	for certain, but I'm certain it might have.	11:24:13
11	Q But what I'm saying is why do you think	11:24:16
12	that it happened, where you were told to arrest	11:24:19
13	someone even though you hadn't seen what that	11:24:22
14	person did?	11:24:24
15	A I don't recall.	11:24:25
16	Q You don't recall why you think that?	11:24:25
17	A No, sir.	11:24:28
18	Q And if you were --	11:24:29
19	A That's a hypothetical question you asked	11:24:34
20	me, so I'm giving you an answer.	11:24:36
21	Q Right. But I'm trying to find out if you	11:24:38
22	actually think that it happened.	11:24:43
23	A As I sit here today, I don't recall if	11:24:44
24	that happened one way or the other.	11:24:45

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1	Q If you were asked to arrest someone and	11:24:46
2	you had not personally seen what that person	11:24:53
3	allegedly did, would you document the source of	11:24:56
4	your information justifying the arrest?	11:24:59
5	MR. MICHALIK: Object to the form.	11:25:03
6	MR. KOSOKO: Join.	11:25:05
7	A As I sit here today, yes, I think I would.	11:25:06
8	MR. RAUSCHER: Can we take a quick break.	11:25:14
9	THE VIDEOGRAPHER: Off the record, 11:25.	11:25:17
10	(A recess was taken from 11:25 a.m. to	11:32:03
11	11:32 a.m.)	11:32:03
12	THE VIDEOGRAPHER: Back on the record,	11:32:04
13	11:32.	11:32:08
14	(Ms. Kleinhaus did not return to the	11:32:08
15	conference room.)	11:32:09
16	BY MR. RAUSCHER:	11:32:09
17	Q You had mentioned that Watts seemed to	11:32:16
18	have good street knowledge about who was involved	11:32:20
19	in gangs and drugs in Ida B. Wells?	11:32:24
20	A Yes.	11:32:26
21	Q Do you remember, when you were on the tac	11:32:27
22	team, who any of the kind of bigger players were	11:32:31
23	in gangs and drugs in Ida B. Wells?	11:32:34
24	A I can remember a few names.	11:32:36

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1	Q Which names do you remember?	11:32:38
2	A Wilbert Moore, his street name was Big	11:32:40
3	Shorty. Allen Jackson, who went by the street	11:32:44
4	name of Allen J. Leonard Gipson, his street name	11:32:51
5	was Fuzz. Angelo Shenault, I don't remember --	11:32:58
6	I'm aware that there is a junior and a senior. I	11:33:14
7	don't recall if it was -- I couldn't distinguish	11:33:18
8	between one or the other.	11:33:18
9	Q Let me stop you just for one second.	11:33:19
10	Do you know about how old the Angelo	11:33:20
11	Shenault you're thinking of was during -- when you	11:33:21
12	were on the tac team?	11:33:27
13	A I don't recall. I don't recall.	11:33:28
14	Torlorn Fumbanks, his street name was	11:33:32
15	Toke.	11:33:36
16	THE REPORTER: What was the first name?	
17	THE WITNESS: I think it was pronounced	
18	Torlorn or Toe -- excuse me -- Torlong Fumbanks or	
19	Funbanks.	
20	MR. RAUSCHER: I think we can get you the	
21	spelling.	
22	A (Continuing.) Ben Baker. I'm not aware	11:33:40
23	if he had a street name. Brian Ford, his street	11:33:53
24	name was B-Lo. Another guy named Harry O. I	11:34:00

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1	don't remember his real last name.	11:34:13
2	Q I'm sorry. Harry what?	11:34:13
3	A Harry O, that was his street name.	11:34:14
4	Q O?	11:34:16
5	A Harry O.	11:34:19
6	Q Oh, Harry O.	11:34:19
7	A Yeah. Like the letter O.	11:34:20
8	Q Yep. Got it.	11:34:22
9	A Those are the ones I can think of. I'm	11:34:23
10	sure there was probably more. At this time, this	11:34:25
11	is all I can remember.	11:34:28
12	Q And who was on the Watts team while you	11:34:29
13	were on the team?	11:34:31
14	MR. STEFANICH: At what time?	11:34:33
15	Q Over the years when you were on the Watts	11:34:35
16	team, who was on the team?	11:34:37
17	A Initially, when I first started, when I	11:34:40
18	was placed on his team, I was partnered with	11:34:43
19	Cynthia Tornes; and then a short while later, I	11:34:48
20	was partnered with Miguel Cabrales. A short while	11:34:51
21	later I was partnered with Kallatt Mohammed; and	11:34:57
22	then for the remainder of my time on Sergeant	11:35:01
23	Watts team, I was partnered with Alvin Jones.	11:35:03
24	Q And who else was on the team over the	11:35:06

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1	years while you were on the team?	11:35:15
2	A Robert Gonzalez, Brian Bolton, Doug	11:35:16
3	Nichols, Manny Leano, Lamonica Lewis. To the best	11:35:29
4	of my knowledge, I believe that was it.	11:35:37
5	Q Do you know someone named Dorian Smith?	11:35:38
6	A Yes, I do.	11:35:44
7	Q Was Ms. Dorian Smith ever on the Watts	11:35:46
8	team?	11:35:48
9	A Not when I was a member of Watts team.	11:35:49
10	Q Are you related to Dorian Smith?	11:35:51
11	A No. I'm sorry. No, sorry.	11:35:54
12	Q All right. Now, I have to ask you why	11:35:58
13	that was such a crazy question.	11:36:02
14	A I don't know if this is -- man, I'm	11:36:03
15	feeling -- well, anyway it's, you know -- no,	11:36:05
16	we're not related. You know, Dorian is -- you	11:36:10
17	know, we don't look nothing alike, and that's all	11:36:14
18	I'm going to say.	11:36:17
19	Q Just -- the reaction was just about your	11:36:17
20	difference in appearance with him?	11:36:20
21	A Yes.	11:36:21
22	Q Okay.	11:36:22
23	A And his -- I don't want to -- it's too	11:36:22
24	personal, I mean. Nothing bad, you know, just --	11:36:26

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1	Q You don't have any bad feelings toward	11:36:30
2	Dorian Smith?	11:36:33
3	A Oh, no, no, definitely not.	11:36:33
4	Q All right. Did any of the people you just	11:36:35
5	named on the Watts team have nicknames that you're	11:36:41
6	aware of?	11:36:43
7	A When I worked with, I believe Ronald	11:36:44
8	Watts, he was called Big Smooth.	11:36:50
9	Q Big Smooth?	11:36:51
10	A Uh-huh.	11:36:52
11	Q Is that a nickname he gave to himself?	11:36:53
12	A I don't know where he got the nickname	11:36:55
13	from.	11:36:58
14	Q Did he refer to himself as Big Smooth?	11:36:58
15	A Yes. I've heard him refer to himself as	11:37:01
16	Big Smooth.	11:37:04
17	Q Did you ever hear anyone other than him	11:37:05
18	refer to Watts as Big Smooth?	11:37:07
19	A As of this time, I don't recall.	11:37:09
20	Q Do you know why he called himself Big	11:37:12
21	Smooth?	11:37:15
22	A I have no idea.	11:37:15
23	Q Did you ever ask him?	11:37:16
24	A As I sit here today, I don't recall.	11:37:19

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1	Q All right. Did anyone else on the team,	11:37:23
2	that you remember, have a nickname?	11:37:26
3	A I remember that people from the Ida B.	11:37:27
4	Wells called Manny Leano Chinaman.	11:37:35
5	Q Did anyone on the team call Leano	11:37:38
6	Chinaman?	11:37:52
7	A As I sit here today, I don't recall. I	11:37:53
8	know I personally -- I never called him Chinaman.	11:37:54
9	I don't recall anyone else calling him that.	11:37:58
10	Q Did people call you Smitty?	11:38:02
11	A That's a nickname I don't like. Other	11:38:04
12	people call me that, mainly people within Ida B.	11:38:08
13	Wells and other police officers.	11:38:11
14	Q You said you do not like that nickname?	11:38:13
15	A No, I do not.	11:38:19
16	Q Do you think or have any reason to believe	11:38:21
17	that people in Ida B. Wells called you Smitty	11:38:31
18	because you didn't like it? Like, did you make	11:38:34
19	that clear to them?	11:38:36
20	A I don't recall stating to people that I	11:38:37
21	didn't like the nickname or not, and I'm not aware	11:38:40
22	of what other people may have felt or thought.	11:38:43
23	Q Was Lamonica Lewis known as Co-Co?	11:38:46
24	A Yes.	11:38:50

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1	Q Did team members call her Co-Co or people	11:38:51
2	who lived at Ida B. Wells or both?	11:38:55
3	A I am not certain, as I sit here today, but	11:38:57
4	I'm aware that -- I think she did -- when she	11:39:02
5	first became a member of our team, did ask her to	11:39:05
6	call her Co-Co. I'm not for certain. I can't	11:39:08
7	remember 100 percent.	11:39:15
8	During her time working with me while I	11:39:17
9	was on Watts team, I think people in the Ida B.	11:39:19
10	Wells may have started calling her Co-Co once they	11:39:23
11	heard other members call her Co-Co.	11:39:25
12	Q Do you know Officer Cadman or Spaargaren?	11:39:28
13	A No, I do not.	11:39:35
14	Q What about Shannon Spalding?	11:39:36
15	A No, I do not.	11:39:38
16	Q Daniel Echeverria?	11:39:40
17	A Yes, I do.	11:39:41
18	Q How do you know him?	11:39:42
19	A I knew him from -- when I was in the	11:39:43
20	2nd District, I would see him in passing.	11:39:46
21	Q Have you ever talked to him about the	11:39:48
22	Watts team?	11:39:51
23	A No, I did not.	11:39:51
24	Q Did you ever socialize with any of the	11:39:59

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1	members of the Watts team?	11:40:01
2	A Yes, I have.	11:40:02
3	Q Do you know what, let me -- before we do	11:40:03
4	that, did Al Jones have a nickname that you	11:40:06
5	know of?	11:40:09
6	A Not that I -- as I sit here today, not	11:40:09
7	that I'm aware of.	11:40:10
8	Q Do you remember citizens calling him AJ or	11:40:11
9	anything like that?	11:40:15
10	A No, not -- to the best of my memory, no.	11:40:15
11	Q All right. Tell me about socializing with	11:40:18
12	other members of the Watts team.	11:40:21
13	A Well, I didn't socialize that often, to	11:40:22
14	the best of my memory, with too many of them, but	11:40:26
15	I have from time to time.	11:40:29
16	Q Did you consider any of them friends?	11:40:34
17	A One person that I considered a friend at	11:40:36
18	that time and who I hung out with probably more	11:40:42
19	often than the other people on the team was	11:40:46
20	Kallatt Mohammed.	11:40:49
21	Q What sort of things did you do with	11:40:50
22	Kallatt Mohammed outside of work?	11:40:54
23	A I don't recall him ever coming over to my	11:40:57
24	house. Mainly, to the best of my knowledge, I've	11:41:01

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	been over to his house many times. We've shared	11:41:06
2	drinks together, and we've been to lounges	11:41:10
3	together. And outside of that, to the best of my	11:41:14
4	knowledge, I don't recall anything else.	11:41:16
5	Q Was he a generous friend?	11:41:21
6	A Generous --	11:41:24
7	MR. MICHALIK: Objection; vague.	11:41:26
8	A Generous in what way?	11:41:29
9	Q Fair enough.	11:41:32
10	Did he pay for things for you?	11:41:33
11	A I don't recall at this -- as I sit here	11:41:34
12	this moment, I don't recall.	11:41:35
13	Q One way or the other?	11:41:36
14	A No, I do not.	11:41:40
15	Q Did he carry a lot of cash with him?	11:41:41
16	A As I sit here today, I don't recall ever	11:41:44
17	seeing Mohammed with a lot of money.	11:41:47
18	Q How often -- when was the last time you	11:41:49
19	saw Mohammed?	11:41:51
20	A As I sit here today, I don't recall	11:41:51
21	specifically; but it was probably before he began	11:42:03
22	his sentence.	11:42:06
23	Q Are you still friends with him?	11:42:07
24	A No, I am not.	11:42:09

Transcript of Elsworth Smith, Jr.
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1 Q Why are you no longer friends with him? 11:42:10

2 A I don't have any communication with him 11:42:12

3 because of the charges that was brought against 11:42:15

4 him and possibly if there was any other type of 11:42:18

5 investigation into myself or other people on this 11:42:22

6 team. You know, and also that as a Chicago police 11:42:24

7 officer, we are not supposed to be associated with 11:42:30

8 a convicted felon. 11:42:32

9 Q When Mohammed got indicted, did you think 11:42:34

10 there was an investigation into you or other 11:42:38

11 members of your team? 11:42:40

12 A I wasn't quite certain. 11:42:41

13 Q You thought there might be? 11:42:43

14 A As I speak -- I sit here to this day, I'm 11:42:45

15 not certain, but I thought possibly it could be. 11:42:47

16 Q Why did you think there possibly could be 11:42:50

17 an investigation into you or other members of the 11:42:52

18 team when Mohammed and Watts got indicted? 11:42:55

19 A Well, if they were indicted, you know -- 11:42:58

20 as I said, I was aware of the situation from what 11:43:00

21 I saw in the media. I just assumed. I had no 11:43:03

22 prior knowledge, that that was just my assumption. 11:43:05

23 Q Why did you make that assumption? 11:43:08

24 A Because if they were investigated -- if 11:43:10

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Conducted on February 17, 2020

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1 they were indicted, I felt that they had to be 11:43:14
2 looking into other members of the team. 11:43:16

3 Q Do you think you knew more at the time 11:43:20
4 other than just the vague general concept that 11:43:22
5 they had been indicted for stealing some form of 11:43:26
6 government property? 11:43:30

7 A As I sit here today, I don't know. 11:43:30

8 Q Do you think that learning that someone 11:43:33
9 that's been indicted for stealing government 11:43:36
10 property would have suggested to you that other 11:43:39
11 members of the tactical team you served on were 11:43:42
12 also under investigation? 11:43:44

13 A As I sit here today, I have no -- yeah, I 11:43:44
14 don't have any idea. 11:43:46

15 Q Did you ever attend weddings or other 11:43:47
16 family events of anyone on the Watts team? 11:43:56

17 A Again, as I sit -- as of today, I'm 11:43:58
18 certain -- the only person I can recall was Doug 11:44:04
19 Nichols. 11:44:09

20 Q You can't recall whether you attended Doug 11:44:09
21 Nichols' wedding? 11:44:13

22 A As I sit here today, I think that was the 11:44:14
23 only person on the team's wedding I think I 11:44:15
24 attended. 11:44:18

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Conducted on February 17, 2020

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1	Q I got it. You think you did attend Doug	11:44:19
2	Nichols' wedding.	11:44:23
3	A Yes, I believe that because I'm not	11:44:23
4	certain if any other of my teammates at that time	11:44:26
5	were married while I was a member of Watts team,	11:44:28
6	and I'm not certain if it was Doug's wedding or	11:44:30
7	not. I believe it was.	11:44:35
8	Q Did you go to a bachelor party for him?	11:44:36
9	A As I sit here today, I believe so.	11:44:40
10	Q What did you do at the bachelor party?	11:44:41
11	A I don't recall.	11:44:43
12	Q Do you remember where the bachelor party	11:44:45
13	was?	11:44:47
14	A As I sit here today, no, I do not.	11:44:48
15	Q What other members of the team were at	11:44:50
16	Nichols' wedding?	11:44:57
17	A Again, as I sit here today, I don't recall	11:44:58
18	specifically. I believe -- I believe Ronald	11:45:02
19	Watts. From the best of my knowledge, I believe	11:45:11
20	me and Sergeant Watts -- Sergeant Watts went to	11:45:12
21	the wedding together. I believe Brian Bolton was	11:45:17
22	there, and I believe that Officer Leano and	11:45:23
23	Gonzalez was there. And I don't recall anyone	11:45:28
24	else at this particular moment.	11:45:32

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1	Q Why did you go with Watts?	11:45:33
2	A I don't know. As I sit here today, I	11:45:34
3	don't know. I went with him because he was my	11:45:40
4	sergeant perhaps. I don't know. I can't give you	11:45:43
5	a specific reason why I went with him.	11:45:45
6	Q Did he live close to you?	11:45:49
7	A From what I recall, no.	11:45:51
8	Q Did you socialize with Ronald Watts?	11:45:52
9	A Rarely.	11:45:54
10	Q How frequently did you socialize with	11:45:55
11	Watts?	11:45:58
12	A I couldn't give you an answer, as I sit	11:45:58
13	here today, but I didn't frequent that often with	11:46:00
14	too many of the guys on my team at that time. As	11:46:02
15	I stated before, the only person that I	11:46:06
16	frequently -- I wouldn't say frequently, but the	11:46:10
17	only person that I associated with or hung out	11:46:12
18	with outside of work was Kallatt Mohammed.	11:46:15
19	Q Did you and Mohammed talk about the job	11:46:19
20	when you were off work hanging out?	11:46:21
21	A No, we did not.	11:46:23
22	Q What sort of things, generally, did you	11:46:24
23	talk about?	11:46:26
24	A We would talk about women, cars, movies,	11:46:27

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1	sometimes music. I don't recall anything else in	11:46:35
2	particular.	11:46:39
3	Q Do you know if Ronald Watts had a gambling	11:46:39
4	problem ever?	11:46:49
5	A I'm not aware of that.	11:46:49
6	Q Do you know if he liked to gamble?	11:46:51
7	A I'm not certain.	11:46:54
8	Q Did you ever gamble with him?	11:46:55
9	A No, I did not. To the best of my	11:46:56
10	knowledge, I don't recall.	11:46:59
11	Q Do you recall ever going to a casino with	11:47:01
12	Watts or anyone on the Watts team?	11:47:04
13	A No, I do not. I'm not a -- one thing I	11:47:06
14	can say specifically about myself, I'm not much of	11:47:10
15	a gambler. I don't like losing my money.	11:47:12
16	Q When is the last time you talked with any	11:47:16
17	of the members of the Watts team?	11:47:20
18	A Other than Brian Bolton -- I mean, sorry,	11:47:23
19	not Brian Bolton, but Robert Gonzalez, Doug	11:47:29
20	Nichols or Manny Leano, I have not spoken to	11:47:35
21	anyone else.	11:47:38
22	Q Nichols, Leano --	11:47:39
23	A And Gonzalez.	11:47:40
24	Q When is the last time you spoke to	11:47:42

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	Nichols, Leano, or Gonzalez?	11:47:44
2	A I don't recall the last time I spoke to	11:47:46
3	them; and then I only see them in passing, and	11:47:48
4	generally, we just say hi and bye.	11:47:51
5	Q You see them at work sometimes?	11:47:53
6	A Yes.	11:47:55
7	Q Do you socialize with them now?	11:47:56
8	A No.	11:47:57
9	Q Have you ever talked about the allegations	11:47:58
10	brought against you all?	11:48:00
11	A No, I have not.	11:48:02
12	Q When is the last time you talked to Watts?	11:48:03
13	A I have not talked -- to the best of my	11:48:06
14	knowledge, I have not talked to Watts in	11:48:09
15	probably -- I couldn't tell you exactly, but it	11:48:15
16	may have been prior to him being indicted, and I	11:48:16
17	don't recall what year that was.	11:48:19
18	Q Why did you leave the Watts team?	11:48:20
19	A I got tired of the schedules, the rotating	11:48:24
20	schedules as a tactical officer.	11:48:29
21	Q Did you ask to leave the team?	11:48:34
22	A Yes, I did.	11:48:36
23	Q How did you put that request in?	11:48:37
24	A I submitted -- to the best of my	11:48:39

Transcript of Elsworth Smith, Jr.
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1	knowledge, as I sit here today, I believe I	11:48:42
2	submitted a to/from report.	11:48:42
3	Q Do you know who you submitted that to/from	11:48:43
4	report to?	11:48:46
5	A The to/from -- to the best of my	11:48:47
6	knowledge, the to/from reports are submitted to	11:48:51
7	the district commander.	11:48:54
8	Q What was the typical shift for you on the	11:48:55
9	Watts team? Well, what -- let me rephrase that.	11:49:01
10	What hours did you typically work when you	11:49:03
11	were on the Watts team?	11:49:05
12	A As I stated before, our hours rotated.	11:49:06
13	Our hours would rotate every 28 days. We would	11:49:11
14	work second watch and then what would be	11:49:16
15	considered third watch, and we had different	11:49:18
16	starting times from the regular second-watch or	11:49:20
17	third-watch units.	11:49:23
18	Q What was the second-watch shift when you	11:49:25
19	were on the Watts team? What was the second-watch	11:49:30
20	district for the Watts team when you were on the	11:49:32
21	team?	11:49:34
22	A From the best of my knowledge, the second	11:49:34
23	watch starting times were the same for all	11:49:38
24	tactical units.	11:49:41

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	Q And what was the second-watch shift for	11:49:42
2	tactical units?	11:49:44
3	A To the best of my knowledge, I believe the	11:49:45
4	starting times at that time was 10:00 o'clock in	11:49:47
5	the morning to 8:00 -- I'm sorry -- 6:00 o'clock	11:49:52
6	in the evening.	11:49:54
7	Q And you said every 28 days it would rotate	11:49:55
8	between second and third watch?	11:50:01
9	A Yes.	11:50:03
10	Q What was the third-watch hours?	11:50:03
11	A To the best of my knowledge, third watch	11:50:05
12	or the evening shift for the tactical teams were	11:50:08
13	1600 hours to -- or that's 4:00 o'clock in the	11:50:13
14	afternoon to 2:00 o'clock in the morning.	11:50:16
15	Q Did you have a preference for one shift	11:50:17
16	over another?	11:50:23
17	A I prefer the evening shift.	11:50:24
18	Q Why did you prefer the evening shift?	11:50:26
19	A For me personally I -- I'm not much of	11:50:28
20	a -- excuse me -- a morning person. I felt	11:50:30
21	working afternoons or evening, it gave me more	11:50:34
22	time to do personal things that I needed to take	11:50:39
23	care of like laundry, whatever grocery shopping,	11:50:40
24	things of that nature. And also it just give you	11:50:45

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1	more free time, to me personally, to do other	11:50:49
2	things.	11:50:52
3	Q And where did you go when you left the	11:50:58
4	Watts team? Did you go straight to the other	11:51:00
5	tactical team, or did you go back to being a	11:51:02
6	patrol officer?	11:51:05
7	A I went back to being a patrol officer.	11:51:05
8	Q I'm sorry if I've already asked you this,	11:51:07
9	but do you know how much time elapsed between then	11:51:09
10	and when you joined the 263 tac team?	11:51:11
11	A As I sit here today, I don't recall	11:51:15
12	specifically.	11:51:18
13	Q Do you remember how you ended up on the	11:51:18
14	263 team?	11:51:21
15	A Again, I don't recall specifically, but I	11:51:21
16	think I had a conversation with Nathan Silas, like	11:51:25
17	I said, who I knew a little bit about at that	11:51:30
18	time; and he knew me, of course, while I was	11:51:32
19	working for Sergeant Watts team. And I'm not for	11:51:36
20	certain. I believe he approached me about coming	11:51:39
21	to his team.	11:51:42
22	Q Did you go to his team voluntarily?	11:51:43
23	A Yes. Right after I had a conversation	11:51:45
24	with him, to the best of my knowledge.	11:51:50

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1	Q What -- when you were on patrol after you	11:51:51
2	left the Watts team, what shift were you on?	11:51:53
3	A I went to first watch.	11:51:56
4	Q When is first watch?	11:51:58
5	A Well, at the time -- at that time, our	11:52:00
6	schedules are changed because I believe at that	11:52:04
7	time when I left Watts team, we were still working	11:52:07
8	on the six-to-two schedule, meaning working six	11:52:10
9	days consecutively and had two days off.	11:52:14
10	Q That's -- when you were on the Watts team,	11:52:17
11	you had six on and two off?	11:52:17
12	A Yes. I believe at that time the whole	11:52:19
13	entire department was still working the	11:52:21
14	six-and-two schedule.	11:52:24
15	Q Okay.	11:52:25
16	A And those days were like eight-hour days,	11:52:25
17	from the best of my knowledge.	11:52:28
18	Q And then when you moved over -- when you	11:52:29
19	left the Watts team to get back on patrol, were	11:52:32
20	you still six on, two off?	11:52:35
21	A To the best of my knowledge, as I sit here	11:52:37
22	today, I don't recall what our schedule was.	11:52:41
23	Q Do you recall what hours that you worked,	11:52:42
24	though, on patrol?	11:52:44

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1	A	When I went back to patrol after I left	11:52:45
2		Watts team?	11:52:50
3	Q	Yeah.	11:52:50
4	A	Like I said, I think at that time we were	11:52:51
5		still working the six-and-two schedule. So I	11:52:53
6		believe at that time, and, like I said, I'm not	11:52:57
7		for certain, I think I was working -- the start	11:53:00
8		time was either at 11 -- 11:00 p.m. or midnight,	11:53:03
9		and I'm not 100 percent certain.	11:53:08
10	Q	That was the first shift?	11:53:11
11	A	Yes. And, like I said, I'm not 100	11:53:12
12		percent certain --	11:53:15
13	Q	Okay.	11:53:15
14	A	-- because many years have passed when I	11:53:15
15		was on that schedule.	11:53:18
16	Q	It was like an overnight shift?	11:53:18
17	A	Yes.	11:53:20
18	Q	About what time did you finish?	11:53:21
19	A	To the best of my knowledge, either 7:00	11:53:22
20		o'clock or 8:00 o'clock in the morning.	11:53:26
21	Q	So was the patrol -- even though you had	11:53:27
22		six days on and two days off, you were	11:53:33
23		consistently on the first watch, though?	11:53:36
24	A	From the best of my knowledge, yes.	11:53:38

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1	Q When you were on the Watts tactical team,	11:53:42
2	was there a difference in the amount of criminal	11:53:47
3	activity during the second watch and the third	11:53:52
4	watch?	11:53:56
5	A To the best of my knowledge, I don't	11:53:56
6	recall. Criminal activity can occur at any point	11:54:04
7	in time, different times, different -- different	11:54:06
8	times of the day and different hours of the day.	11:54:09
9	Q Was there more drug sales, for example,	11:54:11
10	during the day versus at night in Ida B. Wells	11:54:15
11	when you were on the Watts team?	11:54:18
12	MR. KOSOKO: Objection; foundation.	11:54:21
13	A As I sit here today, from the best of my	11:54:23
14	knowledge, I believe there was more activity	11:54:26
15	during the day.	11:54:27
16	Q Did the things that the team did change	11:54:27
17	from day to night?	11:54:46
18	A As I sit here today, from my experience as	11:54:47
19	a police officer, things change day-to-day just	11:54:55
20	from -- it doesn't matter if you're a patrolman or	11:54:58
21	a tactical officer.	11:55:01
22	Q All right. Let me try to give you a more	11:55:06
23	specific example.	11:55:08
24	Are you familiar with a reverse sting?	11:55:10

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1	A Yes, I am.	11:55:11
2	Q Did you participate in reverse stings as a	11:55:12
3	tactical team member on the Watts team?	11:55:17
4	A Yes, we did.	11:55:18
5	Q Did the team do reverse stings during the	11:55:19
6	second shift and the third shift?	11:55:22
7	A To the best of my knowledge, as I sit here	11:55:23
8	today, I don't recall ever doing a reverse sting	11:55:25
9	operation when we were working the evening shift.	11:55:27
10	Q Are there -- and that's the third shift,	11:55:30
11	the third watch?	11:55:33
12	A Yes.	11:55:34
13	Q Are there other things like reverse stings	11:55:35
14	that you can think of that you did only during	11:55:39
15	certain shifts?	11:55:43
16	A As I sit here today, I don't recall. And	11:55:44
17	from the best of my knowledge, there were certain	11:55:47
18	missions that we didn't do in the evening time.	11:55:51
19	And, like I said, it's been many years ago, but I	11:55:55
20	don't recall -- I know specifically we didn't do	11:56:00
21	reverse sting operations during the evening, from	11:56:01
22	the best of my memory.	11:56:05
23	Q And you said there were specific missions	11:56:05
24	you didn't do in the evening?	11:56:08

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1	A That's -- I misspoke. That's what I meant	11:56:09
2	to say. From the best of my knowledge, I don't	11:56:13
3	recall us doing a reverse sting operation during	11:56:16
4	the evening hours.	11:56:18
5	Q Other than reverse stings, what other type	11:56:19
6	of activities did you all do on the tac team to	11:56:28
7	carry out your job?	11:56:35
8	A From the best of my knowledge and my	11:56:36
9	memory, we did narcotics missions.	11:56:38
10	Q What kind of narcotics missions?	11:56:40
11	A And that varied from day-to-day working	11:56:43
12	from mission-to-mission. Normally, it would be	11:56:48
13	covert operations, or sometimes we would do	11:56:52
14	surveillance.	11:56:56
15	Q A reverse sting is their own category, or	11:56:56
16	do they fall into surveillance or covert missions?	11:57:01
17	A I guess that's, like, a combination of	11:57:04
18	both because that was separate from that.	11:57:06
19	Q Are there any other types of acts that you	11:57:07
20	can think of other than reverse stings, covert	11:57:13
21	missions, and surveillance?	11:57:16
22	A As I sit here at this moment, I don't	11:57:17
23	recall.	11:57:19
24	Q Would you just walk around patrolling,	11:57:19

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1	looking for drug activity?	11:57:23
2	A That varied from day-to-day, from the best	11:57:25
3	of my memory.	11:57:29
4	Q Sometimes you would walk around looking	11:57:29
5	for drug activity and sometimes you wouldn't?	11:57:32
6	A Yes.	11:57:34
7	Q And would you frequently catch people	11:57:34
8	engaging in illegal drug activity when you were	11:57:38
9	just out walking around patrolling?	11:57:41
10	A From the best of my memory, yes.	11:57:43
11	Q You mentioned a number of people who you	11:57:47
12	remember being kind of the bigger players in the	11:57:52
13	drug trade at Ida B. Wells. Some of them are	11:57:55
14	plaintiffs. So I'm not going to ask you right now	11:57:58
15	about those people because we have an agreement on	11:58:01
16	which plaintiffs we can address on certain days.	11:58:03
17	But I am going to ask you about Big Shorty.	11:58:05
18	Tell me -- actually, before I do that,	11:58:08
19	when you listed their names, were you saying from	11:58:09
20	personal knowledge you know that they were	11:58:12
21	involved in the drug trade or you had heard or you	11:58:14
22	had heard from Watts or was it something else?	11:58:18
23	A As I sit here today, a few of them are	11:58:20
24	from personal knowledge; and, again, as I stated,	11:58:22

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Conducted on February 17, 2020

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1	as of today, to the best of my memory, some of	11:58:24
2	them may have been conversations I've had with	11:58:27
3	Sergeant Watts or possibly other members of the	11:58:29
4	264 team.	11:58:32
5	Q So without getting into details on anyone	11:58:34
6	other than Big Shorty, can you just tell me which	11:58:37
7	ones are from personal knowledge and which ones	11:58:40
8	came from Watts or other sources?	11:58:42
9	A I don't recall every individual's name who	11:58:44
10	I gave you and --	11:58:47
11	Q I can tell you, if you want, if that would	11:58:48
12	help.	11:58:50
13	A Okay.	11:58:50
14	Q By the way -- sorry. I didn't mean to cut	11:58:50
15	you off.	11:58:51
16	A I'm sorry. Yeah.	11:58:51
17	Q So you said Big Shorty?	11:58:53
18	A Yeah. Big Shorty. The best of my memory	11:58:54
19	right here, I might have heard that from Watts or	11:58:59
20	someone else on the 264 team.	11:59:02
21	Q Allen J?	11:59:03
22	A Allen J, from the best of my memory, I've	11:59:06
23	had interactions with him.	11:59:11
24	Q Leonard Gipson, Fuzz?	11:59:11

Transcript of Elsworth Smith, Jr.
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1	A And as I sit here today, to the best of my	11:59:15
2	memory, I think I've had interactions with him	11:59:19
3	also.	11:59:22
4	Q Okay. Angelo Shenault either Jr. or Sr.?	11:59:22
5	A And to the best of my memory, from what I	11:59:26
6	recall, it might have been from either Sergeant	11:59:28
7	Watts or possibly other members of the 264 team.	11:59:31
8	Q B-Lo?	11:59:33
9	A From the best of my memory, as I sit here	11:59:37
10	today, I believe I might have had some personal	11:59:40
11	interaction and possibly hearing from other	11:59:43
12	members of my team.	11:59:46
13	Q Ben Baker?	11:59:47
14	A And as I sit here today, the best of my	11:59:49
15	knowledge, I remember hearing Ben Baker through	11:59:52
16	Sergeant Watts and possibly other members of the	11:59:56
17	264 team.	11:59:58
18	Q Torlorn Fumbanks?	11:59:58
19	A From the best of my knowledge, I do	12:00:04
20	remember having some interaction with him.	12:00:07
21	Q And then Harry O, I think, was the last	12:00:08
22	name.	12:00:10
23	A And to the best of my knowledge, as I'm	12:00:10
24	sitting here today, I believe I heard about Harry	12:00:12

Transcript of Elsworth Smith, Jr.
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1	O from Sergeant Watts and possibly other members	12:00:16
2	of the 264 team.	12:00:18
3	Q All right. What do you remember learning	12:00:19
4	about Big Shorty?	12:00:21
5	A As I sit here today, to the best of my	12:00:22
6	memory, all I remember is that he sold drugs or he	12:00:27
7	controlled the drugs that were sold in the Ida B.	12:00:31
8	Wells.	12:00:33
9	Q And did he control a specific building or	12:00:33
10	the whole complex or something else?	12:00:35
11	A I don't recall.	12:00:37
12	Q Do you remember who told you about Big	12:00:38
13	Shorty?	12:00:42
14	A As again I stated, it might have been	12:00:42
15	through Sergeant Watts or other members of the	12:00:45
16	264 team.	12:00:47
17	Q Which other members of the 264 team do you	12:00:48
18	remember getting information from about who the	12:00:52
19	players were in the drug trade other than Watts?	12:00:55
20	A As I sit here today, I don't recall	12:00:57
21	specifically, and probably a combination of	12:01:00
22	everyone that I worked with. Like I said,	12:01:02
23	possibly Alvin Jones.	12:01:06
24	And I just had a flashback. When you were	12:01:09

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	asking about members who I worked with during my	12:01:13
2	time, I remember one other officer --	12:01:16
3	Q Okay. Who is that?	12:01:18
4	A -- that I didn't mention earlier. That	12:01:19
5	was Kenneth Young.	12:01:22
6	Q How long did you work with Young? Do you	12:01:27
7	remember?	12:01:31
8	A As I sit here today, I don't recall the	12:01:31
9	exact amount of time that I worked with him.	12:01:35
10	Q And did you socialize with him at all?	12:01:38
11	A Initially when I first became a part of	12:01:42
12	the team, not that much; but toward the end of his	12:01:46
13	tenure working under Sergeant Watts, I did have a	12:01:49
14	relationship with him. But I didn't recall -- I	12:01:54
15	don't recall hanging out with him outside of work.	12:01:57
16	Q When you say you had a relationship with	12:01:59
17	him, you mean with -- what do you mean?	12:02:01
18	A More so I was friendly with him. I've had	12:02:04
19	conversations with him over the phone, to the best	12:02:08
20	of my knowledge, with him. I don't remember the	12:02:11
21	extent of our conversations, but Kenny was someone	12:02:15
22	that I liked also.	12:02:19
23	Q Did he leave the team -- the Watts team	12:02:20
24	before you did?	12:02:25

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A	To the best of my knowledge, I believe, he	12:02:27
2		did.	12:02:30
3	Q	Do you know why he left the Watts team?	12:02:30
4	A	And from what I remember, to the best of	12:02:32
5		my knowledge, he was kicked off the team.	12:02:36
6	Q	Who kicked him off the team?	12:02:37
7	A	To the best of my knowledge, it was	12:02:40
8		Sergeant Watts.	12:02:42
9	Q	Do you know why Watts kicked him off the	12:02:42
10		team?	12:02:45
11	A	From what I recall, it was because -- I	12:02:45
12		was told that he was abusing the medical or the	12:02:48
13		injury-on-duty status.	12:02:53
14	Q	Who told you that?	12:02:54
15	A	As I sit here today, I don't recall	12:02:59
16		specifically. It might have been members of the	12:03:02
17		264 team and possibly other officers -- the other	12:03:05
18		tactical officers.	12:03:10
19	THE WITNESS:	I'm sorry?	12:03:11
20	Q	He's just asking to put your hand down, I	12:03:11
21		think.	12:03:16
22	A	Oh, I'm sorry. Did you -- were you able	12:03:16
23		to copy my --	12:03:17
24	Q	I heard you say it was --	12:03:17

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A	Okay. Sorry.	12:03:17
2	Q	You think it was someone -- people on the	12:03:20
3		team talked about it?	12:03:22
4	A	I would say, to the best of my knowledge,	12:03:23
5		it might have been members of the 264 team or	12:03:26
6		possibly other tactical officers.	12:03:28
7	Q	Did you have any reason to think that	12:03:32
8		Young was abusing the medical or injury-on-duty	12:03:35
9		status?	12:03:39
10	A	As I sit here today, I don't recall. The	12:03:39
11		only thing I recall about Kenny in my personal	12:03:44
12		experience, and I don't remember when exactly that	12:03:48
13		was, the inside joke was -- with members of the	12:03:53
14		264 team is if Al wasn't at work, Kenny didn't	12:03:56
15		want to work, and he would call off. I don't know	12:04:03
16		if he used his own personal comp time or whatever.	12:04:07
17	Q	Do you know why Kenny didn't want to work	12:04:08
18		if Al wasn't there?	12:04:12
19	A	I am not certain.	12:04:13
20	Q	Did you ever ask him?	12:04:14
21	A	From the best of my knowledge, I don't	12:04:15
22		recall ever asking him.	12:04:18
23	Q	Was there any more to the joke other than	12:04:18
24		just if Al wasn't there, Kenny wasn't there?	12:04:19

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A	To the best of my knowledge, no.	12:04:21
2	Q	Did you ever talk to Kenny Young about why	12:04:23
3		he left the Watts team?	12:04:31
4	A	To the best of my knowledge, I don't	12:04:32
5		recall.	12:04:34
6	Q	You don't recall one way or the other	12:04:34
7		whether you talked to him about it?	12:04:38
8	A	No.	12:04:39
9	Q	Do you know why -- well, were there other	12:04:45
10		members of the -- I guess there were other	12:04:47
11		members.	12:04:49
12		I think you've already said there were	12:04:49
13		other members of the Watts tactical team who left	12:04:50
14		the team while you were there; right?	12:04:53
15	A	I don't recall saying that, but there was.	12:04:55
16	Q	Okay. Do you know why any other members	12:04:57
17		of the team left?	12:05:00
18	A	I later -- this was -- like I said, I	12:05:01
19		don't recall exactly; and to the best of my	12:05:06
20		knowledge, I wasn't a part of Watts team at the	12:05:08
21		time when someone else left his team.	12:05:12
22	Q	Oh, so nobody left while you were there?	12:05:14
23	A	To the best of my knowledge, in my time	12:05:17
24		when I recall working with Watts, other than Kenny	12:05:20

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Conducted on February 17, 2020

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1	Young, no.	12:05:23
2	Q Okay. Did you ever learn later why	12:05:23
3	anybody left Watts team even if they didn't do it	12:05:27
4	while you were there?	12:05:31
5	A I don't recall but I don't -- I do recall	12:05:32
6	at some point in time that Officer Lamonica Lewis	12:05:34
7	had either left -- from what I heard, and I don't	12:05:39
8	recall exactly, and I don't remember who told me	12:05:42
9	this. At some point in time, I did discover that	12:05:45
10	she had left his team or was either kicked off his	12:05:48
11	team.	12:05:51
12	Q And what were the -- what did you learn	12:05:51
13	about the reasons for Lamonica Lewis leaving the	12:05:53
14	Watts team?	12:05:57
15	MR. MICHALIK: Object to the form.	12:05:59
16	A As I sit here today, I don't recall.	12:06:01
17	Q Was there a rumor about why she left the	12:06:02
18	team?	12:06:04
19	A I don't recall. I heard -- to the best of	12:06:04
20	my knowledge, and I don't recall who told me this	12:06:08
21	specifically, I heard that she had some type of --	12:06:10
22	the only thing I heard is she had some type of	12:06:14
23	conflict or beef with Ronald Watts, and I don't	12:06:17
24	recall what that was.	12:06:20

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Conducted on February 17, 2020

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1	Q Did you ever -- do you think you knew at	12:06:20
2	the time when you heard it what the beef was?	12:06:24
3	A As I sit here today, I don't recall.	12:06:26
4	Q Do you remember who told you that she had	12:06:27
5	a beef with Watts?	12:06:29
6	A Again, I don't recall who told me that.	12:06:30
7	Q Do you think it was Mohammed?	12:06:33
8	A As I sit here today, I -- it possibly	12:06:34
9	could have been, but I don't recall. Because if	12:06:38
10	me and Mohammed had talked about it, I'm certain I	12:06:41
11	would have asked him specifically why did she	12:06:44
12	leave the team or why she was kicked off. But	12:06:47
13	I -- to the best of my knowledge, I don't recall	12:06:50
14	who it was.	12:06:51
15	Q How frequently did the Watts team conduct	12:06:52
16	reverse stings when you were on the team?	12:07:09
17	A As I sit here today, I don't recall.	12:07:11
18	Q Was it a weekly occurrence?	12:07:14
19	A To the best of my knowledge, and there	12:07:18
20	again I don't know, but I don't believe it was on	12:07:22
21	a weekly basis.	12:07:24
22	Q How frequently did the Watts team conduct	12:07:25
23	covert operations while you were on the team?	12:07:36
24	A As again, as I sit here today, I don't	12:07:40

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1	know. I couldn't give you an exact amount, but it	12:07:42
2	could have happened quite frequently, a lot more	12:07:46
3	frequently than the reverse -- the covert -- I	12:07:50
4	mean, sorry -- the reverse sting operations.	12:07:53
5	Q And how frequently did the Watts team	12:07:54
6	conduct surveillance operations?	12:07:59
7	A There again, I couldn't give you an exact	12:08:00
8	amount, but we did do surveillance quite often.	12:08:05
9	Q More than reverse stings?	12:08:08
10	A To the best of my knowledge, yes.	12:08:10
11	Q All right. So can you just describe, give	12:08:12
12	me an overview of what a covert operation is and	12:08:15
13	what a surveillance operation is?	12:08:17
14	A Well, a covert operation is where you --	12:08:20
15	and -- would not necessarily, we would do this in	12:08:23
16	the Ida B. Wells. It was nearly impossible other	12:08:25
17	than the reverse sting operations.	12:08:28
18	But, generally, a covert operation is	12:08:30
19	where you try to act as a drug dealer or whatever.	12:08:34
20	A lot of times when we do a covert mission, it	12:08:41
21	might not be for drugs. But we act like a gang	12:08:45
22	member or, you know, whatever the mission	12:08:47
23	required.	12:08:50
24	And from what I recall about missions is	12:08:52

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1	when we did covert operations, it would depend on	12:08:55
2	what the mission was or the -- what our assignment	12:08:58
3	was, whatever the intended specifics of that	12:09:03
4	mission.	12:09:07
5	Q You said it was almost impossible to act	12:09:07
6	like a drug dealer in Ida B. Wells?	12:09:11
7	A Yes.	12:09:12
8	Q Tell me why it was almost impossible for a	12:09:12
9	police officer to act as a drug dealer in Ida B.	12:09:17
10	Wells?	12:09:19
11	A From the best of my knowledge, from my	12:09:19
12	experience working with Ronald Watts and the 264	12:09:22
13	team, after a while, a lot of people knew us in	12:09:24
14	the Ida B. Wells.	12:09:28
15	Q What types of covert operations, then, did	12:09:28
16	the Watts team conduct while you were on the team?	12:09:36
17	A As I sit here today, I don't remember the	12:09:39
18	specific covert missions that we did. There are	12:09:42
19	some areas in the district that we would do covert	12:09:46
20	operations; and, again, I don't recall the	12:09:50
21	specifics and the exact time and date of those	12:09:53
22	missions.	12:09:56
23	Q Do you remember any types of covert	12:09:56
24	operations that the Watts team ran in Ida B.	12:10:00

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1	Wells?	12:10:00
2	A As I sit here today, I don't recall at	12:10:04
3	this time.	12:10:06
4	Q Did you do covert missions more outside of	12:10:06
5	Ida B. Wells?	12:10:11
6	A As, again, I'm sure we did some covert	12:10:12
7	missions. I can't give you an exact count. We	12:10:16
8	might have done more outside of the Ida B. Wells.	12:10:22
9	I'm not -- and, again, as of this date, I'm not	12:10:24
10	certain.	12:10:27
11	Q Tell me what a surveillance operation is.	12:10:27
12	A A surveillance is where you just try to	12:10:29
13	see if anyone is selling drugs basically.	12:10:35
14	Q How did you conduct surveillance	12:10:38
15	operations?	12:10:40
16	A We did many different ways.	12:10:40
17	Q Tell me the different ways while you were	12:10:43
18	on the Watts team.	12:10:46
19	A It would vary from time-to-time.	12:10:47
20	Sometimes we would hide in vacant apartments. We	12:10:51
21	would relocate to all the areas within the Ida B.	12:10:57
22	Wells, whether we were on foot or in the squad	12:11:01
23	cars that we were assigned to work to. Sometimes	12:11:06
24	we would use binoculars.	12:11:09

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1	We'd just try to position ourselves in	12:11:13
2	a -- in different areas where we would try to --	12:11:16
3	where we thought we wouldn't be visible or be seen	12:11:19
4	by anyone to observe -- make observations.	12:11:23
5	Q How did you get into the vacant apartments	12:11:26
6	when you were using them for surveillance	12:11:30
7	operations?	12:11:33
8	A From the best of my knowledge, what I	12:11:33
9	recall, the lady who was the manager of the Ida B.	12:11:35
10	Wells housing development. Her name was	12:11:40
11	Ms. Osborn. I don't recall her first name. She	12:11:43
12	would give access to -- give us access to the	12:11:47
13	vacant units.	12:11:49
14	Q Did you ever just walk into the units?	12:11:50
15	A From the best of my knowledge, no, not	12:11:57
16	that I recall.	12:11:58
17	Q Did you ever conduct surveillance	12:11:58
18	operations from an occupied apartment?	12:12:04
19	A From the best of my knowledge, if we did,	12:12:06
20	it was -- we might have obtained a search warrant	12:12:12
21	or gained permission from someone else. And as I	12:12:14
22	sit here today, I don't recall specifically.	12:12:18
23	Q You think you might have gotten a search	12:12:19
24	warrant and then used the search warrant to	12:12:22

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	conduct a surveillance operation?	12:12:24
2	A I'm not certain, like I said. Like I	12:12:25
3	said, I don't recall the specifics of that, and I	12:12:29
4	don't recall if we exactly -- if that's exactly	12:12:32
5	what we did. If we did, it wouldn't be without	12:12:34
6	permission of the person who lived in that unit.	12:12:38
7	Q Do you remember ever doing a surveillance	12:12:41
8	operation from an occupied apartment in Ida B.	12:12:44
9	Wells at all?	12:12:47
10	A As I sit here today, I don't recall. I'm	12:12:48
11	not saying that we did or did not, but I don't	12:12:51
12	recall.	12:12:53
13	Q Did you develop any confidential	12:12:53
14	informants over the years while you were on the	12:13:07
15	Watts team?	12:13:09
16	A From the best of my knowledge, no.	12:13:10
17	Q Did you use any CIs while you were on the	12:13:11
18	Watts team, even if you didn't develop them on	12:13:14
19	your own?	12:13:17
20	A To the best of my knowledge, probably --	12:13:18
21	I'm certain I probably did, but I don't recall. I	12:13:20
22	probably received information from individuals	12:13:24
23	from time to time, but I don't remember any	12:13:27
24	particular person who I used for personal	12:13:29

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1	information.	12:13:32
2	Q Do you remember any CIs from Ida B. Wells	12:13:32
3	at all?	12:13:37
4	A Yes. I don't remember -- from the best of	12:13:38
5	my knowledge, I don't remember every one.	12:13:42
6	Q Which ones do you remember?	12:13:44
7	A Again, this is from -- to the best of my	12:13:45
8	knowledge, I don't remember specifically. I	12:13:50
9	remember there was a guy named Charlie.	12:13:52
10	Q What did Charlie look like?	12:13:56
11	A He was African-American, probably about	12:13:58
12	6-foot or 6-foot-1, somewhere between 200 to 210	12:14:02
13	pounds, dark complected, had a low hair cut, had a	12:14:07
14	goatee, from the best of my memory.	12:14:17
15	Q Goatee you said?	12:14:20
16	A Yes.	12:14:21
17	Q Okay.	12:14:21
18	A There was another guy --	12:14:25
19	Q Sorry. Do you know Charlie's last name?	12:14:27
20	A No, I don't recall.	12:14:30
21	Q Do you know if Charlie was his real name?	12:14:31
22	A The best of my knowledge, I believe so. I	12:14:34
23	don't recall.	12:14:36
24	Q Do you know if he lived in Ida B. Wells?	12:14:36

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1	A And as I sit here today, I don't recall.	12:14:39
2	Q Do you know if you ever got information	12:14:40
3	from Charlie?	12:14:43
4	A Again, as I stated, I don't recall.	12:14:44
5	Probably, but I don't recall at this time.	12:14:47
6	Q Was Charlie given anything in exchange for	12:14:48
7	giving information?	12:14:51
8	A Not that I'm aware of.	12:14:52
9	Q Do you know why Charlie gave information?	12:14:53
10	A Again, I don't know.	12:14:56
11	Q Was he registered as a CI with the Chicago	12:14:57
12	Police Department?	12:15:03
13	A As I sit here today, I have no	12:15:03
14	information, and I'm unaware of that.	12:15:05
15	Q Okay. And you were going to say someone	12:15:10
16	else.	12:15:10
17	A There was a guy. I don't recall his real	12:15:12
18	name. He called himself Fantasia. I believe his	12:15:14
19	first name was Bobby.	12:15:18
20	Q What do you remember about Fantasia?	12:15:19
21	A I don't know if he would -- I -- today,	12:15:29
22	I'm trying to be politically correct, I don't know	12:15:32
23	if he would identify himself as a transgender	12:15:34
24	person or if he was just a homosexual. I don't	12:15:37

Transcript of Elsworth Smith, Jr.
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1	know if that's the correct word to use today	12:15:42
2	or not, but that's what I remember about him.	12:15:45
3	Q Can you describe Fantasia's appearance?	12:15:49
4	A From what I recall, the best of my memory,	12:15:52
5	I believe Fantasia was probably between the height	12:15:55
6	of 5-foot-7 and 5-foot-9, male African-American.	12:15:59
7	Excuse me. I think he -- he wore -- his	12:16:06
8	hairstyle, from the best of my memory, would vary	12:16:10
9	because I think he would change it from time to	12:16:14
10	time, to the best of my knowledge. He was dark	12:16:16
11	complexioned, and he may have been 150 pounds,	12:16:21
12	160 pounds.	12:16:24
13	Q Do you remember anything else about	12:16:25
14	Fantasia?	12:16:31
15	A Not at this point.	12:16:31
16	Q Did you ever get information from	12:16:32
17	Fantasia?	12:16:34
18	A As I sit here today, I'm not certain, but	12:16:34
19	I believe I may have.	12:16:37
20	Q Okay. And why do you believe you may have	12:16:38
21	gotten information from Fantasia?	12:16:41
22	A As, again, I'm not certain, but I do	12:16:42
23	remember being present around him and other	12:16:45
24	members of my team, and I do recall, I'm not	12:16:50

Transcript of Elsworth Smith, Jr.
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1	certain exactly when, that he may have shared	12:16:54
2	information with us.	12:16:56
3	Q Was Fantasia given anything for the	12:16:57
4	information that he shared?	12:17:00
5	A As I sit here today, not to my knowledge.	12:17:02
6	Q Was Fantasia registered as a CI with the	12:17:03
7	Chicago Police Department?	12:17:09
8	A To the best of my knowledge, I'm unaware	12:17:09
9	if he was or not.	12:17:09
10	Q Do you know why Fantasia shared	12:17:12
11	information with the tactical team?	12:17:14
12	A That I would not know.	12:17:15
13	Q Were Charlie or Fantasia drug addicts?	12:17:16
14	A To the best of my knowledge and my memory,	12:17:20
15	Charlie was; and as I sit here today, I don't	12:17:23
16	recall if Fantasia was.	12:17:27
17	Q Do you know if Fantasia was a drug user?	12:17:28
18	A Again, I'm not certain. Perhaps, but	12:17:33
19	I'm not -- as I sit here today, I'm not certain.	12:17:36
20	Q Do you know what kind of drugs Charlie was	12:17:37
21	addicted to?	12:17:42
22	A To the best of my knowledge, I'm not	12:17:42
23	certain. I don't recall.	12:17:44
24	Q Are there any other CIs that you remember	12:17:46

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	from your time on the Watts tac team?	12:17:57
2	A As I sit here today, I don't recall. I'm	12:18:00
3	sure there's probably more, but those are the two	12:18:03
4	that I can remember.	12:18:05
5	Q Do you know if Fantasia lived in Ida B.	12:18:06
6	Wells?	12:18:09
7	A To the best of my knowledge, I believe so.	12:18:09
8	I'm not certain.	12:18:12
9	Q Do you know if Charlie or Fantasia are	12:18:12
10	alive today?	12:18:19
11	A To the best of my knowledge, I'm not	12:18:19
12	certain.	12:18:23
13	Q Do you remember the last time you saw	12:18:23
14	either of them?	12:18:26
15	A From what I recall, a few years ago, I ran	12:18:27
16	into Charlie, and I couldn't tell you what year	12:18:31
17	that was. It's probably been more than a couple	12:18:34
18	years ago.	12:18:36
19	Q Where did you run into Charlie?	12:18:37
20	A I was at 47th Street near King -- I mean,	12:18:39
21	sorry -- near Cottage Grove. I was going to the	12:18:46
22	Popeyes restaurant before I came into work; and as	12:18:48
23	I was leaving out, I saw Charlie.	12:18:52
24	Q Did you talk to Charlie?	12:18:54

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A	Just briefly.	12:18:55
2	Q	What did you talk about?	12:18:56
3	A	Nothing other than saying hi and bye, and	12:18:57
4		that was it.	12:19:02
5	Q	Did Charlie recognize you?	12:19:02
6	A	Yeah. He recognized me before I	12:19:04
7		recognized him.	12:19:06
8	Q	Did he come up to you to say hi?	12:19:06
9	A	Yes, he did.	12:19:09
10	Q	Were you wearing your uniform?	12:19:09
11	A	I don't recall how I was dressed that day.	12:19:11
12	Q	And then when he came and said hi to you,	12:19:14
13		did you recognize him?	12:19:15
14	A	After a second or two.	12:19:17
15	Q	Did he look about the same to you?	12:19:18
16	A	No, he did not.	12:19:20
17	Q	How did he look differently?	12:19:21
18	A	He looked totally different. He -- his	12:19:23
19		whole appearance looked much different. He looked	12:19:26
20		healthier, cleaner. He had new teeth. He looked	12:19:30
21		like he put on some weight.	12:19:35
22	Q	Did he seem sober when you talked to him?	12:19:37
23	A	At that time, to the best of my memory --	12:19:46
24		excuse me -- yes.	12:19:49

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	Q Did he still have a low hair cut?	12:19:49
2	A From the best of memory, I don't recall.	12:19:52
3	Q All right. Can you tell me what you know	12:19:57
4	about Big Shorty?	12:20:05
5	A As I sit here today, I don't recall much	12:20:06
6	other than what I've told you earlier. Either	12:20:11
7	through sar -- excuse me -- Sergeant Watts or	12:20:17
8	possibly other members of my team, that he was a	12:20:18
9	drug dealer, and he was the main guy.	12:20:22
10	Q In Ida B. Wells?	12:20:24
11	A Yes.	12:20:27
12	Q Was he ever arrested while you were there?	12:20:27
13	Let me rephrase that.	12:20:31
14	Was Big Shorty ever arrested, to your	12:20:32
15	knowledge, during your entire time on the Watts	12:20:34
16	tac team?	12:20:37
17	A From the best of my knowledge, I believe I	12:20:38
18	arrested him once.	12:20:40
19	Q Tell me what you remember about arresting	12:20:42
20	Big Shorty.	12:20:47
21	A To the best of my memory, I believe I	12:20:47
22	locked him up for criminal trespass.	12:20:51
23	Q Was Watts working that day?	12:20:54
24	A To the best of my knowledge, yes, he was.	12:20:56

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

126

1	Q About how long into your career on the tac	12:20:57
2	team was it when you arrested Big Shorty for	12:21:03
3	trespassing?	12:21:06
4	A Sitting here today, I don't recall when	12:21:08
5	exactly that was.	12:21:11
6	Q Was it toward the beginning?	12:21:11
7	A Again, I don't recall.	12:21:13
8	Q Do you remember where he was trespassing?	12:21:13
9	A I don't recall which building it was; but	12:21:16
10	from the best of my knowledge, I locked him up for	12:21:22
11	trespassing or arrested him for trespassing	12:21:25
12	because I knew he wasn't a resident in the Ida B.	12:21:27
13	Wells.	12:21:30
14	Q How did you know that Big Shorty didn't	12:21:30
15	live in Ida B. Wells?	12:21:35
16	A Sitting here today, to the best of my	12:21:36
17	knowledge, I don't recall; but if I charged him	12:21:40
18	with criminal trespass, I had to discover either	12:21:44
19	from some type of ID or from prior knowledge	12:21:47
20	knowing that he wasn't a resident in the Ida B.	12:21:52
21	Wells.	12:21:54
22	Q Did you talk to Watts about the fact that	12:21:54
23	you had arrested Big Shorty?	12:22:00
24	A I don't recall at this time.	12:22:01

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

127

1	Q Was Big Shorty transported to the police	12:22:03
2	station?	12:22:10
3	A Yes, he was, to the best of my memory.	12:22:10
4	Q Who transported Big Shorty to the police	12:22:12
5	station?	12:22:15
6	A To the best of my knowledge at this time,	12:22:15
7	I believe he was transported by the wagon.	12:22:18
8	Q Do you have an independent recollection of	12:22:21
9	this, or did you look at some reports?	12:22:23
10	A I've never -- to the best of my knowledge,	12:22:25
11	I've never received -- looked at any reports	12:22:27
12	related to this arrest. And I don't think I've --	12:22:30
13	to the best of my knowledge, I don't think I've	12:22:33
14	ever discussed this with my counsel.	12:22:35
15	MR. STEFANICH: You don't have to say --	12:22:35
16	MR. RAUSCHER: Go ahead.	12:22:37
17	MR. STEFANICH: You don't have to say what	12:22:37
18	we've discussed --	12:22:39
19	THE WITNESS: Oh, I'm sorry.	12:22:40
20	MR. STEFANICH: -- or not discussed.	12:22:40
21	Q All right. So you think you transported	12:22:44
22	Big Shorty -- you think Big Shorty was transported	12:22:46
23	in a wagon.	12:22:48
24	Do you think -- was -- were other people	12:22:49

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

128

1	transported with him?	12:22:51
2	A To the best of my knowledge, yes.	12:22:51
3	Q Do you remember anyone else who was	12:22:54
4	transported with him?	12:22:57
5	A I don't recall exactly -- don't remember	12:22:58
6	exactly, but I believe maybe Brian Ford, and I	12:23:01
7	don't remember the other individuals.	12:23:05
8	Q Brian Ford was B-Lo?	12:23:06
9	A To the best of my knowledge, I believe,	12:23:08
10	B-Lo was with him. Like I said, I'm not 100	12:23:09
11	percent certain.	12:23:09
12	Q Was he -- was Big Shorty arrested -- this	12:23:17
13	incident where he was arrested, was that part of	12:23:17
14	some sort of drug investigation?	12:23:20
15	A As I sit here today, I don't recall.	12:23:21
16	Q Do you remember who decided to transport	12:23:23
17	Big Shorty in the wagon?	12:23:30
18	A Again, as I sit here today, I don't	12:23:33
19	recall. It might have been my decision, and I'm	12:23:34
20	not 100 percent certain.	12:23:38
21	Q Do you know what happened with the	12:23:39
22	charges?	12:23:44
23	A As I sit here today, I don't recall.	12:23:45
24	Q Did Watts say anything to you about the	12:23:48

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

129

1	arrest of Big Shorty?	12:23:54
2	A From the best of my memory, I think he	12:23:55
3	asked me why did I lock him up, and I'm not 100	12:23:59
4	percent certain.	12:24:05
5	Q What did you say to Watts when he asked	12:24:06
6	you why did you lock him up?	12:24:09
7	A I don't recall exactly what I said to	12:24:10
8	Watts, other than, and, like I said, I don't	12:24:12
9	recall, probably just said that I arrested him for	12:24:14
10	trespassing.	12:24:18
11	Q And what did Watts say to you in response?	12:24:18
12	A As, again, as I sit here today, I don't	12:24:21
13	recall the exact conversation that I had	12:24:22
14	pertaining to Wilbert Moore's arrest with Sergeant	12:24:23
15	Watts.	12:24:27
16	Q Who else -- well, did Watts ever ask you	12:24:27
17	any other times why you arrested people for	12:24:31
18	trespassing?	12:24:34
19	A As I sit here today, to the best of my	12:24:34
20	memory, I don't recall.	12:24:38
21	Q You don't recall him ever doing that?	12:24:39
22	A To the best of my memory, no.	12:24:41
23	Q Do you remember anyone else specifically	12:24:42
24	who you arrested for trespassing over the years?	12:24:46

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

130

1	A As I sit here today, no, I don't.	12:24:49
2	Q Do you know why you remember the Big	12:24:52
3	Shorty arrest?	12:24:56
4	A Yes. From the best of my knowledge, I	12:24:56
5	remember it because I locked him up because -- and	12:25:01
6	I don't remember the specific details. I knew who	12:25:03
7	he was because I was -- from, like I said, from	12:25:06
8	receiving information from either Sergeant Watts	12:25:09
9	or possibly other members of my team that he was	12:25:12
10	the main guy who sold drugs in Ida B. Wells.	12:25:15
11	Q Did you see Big Shorty at Ida B. Wells	12:25:18
12	more than once?	12:25:24
13	A Again, sitting here today, I couldn't give	12:25:25
14	you an estimate how many times I saw him.	12:25:28
15	Q But do you know that it was more than	12:25:30
16	once?	12:25:32
17	A To the best of my knowledge, it was more	12:25:32
18	than once. I couldn't tell you specifically how	12:25:34
19	many times.	12:25:37
20	Q Did you see him after the time when you	12:25:37
21	arrested him for trespassing?	12:25:39
22	A Again, I'm not certain, but I may have.	12:25:41
23	I'm not 100 percent certain.	12:25:45
24	Q Do you think you did?	12:25:46

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

131

1	A	Like I said, I don't want to speculate,	12:25:48
2		but I'm certain I may have. I'm not 100 percent	12:25:50
3		certain.	12:25:53
4	Q	I'm not asking you to speculate, but do	12:25:53
5		you think it's more likely than not that you saw	12:25:54
6		him at Ida B. Wells at some point after you	12:25:57
7		arrested him for trespassing?	12:25:59
8	A	It's probably more likely than not.	12:26:00
9	Q	That you saw him again --	12:26:03
10	A	Yes.	12:26:03
11	Q	-- at Ida B. Wells.	12:26:04
12		Did you ever arrest him again for	12:26:05
13		trespassing at Ida B. Wells?	12:26:08
14	A	To the best of my knowledge, as I sit here	12:26:09
15		today, I don't recall.	12:26:12
16	Q	You don't recall one way or the other?	12:26:12
17	A	No.	12:26:13
18	Q	Do you think you would remember if you	12:26:14
19		would have arrested him for trespassing more than	12:26:17
20		once?	12:26:19
21	A	Probably so, but as I sit here today, I	12:26:19
22		don't recall or don't remember ever locking him up	12:26:23
23		for anything after that point in time.	12:26:27
24	Q	Can you think of any reasons why you	12:26:28

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

132

1	wouldn't have arrested him for trespassing again	12:26:31
2	if you would have seen him at Ida B. Wells?	12:26:35
3	A I'm not certain. I can't give you an	12:26:35
4	answer for that.	12:26:39
5	Q Did Watts ever tell you that you shouldn't	12:26:39
6	arrest Big Shorty?	12:26:42
7	A As I stated before, I don't recall Ronald	12:26:43
8	Watts ever telling me who I could and could not	12:26:45
9	arrest.	12:26:48
10	Q Did he ever suggest to you in any way that	12:26:48
11	you shouldn't arrest Big Shorty?	12:26:51
12	A To the best of my knowledge, I don't	12:26:53
13	recall him ever suggesting anyone I should arrest	12:26:56
14	or should not arrest.	12:26:58
15	Q How many people do you think, to your best	12:26:59
16	estimate of how many people you've arrested for	12:27:01
17	trespassing over the years?	12:27:03
18	A As I sit here today, I don't know. I	12:27:04
19	couldn't give you an answer.	12:27:06
20	Q Was it common for people to get arrested	12:27:07
21	for trespassing at Ida B. Wells when you were on	12:27:10
22	the tac team?	12:27:15
23	A I wouldn't say it was common, but I'm	12:27:15
24	certain we have locked up individuals for	12:27:17

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

133

1	trespassing. I couldn't give you an exact number.	12:27:20
2	Q Did you use trespassing arrests as one way	12:27:22
3	to stop the drug trade or stop the flow of drugs	12:27:25
4	at Ida B. Wells?	12:27:28
5	A To the best of my knowledge, we used	12:27:28
6	whatever tools or means as necessary to stop the	12:27:31
7	flow or distribution of illegal narcotics.	12:27:34
8	Q And were trespassing arrests one of the	12:27:37
9	tools that you used to stop or slow down the flow	12:27:39
10	of drugs at Ida B. Wells?	12:27:41
11	A From the best of my knowledge, possibly.	12:27:43
12	Q Possibly or yes?	12:27:45
13	A As I said, I don't have an exact memory	12:27:47
14	but possibly, yes.	12:27:51
15	Q Is there any other reason why you would	12:27:52
16	have been arresting people for trespassing at	12:27:55
17	Ida B. Wells?	12:27:59
18	MR. KOSOKO: Object to the form of the	12:28:00
19	question.	12:28:01
20	A At this present moment, no, other than if	12:28:02
21	you -- after a certain point in time, from my	12:28:04
22	knowledge, you pretty much knew who the main	12:28:06
23	players were or people who are residents who lived	12:28:08
24	in that area. If you had any doubts about	12:28:11

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1 anybody, you would do a street interview with them 12:28:15
2 and ask them information, to produce an ID. 12:28:17

3 And if you -- if during that time, if they 12:28:20
4 had no valid reason or give you a valid reason 12:28:22
5 for their -- a reason -- or a valid reason for 12:28:26
6 being in the Ida B. Wells at that point in time, 12:28:28
7 we probably did lock them up or arrest them for 12:28:33
8 criminal trespassing. 12:28:36

9 Q And when you say "a valid reason," do you 12:28:36
10 mean a reason other than being there to buy or 12:28:39
11 sell drugs? 12:28:42

12 A A valid reason would be if they, number 12:28:43
13 one, was a resident there, had a family member 12:28:45
14 that lived there, or were there for any other 12:28:47
15 personal reason. Maybe they had a friend that 12:28:50
16 lived there. 12:28:53

17 Q So would it be fair to say a valid reason 12:28:53
18 would be anything that wasn't criminal in nature? 12:28:55

19 A Anything that was -- anything that wasn't 12:28:57
20 criminal in nature, we would not lock them up. 12:29:00

21 Q Did you ever hear that Big Shorty was 12:29:03
22 paying Watts? 12:29:10

23 A At some point in time, I did hear that. 12:29:10

24 Q When do you think you heard that Big 12:29:15

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

135

1	Shorty was paying Watts?	12:29:18
2	A It had to be after I left Watts team and	12:29:19
3	probably before the -- or after the indictment.	12:29:23
4	I'm not 100 percent certain.	12:29:27
5	Q Do you know who told you that Big Shorty	12:29:28
6	was paying Watts?	12:29:30
7	A And I don't recall who specifically told	12:29:31
8	me that.	12:29:33
9	Q Why do you think it was after the	12:29:34
10	indictment?	12:29:37
11	A I am aware that it was after the	12:29:37
12	indictment because the first time I heard that --	12:29:40
13	like I said, when Ronald Watts and Kallatt	12:29:43
14	Mohammed was indicted, I was shocked when I saw	12:29:47
15	the -- saw it on the news.	12:29:49
16	Q Do you think you heard on the news that	12:29:50
17	Watts was taking money from Big Shorty?	12:29:53
18	A As I sit here today, I don't recall. It	12:29:55
19	could be possible. I'm not 100 percent certain.	12:29:58
20	Q Do you know how many times over the years	12:30:14
21	you arrested Brian Ford?	12:30:16
22	A As I sit here today, I don't recall if I	12:30:19
23	ever arrested him; or if I did, I couldn't give	12:30:21
24	you a number how many -- a number of how many	12:30:24

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

136

1	times I arrested him.	12:30:27
2	Q Did you ever write -- well, do you	12:30:28
3	remember writing in reports that you had -- you or	12:30:33
4	others on your team had received information from	12:30:37
5	concerned citizens?	12:30:41
6	A To the best of my knowledge, yes.	12:30:42
7	Q And Is a concerned citizen different than	12:30:43
8	a CI?	12:30:46
9	A To the best of my knowledge, yes.	12:30:47
10	Q What's the difference between a concerned	12:30:50
11	citizen and a CI?	12:30:54
12	A Concerned citizen and sometimes we would	12:30:55
13	use the phrase "anonymous citizen" is someone who	12:30:58
14	might give you information but don't want to	12:31:02
15	reveal their identity or their name specifically.	12:31:05
16	Q And how was that different than a CI?	12:31:07
17	A From the best of my knowledge, a CI is	12:31:13
18	someone -- a confidential informant; and, like I	12:31:17
19	said, a confidential informant is different than a	12:31:22
20	concerned citizen or an anonymous citizen because	12:31:25
21	the confidential informant -- I don't know if they	12:31:29
22	are either registered with the City or the Chicago	12:31:34
23	Police Department.	12:31:39
24	Q You're not aware of either of the two	12:31:39

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	confidential informants that you know of being	12:31:43
2	registered with the City, though?	12:31:44
3	A Not that I'm aware of.	12:31:45
4	Q When you say concerned citizens or	12:31:47
5	anonymous citizens didn't want to give their name,	12:31:50
6	are you saying that if the police report says a	12:31:51
7	concerned citizen told us that, that person didn't	12:31:54
8	even give you their name?	12:31:57
9	A I'm not saying that as to what exactly	12:32:00
10	happened. A lot of times when we received	12:32:01
11	information from a concerned citizen or sometimes	12:32:03
12	we would use the phrase "anonymous citizen," it	12:32:06
13	was someone who might have been a resident in the	12:32:09
14	Ida B. Wells or some other housing development,	12:32:12
15	and they didn't want their identity to be revealed	12:32:14
16	because they lived in there, and they were afraid	12:32:17
17	of some type of retaliation.	12:32:20
18	Q And what -- I think what I'm -- let me	12:32:22
19	rephrase.	12:32:28
20	How is that person that you just talked	12:32:29
21	about, that concerned citizen who wanted to remain	12:32:30
22	anonymous for fear of some sort of retaliation	12:32:33
23	different than a CI?	12:32:38
24	A To the best of my knowledge, there's	12:32:39

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1 really no difference as both people are providing 12:32:41
2 a police officer with information of criminal 12:32:44
3 activity that they're concerned about and want 12:32:47
4 something done. 12:32:50

5 Q How would you, as an officer on the tac 12:32:51
6 team, decide whether to write that you got 12:32:54
7 information from a confidential informant or a 12:32:57
8 concerned or anonymous citizen? 12:32:59

9 A As I stated before, I don't recall who was 12:33:01
10 a confidential informant. I didn't use any -- to 12:33:03
11 the best of my knowledge, I didn't have any 12:33:06
12 confidential informants that I relied upon for 12:33:08
13 information. 12:33:11

14 Q Do you think the terms "concerned citizen" 12:33:11
15 and "anonymous citizen" are interchangeable with 12:33:14
16 CI, confidential informant? 12:33:17

17 A As I sit here today, no. I don't think 12:33:18
18 there's any difference. As I stated, it's someone 12:33:22
19 that might be concerned with crime that's going on 12:33:24
20 in their community or the area where they reside 12:33:27
21 and they want something to be done. 12:33:30

22 And they provide you with that 12:33:33
23 information, you know, to try to seek a problem. 12:33:36
24 They don't want their identity to be revealed 12:33:39

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	because they don't want some type of retaliation	12:33:42
2	against them.	12:33:45
3	Q A report, though, could use concerned	12:33:45
4	citizen or CI interchangeably; is that fair?	12:33:48
5	MR. MICHALIK: Objection; form,	12:33:53
6	foundation.	12:33:55
7	A As I sit here today, the best of my	12:33:56
8	memory, I don't recall that we	12:33:57
9	interchangeably used one term or the other.	12:34:01
10	MR. RAUSCHER: I'm happy to keep going,	12:34:14
11	but if at some point, you all want to take a lunch	12:34:15
12	break, just let me know. It's 12:30 or something	12:34:17
13	like that.	12:34:20
14	THE WITNESS: I'm good.	12:34:20
15	MR. STEFANICH: How about if we go for,	12:34:20
16	like, a half hour and then break.	12:34:23
17	MR. RAUSCHER: Sure.	12:34:24
18	BY MR. RAUSCHER:	12:34:24
19	Q Do you think that the Chicago Police	12:34:27
20	Department has a code of silence?	12:34:29
21	A I have heard of the term and am aware of	12:34:33
22	the term. From my experience, I can't -- you	12:34:36
23	know, I can't say one way or the other.	12:34:41
24	Q What do you think of when you hear the	12:34:41

Transcript of Elsworth Smith, Jr.
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1	phrase "code of silence"? What does that mean	12:34:47
2	to you?	12:34:49
3	A To the best of my knowledge or my	12:34:50
4	experience as a police officer, from what I know	12:34:52
5	being a -- the code of silence is an officer if he	12:34:56
6	witnessed something unethical or something	12:35:01
7	criminal and not reporting it.	12:35:04
8	Q You said criminal, or was there something	12:35:08
9	else in there?	12:35:10
10	A I said unethical.	12:35:10
11	Q Unethical.	12:35:12
12	And you are not sure one way or the other	12:35:14
13	whether CPD has a problem with the code of	12:35:17
14	silence.	12:35:20
15	MR. MICHALIK: Object to the form.	12:35:22
16	A Me, myself personally, I have not been	12:35:24
17	witness to a code of silence. I've heard rumors,	12:35:27
18	of course. I would be lying if I said I did not	12:35:32
19	hear about a code of silence; but from my personal	12:35:36
20	experience, I've never experienced a code of	12:35:39
21	silence.	12:35:41
22	Q Do you think a code of silence is a good	12:35:41
23	thing or a bad thing?	12:35:44
24	A It's a bad thing.	12:35:45

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1	Q Why is the code of silence a bad thing?	12:35:46
2	A Because if someone is doing something	12:35:49
3	unethical or criminal, then it should be reported.	12:35:51
4	Q Tell me about the rumors you've heard of	12:35:53
5	CPD having a code of silence.	12:35:57
6	MR. MICHALIK: Object to the form.	12:35:59
7	A I can't give you any specific because	12:36:01
8	there have been many cases or instances about the	12:36:04
9	reports of -- mainly, what I've learned about the	12:36:10
10	code of silence within the police department has	12:36:13
11	come through the media from the Jason Van Dyke	12:36:17
12	trial and also -- that's the main one I can think	12:36:20
13	of, the Jason Van Dyke trial, and, like I said,	12:36:24
14	it's from the media.	12:36:27
15	Q So when you say "rumors," you're talking	12:36:30
16	about media reports?	12:36:32
17	A Absolutely. From my experience as a	12:36:34
18	police officer, I have never heard anyone within	12:36:38
19	the police department discuss or say anything	12:36:41
20	about the code of silence.	12:36:44
21	Q Have you ever heard anyone discuss	12:36:44
22	retribution for telling on another police officer?	12:36:49
23	A As I stated before, I have never	12:36:51
24	experienced a code of silence myself, other than	12:36:53

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1	what I've observed or what I've heard on -- I'm	12:36:56
2	sorry -- what I've heard through the media.	12:36:59
3	Q Do you think the code of silence allowed	12:37:01
4	Ronald Watts and Kallatt Mohammed to go unchecked?	12:37:05
5	MR. STEFANICH: Objection --	12:37:08
6	MR. MICHALIK: Objection.	12:37:09
7	MR. STEFANICH: -- form and foundation.	12:37:10
8	You can answer.	12:37:11
9	A I have no idea.	12:37:12
10	Q Before you became a patrol officer, did	12:37:28
11	you receive any training on how to write police	12:37:32
12	reports?	12:37:34
13	A Yes, I did.	12:37:34
14	Q Tell me about the training that you	12:37:34
15	received on how to be -- how to write police	12:37:36
16	reports?	12:37:38
17	A Any training that I've had about writing	12:37:38
18	reports would have been while I was in the police	12:37:43
19	academy, which was 20 years ago. And as I sit	12:37:46
20	here today, I don't remember the specific training	12:37:49
21	that I received from any classes in the police	12:37:53
22	academy.	12:37:57
23	Q Did you take any written tests on your	12:37:57
24	training while you were at the academy?	12:38:04

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1	A Yes. To the best of my knowledge, yes.	12:38:05
2	Q Do you remember what subjects those tests	12:38:07
3	or that test covered?	12:38:11
4	A As I sit here today, I don't remember	12:38:13
5	every single test that I was given.	12:38:14
6	Q Do you remember any of them?	12:38:16
7	A Yes, I can remember a few. There was a	12:38:17
8	state certification test that we had to take, and	12:38:20
9	there was about basic law, and I don't recall what	12:38:24
10	else was in there. We had to pass a firearm	12:38:27
11	certification course, training course.	12:38:31
12	And I don't remember all the other	12:38:34
13	training classes that -- from my time in the	12:38:37
14	academy.	12:38:41
15	Q Did you receive any on-the-job training on	12:38:41
16	writing police reports after you left the academy?	12:38:50
17	A As I sit here today, I'm certain we	12:38:52
18	probably have, but I don't recall specifically.	12:38:55
19	Q Why are you certain you probably got	12:38:57
20	on-the-job training about writing reports?	12:38:58
21	A There again, I'm not 100 percent certain;	12:39:02
22	but from time to time, we do have to do monthly	12:39:05
23	training. You either do the computer, or there	12:39:07
24	are some times that we are sent to take training	12:39:11

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1	at other -- at other colleges or go back to the	12:39:14
2	training academy.	12:39:18
3	Q Did you ever receive training on	12:39:19
4	conducting narcotics investigations?	12:39:28
5	A From the best of my knowledge, I don't	12:39:30
6	recall.	12:39:33
7	Q You don't recall one way or the other, or	12:39:33
8	you don't recall ever receiving it?	12:39:36
9	A To the best of my knowledge, I don't	12:39:38
10	recall one way or the other.	12:39:41
11	Q Did you ever receive training on	12:39:41
12	conducting investigations annually?	12:39:47
13	A From the best of my knowledge, I don't	12:39:50
14	recall.	12:39:52
15	Q When you were on the Watts tactical team,	12:39:52
16	did you ever go out into the field alone?	12:40:05
17	A To the best of my knowledge, I don't	12:40:07
18	recall. Let me rephrase that -- sorry -- to	12:40:10
19	answer your question.	12:40:16
20	I wouldn't say -- there have been times	12:40:16
21	that we have been by ourselves for a brief moment	12:40:18
22	of time. I wouldn't say we were completely alone	12:40:23
23	because we have had -- we are in a situation where	12:40:27
24	we are by ourself, we are in constant radio	12:40:28

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1	communication with someone on our team or the	12:40:33
2	sergeant.	12:40:34
3	Q Did you use cell phones to communicate	12:40:34
4	with each other?	12:40:39
5	A To the best of my knowledge, we might	12:40:40
6	have.	12:40:42
7	Q Do you think that you used cell phones to	12:40:42
8	communicate with other members of the Watts team	12:40:47
9	during work?	12:40:49
10	A As I stated, to the best of my knowledge,	12:40:50
11	we may have.	12:40:52
12	Q Do you remember your cell phone number	12:40:53
13	from when you were on the Watts team?	12:40:55
14	A As I sit here today, no, because I've	12:40:57
15	changed my phone number quite a few times.	12:41:00
16	Q As a general matter, though, you weren't	12:41:03
17	going out into the field alone when you were on	12:41:16
18	the Watts team?	12:41:18
19	A Generally, no.	12:41:19
20	Q If multiple officers were involved in an	12:41:19
21	arrest while you were on the Watts team, how did	12:41:24
22	you decide who would create the police reports	12:41:27
23	relating to that arrest?	12:41:30
24	A It would vary from the -- from each moment	12:41:31

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1 or each incident. It depends on who made the 12:41:35
2 recovery, if there was a recovery in some form 12:41:39
3 or -- some form or fashion what they witnessed or 12:41:42
4 observed. 12:41:46

5 Q It depends on who made the recovery and 12:41:48
6 who witnessed what? 12:41:53

7 A If there was a recovery, it depends, or, 12:41:54
8 like I said, based on the observation or what that 12:41:58
9 particular officer witnessed. 12:42:01

10 Q How -- can you tell me what that means as 12:42:03
11 far as who would write the report or reports? 12:42:10

12 A What does that mean? Like I said, 12:42:13
13 basically who -- if there was -- say, if there was 12:42:17
14 a gun arrest, the person who recovered the gun 12:42:20
15 might be Box 1. If there was a narcotics arrest, 12:42:24
16 the person who might have witnessed or recovered 12:42:29
17 the narcotics might be the person that would go 12:42:32
18 into Box 1. It would vary from different 12:42:35
19 situations. 12:42:38

20 Q How would you make the decision on who 12:42:39
21 would be the -- 12:42:40

22 A Well, you would discuss it with your 12:42:42
23 partner. 12:42:44

24 Q Then how would you and your partner -- 12:42:45

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1 what factors would you look at to decide who 12:42:46
2 should write the report? 12:42:48

3 A Well, if my partner witnessed and did the 12:42:50
4 recovery, then, of course, he would be in Box 1. 12:42:52

5 Now, if I made the observation and he made 12:42:56
6 the recovery, then we might have a conversation 12:42:58
7 with one another who is going to take the -- go in 12:43:01
8 Box 1. Because you have to have the situation 12:43:05
9 you -- I observed something, but he made the 12:43:08
10 recovery. 12:43:10

11 Q All right. So let me make sure that I 12:43:10
12 understand. 12:43:19

13 If you saw someone purchase drugs and then 12:43:19
14 you went up and you recovered the drugs from that 12:43:25
15 person, you would automatically be Box 1. 12:43:27

16 MR. MICHALIK: Object to the form. 12:43:30

17 A If you're saying if I made the -- if I 12:43:32
18 witnessed the drugs or the transaction take place 12:43:34
19 and made the recovery, of course, I would be 12:43:38
20 Box 1. 12:43:41

21 Q Box 1, that's the first person listed on 12:43:41
22 the report? 12:43:44

23 A Yes. 12:43:45

24 Q And you -- so that means you'd create the 12:43:45

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1	report, and you signed it?	12:43:47
2	A Yes.	12:43:49
3	Q And if in that same situation your partner	12:43:49
4	was standing next to you, you both saw the	12:43:54
5	transaction, and then your partner recovered the	12:43:57
6	drugs, would you discuss between the two of you	12:43:59
7	who would go in Box 1 and who would go in Box 2?	12:44:02
8	A From the best of my knowledge, yes, we	12:44:06
9	probably would.	12:44:08
10	Q What is -- we're saying Box 1.	12:44:08
11	What does Box 1 indicate?	12:44:10
12	A Box 1 is usually the reporting officer or	12:44:12
13	the person who wrote the report. That's not	12:44:16
14	necessarily true on every circumstance.	12:44:19
15	Again, like I gave the examples when it	12:44:21
16	might -- I've used certain examples when it might	12:44:24
17	be different, like I said, based on the	12:44:29
18	observation or recovery.	12:44:32
19	Q I'm not following the last part.	12:44:34
20	A As I described earlier, if I witnessed	12:44:36
21	something and my partner recovered -- I make it --	12:44:40
22	like if I'm doing surveillance from somewhere, a	12:44:44
23	particular point; and I'm relaying this	12:44:48
24	information to my partner and said, Hey, this	12:44:50

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1	person, he has a bag of drugs on him, and, you	12:44:52
2	know, give a description or whatever, that person	12:44:55
3	there, whatever has on a tan jacket or whatever,	12:44:58
4	shirt or whatever, and he goes and grabs him and	12:45:01
5	makes the recovery. Then, you know, we've got to	12:45:04
6	determine between ourselves who is going to go in	12:45:07
7	the first box as the first reporting officer.	12:45:09
8	Q You're giving a situation where one	12:45:12
9	officer maybe didn't see the entire thing from	12:45:16
10	start to finish?	12:45:19
11	A Sometimes that might happen.	12:45:20
12	Q And if that's the case then you -- that's	12:45:22
13	when you discuss who goes in Box 1.	12:45:23
14	A Yes.	12:45:25
15	Q But if an officer sees everything from	12:45:26
16	start to finish, they are in Box 1.	12:45:28
17	MR. MICHALIK: Object to the form,	12:45:30
18	foundation.	12:45:31
19	A From the best of my memory, yes.	12:45:32
20	Q Do you know what Box 1 is supposed to	12:45:39
21	indicate to a reader of a police report?	12:45:42
22	A Box -- that box, if you're talking about	12:45:45
23	on the old vice case reports for reporting	12:45:47
24	officer, it can indicate anything. It could	12:45:54

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1	mean -- it has many different reasons.	12:45:56
2	I gave you an example just now. It could	12:45:59
3	mean you're the first reporting officer or the	12:46:02
4	arresting officer and also it means that -- who	12:46:05
5	you were working with that day. There's two	12:46:09
6	boxes, I believe, if I'm going back to the best of	12:46:11
7	my memory how those old vice case reports or	12:46:15
8	general offense reports were laid out. Because	12:46:18
9	the reports today are automated, and back then	12:46:21
10	they were on paper.	12:46:25
11	Q So the vice case report, the second box	12:46:26
12	was just supposed to indicate who your partner	12:46:30
13	was?	12:46:32
14	A Yes. From the best of my knowledge, like	12:46:33
15	I said, there was a section where you would	12:46:36
16	have -- where the reporting officers went. Like I	12:46:38
17	said it was either on the general offense case	12:46:42
18	report or the vice case report. Because back then	12:46:44
19	when I -- from the best of my memory, when I	12:46:46
20	started on -- as a tactical officer, most of the	12:46:49
21	reports were on paper.	12:46:53
22	Q Would you list your partner as the second	12:46:55
23	reporting officer on a vice case report even if	12:46:58
24	your partner didn't see the incident or make the	12:47:00

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1	recovery?	12:47:04
2	MR. KOSOKO: Objection; incomplete	12:47:05
3	hypothetical.	12:47:08
4	A From the best of my knowledge, yes.	12:47:08
5	BY MR. RAUSCHER:	12:47:08
6	Q What would be the purpose of listing your	12:47:10
7	partner in Box 2 even if they didn't see anything?	12:47:12
8	A You would indicate in the narrative of	12:47:15
9	your report whether or not your partner made this	12:47:16
10	observation or not; but on the report, you would	12:47:17
11	have to indicate who you were partnered with that	12:47:20
12	day or who you were working with. From the best	12:47:23
13	of my memory, that's the way we were taught in the	12:47:26
14	police academy.	12:47:28
15	Q Is it your recollection that there was --	12:47:29
16	that the form, the vice case report actually said	12:47:32
17	in Box 2 partner?	12:47:34
18	A Again, from the best of my memory, no, it	12:47:35
19	does not; but it has a box on the report that says	12:47:41
20	"reporting officer." And based on my memory from	12:47:45
21	what I was trained in the police academy, on	12:47:48
22	that -- in that box whether it's the general or	12:47:51
23	the vice case report or any other handwritten	12:47:55
24	report, the second box does not state what your	12:47:58

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1 partner does. You would indicate that in the 12:48:03
2 narrative of the report. On whatever reporting 12:48:05
3 officers, it would just state who was partnered 12:48:08
4 together. 12:48:11

5 Because, you know, like I said, generally, 12:48:12
6 when I first got on the team, I worked with 12:48:14
7 different officers, whether it was Cynthia Tornes, 12:48:16
8 Miguel Cabrales, Kallatt Mohammed, or Alvin Jones. 12:48:18
9 Then I would put who I was working with that day. 12:48:22

10 Q Just as a matter of course, if you were 12:48:25
11 the first box and Al Jones was your partner, you'd 12:48:28
12 put Jones in the second box? 12:48:32

13 A Yes. 12:48:34

14 Q What's the purpose of doing that if Jones 12:48:34
15 didn't see anything, using Jones as an example? 12:48:37

16 MR. MICHALIK: Object to the form. 12:48:40

17 A As I stated before, that box does not 12:48:41
18 indicate what either one of us saw. In the 12:48:45
19 narrative of the report it states -- that's where 12:48:49
20 you would indicate what either yourself or your 12:48:52
21 partner did. 12:48:55

22 Generally, like I said, it doesn't state 12:48:56
23 specifically first arresting officer. From the 12:48:59
24 best of my memory, what I recall from the 12:49:02

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1	handwritten reports or the old paper reports, it	12:49:04
2	doesn't say who -- what role each one had. The	12:49:08
3	box just said, from the best of my memory,	12:49:11
4	reporting officer.	12:49:14
5	BY MR. RAUSCHER:	12:49:14
6	Q So should the narrative description then	12:49:14
7	say what each particular officer saw or did in	12:49:18
8	connection with the arrest?	12:49:21
9	MR. MICHALIK: Objection; form, incomplete	12:49:23
10	hypothetical.	12:49:24
11	A As I stated before, that's what you would	12:49:25
12	try to do in the narrative of any report. Whether	12:49:28
13	it was a vice case report, a general offense case	12:49:30
14	report, a burglary report, whatever, you would	12:49:32
15	state the facts within the report.	12:49:35
16	Q The narrative would need to state the	12:49:37
17	facts or else nobody would know what each officer	12:49:39
18	did; right?	12:49:44
19	A There again, like I said, at the end of	12:49:45
20	the report, the narrative of the report, that's	12:49:46
21	where you would make the indication or the	12:49:48
22	distinction between each person's role.	12:49:50
23	Q Because if you don't do that, then there	12:49:53
24	is no record of each person's role; correct?	12:49:56

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1	MR. MICHALIK: Object to the form.	12:49:59
2	MR. KOSOKO: Join.	12:50:00
3	A I would not say that there would be no	12:50:02
4	indication of it.	12:50:05
5	BY MR. RAUSCHER:	12:50:05
6	Q I'm sorry. Can you repeat that?	12:50:05
7	A It does not indicate whether -- if it's	12:50:06
8	not in the narrative of the report, doesn't that	12:50:10
9	mean -- because it's a summary. The case report	12:50:12
10	is a summary of the events.	12:50:16
11	Now, if, say, for example, you made a UYW	12:50:18
12	arrest or a narcotics arrest, you might have your	12:50:21
13	partner listed as the second reporting officer, or	12:50:24
14	you might have other assisting officers. Because	12:50:28
15	the old handwritten reports, they had limited	12:50:33
16	space so -- a limited amount of space so you could	12:50:36
17	not put in complete details what everyone did.	12:50:38
18	Now, if this particular report led to	12:50:42
19	going to trial, when you are questioned during a	12:50:46
20	trial, that's when you would relate to the state's	12:50:49
21	attorneys or the defense attorneys what role each	12:50:52
22	officer played in that particular narrative.	12:50:56
23	Q And how would you remember for each arrest	12:50:58
24	what role each officer played if it wasn't written	12:51:01

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1	down anywhere?	12:51:05
2	MR. KOSOKO: Objection; form, foundation.	12:51:05
3	A Again, from the best of my memory, just	12:51:08
4	you would -- to the best of your memory.	12:51:11
5	Q Would it have been better to write down	12:51:12
6	the description of what everyone did --	12:51:15
7	MR. KOSOKO: Objection.	12:51:15
8	Q -- in the report?	12:51:17
9	A Again, like I said, yes, it would be; and,	12:51:20
10	again, like I said, generally, that's what we	12:51:21
11	would try to do, write the report and put down	12:51:25
12	what each person did perhaps. But, again, like I	12:51:28
13	said, the reports are just a general summary of	12:51:31
14	the event.	12:51:34
15	Q Is there supposed to be a record that's a	12:51:34
16	complete summary of the event?	12:51:41
17	MR. STEFANICH: Objection; form.	12:51:45
18	A As I sit here today, based on what I was	12:51:46
19	trained in the police academy, yes. I'm sure you	12:51:48
20	probably are supposed to indicate -- make a	12:51:52
21	complete description of what's going on. But from	12:51:55
22	what I remember from my training, like I said,	12:51:59
23	you're supposed to make a summary of the report.	12:52:03
24	The arrest -- I mean, the case report	12:52:06

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1	might have more details than the arrest report.	12:52:09
2	The arrest report is just a basic summary of the	12:52:12
3	probable cause that led to the arrest, so it's not	12:52:15
4	going to be as detailed as a case report.	12:52:18
5	BY MR. RAUSCHER:	12:52:18
6	Q But -- I'm sorry. Go ahead.	12:52:20
7	A But, like I said, again, generally, you do	12:52:21
8	try to detail all the facts or the details in the	12:52:25
9	report. But like those old -- and I'm not trying	12:52:28
10	to justify anything, but those old case reports,	12:52:31
11	there was a limited amount of space. So you would	12:52:35
12	try to put as much detail in there as possible.	12:52:38
13	Q So I understand there are arrest reports;	12:52:41
14	and then back in the day at least, there were vice	12:52:43
15	case reports you could type; right?	12:52:46
16	A Yes. To the best of my memory, most of	12:52:47
17	the reports at that time were paper reports.	12:52:51
18	Q And did the vice case reports -- were they	12:52:53
19	supposed to, at least, have all the details about	12:52:59
20	who did what on the arrest?	12:53:00
21	MR. MICHALIK: Object to the form.	12:53:02
22	A Again, from the best of my memory, yes,	12:53:04
23	you are, but I'm sure that there were minor,	12:53:07
24	unintentional errors made or mistakes in reports.	12:53:09

Transcript of Elsworth Smith, Jr.
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1	But generally, you know, you try to be as	12:53:13
2	descriptive or detailed as possible.	12:53:16
3	BY MR. RAUSCHER:	12:53:16
4	Q Did you look at some vice case reports to	12:53:18
5	prepare for your deposition today?	12:53:21
6	A Yes, I did.	12:53:22
7	Q Did you see a lot of instances where you	12:53:23
8	ran out of room on a vice case report, and there	12:53:26
9	was no more room on the form to put additional	12:53:29
10	information?	12:53:33
11	A As I sat here -- as I sit here today, I	12:53:33
12	don't remember. I've looked at a lot of reports.	12:53:35
13	Q Do you remember, historically, thinking I	12:53:38
14	wish there was more room on these vice case	12:53:42
15	reports so I can put all the information we need	12:53:45
16	to put here?	12:53:48
17	A As I sit here today, going back, most of	12:53:49
18	the case reports, some of them are 14 to 15 years	12:53:51
19	ago, and I can't remember a lot of the reports;	12:53:54
20	and I'm not going to speculate what I may have	12:53:57
21	thought from that long -- back at that particular	12:54:00
22	time.	12:54:03
23	Q And I'm not trying to ask you right now if	12:54:04
24	you remember every single report that you wrote.	12:54:07

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1 I'm trying to ask something, I think, is slightly 12:54:09
2 different. 12:54:11

3 Which is when you were on the Watts 12:54:12
4 tactical team, do you ever remember thinking, Oh, 12:54:14
5 this is a problem. We have these vice case 12:54:14
6 reports, and there's not enough room on them to 12:54:18
7 put down the information about what's going on out 12:54:19
8 here. 12:54:23

9 A I don't know what I was thinking at that 12:54:23
10 time. 12:54:25

11 Q You don't -- 12:54:25

12 A As I sit here today, I can't recall what I 12:54:25
13 was thinking at any time when I made a report 12:54:27
14 while I worked for Sergeant Watts -- Ronald Watts. 12:54:30

15 Q And so is it your testimony that you 12:54:32
16 believe you were trained in the academy that you 12:54:35
17 should put your partner down as the second 12:54:36
18 arresting officer -- as the second reporting 12:54:42
19 officer even if your partner didn't have anything 12:54:42
20 to do with an arrest? 12:54:45

21 MR. KOSOKO: Object to the form. 12:54:48

22 A From the best of my memory, from what I 12:54:50
23 was -- my training, yes. 12:54:51

24 Q And do you remember any specifics about 12:54:52

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1	that training?	12:54:57
2	A As I stated earlier, I don't remember	12:54:57
3	specifically --	12:55:00
4	Q That was -	12:55:00
5	A -- that --	12:55:01
6	Q Go ahead. I'm sorry.	12:55:01
7	A As I stated before, I don't remember	12:55:02
8	specifically, and to the best of my knowledge; but	12:55:07
9	there again, as I said, if you listed your	12:55:08
10	partner, that does not mean that he witnessed or	12:55:12
11	witnessed everything that you did.	12:55:15
12	Q It sounds like it doesn't mean he	12:55:17
13	witnessed anything necessarily.	12:55:20
14	A Like I said, it does not. But, like I	12:55:22
15	said, generally, you would try to convey that in	12:55:26
16	the narrative of your report.	12:55:29
17	Q Can you think of any good reason why the	12:55:29
18	second person listed on the report would	12:55:32
19	automatically be your partner even if that person	12:55:34
20	didn't witness anything?	12:55:37
21	MR. MICHALIK: Object to the form.	12:55:38
22	A When you are in patrol or as a tactical	12:55:40
23	officer, not always in patrol, you are assigned a	12:55:45
24	person to work with on a daily basis. So that's	12:55:47

Transcript of Elsworth Smith, Jr.
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1	why you would list your partner on the reports	12:55:51
2	that you make.	12:55:53
3	Q Why does the fact that you're assigned to	12:55:55
4	work with someone on a daily basis mean you would	12:55:56
5	list them in all your reports?	12:55:59
6	A Because that's who you were assigned to	12:56:01
7	work with.	12:56:04
8	Q So what?	12:56:06
9	A And as I stated before, that was based --	12:56:06
10	based on my memory and my training in the police	12:56:08
11	academy, that's what I was told to do when you	12:56:11
12	make your report.	12:56:13
13	Q Can you think of any reasons why it would	12:56:14
14	be helpful for the police department or for anyone	12:56:17
15	else to have a person listed in Box 2 even if they	12:56:19
16	had nothing to do with the arrest?	12:56:23
17	MR. STEFANICH: Objection --	12:56:23
18	MR. KOSOKO: Objection; form.	12:56:24
19	MR. STEFANICH: -- form, asked and	12:56:25
20	answered.	12:56:25
21	A As I -- I stated, I don't know. But if	12:56:29
22	you're working with some partner -- if it's your	12:56:30
23	partner, at some point in time, you may have	12:56:31
24	witnessed some aspect of the incident which took	12:56:33

Transcript of Elsworth Smith, Jr.
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1	place.	12:56:36
2	BY MR. RAUSCHER:	12:56:36
3	Q Or maybe you didn't.	12:56:37
4	A Or maybe you didn't.	12:56:38
5	Q Over the years, did you ever hear citizens	12:56:40
6	saying that they had been wrongfully arrested?	12:56:48
7	MR. KOSOKO: Object to the form.	12:56:52
8	A As I sit here today, I don't recall. When	12:56:54
9	I was working for Sergeant Watts, I don't recall	12:56:56
10	no one ever stating to myself or anyone else that	12:57:00
11	I was working with about being wrongfully	12:57:02
12	arrested.	12:57:06
13	Q Do you ever -- and when I say that they	12:57:06
14	said that they were wrongfully arrested, I mean	12:57:07
15	that as broadly as possible. Like people even	12:57:09
16	yelling out, What are you doing? I didn't do	12:57:12
17	this. You're framing me. I didn't have drugs.	12:57:14
18	Anything like that at all, even just yelling at	12:57:17
19	people?	12:57:19
20	A To the best of my memory, maybe a few. I	12:57:20
21	don't remember each and every person or exact date	12:57:23
22	and time.	12:57:27
23	Q Do you remember any specific incidents	12:57:27
24	like that?	12:57:29

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1	A	No, I don't.	12:57:29
2	Q	Did you ever tell anybody how to file a	12:57:31
3		complaint with OPS or IAD or IPRA or COPA?	12:57:37
4	A	As I sit here today, I don't recall, but I	12:57:44
5		may have.	12:57:45
6	Q	And why do you think you may have?	12:57:45
7	A	I don't recall when exactly, but I do	12:57:47
8		remember having conversations with people at some	12:57:51
9		point in time. I don't remember if it was while I	12:57:53
10		was working as a tactical officer or when exactly	12:57:57
11		it was. I don't recall, but I do remember at some	12:58:00
12		point in time telling people or giving people	12:58:03
13		information how to file a complaint.	12:58:06
14	Q	Do you remember any specifics about that	12:58:08
15		at all? Who the people were? How many times that	12:58:14
16		happened?	12:58:16
17	A	As I sit here today, I don't recall who it	12:58:16
18		was or when the time and date it was.	12:58:19
19	MR. RAUSCHER:	Take another quick break.	12:58:26
20	MR. STEFANICH:	Do you want to just do,	12:58:28
21		like, a lunch break?	12:58:29
22	MR. RAUSCHER:	Sure. That's fine with me.	12:58:33
23	THE VIDEOGRAPHER:	Off the record, 12:58.	12:58:33
24		(A recess was taken from 12:58 p.m. to	13:48:23

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1	1:48 p.m.)	13:48:23
2	THE VIDEOGRAPHER: Back on the record,	13:48:24
3	1:48.	13:48:31
4	BY MR. RAUSCHER:	13:48:33
5	Q Has your star number always been 11737?	13:48:36
6	A Yes, sir.	13:48:39
7	Q Have you ever had a different star number?	13:48:39
8	A No.	13:48:43
9	Q About how many times have you testified in	13:48:43
10	your role as a police officer?	13:48:48
11	A As I sit here today I -- excuse me -- as I	13:48:49
12	sit here today, I couldn't give you an exact	13:48:54
13	count.	13:48:56
14	Q Is it -- do you think it's in the	13:48:56
15	hundreds?	13:48:59
16	A Possibly. But, again, I'm not certain.	13:49:00
17	Q Do you know how it was determined which	13:49:04
18	members of a tactical team, the Watts tactical	13:49:07
19	team would testify in court about arrests the team	13:49:09
20	made while you were on the team?	13:49:14
21	A As I sit here today, I don't recall.	13:49:16
22	Q Have you ever given false testimony?	13:49:17
23	A No, I have not.	13:49:20
24	Q Do you know whether any of the members of	13:49:20

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1	the Watts team have ever given false testimony?	13:49:23
2	A From my experience of working with them,	13:49:26
3	no, I don't believe so.	13:49:30
4	Q Have you ever seen a Chicago police	13:49:30
5	officer use excessive force?	13:49:34
6	A From my experience, no.	13:49:38
7	Q All right. I'm going to ask you some	13:49:40
8	questions about certain plaintiffs in these cases.	13:49:51
9	We have a list of cases we've agreed to try to	13:49:55
10	cover today.	13:50:00
11	MR. RAUSCHER: And just mostly for counsel	13:50:01
12	in the room, we had included Lionel White, Sr., on	13:50:04
13	that list, and then we have agreed to postpone	13:50:04
14	that until his second date.	13:50:04
15	MR. STEFANICH: That's correct.	13:50:04
16	THE REPORTER: What was that name?	13:50:04
17	MR. RAUSCHER: Lionel White, Sr.,	13:50:09
18	L-i-o-n-e-l.	13:50:16
19	Q So the first person I'm going to ask about	13:50:17
20	is Allen Jackson. You mentioned Mr. Jackson	13:50:29
21	earlier.	13:50:32
22	What do you know about Allen Jackson?	13:50:32
23	A As I stated before, to the best of my	13:50:35
24	memory, what I recall is that he was a drug	13:50:38

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1	dealer.	13:50:42
2	Q And how do you know he was a drug dealer?	13:50:42
3	A As I stated, either from my own experience	13:50:47
4	with dealing with him or from either Sergeant	13:50:49
5	Watts or possibly other members of the 264 team.	13:50:53
6	Q Do you remember dealing with Mr. Jackson	13:50:56
7	personally?	13:50:59
8	A On a few occasions. I don't remember any	13:50:59
9	exact details.	13:51:03
10	Q Tell me what you remember generally about	13:51:05
11	your interactions with Mr. Jackson.	13:51:08
12	A I don't recall specifically. Like I said.	13:51:10
13	I do recall encountering him some -- on a few	13:51:13
14	occasions, and generally, he was very cocky and	13:51:16
15	arrogant.	13:51:20
16	Q What did he do that you perceived as cocky	13:51:21
17	and arrogant?	13:51:25
18	A I don't recall the specifics, but that's	13:51:26
19	what I recall at this particular time.	13:51:27
20	Q About how many times did you come across	13:51:29
21	him while you were a member of the Watts team?	13:51:34
22	A As I sit here today, I couldn't give you	13:51:37
23	an exact count.	13:51:38
24	Q Do you remember the last time you saw him?	13:51:40

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1	A	As I sit here today, I don't recall when	13:51:43
2		it was; but it was sometime after the indictment.	13:51:47
3	Q	After Watts was indicted?	13:51:52
4	A	Yes.	13:51:57
5	Q	Do you remember where you saw him?	13:51:58
6	A	I don't remember the exact address. From	13:52:00
7		what I recall, I believe, I was on duty, and it	13:52:05
8		might have been at a car wash.	13:52:08
9	Q	Did you talk to him?	13:52:10
10	A	Briefly.	13:52:13
11	Q	And what did you talk about?	13:52:14
12	A	I don't recall exactly the conversation	13:52:15
13		but it's -- I believe we did -- he brought it up	13:52:19
14		because I don't bring it up, but I think he	13:52:23
15		brought up something about Sergeant Watts.	13:52:26
16	Q	What did he say?	13:52:28
17	A	Again, sitting here today, I don't	13:52:30
18		remember the exact conversation that I had with	13:52:35
19		him, but it might have been something to the	13:52:36
20		effect that aren't you glad you didn't go down	13:52:39
21		with Sergeant Watts. And I don't recall the exact	13:52:44
22		conversation.	13:52:46
23	Q	And what did you say to him?	13:52:47
24	A	I don't recall what I said to him.	13:52:49

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1	Q Do you recall even generally what you	13:52:51
2	said?	13:52:55
3	A I -- I don't want to speculate. I can't	13:52:55
4	recall.	13:52:59
5	Q Did you respond to him?	13:52:59
6	A I'm sure I did, but I don't recall what I	13:53:01
7	said exactly to him.	13:53:05
8	Q Was he cocky and arrogant during that	13:53:06
9	conversation?	13:53:08
10	A No. At that point in time, from what I	13:53:09
11	recall, his attitude appeared to have changed.	13:53:15
12	Like I said, I don't remember the specifics, but I	13:53:18
13	think he said that he -- I recall, and I'm not 100	13:53:19
14	percent certain, that he was -- he had a regular	13:53:23
15	job now and that he gave up being a drug dealer.	13:53:25
16	Q Do you have any reason to believe that	13:53:29
17	isn't true?	13:53:34
18	A I have no way to -- based on sitting here	13:53:34
19	today, I don't believe whether or not that he's	13:53:39
20	telling the truth or not.	13:53:42
21	Q You just don't know one way or the other?	13:53:43
22	A I don't know one way or the other.	13:53:47
23	Q Had you seen Allen Jackson in between the	13:53:50
24	time you left the Watts team and the time when	13:53:54

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1	you're talking about right now after Watts was	13:53:57
2	indicted?	13:54:00
3	A That was after I left Watts team.	13:54:00
4	Q I'm sorry. Any other time other than	13:54:03
5	that?	13:54:05
6	A To the best of my memory, no.	13:54:05
7	Q Do you remember any specific run-ins or	13:54:07
8	interactions with him while you were on -- while	13:54:13
9	you were on the Watts team?	13:54:16
10	A As I stated before, I don't recall	13:54:16
11	exactly; but I do remember him while I was a	13:54:19
12	member of the Watts team.	13:54:22
13	Q Do you remember if he worked or sold drugs	13:54:23
14	at a particular building in Ida B. Wells?	13:54:27
15	A Again, sitting here today, I don't recall	13:54:28
16	which building he operated out of.	13:54:31
17	Q Do you know whether he operated out of a	13:54:33
18	specific building?	13:54:36
19	A Again, I couldn't tell you. I don't	13:54:38
20	recall.	13:54:40
21	Q Do you know for a fact that Allen Jackson	13:54:40
22	was a drug dealer while you were on the Watts	13:54:43
23	team?	13:54:45
24	A At I stated before, to the best of my	13:54:45

Transcript of Elsworth Smith, Jr.
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1	memory, he was.	13:54:48
2	Q Do you know if he was affiliated with a	13:54:49
3	gang at the time? When I say "at the time," I	13:55:01
4	mean while you worked on the Watts team.	13:55:04
5	A As I sit here today, I don't recall.	13:55:06
6	(Smith Deposition Exhibit 2 marked for	13:55:06
7	identification and attached to the transcript.)	13:55:08
8	Q We're going to mark Exhibit 2, which is	13:55:08
9	PL JOINT 041862 to 863. Just let me know when	13:55:29
10	you've had a chance to look this over.	13:56:54
11	A I've had a chance to look it over.	13:56:57
12	Q Do you recognize this document?	13:56:59
13	A Yes, I do.	13:57:01
14	Q Can you please tell me what it is?	13:57:02
15	A It's a vice case report.	13:57:04
16	Q Is it a vice case report of an arrest --	13:57:06
17	or of Allen Jackson's arrest on January 16, 2006?	13:57:09
18	A Yes, it is.	13:57:14
19	Q And was Mr. Jackson arrested at 7:15 that	13:57:14
20	night?	13:57:20
21	A According to this report, yes.	13:57:20
22	Q And was the address where he was arrested	13:57:25
23	574 East 36th Street?	13:57:27
24	A According to the report, yes.	13:57:29

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1	Q Do you remember the 5 -- that building	13:57:31
2	from Ida B. Wells?	13:57:32
3	A I have a vague memory of it.	13:57:33
4	Q What do you remember about 574 East 36th	13:57:37
5	Street?	13:57:41
6	A It was a CHA development, housing	13:57:41
7	building.	13:57:47
8	Q Was it a high-rise?	13:57:47
9	A A mid-size complex.	13:57:48
10	Q Was it one of the bigger buildings in the	13:57:51
11	Ida B. Wells development?	13:57:55
12	A At that time, yes.	13:57:56
13	Q There were mid-size and then row houses;	13:57:57
14	is that right?	13:58:00
15	A At this time, from my memory, this was	13:58:00
16	like the biggest building. There was low-rise	13:58:03
17	buildings.	13:58:08
18	Q Were you still on the Watts team at the	13:58:08
19	time of this arrest?	13:58:12
20	A At this time, I believe I was.	13:58:13
21	Q Who was your partner in January 2006?	13:58:17
22	A According to this report, Alvin Jones.	13:58:19
23	Q And were you working the second shift or	13:58:23
24	the third shift at this time or the first?	13:58:29

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1	A	Based off of the times on the report, it	13:58:30
2		would have been on third watch.	13:58:34
3	Q	And were you on third watch at this time	13:58:36
4		just because of the rotation?	13:58:40
5	A	Again, without seeing the A&A sheets from	13:58:41
6		that work date -- but based off the reports, I	13:58:48
7		would say that we were working third watch on	13:58:52
8		January 16, 2006.	13:58:56
9	Q	Do you know why you were working third	13:58:56
10		watch?	13:58:59
11	A	As I sit here today, no.	13:58:59
12		(Smith Deposition Exhibit 3 marked for	13:58:59
13		identification and attached to the transcript.)	13:59:01
14	Q	Why don't we just go ahead and mark the	13:59:01
15		A&A sheets as Exhibit 3. The Bates range for this	13:59:02
16		is CITY-BG-053978 to 053981.	13:59:06
17		I may be able to help you if you haven't	13:59:55
18		found your name. It's on the third page, fifth	13:59:58
19		from the bottom.	14:00:07
20	A	Okay.	14:00:07
21	Q	Do you see on page labeled CITY-BG-053980,	14:00:12
22		your name?	14:00:18
23	A	Yes, I do.	14:00:19
24	Q	Can you just tell me what this document	14:00:19

Transcript of Elsworth Smith, Jr.
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1	is?	14:00:22
2	A It's the attendance & assignment record	14:00:22
3	from January 16, 2006.	14:00:25
4	Q This is the same day that Allen Jackson	14:00:30
5	was arrested?	14:00:32
6	A Yes, it was.	14:00:33
7	Q What's the purpose of an attendance &	14:00:34
8	assignment record?	14:00:36
9	MR. KOSOKO: Objection.	14:00:40
10	MR. MICHALIK: Objection; foundation.	14:00:38
11	A Based on my knowledge, it's to keep a	14:00:41
12	record of the officers who were either working or	14:00:45
13	on furlough or vacation. It's an attendance	14:00:49
14	sheet.	14:00:55
15	Q Have you become familiar with attendance &	14:00:55
16	assignment records over the years as a police	14:00:57
17	officer?	14:00:59
18	A Yes, I have.	14:00:59
19	Q And how have you become familiar with the	14:01:01
20	attendance & assignment records?	14:01:04
21	A Just has been on-the-job training for	14:01:05
22	quite a long time and heard about it. I don't	14:01:12
23	think I've ever been responsible for filling these	14:01:16
24	out.	14:01:19

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1	Q Did you write on here at all? Is any of	14:01:20
2	the writing on here -- do you check yourself, or	14:01:24
3	did someone else put you down?	14:01:26
4	A This is not my handwriting. I don't know	14:01:28
5	whose handwriting it is. This is prepared by	14:01:33
6	another officer, and I'm not responsible. So I	14:01:36
7	don't know who would be responsible for doing the	14:01:37
8	A&A sheets.	14:01:40
9	Q Do you know who is -- can you read whose	14:01:43
10	signature it is down there?	14:01:46
11	A I'm sorry?	14:01:47
12	Q Can you read whose signature that is on	14:01:48
13	the bottom right-hand corner?	14:01:51
14	MR. STEFANICH: The first page.	14:01:53
15	A No, I can't make that out.	14:01:54
16	Q Does anything on this attendance &	14:01:56
17	assignment record indicate why you were working	14:01:59
18	the particular shift that you were working?	14:02:01
19	A No, it does not. It just gives the time	14:02:03
20	that I was working.	14:02:08
21	Q All right. Can you take a look back at	14:02:09
22	Exhibit 2, which is the vice case report.	14:02:21
23	And before I ask you questions about the	14:02:22
24	report, do you have any recollection of Allen	14:02:30

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	Jackson's arrest on January 6 -- on January 16,	14:02:33
2	2006?	14:02:38
3	A No, I do not.	14:02:38
4	Q Did reviewing the report refresh your	14:02:39
5	recollection in any way about the arrest?	14:02:42
6	A No, it doesn't.	14:02:45
7	Q Can you determine by looking at this	14:02:46
8	report what involvement you had with the arrest?	14:02:49
9	A Other than seeing my name listed as a	14:02:51
10	reporting officer, I don't know what my role was	14:02:57
11	at this particular time other than being partnered	14:03:00
12	with Alvin Jones.	14:03:02
13	Q And we had talked earlier, and you had	14:03:03
14	given some general descriptions about what it	14:03:06
15	means to be in Box 1 or Box 2.	14:03:08
16	Can you tell me, looking at this report,	14:03:11
17	what's Box 1 and what's Box 2?	14:03:14
18	A On this report, it doesn't specifically	14:03:16
19	say Box 1 and 2. Box 45 and 46 asks -- or states	14:03:20
20	reporting officer's name. And in Box 45, it has	14:03:25
21	Alvin Jones; and in Box 46, it has my name as	14:03:33
22	reporting officer.	14:03:37
23	Q Does your testimony about Box 1 and Box 2	14:03:37
24	apply to Boxes 45 and 46 in this vice case report?	14:03:40

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1	A	From what I recall, yes.	14:03:43
2	Q	It says in the narrative description,	14:03:47
3		among other things, "In summary, R/Os received	14:03:52
4		information from a certain citizen that a M/B	14:03:57
5		named 'Allen J' was on his way to pick up the	14:04:02
6		remaining narcotics and money from sales at the	14:04:03
7		above location."	14:04:06
8		Do you see that?	14:04:07
9	A	Yes, I do.	14:04:07
10	Q	Can you tell me what that means?	14:04:08
11	A	Our roles would imply for -- but that does	14:04:10
12		not mean -- and, like I said, I did not author	14:04:16
13		this report, so I don't know why it was written	14:04:23
14		that way. But if you're reading just from the	14:04:26
15		report, it would mean both officers. But then as	14:04:28
16		I stated before earlier, does that mean that both	14:04:31
17		officers made the same observation.	14:04:34
18	Q	It does not mean that.	14:04:38
19	A	No, it does not.	14:04:39
20	Q	R/Os is reporting officers?	14:04:41
21	A	That's what it states here. R/Os meaning	14:04:45
22		plural. But, like I said, I don't have a --	14:04:47
23		sitting here today, I do not have an independent	14:04:50
24		recollection of this event or this incident from	14:04:53

Transcript of Elsworth Smith, Jr.
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1	this date.	14:04:55
2	Q You said that you didn't write this	14:04:57
3	report?	14:05:00
4	A Based on -- if I'm listed as the second	14:05:00
5	officer, that does not mean that I wrote this	14:05:06
6	report. That does not state the fact that I	14:05:08
7	was -- that I'm not denying that I was at work. I	14:05:11
8	don't have a recollection of this report.	14:05:14
9	But based off of the report, the way it's	14:05:16
10	written and assuming that from looking at Box 45,	14:05:18
11	my partner was listed in the first box.	14:05:24
12	But also if I point your direction to Box	14:05:28
13	No. 12 where it says victim, slash, complainant.	14:05:31
14	If you look at that box, it says, State of	14:05:35
15	Illinois/P.O. Jones, Star No. 14662 [sic].	14:05:38
16	Now, generally, the person that is listed	14:05:44
17	in Box 12 list themselves as the victim, if it's a	14:05:47
18	police officer or the complainant. That is the	14:05:51
19	person who either wrote the report or made the	14:05:54
20	observations or the recovery.	14:05:59
21	Q Who wrote the report and made the	14:06:00
22	observations or made the recovery?	14:06:08
23	A It could have been a combination of one or	14:06:10
24	the other.	14:06:12

Transcript of Elsworth Smith, Jr.
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1	Q	So it doesn't really drill down on exactly	14:06:12
2		what No. 12 saw or did either then?	14:06:17
3	A	No. 12 -- as I stated, the person in	14:06:20
4		No. 12 is assuming the responsibility of the first	14:06:23
5		arresting officer; and by not writing this, from	14:06:26
6		looking at it, this does not refresh my memory or	14:06:30
7		anything.	14:06:35
8		But based on the way this report is	14:06:35
9		written, Officer Jones would have been the	14:06:40
10		reporting officer who wrote this report. So I	14:06:42
11		cannot answer for Officer Jones.	14:06:45
12	Q	You can't answer what for him?	14:06:46
13	A	Can't answer to how he had written this	14:06:49
14		report or the observations that he made or	14:06:52
15		anything.	14:06:54
16	Q	Did you review this report?	14:06:54
17	A	Yes, I have.	14:06:55
18	Q	Did you review it at the time -- around	14:06:56
19		the time it was made?	14:06:58
20	A	I don't -- as I'm sitting here today, I	14:07:00
21		don't recall. I'm certain I probably have, but I	14:07:03
22		don't recall.	14:07:05
23	Q	Would your standard practice have been to	14:07:05
24		review all reports that listed you?	14:07:09

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A As I sit here today, I don't recall what	14:07:10
2	my standard practice was.	14:07:13
3	Q Did you ever authorize Jones to sign your	14:07:14
4	name on a report?	14:07:17
5	A If he signed my name on a report, it	14:07:18
6	probably would have been with my authorization.	14:07:21
7	Q I'm just asking if you remember --	14:07:23
8	A I don't remember this particular case	14:07:24
9	report or any other case report; but if someone	14:07:28
10	signed my name, whether it was Alvin Jones or	14:07:30
11	another member of the 264 team while I worked with	14:07:33
12	them, it would have been with my authorization.	14:07:37
13	Q Do you remember one way or the other	14:07:39
14	whether -- I'm not talking about this specific	14:07:41
15	report.	14:07:43
16	Do you remember one way or the other	14:07:44
17	whether you ever authorized Jones or anyone else	14:07:45
18	on your team to sign your name for you?	14:07:48
19	A As I stated before, if they signed my name	14:07:51
20	on any reports, it would have been with my	14:07:55
21	authorization.	14:07:58
22	Q I just want to know if you remember if	14:07:58
23	that ever happened.	14:08:01
24	A As I sit here today, I don't recall; but	14:08:02

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1	as I stated, if I gave them -- if they signed my	14:08:04
2	name, it would have been with my authorization.	14:08:07
3	Q How would you know that they didn't sign	14:08:08
4	your name without your authorization?	14:08:11
5	A Sitting here, that's a good question; but	14:08:12
6	if they -- I doubt if they would sign my name	14:08:16
7	without -- I would not allow anyone to sign my	14:08:19
8	name on any reports without my authorization.	14:08:22
9	Just because I don't have a recollection	14:08:24
10	of the report does not mean that it's a false	14:08:26
11	report, if that's what you're trying to imply.	14:08:31
12	Q I'm just asking you a question.	14:08:34
13	A And I'm trying to answer your question.	14:08:35
14	Q I'm not asking you about this report. I'm	14:08:36
15	sorry. I don't mean to talk over you. I am	14:08:38
16	not -- that question is just a question.	14:08:40
17	And the question I was trying to ask is do	14:08:42
18	you remember one way or the other whether you ever	14:08:46
19	authorized anyone on the Watts team to sign your	14:08:47
20	name for you.	14:08:50
21	A As I sit here today, as I stated before, I	14:08:51
22	don't remember; but I would not have given anyone	14:08:53
23	permission or authorization to sign any reports	14:08:57
24	for me.	14:08:59

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	Maybe I'm confusing you; but to answer	14:09:05
2	your question, no, I would not have given anyone	14:09:08
3	authorization to sign a report.	14:09:11
4	Q You would not have given authorization for	14:09:12
5	someone else to sign your name on a report.	14:09:16
6	A No, I would not.	14:09:18
7	Q Why would you have not given authorization	14:09:21
8	for someone else to sign your name on a report?	14:09:24
9	A I would not have, you know -- if I did	14:09:27
10	not -- if I wouldn't feel comfortable with the	14:09:29
11	report or the contents of the report, and I had no	14:09:32
12	reason to doubt that any one of my teammates or my	14:09:34
13	partner would lie about any information in the	14:09:38
14	report. So assuming that if they signed my name	14:09:42
15	on a report, it had to be with my authorization.	14:09:46
16	Q So now I am confused.	14:09:48
17	MR. STEFANICH: Yeah. You just need to,	14:09:51
18	like, listen to his question and then just try to	14:09:52
19	answer his question because you guys aren't --	14:09:55
20	THE WITNESS: I thought I've answered it.	14:09:57
21	MR. RAUSCHER: I think we're talking past	14:09:59
22	each other.	14:10:00
23	THE WITNESS: Okay. As I stated before --	14:10:01
24	MR. STEFANICH: So let him ask a question.	14:10:01

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1	Okay.	14:10:04
2	BY MR. RAUSCHER:	14:10:04
3	Q Yeah. Let's just -- I will try to ask	14:10:04
4	this directly and clearly. Tell me if you don't	14:10:05
5	understand it.	14:10:08
6	Do you remember ever telling anybody on	14:10:09
7	the Watts team that they could sign your name for	14:10:13
8	you on a report that they created?	14:10:15
9	A No. Sitting here today, I do not recall	14:10:17
10	telling or giving anyone permission to sign my	14:10:21
11	name on a report without my authorization.	14:10:25
12	Q Okay. That last part -- I think that last	14:10:27
13	part is you're adding in information that I was	14:10:29
14	not trying to ask you.	14:10:32
15	I want to know -- I want to know if you	14:10:32
16	remember ever giving that authorization, the	14:10:37
17	authorization to sign your name?	14:10:39
18	A As I'm sitting here today, I do not recall	14:10:41
19	giving anyone authorization to sign my name on any	14:10:44
20	reports.	14:10:47
21	Q Does looking at this report today refresh	14:10:48
22	your recollection in any way about the arrest of	14:10:57
23	Allen Jackson?	14:11:00
24	A As I stated before, I do not recall	14:11:01

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1 anything, and this report does not refresh my
2 memory.

3 Q Is there anything you can think of that is
4 out there that might refresh your recollection
5 about the arrest of Allen Jackson on January 16,
6 2006?

7 A As I sit here today, possibly; but looking
8 at these reports, no, it does not.

9 Q What else do you think might help refresh
10 your recollection about Allen Jackson's
11 January 2006, arrest?

12 A At this present moment, I don't know.

13 Q Yeah. I'm just --

14 A There might be some other reports out
15 there that might refresh my memory; but based off
16 of these reports, it does not refresh my memory.

17 Q Are the vice case reports supposed to be
18 the most comprehensive types of reports about
19 narcotics arrests?

20 MR. MICHALIK: Objection; foundation,
21 form.

22 A To the best of my memory, yes.

23 (Smith Deposition Exhibit 4 marked for
24 identification and attached to the transcript.)

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1	BY MR. RAUSCHER:	14:11:56
2	Q We're going to mark Exhibit 4, which is an	14:12:01
3	arrest report, PL JOINT 041864 to 868.	14:12:03
4	Have you had a chance to look at this	14:12:56
5	report?	14:13:14
6	A Yes, I have.	14:13:14
7	Q Did you look at this report to prepare for	14:13:15
8	your deposition today?	14:13:17
9	A Yes, sir.	14:13:18
10	Q And looking at this report did not refresh	14:13:19
11	your recollection?	14:13:22
12	A No, it did not.	14:13:22
13	Q Do you see in the incident narrative it	14:13:23
14	says at the end, "Name check and investigative	14:13:27
15	alert are clear."	14:13:30
16	A Yes.	14:13:31
17	Q What does that mean?	14:13:32
18	A That is what we were told to put in the	14:13:33
19	report, to make sure we did a comprehensive check	14:13:37
20	on the individual after being placed in custody	14:13:41
21	because sometimes the individual could have a	14:13:44
22	warrant or an investigative alert.	14:13:46
23	Q What did. Sorry.	14:13:49
24	A Sorry.	14:13:50

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1	Q What does it mean to -- for a name check	14:13:52
2	and investigative alert to be cleared?	14:13:56
3	A That means you do the background check,	14:13:59
4	check the name to see if he had any warrants, and	14:14:01
5	also an investigative alert could be whether or	14:14:04
6	not he is wanted for some type of questioning in	14:14:07
7	regards to another case.	14:14:10
8	Q Do you see on the next page, Al Jones is	14:14:11
9	listed as the attesting officer?	14:14:19
10	A Yes, I do.	14:14:20
11	Q What is the attesting officer?	14:14:22
12	A That means that he was the first arresting	14:14:25
13	officer or the officer that signed the complaints	14:14:30
14	for this particular arrest.	14:14:31
15	Q What's the role of the attesting officer?	14:14:32
16	A First arresting officer.	14:14:34
17	Q And what is the officer attesting to?	14:14:36
18	A That the information in the report is	14:14:38
19	factual.	14:14:41
20	Q Does that mean that they had to witness	14:14:41
21	the information?	14:14:45
22	A Again, like I said, the roles would vary	14:14:46
23	from time to time; but if he's attesting to this	14:14:49
24	information, he's making the observation or	14:14:51

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1	recovery or he witnessed something involving the	14:14:54
2	incident which led to the arrest.	14:14:57
3	Q Did you ever see any members of the Watts	14:14:58
4	team steal money from civilians?	14:15:02
5	A No, I did not.	14:15:06
6	Q Were you at work, if you remember, the day	14:15:07
7	that Big Shorty was killed?	14:15:18
8	A To the best of my memory, I believe I was.	14:15:19
9	Q Tell me what you remember about the day	14:15:22
10	when Big Shorty was killed?	14:15:24
11	A From what I recall, that I was just	14:15:27
12	starting work, and I don't remember the exact time	14:15:30
13	this was, but I believe I was there early. And I	14:15:33
14	heard -- I believe that that particular day, I	14:15:38
15	don't recall who was at work at that time, but the	14:15:44
16	call came out over the radio that a person was	14:15:47
17	shot, and I forgot the address where this incident	14:15:49
18	occurred at.	14:15:53
19	And I don't recall if it was either	14:15:54
20	Sergeant Watts or I believe at the time the tac	14:15:58
21	commander -- or I'm sorry -- the tac lieutenant	14:16:02
22	may have been Kenneth Mann; and, like I said, I	14:16:05
23	don't recall specifically. But I was asked by	14:16:08
24	either one of them to ride with them to respond to	14:16:09

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1	this call of shots fired.	14:16:12
2	Q And if when -- at that time when you were	14:16:14
3	responding, did you know who had been shot?	14:16:19
4	A From the best of my memory, sitting here	14:16:22
5	now, no, I do not.	14:16:25
6	Q And you think it was either Mann or Watts?	14:16:26
7	A Like I said, I don't have a clear memory	14:16:29
8	of that incident. It was either one of them.	14:16:33
9	Q Were you driving the car?	14:16:35
10	A Sitting here today, I don't recall.	14:16:36
11	Q Do you know if you put out on the radio	14:16:39
12	that you were going to be responding to the scene?	14:16:41
13	A Again, like I said, not having a clear	14:16:43
14	memory of that date, I don't recall.	14:16:46
15	Q Did you ever talk to Watts about Big	14:16:47
16	Shorty's death?	14:16:50
17	A I don't recall.	14:16:51
18	Q Did you ever hear Watts talk about Big	14:16:52
19	Shorty's death?	14:16:56
20	A As I sit here today, to the best of my	14:16:57
21	memory, no.	14:16:59
22	Q Do you remember people having any sort of	14:16:59
23	celebration after Big Shorty died?	14:17:03
24	A No.	14:17:06

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1	Q Do you remember people being out on the	14:17:06
2	street drinking, smoking cigars?	14:17:10
3	A Sitting here today, I don't recall that.	14:17:11
4	Q If you look at Exhibit 4, the one right in	14:17:15
5	front of you, do you see a picture in the top	14:17:18
6	right-hand corner?	14:17:20
7	A Yes.	14:17:21
8	Q Do you recognize the person in that	14:17:23
9	picture?	14:17:26
10	A That's Allen Jackson, aka Allen J.	14:17:26
11	Q Does he look similar -- well, no. Never	14:17:30
12	mind.	14:17:36
13	Can you describe what you looked at --	14:17:37
14	what you looked like when you were a member of the	14:17:40
15	Watts tactical team?	14:17:44
16	A Sitting here today, I was younger, looked	14:17:45
17	pretty much the same as I do now. There might be	14:17:52
18	some differences in my weight. I got a few more	14:17:55
19	grays than I had back then, and my hairstyle	14:18:00
20	varied from time to time.	14:18:05
21	Q Did you have a mustache back at the time?	14:18:06
22	A To the best of my memory, yes.	14:18:10
23	Q And what was your hair -- what different	14:18:11
24	types of hairstyles did you have when you were on	14:18:15

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1	the Watts team?	14:18:18
2	A It would vary from time to time, like I	14:18:18
3	said. I don't recall every particular hairstyle	14:18:23
4	that I wore. Sometimes I wear my hair long.	14:18:23
5	Sometimes I would wear it short.	14:18:25
6	Q When it was long, was it in braids or	14:18:26
7	anything like that?	14:18:30
8	A From the best of my memory, no.	14:18:30
9	Q Okay. And you said your weight may have	14:18:33
10	been different.	14:18:40
11	Did you weigh more or less?	14:18:40
12	A From the best of my memory, my weight	14:18:42
13	fluctuated.	14:18:44
14	Q What was the range, if you remember, of	14:18:44
15	your weight while you were on the Watts team?	14:18:49
16	A From the best of my memory, my weight was	14:18:51
17	somewhere between 2 -- 215 pounds to 225 pounds.	14:18:59
18	Q About how much do you weigh now?	14:19:02
19	A I haven't weighed myself in months. So I	14:19:05
20	would say I'm over 200 pounds. I couldn't tell	14:19:10
21	you exactly.	14:19:12
22	Q And about how tall are you?	14:19:13
23	A About 6-foot-1.	14:19:14
24	Q What beat were you in in January of 2006?	14:19:16

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1	What beat were you assigned to?	14:19:31
2	A Off the top of my head sitting here today,	14:19:32
3	I couldn't tell you; but looking at this report,	14:19:37
4	it states I was working 264 David.	14:19:40
5	Q And how many people typically would	14:19:44
6	ride -- sorry. Let me back up a step.	14:19:47
7	264 David, does that indicate, like, a	14:19:49
8	particular police car or what does that -- what	14:19:53
9	does that signify?	14:19:57
10	A That was your beat designation.	14:19:57
11	Q And would it -- would all the people who	14:20:01
12	are designated as 264D have been riding in the	14:20:03
13	same car that day?	14:20:07
14	A It varied from time to time. Sitting here	14:20:08
15	today, regarding this date, I have no idea.	14:20:10
16	Q If you look at the last page on here, it	14:20:15
17	lists Mohammed as being in 264D also.	14:20:20
18	Do you see that?	14:20:26
19	A Page 5, yes.	14:20:26
20	Q Does that indicate that Mohammed was in	14:20:28
21	the same car as you and Jones that day?	14:20:30
22	A Again, like I said, it doesn't necessarily	14:20:33
23	mean that he was in the same car with us, but it	14:20:37
24	could mean that he was working with us at some	14:20:40

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1	point in time.	14:20:43
2	Q What is it about looking at -- what is it	14:20:43
3	that would indicate he was working with you at	14:20:52
4	some point in time that day?	14:20:54
5	A Like I said, I don't know the specifics on	14:20:55
6	this particular date. Just because he's listed as	14:21:01
7	264 David, that could have been just for the	14:21:04
8	attendance purposes which I have not -- did not	14:21:09
9	have any control over. He could have been working	14:21:12
10	with us as a three-man unit. Sometimes he could	14:21:16
11	have been working with someone else.	14:21:20
12	Q When you say a "three-man unit," what does	14:21:21
13	it mean to be a three-man unit?	14:21:25
14	A Three officers usually working together	14:21:27
15	maybe in some capacity, whether they were assigned	14:21:30
16	to the same car or not.	14:21:32
17	Q Who made the assignments?	14:21:34
18	A From the best of my memory, the sergeant	14:21:36
19	did.	14:21:40
20	Q Sergeant Watts?	14:21:40
21	A Yes. Whoever the sergeant was for that	14:21:41
22	particular team or patrol unit.	14:21:44
23	Q What was your practice, when you were on	14:21:47
24	the Watts team, for documenting the time of	14:21:50

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1	arrest?	14:21:53
2	A Based on my memory, it was either an	14:21:53
3	approximation of the time or the exact time.	14:21:59
4	Q How would you go about doing an	14:22:00
5	approximation?	14:22:04
6	A There again, it was a long time ago, and I	14:22:04
7	don't have an exact memory. I guess we would	14:22:07
8	probably use a clock or something or a watch.	14:22:11
9	Q Did you typically try to put the exact	14:22:13
10	time, or did you do approximations for it?	14:22:19
11	A Sitting here today, I have no idea.	14:22:22
12	Q When you made approximations, were you	14:22:26
13	using round numbers? Like, for example, 11 --	14:22:28
14	11:00 o'clock as opposed to 11:06?	14:22:32
15	A Sitting here today, I couldn't guess how I	14:22:36
16	may have approximated the time that many years	14:22:40
17	ago.	14:22:42
18	Q Do you remember Lionel White, Jr.?	14:22:42
19	A Sitting here today, to the best of my	14:23:11
20	memory, not much.	14:23:16
21	Q Do you remember anything about Lionel	14:23:17
22	White, Jr.?	14:23:18
23	A Without looking at a picture of him, I	14:23:19
24	don't know because I believe there was two Lionel	14:23:23

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	whites, a Sr. and a Jr.	14:23:24
2	(Smith Deposition Exhibit 5 marked for	14:23:24
3	identification and attached to the transcript.)	14:23:24
4	Q So I'm going -- why don't we mark the next	14:23:26
5	exhibit. I think we're on 5. This goes DO-JOINT	14:23:29
6	007439 to 7443.	14:24:07
7	MR. RAUSCHER: Do you guys have all the	14:24:14
8	pages.	14:24:15
9	MR. MICHALIK: Yeah.	14:24:17
10	Q Do you recognize the -- well, do you see	14:24:33
11	the picture on the top-right corner?	14:24:35
12	A Yes, I do.	14:24:37
13	Q Do you recognize the person in that	14:24:38
14	picture?	14:24:39
15	A Vaguely.	14:24:40
16	Q Do you remember anything about that	14:24:40
17	person?	14:24:42
18	A Not much at this present moment.	14:24:43
19	Q Do you remember anything about him?	14:24:46
20	A From the best of my memory of him -- like	14:24:48
21	I said, I don't have a clear memory of him. I	14:24:53
22	believe that he was involved in some type of drug	14:24:56
23	activity.	14:24:59
24	Q Why do you believe he was involved in some	14:24:59

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	kind of drug activity?	14:25:03
2	A From the best of my memory, I recall	14:25:04
3	either from Sergeant Watts or possibly other	14:25:06
4	members of my team that he was involved in some	14:25:09
5	type of drug activity.	14:25:13
6	Q Buying? Selling?	14:25:14
7	A As I sit here today, I don't recall what	14:25:19
8	his specific role was.	14:25:22
9	Q Do you remember the person or people who	14:25:23
10	told you that he was involved in drugs in some	14:25:26
11	fashion?	14:25:29
12	A As I stated before, I don't recall	14:25:29
13	exactly, but it had to be either Sergeant Watts or	14:25:31
14	possibly other members of my team.	14:25:35
15	Q It's not something that you came upon	14:25:37
16	independently?	14:25:41
17	A From the best of my memory, no.	14:25:41
18	Q Do you see it says Lionel White, Pig, in	14:25:44
19	the top left-hand corner?	14:25:46
20	A Yes, I do?	14:25:47
21	Q Do you remember anyone known as Pig in	14:25:47
22	Ida B. Wells?	14:25:50
23	A Sitting here today, from the best of my	14:25:51
24	knowledge, no.	14:25:55

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

194

1	Q Do you remember being involved in the	14:25:55
2	arrest of Lionel White, Jr., on July 23rd, 2006?	14:25:59
3	A As I'm sitting here today, I don't recall	14:26:03
4	this arrest.	14:26:06
5	Q Did you look at this arrest report to	14:26:07
6	prepare for your deposition today?	14:26:09
7	A I do believe I did.	14:26:11
8	Q And did looking at it then or looking at	14:26:13
9	it now refresh your recollection at all about the	14:26:15
10	arrest?	14:26:20
11	A No, it does not.	14:26:20
12	Q Do you see, if you look at the last page,	14:26:21
13	you're listed as an assisting arresting officer?	14:26:21
14	A That's correct.	14:26:26
15	Q What does it mean to be an assisting	14:26:26
16	arresting officer?	14:26:32
17	A That I assisted in this arrest in some	14:26:34
18	type of fashion.	14:26:36
19	Q Do you know how you assisted in the	14:26:37
20	arrest?	14:26:40
21	A Looking at this report and from the best	14:26:40
22	of my memory, I don't recall.	14:26:43
23	Q What are the different ways that people	14:26:44
24	can assist an arrest that would get them on a	14:26:47

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

195

1 report as an assisting arresting officer? 14:26:50

2 A Once a person is placed in custody, you 14:26:53
3 can assist them by transporting the arrestee to 14:26:57
4 the district for processing. You could also 14:27:03
5 assist your fellow teammates or other officers 14:27:08
6 either by watching the prisoner as they prepare 14:27:14
7 the reports, helping out by writing the complaint 14:27:17
8 that needs to be -- the complaint form, or do 14:27:20
9 inventories, or by possibly doing searches of the 14:27:24
10 prisoner. 14:27:32

11 Q Was Kallatt Mohammed your partner on the 14:27:32
12 day of this arrest? 14:27:37

13 A That's what's stated on the report, yes. 14:27:38

14 Q Why is he the attesting officer? 14:27:42

15 A I saw -- 14:27:48

16 MR. MICHALIK: Objection; foundation. 14:27:48

17 A Referring to page 3, I saw that when I 14:27:51
18 over-looked the report, but I have no idea sitting 14:27:54
19 here today. 14:27:57

20 Q I'm sorry. I missed -- I think I missed 14:27:58
21 some of the words. 14:28:00

22 You saw that something the report? 14:28:01

23 A I saw that in the report on page 3. 14:28:03

24 Q Okay. 14:28:05

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A But sitting here today, I cannot give you	14:28:05
2	an answer for that.	14:28:09
3	Q Is the assist -- is it consistent with	14:28:10
4	your training to have the attesting officer not be	14:28:13
5	one of the first or second arresting officers?	14:28:17
6	A No, not based on my memory in the academy.	14:28:20
7	Maybe -- if he was the attesting officer, he	14:28:26
8	probably wrote this report, but I have no	14:28:29
9	indication.	14:28:32
10	Q Why do you think that if he was the	14:28:33
11	attesting officer, he probably wrote this report?	14:28:35
12	A Because the attesting officer, from the	14:28:38
13	best of my memory of how these arrest reports were	14:28:41
14	prepared, was the one who completed the report.	14:28:45
15	Q Why is it that the attesting officer was	14:28:50
16	the one who completed the report?	14:28:54
17	A Again, like I said, I don't remember	14:28:56
18	because I'm not listed as the first or second	14:28:59
19	arresting officer, only an assisting officer; and	14:29:03
20	as I stated before, I don't have a memory of this	14:29:06
21	particular arrest, and I have no idea.	14:29:08
22	Q Generally, why is it that the attesting	14:29:12
23	officer is the one who is supposed to create the	14:29:15
24	report?	14:29:17

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

197

1	MR. MICHALIK: Object to the form.	14:29:18
2	A As I stated before, I don't think I stated	14:29:21
3	specifically that the attesting officer would be	14:29:24
4	the one to create the report. Maybe Mohammed was	14:29:26
5	assisting in preparing this report for Alvin Jones	14:29:29
6	and Brian Bolton, who are listed as the first	14:29:34
7	arresting -- first and second arresting officers.	14:29:37
8	BY MR. RAUSCHER:	14:29:37
9	Q Is it fair to say you don't really have	14:29:47
10	any idea why Mohammed is listed as the attesting	14:29:49
11	officer?	14:29:52
12	A As I'm sitting here today, I do not know.	14:29:52
13	Q Is it unusual that he was your partner	14:29:55
14	that day, he's the attesting officer, and you're	14:29:58
15	not the first or second arresting officer?	14:30:00
16	MR. MICHALIK: Object to the form.	14:30:02
17	A As I stated before, I do not have a	14:30:04
18	mem- -- I do not have any memory of this arrest,	14:30:08
19	and I do not recall, so I cannot answer that	14:30:09
20	question.	14:30:13
21	Q So you can't answer whether generally you	14:30:13
22	think it's unusual to have the attesting officer's	14:30:15
23	partner not be listed as the first or second	14:30:18
24	arresting officer?	14:30:21

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

198

1	MR. MICHALIK: Object to form.	14:30:22
2	A Generally, it's not -- I wouldn't say it's	14:30:24
3	unusual. I mean, it could be looked at as being	14:30:26
4	unusual; but like I said, maybe Mohammed was	14:30:31
5	assisting Jones and Bolton in writing this report.	14:30:33
6	That doesn't mean that he -- just because you are	14:30:37
7	the attesting officer doesn't mean that you made	14:30:39
8	the observations or the recovery which was made in	14:30:42
9	this arrest.	14:30:46
10	He was probably helping them out writing	14:30:48
11	this report; but then again, I don't have any	14:30:51
12	memory of what happened that day. You would have	14:30:53
13	to either ask Officer Bolton or Officer Jones.	14:30:56
14	BY MR. RAUSCHER:	14:30:56
15	Q Do you see that the attesting officer	14:31:02
16	declares under penalty of perjury that the facts	14:31:06
17	stated in the report are accurate to the best of	14:31:06
18	their knowledge, information, and/or belief?	14:31:10
19	A Yes, I do.	14:31:13
20	Q How would the attesting officer make that	14:31:14
21	statement under oath if they didn't know that the	14:31:16
22	facts were true?	14:31:19
23	MR. MICHALIK: Object to form.	14:31:20
24	A Maybe talked to Jones and Bolton. I can	14:31:25

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

199

1	only assume, but I do not know.	14:31:26
2	BY MR. RAUSCHER:	14:31:26
3	Q Why would Jones or Bolton need help	14:31:27
4	writing an arrest report?	14:31:31
5	MR. MICHALIK: Objection; form,	14:31:33
6	foundation.	14:31:34
7	A Like I said, I do not speak for Officer	14:31:36
8	Jones or Bolton, so I have no idea, not having a	14:31:38
9	memory of what happened on this particular arrest.	14:31:41
10	Q Do you see the narrative, it says, "This	14:31:42
11	is an arrest by tact units 246B, C, and D"?	14:31:47
12	A Yes, I do.	14:31:52
13	Q Does that mean that you witnessed the	14:31:53
14	arrest and didn't just assist in some other way?	14:31:55
15	MR. MICHALIK: Object to form and	14:32:00
16	foundation.	14:32:01
17	A According to this report, it doesn't	14:32:02
18	specify what our roles was.	14:32:04
19	Q Should the report have specified what	14:32:05
20	people's roles were?	14:32:08
21	MR. MICHALIK: Form; foundation.	14:32:09
22	A Again, you would have to talk to Officer	14:32:11
23	Jones or Bolton.	14:32:13
24	Q Well, in your opinion as an experienced	14:32:14

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

200

1	police officer, should this report have indicated	14:32:16
2	what different people's roles were?	14:32:18
3	MR. MICHALIK: Object to form.	14:32:20
4	A Again, like I said, if I authored it,	14:32:22
5	maybe I probably would have; but, again, that does	14:32:24
6	not mean that there was anything false or anything	14:32:26
7	unusual with this report. Again, like I said, I	14:32:29
8	did not author the report. You have to ask	14:32:33
9	Officer Jones or Bolton.	14:32:35
10	BY MR. RAUSCHER:	14:32:35
11	Q Why would you have included more	14:32:37
12	information in the report if you would have been	14:32:39
13	the author?	14:32:41
14	A I'm certain at some point in time that all	14:32:41
15	of us probably made unintentional mistakes on the	14:32:44
16	reports, like I said, but I cannot answer for	14:32:49
17	someone else. I can't explain why someone else	14:32:51
18	wrote a report differently than what I may have	14:32:56
19	wrote -- written a report.	14:32:58
20	Q Did your team ever talk about how to write	14:32:58
21	reports or about what information should be in the	14:33:00
22	reports?	14:33:03
23	A As I sit here today, I don't recall that.	14:33:03
24	Q Do you ever recall reviewing someone	14:33:05

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

201

1	else's report that they wrote?	14:33:08
2	A As I sit here today, I don't have a	14:33:09
3	memory; but I'm certain I probably have.	14:33:11
4	Q Do you ever remember looking at a report	14:33:12
5	that you reviewed while you were on the tac team	14:33:15
6	and saying, This doesn't have all the information	14:33:17
7	that I think should be in there?	14:33:20
8	A As I sit here today, I don't recall.	14:33:21
9	Q You kept saying that I'd have to ask Jones	14:33:23
10	or Bolton questions about this report.	14:33:25
11	Why not Mohammed?	14:33:29
12	A Well, as far as I know, I'm aware that	14:33:29
13	officer Mohammed -- I'm sorry -- not Officer	14:33:33
14	Mohammed but Kallatt Mohammed has not agreed to	14:33:36
15	testify in this proceeding. So that's why. Jones	14:33:40
16	and Bolton are still on the Chicago Police	14:33:45
17	Department.	14:33:49
18	Q I see. You're saying that because	14:33:49
19	Mohammed is taking the Fifth, you assume I can't	14:33:53
20	get information from him about this?	14:33:55
21	A I don't know. I'm not -- if he pled -- if	14:33:57
22	he's pleading the Fifth, then I'm assuming that	14:34:01
23	he's not agreeing to cooperate.	14:34:04
24	Q You're saying -- I'm sorry -- let me --	14:34:07

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

202

1	are you saying you know he's taking the Fifth or	14:34:09
2	you don't know?	14:34:13
3	A I was -- from what I was told that he -- I	14:34:13
4	have heard that he was pleading the Fifth.	14:34:16
5	Q And did that information come from your	14:34:18
6	lawyers or somebody else?	14:34:20
7	MR. MICHALIK: Objection.	14:34:21
8	Q I'm not trying to ask -- I'm actually not	14:34:22
9	trying to get your conversation with your lawyers.	14:34:24
10	I just didn't have a better way to ask that.	14:34:26
11	Have you talked about Mohammed pleading	14:34:29
12	the Fifth or cooperating with anyone other than	14:34:31
13	your lawyers?	14:34:33
14	A No, I have not.	14:34:33
15	Q Okay. Did you have any certain pattern or	14:34:34
16	order of how -- the way you'd list people as	14:34:55
17	assisting officers?	14:34:59
18	A As I sit here today, to the best of my	14:35:00
19	memory, I do not. Again, based -- it would be	14:35:03
20	based on the circumstances that led to the	14:35:08
21	incident.	14:35:11
22	Q And maybe I can try to clarify that	14:35:12
23	question. I meant -- so this one has four	14:35:14
24	assisting arresting officers.	14:35:17

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

203

1	When you create reports with multiple	14:35:21
2	assisting arresting officers, was there any -- did	14:35:25
3	the order in which they were listed signify	14:35:25
4	anything?	14:35:29
5	A To the best of my knowledge, no.	14:35:29
6	Q I mentioned earlier we're going to cover	14:35:32
7	Lionel White, Sr.'s case the next time we talk;	14:35:54
8	but when you -- when Lionel White, Jr., was	14:35:57
9	arrested, did you know one way or the other	14:36:00
10	whether Lionel White, Sr., had filed any sort of	14:36:01
11	complaints against Watts or anyone on the team?	14:36:04
12	A As I sit here today, from best of my	14:36:07
13	memory, no, I do not.	14:36:10
14	Q You don't know one way or the other, or	14:36:11
15	you didn't know?	14:36:12
16	A As I stated, I do not -- from the best of	14:36:13
17	my memory, I do not know. I do not know.	14:36:18
18	Q You don't know one way or the other	14:36:20
19	whether at the time you knew that Lionel White,	14:36:22
20	Sr., had filed a complaint?	14:36:25
21	A As I sit here today, I do not recall.	14:36:26
22	Q Okay. Do you remember Anthony McDaniels?	14:36:29
23	A As I sit here today, I don't recall.	14:36:40
24	Q Did you see a picture of Anthony McDaniels	14:36:43

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

204

1	preparing for your deposition today?	14:36:47
2	A I'm not certain.	14:36:48
3	(Smith Deposition Exhibit 6 marked for	14:36:48
4	identification and attached to the transcript.)	14:36:49
5	Q All right. We're going to mark Exhibit 6,	14:36:49
6	DO-JOINT 005727 to 5731.	14:36:52
7	Have you had a chance to look this report	14:38:09
8	over?	14:38:11
9	A Yes. When you initially asked me did I	14:38:12
10	have a chance to look at this report prior to	14:38:15
11	coming here today, I did. I just didn't recall at	14:38:18
12	the present moment.	14:38:20
13	Q I might have even just asked you if you	14:38:20
14	looked at his picture.	14:38:21
15	A Okay.	14:38:22
16	Q I guess the picture is on the report.	14:38:23
17	A Yes.	14:38:25
18	Q Do you recognize the person pictured in	14:38:25
19	the top-right corner of the first page?	14:38:28
20	A As I'm sitting here today, no, I do not.	14:38:30
21	Q Do you -- does looking at this report	14:38:35
22	refresh your recollection about Anthony McDaniels'	14:38:37
23	November 21st, 2008, arrest?	14:38:40
24	A As of today, no?	14:38:40

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

205

1	Q And does it refresh your recollection	14:38:43
2	about whether you knew Anthony McDaniels?	14:38:44
3	A As of today right now, no.	14:38:49
4	Q Are there any other documents that you can	14:38:51
5	think of that might refresh your recollection?	14:38:54
6	A At the present moment, no.	14:38:55
7	Q You see it talks about the recovery of a	14:38:57
8	blue steel Glock, orange barrel?	14:39:09
9	A Yes.	14:39:16
10	Q Is blue steel a common finish on guns that	14:39:16
11	you've recovered or that were recovered while you	14:39:22
12	were a tac team member?	14:39:23
13	A From the best of my knowledge, that's the	14:39:24
14	way we were told -- instructed or taught to report	14:39:28
15	the description of the weapon at the police	14:39:34
16	academy, distinguish between blue steel or chrome	14:39:39
17	finish.	14:39:42
18	Q So there were two different types of	14:39:42
19	finishes.	14:39:47
20	You could write blue steel or chrome?	14:39:47
21	A Yes. It depends on the finish of the	14:39:49
22	weapon.	14:39:52
23	Q You see the top of the narrative says, "In	14:39:53
24	summary R/Os were on a narcotics surveillance in	14:39:59

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

206

1	the vicinity of 5600 South Prairie."	14:40:02
2	A Yes, I do.	14:40:06
3	Q And where is -- well, is 5600 South	14:40:07
4	Prairie in the same area as Ida B. Wells?	14:40:17
5	A No, it is not.	14:40:19
6	Q How far away is it from Ida B. Wells?	14:40:21
7	A I cannot tell you exactly.	14:40:24
8	Q Were you still on the Watts tac team in	14:40:26
9	November 2008?	14:40:29
10	A As of this report -- according to this	14:40:31
11	report, yes. I was listed as an assisting	14:40:39
12	officer. So yes, I would assume that I was still	14:40:42
13	a part of the team.	14:40:44
14	Q And we may have covered this. I don't	14:40:45
15	know that we got on an exact answer.	14:40:48
16	But do you remember when you left the	14:40:49
17	team?	14:40:50
18	A I don't remember the exact date that I	14:40:50
19	left his team.	14:40:53
20	Q Do you remember the year?	14:40:53
21	A I don't recall.	14:40:55
22	Q Do you see -- it looks like you were on	14:40:57
23	beat 246A that day?	14:41:07
24	A That's what it states in this report.	14:41:09

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

207

1	Q And do you see in the report that it says,	14:41:10
2	"Beat 274A located said vehicle at 5720 South King	14:41:12
3	Drive in the west alley unoccupied. Beat 264A	14:41:18
4	relocated the vehicle to the 002 District." It's	14:41:22
5	way at the end.	14:41:29
6	A Yes, I see that in the report.	14:41:29
7	Q Do you know how the vehicle was relocated?	14:41:34
8	A As I sit here today, I do not recall this	14:41:38
9	arrest or anything in particular --	14:41:43
10	Q So you don't know -- sorry.	14:41:44
11	A -- with this incident.	14:41:46
12	Q You don't know whether you were the person	14:41:48
13	or one of the people who relocated the vehicle?	14:41:50
14	A As I'm sitting here today, I have no	14:41:53
15	memory.	14:41:56
16	Q Do you know whether the vehicle was towed	14:41:56
17	from 57 South 20 or moved in some other way?	14:41:58
18	A As I stated before, I do not have a memory	14:42:03
19	of this incident.	14:42:06
20	Q Do you recall ever driving a civilian's	14:42:07
21	car while you were a police officer?	14:42:10
22	A As I'm sitting here today, I don't	14:42:11
23	remember the exact date and times, but I'm certain	14:42:15
24	I may have.	14:42:15

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

208

1	Q And what were the circumstances in which	14:42:18
2	you would be driving a civilian's car?	14:42:22
3	A I'll give you an example. If I'm doing	14:42:23
4	the traffic stop, and that particular person is	14:42:24
5	driving on a revoked or suspended license and does	14:42:27
6	not have any insurance, we're going to tow it in	14:42:31
7	to impound their vehicle.	14:42:35
8	Q You tow -- I'm sorry. Go ahead.	14:42:35
9	A You're going to tow and impound the	14:42:39
10	vehicle; and at that point in time, the subject or	14:42:40
11	the driver of that vehicle is unable to drive. So	14:42:42
12	you're going to drive the vehicle in.	14:42:46
13	Q And then -- so you drive it in somewhere,	14:42:48
14	and then it's towed?	14:42:51
15	A You're going to drive it into the district	14:42:52
16	where you're assigned to.	14:42:54
17	Q And then is it towed from there?	14:42:55
18	A Yes, it is.	14:42:58
19	Q All right. And then do you ever recall	14:42:59
20	moving someone's car after they were arrested for	14:43:03
21	something other than having, like, a suspended	14:43:06
22	license or no insurance?	14:43:09
23	A I'm certain. I can't think of anything	14:43:10
24	off the top of my head; but like I said, not	14:43:15

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

209

1 having a memory of this arrest or this incident, I 14:43:16
2 can't state -- say at this particular time. 14:43:19

3 Q And why are you certain that there are 14:43:21
4 other types of reasons why you would have moved 14:43:28
5 someone's car in your career? 14:43:30

6 A As I stated, there are probably several 14:43:32
7 reasons. I can't think of any other reasons at 14:43:36
8 this particular time that I can think of, but 14:43:38
9 there are particular moments where you can tow the 14:43:39
10 person's car. 14:43:42

11 Q Do you remember ever towing a car -- I'm 14:43:43
12 sorry -- not towing a car. So I'm not talking 14:43:47
13 having a tow truck come to do it. I'm talking 14:43:49
14 about you doing it. 14:43:52

15 Is that what you're saying? 14:43:53

16 A Well, repeat your questions. I'm not 14:43:54
17 exactly certain what you were trying to state. 14:43:57

18 Q I think you said that one reason that you 14:44:00
19 would have been driving -- you personally would 14:44:02
20 have driven a civilian's car was if you arrested 14:44:04
21 them for driving without -- with a suspended 14:44:07
22 license or not having insurance? 14:44:08

23 A I was giving you an example. 14:44:10

24 Q Right. You're saying in that situation, 14:44:12

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

210

1	you personally would get in their car, you'd drive	14:44:14
2	it to the station, and then it would be towed from	14:44:16
3	the station?	14:44:18
4	A Yes. And it's not uncommon from my	14:44:18
5	experience as a law enforcement officer.	14:44:21
6	Q And what I want to know is are there any	14:44:22
7	other situations other than that one that you can	14:44:24
8	think of when you, as an officer, would have been	14:44:28
9	driving a civilian's car?	14:44:30
10	A As I stated before, I can't think of any	14:44:32
11	right now, but it's not uncommon to drive	14:44:34
12	someone's car in to tow the vehicle.	14:44:37
13	Q Drive it in so that it can be towed?	14:44:37
14	A Yes.	14:44:40
15	Q Do you remember ever driving in someone's	14:44:40
16	car so that it can be towed when the car was	14:44:44
17	unoccupied when you went there?	14:44:47
18	A I don't understand your question.	14:44:49
19	Q So the example that you gave, I think, is	14:44:50
20	you pulled someone over, and you find out they	14:44:53
21	don't have insurance and a license; right? So	14:44:58
22	when you saw them at first, they were in the car;	14:45:01
23	correct? Is that right?	14:45:04
24	A I don't understand your question.	14:45:04

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

211

1	Q That's the first half of it. I'm going to	14:45:08
2	try to do -- all right.	14:45:13
3	In the situation you described where you	14:45:13
4	would have moved someone's car, did that incident	14:45:16
5	start with you observing that person inside of	14:45:19
6	their car?	14:45:21
7	A I think I stated, when I gave an example,	14:45:22
8	if someone was driving on a suspended or revoked	14:45:24
9	license.	14:45:27
10	Q Right. I guess I'm trying to contrast	14:45:28
11	that situation where you have observed someone	14:45:31
12	driving their car to see if there were any	14:45:34
13	situations where you remember where you moved a	14:45:36
14	civilian's car where the incident from your point	14:45:38
15	of view started with the car being unoccupied	14:45:41
16	completely?	14:45:44
17	A As I'm sitting here today, I don't recall.	14:45:44
18	Q You don't recall doing that?	14:45:47
19	A Sitting here today, I do not recall doing	14:45:49
20	that.	14:45:53
21	Q Were you involved in proceedings relating	14:45:53
22	to Mr. McDaniels' arrest at all after	14:45:58
23	November 21st, 2008?	14:46:02
24	A From the best of my memory, no.	14:46:03

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

212

1	Q Do you remember Frank Saunders?	14:46:05
2	A As I'm sitting here today, no, I do not.	14:46:38
3	Q Do you remember Catrina Bonner?	14:46:41
4	A As I'm sitting here today, no, I do not.	14:46:47
5	(Smith Deposition Exhibit 7 marked for	14:46:47
6	identification and attached to the transcript.)	14:46:51
7	Q We're going to mark Exhibit 7, DO-JOINT	14:46:51
8	006076 through 6080.	14:47:00
9	Do you see the picture up in the top	14:47:03
10	right-hand corner of this report?	14:48:11
11	A Yes, I do.	14:48:12
12	Q Do you recognize the person in that	14:48:13
13	picture?	14:48:14
14	A As of today, no.	14:48:15
15	Q This is a report of an arrest from	14:48:17
16	March 28th, 2007.	14:48:22
17	Do you see that?	14:48:23
18	A Yes, I do.	14:48:24
19	Q Do you have any memory of being involved	14:48:25
20	in this arrest at all?	14:48:27
21	A No, I do not. As of today, I do not have	14:48:28
22	a memory of this arrest.	14:48:31
23	Q You don't have any way to determine what	14:48:33
24	role, if any, you had in the arrest?	14:48:49

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

213

1	A As of today, from my memory, I do not	14:48:52
2	other than looking at the report, which states	14:48:56
3	that I'm an assisting officer.	14:48:58
4	Q And that can mean many things, including	14:48:59
5	that you didn't see it at all?	14:49:03
6	A It can mean many things. Like I said, I	14:49:04
7	do not recall.	14:49:07
8	(Smith Deposition Exhibit 8 marked for	14:49:07
9	identification and attached to the transcript.)	14:49:10
10	Q All right. We're going to mark the vice	14:49:10
11	case report as Exhibit 8, and that's PL JOINT	14:49:26
12	026998 to PL JOINT 026999.	14:49:33
13	Do you know why your name is not listed on	14:50:48
14	this report at all?	14:50:55
15	A No, I do not.	14:50:56
16	Q If you had seen any part of the arrest or	14:50:58
17	the incident described in the narrative, should	14:51:03
18	your name have been listed in the report?	14:51:05
19	MR. MICHALIK: Object to form.	14:51:09
20	A If I'm listed as an assisting officer --	14:51:14
21	as I stated before, and I did not write this	14:51:17
22	report -- does not mean that I witnessed the exact	14:51:21
23	events as it occurred. It might mean that I	14:51:23
24	witnessed at some point in time something	14:51:26

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

214

1	involving the nature of this arrest.	14:51:29
2	But there again, I did not author this	14:51:31
3	report, I do not recall this incident, and I	14:51:34
4	cannot speak for Kallatt Mohammed or Officer	14:51:38
5	Lewis.	14:52:04
6	MR. STEFANICH: Let's take a break.	14:52:04
7	MR. RAUSCHER: Yeah, of course.	14:52:06
8	THE VIDEOGRAPHER: Off the record, 2:52.	14:52:08
9	(A recess was taken from 2:52 p.m. to	14:58:06
10	2:58 p.m.)	14:58:06
11	THE VIDEOGRAPHER: Back on the record	14:58:06
12	2:58.	14:58:10
13	BY MR. RAUSCHER:	14:58:10
14	Q When you were on the Watts team, were	14:58:10
15	there any members of the team that did not get	14:58:12
16	along with each other?	14:58:15
17	A To the best of my memory, not that I	14:58:17
18	recall.	14:58:19
19	Q Do you recall any tension between team	14:58:19
20	members while you were on the Watts team?	14:58:23
21	A As I sit here today, I don't recall, but	14:58:25
22	there might have been.	14:58:28
23	Q Why do you think there might have been?	14:58:29
24	A Just my experience as a police officer,	14:58:31

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

215

1	just because you work with someone don't mean that	14:58:36
2	you get along with them.	14:58:39
3	Q That's just a general observation about	14:58:40
4	your experience as a police officer, not anything	14:58:43
5	specific about the Watts team?	14:58:46
6	A That's just my experience, not anyone	14:58:47
7	else's.	14:58:51
8	Q Do you remember you having any tension	14:58:51
9	with any members of the Watts team?	14:58:54
10	A I'm sure I have. I can't recall anything	14:58:56
11	that in particular stands out in my mind.	14:59:00
12	Q Do you recall any people who you had	14:59:01
13	tension with on the Watts team?	14:59:03
14	A Yeah, I could recall a few people.	14:59:04
15	Q Tell me which people you recall having	14:59:07
16	tension with on the Watts team.	14:59:10
17	A Probably everyone on the team.	14:59:10
18	Q But do you remember any reasons for the	14:59:11
19	tension?	14:59:16
20	A No, I don't. Sitting here today, I don't	14:59:16
21	recall any particular incidents or moments that	14:59:21
22	occurred.	14:59:24
23	Q Did you have more tension with members of	14:59:24
24	the Watts team than you did with other coworkers	14:59:27

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

216

1	over the years on the police force?	14:59:30
2	A I wouldn't say any more or less.	14:59:32
3	Q Have you always had tension with	14:59:35
4	colleagues on the CPD?	14:59:38
5	A I'm not going to say how many incidents	14:59:39
6	I've had occur. Yes, I've had moments of tension	14:59:43
7	with other police officers.	14:59:46
8	Q Do you remember Shaun James or Taurus	14:59:47
9	Smith?	14:59:54
10	A Yes, I do.	14:59:55
11	Q And what do you remember about Shaun James	14:59:56
12	and Taurus Smith?	14:59:59
13	A From what I remember of them, they were	15:00:00
14	drug dealers.	15:00:03
15	Q Do you remember anything specific about	15:00:04
16	them?	15:00:10
17	A Sitting here today, nothing in particular.	15:00:11
18	Q Can you describe either of them?	15:00:13
19	A It's been many years ago, vaguely. Shaun	15:00:15
20	James, I think, his nickname was Smoke. I think	15:00:22
21	he's about 5-foot-7, 5-foot-9, African-American, I	15:00:26
22	think medium complexion. I think he wore his hair	15:00:33
23	like in a box style fade or hairdo. I don't think	15:00:37
24	he weighed no more than 150 pounds.	15:00:42

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

217

1	Q What about Taurus Smith?	15:00:45
2	A Taurus Smith at that time -- I'm sure his	15:00:52
3	appearance might have changed. I think he was	15:00:55
4	much younger. I think he was in his teens or	15:00:57
5	possibly early 20s, African-American male. From	15:01:00
6	what I remember him at that time, he was light	15:01:05
7	complexioned, wore his hair in some type of braids.	15:01:07
8	I don't think he was -- I think he was between the	15:01:12
9	height of 5-foot-5 and 5-foot-7, weighing no more	15:01:15
10	than 170 pounds.	15:01:21
11	Q Do you remember arresting either of them?	15:01:22
12	A Sitting here as -- at this moment, I don't	15:01:26
13	know, possibly.	15:01:29
14	Q Do you remember ever seeing either Shaun	15:01:30
15	James or Taurus Smith engage in any drug-related	15:01:38
16	activity?	15:01:42
17	A As I'm sitting today, I don't recall any	15:01:42
18	specific moments, but I'm certain possibly I may	15:01:46
19	have.	15:01:48
20	Q What does it mean to say "I'm certain	15:01:48
21	possibly I may have"?	15:01:50
22	A It's possible that I may have.	15:01:50
23	Q You might or might not have?	15:01:53
24	A I don't recall at this particular moment.	15:01:56

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

218

1	Q What's the basis for your belief that	15:01:58
2	Shaun James and Taurus Smith were involved in the	15:02:02
3	drug trade?	15:02:06
4	A From the best of my memory, I recall them	15:02:07
5	being -- I had a prior knowledge or from members	15:02:09
6	of my team that they sold drugs.	15:02:12
7	Q Do you remember any conversations you had	15:02:15
8	with any particular team members about them	15:02:17
9	selling drugs?	15:02:20
10	A Nothing in particular stands out in my	15:02:21
11	mind at this moment.	15:02:24
12	(Smith Deposition Exhibit 9 marked for	15:02:24
13	identification and attached to the transcript.)	15:02:24
14	BY MR. RAUSCHER:	15:02:24
15	Q I'll mark as Exhibit 9 City-BG-052340.	15:02:38
16	This is a report of an arrest from April 3rd,	15:03:17
17	2004.	15:03:20
18	Were you working on the Watts team in	15:03:22
19	April of 2004?	15:03:27
20	A No, I was not. I was assigned to the 3rd	15:03:27
21	District.	15:03:31
22	Q And I think we've already covered this, at	15:03:32
23	least generally; but is there any way you were	15:03:34
24	detailed or assigned to or even temporarily put in	15:03:36

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

219

1	the 2nd District for April 3rd, 2004?	15:03:40
2	A No. As I stated before, in April 2004, I	15:03:42
3	did not know Sergeant Watts or any members of the	15:03:47
4	264 team.	15:03:50
5	Q So your knowledge of Taurus Smith and	15:03:50
6	Shaun James came sometime after April of 2004?	15:03:54
7	A From the best of my memory, it would have	15:03:57
8	to be.	15:03:59
9	Q Did you know any people involved in the	15:04:00
10	drug trade in Ida B. Wells before you worked in	15:04:02
11	Ida B. Wells?	15:04:06
12	A No, sir.	15:04:07
13	Q Do you know who Christopher Scott is?	15:04:08
14	A As I'm sitting here today, to the best of	15:04:34
15	my memory, I do not.	15:04:38
16	(Smith Deposition Exhibit 10 marked for	15:04:38
17	identification and attached to the transcript.)	15:04:38
18	Q All right. We're going to mark Exhibit	15:04:42
19	10, CITY-BG-032187 through 032191.	15:04:46
20	Have you had a chance to look at this	15:04:55
21	report?	15:05:35
22	A Yes, I did.	15:05:35
23	Q Have you seen this report before today?	15:05:36
24	A I think I -- I believe I did.	15:05:38

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

220

1	Q And did looking at this report refresh	15:05:40
2	your recollection about the arrest of Christopher	15:05:44
3	Scott on April 4th, 2006?	15:05:47
4	A No, it does not.	15:05:49
5	But prior to looking at this report, when	15:05:51
6	you asked me did I remember Christopher Scott,	15:05:53
7	without looking at his photo, I was unaware of	15:05:57
8	him. But I am aware who he is now; and looking at	15:06:00
9	his name and his street name, Greedy, I am aware	15:06:04
10	of who he is.	15:06:09
11	Q All right. And did looking at his photo	15:06:10
12	on City-BG-032187 refresh your recollection?	15:06:13
13	A It does not refresh my recollection of the	15:06:17
14	arrest.	15:06:21
15	Q It does not, you said?	15:06:22
16	A No, it does not.	15:06:23
17	Q Did it refresh your recollection about	15:06:24
18	just knowing who he was generally?	15:06:26
19	A Just reflect -- refresh my memory of who	15:06:28
20	he was.	15:06:31
21	Q And in what way did it refresh your	15:06:31
22	recollection about Mr. Scott?	15:06:34
23	A Mr. Scott, as I recall, like I said, his	15:06:35
24	street name was Greedy. He was a drug dealer in	15:06:39

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

221

1	Ida B. Wells.	15:06:43
2	Q How do you know he was a drug dealer in	15:06:43
3	Ida B. Wells?	15:06:45
4	A From either prior experience with him or	15:06:46
5	from other members of my team.	15:06:48
6	Q Do you remember having any experience with	15:06:50
7	him personally?	15:06:55
8	A Personally, no.	15:06:56
9	Q And do you remember anyone on your team	15:06:57
10	telling you Mr. Scott was a drug dealer?	15:07:00
11	A As I stated before, yes, either from	15:07:02
12	personal experience or from other members,	15:07:06
13	possibly, on my team.	15:07:09
14	Q But you already said you didn't have	15:07:10
15	personal experience; right?	15:07:12
16	A Personal meaning in what regards?	15:07:13
17	Q Well, what do you mean when you say	15:07:16
18	personal experience -- from personal experience	15:07:20
19	you knew he was a drug dealer?	15:07:21
20	A My personal experience is -- that would be	15:07:22
21	the only personal experience I would have with him	15:07:25
22	in coming in contact with him as a police officer.	15:07:30
23	I wouldn't have any other personal experience with	15:07:33
24	him. If you mean was I a personal friend with him	15:07:35

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

222

1	or associated with him in any type of way, no.	15:07:38
2	Q What I mean is you said you either -- you	15:07:41
3	knew he was a drug dealer either from personal	15:07:43
4	experience or from other members of your team	15:07:46
5	telling you he was a drug dealer; right?	15:07:49
6	A Yes.	15:07:51
7	Q And then I asked if you had any personal	15:07:52
8	interactions with him, and you said no.	15:07:53
9	A Well, I misunderstood your question then.	15:07:55
10	Q Okay. Have you had any personal	15:07:57
11	interactions with Christopher Scott?	15:07:59
12	A Other than as a police officer pertaining	15:08:01
13	to my prior experience with him or possibly other	15:08:04
14	members of my team, no.	15:08:07
15	Q What does that mean?	15:08:08
16	A Other than my personal experience with him	15:08:10
17	as a police officer or from other members of my	15:08:13
18	team, I did not have a personal relationship with	15:08:16
19	him other than as a police officer.	15:08:20
20	Q Maybe I can try to clarify. I'm not --	15:08:21
21	when I said "personal experience," I did not mean	15:08:25
22	were you friends with him outside of work. I	15:08:28
23	meant did you ever have any interactions with him	15:08:30
24	that you remember as a police officer.	15:08:33

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

223

1	A As I'm sitting here today, I don't recall	15:08:35
2	specifically; but, like I said, I do recall from	15:08:37
3	prior experience working on -- also possibly from	15:08:41
4	other members of my team, that Mr. Scott sold	15:08:47
5	drugs in the Ida B. Wells.	15:08:49
6	Q All right. Is it fair to say that your	15:08:52
7	answer is you either -- you knew he was a drug	15:08:54
8	dealer either because you saw him selling drugs or	15:08:56
9	because someone on your team told you he was a	15:08:59
10	drug dealer, but you don't remember which of those	15:09:02
11	two, as you sit here today?	15:09:05
12	A As I'm sitting here today, I don't recall	15:09:05
13	specifically. It was either through my personal	15:09:09
14	experience or from what someone else on my team	15:09:10
15	told me.	15:09:10
16	Q And when you say it was either through my	15:09:13
17	personal experience --	15:09:14
18	A I don't recall one way or the other.	15:09:15
19	Q What does it mean to say it was through	15:09:16
20	your personal experience? What would that mean?	15:09:18
21	A Well, just looking at this report, that	15:09:20
22	would describe the personal experience that I had	15:09:25
23	with Mr. Scott. Although, I don't recall this	15:09:26
24	incident from this arrest.	15:09:30

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

224

1	Q So an example of a personal experience	15:09:31
2	would be seeing him involved in a drug	15:09:36
3	transaction.	15:09:38
4	A And as I sit here today, I do not recall	15:09:39
5	seeing him.	15:09:43
6	Q Do you recall how you got the information	15:09:46
7	that made you comfortable to be the attesting	15:09:56
8	officer relating to Mr. Scott's arrest?	15:10:01
9	A Like I said, I do not recall the specifics	15:10:03
10	of this arrest.	15:10:06
11	Q Do you know why Jones is the first	15:10:07
12	arresting officer and the victim and you are the	15:10:14
13	attesting officer?	15:10:18
14	A Like I said, going back over this report,	15:10:19
15	I do not know, although Officer Jones is listed as	15:10:24
16	the first arresting officer. I have no memory of	15:10:29
17	this incident, and I don't know why I am listed as	15:10:36
18	the attesting officer. Maybe I was assisting him	15:10:40
19	writing this report.	15:10:44
20	Q Do you know why he would have needed your	15:10:44
21	assistance writing a report?	15:10:47
22	A We were partners at some point in time.	15:10:49
23	So I'm just assuming. I do not have a memory.	15:10:52
24	Q Did the same person who created the vice	15:10:54

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

225

1	case report typically write the arrest reports?	15:11:00
2	MR. MICHALIK: Object to form.	15:11:02
3	A As I'm sitting here today, I don't recall	15:11:06
4	from this particular arrest, but it would not be	15:11:08
5	uncommon.	15:11:10
6	BY MR. RAUSCHER:	15:11:10
7	Q Would it be typically how it's done, the	15:11:11
8	person who writes the vice case report also writes	15:11:13
9	the arrest report?	15:11:16
10	MR. MICHALIK: Object to form.	15:11:19
11	Q While you were on the Watts tac team.	15:11:20
12	A As I'm sitting here today, I don't recall,	15:11:23
13	sir. As I said, it would not be uncommon if your	15:11:27
14	partner and yourself were writing a report.	15:11:28
15	Q You said you remember the nickname Greedy?	15:11:32
16	A Yes.	15:11:41
17	Q What do you remember about the nickname	15:11:42
18	Greedy?	15:11:44
19	A I remember hearing that name from other	15:11:45
20	members, possibly, on the 264 team that he was a	15:11:49
21	drug dealer in the Ida B. Wells.	15:11:53
22	Q He was arrested at 575 East Browning	15:11:54
23	Avenue?	15:12:01
24	A That's what's stated in this report.	15:12:01

Transcript of Elsworth Smith, Jr.
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1	Q	What type of building was that?	15:12:04
2	A	It was a CHA building.	15:12:06
3	Q	Was it another one of the mid-rise ones?	15:12:08
4	A	Yes, to the best of my memory.	15:12:10
5	Q	Those are the bigger buildings in Ida B.	15:12:11
6		Wells?	15:12:14
7	A	Yes, sir, from my knowledge -- from my	15:12:14
8		memory, yes.	15:12:16
9	Q	Is this report saying that you got up to	15:12:16
10		the third-floor landing and observed Christopher	15:12:20
11		Scott handing off drugs?	15:12:24
12	A	Like I said, I don't recall the arrest;	15:12:26
13		but what's in this report, I have no doubt that	15:12:29
14		this was a factual report.	15:12:32
15	Q	Why do you have no doubt that it's a	15:12:34
16		factual report?	15:12:36
17	A	Because I wouldn't have attested to this	15:12:37
18		report if any information in this report was	15:12:39
19		false.	15:12:42
20	Q	Do you have any explanation for why so	15:12:43
21		many convictions have been vacated?	15:12:50
22	MR. KOSOKO:	Objection; calls for legal	15:12:52
23		conclusion, vague, ambiguous, foundation, and	15:12:54
24		form.	15:12:58

Transcript of Elsworth Smith, Jr.
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1	A	No. My only speculation would probably be	15:13:01
2		from monetary gain.	15:13:04
3	BY MR. RAUSCHER:		15:13:04
4	Q	You think that the state's attorney's	15:13:09
5		office dismissed a bunch of charges and the courts	15:13:11
6		have vacated convictions for someone's monetary	15:13:14
7		gain?	15:13:17
8	A	Based on some of the allegations or	15:13:18
9		affidavits that I read and the accusations against	15:13:20
10		us, yes, because I know most of these accusations	15:13:23
11		are false.	15:13:27
12	Q	You would think -- you would think that	15:13:27
13		the plaintiffs were seeking monetary gain.	15:13:29
14	A	Yes.	15:13:32
15	Q	Do you have any -- any basis or any	15:13:32
16		explanation for why they were able to get all	15:13:34
17		their convictions vacated?	15:13:37
18	MR. STEFANICH:	Objection; form.	15:13:39
19		You can answer.	15:13:40
20	A	I have no clue. You would have to ask the	15:13:41
21		state's attorney's office.	15:13:45
22	Q	How were you able to get up to the third	15:13:45
23		floor without being noticed?	15:13:48
24	A	As I said, I don't recall this particular	15:13:50

Transcript of Elsworth Smith, Jr.
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1	arrest; but there were ways that we could do that.	15:13:53
2	It's not impossible for us to have done that.	15:13:56
3	Q What are the ways for how you could get up	15:13:58
4	to the third floor without being noticed?	15:14:01
5	A I said I don't recall each particular	15:14:03
6	time. We would sneak into the building.	15:14:05
7	Q How would you sneak into the building?	15:14:06
8	A As I'm sitting here today, I don't recall	15:14:08
9	each -- each incident that occurred, but there	15:14:11
10	have been many times that we have done it. I	15:14:13
11	don't recall the particular -- the specifics of	15:14:17
12	how we did it. It took a lot of ingenuity, I	15:14:19
13	would say, to do it.	15:14:26
14	Q What did you typically wear when you were	15:14:27
15	out on -- well, when you remember working on the	15:14:29
16	tac team?	15:14:34
17	A Civilian clothes.	15:14:34
18	Q What kind -- what civilian clothes?	15:14:36
19	A As I'm sitting here today, I can't	15:14:38
20	remember what type of clothing that myself or	15:14:42
21	other officers that were assigned to the 264 team	15:14:44
22	were wearing at that time. It depends on the	15:14:46
23	season.	15:14:49
24	Q What would you typically wear in the	15:14:52

Transcript of Elsworth Smith, Jr.
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1	spring?	15:14:58
2	A Like I said, I don't recall the particular	15:14:58
3	outfits or clothing, articles of clothing that we	15:15:02
4	wore that particular day. Like I said, we were	15:15:05
5	wearing civilian clothing.	15:15:08
6	Myself, I would try to dress as the drug	15:15:10
7	dealers were dressed.	15:15:14
8	Q And what was that, just generally?	15:15:15
9	A I'll give you a perfect example. During	15:15:17
10	that time, from the best of my memory, in the	15:15:20
11	spring and summertime, a lot of guys at that time,	15:15:22
12	I think, that was, like, in the early 2000s, were	15:15:25
13	wearing baggy jeans, Timberland boots, or, you	15:15:28
14	know, sneakers and long white T-shirts -- long	15:15:32
15	baggy white T-shirts.	15:15:36
16	I wore the same type of clothing in the	15:15:38
17	spring or the summer. Most of the time, not	15:15:41
18	always, but I would wear some type of baggy	15:15:43
19	clothing, especially the shirts and stuff which	15:15:45
20	were popular at that time, from the best of my	15:15:48
21	memory, because it was easy to conceal your vest	15:15:50
22	and your weapons.	15:15:54
23	Q When officers approached -- when officers	15:15:55
24	on your tac team would approach buildings in Ida	15:16:00

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1	B. Wells, did people commonly yell out "clean up"?	15:16:03
2	A Sometimes.	15:16:06
3	Q And what did clean up mean?	15:16:06
4	A It means that the police are on their way	15:16:07
5	or they're here.	15:16:09
6	Q Did that usually happen?	15:16:11
7	A A lot of times.	15:16:11
8	MR. MICHALIK: Object to the form.	15:16:13
9	A A lot of times it did.	15:16:15
10	Q You said it required a lot of ingenuity to	15:16:16
11	get up to the third floor without being noticed?	15:16:23
12	A That's correct.	15:16:27
13	Q Can you tell me what did you do? Like,	15:16:27
14	what kind of ingenuity?	15:16:29
15	A Sir, like I said, it was a long time ago.	15:16:31
16	We would just try to sneak in the best way we	15:16:35
17	could. To give you an example, like I said, I	15:16:37
18	don't remember the specifics, at nighttime it was	15:16:40
19	a lot easier. You know, we could blend in because	15:16:42
20	of the shadows and the darkness because a lot of	15:16:46
21	lights -- it was not a highly lit area.	15:16:49
22	So we used the darkness as our ally, or,	15:16:52
23	you know, as some type of form of concealment to	15:16:55
24	sneak into the building. Sometimes we might wear	15:16:58

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1	a baseball cap or whatever, might wear a hood over	15:17:03
2	our head. Something to try to, you know, blend in	15:17:06
3	or, you know, as I said, move within the shadows.	15:17:10
4	There was all types of different methods that we	15:17:12
5	used.	15:17:14
6	Q What were the lights like inside the	15:17:14
7	buildings?	15:17:17
8	A From the best of my memory, it was -- it	15:17:17
9	varied from building-to-building. Some buildings	15:17:20
10	didn't have lights in the lobby. Some of them	15:17:24
11	did. Some of them didn't have lights on certain	15:17:27
12	floors. Some of them did.	15:17:30
13	Q Would you say they were overall pretty	15:17:31
14	dimly lit?	15:17:33
15	A From the best of my knowledge, I can't	15:17:35
16	recall. Some were. Some wasn't. Some were.	15:17:37
17	Some wasn't.	15:17:39
18	Q Do you remember what the lighting was like	15:17:39
19	at 575 East Browning in April 2006?	15:17:43
20	A As of today, I can't recall.	15:17:46
21	Q Looking at the arrest report, can you tell	15:17:47
22	what time Mr. Scott was arrested on April 4th,	15:17:52
23	2006?	15:17:58
24	A According to this report, it says 1300	15:17:58

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	hours, which would make that 1:00 in the	15:18:01
2	afternoon.	15:18:04
3	Q All right. What are the ways that you	15:18:04
4	could get up to the third floor of 575 East	15:18:09
5	Browning at 1:00 in the afternoon without being	15:18:12
6	noticed?	15:18:14
7	A As I'm sitting here today, I don't recall	15:18:15
8	for that particular day.	15:18:18
9	Q What about any other day at 1:00 in the	15:18:19
10	afternoon?	15:18:22
11	A Like I said, it's hard to remember, but it	15:18:22
12	could be done. I'm just guessing. I don't --	15:18:24
13	couldn't tell you.	15:18:30
14	Q Well, how could it be done? What's your	15:18:30
15	best guess?	15:18:33
16	MR. MICHALIK: I'll object to form.	15:18:34
17	A A lot of times if we -- if someone spotted	15:18:40
18	us coming into the buildings and stuff like that,	15:18:42
19	we'd tell them, you know, don't say nothing. You	15:18:45
20	better not yell -- you know, give away our	15:18:47
21	position. You know, because that would be	15:18:49
22	interference with what we are doing as far as our	15:18:53
23	operations. So that's what we would tell them.	15:18:55
24	You know, don't call us out. You better not say	15:19:00

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	nothing.	15:19:03
2	BY MR. RAUSCHER:	15:19:03
3	Q Did that work?	15:19:03
4	A A lot of times it did. Some people would	15:19:04
5	run from us. Some people would still while	15:19:07
6	they -- as they're running away, yell, you know,	15:19:08
7	"51s" are here, whatever, "clean up," whatever	15:19:11
8	they would use -- say at that particular point in	15:19:14
9	time.	15:19:18
10	Q Other than tell people on the way up don't	15:19:18
11	say anything because you'd be interfering with an	15:19:20
12	investigation, any other ways you could think that	15:19:23
13	you'd get up to the third floor at 1:00 in the	15:19:25
14	afternoon without being noticed?	15:19:27
15	A As I'm sitting here today, I can't think	15:19:28
16	of anything right now. I'm certain there probably	15:19:30
17	are, but I can't remember how we did it at that	15:19:33
18	particular time.	15:19:35
19	Q What did the stairs look like in 575 East	15:19:35
20	Browning in April 2006?	15:19:39
21	A From the best of my knowledge, they were	15:19:41
22	concrete steps.	15:19:43
23	Q Was it quiet walking up them?	15:19:43
24	A I don't recall at this particular moment.	15:19:46

Transcript of Elsworth Smith, Jr.
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1	Q	When you would go up on a mission or	15:19:48
2		investigation, would you walk or run?	15:19:51
3	A	Sitting here today, I don't recall. It	15:19:52
4		may have varied.	15:19:57
5	Q	This says it's an on-view arrest.	15:19:58
6	A	That's what's stated in the report.	15:20:07
7	Q	What is an on-view arrest?	15:20:09
8	A	To the best of my knowledge, an arrest	15:20:10
9		that occurred while some -- one or two of the	15:20:15
10		officers made this observation.	15:20:20
11	Q	And it says it was done while conducting a	15:20:21
12		narcotics investigation?	15:20:26
13	A	That's what's stated in the report.	15:20:27
14	Q	What does it mean when it says conducting	15:20:28
15		a narcotics investigation?	15:20:29
16	A	That we were doing some type of	15:20:31
17		investigation as far as the narcotics being sold	15:20:34
18		in that particular building or in that area.	15:20:38
19	Q	Do you know what investigation was being	15:20:40
20		conducted?	15:20:44
21	A	As I'm sitting here today, from this	15:20:45
22		incident, from this arrest, no, I do not.	15:20:48
23	Q	It doesn't say on the report, does it?	15:20:50
24	A	No.	15:20:53

Transcript of Elsworth Smith, Jr.
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1	Q Is there any other way you could figure	15:20:53
2	out what investigation was being conducted?	15:20:55
3	A At the present moment, as I'm sitting here	15:20:58
4	today, no, I could not.	15:21:02
5	Q Is there anywhere you could look to see	15:21:03
6	how you got up to the third floor without being	15:21:06
7	noticed?	15:21:08
8	A As I'm sitting here today, no, I do not.	15:21:08
9	Q What's the third-floor landing?	15:21:11
10	A As I'm sitting here today, I do not	15:21:12
11	recall.	15:21:18
12	(Smith Deposition Exhibit 11 marked for	15:21:18
13	identification and attached to the transcript.)	15:21:22
14	Q All right. We're going to mark the vice	15:21:22
15	case report as Exhibit 11, CITY-BG-032195 to 96.	15:21:25
16	Have you had a chance to look this over?	15:21:54
17	A Yes, I have.	15:22:40
18	Q Is this a vice case report of the same	15:22:41
19	arrest of Christopher Scott that we were just	15:22:44
20	looking at?	15:22:47
21	A I don't understand your question.	15:22:47
22	Q This is the -- this vice case report is	15:22:51
23	describing the same arrest as the report -- the	15:22:53
24	arrest report we just looked at; correct?	15:22:56

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1	A	It appears so, yes.	15:22:57
2	Q	Does the vice case report list a number of	15:23:00
3		other individuals arrested?	15:23:03
4	A	Yes, it does.	15:23:06
5	Q	And do you know why it is that the arrest	15:23:07
6		report doesn't list everybody who was arrested?	15:23:17
7		MR. STEFANICH: Objection; foundation.	15:23:22
8	Q	Let me try to clarify.	15:23:26
9		Do you know why the arrest report that's	15:23:28
10		Exhibit No. 10 doesn't list everybody who was	15:23:29
11		arrested as listed in Exhibit No. 11, the vice	15:23:32
12		case report?	15:23:35
13	A	As I'm sitting here today, no, I do not.	15:23:35
14	Q	Do you know who David Mayberry is?	15:23:41
15	A	From the best of my memory, no, I do not.	15:23:45
16	Q	And I know you mentioned at the beginning	15:23:48
17		you know an Angelo Shenault, but you're not sure	15:23:50
18		if it's a Jr. or Sr.?	15:23:54
19	A	That is correct.	15:23:55
20	Q	Does looking at the vice case report	15:23:55
21		refresh your recollection about the arrests on	15:23:59
22		April 4, 2006?	15:24:03
23	A	No, it does not.	15:24:04
24	Q	Look at the narrative on the second page,	15:24:07

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1	it says, "R/O, upon reaching the third-floor	15:24:24
2	landing, observed Off No. 1 give Off No. 2 small	15:24:28
3	Ziploc baggies with suspect narcotics."	15:24:34
4	Do you see that?	15:24:36
5	A Yes.	15:24:37
6	Q "From a clear plastic bag that he was	15:24:37
7	holding," do you see that?	15:24:42
8	A Yes.	15:24:43
9	Q And then it says, "Off No. 2 had given Off	15:24:43
10	No. 1 paper U.S.C. for the suspect narcotics."	15:24:47
11	Do you see that?	15:24:51
12	A Yes.	15:24:51
13	Q And is Offender No. 1 Christopher Scott?	15:24:51
14	A That's what's stated in the report.	15:24:54
15	Q Is Offender No. 2 David Mayberry?	15:24:59
16	A That's what's listed in the report.	15:25:03
17	Q Do you know why it is written in past	15:25:06
18	tense, the sentence Off No. 2, Offender No. 2 had	15:25:12
19	given Offender No. 1 paper U.S. currency for the	15:25:16
20	suspect narcotics?	15:25:19
21	MR. STEFANICH: Objection; foundation.	15:25:20
22	A As I'm sitting here today, no, I do not.	15:25:22
23	Q Do you know who created this vice case	15:25:27
24	report?	15:25:29

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1	A	Sitting here today, just looking at the	15:25:29
2		report, no.	15:25:32
3	Q	Do you see your name and a signature of	15:25:33
4		your name on this report?	15:25:39
5	A	Yes, I do.	15:25:40
6	Q	Is that -- did you -- is that your	15:25:41
7		handwriting?	15:25:42
8	A	That's not my actual handwriting but it	15:25:42
9		appeared -- like I said, I haven't worked with	15:25:48
10		Officer Jones in many years. It appears to be his	15:25:50
11		hand -- his signature.	15:25:53
12	Q	Do you know if you gave Officer Jones	15:25:54
13		permission to sign this report for you?	15:25:58
14	A	If he signed the report in my name, then I	15:25:59
15		apparently gave him the authorization to do so.	15:26:03
16	Q	Or he did it without your authorization.	15:26:05
17	A	Well, as I stated earlier, I would not	15:26:07
18		have given him authorization if I had not had any	15:26:12
19		prior knowledge of this incident where I felt	15:26:16
20		comfortable with this arrest report or this vice	15:26:20
21		case report.	15:26:23
22	Q	So if you gave him authorization to sign	15:26:23
23		it, it means that you reviewed it and you're	15:26:27
24		comfortable with the report.	15:26:29

Transcript of Elsworth Smith, Jr.
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1 A As I'm sitting here today, I don't recall 15:26:30
2 this incident but if I -- if I gave him 15:26:33
3 authorization to sign my name on the report, then 15:26:36
4 perhaps I did at that time. 15:26:39

5 Q So I think that there are two options 15:26:40
6 here, and tell me if I'm wrong, on the signature. 15:26:45

7 One option is that Jones signed your name 15:26:48
8 without your permission. The other option is you 15:26:52
9 gave him your permission to sign your name, which 15:26:55
10 means that you reviewed the report and you agreed 15:26:59
11 with the contents of the report at the time. 15:27:01

12 A As I stated before, I did not give anyone 15:27:03
13 any authorization to sign any reports without my 15:27:07
14 authorization. Just because I do not remember a 15:27:09
15 report from April 4th, 2006, does not mean that I 15:27:12
16 have reviewed the report -- 15:27:16

17 MR. STEFANICH: He's not asking you 15:27:16
18 that, so. 15:27:17

19 Q I'm not sure what that means actually. 15:27:18
20 I'm trying to -- so -- 15:27:20

21 A To answer your question -- 15:27:21

22 MR. STEFANICH: So let him -- 15:27:23

23 A -- as I stated -- 15:27:23

24 MR. STEFANICH: Elsworth, let him ask you 15:27:24

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1	the question again. Okay.	15:27:25
2	BY MR. RAUSCHER:	15:27:25
3	Q I'm going to try to break it down. Okay.	15:27:26
4	It is -- you don't remember today whether	15:27:28
5	you gave anyone permission to sign your name on	15:27:32
6	this report that's Exhibit 11; correct?	15:27:35
7	A As I'm sitting here today, no, I do not.	15:27:36
8	Q So either Jones signed it without your	15:27:39
9	permission, that's a possibility. You don't	15:27:42
10	remember. I'm not saying that it happened.	15:27:44
11	I'm just saying it's a possibility; right?	15:27:46
12	A That is a possibility.	15:27:47
13	Q And then the other possibility is if you	15:27:48
14	did give him permission, you only would have given	15:27:51
15	him permission after you reviewed the report and	15:27:54
16	were comfortable with the contents.	15:27:57
17	A Yes.	15:27:58
18	Q Okay. Thank you.	15:27:59
19	Looking at the report, can you tell who of	15:28:00
20	the officers saw which of the events described in	15:28:12
21	here?	15:28:14
22	A As I'm sitting here today, no, I cannot.	15:28:15
23	Q Was it common for officers to recover	15:28:25
24	heroin and crack cocaine in the same location at	15:28:28

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1	the same time?	15:28:31
2	A Based on my -- as I'm sitting here today,	15:28:32
3	based off the best of my memory, no, it was not	15:28:34
4	uncommon.	15:28:37
5	Q It was not uncommon?	15:28:38
6	A No, it was not.	15:28:39
7	Q Was it common?	15:28:40
8	A Yes, it was common.	15:28:41
9	Q Was it common for people to sell crack	15:28:44
10	cocaine and heroin together?	15:28:49
11	A Yes, it was.	15:28:51
12	Q And did certain buildings sell crack	15:28:52
13	cocaine and others sell heroin or did -- were they	15:28:55
14	both sold at all the buildings?	15:28:58
15	MR. KOSOKO: Objection; form, foundation.	15:29:02
16	A As I'm sitting here today, I don't	15:29:03
17	remember exactly; but I'm certain that at some	15:29:07
18	point in time crack cocaine and heroin were sold	15:29:09
19	at the same time in probably numerous of the	15:29:14
20	buildings.	15:29:16
21	Q Yeah. All the buildings wasn't -- that	15:29:17
22	was not a great question actually.	15:29:19
23	Do you remember the name Ricki Lake as a	15:29:20
24	drug term?	15:29:29

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1	A	Now that you've mentioned it, yes.	15:29:30
2	Q	And what did Ricki Lake signify?	15:29:32
3	A	That was one of the drugs that was sold	15:29:36
4		there.	15:29:39
5	Q	Do you remember -- sorry, go ahead.	15:29:39
6	A	I was about to say as of this moment, as	15:29:40
7		of today, I don't recall if it was for heroin or	15:29:43
8		crack cocaine, but I do remember hearing that	15:29:46
9		name.	15:29:52
10	Q	Was there a particular location or	15:29:52
11		locations in Ida B. Wells buildings where drugs	15:29:54
12		were sold, meaning like in the lobby, inside	15:30:00
13		apartments, outside the buildings?	15:30:02
14	MR. KOSOKO:	Objection; form, foundation.	15:30:05
15	A	From the best of my memory and my	15:30:08
16		experience, it was sold in numerous locations. It	15:30:09
17		could have been sold in the lobbies. It could	15:30:13
18		have been sold within the stairwells, and	15:30:15
19		definitely as well as other people's apartments.	15:30:18
20	Q	Were there locations at the third-floor	15:30:21
21		landing where you could -- at 559 Browning -- I'm	15:30:27
22		sorry -- at 575 Browning -- I'll start that	15:30:31
23		question over.	15:30:35
24		Were there locations at the third-floor	15:30:35

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	landing at 575 Browning where you could stand and	15:30:37
2	observe drugs being sold without being seen?	15:30:42
3	A Like I said, sitting here today, from the	15:30:45
4	best of my memory, I don't recall. It's been many	15:30:50
5	years ago, and those buildings have been torn	15:30:53
6	down. And I don't remember the layouts of each	15:30:55
7	one of the buildings.	15:30:57
8	Q Do you remember any buildings where you	15:30:58
9	could stand at the third-floor landing and observe	15:31:02
10	drugs being sold without being seen?	15:31:06
11	A I'm certain it could have been, but, like	15:31:08
12	I said, I do not recall at this present moment.	15:31:11
13	Q What was the process for inventorying	15:31:14
14	drugs and money that you seized when you were a	15:31:25
15	member of the Watts tac team?	15:31:28
16	A I don't understand your question.	15:31:32
17	Q Well, so you confiscated drugs or	15:31:34
18	suspected narcotics money from people.	15:31:38
19	What did you do with that -- with the	15:31:40
20	drugs or the money?	15:31:42
21	A In the 2nd District, there was a separate	15:31:42
22	safe for both. There was a safe where you'd place	15:31:45
23	the money, and there was a safe where you would	15:31:47
24	place the narcotics.	15:31:50

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1 From the best of my memory, the narcotics
2 was sent to the evidence and recovery property
3 section or the Illinois State -- the Illinois
4 State Police Crime Lab for forensic tests, and the
5 money went to the evidence and recovery property
6 section.

7 Q And did you personally bring the money or
8 the drugs there when you confiscated that?

9 A No. The money that was sent to ERPS, it
10 had to be over a specific number, a specific
11 amount to be hand carried to the evidence and
12 recovery property section.

13 And at this moment, I don't recall what
14 the amount is. I don't recall for certain. It's
15 been many years ago since I've made any narcotics
16 arrests, but I believe it would have to be over
17 \$5,000.

18 Q What did you do with the money if it was
19 less than \$5,000?

20 A It was placed in the safe inside the
21 2nd District.

22 Q Where was the safe located in the 2nd
23 District?

24 A Usually that was in the -- near the front

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	desk inside the 2nd District.	15:32:54
2	Q Could you go and put money in the safe on	15:32:57
3	your own?	15:33:00
4	A You had to get a key from the desk	15:33:01
5	sergeant.	15:33:03
6	Q And was there any written record kept of	15:33:03
7	when the key was given out?	15:33:08
8	A To the best of my memory, yes.	15:33:10
9	Q Did you have to sign for it?	15:33:11
10	A Yes, from the best of my knowledge.	15:33:12
11	Q Did you sign something on paper?	15:33:13
12	A Yes, I believe so. I don't have a clear	15:33:15
13	memory, but I believe so.	15:33:18
14	MR. RAUSCHER: Actually, just give us a	15:33:46
15	second.	15:33:47
16	MR. FLAXMAN: Can we just go off the	15:34:01
17	record for a second.	15:34:04
18	THE VIDEOGRAPHER: What was that?	15:34:08
19	MR. FLAXMAN: We're just going off the	15:34:09
20	record briefly.	15:34:09
21	THE VIDEOGRAPHER: Off the record, 3:34.	15:34:19
22	(A recess was taken from 3:34 p.m. to	15:34:19
23	3:42 p.m.)	15:34:19
24	THE VIDEOGRAPHER: Back on the record,	15:42:07

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	3:42.	15:42:08
2	BY MR. RAUSCHER:	15:42:08
3	Q Do you remember Jamell Sanders?	15:42:10
4	A At this moment, not offhand.	15:42:13
5	Q Did you ever harass Jamell Sanders?	15:42:15
6	A I never harassed anyone that I recall.	15:42:19
7	Q Do you remember an Ida B. Wells resident	15:42:21
8	or someone who was around Ida B. Wells nicknamed	15:42:35
9	No Neck?	15:42:38
10	A Yes, I do.	15:42:39
11	Q Do you remember that person's name?	15:42:40
12	A Without looking at a report, not offhand,	15:42:43
13	no.	15:42:46
14	(Smith Deposition Exhibit 12 marked for	15:42:46
15	identification and attached to the transcript.)	15:42:46
16	Q All right. We're going to mark	15:42:46
17	Exhibit 12, DO-JOINT 006042 to 006046.	15:42:49
18	Have you had a chance to look at this	15:42:54
19	report?	15:44:00
20	A Yes, I did.	15:44:00
21	Q After looking at this, do you recognize	15:44:01
22	the person pictured in the top-right corner of the	15:44:03
23	first page?	15:44:07
24	A I do now.	15:44:07

Transcript of Elsworth Smith, Jr.
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1	Q Okay. Did he have a nickname?	15:44:09
2	A I don't know if that was his nickname	15:44:11
3	associated by residents or people who hung out in	15:44:15
4	Ida B. Wells, but he was known as -- by members of	15:44:20
5	my team as No Neck.	15:44:24
6	Q Why did your team call him No Neck?	15:44:25
7	A Because it looked like he didn't have a	15:44:28
8	neck.	15:44:31
9	Q Was that a derogatory term?	15:44:31
10	A Perhaps.	15:44:34
11	Q It was a derogatory term; right?	15:44:34
12	MR. STEFANICH: Objection; asked and	15:44:38
13	answered.	15:44:38
14	A If he wants to call it that, yes.	15:44:40
15	Q Well, it wasn't supposed to be a	15:44:42
16	compliment, was it?	15:44:45
17	A No.	15:44:46
18	Q Do you remember having any interactions	15:44:46
19	with him over the years?	15:44:50
20	A Other than him being involved with some	15:44:51
21	type of form of narcotics activities, no, I do	15:44:56
22	not.	15:44:59
23	Q Do you remember him being involved in any	15:44:59
24	narcotics activities?	15:45:02

Transcript of Elsworth Smith, Jr.
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1	A	Based off of my memory, I don't know of me	15:45:03
2		personally, but I do remember hearing from other	15:45:07
3		members of the 264 team that he was involved in	15:45:10
4		drugs.	15:45:12
5	Q	What did they tell you about him?	15:45:13
6	A	From the best of my memory, I believe that	15:45:15
7		he sold drugs.	15:45:17
8	Q	Did you or other members of the team ever	15:45:18
9		steal juice from him?	15:45:25
10	A	No.	15:45:27
11	Q	Did you ever call him No Neck?	15:45:27
12	A	No, not that I'm aware of.	15:45:29
13	Q	Did you ever hear anyone on your team call	15:45:32
14		him No Neck?	15:45:35
15	A	I remember hearing the name, but I don't	15:45:36
16		remember who specifically called him No Neck.	15:45:39
17	Q	Do you remember hearing someone say it	15:45:41
18		to him?	15:45:45
19	A	Sitting here today, I don't recall if I	15:45:45
20		did or -- if I did or did not.	15:45:48
21	Q	Would you consider it harassment to call a	15:45:48
22		civilian No Neck as a derogatory term?	15:45:54
23	A	If that was the term used toward him,	15:45:58
24		probably so; but looking over this report, I don't	15:46:03

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	see my name listed in this report anywhere.	15:46:09
2	Q Yeah. Your name is not listed in this	15:46:09
3	report.	15:46:09
4	So I was going to ask do you have any	15:46:12
5	recollection of dealing with Jamell Sanders	15:46:15
6	at all?	15:46:17
7	A As I'm sitting here today, I can't say for	15:46:18
8	certain, but I'm sure I probably have had some	15:46:21
9	type of interaction with Mr. Sanders.	15:46:25
10	Q Do you have any recollection of being	15:46:27
11	involved in any arrests of Mr. Sanders?	15:46:29
12	A As I'm sitting here today, no, I do not.	15:46:31
13	Q Do you know who Marcus Gibbs is?	15:46:33
14	A Sitting here today offhand without looking	15:47:05
15	at a photo or a report, I don't recall.	15:47:10
16	Q Would you agree that even if you knew in	15:47:13
17	your heart, you believed someone was a drug	15:47:18
18	dealer, it would not be appropriate for a police	15:47:21
19	officer to create a false report attributing drugs	15:47:23
20	to that person?	15:47:26
21	A Yes, I do.	15:47:27
22	(Smith Deposition Exhibit 13 marked for	15:47:27
23	identification and attached to the transcript.)	15:47:29
24	Q We're going to mark Exhibit 13 DO-JOINT	15:47:29

Transcript of Elsworth Smith, Jr.
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1	005272 to 005276.	15:47:35
2	Are you aware of any police officers	15:47:44
3	creating false reports attributing drugs to people	15:47:46
4	that those people didn't have?	15:47:51
5	A To the best of my knowledge, no.	15:47:52
6	Q You had a chance to look at this report.	15:47:54
7	A Yes, I have.	15:48:53
8	Q Do you recognize the person in the picture	15:48:54
9	in the top right-hand corner of the first page?	15:48:56
10	A I do now.	15:48:58
11	Q And does seeing that picture refresh your	15:48:59
12	recollection about Marcus Gibbs?	15:49:01
13	A Yes.	15:49:04
14	Q How does it refresh your recollection	15:49:04
15	about Marcus Gibbs?	15:49:06
16	A I remember from either Sergeant Watts or	15:49:07
17	possibly other members of the 264 team that he was	15:49:12
18	involved in some type of drug activity in the	15:49:15
19	Ida B. Wells.	15:49:17
20	Q What do you remember about him being	15:49:17
21	involved in drug activity in Ida B. Wells?	15:49:21
22	A I don't recall specifically.	15:49:23
23	Q Is 5422 South Seeley Avenue in Chicago in	15:49:24
24	Ida B. Wells?	15:49:29

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A To the best of my knowledge, I do not	15:49:30
2	believe so.	15:49:35
3	Q Do you know where that -- where 5422 South	15:49:35
4	Seeley Avenue is?	15:49:39
5	A Just looking at this report now, that's	15:49:40
6	Beat 932.	15:49:43
7	Q And where did Beat 932 cover in 2007?	15:49:45
8	A I don't know the district boundaries of	15:49:50
9	the 9th District.	15:49:53
10	Q But not the 2nd District?	15:49:54
11	A No. It states here that that would be in	15:49:56
12	the 9th District, Beat 932.	15:50:00
13	Q And do you remember who on your team told	15:50:02
14	you that Marcus Gibbs was involved in the drug	15:50:10
15	trade?	15:50:14
16	A As of today, I don't recall specifically	15:50:14
17	who told me.	15:50:16
18	Q Can you narrow it down at all?	15:50:17
19	A No, I cannot.	15:50:20
20	Q Did you ever tell members of your team	15:50:21
21	that people were involved in the drug trade?	15:50:23
22	A As I'm sitting here today, I don't recall	15:50:25
23	if I did or did not.	15:50:27
24	Q Do you remember anything about Marcus	15:50:29

Transcript of Elsworth Smith, Jr.
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1	Gibbs arrest on January 7, 2007?	15:50:36
2	A As of -- sitting here today, no.	15:50:39
3	Q After you read the report, was your	15:50:41
4	recollection refreshed?	15:50:48
5	A No, it was not.	15:50:48
6	Q Looking at the report, can you tell what	15:50:49
7	you did or didn't observe?	15:50:52
8	A Looking at this report, no, it does not.	15:50:53
9	Q Can you tell why you're listed as the	15:50:56
10	second arresting officer?	15:50:59
11	A Other than just looking at this report,	15:51:00
12	no. It just states that I was working 264.	15:51:03
13	Probably because I was partnered with Alvin Jones.	15:51:07
14	Q The report says you're the second	15:51:09
15	arresting officer, but it doesn't say why you're	15:51:14
16	listed in that role; correct?	15:51:16
17	A No, it does not.	15:51:18
18	Q The report looks like it says that there	15:51:20
19	was a pursuit with A/O.	15:51:27
20	Is that arresting officer?	15:51:30
21	A Yes.	15:51:35
22	Q That one is not plural; correct?	15:51:35
23	A In this report, no, it is not.	15:51:36
24	Q Does that mean that only Jones pursued?	15:51:38

Transcript of Elsworth Smith, Jr.
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1	A Well, I have no --	15:51:41
2	MR. STEFANICH: Objection; foundation.	15:51:41
3	A Well, I have no idea because I don't	15:51:43
4	recall authoring this report, and it does not --	15:51:47
5	it does not specify in the report.	15:51:50
6	(Smith Deposition Exhibit 14 marked for	15:51:50
7	identification and attached to the transcript.)	15:51:50
8	BY MR. RAUSCHER:	15:51:50
9	Q All right. Let's mark the vice case	15:51:56
10	report as Exhibit 14. That's CITY-BG-031447 to	15:51:58
11	448.	15:52:04
12	Do you recognize this document?	15:52:05
13	A Yes, I do.	15:52:58
14	Q Is your name in Box 46?	15:53:00
15	A Yes, it is.	15:53:04
16	Q And is your signature below Box 46?	15:53:06
17	A Yes, it is.	15:53:11
18	Q Does that look like it's your signature in	15:53:12
19	your handwriting, or did someone else sign that	15:53:14
20	for you?	15:53:18
21	A It looks like my handwriting.	15:53:18
22	Q And what about the signature to the left?	15:53:21
23	Is that your handwriting or someone else's	15:53:23
24	handwriting?	15:53:26

Transcript of Elsworth Smith, Jr.
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1	A I'm not certain. That doesn't look it's	15:53:26
2	in Alvin Jones' handwriting.	15:53:29
3	Q It looks like Alvin Jones' handwriting?	15:53:31
4	A Like I said, I don't recall that it looks	15:53:34
5	like his handwriting.	15:53:36
6	Q Did Jones ever authorize you to sign for	15:53:37
7	him on a report?	15:53:40
8	A I can't speak for Officer Jones; but if	15:53:41
9	I've authorized him to sign for myself, then he	15:53:45
10	may have authorized me to sign for him.	15:53:48
11	Q Do you see in here, it says, "As R/Os	15:53:51
12	arrived at the above location, R/O observed the	15:54:02
13	offender start to run toward the above location."	15:54:05
14	A Yes.	15:54:08
15	Q Do you know what that means?	15:54:09
16	A In the way this is written, no. It	15:54:10
17	appears it might be some type of unintentional	15:54:22
18	error.	15:54:25
19	Q It says -- it looks like -- is it saying	15:54:25
20	that as you and Officer Jones arrived at 559 East	15:54:27
21	Browning, Mr. Gibbs ran toward 559 East Browning?	15:54:33
22	A As I said, in this report, I can't make	15:54:38
23	out -- I don't recall what -- what happened and	15:54:43
24	can't make it out based on this writing.	15:54:46

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	Q It probably was not the case that as you	15:54:48
2	got to the building, Gibbs ran to the building;	15:54:53
3	right?	15:54:56
4	A Like I said, not having a memory of the	15:54:56
5	incident, I can't state as of today.	15:54:59
6	Q You see there's a reference to R/O giving	15:55:01
7	chase as the offender ran up the stairs to the	15:55:08
8	sixth floor?	15:55:11
9	A Yes, I do.	15:55:12
10	Q Who ran up the stairs?	15:55:13
11	A Sitting here today, I don't know.	15:55:15
12	Q Why doesn't it say which R/O ran up the	15:55:18
13	stairs?	15:55:22
14	MR. STEFANICH: Objection; foundation.	15:55:22
15	A I have no clue. Sitting here today, I	15:55:24
16	couldn't answer that question.	15:55:26
17	Q You signed the report with your	15:55:27
18	handwriting; right?	15:55:29
19	A It appears to be my handwriting. That is	15:55:30
20	correct.	15:55:32
21	Q Why didn't you insist that it said who	15:55:32
22	did what?	15:55:36
23	A Sitting here today, I could not give you	15:55:37
24	an answer.	15:55:39

Transcript of Elsworth Smith, Jr.
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1	Q Do you remember ever seeing Al Jones run	15:55:40
2	up six flights after a suspect?	15:55:46
3	A Sitting here as of today, I don't recall.	15:55:49
4	Q Do you remember yourself chasing anybody	15:55:50
5	up six flights of stairs ever?	15:55:53
6	A Again, I don't recall. It wouldn't be	15:55:56
7	uncommon.	15:56:11
8	Q You commonly chased people up six flights	15:56:11
9	of stairs and arrested them?	15:56:16
10	A I'm not saying that it is, but I'm not	15:56:17
11	saying that it would be uncommon or oncommon. It	15:56:19
12	could have happened. If it's described in this	15:56:21
13	report, I have no doubt that this information in	15:56:24
14	this report is factual.	15:56:28
15	Q So you think you commonly chased people up	15:56:29
16	six flights of stairs and arrested them, but you	15:56:33
17	don't remember?	15:56:35
18	MR. MICHALIK: Objection; form.	15:56:36
19	MR. STEFANICH: Mischaracterizes his	15:56:37
20	testimony.	15:56:38
21	A That's not what I said, sir.	15:56:39
22	Q All right. I don't mean to	15:56:39
23	mischaracterize it. That's how I heard it.	15:56:41
24	So can you tell me what you mean?	15:56:43

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A	No. I'm saying it would not be uncommon	15:56:44
2		for a police officer to chase anyone up six	15:56:46
3		flights of stairs. We did have to pass -- we do	15:56:48
4		have to pass physical fitness tests to get onto	15:56:50
5		this job, so. And at that time, I was much	15:56:54
6		younger, and I was in better shape than I am now.	15:56:58
7	Q	So we agree that it is physically possible	15:57:01
8		for you to run up six flights of stairs.	15:57:03
9		But the question is do you remember ever	15:57:04
10		doing that and arresting anybody?	15:57:05
11	A	As I stated before, I do not have any	15:57:07
12		memory of this particular arrest on this date, on	15:57:10
13		January 7th, 2007.	15:57:12
14	Q	Do you remember ever chasing anybody up	15:57:14
15		six flights of stairs, while you were on the Watts	15:57:16
16		team, and then arresting them?	15:57:19
17	A	I don't remember chasing anybody up six	15:57:20
18		flights of steps -- stairs, from the best of my	15:57:24
19		memory, but I do remember chasing people up the	15:57:27
20		steps, and I couldn't tell you how many floors	15:57:29
21		I've chased them.	15:57:31
22	Q	Two? Three? One?	15:57:31
23	A	I could not give you an answer on how many	15:57:32
24		steps or stairwells that I've chased them up, but	15:57:35

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	I do remember chasing people up stairs.	15:57:37
2	Q Do you remember ever chasing anybody on	15:57:39
3	more than one flight of stairs?	15:57:41
4	A Again, sir, I could not tell you how many	15:57:43
5	flights of steps I have chased an offender up the	15:57:46
6	steps. I have chased many people during my time	15:57:48
7	as a police officer whether I was assigned to the	15:57:52
8	tactical unit or in regular patrol. And I can't	15:57:54
9	give you an exact number of how many people I have	15:57:57
10	chased, but I have chased many people.	15:57:59
11	Q Do you ever remember chasing anybody while	15:58:01
12	you were working in the Ida B. Wells development	15:58:04
13	from lobby up to the top of the building?	15:58:07
14	A As I sit here today, I do not.	15:58:10
15	Q Okay. Do you ever remember seeing Jones	15:58:13
16	chase someone from the lobby to the top of the	15:58:17
17	building at Ida B. Wells?	15:58:20
18	A Again, sitting here today, I do not.	15:58:21
19	Q Do you know who Andre McNairy is?	15:58:27
20	A At the present moment, I do not.	15:58:33
21	Q Do you remember being involved in	15:58:36
22	arresting Andre McNairy?	15:58:39
23	A To the best of my memory right as of now,	15:58:43
24	I do not recall.	15:58:46

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	(Smith Deposition Exhibit 15 marked for	15:58:46
2	identification and attached to the transcript.)	15:58:47
3	Q All right. Let's mark Exhibit 15,	15:58:47
4	DO-JOINT 005795 to 99.	15:58:50
5	MR. KOSOKO: This is 15, Scott?	15:59:35
6	MR. RAUSCHER: I'm sorry. What?	15:59:38
7	MR. KOSOKO: This is 15?	15:59:40
8	MR. RAUSCHER: 15, yeah.	15:59:40
9	Q Have you had a chance to review this	16:00:33
10	document?	16:00:35
11	A Yes, I have.	16:00:35
12	Q Do you recognize the person pictured in	16:00:36
13	the top right-hand corner of the first page?	16:00:38
14	A No, I do not.	16:00:40
15	Q Does seeing this document refresh your	16:00:41
16	recollection as to whether you were involved in	16:00:45
17	arresting Andre McNairy on September 15, 2008?	16:00:46
18	A No, it does not, other than seeing my name	16:00:50
19	as an assisting officer.	16:00:53
20	Q And seeing your name as an assisting	16:00:55
21	officer doesn't tell you what role, if any, you	16:00:57
22	had in the arrest; correct?	16:01:00
23	A No, it does not.	16:01:01
24	Q So as you sit here today, you can't tell	16:01:02

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	us what role you had in arresting Mr. McNairy.	16:01:05
2	A At the present moment, no.	16:01:08
3	Q Are there any documents that you can think	16:01:10
4	of that would help refresh your recollection about	16:01:12
5	this arrest of Mr. McNairy or any of the other	16:01:14
6	specific arrests we talked about today?	16:01:17
7	A Not at the present moment.	16:01:20
8	Q Where is 657 East 40th Street?	16:01:22
9	A 657 East 40th Street -- to the best of my	16:01:37
10	memory, that was the Washington Park Homes.	16:01:44
11	(Smith Deposition Exhibit 16 marked for	16:01:44
12	identification and attached to the transcript.)	16:01:47
13	Q I'm going to mark I think one more	16:01:47
14	exhibit, 16, DO-JOINT 005805 to 5807.	16:02:03
15	Do you see the narrative here talks about	16:02:09
16	a premise check?	16:03:14
17	A Yes.	16:03:17
18	Q What's a premise check?	16:03:17
19	A To the best of my memory, you would do	16:03:19
20	a -- would walk down checking premises or the --	16:03:25
21	of that area.	16:03:27
22	Q Did premise checks often result in	16:03:30
23	arrests?	16:03:34
24	A Sometimes, yes, to the best of my memory.	16:03:34

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1	Q Did sometimes premise checks not result in	16:03:36
2	arrests?	16:03:41
3	A I'm sure they probably did.	16:03:42
4	Q Do you know who Jose Lopez is, the	16:03:44
5	approving supervisor on this report?	16:03:47
6	A To the best of my knowledge, I believe he	16:03:49
7	was a sergeant at the 2nd District. I can't -- I	16:04:01
8	don't recall exactly.	16:04:04
9	Q Do you recall ever working with him?	16:04:04
10	A To the best of my knowledge, at this	16:04:06
11	present time, no, I do not.	16:04:08
12	Q Do you know why Watts is listed as the	16:04:10
13	supervisor on scene, but he's not one of the	16:04:12
14	approving supervisors?	16:04:15
15	A No, I do not.	16:04:16
16	Q Do you know what it means to say he's the	16:04:17
17	supervisor on scene?	16:04:20
18	A That he was on scene from -- based off of	16:04:21
19	what this report said.	16:04:26
20	Q When it says that this is an on-view	16:04:27
21	arrest by 264 housing tactical team, do you know	16:04:30
22	who that refers to?	16:04:34
23	A In the narrative -- by reading the	16:04:36
24	narrative, no. The only way I would know who the	16:04:41

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1	arresting officers were if I read -- went down	16:04:45
2	further, the first arresting officer was Doug	16:04:48
3	Nichols, and the second arresting officer was	16:04:52
4	Manny Leano.	16:04:54
5	Q And you see there's a number of suspects	16:04:56
6	listed in the report?	16:05:00
7	A Yes.	16:05:01
8	Q Do you know who any of those other people	16:05:03
9	are?	16:05:06
10	A No, I do not.	16:05:06
11	Q And does looking at this report refresh	16:05:07
12	your recollection at all about the events of	16:05:13
13	September 15, 2008?	16:05:15
14	A No. Because I'm listed as an assisting	16:05:17
15	officer. I don't recall.	16:05:20
16	Q Do you know how -- well, have you heard	16:05:21
17	the phrase or used the phrase "case officer"?	16:05:32
18	A I don't believe I'm familiar with it.	16:05:35
19	Q How did you decide or did you decide who	16:05:39
20	of the team would testify at trial in a criminal	16:05:44
21	proceeding extending from one of your arrests?	16:05:48
22	MR. KOSOKO: Objection; form of the	16:05:52
23	question.	16:05:53
24	A Like I said -- I stated earlier, it	16:05:54

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1	depends on who witnessed the -- made the	16:05:55
2	observation at the time of the arrest or probably	16:05:57
3	made the recovery, if there was a recovery,	16:06:01
4	involved with the arrest.	16:06:02
5	BY MR. RAUSCHER:	16:06:02
6	Q Would it ever be the case that someone who	16:06:05
7	didn't witness anything would testify?	16:06:09
8	A Offhand I can't recall, but I'm certain	16:06:11
9	there might have been a time.	16:06:13
10	Q And why would it be the case that someone	16:06:15
11	who didn't witness any of the events would be the	16:06:18
12	person testifying?	16:06:20
13	A I have no clue. Sitting here today, I	16:06:22
14	have no answer.	16:06:25
15	Q Would it be appropriate to testify as to	16:06:26
16	what somebody else saw without saying that you	16:06:28
17	were explaining what somebody else saw?	16:06:34
18	MR. MICHALIK: Objection; form,	16:06:34
19	foundation.	16:06:34
20	A I don't understand your question.	16:06:37
21	Q Say, you were the one testifying in a	16:06:39
22	criminal case, would it be appropriate to get up	16:06:39
23	there and say Offender X did these three things	16:06:40
24	even if you didn't see any of them?	16:06:45

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1	MR. MICHALIK: Objection; form.	16:06:47
2	MR. KOSOKO: Objection; form, also	16:06:48
3	incomplete hypothetical. If he says fine and	16:06:51
4	agrees to your prelim, then that might be	16:06:55
5	appropriate versus something else.	16:06:57
6	MR. FLAXMAN: Why don't you let the	16:07:01
7	witness answer the question.	16:07:02
8	A Are you asking me if I -- would it be	16:07:05
9	acceptable for me to testify to something that I	16:07:08
10	did not witness?	16:07:10
11	Q Yes.	16:07:11
12	A Based off of that question, no. If I	16:07:12
13	didn't witness something, I wouldn't have	16:07:16
14	testified.	16:07:17
15	MR. RAUSCHER: I don't have any other	16:07:20
16	questions for today.	16:07:21
17	(An off-the-record discussion was held.)	16:07:21
18	EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS	16:07:21
19	BY MR. FLAXMAN:	16:07:21
20	Q Good afternoon.	16:07:52
21	A Good afternoon.	16:07:53
22	Q My name is Joel Flaxman. I'm going to ask	16:07:53
23	you a few questions about some other arrests.	16:07:55
24	Do you understand that?	16:07:57

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1	A Yes, sir.	16:07:58
2	Q Okay. We've been here for a long time	16:07:58
3	today.	16:07:58
4	Are you still comfortable answering	16:08:02
5	questions?	16:08:03
6	A Yes, sir. Yes, I am.	16:08:03
7	Q Okay. There's nothing now or earlier that	16:08:04
8	would make it hard for you to truthfully and	16:08:11
9	accurately answer questions; right?	16:08:14
10	A No. There would not be.	16:08:16
11	Q Okay. I wanted to ask you about the	16:08:17
12	arrest of Jessie Lockett on May 12th, 2005.	16:08:29
13	Do you remember that arrest?	16:08:34
14	A Yes. I somewhat remember that arrest.	16:08:35
15	Q What do you remember?	16:08:38
16	A That he was arrested for UUW.	16:08:39
17	THE REPORTER: What was that?	16:08:39
18	THE WITNESS: For a UUW.	16:08:45
19	Q Okay. And what's UUW?	16:08:47
20	A Unlawful -- what are the acronyms?	16:08:47
21	Unlawful use of a weapon.	16:08:51
22	Q Did you arrest Mr. Lockett?	16:08:53
23	A Yes, I did.	16:08:55
24	Q And what happened before you arrested him?	16:08:56

Transcript of Elsworth Smith, Jr.
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1 A To the best of my knowledge, if I recall, 16:08:58
2 on that -- I don't remember what the date or time 16:09:05
3 was. There was a call at some point in time -- a 16:09:08
4 call shots fired. We responded to the call for 16:09:10
5 shots fired. 16:09:14

6 We received information from an anonymous 16:09:15
7 source that the possible shooter was someone that 16:09:21
8 went by the street name JJ. 16:09:24

9 To the best of my memory, having knowledge 16:09:25
10 of JJ, Jessie Lockett, his whereabouts, where he 16:09:28
11 hung out at, we relocated to the area. I can't 16:09:34
12 remember exactly what I stated in the report 16:09:37
13 without looking at it but I believe we -- myself 16:09:39
14 and Sergeant Watts relocated to 37th and 16:09:41
15 Vincennes. 16:09:45

16 At that time we -- as we were approaching 16:09:46
17 Jessie Lockett, we observed him standing with a 16:09:49
18 group of other individuals. At that time, as we 16:09:52
19 were approaching him, myself or Sergeant Watts 16:09:55
20 announced our office and I believe after -- 16:09:58
21 shortly after that, Jessie Lockett began to flee. 16:10:02

22 And at that point in time, I pursued him 16:10:07
23 on foot, and Sergeant Watts followed him in the 16:10:11
24 police vehicle. After a short foot pursuit, he 16:10:14

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1 was apprehended by Sergeant Watts, and I recovered
2 a weapon, I don't recall what make and model, and
3 then he was placed in custody and advised of his
4 Miranda rights.

16:10:19

16:10:21

16:10:25

16:10:30

5 Q And did you create a report for that
6 arrest?

16:10:30

16:10:34

7 A From the best of my knowledge, yes, I did.

16:10:34

8 Q Did you also testify in court proceedings
9 about Mr. Lockett?

16:10:36

16:10:39

10 A I don't recall, but I'm certain I probably
11 did.

16:10:40

16:10:43

12 Q Why are you certain?

16:10:43

13 A If it went to trial, then I probably did
14 testify.

16:10:44

16:10:47

15 Q Why are you sure that you would have been
16 the one to testify?

16:10:47

16:10:50

17 A If I'm not mistaken, I believe I was
18 listed as the first arresting officer.

16:10:51

16:10:53

19 Q And that was the usual practice, that the
20 first arresting officer would testify?

16:10:55

16:10:58

21 A Yes.

16:10:59

22 Q Going back to the -- your recollections,
23 the first thing I think you said was that there
24 was a call of shots fired.

16:10:59

16:11:03

16:11:05

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	What does that mean?	16:11:07
2	A There was a call of shots fired.	16:11:08
3	Q Well, what does that mean? Did you hear	16:11:11
4	something over the radio?	16:11:15
5	A Yes. It had to be -- it had to come	16:11:16
6	through OEMC. It was a call on our radio that was	16:11:17
7	dispatched or it was a flash message or relayed	16:11:22
8	that there was shots in -- wherever the shots were	16:11:26
9	supposedly taking place at.	16:11:29
10	Q Do you remember where you were when you	16:11:31
11	heard that call or read that flash message?	16:11:33
12	A As I sit here today, I don't have recall	16:11:35
13	where exactly I was at when the call came out.	16:11:37
14	Q Okay. You said that after responding,	16:11:40
15	officers received information that the shooter may	16:11:44
16	have been someone named JJ.	16:11:47
17	Do you remember that?	16:11:49
18	A From the best of my knowledge, that's what	16:11:49
19	I recall.	16:11:51
20	Q Did you get that information?	16:11:51
21	A I don't recall who received the	16:11:53
22	information.	16:11:55
23	Q Do you recall who they got that	16:11:55
24	information from?	16:11:58

Transcript of Elsworth Smith, Jr.
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1	A As I sit here today, no, I do not.	16:11:58
2	Q Okay. And did whoever got that	16:12:01
3	information get it from somebody near the location	16:12:03
4	where the call came from?	16:12:06
5	A Sitting here today, I don't recall, but	16:12:07
6	perhaps it was in that area.	16:12:11
7	Q Did you have any knowledge of Jessie	16:12:12
8	Lockett before this incident?	16:12:21
9	A Sitting here today, I don't recall at the	16:12:23
10	time; but if I stated that in my report, which I	16:12:27
11	believe I did, I probably did have prior knowledge	16:12:30
12	to Jessie Lockett at that time.	16:12:32
13	Q Based on what's in your report, you	16:12:33
14	believe you did have prior knowledge --	16:12:37
15	A Yes. I don't have a copy of my report	16:12:37
16	right here, and I don't recall, and I don't	16:12:40
17	remember what date that arrest occurred.	16:12:41
18	Q So were you present at the location of	16:12:45
19	where the call of shots fired came from?	16:13:06
20	A Present where?	16:13:09
21	Q Well, I believe you said that officers	16:13:11
22	relocated to where the call of shots fired was; is	16:13:13
23	that right?	16:13:17
24	A I said we responded to an area. I believe	16:13:17

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1	that's what I stated.	16:13:19
2	Q Okay.	16:13:19
3	A Like I say, without my reports in front of	16:13:21
4	me, I don't recall specifically. But there was a	16:13:23
5	call of shots fired, I believe, that I reported.	16:13:24
6	Q And got some information at that location;	16:13:27
7	correct?	16:13:29
8	A Yes.	16:13:29
9	Q And then you went to the location where	16:13:29
10	you believe that JJ would be hanging out; right?	16:13:32
11	A Yes.	16:13:36
12	Q Do you know how far apart those two	16:13:37
13	locations were?	16:13:40
14	A Sitting here today, I do not recall.	16:13:41
15	Q Do you know how you traveled from one	16:13:43
16	location to the second?	16:13:46
17	A Again, I don't have knowledge; but as	16:13:46
18	stated in the report, I would assume that it was	16:13:49
19	by -- we were in the squad car.	16:13:52
20	Q Okay. Do you know who was in the squad	16:13:54
21	car with you?	16:13:56
22	A Yes.	16:13:56
23	Q Who was in the squad car with you?	16:13:57
24	A Sergeant Watts.	16:13:59

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1	Q And just you and Sergeant Watts?	16:13:59
2	A Yes.	16:14:02
3	Q Okay.	16:14:02
4	A To the best of my memory, yes.	16:14:03
5	Q Who was driving?	16:14:05
6	A Sergeant Watts was.	16:14:06
7	Q Okay. How often were you in a squad car	16:14:07
8	with only Sergeant Watts?	16:14:10
9	A I don't recall how many times I have	16:14:10
10	been -- worked with Sergeant Watts.	16:14:13
11	Q Was he your partner that day?	16:14:14
12	A I don't recall. Perhaps he was.	16:14:17
13	Q So even though he was the sergeant, there	16:14:19
14	were some days where you would consider him your	16:14:22
15	partner?	16:14:24
16	A Yes.	16:14:25
17	Q How often would that happen?	16:14:25
18	A Again, I couldn't give you an exact	16:14:27
19	guesstimate or how many times I actually worked	16:14:31
20	with Sergeant Watts. But I know from that	16:14:33
21	particular day, because I remember this incident,	16:14:36
22	that I was with Sergeant Watts.	16:14:40
23	Q You said that you got out of the vehicle	16:14:41
24	and pursued Mr. Lockett on foot; is that right?	16:14:45

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1	A Yes, I did.	16:14:48
2	Q And how far did you pursue him?	16:14:49
3	A I don't know. It was a short foot	16:14:50
4	pursuit.	16:14:53
5	Q Okay. And I think you said that it was	16:14:53
6	Sergeant Watts who actually got Mr. Lockett?	16:14:55
7	A Yes, he did.	16:14:58
8	Q Okay. How did he get him? Did he tackle	16:14:59
9	him?	16:15:02
10	A I didn't see the apprehension of Jessie	16:15:02
11	Lockett. All I know, that he was apprehended by	16:15:05
12	Sergeant Watts.	16:15:08
13	Q Where were you when he was apprehended?	16:15:08
14	A I was running through the set of row	16:15:11
15	houses which Jessie was fleeing through.	16:15:14
16	Q So how did you learn that Sergeant Watts	16:15:17
17	apprehended him?	16:15:20
18	A Because when I caught up to -- finally got	16:15:21
19	up to catching JJ, he was already in custody.	16:15:24
20	Q Do you know if Mr. Lockett fell to the	16:15:28
21	ground before Sergeant Watts apprehended him?	16:15:39
22	A At this time, I don't recall exactly, but	16:15:43
23	I believe he was on the ground.	16:15:47
24	Q But you don't know how he got there?	16:15:48

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1	A	Sitting here at this moment, I do not	16:15:50
2		recall.	16:15:52
3	Q	Was he on the ground when you first saw	16:15:52
4		him in custody?	16:15:55
5	A	Yes.	16:15:56
6	Q	Was he in --	16:15:56
7	A	From the best of my knowledge, he was.	16:15:57
8	Q	Was he in handcuffs?	16:15:58
9	A	Yes, he was.	16:16:00
10	Q	Okay. Was he on his stomach?	16:16:00
11	A	From the best of my knowledge, yes, he was.	16:16:02
12	Q	And Sergeant Watts was there?	16:16:04
13	A	Yes, he was.	16:16:06
14	Q	Were any other officers there?	16:16:07
15	A	From my -- the best of my memory, I don't	16:16:08
16		recall. I'm certain at some point in time -- the	16:16:11
17		officers did arrive at some point in time.	16:16:14
18	Q	Were any other officers there before you	16:16:16
19		arrived other than Sergeant Watts?	16:16:19
20	A	From the best of my memory, no.	16:16:20
21	Q	Did you recover a weapon?	16:16:22
22	A	Yes, I did.	16:16:36
23	Q	When did you recover the weapon?	16:16:37
24	A	I think after Jessie Lockett was placed in	16:16:40

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1	custody.	16:16:44
2	Q Had you seen that weapon before?	16:16:44
3	A Sitting here, yes, I did while I was	16:16:46
4	chasing him.	16:16:53
5	Q Okay. What did you see while you were	16:16:53
6	chasing him?	16:16:56
7	A As I -- from what I recall, and I think	16:16:57
8	it's stated in my report, but I don't have my	16:16:58
9	report in front of me -- stated as I was chasing	16:17:00
10	him, I saw him reach underneath his sweatshirt and	16:17:03
11	pull a handgun out and start running with it by	16:17:08
12	his side.	16:17:12
13	Q That was before you lost sight of	16:17:13
14	Mr. Lockett?	16:17:19
15	A Yes, it was.	16:17:20
16	Q Did you ever take out your weapon while	16:17:21
17	you were chasing Mr. Lockett?	16:17:24
18	A Yes, I did.	16:17:25
19	Q Why did you do that?	16:17:25
20	A Because I observed him with a handgun, and	16:17:27
21	I received information that he was shooting.	16:17:29
22	Q Did you ever fire your weapon that day?	16:17:32
23	A No, I did not.	16:17:34
24	Q Why not?	16:17:35

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1	A	Because I did not have a clear target, a	16:17:35
2		sight of Mr. Lockett.	16:17:38
3	Q	If you had had a clear target, would you	16:17:39
4		have fired your weapon?	16:17:43
5	MR. STEFANICH:	Objection --	16:17:44
6	MR. MICHALIK:	Objection.	16:17:44
7	MR. STEFANICH:	-- form, foundation.	16:17:45
8	A	Perhaps, maybe.	16:17:47
9	Q	What else would you need to know to answer	16:17:48
10		definitively?	16:17:54
11	A	I can't give you a reason. If he had	16:17:54
12		turned and pointed the gun in my direction, maybe	16:17:56
13		I would have shot him.	16:17:59
14	Q	If you had had a clear target and he did	16:18:00
15		not point the gun in your direction, would you	16:18:03
16		have shot at him?	16:18:06
17	MR. KOSOKO:	Objection; form, foundation,	16:18:07
18		incomplete hypothetical.	16:18:09
19	A	I can answer that question because I	16:18:09
20		remember specifically chasing him, and the reason	16:18:10
21		why I did not shoot Jessie Lockett that day is	16:18:12
22		because I did not have a clear target of him	16:18:15
23		because, like I said, he was running away from me.	16:18:18
24		And it was either in the spring or the	16:18:19

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1 summer when this incident occurred, and there was 16:18:20
2 other -- there was many kids out there, which I 16:18:23
3 didn't describe in the report because that is 16:18:25
4 something that you -- other information that's not 16:18:27
5 pertinent to the arrest, that you can't put every 16:18:30
6 detail in the arrest report or your case report. 16:18:33

7 And I remember specifically I could not 16:18:36
8 shoot at him because there was other kids out 16:18:38
9 there standing around, and I didn't want to take a 16:18:41
10 chance of shooting at Jessie Lockett and shoot 16:18:43
11 some innocent bystander. That's why I did not 16:18:46
12 shoot Jessie Lockett. 16:18:49

13 BY MR. FLAXMAN: 16:18:49

14 Q My question was if you had had a clear 16:18:51
15 shot, would you have shot Mr. Lockett? 16:18:53

16 MR. MICHALIK: Objection; asked and 16:18:57
17 answered. 16:18:57

18 A And I think I stated earlier probably. 16:18:59

19 Q You mentioned the kids that were in the 16:19:05
20 area. 16:19:06

21 A Yes. 16:19:07

22 Q What other details do you remember that 16:19:08
23 are not in the reports? 16:19:10

24 A That's the only thing I can remember 16:19:11

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1	specifically.	16:19:14
2	Q Where was the weapon when you recovered	16:19:15
3	it?	16:19:21
4	A I don't recall exactly, but it was on the	16:19:21
5	ground.	16:19:25
6	Q Up close to Mr. Lockett?	16:19:25
7	A I don't recall, sir.	16:19:27
8	Q What did you do with the weapon after you	16:19:29
9	recovered it?	16:19:50
10	A I think it's -- I don't have the report in	16:19:51
11	front of me; but as I stated, the weapon was	16:19:53
12	recovered and inventoried in the 2nd District.	16:19:56
13	There should be an inventory report that reflects	16:20:01
14	that.	16:20:03
15	Q Did you transport Mr. Lockett to the	16:20:04
16	2nd District?	16:20:12
17	A I don't recall if I personally transported	16:20:12
18	him myself or if there was another unit that	16:20:15
19	transported him.	16:20:18
20	Q I think you said that you gave Miranda	16:20:18
21	warnings to Mr. Lockett?	16:20:22
22	A To the best of my knowledge --	16:20:23
23	MR. MICHALIK: Objection; there's no such	16:20:23
24	testimony.	16:20:25

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1	A From the best of my knowledge, I believe I	16:20:27
2	did state that in my report; and, again, I don't	16:20:30
3	have my report in front of me.	16:20:32
4	BY MR. FLAXMAN:	16:20:32
5	Q Do you remember giving Miranda warnings to	16:20:34
6	Mr. Lockett?	16:20:37
7	A Sitting here today, as I recall, I don't	16:20:37
8	recall, but it's stated in my report; and if I put	16:20:40
9	that in my report, then I stand by my report.	16:20:43
10	Q Did Mr. Lockett ever fire his weapon on	16:20:46
11	the day -- I'm sorry.	16:21:15
12	Starting with the time that you first saw	16:21:15
13	Mr. Lockett and to the time that he was placed in	16:21:27
14	custody, did Mr. Lockett ever fire the weapon?	16:21:30
15	A I don't know.	16:21:32
16	Q Do you remember how much ammunition you	16:21:34
17	recovered when you recovered the weapon?	16:21:39
18	A Again, I don't have my report in front of	16:21:40
19	me; but I believe in my report, I said the weapon	16:21:42
20	was recovered with 10 live 9 mill -- 9-millimeter	16:21:47
21	rounds.	16:21:51
22	Q And that's a detail that you remember from	16:21:51
23	reviewing your report; right?	16:21:55
24	A To the best of my memory, without my	16:21:56

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1	report in front of me, I believe that's what was	16:21:59
2	stated in the report.	16:22:02
3	Q Okay. And I'm going to show you the	16:22:03
4	report in a little bit.	16:22:04
5	I just want to know do you have a personal	16:22:04
6	recollection of that or is that -- you're relying	16:22:06
7	on your report?	16:22:08
8	A From the best of my memory, I don't	16:22:09
9	recall; but if I reported that -- stated that in	16:22:11
10	my report that was what -- the weapon that he had.	16:22:14
11	Q You meant the ammunition that he had;	16:22:17
12	right?	16:22:22
13	A Yes.	16:22:22
14	The fact of the matter is, like I said,	16:22:27
15	the thing I'm -- I am definitely certain of is he	16:22:29
16	had a handgun. He had a weapon in his hand when I	16:22:32
17	was chasing him.	16:22:36
18	Q And you have an absolute personal	16:22:36
19	recollection of that; correct?	16:22:38
20	A I do recall that. Yes, I do.	16:22:38
21	Q What did the handgun look like that you	16:22:41
22	recall seeing Mr. Lockett holding?	16:22:44
23	A That I don't recall. I remember seeing	16:22:46
24	it, and I think it's stated in my report also that	16:22:49

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1 it may have been a black object that was in his
2 hand.

3 And without my report, I don't recall
4 specifically but I do -- like I said, I stated
5 seeing him retrieve an object underneath his
6 sweatshirt that he was wearing and pull it out and
7 began running with it by his side, and it looked
8 like a handgun.

9 Q Without your report, you can't describe
10 what it looked like; is that right?

11 A No. I can't -- I don't remember how I
12 described it in my report but I -- from the best
13 of my memory, I do remember putting that
14 information in my report.

15 THE WITNESS: I'm missing pages from this
16 report.

17 MR. STEFANICH: Yeah. So am I.

18 MR. FLAXMAN: Let's take a break.

19 THE VIDEOGRAPHER: Off the record, 4:24.

20 (A recess was taken from 4:24 p.m. to
21 4:29 p.m.)

22 THE VIDEOGRAPHER: Back on the record,
23 4:29.

16:22:52

16:22:54

16:22:58

16:23:00

16:23:03

16:23:06

16:23:09

16:23:12

16:23:13

16:23:16

16:23:17

16:23:18

16:23:23

16:23:25

16:23:59

16:24:01

16:24:02

16:24:12

16:24:24

16:29:29

16:29:29

16:29:31

16:29:47

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1	(Smith Deposition Exhibit 17 marked for	16:29:47
2	identification and attached to the transcript.)	16:29:47
3	BY MR. FLAXMAN:	16:29:47
4	Q Now that we've gotten the full exhibits,	16:29:51
5	you have Exhibit No. 17 in front of you?	16:29:55
6	A Yes, I do.	16:29:57
7	Q Is that all five pages of the arrest	16:29:58
8	report of Mr. Lockett on May 12th, 2005?	16:30:01
9	A Yes, it is.	16:30:04
10	Q Is that one of the documents you reviewed	16:30:05
11	to prepare for today's deposition?	16:30:08
12	A Yes, it is.	16:30:09
13	Q And is there anything in this arrest	16:30:10
14	report that's incorrect?	16:30:13
15	A No, there is not.	16:30:14
16	Q And did you prepare this arrest report?	16:30:16
17	A Yes, I did.	16:30:19
18	Q On the first page of the arrest report,	16:30:19
19	there's a section for felony review.	16:30:54
20	Do you see that?	16:30:57
21	A Yes, I do.	16:30:58
22	Q And that was the name of what I think is	16:30:59
23	an assistant state's attorney?	16:31:01
24	A Yes.	16:31:03

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1	Q Do you remember speaking to that assistant	16:31:03
2	state's attorney?	16:31:06
3	A As of today, I don't recall.	16:31:07
4	Q As the attesting officer on a case that	16:31:08
5	underwent felony review, would you be in	16:31:15
6	communication with the state's attorney's office?	16:31:17
7	A From the best of my experience and my	16:31:18
8	knowledge, yes.	16:31:20
9	Q Well, let me ask you -- on the second	16:31:23
10	page, the narrative section begins Event	16:31:27
11	No. 11625.	16:31:35
12	Do you see that?	16:31:36
13	A Yes.	16:31:37
14	Q Do you know why this arrest report has an	16:31:37
15	event number listed in the incident narrative?	16:31:41
16	A Because to the best of my memory, we were	16:31:44
17	supposed to list the event number in your case --	16:31:47
18	in the arrest report.	16:31:51
19	Q The next line says, This is an on-view	16:31:51
20	arrest by second tactical -- I'm sorry -- "This is	16:32:03
21	an on-view arrest by 2nd District tactical unit."	16:32:06
22	Do you see that?	16:32:09
23	A Yes, I do.	16:32:10
24	Q What's an on-view arrest?	16:32:11

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1	A	Meaning that you may have made some	16:32:12
2		observation firsthand.	16:32:14
3	Q	The next sentence says, "R/Os were	16:32:15
4		responding to a 'shots fired' call at 559 East	16:32:20
5		Browning," and then in parentheses it says, ref,	16:32:25
6		period, Event No. 11121."	16:32:28
7		Do you see that?	16:32:30
8	A	Yes, I do.	16:32:30
9	Q	Ref, period, what does that stand for?	16:32:32
10	A	Reference event number.	16:32:33
11	Q	And what was that, event number?	16:32:36
12	A	I would put that in there to reference the	16:32:38
13		event number for the call of shots fired that came	16:32:41
14		out.	16:32:43
15	Q	How would you reference that event number?	16:32:43
16	A	You can pull it up by the information from	16:32:47
17		the PCAD detailing the event of the calls that was	16:32:51
18		called in that area. The PCAD, I forgot what the	16:32:55
19		acronym stands for, but it lists the information	16:32:59
20		pertaining to a call.	16:33:01
21	THE REPORTER:	How do you spell it?	16:33:01
22	THE WITNESS:	PCAD.	16:33:01
23	Q	P-C-A-D?	16:33:04
24	A	Yeah. P-C-A-D.	16:33:04

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1	Q And through that system, you could get	16:33:08
2	information about the shots fired call?	16:33:10
3	A Yes.	16:33:12
4	Q And would that say whether it was a radio	16:33:12
5	call or a flash message?	16:33:17
6	A Yes. And probably detail who the call was	16:33:18
7	given out to.	16:33:22
8	Q The next sentence says, "R/Os received	16:33:23
9	info that the possible shooter was an individual	16:33:29
10	that goes by the street name 'JJ.'"	16:33:32
11	Do you see that?	16:33:34
12	A Yes, I do.	16:33:34
13	Q Were you one of the officers who received	16:33:35
14	that information?	16:33:38
15	A It doesn't state whom but it says -- but	16:33:39
16	it does say -- it is in plural, R/Os. So I'm	16:33:42
17	assuming -- I don't have any prior knowledge of	16:33:44
18	that particular part of this incident. I believe	16:33:46
19	I had to.	16:33:50
20	Q Why do you believe that?	16:33:50
21	A Because it's in my report.	16:33:52
22	Q You don't have a personal recollection of	16:33:53
23	getting that information?	16:33:59
24	A No, not at that particular moment.	16:34:00

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1	Q	You said that R/Os is plural; is that	16:34:03
2		right?	16:34:09
3	A	Yes.	16:34:09
4	Q	And what do you understand that to mean?	16:34:09
5	A	Myself and another partner.	16:34:11
6	Q	Okay. And based on the second page of	16:34:14
7		this, it refers to Ronald Watts as the second	16:34:18
8		arresting officer.	16:34:22
9		You understand R/Os to refer to yourself	16:34:23
10		and Watts?	16:34:26
11	A	Yes. Based off this report, yes.	16:34:27
12	Q	The next sentence says, "R/Os went to 37th	16:34:28
13		Street, right off Vincennes, having prior	16:34:38
14		knowledge of subject's whereabouts."	16:34:41
15		Do you see that?	16:34:43
16	A	Yes, I do.	16:34:44
17	Q	Did you have knowledge of JJ's	16:34:45
18		whereabouts?	16:34:47
19	A	As I stated, I don't recall at this	16:34:48
20		particular point in time; but if that's in my	16:34:50
21		report, I probably did have knowledge of his	16:34:52
22		whereabouts at that particular time.	16:34:56
23	Q	The next sentence says, "R/Os observed the	16:34:58
24		subject standing at location standing among a	16:35:01

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1	group of people."	16:35:05
2	Do you see that?	16:35:06
3	A Yes, I do.	16:35:06
4	Q Okay. Do you know who the other people	16:35:08
5	were?	16:35:09
6	A At this time, I do not recall.	16:35:09
7	Q Did you recognize any of them at the time?	16:35:11
8	A At this time, I do not have any memory of	16:35:14
9	the other people.	16:35:17
10	Q The next sentence says, R/Os approached	16:35:17
11	the subject -- well, is s-u-b-j subject?	16:35:24
12	A Yes.	16:35:28
13	Q So it says, "R/Os approached the subject	16:35:29
14	in an unmarked police vehicle."	16:35:31
15	Did I read that right?	16:35:33
16	A That's correct.	16:35:35
17	Q Okay. When you were in the 2nd District	16:35:36
18	tactical team, would you normally be in an	16:35:38
19	unmarked police vehicle?	16:35:40
20	A From the best of my memory, yes.	16:35:41
21	Q The next sentence says, R/Os -- As R/Os	16:35:43
22	were exiting the v-e-h, period -- does that mean	16:35:49
23	vehicle?	16:35:52
24	A Yes.	16:35:53

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1	Q The subject fled eastbound on 37th Street;	16:35:53
2	is that right?	16:35:59
3	A That's correct.	16:35:59
4	Q Were both you and Watts exiting the	16:35:59
5	vehicle?	16:36:02
6	A I don't -- I don't recall at this	16:36:03
7	particular time, but that's what it states in this	16:36:05
8	report.	16:36:06
9	Q Do you think that you were both exiting	16:36:06
10	because you wrote R/Os plural?	16:36:10
11	A At this particular time, I don't have a	16:36:12
12	memory of if we were both exiting the vehicle.	16:36:14
13	Q The next sentence says that you pursued	16:36:16
14	the subject on foot, and Watts followed in the	16:36:24
15	police vehicle; right?	16:36:27
16	A That is correct.	16:36:28
17	Q How did you decide that you would follow	16:36:29
18	on foot?	16:36:32
19	A From the best of my memory, I don't think	16:36:32
20	we had a conversation about you go get him or, you	16:36:39
21	know, I was instructed to chase after him or	16:36:41
22	something.	16:36:44
23	To the best of my knowledge, it was just	16:36:45
24	instinctual. Watts was driving. I exited the	16:36:46

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1	vehicle, and I decided to take after -- from the	16:36:48
2	best of my memory, I just took after him on foot.	16:36:52
3	Q Did you see anybody -- excuse me.	16:36:55
4	Did you see anyone else from the group of	16:37:22
5	people run as you were approaching?	16:37:24
6	A At that particular point in time, I'm	16:37:26
7	going to say I don't have a clear memory, but I	16:37:31
8	think my -- just my attention or my focus was	16:37:33
9	on him.	16:37:35
10	Q Why was your focus on him?	16:37:36
11	A Because I saw him pull out an object that	16:37:38
12	appeared to be a gun.	16:37:41
13	Q Did he pull out the object before he	16:37:42
14	started running?	16:37:45
15	A As I stated -- in this report, if you're	16:37:46
16	looking at the arrest report, it may look like he	16:37:50
17	ran first; but I think in my vice case report, I	16:37:54
18	think I put that he pulled out the gun, and I	16:37:58
19	started to chase him at that particular point in	16:38:02
20	time.	16:38:05
21	So there was a slight error in this	16:38:06
22	particular wording when I've used that phrase, but	16:38:09
23	that does not mean that the information in this	16:38:12
24	report was falsified or not true.	16:38:14

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1	Q Which report are you referring to?	16:38:18
2	A The vice case report.	16:38:23
3	(Smith Deposition Exhibit 18 marked for	16:38:23
4	identification and attached to the transcript.)	16:38:25
5	Q Okay. That's -- is that marked as	16:38:25
6	Exhibit 18?	16:38:28
7	A That's -- yes, Exhibit 18.	16:38:28
8	Q Okay. Is that a general offense case	16:38:31
9	report?	16:38:34
10	A The vice case -- yes, I'm sorry -- the	16:38:34
11	general offense case report. I'm sorry. It looks	16:38:37
12	similar.	16:38:42
13	Q And was there some information in the	16:38:42
14	general offense case report that you're relying	16:38:45
15	on?	16:38:49
16	A Yes. Go to the second page beginning with	16:38:49
17	the line that said the offender did -- I'm	16:38:54
18	sorry -- R/Os approached the subject, announced	16:38:57
19	their office.	16:38:59
20	Do you see that correct?	16:39:00
21	Q I see that, yes.	16:39:01
22	A Yes. Then the next sentence, "The	16:39:02
23	offender then fled eastbound on 37th Street with	16:39:04
24	R/Os in pursuit. R/Os observed the subject reach	16:39:09

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1 underneath his sweatshirt and retrieve a black
2 handgun and continued to flee with the handgun in
3 his right hand."

16:39:14

16:39:17

16:39:20

4 Q Based on that portion of the general
5 offense case report, you believe that Mr. Lockett
6 took the gun out before he started running?

16:39:21

16:39:27

16:39:29

7 A No. According to this I -- you know, I --
8 but the fact of the matter, he ran; and then as he
9 was running, he did produce the weapon. He did
10 pull it out while he was running, and it states
11 that in the report. So at some point in time, he
12 did produce a handgun.

16:39:32

16:39:35

16:39:39

16:39:42

16:39:45

16:39:49

13 Q And what did you say in the arrest report
14 that was --

16:39:52

16:39:54

15 A I don't think there's too much of a
16 difference, but let me look back at that.

16:39:54

16:39:56

17 Because in this report, it says he fled
18 first, and I think it's the same thing basically,
19 that R/Os observed the subject standing at the
20 location among a group of people. R/Os approached
21 the subject in an unmarked police vehicle.

16:39:59

16:40:01

16:40:03

16:40:06

16:40:09

22 As R/Os were exiting the vehicle, the
23 subject fled eastbound on 37th Street. P.O. E.
24 Smith, my Star No. 11737, pursued the subject on

16:40:13

16:40:15

16:40:21

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1 foot. Sergeant Ronald Watts, Star No. 2640
2 followed the pursuit in the police vehicle.

16:40:26

16:40:30

3 As the subject was attempting to make good
4 his escape on foot, P.O. Smith observed the
5 subject reach underneath his sweatshirt and pull
6 out a black object that R/Os observed to be a
7 handgun. The subject was placed in the --
8 sorry -- the subject placed the object in his
9 right hand and was running with it down by his
10 side. After a brief foot pursuit, the subject was
11 apprehended by Sergeant Watts at 56th -- at 563
12 East 37th Street.

16:40:33

16:40:35

16:40:39

16:40:42

16:40:45

16:40:51

16:40:53

16:40:56

16:41:01

16:41:07

13 Then it goes to state that P.O. Smith
14 recovered a semiautomatic handgun that was lying
15 on the ground at the same address.

16:41:07

16:41:11

16:41:14

16 Q And what was the inconsistency that you
17 were pointing out to me between the reports?

16:41:15

16:41:19

18 A Well, I thought you were trying to point
19 out an inconsistency whether or not that he
20 produced a handgun immediately when we first
21 announced our office and approached him.

16:41:20

16:41:22

16:41:27

16:41:30

22 So I was just trying to make the clear
23 distinction whether the fact that he ran first or
24 not and that we pursued him or not. At some point

16:41:31

16:41:33

16:41:35

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1 in time, Mr. Lockett did produce a handgun, and 16:41:38
2 the handgun was recovered. 16:41:41

3 Q Did you see him take the handgun out 16:41:43
4 before he started running or after he started 16:41:47
5 running? 16:41:49

6 A As is stated in the report, based off of 16:41:50
7 my memory too, as we approached him, when he 16:41:53
8 started running, I saw him reach underneath his 16:41:57
9 sweatshirt and pull out an object that appeared to 16:42:00
10 be a handgun, and then he started running with 16:42:03
11 that object by his side. 16:42:06

12 Q There's two things that I'm asking 16:42:08
13 questions about. One is Mr. Lockett sort of 16:42:17
14 running. The other is that he pulled out a gun. 16:42:19

15 Did they happen at the same time, or did 16:42:22
16 one happen first? 16:42:24

17 A No. As I stated in the report, he ran 16:42:25
18 first and then as -- while he was running, he 16:42:28
19 pulled the weapon out from underneath his 16:42:30
20 sweatshirt, and it's described in the report, and 16:42:33
21 I've stated that several times also. 16:42:35

22 Q Did you see anyone else from the group of 16:42:38
23 people in that area run? 16:42:39

24 A I don't recall anybody else running. My 16:42:41

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1	attention was focused on Jessie Lockett.	16:42:45
2	Q So they might have, but you wouldn't have	16:42:48
3	seen it?	16:42:51
4	A At this time, as I recall, I don't recall	16:42:51
5	anyone else running.	16:42:53
6	Q And at the time you saw Mr. Lockett	16:42:54
7	running, did you know that he was JJ who you were	16:42:57
8	looking for?	16:43:00
9	A Yes, I did.	16:43:00
10	Q How did you know that?	16:43:01
11	A Like I said, having prior knowledge of who	16:43:02
12	he was.	16:43:04
13	Q And had you arrested Mr. Lockett before?	16:43:04
14	A Prior to this date -- I do not recall if I	16:43:07
15	had arrested him prior to this date on May 12th,	16:43:12
16	2005.	16:43:18
17	Q Had you ever spoken to Mr. Lockett before	16:43:18
18	May 12th, 2005?	16:43:21
19	A I don't have -- sitting here today, I	16:43:22
20	don't recall prior to this date if I did or not.	16:43:25
21	Q The arrest report stated that Mr. Lockett	16:43:27
22	fled as the reporting officers were exiting the	16:43:40
23	vehicle; is that right?	16:43:44
24	A The arrest report stated. What was	16:43:46

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1	your -- what was your -- trying -- I'm sorry.	16:43:49
2	Where were you at?	16:43:53
3	Q It's at the end of that fourth line, "As	16:43:54
4	R/Os were exiting the vehicle, the subject fled."	16:44:00
5	A Yes, I see that.	16:44:04
6	Q Okay. And then in the vice case report,	16:44:05
7	on that second page, at the end of the first line,	16:44:10
8	it says, "R/Os approached the subject and	16:44:13
9	announced their office."	16:44:15
10	A Yes, I see that.	16:44:18
11	Q Are both of those right or is there --	16:44:19
12	does one of those need to be corrected?	16:44:22
13	A Basically, it's the same thing. It's just	16:44:25
14	written differently.	16:44:31
15	Q So when did you announce your office?	16:44:31
16	A I don't have a prior recollection to this;	16:44:36
17	but, like I said, at the end of the report -- at	16:44:39
18	the end of one report it says I approached and	16:44:42
19	announced my office. One report says -- report	16:44:44
20	says something different.	16:44:47
21	The fact of the matter is that Jessie	16:44:48
22	Lockett had a handgun when I began chasing him.	16:44:51
23	That's undisputable, and I remembered that	16:44:54
24	clearly.	16:44:57

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1	Q You saw him with a gun before --	16:44:57
2	A Yes, sir. Yes --	16:44:58
3	Q I'm sorry. Please let me finish my	16:44:59
4	question.	16:44:59
5	You saw him with a gun before he started	16:45:01
6	running?	16:45:03
7	A No, I did not see him with a gun before he	16:45:03
8	started running. As I stated in the report and	16:45:06
9	from my memory, I saw him running after -- I saw	16:45:08
10	him running and then pull a gun from underneath	16:45:12
11	his sweatshirt while he was running and then	16:45:14
12	run -- and then he pulled it out and began running	16:45:17
13	with it by his side.	16:45:19
14	Q Were you chasing him at the time he pulled	16:45:20
15	the gun out?	16:45:24
16	A Yes. As stated in my report and I've	16:45:25
17	stated that several times, sir.	16:45:28
18	Q But at the time you started chasing him,	16:45:29
19	had you seen the gun?	16:45:32
20	MR. MICHALIK: Objection; asked and	16:45:34
21	answered.	16:45:35
22	MR. STEFANICH: Join.	16:45:35
23	A Yes, I did see him with the gun because I	16:45:36
24	was chasing him. I was running --	16:45:36

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	BY MR. FLAXMAN:	16:45:36
2	Q Sir, at the time you started chasing him,	16:45:38
3	had you seen the gun?	16:45:42
4	MR. STEFANICH: Objection; asked and	16:45:43
5	answered.	16:45:43
6	A At the time that I started chasing him,	16:45:45
7	not initially; but at some point in time, I did	16:45:46
8	see him with the handgun.	16:45:50
9	Q I'm looking at the narrative on the arrest	16:45:54
10	report and it states -- it gives a description of	16:46:36
11	the handgun and the ammunition that you recovered.	16:46:39
12	Do you see that?	16:46:44
13	A Yes, I do.	16:46:44
14	Q Okay. What does it mean that it was	16:46:45
15	loaded with 1-10 shot capacity, 9-milli-	16:46:54
16	magazine -- 9-milimeter magazine?	16:46:59
17	A It was one magazine containing 10	16:46:59
18	9-millimeter rounds, a 10-shot capacity magazine.	16:47:04
19	Q Oh, I'm sorry. Okay.	16:47:07
20	So it was a single 10-shot capacity	16:47:10
21	9-millimeter magazine?	16:47:13
22	A That's correct.	16:47:14
23	Q And we'll look at the inventory report in	16:47:14
24	a moment. Let me ask you the next -- the next	16:47:20

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1	sentence states, "R/Os placed the subject into	16:47:22
2	custody per Miranda."	16:47:25
3	Do you see that?	16:47:26
4	A Yes, I do.	16:47:27
5	Q Does that mean that you read Miranda	16:47:27
6	rights to Mr. Lockett?	16:47:30
7	A Yes, it does.	16:47:30
8	Q And did you do that at the scene of his	16:47:31
9	arrest?	16:47:34
10	A Yes.	16:47:34
11	Q Did you -- how did you -- did you read the	16:47:35
12	Miranda rights from anything?	16:47:42
13	A From the best of my knowledge, sitting	16:47:44
14	here today, I don't recall; but normally if I read	16:47:46
15	Miranda to a subject that I was placing into	16:47:49
16	custody, I would read the preprinted form from my	16:47:52
17	FOP book.	16:47:56
18	Q The next -- well, that sentence concludes	16:47:56
19	that Mr. Lockett was transported to the	16:48:01
20	2nd District for processing; right?	16:48:03
21	A Yes, it does.	16:48:04
22	Q And I think you said you don't recall how	16:48:06
23	he was transported?	16:48:09
24	A No. As I read further, looking ahead in	16:48:09

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1	this report, it states that the transport unit --	16:48:13
2	let me to go to Page No. 4. It says, transport	16:48:18
3	details was 5 -- Beat 211.	16:48:21
4	Q Do you know who beat 211 is?	16:48:26
5	A That what it appears to be, a two-man	16:48:28
6	unit, B211, May 12th, 2005, at 1625 hours.	16:48:31
7	Q Do you know what officers were assigned to	16:48:37
8	Beat 211?	16:48:40
9	A As of today, no, I do not. It does not	16:48:40
10	list the officers who were working Beat 211.	16:48:44
11	Q And it's your understanding that if you	16:48:47
12	would have been the one to transport Mr. Lockett	16:48:49
13	to the station, your beat would be listed in the	16:48:52
14	box we're looking at on page 4?	16:48:55
15	A That is correct.	16:48:57
16	Q The narrative says -- are you back on	16:48:58
17	page 2 with me?	16:49:06
18	A Yes.	16:49:14
19	Q "Subject stated to R/Os that he carried	16:49:14
20	the gun for protection because he was beat up by	16:49:19
21	rival drug dealers in the Wells housing buildings."	16:49:24
22	Do you see that?	16:49:26
23	A Yes, I do.	16:49:26
24	Q Do you recall Mr. Lockett saying that?	16:49:26

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1	A At the present moment, no, but that's	16:49:28
2	what's stated in my report.	16:49:31
3	Q Can you tell from your report where	16:49:32
4	Mr. Lockett was when he said that?	16:49:36
5	A According to the report, no, I do not.	16:49:37
6	Q And based on your practice of writing	16:49:39
7	reports, would you have included that if you had	16:49:42
8	not heard Mr. Lockett make that statement?	16:49:49
9	A Based on my -- I'm sorry. Repeat the	16:49:51
10	question.	16:49:56
11	Q If another officer had told you that	16:49:56
12	Mr. Lockett made the statement that's reflected in	16:50:04
13	the arrest report, would you have put it in the	16:50:07
14	report?	16:50:09
15	A I would -- no, but I probably would have,	16:50:09
16	but I would have stated that officer. But from	16:50:15
17	the best of my knowledge, I remember this arrest.	16:50:17
18	I don't remember all the particular details, but I	16:50:22
19	do remember at some point in time him making this	16:50:25
20	admission.	16:50:26
21	I don't -- I didn't put it in quotes or	16:50:27
22	anything or paraphrase exactly what he said; but I	16:50:28
23	do remember him saying something to that effect,	16:50:32
24	that he was carrying a weapon for his protection	16:50:32

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

300

1 because he was beaten up by other rival drug 16:50:34
2 dealers. 16:50:39

3 Q And the way that you put it in the report 16:50:39
4 reflects that you were somebody who heard him say 16:50:42
5 that; correct? 16:50:45

6 A Yes. It says "R/Os." It doesn't state 16:50:45
7 whether or not myself or Ronald Watts or meaning 16:50:47
8 both of us heard him at some point in time. 16:50:50

9 Q You believe both of you heard him? 16:50:53

10 A I'm not certain as of today; but in the 16:50:55
11 report, I state "R/Os." And this is a report that 16:50:59
12 I've written, and I don't recall anyone telling me 16:51:01
13 how to write this report, from the best of my 16:51:04
14 knowledge. 16:51:07

15 Q You say you don't recall anyone telling 16:51:07
16 you how to write it? 16:51:10

17 A No. This is a report that I wrote. To 16:51:11
18 the best of my memory, this is the report that I 16:51:13
19 made. 16:51:14

20 Q Were there times when somebody told you 16:51:15
21 how to write a report? 16:51:18

22 A To the best -- I did not say that. I'm 16:51:19
23 saying for this particular report, no. And to the 16:51:21
24 best of my memory, I don't recall anybody ever 16:51:24

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	telling me to how to write any of my reports.	16:51:28
2	Q If you go to the last page of this report,	16:51:29
3	which is page No. 5, the second box down is the	16:51:40
4	movement log.	16:51:51
5	Do you see that?	16:51:52
6	A Yes.	16:51:52
7	Q Do you see that it states Mr. Lockett was	16:51:55
8	taken to Mercy because of a complaint of pain to	16:51:58
9	hand?	16:52:02
10	A Yes, I do.	16:52:03
11	Q Okay. Do you know why Mr. Lockett was	16:52:04
12	taken to Mercy?	16:52:07
13	A I have no idea.	16:52:09
14	Q As the arresting officer, is it your	16:52:10
15	responsibility to make sure the arrestee received	16:52:19
16	medical treatment if they needed it?	16:52:24
17	A Yes, it is; but from the best of my	16:52:25
18	memory, I do not recall Jessie Lockett ever	16:52:29
19	complaining about pain to his hand.	16:52:33
20	Q So he might have complained to somebody	16:52:35
21	else?	16:52:38
22	A Obviously, he did because it's in this	16:52:38
23	report on page 5 under movement log.	16:52:40
24	Q You can put the arrest report aside.	16:52:47

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

302

1	Exhibit No. 18, we looked at it briefly	16:53:03
2	before.	16:53:06
3	It's the general offense case report; is	16:53:06
4	that right?	16:53:09
5	A That's correct.	16:53:09
6	Q Okay. Did you create this report, Exhibit	16:53:09
7	No. 18?	16:53:12
8	A Yes, I did.	16:53:12
9	Q Okay. At the bottom, your name is listed	16:53:13
10	as the Box No. 95, the reporting officer?	16:53:18
11	A That's correct.	16:53:23
12	Q Is that your signature to the right?	16:53:24
13	A Yes, it is.	16:53:25
14	Q Do you know why no -- there's not another	16:53:26
15	reporting officer listed underneath your name?	16:53:29
16	A As I'm sitting here today, no, I do not.	16:53:31
17	Q Ronald Watts is listed in Box 97 as the	16:53:38
18	supervisor approving.	16:53:42
19	Do you see that?	16:53:43
20	A Yes, I do.	16:53:44
21	Q Do you recognize Sergeant Watts' signature	16:53:45
22	underneath his name?	16:53:48
23	A From the best of my memory, that is his	16:53:48
24	handwriting.	16:53:51

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

303

1	Q The second page of the general offense	16:53:51
2	case report after the narrative lists also	16:54:05
3	arresting, and then it lists the name of four	16:54:09
4	officers.	16:54:12
5	Do you see that?	16:54:13
6	A Yes, I do.	16:54:13
7	Q Okay. Do you know what those officers did	16:54:15
8	in relation to this arrest?	16:54:17
9	A At the present moment, I do not.	16:54:18
10	Q Is there any way you could find out?	16:54:22
11	A I'm certain there's probably some way you	16:54:25
12	could find out, but I do not recall at this	16:54:28
13	particular moment.	16:54:30
14	Q What's the way that you could find out?	16:54:30
15	A I don't know. Maybe -- it has Bolton,	16:54:33
16	Gonzalez, Nichols, or Leano. Because I was	16:54:35
17	working with Sergeant Watts at some point in time,	16:54:38
18	maybe they were assisting me to do the complaint	16:54:40
19	forms or the inventories. They assisted in some	16:54:43
20	other type of way as far as this arrest, but I	16:54:47
21	don't know what particular role that they played.	16:54:51
22	Q Underneath the narrative there's a section	16:54:56
23	that says "For use by Bureau of Investigative	16:55:07
24	Services only."	16:55:07

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

304

1	Do you see that?	16:55:14
2	A Yes.	16:55:14
3	Q Is that material that you did not fill in?	16:55:14
4	A No. I have no clue what that is used for.	16:55:17
5	Obviously, it's used by someone in the Bureau of	16:55:21
6	Investigative Services.	16:55:26
7	(Smith Deposition Exhibit 19 marked for	16:55:26
8	identification and attached to the transcript.)	16:55:27
9	Q All right. The next exhibit you have in	16:55:27
10	front of you is No. 19.	16:55:32
11	Do you know what Exhibit No. 19 is?	16:55:34
12	A It's a property inventory form -- property	16:55:43
13	inventory form.	16:55:48
14	Q Did you complete this property inventory	16:55:48
15	form?	16:55:51
16	A I'm looking at the bottom of the report.	16:55:51
17	Created by, it's not my PC number. So it had to	16:55:58
18	be one of the assisting officers.	16:56:02
19	Q What's your PC number?	16:56:06
20	A PC0U037.	16:56:08
21	Q Do you know whose PC number is PC0T093?	16:56:11
22	A As of this time, no, I do not.	16:56:16
23	Q And you don't have a recollection of who	16:56:20
24	completed this inventory sheet; right?	16:56:22

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

305

1	A No, I do not.	16:56:24
2	Q This has a description -- well, the first	16:56:25
3	thing listed on here is a description of the	16:56:35
4	firearm; correct?	16:56:37
5	A That's correct.	16:56:38
6	Q And then it lists the 10-round magazine;	16:56:38
7	is that correct?	16:56:44
8	A Yes.	16:56:44
9	Q And then after that, it lists 10 rounds	16:56:44
10	for that magazine?	16:56:48
11	A Yes.	16:56:49
12	Q Is it your understanding that a gun like	16:56:49
13	this -- well, I'm sorry. Let me ask that a	16:56:55
14	different way.	16:57:05
15	Is this description of the firearm, the	16:57:06
16	magazine, and the ammunition consistent with	16:57:09
17	Mr. Lockett having fired the gun shortly before he	16:57:13
18	was placed into custody?	16:57:16
19	MR. MICHALIK: Object to the form,	16:57:18
20	foundation.	16:57:19
21	A As I stated before, I have no idea if	16:57:21
22	Jessie Lockett fired the weapon or not.	16:57:22
23	Q Do you understand how a semiautomatic	16:57:26
24	pistol works?	16:57:29

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	A Yes, I do.	16:57:30
2	Q Okay. If he had fired the weapon, would	16:57:31
3	there be 10 rounds in the magazine?	16:57:34
4	MR. KOSOKO: Objection; incomplete	16:57:37
5	hypothetical, form.	16:57:39
6	A Sir, if it's a 10-round magazine, I -- the	16:57:42
7	weapon -- the weapons that we carry -- the weapon	16:57:46
8	that I use has 15 rounds. It can hold 15 rounds	16:57:49
9	in the magazine, and then you can carry another	16:57:54
10	one in the chamber. So that would give you an	16:57:57
11	additional round.	16:58:00
12	Q Do you know if the firearm described on	16:58:00
13	the first line of this report is one that can have	16:58:06
14	another round in the chamber?	16:58:10
15	A I'm certain all weapons -- I'm not a gun	16:58:13
16	expert, but I'm certain that they all operate and	16:58:16
17	are used the same way. So like I said, without	16:58:20
18	testing this weapon, I don't have no clue, but I'm	16:58:23
19	certain that it probably operates the same way as	16:58:28
20	a normal gun does.	16:58:30
21	(Smith Deposition Exhibit 20 marked for	16:58:30
22	identification and attached to the transcript.)	16:58:36
23	Q Let me ask you about Exhibit No. 20.	16:58:36
24	Do you have that in front of you?	16:58:38

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

307

1	A Yes, I do.	16:58:41
2	Q Okay. Do you recognize this as a	16:58:42
3	complaint for preliminary examination?	16:58:45
4	A Yes.	16:58:47
5	Q And is this a document that you completed?	16:58:47
6	A Yes.	16:58:51
7	Q Is that your signature on the line for	16:58:51
8	complainant's signature?	16:58:57
9	A Yes, it is.	16:58:58
10	Q And whose signature is on the line for	16:58:58
11	judge or clerk?	16:59:01
12	A I can't make that out, but I believe	16:59:01
13	that's Sergeant Brown, and it looks like it says	16:59:07
14	Star No. 916?	16:59:17
15	(Smith Deposition Exhibit 21 marked for	16:59:17
16	identification and attached to the transcript.)	16:59:17
17	BY MR. FLAXMAN:	16:59:17
18	Q Exhibit -- can you take a look at Exhibit	16:59:23
19	No. 21?	16:59:25
20	A Yes.	16:59:25
21	Q Do you recognize that as another complaint	16:59:26
22	for preliminary examination for Mr. Lockett?	16:59:28
23	A Yes, I do.	16:59:31
24	Q Okay. Did you complete Exhibit No. 21?	16:59:32

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

308

1	A	I signed it but the -- the handwritten	16:59:34
2		part of it doesn't look like it's my handwriting.	16:59:40
3	Q	Do you know whose handwriting it is?	16:59:43
4	A	No, I do not, probably one of the	16:59:46
5		assisting officers.	16:59:48
6	Q	For Exhibit No. 20, it's not handwritten;	16:59:50
7		right?	16:59:56
8	A	No, it is not.	16:59:56
9	Q	Okay. Do you know who typed it?	16:59:56
10	A	Sitting here today, no, I do not. Perhaps	16:59:58
11		I did. I don't know.	17:00:02
12	Q	But it also could have been one of the	17:00:02
13		assisting officers or somebody else?	17:00:05
14	A	That is correct.	17:00:06
15	Q	On Exhibit No. 21, you said that's your	17:00:07
16		signature on complainant's signature for those two	17:00:13
17		lines?	17:00:16
18	A	Yes, it is.	17:00:16
19	Q	Okay. And can you make out whose	17:00:17
20		signature is on the judge or clerk line?	17:00:19
21	A	Again, it looks like it says Sergeant	17:00:21
22		Brown, 916.	17:00:23
23	Q	Okay. Do you know Sergeant Brown?	17:00:24
24	A	Yes, I do.	17:00:26

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

309

1	Q What's Sergeant Brown's first name?	17:00:26
2	A Tony Brown and he's retired.	17:00:28
3	Q Do you know why Sergeant Brown signed	17:00:32
4	these two complaints?	17:00:36
5	A Sitting here today, I have no independent	17:00:38
6	recollection.	17:00:40
7	MR. FLAXMAN: I'm going to show you the	17:00:49
8	grand jury papers. I only have three copies of	17:00:50
9	it. I don't think we need to mark it as an	17:00:50
10	exhibit, but I'll just read into the record what	17:00:50
11	pages it is.	17:00:50
12	Q I'm showing you what is marked as	17:00:59
13	F PL JOINT 02979 through 02982.	17:01:01
14	Do you recognize that as papers from the	17:01:08
15	grand jury indictment of Mr. Lockett?	17:01:12
16	A I don't recall, but it does appear to	17:01:15
17	be so.	17:01:21
18	Q Okay. And do you see that it says -- that	17:01:21
19	Sergeant Watts name is on the front page?	17:01:23
20	A Yes.	17:01:25
21	Q Does that refresh your recollection on	17:01:25
22	whether you testified at the grand jury about	17:01:28
23	Mr. Lockett's case?	17:01:31
24	A According to this report, it doesn't	17:01:31

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

310

1	appear so.	17:01:35
2	Q Do you know if Jessie Lockett says he was	17:01:35
3	falsely arrested on July 10th 2004?	17:01:46
4	A No, I was not aware of that.	17:01:49
5	Q Okay.	17:01:50
6	MR. STEFANICH: Is that a different date	17:01:55
7	than the one we were talking about?	17:01:57
8	MR. FLAXMAN: Could be. I'll fix that.	17:02:01
9	Q Are you done looking at the grand jury	17:02:02
10	document?	17:02:05
11	A Just give me a second.	17:02:05
12	Q Sure.	17:02:07
13	A Okay.	17:02:07
14	Q Just hold on a sec.	17:02:07
15	Was there anything in there that you --	17:02:17
16	that peaked your interest?	17:02:19
17	A No.	17:02:21
18	(Smith Deposition Exhibit 22 marked for	17:02:21
19	identification and attached to the transcript.)	17:02:21
20	MR. FLAXMAN: Okay. You know, I think we	17:02:21
21	should just mark as Exhibit No. 22, but I have	17:02:23
22	another question about it.	17:02:26
23	Q We've been talking about this arrest of	17:02:34
24	Mr. Lockett on May 12th, 2005; correct?	17:02:37

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

311

1	A That's correct.	17:02:39
2	Q Okay. Are you aware that Mr. Lockett says	17:02:40
3	he was falsely arrested on that day?	17:02:43
4	A No, I do not.	17:02:45
5	Q I'm sorry?	17:02:46
6	A No, I do not.	17:02:48
7	Q You didn't not know that he says he was	17:02:49
8	falsely arrested.	17:02:51
9	A No.	17:02:52
10	Q Do you believe Mr. Lockett was lawfully	17:02:52
11	arrested on May 12th, 2005?	17:02:55
12	MR. STEFANICH: Objection; form,	17:02:57
13	foundation.	17:02:58
14	A Yes, he was arrested lawfully because I	17:02:59
15	arrested him.	17:03:03
16	Q Okay. And because you observed him with a	17:03:03
17	handgun?	17:03:07
18	A Yes, I did, and I made these reports.	17:03:07
19	MR. FLAXMAN: Okay. I don't have any	17:03:14
20	other questions on Lockett. Stop there?	17:03:14
21	MR. STEFANICH: Yeah.	17:03:16
22	MR. FLAXMAN: Okay. And we'll, by	17:03:19
23	agreement, do my other cases the next day?	17:03:19
24	MR. STEFANICH: Correct.	17:03:22

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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1	MR. FLAXMAN: Okay.	17:03:22
2	MR. STEFANICH: And do my follow-up the	17:03:23
3	next day as well.	17:03:25
4	MR. RAUSCHER: Yeah. Well, just remember	17:03:26
5	if you want to, once we get to the end of those	17:03:27
6	cases, call it.	17:03:29
7	MR. STEFANICH: Yeah.	17:03:30
8	THE VIDEOGRAPHER: This concludes the	17:03:32
9	deposition of Elsworth Smith, Jr., at 5:03 p.m.	17:03:32
10	(Off the video record.)	17:04:35
11	MR. STEFANICH: I'll order the original	17:04:35
12	today, and we will reserve signature.	17:04:37
13	(Off the record at 5:04 p.m.)	
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Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

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ACKNOWLEDGMENT OF DEPONENT

I, ELSWORTH SMITH, JR., do hereby
acknowledge that I have read and examined the
foregoing testimony, and the same is a true,
correct, and complete transcription of the
testimony given by me and any corrections appear
on the attached errata sheet signed by me.

(DATE)

(SIGNATURE)

Transcript of Elsworth Smith, Jr.
Conducted on February 17, 2020

314

CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Joanne Ely, Certified Shorthand
Reporter No. 84-4169, CSR, RPR, and a Notary
Public in and for the County of Kane, State of
Illinois, the officer before whom the foregoing
deposition was taken, do hereby certify that the
foregoing transcript is a true and correct record
of the testimony given; that said testimony was
taken by me stenographically and thereafter
reduced to typewriting under my direction; that
review was requested; and that I am neither
counsel for, related to, nor employed by any of
the parties to this case and have no interest,
financial or otherwise, in its outcome.

IN WITNESS WHEREOF I have hereunto set my
hand and affixed my notarial seal this 2nd day of
March, 2020.

My commission expires: May 16, 2020

Joanne E. Ely



Notary Public in and for the
State of Illinois

EXHIBIT 9



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Transcript of Douglas Nichols

Date: December 19, 2019

Case: Watts Coordinated Cases

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

- - - - - x
WATTS COORDINATED CASES. : Master Docket
: Case No. 19-cv-01717
- - - - - x

Videotaped Deposition of
DOUGLAS NICHOLS, VOLUME I
Chicago, Illinois
Thursday, December 19, 2019
10:12 a.m.

Job No.: 273007
Pages: 1 - 194
Reported by: Joanne E. Ely, CSR, RPR

Transcript of Douglas Nichols
Conducted on December 19, 2019

2

1 Videotaped deposition of DOUGLAS NICHOLS,
2 Volume I, held at the location of:

3
4
5 LOEVY & LOEVY
6 311 North Aberdeen Street
7 Third Floor
8 Chicago, Illinois 60607
9 312.243.5902
10
11
12

13 Pursuant to notice, before Joanne E. Ely,
14 a Certified Shorthand Reporter, and a Notary
15 Public in and for the State of Illinois.
16
17
18
19
20
21
22
23
24

Transcript of Douglas Nichols
Conducted on December 19, 2019

3

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Transcript of Douglas Nichols
Conducted on December 19, 2019

4

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Transcript of Douglas Nichols
Conducted on December 19, 2019

5

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18 ALSO PRESENT:

19 RICK KOSBERG, Videographer

Transcript of Douglas Nichols
Conducted on December 19, 2019

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Transcript of Douglas Nichols
Conducted on December 19, 2019

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Conducted on December 19, 2019

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Transcript of Douglas Nichols
Conducted on December 19, 2019

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P R O C E E D I N G S

THE VIDEOGRAPHER: This is the video deposition of Douglas Nichols taken by Loevy & Loevy in the matter of the Watts coordinated pretrial proceedings, Master Docket 19-cv-01717 held at Loevy & Loevy, 311 Aberdeen Street, Chicago, Illinois.

Today is December 19th, 2019. The time is 10:10. The court reporter is Joanne Ely of Planet Depos. The videographer is Rick Kosberg.

Counsel can now introduce themselves, and the court reporter is free to administer the oath.

MS. KLEINHAUS: Theresa Kleinhaus for the Loevy Plaintiffs.

MR. FLAXMAN: Joel Flaxman for various plaintiffs.

MR. PALLES: Eric Palles for Kallatt Mohammed.

MR. KOSOKO: Ahmed Kosoko on behalf of Ronald Watts.

MR. NOLAND: Daniel Noland for the City and supervisory defendants.

MR. BAZAREK: William E. Bazarek for Defendant Nichols as well as the other officers

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Transcript of Douglas Nichols
Conducted on December 19, 2019

10

1	represented by Hale and Monico.	10:13:06
2	THE WITNESS: Douglas E. Nichols, Jr.,	10:13:08
3	Chicago Police Department.	10:13:08
4	THE REPORTER: Would you raise your right	10:13:16
5	hand, please.	10:13:17
6	(Witness sworn.)	10:13:17
7	DOUGLAS NICHOLS,	10:13:17
8	having been duly sworn, testified as follows:	10:13:17
9	EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS	11:40:16
10	BY MS. KLEINHAUS:	11:40:16
11	Q Good morning, Officer Nichols.	10:13:19
12	A Good morning.	10:13:19
13	Q I introduced myself before we were on the	10:13:20
14	record. My name is Tess Kleinhaus. I represent a	10:13:22
15	number of the plaintiffs in these coordinated	10:13:25
16	proceedings.	10:13:28
17	What did you do to prepare for today's	10:13:28
18	deposition?	10:13:30
19	A I met with my lawyers, and I went over	10:13:31
20	some documents.	10:13:35
21	Q What documents did you go over?	10:13:35
22	A Vice case report, arrest report, general	10:13:38
23	offense case reports, and that's basically it.	10:13:44
24	Q Have you reviewed the complaints that have	10:13:51

Transcript of Douglas Nichols
Conducted on December 19, 2019

11

1	been filed in the lawsuits against you?	10:13:55
2	A No. Not really, no.	10:13:57
3	Q You've been deposed before; right?	10:14:00
4	A I have.	10:14:06
5	Q Okay. Just to remind you of how it works,	10:14:07
6	I'll do my best not to talk over you; and if you	10:14:12
7	can do your best not to talk over me, that makes	10:14:15
8	it easier for the court reporter; is that fair?	10:14:18
9	A That's fair.	10:14:20
10	Q If you answer one of my questions, I'll	10:14:20
11	assume that you understood the question; is that	10:14:24
12	fair?	10:14:26
13	A That's fair.	10:14:26
14	Q If I ask a bad question, you need to tell	10:14:27
15	me, and I'll rephrase it. Okay?	10:14:29
16	A Yes.	10:14:31
17	Q Are you on any medication or do you have	10:14:31
18	any medical conditions that would prevent you from	10:14:33
19	providing accurate testimony today?	10:14:36
20	A No, I'm not.	10:14:38
21	Q Are you currently employed by the Chicago	10:14:41
22	Police Department?	10:14:47
23	A Yes, I am.	10:14:47
24	Q Okay. How long have you been employed by	10:14:48

Transcript of Douglas Nichols
Conducted on December 19, 2019

12

1	the Chicago Police Department?	10:14:50
2	A I got hired by the Chicago Police	10:14:50
3	Department 24 February of 2003.	10:14:52
4	Q And what do you currently do for CPD?	10:14:54
5	A I'm currently assigned to the 2nd	10:15:02
6	District, Chicago Police Department.	10:15:05
7	Q What do you do at the 2nd District?	10:15:05
8	A I do admin work right now, currently, in	10:15:07
9	the Chicago Police Department, 2nd District.	10:15:11
10	Q Okay. And what does that admin consist	10:15:13
11	of?	10:15:16
12	A The admin consists of inside duties, which	10:15:16
13	consist of TSS cards. I enter TSS cards.	10:15:21
14	I entered -- well, I put up a board, what	10:15:26
15	we call "caboodle," and it was crimes that were	10:15:31
16	happening in the 2nd District. I put a peg where	10:15:36
17	that was going -- that was happening, and I	10:15:39
18	printed up a little summary of what it was, with	10:15:42
19	the RD number, the date, any offenders, anything	10:15:45
20	like that, and I put it on the board in the tac	10:15:51
21	office.	10:15:53
22	Q Okay. What is a TSS card?	10:15:54
23	A A TSS card is a traffic stop.	10:15:57
24	Q So you're doing data entry of the	10:15:58

Transcript of Douglas Nichols
Conducted on December 19, 2019

13

1	information from the traffic stop?	10:16:00
2	A That's correct.	10:16:01
3	Q How long have you had an admin role at the	10:16:02
4	2nd District?	10:16:10
5	A Since November of 2017.	10:16:12
6	Q Would you refer to that role as desk duty?	10:16:14
7	MR. BAZAREK: I would object to the form	10:16:21
8	of the question, vague, and ambiguous.	10:16:23
9	Q Would you also -- I'm sorry. Just go	10:16:27
10	ahead and answer.	10:16:29
11	A I don't know what desk duty is. I'm	10:16:30
12	admin. I know I'm admin.	10:16:33
13	Q Okay. You've never heard your current	10:16:35
14	situation described as desk duty?	10:16:37
15	A Not me personally, no.	10:16:39
16	Q Okay. Do you know why you were	10:16:42
17	transferred to an admin role?	10:16:44
18	MR. KOSOKO: Objection; form of the	10:16:47
19	question, calls for speculation, vague, and	10:16:48
20	ambiguous.	10:16:51
21	Q Okay. And unless your --	10:16:51
22	MR. BAZAREK: Join.	10:16:52
23	Q Excuse me. Unless your attorney tells you	10:16:53
24	not to answer, you still can answer despite the	10:16:56

Transcript of Douglas Nichols
Conducted on December 19, 2019

14

1	objection. Okay?	10:16:58
2	A Okay.	10:16:59
3	Q Go ahead.	10:16:59
4	A My understanding is because of these	10:17:00
5	lawsuits that we're sitting here today for.	10:17:05
6	Q Who told you that you would be placed in	10:17:07
7	an administrative role?	10:17:15
8	A My commander at the time and the captain	10:17:17
9	at the time.	10:17:20
10	Q Who was your commander at the time?	10:17:20
11	A Crystal King Smith.	10:17:24
12	Q And how did she tell you that you were	10:17:26
13	going to be put in an administrative role?	10:17:33
14	A If I recall, I don't remember 100 percent	10:17:35
15	what she exactly said, but she said I was going to	10:17:40
16	be inside.	10:17:44
17	Q Okay. Did she tell you why?	10:17:44
18	A I don't recall.	10:17:46
19	Q Did you ask why?	10:17:48
20	A No.	10:17:51
21	Q Other than knowing it's related to the	10:17:52
22	lawsuits we're here for today, do you have any	10:17:56
23	other information about why you were put in an	10:17:59
24	admin role?	10:18:01

Transcript of Douglas Nichols
Conducted on December 19, 2019

15

1	A No, I don't.	10:18:02
2	Q Are you aware that it relates to the	10:18:04
3	willingness of the state's attorney's office to	10:18:10
4	call you as a witness?	10:18:12
5	MR. BAZAREK: I'd object to the form of	10:18:13
6	that question.	10:18:16
7	A Could you repeat that question?	10:18:18
8	Q Sure.	10:18:19
9	MS. KLEINHAUS: Can you read it back.	10:18:19
10	(Pending question read.)	10:18:28
11	MR. BAZAREK: Also a further objection,	10:18:28
12	vague, ambiguous, compound. I don't understand	10:18:31
13	it.	10:18:34
14	A I'm not sure. I don't know.	10:18:38
15	(Nichols Deposition Exhibit 1 marked for	10:18:38
16	identification and attached to the transcript.)	10:18:39
17	Q Okay. Let me show you what we'll mark as	10:18:39
18	Exhibit 1. Take a second to review it, and I'll	10:18:43
19	ask you some questions about it.	10:18:59
20	A Okay.	10:19:33
21	Q Okay. Have you seen this letter before?	10:19:33
22	A This is the first time I'm seeing this	10:19:37
23	letter.	10:19:40
24	Q Okay. Look with me, please, to the last	10:19:40

Transcript of Douglas Nichols
Conducted on December 19, 2019

16

1	sentence in this letter. It says, "Please be	10:19:47
2	advised that the state's attorney's office has	10:19:48
3	concluded it will no longer call Officer Nichols	10:19:51
4	as witness in any pending or future matter" hand-	10:19:55
5	-- excuse me -- "handled by the state's attorney's	10:19:58
6	office due to concerns about his credibility and	10:19:59
7	alleged involvement in the misconduct of Sergeant	10:20:02
8	Watts."	10:20:02
9	Do you see that?	10:20:05
10	A I do.	10:20:05
11	Q Prior to seeing this letter, had you been	10:20:06
12	informed that the state's attorney's office would	10:20:11
13	no longer call you as a witness?	10:20:12
14	A I just saw on the news the original	10:20:14
15	letter, the news, and that was it, but my name was	10:20:17
16	not on that letter. That's when I first saw the	10:20:22
17	letter. But this particular letter, this is the	10:20:24
18	first I'm seeing this letter.	10:20:27
19	Q But did anyone from the Chicago Police	10:20:30
20	Department tell you that the state's attorney's	10:20:32
21	office would not call you as a witness?	10:20:34
22	A No.	10:20:36
23	Q Okay. Did anyone from the Chicago Police	10:20:36
24	Department tell you that there were concerns about	10:20:39

Transcript of Douglas Nichols
Conducted on December 19, 2019

17

1	your credibility as a witness?	10:20:41
2	A No one in the Chicago Police Department	10:20:42
3	said anything about my credibility.	10:20:44
4	Q Okay. You can put that exhibit to the	10:20:45
5	side.	10:20:49
6	You said your captain also talked to you	10:20:52
7	about being placed in an administrative role.	10:20:58
8	Who was that?	10:21:00
9	A His name is Mark Moore.	10:21:01
10	Q How do you spell his last name, please?	10:21:03
11	A I'm not 100 percent sure, but I think it's	10:21:05
12	M-o-o-r-e, if I'm not mistaken.	10:21:09
13	Q Okay. And what did Captain Moore tell you	10:21:14
14	about your transfer into an administrative role?	10:21:18
15	A Just basically we were going into	10:21:20
16	administrative duties.	10:21:22
17	Q Did he tell you why?	10:21:23
18	A I don't recall.	10:21:24
19	Q Did you ask why?	10:21:25
20	A I don't believe I did, no.	10:21:28
21	Q Why didn't you want to know the reason?	10:21:30
22	MR. NOLAND: Object to the form of the	10:21:35
23	question, foundation.	10:21:37
24	MR. BAZAREK: Join.	10:21:38

Transcript of Douglas Nichols
Conducted on December 19, 2019

18

1	MR. KOSOKO: Join.	10:21:40
2	MR. PALLES: Join.	10:21:41
3	A I don't know. I don't know what -- my	10:21:41
4	conversation with him, like I stated before.	10:21:44
5	BY MS. KLEINHAUS:	10:21:44
6	Q Okay. Was this a conversation you had	10:21:47
7	with Captain Moore in person?	10:21:49
8	A Could you repeat that question?	10:21:51
9	Q Did you talk with Captain Moore about your	10:21:54
10	transfer to an administrative role in person?	10:21:59
11	A Yes. It was myself, Captain Moore, and	10:22:01
12	Crystal King Smith in person.	10:22:05
13	Q Okay. Was anyone else present for that	10:22:08
14	meeting?	10:22:10
15	A Yes.	10:22:10
16	Q Who else?	10:22:11
17	A My partner at the time, Officer Leano.	10:22:11
18	Q Anyone else?	10:22:14
19	A No. Not that I recall, no.	10:22:16
20	Q Did Officer Leano ask why you were being	10:22:19
21	transferred to administrative duty?	10:22:22
22	MR. NOLAND: Objection; foundation.	10:22:23
23	A I don't recall.	10:22:26
24	Q Did you have any conversation either then	10:22:29

Transcript of Douglas Nichols
Conducted on December 19, 2019

19

1	or up until today with Officer Leano about why the	10:22:32
2	two of you were placed on administrative duty?	10:22:36
3	A Briefly.	10:22:39
4	Q What did that conversation consist of?	10:22:42
5	A About these lawsuits and we think it's	10:22:45
6	unfair of why we're in this situation.	10:22:48
7	Q Did anybody tell you -- I'm sorry --	10:22:52
8	strike that, please.	10:22:52
9	Did anyone from the Chicago Police	10:22:57
10	Department tell you that you were placed on	10:23:00
11	administrative duty because of these lawsuits?	10:23:01
12	A I don't recall.	10:23:03
13	Q How did you learn that administrative	10:23:04
14	duty -- your administrative duty was connected to	10:23:08
15	these lawsuits?	10:23:11
16	A Well, I found out by the letter, this	10:23:11
17	letter when I met with my attorneys. That's how I	10:23:15
18	found out that I was not on this list, on the	10:23:20
19	so-called list.	10:23:23
20	Q Okay.	10:23:24
21	MR. BAZAREK: Don't discuss any	10:23:24
22	conversations with your counsel.	10:23:26
23	Q Do you know how long you'll be on	10:23:39
24	administrative duty?	10:23:41

Transcript of Douglas Nichols
Conducted on December 19, 2019

20

1	MR. BAZAREK: Object to the form of the	10:23:42
2	question, speculation.	10:23:43
3	BY MS. KLEINHAUS:	10:23:43
4	Q Go ahead.	10:23:48
5	A I have no idea.	10:23:49
6	Q Do you consider being placed on	10:23:50
7	administrative duty a punishment?	10:24:07
8	MR. NOLAND: Object to the form of the	10:24:13
9	question, foundation.	10:24:15
10	MR. BAZAREK: Join.	10:24:16
11	A Absolutely, 100 percent I feel it's a	10:24:17
12	punishment.	10:24:19
13	Q And have you ever asked anyone at the	10:24:21
14	Chicago Police Department what you're being	10:24:23
15	punished for?	10:24:27
16	A No.	10:24:29
17	Q Prior to being placed on administrative	10:24:29
18	duty at the 2nd District, what were you doing?	10:24:39
19	A When I first got hired by the Chicago	10:24:42
20	Police Department, I went to the academy. After	10:24:47
21	the academy, I went to the 15th District. I did	10:24:50
22	my probation there; and then right before my	10:24:53
23	probation, I got sent to the 2nd District.	10:24:57
24	When I got to the 2nd District, I was	10:24:59

Transcript of Douglas Nichols
Conducted on December 19, 2019

21

1	working midnights; and after I was working	10:25:02
2	midnights as a beat patrol officer, I went to the	10:25:06
3	tactical division, tactical, slash, housing in	10:25:11
4	November of 2004.	10:25:14
5	Q And you've been assigned to the 2nd	10:25:19
6	District ever since?	10:25:24
7	A Yes.	10:25:24
8	Q What was the approximate time frame that	10:25:25
9	you were in the academy?	10:25:38
10	A If I had to guess 24 February of '03, and	10:25:41
11	I'm not sure when I graduated. I think it was	10:25:54
12	August of '03, if I'm not mistaken. I could be	10:25:57
13	wrong on that.	10:26:02
14	Q How long were you assigned to the 15th	10:26:02
15	District?	10:26:07
16	A I'm guessing again, I'm not 100 percent	10:26:07
17	sure, but I did my probation there. So probably	10:26:15
18	around six months, if I had to guess. I'm	10:26:19
19	guessing.	10:26:23
20	Q When you left the 15th District to go to	10:26:24
21	the 2nd District, was that the result of a bidding	10:26:36
22	process?	10:26:39
23	A To the best of my knowledge, when I got	10:26:39
24	sent to the 2nd District -- you get assigned to a	10:26:44

Transcript of Douglas Nichols
Conducted on December 19, 2019

22

1 district after your -- right before the end of
2 your probation, and you get assigned to a
3 district, and I happened to get assigned to the
4 2nd District.

5 Q Okay. So that was not something that you
6 had any ability to select or rank that you wanted
7 to go to the 2nd District?

8 A Not at all because at the time I was
9 living up north, and I didn't want to go to the
10 2nd District because it was quite a distance.

11 Q How long did you work midnights in the 2nd
12 District as a beat officer?

13 A If I'm not mistaken, I think I got to the
14 2nd District around June or July of '04, if I'm
15 not mistaken; and so probably a couple of months
16 before I went to tac in November of '04.

17 Q Okay. Was going to the tac team something
18 that you requested?

19 A No, it wasn't.

20 Q Do you know why you were placed on the
21 tactical team?

22 A No, I don't. I don't know why.

23 Q When you were at the academy, did you
24 receive some training on how to write police

10:26:48

10:26:52

10:26:53

10:26:56

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10:27:49

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10:27:56

10:28:07

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1	reports?	10:28:12
2	A I believe so, yes.	10:28:12
3	Q Okay. What did that consist of?	10:28:14
4	MR. NOLAND: Objection; overly broad.	10:28:17
5	MR. BAZAREK: Join.	10:28:19
6	MR. KOSOKO: Join.	10:28:20
7	A To the best of my knowledge, to fill in	10:28:22
8	the blanks, to write the narratives stating the	10:28:26
9	facts and what occurred to it, and filling out	10:28:30
10	each box that was pertinent to the case.	10:28:33
11	Q When you were taught to write up the	10:28:38
12	narratives, were you trained to include	10:28:43
13	information about which officer performed which	10:28:45
14	tasks in the arrest?	10:28:48
15	MR. KOSOKO: Objection; form of the	10:28:49
16	question, vague.	10:28:51
17	MR. BAZAREK: Join.	10:28:53
18	A I don't recall. I don't remember.	10:28:54
19	Q Were you taught at the academy, as part of	10:28:55
20	your training on writing police reports, about	10:29:23
21	which officer should write up the narrative	10:29:27
22	portion of the report?	10:29:30
23	A Not that I'm aware of, no.	10:29:31
24	Q Were you given any training about who	10:29:33

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24

1	should be listed as the first arresting officer	10:29:44
2	and the second arresting officer?	10:29:47
3	A As of which time? In the academy or --	10:29:48
4	Q At any point.	10:29:53
5	A No. To the best of my knowledge, whoever	10:29:57
6	is in box 1 is the one who is reporting the	10:30:00
7	offense.	10:30:06
8	Q Does that mean the person that's listed in	10:30:06
9	Box 1 writes the narrative portion of the report?	10:30:09
10	MR. BAZAREK: Object to the form of the	10:30:13
11	question.	10:30:15
12	MR. KOSOKO: Join.	10:30:15
13	A Typically, yes. To the best of my	10:30:18
14	knowledge, the person in Box 1 would typically	10:30:20
15	write the narrative to the case report -- or the	10:30:24
16	case report.	10:30:25
17	Q When you were working midnights in the 2nd	10:30:25
18	District before you became part of the tac team,	10:30:31
19	was report writing part of your responsibilities?	10:30:33
20	A Yes.	10:30:37
21	Q And would supervisors review the reports	10:30:37
22	that you wrote?	10:30:43
23	A Yeah. Supervisors would review the	10:30:44
24	reports. That's correct.	10:30:47

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1	Q Do you feel that you had adequate training	10:30:47
2	on report writing at the academy?	10:30:56
3	A I don't remember the class on reporting,	10:30:59
4	so I couldn't answer that question.	10:31:07
5	Q Did anyone at the 2nd District ever tell	10:31:08
6	you there was anything deficient or wrong with the	10:31:13
7	way you were writing up reports?	10:31:16
8	A No.	10:31:19
9	Q And you were trained that the reports	10:31:20
10	would be used as part of criminal proceedings;	10:31:25
11	right?	10:31:30
12	MR. KOSOKO: I'm going to object to the	10:31:30
13	form of the question, calls for speculation,	10:31:31
14	ambiguous.	10:31:33
15	MR. BAZAREK: Join.	10:31:35
16	A Yes. I would expect my reports to be in	10:31:37
17	the court proceedings.	10:31:42
18	Q When you joined the tactical team at the	10:31:43
19	2nd District, who was your supervisor?	10:32:06
20	A When I got assigned to the tactical team,	10:32:07
21	my supervisor was Ronald Watts.	10:32:11
22	Q Did Sergeant Watts ever give you any	10:32:16
23	training or instruction on report writing?	10:32:23
24	A No, he did not.	10:32:26

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1	Q At any point during your career with the	10:32:32
2	Chicago Police Department, did you receive	10:32:35
3	training on how to testify in court?	10:32:37
4	MR. NOLAND: Object to the form.	10:32:39
5	MR. KOSOKO: Join.	10:32:41
6	A I don't know if we had a class in the	10:32:44
7	academy. I don't remember if we had, like, a mock	10:32:47
8	trial, like how to; but not how to testify, no, if	10:32:49
9	that's what you're -- I don't understand what you	10:32:54
10	mean, how to testify.	10:32:55
11	BY MS. KLEINHAUS:	10:32:55
12	Q Did you receive any training related to	10:32:57
13	testimony in court?	10:33:00
14	A Like I said before, we might have in the	10:33:01
15	academy of how it's like to testify in court but	10:33:05
16	not how to testify.	10:33:11
17	Q How many times have you testified in	10:33:11
18	court?	10:33:14
19	A Many, a lot.	10:33:14
20	Q Okay. Dozens?	10:33:21
21	A I don't know the number, a lot.	10:33:23
22	Q That was a routine part of your job before	10:33:26
23	you were put on administrative duty; right?	10:33:31
24	MR. NOLAND: Object to the form, routine.	10:33:34

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1	MR. KOSOKO: Join.	10:33:36
2	MR. BAZAREK: Join.	10:33:37
3	A I went to court a lot, yes.	10:33:40
4	BY MS. KLEINHAUS:	10:33:40
5	Q When you needed to go to court as part of	10:33:47
6	your job, what would you do to prepare to testify?	10:33:51
7	MR. NOLAND: Objection; incomplete	10:33:55
8	hypothetical.	10:33:56
9	MR. BAZAREK: Join.	10:33:57
10	MR. KOSOKO: Join.	10:33:58
11	A When I went to court, I would talk to the	10:33:59
12	state's attorneys, and I would review my reports,	10:34:01
13	any reports that were pertinent to the case.	10:34:08
14	Q When you would meet with the state's	10:34:16
15	attorney, would other police officers typically be	10:34:25
16	present for that preparation session with the	10:34:28
17	prosecutor?	10:34:30
18	MR. BAZAREK: Object to the form,	10:34:31
19	foundation. I'll just make a standing objection	10:34:33
20	on this whole line of questioning. I don't know	10:34:35
21	if I want to interfere with every question that	10:34:37
22	you ask. So that's my objection.	10:34:39
23	A It's on -- yes.	10:34:43
24	Q Were you provided any training during the	10:34:50

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1	course of your career with the Chicago Police	10:35:05
2	Department, before you were placed in the	10:35:08
3	administrative role, on how to gather information	10:35:09
4	about narcotic sales?	10:35:15
5	MR. KOSOKO: I'm going to object to the	10:35:19
6	form of the question, vague, ambiguous.	10:35:21
7	A Could you repeat that question, ma'am.	10:35:26
8	Q Sure. In the course of your career with	10:35:27
9	the Chicago Police Department before you were	10:35:30
10	placed in an administrative role, were you given	10:35:32
11	any training about how to find out information or	10:35:35
12	investigate narcotic sales?	10:35:38
13	A I don't believe so, no.	10:35:40
14	Q When you were assigned to the 2nd District	10:35:43
15	on patrol on the midnight shift, did you know	10:36:06
16	Sergeant Watts?	10:36:09
17	A I did not. I did not know who Sergeant	10:36:09
18	Watts was.	10:36:13
19	Q When did you first come to know Sergeant	10:36:13
20	Watts?	10:36:16
21	A The first time I met Sergeant Watts was	10:36:16
22	the first day that I was working in the tactical	10:36:20
23	unit when I -- my first day in tactical.	10:36:26
24	Q What was the difference in terms of your	10:36:31

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1	job duties when you were assigned to patrol in the	10:36:33
2	2nd District on midnights versus when you were on	10:36:37
3	the tactical team?	10:36:41
4	A For the most part when you're in that	10:36:41
5	tactical unit, you're in plainclothes. For the	10:36:48
6	most part, you don't answer any calls that are not	10:36:51
7	urgent calls. You don't answer like domestic	10:36:54
8	calls or anything like that, criminal trespass --	10:36:59
9	or you could answer criminal trespass calls.	10:37:02
10	The main difference, when you're working a	10:37:04
11	beat car, you're in a uniform in a marked squad	10:37:06
12	car.	10:37:12
13	Q When you were part of the tactical team at	10:37:18
14	the 2nd District, how would your duties for each	10:37:21
15	shift be assigned?	10:37:26
16	A Typical in my duties when I first got	10:37:27
17	assigned was the same thing. I was assigned to	10:37:34
18	the 264 housing, slash, tactical team.	10:37:37
19	Q And what would you do on a particular --	10:37:40
20	on a -- excuse me -- in a typical shift on that	10:37:47
21	team, how would you know what your duties were for	10:37:52
22	that shift?	10:37:55
23	A My typical duties were basically the same	10:37:55
24	thing every day. On some circumstances, we would	10:38:00

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1	have roll call. Our sergeant would lead that roll	10:38:03
2	call or any other supervisor would lead the roll	10:38:08
3	call.	10:38:08
4	During the roll call, they would tell us	10:38:13
5	our shift that day, like if we were doing anything	10:38:15
6	in particular; or they might even tell us what was	10:38:19
7	happening in the district of recent shootings,	10:38:22
8	burglaries, robberies, et cetera, anything	10:38:26
9	pertinent that we should know that was happening	10:38:30
10	inside the district.	10:38:33
11	Q Who was part of the tactical team when you	10:38:35
12	joined it?	10:38:40
13	A When I first joined it was -- my	10:38:40
14	supervisor was Ron Watts. Then there was Officer	10:38:48
15	Young, Officer Jones, Bolton, Gonzalez, myself,	10:38:56
16	Leano, Smith, and I believe Torres when I first --	10:39:05
17	I got assigned to the 2nd District tactical.	10:39:15
18	Q Torres, is that T-o-r-r-e-s?	10:39:17
19	A I'm not 100 per- -- I don't know.	10:39:21
20	Q Okay. What's Torres's first name?	10:39:24
21	A I believe it's Cynthia, and it might be	10:39:28
22	Tornes. I'm not 100 percent sure what -- it's	10:39:31
23	Torres or Tornes.	10:39:35
24	Q Okay. Other than Ron Watts, who on that	10:39:39

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1	team was senior to you in terms of experience?	10:39:46
2	MR. BAZAREK: I will just object to the	10:39:51
3	form of the question. It's a bit vague, and	10:39:53
4	ambiguous.	10:39:57
5	A I don't understand what you mean by	10:39:58
6	experience.	10:40:00
7	BY MS. KLEINHAUS:	10:40:00
8	Q Were there people on that team who had	10:40:03
9	more experience as a police officer than you did?	10:40:05
10	A If you're talking about experience as a	10:40:08
11	police officer, I was the baby on the team. I had	10:40:10
12	the least amount of time on the team at the time.	10:40:14
13	Q Who joined the team next after you?	10:40:16
14	A I don't know. I don't understand the	10:40:29
15	question.	10:40:38
16	Q Did other people join the team after you	10:40:38
17	joined the team?	10:40:45
18	A We had other people join the 264 team, if	10:40:46
19	that's what you're -- I still don't understand the	10:40:52
20	complete question.	10:40:55
21	Q Okay. What about it is confusing?	10:40:56
22	A What do you mean joining, or when did they	10:40:59
23	join?	10:41:04
24	Q People were added to the team after you	10:41:04

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1	were already on it; right?	10:41:08
2	A Yes.	10:41:09
3	Q Okay. Who was the next person who was	10:41:09
4	added to the team?	10:41:12
5	A I don't know.	10:41:14
6	Q Who was your partner when you were first	10:41:16
7	assigned to the tactical team?	10:41:22
8	A My -- I got assigned to Officer Leano.	10:41:24
9	That was my partner.	10:41:28
10	Q Okay. Did he remain your partner	10:41:28
11	throughout the time that you were on the tactical	10:41:30
12	team?	10:41:32
13	A Yes. And then I went back to the patrol	10:41:32
14	for a couple months; and then when I went back to	10:41:38
15	the tactical team, he was my partner.	10:41:41
16	Q When did you go back to patrol for a	10:41:45
17	couple months?	10:41:48
18	A I believe it was sometime in 2008.	10:41:48
19	Q And why did you go back to patrol in 2008?	10:41:52
20	A To the best of my knowledge of why I did	10:42:02
21	go back to patrol, because I didn't follow the	10:42:05
22	chain of command.	10:42:09
23	Q Was it a form of discipline that you were	10:42:09
24	put back in patrol?	10:42:11

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1	A I really don't know. The reason that I	10:42:12
2	think I went back to patrol, I had a trip booked	10:42:16
3	and I had my airlines booked and everything. I	10:42:18
4	went to my tactical lieutenant at the time, and I	10:42:22
5	asked -- well, before that -- strike that. Before	10:42:26
6	that I tried to put in time, and I got denied.	10:42:29
7	So I went to my tactical lieutenant, asked	10:42:33
8	him if I could get the time granted.	10:42:35
9	He said, No.	10:42:39
10	And I said, Okay. I'll talk to the	10:42:41
11	district commander at the time.	10:42:45
12	And he said, Don't worry about it. She is	10:42:46
13	on my side. She is already aware of the	10:42:49
14	situation. You're just going to waste your time.	10:42:52
15	So I didn't know what to do. So I went to	10:42:55
16	the first deputy at the time, spoke to him, and my	10:42:58
17	time was granted. To the best of my knowledge, I	10:43:02
18	thought that I got replaced and went back to	10:43:05
19	patrol because I didn't follow the chain of	10:43:08
20	command.	10:43:10
21	Q Okay. When you say you didn't follow the	10:43:10
22	chain of command, you mean because you skipped	10:43:13
23	talking to the commander?	10:43:16
24	A That's correct.	10:43:17

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1	Q Who was the lieutenant that you spoke	10:43:18
2	with?	10:43:21
3	A That was Lieutenant Anthony Carothers.	10:43:22
4	Q And who was the commander that he said was	10:43:26
5	already aware and on his side?	10:43:34
6	A That was Commander Genessa Lewis.	10:43:38
7	Q And who was the first deputy that you	10:43:42
8	spoke with?	10:43:50
9	A I believe that was Joe Patterson.	10:43:50
10	Q How did you find out that you were being	10:43:56
11	moved back to patrol?	10:44:01
12	A It was a to/from printed up in the CO	10:44:03
13	book, and I believe my sergeant at the time	10:44:10
14	informed me that I was going back to patrol.	10:44:14
15	Q Was that Sergeant Watts?	10:44:16
16	A No. I don't believe Sergeant Watts was	10:44:17
17	there at the time.	10:44:21
18	Q Who told -- which supervisor told you?	10:44:21
19	A I do not know which supervisor it was. It	10:44:24
20	was one of the supervisors that were in the	10:44:28
21	tactical unit at the time.	10:44:30
22	Q Who were the other supervisors in the	10:44:31
23	tactical unit at the time?	10:44:37
24	A I don't remember all of them. I know	10:44:38

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1	Sergeant Jones was, and I don't recall who the	10:44:43
2	other sergeants were at the time.	10:44:46
3	Q And that's Sergeant Jones -- that's not Al	10:44:48
4	Jones; right?	10:44:53
5	A No.	10:44:54
6	Q What's the first name of that Sergeant	10:44:54
7	Jones that you're referring to?	10:44:58
8	A Donald Jones.	10:44:59
9	Q How long were you reassigned to patrol	10:45:00
10	in 2008?	10:45:05
11	A If I had to guess, maybe six months or	10:45:05
12	less, I would think. I'm guessing.	10:45:13
13	Q Did you want to return to the tactical	10:45:16
14	team?	10:45:21
15	A I did.	10:45:21
16	Q And why was that?	10:45:22
17	A Because I liked the hours. I liked what I	10:45:25
18	was doing back there. I felt comfortable with my	10:45:30
19	partner, working with my partner, and I liked what	10:45:33
20	I was doing. I thought I was a good officer and I	10:45:38
21	liked -- I really liked what I was doing.	10:45:41
22	Q What did you like about it?	10:45:47
23	A I liked making a difference out there. I	10:45:52
24	liked talking to citizens. I liked interacting	10:45:58

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1	with people. If a person was doing something	10:46:01
2	wrong, I would enforce the law, and I would arrest	10:46:07
3	that person.	10:46:12
4	Q And how was that -- how was it different	10:46:13
5	on the patrol side in terms of what you were doing	10:46:16
6	or your interactions with citizens?	10:46:21
7	A Basically, no different interactions with	10:46:24
8	citizens.	10:46:29
9	Q How did you get switched back into the	10:46:29
10	tactical team?	10:46:47
11	A I talked to the commander at the time, met	10:46:47
12	with her, explained the situation. We talked, and	10:46:53
13	then she reassigned me back to the tactical unit.	10:46:57
14	Q Was that Commander Lewis?	10:47:00
15	A Yes, it was.	10:47:04
16	Q Did she tell you that you had been moved	10:47:05
17	to patrol because you skipped a portion of the	10:47:13
18	chain of command?	10:47:17
19	A I don't recall. I don't know.	10:47:18
20	Q When you were assigned to the tactical	10:47:22
21	team, what areas of the 2nd District were you	10:47:41
22	assigned to?	10:47:44
23	A Could you repeat that question, ma'am.	10:47:44
24	Q Sure. Let me try and ask it better.	10:47:47

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1	Were there physical or geographic areas	10:47:50
2	within the 2nd District that you were assigned to	10:47:53
3	when you were part of the tactical team?	10:47:55
4	A As of which time?	10:47:57
5	Q Let's start with when you first joined in	10:47:58
6	November of 2004.	10:48:01
7	A When I first got assigned, I was assigned	10:48:01
8	to the 264 housing/tactical team. So we -- our	10:48:05
9	main focus was on the scattered sites, housing	10:48:10
10	projects in the 2nd District.	10:48:18
11	Q And which housing projects were those?	10:48:19
12	A There was scattered sites on Stateway	10:48:22
13	which is up and down State Street. There's the	10:48:26
14	Ida B. Wells housing complex which consists of	10:48:30
15	35th to 39th, from King Drive to Cottage.	10:48:32
16	There's scattered sites, 40th and	10:48:39
17	Vincennes, Washington Park Homes; and that's what	10:48:42
18	basically -- if I can remember correctly, that's	10:48:48
19	what we were patrolling.	10:48:51
20	Q Did that change at some point?	10:48:52
21	A Yes. Later in my career, it did, yes.	10:48:54
22	Q When did it change?	10:48:59
23	A When all the scattered sites of housing --	10:49:01
24	the housing projects were getting torn down.	10:49:07

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1	Q Do you recall when that was?	10:49:09
2	A If I had to guess, I would say around 2008	10:49:11
3	or 2009, I believe. I'm guessing.	10:49:17
4	Q Were there other tactical teams besides	10:49:19
5	the one that you were on that were also assigned	10:49:26
6	to go to the housing projects within the 2nd	10:49:31
7	District?	10:49:33
8	A Yes. There was another tactical team, and	10:49:33
9	they were the 266 housing, slash, tactical team.	10:49:35
10	Q Was there any difference between which	10:49:38
11	projects the 264 team would go to versus which	10:49:47
12	ones the 266 team would go to?	10:49:53
13	A No difference.	10:49:55
14	Q Okay. So your team could go down to the	10:49:56
15	Washington Park Homes, Ida B. Wells, or Stateway;	10:50:00
16	and the 266 team could also go to all three of	10:50:03
17	those; right?	10:50:07
18	A That's correct.	10:50:07
19	Q What were you assigned to do after the	10:50:08
20	housing projects were torn down?	10:50:27
21	A My duties were the 264 tactical team.	10:50:29
22	Q And where was the 264 tactical team	10:50:34
23	assigned?	10:50:41
24	A The whole 2nd District.	10:50:42

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1	Q And when did your assignment to the 264	10:50:44
2	tactical team end?	10:50:55
3	A I left the 264 tactical team briefly. I	10:50:56
4	went to another -- well, I went back to the watch,	10:51:07
5	and then I went -- after I came back, I went to	10:51:09
6	another tactical team.	10:51:11
7	Q Which tactical team is that?	10:51:12
8	A I believe it was the 263 tactical team.	10:51:14
9	Q Who was your supervisor when you were part	10:51:18
10	of the 263 team?	10:51:23
11	A Sergeant Kochanny.	10:51:25
12	Q Do you know how to spell Kochanny?	10:51:28
13	A I'm guessing K-o-c-h-a-n-n-y. I'm	10:51:33
14	guessing.	10:51:42
15	Q Okay. And when was it that you were	10:51:42
16	assigned to tactical team 263?	10:51:46
17	A I'm guessing also. Probably 2012,	10:51:49
18	'13-ish, I'm guessing. I'm not 100 percent sure.	10:52:08
19	I'm not 100 percent sure.	10:52:11
20	Q Was it after Sergeant Watts had been	10:52:13
21	arrested?	10:52:17
22	A Yes.	10:52:17
23	Q Was the reason that you were switched to	10:52:18
24	tactical team 263 because Sergeant Watts was	10:52:26

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1	arrested?	10:52:28
2	MR. PALLES: Objection; lack of	10:52:30
3	foundation.	10:52:31
4	MR. KOSOKO: Join.	10:52:32
5	MR. BAZAREK: Join.	10:52:33
6	A Actually, it was my choice to go to the	10:52:35
7	263 team -- or not to that particular team, to	10:52:37
8	leave the 264 team. Because at the time, they	10:52:41
9	were making the 264 team a strictly night team,	10:52:44
10	and I didn't want to work strictly night team at	10:52:48
11	the time. So that's why I left the 264 team.	10:52:52
12	BY MS. KLEINHAUS:	10:52:52
13	Q Did anybody else that you had worked with	10:52:56
14	on the 264 team switch to the 263 team?	10:53:01
15	A Yes.	10:53:04
16	Q Who else switched?	10:53:05
17	A My partner, Officer Leano, L-e-a-n-o, and	10:53:07
18	Officer Gonzalez.	10:53:12
19	Q Do you know if the 264 team was made to be	10:53:13
20	a night team after Sergeant Watts was arrested?	10:53:27
21	A Could you repeat that question?	10:53:30
22	Q Sure. Was the 264 team switched to a	10:53:33
23	night team after Sergeant Watts was arrested?	10:53:39
24	A It was assigned to a night team after he	10:53:41

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1	was arrested.	10:53:47
2	Q About how long after?	10:53:47
3	A When I switched to the 263 team, that's	10:53:52
4	when it went to a night team.	10:53:58
5	Q How long after Watts was arrested was it	10:54:01
6	switched to a night team?	10:54:07
7	A I don't know.	10:54:07
8	Q How did you learn that Sergeant Watts had	10:54:08
9	been arrested?	10:54:14
10	A I learned Sergeant Watts was arrested by	10:54:14
11	the media.	10:54:17
12	Q Did anyone from the Chicago Police	10:54:17
13	Department ever tell you that Sergeant Watts had	10:54:24
14	been arrested?	10:54:26
15	A I don't believe so, no. I don't recall,	10:54:26
16	no.	10:54:31
17	Q Did you ever ask anyone at the Chicago	10:54:31
18	Police Department about Watts being arrested?	10:54:35
19	A Could you repeat that question?	10:54:37
20	Q Sure.	10:54:40
21	MS. KLEINHAUS: Can you read it back.	10:54:42
22	(Pending question read.)	10:54:50
23	A I don't believe so, no.	10:54:50
24	Q Were you curious about his arrest?	10:54:51

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1	MR. NOLAND: Object to the form.	10:54:58
2	MR. BAZAREK: Join.	10:54:59
3	A Was I curious? I was shocked.	10:55:02
4	BY MS. KLEINHAUS:	10:55:02
5	Q What was shocking to you about it?	10:55:08
6	A When he got arrested, I didn't know what	10:55:10
7	to believe. I didn't know, and I never saw any	10:55:16
8	things that would make me think that what he did	10:55:21
9	was what he was doing.	10:55:24
10	Q Did you ever try to find out anything more	10:55:25
11	about his arrest or prosecution?	10:55:33
12	A I don't understand what you're -- what you	10:55:35
13	mean by that.	10:55:40
14	Q I think you testified previously you never	10:55:41
15	asked anyone at CPD about his arrest; right?	10:55:44
16	A That's correct.	10:55:46
17	Q Did you ever try and find anything else	10:55:47
18	about -- find out anything else about it through	10:55:50
19	any other means?	10:55:52
20	MR. BAZAREK: Object to the form of the	10:55:53
21	question, vague, ambiguous, compound.	10:55:54
22	A Maybe just reading what the media was	10:55:58
23	saying.	10:56:00
24	Q Okay. What did you do to find something	10:56:00

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1	out from the media?	10:56:04
2	A I just watched the news or read the	10:56:05
3	newspaper; or when I saw an article, I read it.	10:56:09
4	Q Okay. Where did you see an article about	10:56:13
5	Sergeant Watts?	10:56:18
6	A I don't recall the specifics. I know I	10:56:19
7	saw it on the news. I thought maybe Chicago	10:56:24
8	Breaking News.	10:56:28
9	Q And what's your understanding of what	10:56:29
10	Watts was arrested and prosecuted for?	10:56:32
11	A To the best of my knowledge what Sergeant	10:56:36
12	Watts got arrested for, that he met with an	10:56:39
13	informant that was working for the FBI at the time	10:56:43
14	when he was off duty. Him and Kallatt Mohammed	10:56:47
15	took money from an informant, and that's what I	10:56:51
16	know about the case.	10:56:54
17	Q Okay. And to this day, has anyone from	10:56:55
18	the Chicago Police Department ever -- or strike	10:57:01
19	that, please.	10:57:07
20	Is everything that you just explained	10:57:08
21	about Watts's arrest and prosecution things you	10:57:13
22	learned from the media?	10:57:16
23	A Yes.	10:57:17
24	Q Is that also true for the arrest and	10:57:18

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1	prosecution of Officer Mohammed, everything you	10:57:28
2	know about it comes from the media?	10:57:31
3	A That's correct.	10:57:33
4	Q When was the last time that you spoke with	10:57:33
5	Sergeant Watts?	10:57:48
6	A The last time I spoke to Ronald Watts was	10:57:48
7	at a civil hearing, and I don't recall the exact	10:57:53
8	date.	10:57:58
9	Q Okay. What was the matter being discussed	10:57:58
10	at the civil hearing?	10:58:03
11	A About the case that we were on.	10:58:05
12	Q Okay. I don't want you to tell me	10:58:10
13	anything about any conversations that you had with	10:58:16
14	your attorney but did you see him -- did you see	10:58:18
15	Sergeant Watts in connection with these lawsuits?	10:58:22
16	A With these lawsuits?	10:58:26
17	Q Yes, sir.	10:58:28
18	A No.	10:58:29
19	Q Okay. Was the civil hearing you're	10:58:29
20	referring to a trial where you two were being	10:58:31
21	sued?	10:58:34
22	A That's correct.	10:58:34
23	Q Okay. And whose trial was that?	10:58:35
24	A That was Sondra Cartwright.	10:58:36

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1	Q And when did that case go to trial?	10:58:38
2	A If I had to guess, I believe it was 2012.	10:58:42
3	I'm guessing. Or 2013, I'm guessing.	10:58:51
4	Q Had Sergeant Watts been arrested yet?	10:59:00
5	A Yes.	10:59:02
6	Q Did you talk to him about the fact that he	10:59:03
7	had been arrested?	10:59:08
8	MR. BAZAREK: I just want to make an	10:59:08
9	objection here.	10:59:11
10	If you were represented by counsel in that	10:59:13
11	case, don't discuss any discussions with Watts	10:59:15
12	that you would have had with your counsel -- where	10:59:21
13	your counsel was involved. So just keep that in	10:59:25
14	mind.	10:59:27
15	MR. KOSOKO: Also my firm represented	10:59:30
16	Officer Nichols and the other accused in the	10:59:35
17	Sondra Cartwright case.	10:59:39
18	Q So at the time that you saw Sergeant Watts	10:59:41
19	at the Cartwright trial, did you have any	10:59:47
20	discussion with Watts about his arrest?	10:59:52
21	MR. BAZAREK: This is outside the presence	10:59:55
22	of counsel?	10:59:58
23	MS. KLEINHAUS: Right. You've all made	11:00:00
24	your point.	11:00:01

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1	Q I'm not asking you about conversations you	11:00:01
2	had with your attorneys. My question relates to	11:00:03
3	your conversation with Sergeant Watts.	11:00:03
4	Did you talk to him about the fact that he	11:00:06
5	had been arrested?	11:00:08
6	A No.	11:00:08
7	Q Did he say anything to you about the fact	11:00:08
8	that he was facing criminal charges?	11:00:15
9	MR. NOLAND: Object to form.	11:00:17
10	MR. KOSOKO: Join.	11:00:18
11	MR. BAZAREK: Join.	11:00:19
12	A No.	11:00:20
13	Q Was that the first time you were seeing	11:00:20
14	him since he had been arrested?	11:00:24
15	MR. KOSOKO: I'm going to object to the	11:00:26
16	form of the question.	11:00:27
17	Go ahead.	11:00:28
18	A I believe we saw him one more time, and	11:00:29
19	that was at a restaurant.	11:00:32
20	Q Okay. When you say "we," who are you	11:00:33
21	referring to?	11:00:36
22	A I believe my partner was there, Officer	11:00:37
23	Leano, and another officer. I don't know who it	11:00:40
24	was at -- I don't recall.	11:00:43

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1	Q Okay. What restaurant did you see	11:00:43
2	Sergeant Watts at?	11:00:47
3	A I forgot the name -- it was a hotdog	11:00:48
4	stand. I forgot the name of it.	11:00:58
5	Q Do you remember where it was?	11:00:59
6	A I believe it was 103rd and Kedzie.	11:01:01
7	Q Were you on duty at the time?	11:01:03
8	A I was.	11:01:07
9	Q And what conversation did you have with	11:01:08
10	Sergeant Watts?	11:01:14
11	A Just basic questions, basic conversation,	11:01:14
12	nothing about -- we didn't get into the arrest or	11:01:21
13	anything like that.	11:01:26
14	Q Was that the first time you were seeing	11:01:28
15	him after he had been arrested?	11:01:30
16	A Yes.	11:01:32
17	Q And you didn't say anything about the	11:01:32
18	arrest; right?	11:01:34
19	A No.	11:01:35
20	Q And he didn't say anything about the	11:01:35
21	arrest?	11:01:37
22	A No.	11:01:37
23	Q Do you remember anything about what was	11:01:37
24	said in that conversation?	11:01:50

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1	A I don't.	11:01:51
2	Q Had you met any members of the 264	11:01:51
3	tactical team before you were assigned to that	11:02:10
4	team?	11:02:17
5	A I met Manny Leano a handful of times	11:02:17
6	because he worked midnights the same watch I did,	11:02:22
7	but I didn't really know him. I worked with him	11:02:26
8	maybe once or twice before I got assigned to the	11:02:30
9	tactical team.	11:02:33
10	But to that extent, that was the only	11:02:34
11	person that I knew going back to the tactical	11:02:35
12	team. I didn't really know him, just those two or	11:02:39
13	three times that I worked with him.	11:02:42
14	Q Okay. And you didn't know anyone else	11:02:43
15	from that team besides Leano?	11:02:46
16	A I didn't know a single soul.	11:02:48
17	Q Okay. Over the course of the years that	11:02:51
18	you were on the 264 tactical team -- when I say	11:02:53
19	the 264 team, I mean from when you joined in	11:02:59
20	November 2004 until you left and went to the 263	11:03:03
21	team.	11:03:07
22	Do you understand?	11:03:08
23	A Okay.	11:03:08
24	Q I'm using it for that entire time period	11:03:09

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1	that you were working on that tactical team.	11:03:13
2	Does that make sense?	11:03:15
3	A Yes. But then I went back to the 264	11:03:16
4	tactical team after the 263 tactical team too.	11:03:20
5	Q Okay. I'm sorry. That's my mistake.	11:03:22
6	So when did you go back to 264?	11:03:25
7	A When I talked to my wife about the	11:03:27
8	situation, I went back to the 264 tactical team	11:03:30
9	because I thought nights would work better for my	11:03:32
10	situation. That's why I went back to the 264	11:03:36
11	tactical team and worked strictly nights.	11:03:39
12	Q Okay. Approximately, when was that, that	11:03:41
13	you went back to 264 to work nights?	11:03:44
14	A I only worked the 263 tactical team	11:03:46
15	probably, if I had to guess, maybe less than six	11:03:49
16	months, and I went back to the 264 tactical team.	11:03:54
17	Q And how long did you then work for the 264	11:03:57
18	team?	11:04:14
19	A I was working for the 264 team all the way	11:04:14
20	up until I got told that I was going to admin	11:04:18
21	duties.	11:04:22
22	Q And that was November of 2017?	11:04:23
23	A That was November 2017; correct.	11:04:24
24	Q Okay. So if I refer to the 264 team, I	11:04:27

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1	mean the team that you joined in November 2004 and	11:04:31
2	all the times that you were part of that team	11:04:36
3	until you left in November of 2017; is that fair?	11:04:39
4	A I'm still currently assigned to the 264	11:04:42
5	team.	11:04:45
6	Q Okay. And how would you describe -- would	11:04:45
7	you say you're detailed to admin duty, or how	11:04:53
8	would you describe your current situation?	11:04:55
9	A I guess I would describe it -- I don't	11:04:56
10	know how to describe it. I know I'm admin, but I	11:05:01
11	know I'm currently assigned to the 264 team.	11:05:05
12	Q During the years that you've worked as	11:05:07
13	part of the 264 team, did you become friends with	11:05:21
14	members of the 264 team?	11:05:25
15	A Members of the 264 team, members of the	11:05:27
16	other tactical teams too, yes. Co-workers,	11:05:33
17	friends, yes. Not just the 264 team, it's other	11:05:36
18	people in the district, other people that are not	11:05:40
19	even back in the tac office, other teams I've	11:05:43
20	become friends with or acquaintance with. I don't	11:05:48
21	know what you consider friends.	11:05:52
22	Q Did you spend time with members of the 264	11:05:53
23	team outside of work?	11:06:00
24	MR. KOSOKO: Object to the form of the	11:06:02

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1	question.	11:06:03
2	A Very rare. Maybe special occasions, my	11:06:04
3	kids' first birthdays, my wedding, other people on	11:06:10
4	the tactical team, fantasy football; but on a	11:06:18
5	daily basis, no. Did I call them on a daily	11:06:25
6	basis, no. Have I called anyone about -- talking	11:06:27
7	about anything, if that's what you're getting at,	11:06:31
8	no. But special occasions, that's how I would --	11:06:33
9	first birthdays, fantasy football.	11:06:36
10	BY MS. KLEINHAUS:	11:06:36
11	Q Okay. Who from the 264 team attended your	11:06:41
12	wedding?	11:06:46
13	A Attended my wedding was Ron Watts,	11:06:47
14	Elsworth Smith, Brian Bolton, Robert Gonzalez, and	11:06:52
15	Manuel Leano.	11:07:07
16	Q And what year did you get married?	11:07:08
17	A I got married in July of 2005.	11:07:12
18	Q And which of the members of the 264 team	11:07:17
19	attended birthday parties of your children?	11:07:25
20	A I know Officer Leano did, I'm positive;	11:07:36
21	and Gonzalez and Bolton, I'm 100 percent sure --	11:07:40
22	almost 100 percent sure.	11:07:45
23	Q And did you attend any of the weddings of	11:07:46
24	anyone else from the 264 team?	11:07:52

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1	A	I have.	11:07:54
2	Q	Whose wedding have you attended?	11:07:55
3	A	Officer Young, Gonzalez, and Bolton's.	11:07:58
4	Q	And have you attended any family events	11:08:11
5		like birthday parties or other celebrations hosted	11:08:15
6		by other members of the 264 team?	11:08:20
7	A	I have.	11:08:23
8	Q	Okay. And whose celebrations or family	11:08:23
9		events have you attended?	11:08:27
10	A	Bolton's.	11:08:28
11	Q	Anyone else?	11:08:30
12	A	Not that I -- no, not that I recall, no.	11:08:31
13	Q	You mentioned fantasy football.	11:08:35
14		Are you part of a fantasy football league	11:08:40
15		with members of the 264 team or former members of	11:08:44
16		the 264 team?	11:08:49
17	A	Yes.	11:08:49
18	Q	Okay. Who is part of that fantasy	11:08:49
19		football league?	11:08:52
20	A	At first, Officer Bolton was, and then	11:08:53
21		he's not in it no longer. Currently, it's Officer	11:08:56
22		Gonzalez and Officer Leano.	11:08:59
23	Q	Why did Bolton leave?	11:09:02
24	A	To the best of my knowledge, he left	11:09:12

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1	because he was in too many football leagues and he	11:09:15
2	didn't have time to join another one.	11:09:18
3	Q It's not that your league was too	11:09:20
4	competitive for him?	11:09:23
5	A No.	11:09:24
6	Q Okay.	11:09:24
7	A Well, maybe, I don't know. You would have	11:09:29
8	to ask him.	11:09:32
9	Q Do you have the cell phone numbers or	11:09:33
10	personal contact information for members of the	11:09:45
11	264 team if you wanted to get in contact with them	11:09:49
12	today?	11:09:51
13	A I do, and I have a lot of people's	11:09:51
14	contacts in my phone, as we speak today.	11:09:54
15	Q Was Michael Spaargaren part of the 264	11:09:59
16	team while you were a part of it?	11:10:04
17	A No, he was not.	11:10:05
18	Q Have you ever worked with Officer	11:10:07
19	Spaargaren?	11:10:09
20	A I don't believe so, no, never.	11:10:10
21	Q Do you know who he is?	11:10:13
22	A If I'm thinking the right person, I think	11:10:19
23	his business did a home inspection for me, but he	11:10:25
24	did not. I think his partner did it for my home	11:10:31

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1	inspection at the time.	11:10:35
2	Q Do you know if you've ever met Officer	11:10:35
3	Spaargaren?	11:10:41
4	A I think when I initially called, I think I	11:10:41
5	talked to him, and that's how I met him but	11:10:45
6	face-to-face, no.	11:10:48
7	Q Okay. And approximately when was it that	11:10:50
8	you believe you spoke with him about a home	11:10:52
9	inspection?	11:10:58
10	A In 2006.	11:10:58
11	Q How did you get his name?	11:10:59
12	A Through other officers on the 264 team.	11:11:01
13	Q Who on the 264 team gave you his name?	11:11:05
14	A It was either Officer Gonzalez or Officer	11:11:11
15	Bolton.	11:11:15
16	Q Did you work with Lamonica Lewis?	11:11:22
17	A She was on the tactical team, the 264	11:11:36
18	housing/tactical team.	11:11:40
19	Q Did you ever work as partners with Officer	11:11:41
20	Lewis?	11:11:46
21	A Assigned partners -- I don't know if we	11:11:46
22	ever rode together personally. I don't believe	11:11:51
23	so. My original partner and my assigned partner	11:11:56
24	was Officer Leano, but I don't know if he was off,	11:12:00

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1	if we ever rode together, but I don't believe we	11:12:03
2	ever did.	11:12:06
3	Q Okay. If Leano was off, did you have a	11:12:07
4	typical partner then that you would be assigned	11:12:10
5	with when Leano was away?	11:12:13
6	A Not a typical partner that I was assigned	11:12:15
7	to -- assigned with. I normally rode with Officer	11:12:18
8	Gonzalez and Officer Bolton.	11:12:21
9	Q Who was Officer Lewis's regular partner?	11:12:24
10	A I think she had two partners when she was	11:12:35
11	back in the tactical team, if I'm not mistaken. I	11:12:43
12	believe she had Officer Smith and Officer	11:12:49
13	Mohammed, if I'm not mistaken.	11:12:51
14	Q Okay. And who was Officer Jones, Al	11:12:55
15	Jones's partner?	11:13:07
16	A At which time?	11:13:07
17	Q When you first became part of the 264	11:13:10
18	team.	11:13:15
19	A Officer Young.	11:13:16
20	Q Okay. Did that change at some point?	11:13:18
21	A It did.	11:13:21
22	Q Who was Officer Jones's next partner after	11:13:21
23	Young?	11:13:29
24	A I believe it was Officer Smith.	11:13:30

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1	Q And did that change again?	11:13:31
2	A It did.	11:13:36
3	Q And who was the next partner after Smith?	11:13:38
4	A Officer Smith but then she got married.	11:13:41
5	Then her maiden now -- or her name is Officer	11:13:50
6	Young now or Detective Young.	11:13:55
7	Q Do you recall her first name?	11:13:57
8	A Her first name, I believe, was Caroline.	11:13:59
9	Q Okay. Any other partners that you recall	11:14:03
10	for Officer Jones?	11:14:07
11	A Not that I recall.	11:14:08
12	Q Okay. Was Officer Ridgell part of the 264	11:14:11
13	team when you were part of it?	11:14:20
14	A Officer Who?	11:14:21
15	Q Ridgell?	11:14:23
16	A No, if -- no, I don't believe so. No,	11:14:26
17	that name --	11:14:29
18	Q Okay. What about Jerome Summers?	11:14:30
19	A No.	11:14:33
20	Q Do you know Officer Summers?	11:14:35
21	A His name, yes, seen him a couple times,	11:14:38
22	but that's about it.	11:14:44
23	Q Okay. What about Officer Ridgell or	11:14:45
24	Ridgell? I could be saying it wrong.	11:14:51

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1	A	If I'm thinking of that same person, that	11:14:53
2		his name is -- I'm not 100 percent what his last	11:14:56
3		name is, yes, I think so, just passing by.	11:14:59
4	Q	Okay. You think you know who that is?	11:15:05
5	A	Do you know his first name?	11:15:08
6	Q	Calvin.	11:15:10
7	A	Just passing by and met him a couple	11:15:11
8		times.	11:15:16
9	Q	Okay. Who on the 264 team smoked cigars?	11:15:16
10		MR. KOSOKO: Objection; form of the	11:15:26
11		question, foundation.	11:15:29
12	A	At work?	11:15:33
13	Q	Ever.	11:15:33
14		MR. KOSOKO: Same objection.	11:15:36
15		MR. BAZAREK: I'll join in that objection.	11:15:37
16	A	I don't understand. When -- have I ever?	11:15:44
17		Like have I ever smoked a cigar?	11:15:47
18	Q	Yes.	11:15:48
19	A	I don't -- I don't -- okay. I smoked a	11:15:48
20		cigar in my life. I've seen Officer Jones smoke a	11:15:52
21		cigar before, Officer Watts or Sergeant Watts. I	11:15:58
22		believe, I'm not 100 percent sure, Officer Smith	11:16:07
23		smoked cigars, and I believe that was it that I've	11:16:11
24		seen people smoke a cigar, I do believe.	11:16:20

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1	Q Have you ever talked to anyone who is a	11:16:21
2	former or current member of the 264 team about the	11:16:29
3	fact that you're on administrative duty?	11:16:33
4	A Could you repeat that question?	11:16:35
5	Q Sure. Have you ever talked to anyone who	11:16:37
6	is a former member of the 264 team or a current	11:16:43
7	member of the 264 team about the fact that you're	11:16:48
8	on administrative duty?	11:16:50
9	MR. BAZAREK: Again, this is outside of	11:16:51
10	conversations when counsel is present.	11:16:53
11	Q Right. Don't tell me anything you talked	11:16:55
12	about with your attorney.	11:16:57
13	A Just basically Officer Gonzalez and	11:17:00
14	Officer Leano, and basically, we were saying that	11:17:03
15	we don't think it's right that we're in this	11:17:05
16	position and we're being treated unfairly, I	11:17:09
17	believe.	11:17:12
18	Q Did you ever talk to either of them about	11:17:12
19	any of the specific cases, lawsuits that have been	11:17:18
20	brought against you?	11:17:25
21	A No.	11:17:26
22	Q When you were assigned to the 264 team,	11:17:27
23	did you become familiar with residents of the	11:17:54
24	Ida B. Wells housing complex?	11:17:57

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1	MR. KOSOKO: I'm going to object to the	11:18:00
2	form of the question, vague, ambiguous.	11:18:01
3	MR. BAZAREK: Join.	11:18:04
4	A Yes, I knew some of the residents down --	11:18:07
5	we talked to residents down on the Ida B. Wells	11:18:11
6	housing complex.	11:18:14
7	BY MS. KLEINHAUS:	11:18:14
8	Q Okay. Who do you know from the Ida B.	11:18:15
9	Wells housing complex?	11:18:20
10	A One in particular I know is a lady called	11:18:20
11	Ms. Campbell.	11:18:25
12	Q Okay. And what do you know about	11:18:27
13	Ms. Campbell?	11:18:30
14	A I know she is a really nice old lady. God	11:18:30
15	rest her soul. She passed away. That's basically	11:18:34
16	what I know about Ms. Campbell.	11:18:39
17	Q Okay. Anyone else that you knew or know	11:18:41
18	who was a resident of Ida B. Wells?	11:18:44
19	A I knew other people but -- I talked to	11:18:46
20	them, but I didn't talk to them like I talked to	11:18:50
21	Ms. Campbell.	11:18:53
22	Q Okay. How did you form your relationship	11:18:54
23	with Ms. Campbell?	11:18:55
24	A From being down there and working down at	11:18:57

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1	Ida B. Wells almost every day and just had a	11:19:01
2	relationship with her.	11:19:03
3	Q Where in Ida B. Wells did Ms. Campbell	11:19:04
4	live?	11:19:08
5	A When she lived down in Ida B. Wells, she	11:19:08
6	lived at 575 East Browning.	11:19:12
7	Q Okay. Any particular floor or unit that	11:19:16
8	you recall?	11:19:21
9	A First floor.	11:19:21
10	Q Do you know which apartment she had on the	11:19:24
11	first floor?	11:19:26
12	A I don't -- don't remember, don't recall	11:19:27
13	the apartment number.	11:19:30
14	Q Okay. Do you know who lived there with	11:19:31
15	her?	11:19:34
16	A I know other people lived there. I don't	11:19:34
17	know everyone that lived there.	11:19:42
18	Q Okay. Who do you know that lived there	11:19:43
19	with her?	11:19:46
20	A I believe a kid named Kiki. I don't know	11:19:46
21	how to spell that. And I believe a female lived	11:19:51
22	there, and I don't know her name either, and small	11:19:57
23	children that I recall.	11:20:01
24	Q Was Kiki male or female?	11:20:06

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1	A	That was a male.	11:20:09
2	Q	And about how old was Kiki?	11:20:10
3	A	If I had to guess I -- today? How old is	11:20:12
4		he today?	11:20:20
5	Q	Or when you -- when did you first get to	11:20:20
6		know Ms. Campbell?	11:20:25
7	A	I believe when I first met him, I believe	11:20:27
8		he was around 14, 16-ish, if I'm not mistaken. I	11:20:30
9		don't recall.	11:20:40
10	Q	When did you first meet or get to know	11:20:40
11		Ms. Campbell?	11:20:47
12	MR. BAZAREK:	Yeah. I'm just objecting to	11:20:51
13		the question because I think the witness answered	11:20:53
14		for a different individual, but it's your record.	11:20:56
15	Q	Go ahead.	11:20:56
16	A	I don't know when I actually met	11:21:03
17		Ms. Campbell, the exact date or time.	11:21:05
18	Q	When did you first encounter Kiki, or when	11:21:06
19		would Kiki have been 14 to 16 years old?	11:21:11
20	A	Like I said, I'm guessing how old he was.	11:21:16
21		Probably when I first met Ms. Campbell.	11:21:18
22	Q	Do you know when that was?	11:21:22
23	A	Like I said before, I don't.	11:21:27
24	Q	Okay. Other than Ms. Campbell, who do you	11:21:30

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1	know from Ida B. Wells?	11:21:32
2	MR. BAZAREK: In addition to Kiki and the	11:21:33
3	other individuals he just mentioned?	11:21:35
4	BY MS. KLEINHAUS:	11:21:35
5	Q Yeah. Don't tell me anybody you just	11:21:37
6	told me.	11:21:40
7	A I talked to other residents down there,	11:21:41
8	but I don't know their names or anything like	11:21:43
9	that.	11:21:48
10	Q Okay. Did you know anyone who worked in	11:21:48
11	Ida B. Wells as a candy lady selling snacks or	11:21:53
12	treats?	11:21:57
13	A No.	11:21:57
14	Q Do you know someone from Ida B. Wells who	11:21:59
15	had the nickname Shock?	11:22:14
16	A The name sounds familiar. I wouldn't know	11:22:18
17	his first name; or if he walked by me right now, I	11:22:22
18	wouldn't know who he was.	11:22:27
19	Q Okay. What do you know about Shock?	11:22:28
20	A I know he was one of the main drug dealers	11:22:30
21	down in the Ida B. Wells housing complex.	11:22:35
22	Q Do you know what drug line he sold?	11:22:38
23	A I don't.	11:22:43
24	Q What were the drug lines being sold in	11:22:45

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1	Ida B. Wells when you were part of the 264 team?	11:22:50
2	A There were numerous drug lines down in the	11:22:53
3	Ida B. Wells housing complex. The ones that I	11:22:58
4	recall is Obama, Xbox, and I'm drawing a blank on	11:23:02
5	others.	11:23:16
6	Q Who was selling the Obama line?	11:23:16
7	MR. KOSOKO: I'm going to object just to	11:23:23
8	the form of the question.	11:23:25
9	A I don't know. I don't recall.	11:23:27
10	Q Who was selling the Xbox?	11:23:28
11	MR. KOSOKO: Object to the form of the	11:23:33
12	question.	11:23:35
13	A The same. I don't remember, and I don't	11:23:36
14	recall.	11:23:39
15	Q Do you know someone by the name of Wilbert	11:23:39
16	Moore?	11:23:42
17	A The name -- yes.	11:23:42
18	Q What do you know about Wilbert Moore?	11:23:44
19	A The same, that he was a known drug dealer	11:23:48
20	in the Ida B. Wells housing complex.	11:23:51
21	Q Anything else?	11:23:53
22	A That he was basically the main up there,	11:23:55
23	one of the main guys.	11:23:57
24	Q Do you know whether he's alive or dead?	11:24:00

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1	A	He's dead. He's deceased.	11:24:05
2	Q	Do you know who killed him?	11:24:10
3	A	To the best of my knowledge, it went to	11:24:12
4		trial, and the Hobos, the gang the Hobos. The	11:24:16
5		persons, no.	11:24:19
6	Q	Did you ever hear anything about Sergeant	11:24:20
7		Watts being connected with the death of Wilbert	11:24:29
8		Moore?	11:24:32
9	A	Could you repeat that question?	11:24:32
10	Q	Sure.	11:24:34
11		MS. KLEINHAUS: Can you read it back.	11:24:34
12		(Pending question read.)	11:24:36
13	A	That he had some involvement in it; is	11:24:45
14		that what you're asking?	11:24:49
15	Q	Correct.	11:24:49
16	A	No, never.	11:24:50
17	Q	The first time you're hearing that is	11:24:51
18		today; right?	11:24:53
19	A	That's correct.	11:24:54
20	Q	Do you know who Willie Gatti is?	11:24:54
21	A	Same. Know his name, and that's it with	11:25:01
22		him.	11:25:07
23	Q	Over the course of your career as a	11:25:07
24		Chicago police officer, which arrests do you	11:25:17

Transcript of Douglas Nichols
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1	recall?	11:25:24
2	MR. KOSOKO: I'm going to object to the	11:25:24
3	form of the question.	11:25:26
4	MR. BAZAREK: Join.	11:25:27
5	MR. NOLAND: Join.	11:25:28
6	MR. PALLES: Join.	11:25:28
7	A In these particular cases or through my	11:25:30
8	career?	11:25:33
9	BY MS. KLEINHAUS:	11:25:33
10	Q Through your career.	11:25:33
11	MR. KOSOKO: Same objection.	11:25:36
12	A I remember a lot of cases. I wouldn't	11:25:38
13	know their names, but I remember a lot of	11:25:42
14	incidents throughout my career.	11:25:45
15	Q Okay. Tell me about the ones that you	11:25:47
16	remember.	11:25:51
17	A I remember one incident, I was wearing my	11:25:51
18	jacket, I put my hoodie on, and I walked into a	11:25:57
19	building by myself in the drug line, and I	11:26:00
20	arrested the guy that was selling narcotics.	11:26:03
21	Q Okay. Where was that?	11:26:06
22	A That one was, I believe, at 5 -- 5135	11:26:07
23	Federal, I believe it was, one of the high rises	11:26:15
24	over there, housing complex.	11:26:18

Transcript of Douglas Nichols
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1	Q When was that?	11:26:20
2	A I don't know.	11:26:21
3	Q What was the name of the person that you	11:26:23
4	arrested?	11:26:27
5	A Like I said before, I don't know.	11:26:28
6	Q Was it unusual for you to put your hoodie	11:26:30
7	and jacket on and walk in and arrest someone?	11:26:36
8	A I would say typically, yes.	11:26:39
9	Q And why was that unusual?	11:26:42
10	A Because if they saw a big white guy coming	11:26:45
11	in there to buy drugs -- I don't look like the	11:26:50
12	typical guy buying narcotics.	11:26:53
13	Q Okay. And you said on that occasion you	11:26:55
14	were by yourself?	11:27:01
15	A I walked in the building by myself; that's	11:27:02
16	correct.	11:27:05
17	Q And was it unusual for you to go into a	11:27:05
18	building by yourself?	11:27:11
19	A I wouldn't say it's unusual. Looking back	11:27:12
20	at it, I wouldn't say it's smart either.	11:27:19
21	Q Did that case go to trial?	11:27:21
22	A I don't remember.	11:27:26
23	Q Have you told me everything that you	11:27:28
24	remember about that incident?	11:27:35

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1	A	Of what I recall, yes.	11:27:36
2	Q	Okay. Other than that incident, what	11:27:39
3		other arrests from your career do you recall?	11:27:42
4	MR. PALLES:	Objection.	11:27:48
5	MR. KOSOKO:	Objection; form of the	11:27:49
6		question.	11:27:51
7	A	I remember another incident when I was	11:27:53
8		driving with my partner, Officer Leano. We were	11:27:56
9		approaching an alley. A male black came out of	11:27:59
10		the alley, and he had a handgun in his hand, and	11:28:02
11		then he dropped it to the ground right in front	11:28:07
12		of us.	11:28:09
13	Q	What else do you remember about that	11:28:14
14		incident?	11:28:16
15	A	That's basically it, what I remember about	11:28:17
16		that incident.	11:28:20
17	Q	Okay. Do you know when it was?	11:28:21
18	A	I don't.	11:28:23
19	Q	Do you know where it was?	11:28:24
20	A	I don't remember.	11:28:25
21	Q	Okay. What other incidents besides what	11:28:27
22		you've already described do you remember?	11:28:35
23	A	I remember traffic stops with stolen cars,	11:28:38
24		just pulling over a stolen car before.	11:28:43

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1 Q Do you remember one incident like that or 11:28:47
2 more than one? 11:28:50

3 A I remember having multiple occasions with 11:28:50
4 stolen cars. 11:28:54

5 Q Okay. Tell me about the first stolen car 11:28:55
6 traffic stop you recall. 11:28:58

7 A I just remember that it was a stolen car, 11:28:59
8 and we arrested a person with a stolen car. 11:29:01

9 Q Was this also with Officer Leano? 11:29:03

10 A I believe so, yes. 11:29:06

11 Q What's the next stolen car incident that 11:29:08
12 you remember? 11:29:15

13 MR. BAZAREK: You know, I'm just going to 11:29:15
14 make a standing objection to all of these 11:29:17
15 questions. You know, we have received 11:29:20
16 notification, my office, on the cases and arrests 11:29:25
17 that you're going to question Officer Nichols on; 11:29:28
18 and now we're veering into tell me every arrest 11:29:31
19 that you've ever had in your career. 11:29:35

20 So I'm just going to make -- I think it's 11:29:38
21 unreasonable questioning, and it's a standing 11:29:40
22 objection to all of this line of questioning. In 11:29:43
23 fact, I would move to strike all of the questions 11:29:45
24 and answers regarding your area of inquiry right 11:29:48

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1	now.	11:29:53
2	MR. PALLES: I join in the objection on	11:29:56
3	the grounds that it's abusive of the discovery	11:29:59
4	process and disproportionate to the needs of the	11:30:02
5	case.	11:30:06
6	MR. KOSOKO: Watts will join in that	11:30:06
7	objection also.	11:30:09
8	MR. NOLAND: Join.	11:30:10
9	A I forgot where we were, ma'am.	11:30:12
10	BY MS. KLEINHAUS:	11:30:12
11	Q The next stolen car incident that you	11:30:14
12	recall.	11:30:17
13	A Just that it was a stolen vehicle also.	11:30:17
14	Q Anything different about that memory than	11:30:19
15	the other stolen car you just told us about?	11:30:22
16	MR. BAZAREK: Object to the form of the	11:30:26
17	question --	11:30:26
18	MR. KOSOKO: Join.	11:30:26
19	MR. BAZAREK: -- vague, ambiguous,	11:30:26
20	confusing.	11:30:26
21	A Not that I recall.	11:30:32
22	Q So how many separate stolen car incidents	11:30:32
23	do you recall?	11:30:36
24	MR. KOSOKO: Again, standing objection,	11:30:40

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1 along with the Hale firm regarding this line of
2 questioning.

3 MR. BAZAREK: Yeah. There's a standing
4 objection to all these questions.

5 A I remember probably a handful of stolen
6 cars that I was on. I remember -- just remember
7 that it was a stolen car arrest.

8 BY MS. KLEINHAUS:

9 Q Okay. How are you distinguishing one
10 stolen car arrest from another in your memory?

11 MR. KOSOKO: Object to the form of the
12 question.

13 A I'm not. I just remember that it was a
14 stolen vehicle.

15 Q Okay. So your memory is that you know you
16 were involved in some stolen car arrests.

17 A That's correct.

18 Q Okay. Other than the incidents you've
19 told us about, what other arrests do you recall?

20 A On these particular cases, I remember the
21 Ben Baker case. I remember the Anthony McDaniels
22 case and I don't remember -- I don't -- I'm sure
23 there's other cases that I've been involved in,
24 but I don't remember their names.

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1 Q Okay. Can you describe the other cases in 11:31:52
2 your career that you do recall, even if you can't 11:31:56
3 remember the names? 11:31:59

4 A I know I've had incidents where -- 11:32:00

5 MR. NOLAND: So I'm going to object just 11:32:03
6 for the record that I think we're potentially 11:32:07
7 leading to -- it's almost like setting him up for 11:32:10
8 potentially inaccurate testimony when you're not 11:32:15
9 nailing down specific cases or incidents and just 11:32:17
10 randomly saying what did you do in your life. It 11:32:20
11 just doesn't seem like an appropriate use of 11:32:24
12 questions or the process. 11:32:26

13 MR. BAZAREK: And there's an unfairness to 11:32:29
14 it, I'll add, that I guess if you want to question 11:32:31
15 him about every arrest he has ever had in his 11:32:34
16 career, that, you know, he have the opportunity to 11:32:37
17 review every arrest if you want to ask questions 11:32:40
18 about it. So I'm not saying to do that, but it is 11:32:43
19 unfair in terms of this line of questioning. I 11:32:47
20 have already made my objection. 11:32:51

21 MS. KLEINHAUS: Okay. You all have made 11:32:51
22 your standing objection. It's on the record. I'm 11:32:52
23 permitted to test his memory, so we're going to 11:32:55
24 proceed. 11:32:58

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1	MR. BAZAREK: I want to take a break.	11:33:00
2	MR. PALLES: Yeah.	11:33:03
3	THE VIDEOGRAPHER: Off the record, 11:33.	11:33:04
4	(A recess was taken from 11:33 a.m. to	11:43:23
5	11:47 a.m.)	11:47:41
6	THE VIDEOGRAPHER: Back on the record,	11:47:41
7	11:47.	11:47:45
8	MR. BAZAREK: I'd like to state that if	11:47:47
9	this same line of questioning continues, I believe	11:47:49
10	we're going to need to speak with the Judge. I	11:47:54
11	can't imagine where if I was deposing your clients	11:47:58
12	and asking questions about every day in their life	11:48:01
13	that they sold cocaine or heroin or ingested	11:48:06
14	heroin or cocaine, and let's start over from the	11:48:12
15	first time they took drugs until the last time.	11:48:15
16	You probably would agree that that's	11:48:19
17	abusive-type questioning which is -- I think	11:48:22
18	that's what we have here. So I think we need to	11:48:25
19	talk with the Judge.	11:48:28
20	MS. KLEINHAUS: Okay. I take offense at	11:48:28
21	your characterization of my clients. I also take	11:48:28
22	offense to the characterization of the line of	11:48:34
23	questioning. I haven't asked him about every day.	11:48:34
24	I'm simply testing his memory of what he remembers	11:48:37

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1	about his career as a Chicago police officer.	11:48:40
2	So if we need to call the Judge, then we	11:48:40
3	need to call the Judge.	11:48:43
4	MR. BAZAREK: You're asking him to recall	11:48:43
5	every arrest that he has made in his career.	11:48:45
6	MS. KLEINHAUS: No, Bill, I am asking him	11:48:47
7	to tell me the ones he does recall.	11:48:50
8	MR. PALLES: Okay. Let's call the Judge.	11:48:52
9	MR. BAZAREK: Let's call the Judge.	11:48:52
10	MS. KLEINHAUS: Okay.	11:48:57
11	MR. PALLES: I have the number by the way.	11:48:57
12	It's -- when you move the phone over.	11:48:59
13	MR. NOLAND: We've got -- there is a --	11:49:03
14	we've got a phone at my feet.	11:49:03
15	MS. KLEINHAUS: Can you grab that for me.	11:49:08
16	MR. NOLAND: Well, not so much the suit, I	11:49:13
17	have a bad back.	11:49:15
18	THE WITNESS: Do I have to step out?	11:49:15
19	MR. BAZAREK: No.	11:49:15
20	THE REPORTER: This is still on the	11:49:15
21	record; right?	11:49:22
22	MS. KLEINHAUS: Yes, please.	11:49:22
23	MR. PALLES: 312-435-5657.	11:49:28
24	(Phone message recording off the record.)	

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1 THE CLERK: Judge Finnigan's chambers.

2 MS. KLEINHAUS: Hi, good morning. This is
3 Theresa Kleinhaus. I'm in a deposition in the
4 Watts coordinated pretrial proceedings, and we've
5 come to an issue in the deposition, and we'd like 11:50:07
6 the Judge to rule on certain objections. We were 11:50:10
7 wondering if there was any chance she would be 11:50:13
8 available to speak with us. 11:50:16

9 THE CLERK: Can you tell me generally what 11:50:16
10 the nature of the objection is? 11:50:18

11 MS. KLEINHAUS: Yes. I have been asking 11:50:21
12 the officer questions about his memory, what he 11:50:22
13 recalls during his time as a Chicago police 11:50:27
14 officer, any arrests that he does recall. The 11:50:29
15 objection is that it is abusive. 11:50:32

16 THE CLERK: It's abusive? 11:50:37

17 MR. PALLES: Yes, if I may, Eric 11:50:40
18 Palles for Kallatt Mohammed -- 11:50:40

19 THE CLERK: I don't want to hear argument. 11:50:43
20 I need to convey something to the Judge to see if 11:50:44
21 she is available. I doubt she is, but hang on 11:50:47
22 just a second. 11:50:50

23 MS. KLEINHAUS: Okay. Thank you. 11:50:50

24 THE CLERK: Hello. 11:55:07

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1	MS. KLEINHAUS: Hello.	11:55:08
2	THE CLERK: Yes. The Judge is not	11:55:09
3	available to speak to you, but she is willing to	11:55:10
4	consider reviewing any problem you have on an	11:55:13
5	expedited basis however you propose to do that.	11:55:17
6	She suggests that you move ahead and cover other	11:55:20
7	topics. As soon as she can, she will review your	11:55:24
8	objections; and again, if you have something to	11:55:27
9	bring to her attention in writing, she is happy to	11:55:29
10	try and consider that on an expedited basis, if	11:55:32
11	you get it to her very quickly.	11:55:36
12	MS. KLEINHAUS: Okay. Thank you.	11:55:37
13	THE CLERK: Okay. Bye bye.	11:55:37
14	MS. KLEINHAUS: Okay. For those of you	11:55:43
15	who have an objection to asking about the	11:55:46
16	witness's memory, do you want to submit something	11:55:47
17	to her on an expedited basis?	11:55:50
18	MR. PALLES: I don't know what that means	11:55:56
19	exactly. I mean, it depends on how long we're	11:55:58
20	here, et cetera, et cetera; but are you going to	11:56:01
21	move on to something else as she -- as was	11:56:05
22	suggested?	11:56:07
23	MS. KLEINHAUS: No. This is a perfectly	11:56:07
24	reasonable line of questioning to test the	11:56:11

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1	witness's memory.	11:56:12
2	MR. PALLES: How long would you say --	11:56:12
3	MS. KLEINHAUS: I don't know.	11:56:15
4	MR. PALLES: Well, I don't know that I	11:56:17
5	have any standing. It's not my witness. But I	11:56:21
6	strongly object. You have 18 -- you have 18 cases	11:56:24
7	that you've identified that you're going to	11:56:30
8	discuss today. We've been here two hours, and you	11:56:34
9	haven't discussed one.	11:56:37
10	So, you know, whatever. I will bring it	11:56:38
11	to a head one way or another if I have standing to	11:56:45
12	do so, and I'll look into it. I don't know what	11:56:50
13	everybody else wants to do.	11:56:53
14	MS. KLEINHAUS: I mean, under the rules,	11:56:53
15	the procedure here would be if you want to file an	11:56:55
16	expedited motion for a protective order because	11:56:55
17	you find this abusive and harassing, we can take a	11:56:58
18	break, and you can do that.	11:57:01
19	MR. BAZAREK: Well, and just so it's	11:57:02
20	clear, you are asking this witness -- and we were	11:57:04
21	notified about what arrests you were going to ask	11:57:07
22	him about. You are asking him, without limitation	11:57:10
23	of any sort, to sit at this deposition and recall	11:57:15
24	every arrest from a nearly 17-year career. That's	11:57:21

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1	what you're doing.	11:57:26
2	You're asking him tell me every arrest	11:57:27
3	that you have had since you've been a Chicago	11:57:28
4	police officer that you recall. Is that not what	11:57:32
5	you're asking him or not?	11:57:33
6	MS. KLEINHAUS: The record speaks for	11:57:34
7	itself. So are you going to file something right	11:57:36
8	now on an expedited basis or not?	11:57:38
9	MR. NOLAND: Why not -- maybe this would	11:57:41
10	be a solution is that you move on now. You give	11:57:43
11	Mr. Nichols' counsel time to evaluate the	11:57:52
12	questions and then -- we're back here tomorrow,	11:57:55
13	aren't we?	11:57:55
14	And so that if this -- it would then --	11:57:58
15	this does affect, I think, all parties too because	11:58:02
16	he's a witness in these cases, that we could	11:58:03
17	evaluate it and put something on file tonight, if	11:58:05
18	necessary, and hopefully, have a review -- a	11:58:09
19	resolution by tomorrow, and then you can get back	11:58:13
20	into the topic tomorrow.	11:58:16
21	MS. KLEINHAUS: I'm going to finish the	11:58:18
22	line of questions about what he remembers. If you	11:58:20
23	want to file something tonight, obviously, you're	11:58:22
24	welcome to do that.	11:58:25

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1	MR. NOLAND: Why can't you wait? The	11:58:25
2	Court just told us that she couldn't take it now.	11:58:26
3	MR. BAZAREK: Ms. Court Reporter, could	11:58:31
4	you right now where this line of questioning	11:58:35
5	began -- are you able to send that transcript via	11:58:37
6	e-mail to me right now? Are you able to do that,	11:58:42
7	and we can take a break?	11:58:42
8	THE REPORTER: I need to read through it.	11:58:42
9	MR. BAZAREK: How long would that take?	11:59:02
10	MS. KLEINHAUS: Under Rule 30, you get to	11:59:02
11	make your objections. I get to keep asking	11:59:04
12	questions. If you want to file for a protective	11:59:06
13	order, you can do that tonight.	11:59:09
14	This is a perfectly reasonable line of	11:59:11
15	questioning, and I'm going to finish it up, and	11:59:13
16	you can do standing objections or you can object	11:59:16
17	every time. It's up to you.	11:59:19
18	MR. PALLES: May I ask this? First of	11:59:21
19	all, expedited doesn't mean it has to be filed	11:59:23
20	tonight. So if everybody were to walk out here	11:59:28
21	and say that we're going to bring it -- we're	11:59:30
22	going to get a transcript over the next week or	11:59:33
23	two, and you could reschedule him sometime in	11:59:36
24	February or March, would you prefer to do that?	11:59:39

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1	MS. KLEINHAUS: I would prefer to finish	11:59:42
2	my questioning today, and that's what I intend	11:59:44
3	to do.	11:59:46
4	MR. PALLES: Okay.	11:59:48
5	MR. NOLAND: Should we take a break?	11:59:54
6	MR. BAZAREK: Yeah. Let's take another	11:59:55
7	break.	11:59:57
8	MS. KLEINHAUS: Okay. Let's go off the	11:59:57
9	record.	11:59:58
10	THE VIDEOGRAPHER: Off the record at	11:59:58
11	11:59.	11:59:58
12	(A recess was taken from 11:59 a.m. to	13:04:49
13	1:04 p.m.)	13:04:49
14	THE VIDEOGRAPHER: Back on the record,	13:04:50
15	1:04.	13:04:53
16	MS. KLEINHAUS: Okay. Prior to the break,	13:04:54
17	we agreed to take a lunch break so that counsel	13:04:57
18	could get the transcript of the last line of	13:04:59
19	questioning and can decide this afternoon whether	13:05:03
20	to file an expedited motion.	13:05:06
21	We're going to proceed this afternoon	13:05:08
22	avoiding that line of questioning, and we can come	13:05:11
23	back to it after you've made a decision on whether	13:05:14
24	you're going to file; is that fair?	13:05:17

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1	MR. BAZAREK: Yeah, I appreciate that,	13:05:19
2	Counsel.	13:05:22
3	MS. KLEINHAUS: Okay.	13:05:22
4	BY MS. KLEINHAUS:	13:05:22
5	Q Are you familiar with the term "reverse	13:05:22
6	sting"?	13:05:24
7	A Yes.	13:05:26
8	Q Okay. What is a reverse sting?	13:05:26
9	A A reverse sting is where you have officers	13:05:29
10	outside the building or wherever you are, the	13:05:36
11	location, and you have officers acting as drug	13:05:39
12	dealers trying to sell narcotics to passers-by or	13:05:44
13	whomever comes to purchase narcotics.	13:05:50
14	Q Were you part of reverse sting operations	13:05:52
15	at the Ida B. Wells housing complex?	13:05:56
16	A I have.	13:05:58
17	Q Okay. And what was your role in reverse	13:05:58
18	stings?	13:06:05
19	A My role is an enforcement officer or a	13:06:05
20	takedown officer. It depends on where we were.	13:06:12
21	Q Okay. What does an enforcement officer	13:06:14
22	do?	13:06:17
23	A An enforcement officer is just	13:06:17
24	basically -- we're in a secure -- or not secure,	13:06:19

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1	in a place, and we watch the individuals that come	13:06:22
2	in that tried to purchase narcotics.	13:06:28
3	Q Okay. And in Ida B. Wells, where would	13:06:31
4	you be physically if you were acting as the	13:06:36
5	enforcement officer?	13:06:39
6	A In Ida B. Wells, I'd be in --	13:06:40
7	MR. KOSOKO: I'm just going to object to	13:06:42
8	the form of the question, vague, and ambiguous.	13:06:44
9	A In Ida B. Wells, I'd be located inside the	13:06:46
10	building.	13:06:49
11	Q And where inside the building would you be	13:06:49
12	if you were acting as the enforcement officer?	13:06:55
13	A On the first floor.	13:06:58
14	Q Where on the first floor would you be?	13:06:59
15	A I don't know the exact position I would be	13:07:03
16	in, but I'd be on the first floor.	13:07:08
17	Q Okay. Would you be hidden from view in	13:07:11
18	some way?	13:07:15
19	A Yes. I wouldn't be in plain view for	13:07:15
20	outside people to see me inside the building.	13:07:19
21	Q Okay. Can you describe what the first	13:07:21
22	floor in Ida B. Wells -- what the layout of that	13:07:24
23	space was?	13:07:29
24	A I'm not 100 percent, but I know there's a	13:07:30

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1 front door and a back door. There's two different 13:07:32
2 stairwells going up. There was -- I believe there 13:07:36
3 was two elevators inside the lobby area, and then 13:07:41
4 there was, like, maybe a hallway leading to 13:07:46
5 another apartment, I believe. I'm not 100 percent 13:07:50
6 sure exactly. 13:07:54

7 MR. KOSOKO: And I'm sorry to do this, but 13:07:56
8 I do have an objection regarding foundation, 13:07:58
9 ambiguous, and vague question. 13:08:01

10 BY MS. KLEINHAUS: 13:08:01

11 Q When you -- the description that you just 13:08:06
12 gave, was that for the high rises? 13:08:08

13 A What do you -- high rises at where? 13:08:10

14 Q Was the first floor description that you 13:08:15
15 gave for an Ida B. Wells high rise type building? 13:08:19

16 A I wouldn't call the Ida B. Wells housing 13:08:23
17 complex a high-rise. 13:08:26

18 Q Okay. What buildings are you familiar 13:08:28
19 with that were part of the Ida B. Wells housing 13:08:34
20 complex? 13:08:37

21 A Well, there was 511 East Browning, 527 13:08:37
22 East Browning, 540 East 36th Street, 559 East 13:08:45
23 Browning, 575 East Browning, 574 East 36th Street, 13:08:54
24 and then there was scattered sites in the 13:09:02

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1	Ida B. Wells housing complex.	13:09:05
2	Q So were you thinking of one of those	13:09:07
3	buildings in particular when you described the	13:09:12
4	layout of the first floor?	13:09:14
5	A If I remember right, the building that I	13:09:16
6	described was -- they were basically similar to	13:09:18
7	the 511, 527, 540, 559, 574, 575, basically.	13:09:22
8	I'm sorry. I'll slow down.	13:09:22
9	(Continuing.) Basically, the buildings --	13:09:30
10	511, 527, 540, 559, 574, and 575, if I'm not	13:09:32
11	mistaken, were all similar.	13:09:41
12	Q Okay. What were some of the places on the	13:09:43
13	first floor of those buildings where you could be	13:09:48
14	hidden from view as an enforcement officer?	13:09:51
15	A Off to the side from the front entrance.	13:09:54
16	Q Okay. Anywhere else?	13:09:58
17	A In a stairwell.	13:10:05
18	Q Okay. Anywhere else?	13:10:09
19	A That's basically what I recall for right	13:10:13
20	now.	13:10:15
21	Q Okay. And you mentioned another role that	13:10:15
22	you would sometimes play in the reverse stings	13:10:18
23	besides the enforcement officer.	13:10:22
24	What was that role?	13:10:24

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1	A	It was called a takedown officer.	13:10:25
2	Q	Okay. What does the takedown officer do?	13:10:26
3	A	Go in there, get the individual that	13:10:29
4		they -- tried to purchase narcotics, and get them	13:10:31
5		out of the area.	13:10:34
6	Q	Okay. Would it be the responsibility of	13:10:35
7		the takedown officer to put handcuffs on the	13:10:38
8		person being arrested?	13:10:41
9	MR. KOSOKO:	I'm going to object, just	13:10:43
10		form, foundation.	13:10:44
11	A	Maybe, sometimes, yes.	13:10:47
12	Q	What's the difference between what the	13:10:49
13		enforcement officer would do and what the takedown	13:11:01
14		officer would do?	13:11:04
15	A	Basically, a takedown officer, like I	13:11:04
16		said, if we didn't have a secure location, we'd	13:11:09
17		come in there in a squad car or maybe on foot,	13:11:11
18		grab the person and get him out of the area.	13:11:15
19		The enforcement officers were just in the	13:11:18
20		secure area watching the offenders.	13:11:20
21	Q	Other than the enforcement officer and the	13:11:23
22		takedown officer, what were the other typical	13:11:31
23		roles in a reverse sting?	13:11:33
24	A	For me personally or --	13:11:36

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1	Q For the team.	13:11:39
2	A You had -- you had security officers	13:11:41
3	outside watching the officers to make sure they	13:11:47
4	were safe, you had officers acting as drug	13:11:50
5	dealers, and I believe that was about it for the	13:11:55
6	other officers.	13:12:00
7	Q Okay. Did Sergeant Watts ever play the	13:12:00
8	role of acting like a drug dealer?	13:12:05
9	A I don't know.	13:12:07
10	Q Who on the team would take on the role of	13:12:08
11	acting like a drug dealer?	13:12:15
12	A It would be typically African-American	13:12:17
13	officers.	13:12:20
14	Q Who -- I'm sorry -- you said security	13:12:20
15	officers.	13:12:27
16	That's different than the enforcement	13:12:28
17	officers?	13:12:30
18	A Yes.	13:12:31
19	Q Okay. And can you explain the difference	13:12:31
20	between those two roles?	13:12:35
21	A The security officer is watching the other	13:12:36
22	officers on scene just to make sure they're safe	13:12:39
23	when they're outside.	13:12:43
24	Q Okay. When they're outside. Okay.	13:12:44

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1	And the enforcement officers are inside?	13:12:46
2	A Correct.	13:12:48
3	Q Is that the difference between the two?	13:12:48
4	A I would say yes.	13:12:50
5	Q Okay. Did you ever observe Sergeant Watts	13:12:52
6	use force on anyone?	13:13:03
7	MR. KOSOKO: Objection to the form of the	13:13:05
8	question, vague, ambiguous, foundation.	13:13:07
9	A Not that I recall, no.	13:13:12
10	Q Did you ever see Al Jones use force on	13:13:13
11	anyone?	13:13:16
12	A Not that I recall, no.	13:13:17
13	Q As part of the tactical team, were you	13:13:19
14	familiar with a practice of trying to trade up to	13:13:30
15	make arrests? In other words, getting information	13:13:34
16	from an arrestee about other individuals in the	13:13:36
17	drug trade and not -- I'm sorry -- strike that.	13:13:40
18	Let me try it again.	13:13:43
19	Are you familiar with the concept of	13:13:45
20	trading up?	13:13:46
21	A I don't know what that means -- what that	13:13:47
22	word means.	13:13:50
23	Q Okay. Was it ever a practice, while you	13:13:51
24	were on the tactical team, to get information from	13:13:53

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1	someone and because you got information from them	13:13:55
2	about the drug trade, not arrest them and instead	13:13:58
3	use the information to try to arrest someone else?	13:14:01
4	MR. BAZAREK: I'd object to the form of	13:14:04
5	the question to the extent it's compound and	13:14:06
6	vague.	13:14:08
7	MR. KOSOKO: I also join.	13:14:08
8	A No. I never -- what -- you used trade up.	13:14:12
9	I never used that because I don't have the	13:14:18
10	capability of offering that to an individual.	13:14:20
11	BY MS. KLEINHAUS:	13:14:20
12	Q Okay. Did you ever observe Sergeant Watts	13:14:23
13	offer that to an individual?	13:14:24
14	A No, I have not.	13:14:26
15	Q Who does have the capability of offering	13:14:26
16	that to an individual?	13:14:35
17	MR. BAZAREK: I'd object to the form of	13:14:36
18	the question to the extent it calls for	13:14:37
19	speculation.	13:14:37
20	A To the best of my knowledge, it would be a	13:14:42
21	state's attorney.	13:14:48
22	Q Did you ever observe Sergeant Watts direct	13:14:48
23	anyone on the team not to complete the processing	13:14:56
24	of an arrest?	13:14:59

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1	A	No, I have not.	13:15:00
2	Q	Did you make trespassing arrests at	13:15:03
3		Ida B. Wells?	13:15:12
4	A	I have.	13:15:12
5	Q	And in those instances, how would you	13:15:12
6		determine whether or not someone was a resident of	13:15:18
7		Ida B. Wells?	13:15:21
8	A	On prior occasions when we would talk to	13:15:21
9		individuals, we'd know they weren't living there,	13:15:26
10		and there's no trespassing signs on the property.	13:15:29
11	Q	Do you have any benchmark or standards or	13:15:32
12		amount of trespassing arrests that you were	13:15:41
13		expected to make?	13:15:46
14	A	No. We never had a quota. We don't have	13:15:47
15		a quota or anything like that in the Chicago	13:15:49
16		Police Department, and we never had one in the tac	13:15:52
17		office.	13:15:55
18	Q	Can you describe the tac office, please?	13:15:56
19	A	Our tactical office is -- consists of four	13:16:01
20		rooms. We have a -- when you first enter -- well,	13:16:06
21		it depends what -- if you enter from the back door	13:16:09
22		and go in, we have a large room. We have	13:16:12
23		computers there where we process. We have a bench	13:16:15
24		where we put our offenders.	13:16:18

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1 The adjacent room is another room where 13:16:21
2 our supervisors have a room and our lieutenant has 13:16:24
3 a room and our tac secretary sits, and there's 13:16:28
4 also computers in that room, too. 13:16:33

5 Q Could arrestees or detainees be brought 13:16:35
6 into the supervisors' room? 13:16:39

7 MR. KOSOKO: I'm going to object to the 13:16:43
8 form of the question, vague, ambiguous. 13:16:45

9 A Could they? 13:16:48

10 Q Were they? 13:16:49

11 A I've seen some individuals in the 13:16:50
12 sergeants' office room before, yes. 13:16:54

13 Q Did Sergeant Watts patrol with the team? 13:16:55

14 MR. KOSOKO: I'm going to object to the 13:17:04
15 form of the question, vague, ambiguous. 13:17:06

16 A Could you -- I don't understand what you 13:17:09
17 mean. 13:17:12

18 Q Would Watts go in cars with members of the 13:17:12
19 team out into the 2nd District? 13:17:16

20 A Yes. 13:17:18

21 Q Who would he typically ride with? 13:17:19

22 A He would typically ride with Officer Jones 13:17:23
23 and his partner and usually Officer Smith, his 13:17:27
24 partner which was -- I'm sorry -- Officer Mohammed 13:17:34

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1	which was his partner, Officer Smith, or whoever	13:17:38
2	Officer Mohammed's partner was.	13:17:42
3	Q Do you know why Officer Young left the	13:17:44
4	264 team?	13:17:49
5	A I don't know why he left, no.	13:17:49
6	Q When was the last time you were in touch	13:17:53
7	with Officer Young?	13:17:56
8	A I don't know. I couldn't even guess. I	13:17:57
9	don't know.	13:18:05
10	Q Did you ever give your cell phone number	13:18:05
11	out to residents of Ida B. Wells?	13:18:16
12	A I'm sure I have.	13:18:17
13	Q Would that be a work cell phone number or	13:18:21
14	personal cell phone number?	13:18:30
15	A At the time it was my personal cell phone	13:18:32
16	number.	13:18:35
17	Q Okay. And did you observe Sergeant Watts	13:18:35
18	give his cell phone number out to residents of	13:18:37
19	Ida B. Wells?	13:18:41
20	A No.	13:18:42
21	Q Did you receive information from residents	13:18:42
22	of Ida B. Wells about the drug trade?	13:18:51
23	A I don't know if it was residents. It	13:18:54
24	might have been other citizens. I don't know if	13:18:58

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1	they were residents.	13:19:00
2	Q Okay. Did you have anyone who you	13:19:01
3	considered an informant who would give you	13:19:04
4	information about the drug trade at Ida B. Wells?	13:19:07
5	A Not consistently, no.	13:19:09
6	Q Did other members of the 264 team have	13:19:13
7	regular informants?	13:19:18
8	A That I couldn't answer. I don't know.	13:19:19
9	Q Are you related to anyone else who works	13:19:23
10	for the Chicago Police Department?	13:19:44
11	A I'm not related to anyone in the Chicago	13:19:45
12	Police Department.	13:19:48
13	Q Okay. It's my understanding that there	13:19:48
14	was a lockup keeper with the last name of Nichols	13:19:51
15	at the 2nd District.	13:19:55
16	Are you any relation to that person?	13:19:56
17	A No. He's an African-American. No, I'm	13:19:58
18	not related to him.	13:20:04
19	Q In your time on the 264 team, did you ever	13:20:05
20	sign someone else's name on a report?	13:20:10
21	A I probably have, yes.	13:20:13
22	Q Under what circumstances have you done	13:20:14
23	that?	13:20:17
24	A When they gave me authorization to do so.	13:20:17

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1	Q Any other time?	13:20:20
2	A No.	13:20:21
3	Q Do you know of any specific instances	13:20:21
4	where you signed someone else's name with their	13:20:28
5	authorization?	13:20:32
6	A I don't.	13:20:32
7	Q Did you ever give anyone else	13:20:32
8	authorization to sign your name to a report?	13:20:37
9	A I believe so, yes.	13:20:39
10	Q Do you know any specific instances of	13:20:41
11	that?	13:20:44
12	A No.	13:20:45
13	Q Do you have a PC number with the Chicago	13:20:45
14	Police Department?	13:20:54
15	A I do.	13:20:54
16	Q What is your PC number?	13:20:55
17	A It's P, as in Paul, C, as in Charlie, O W,	13:20:56
18	as in William, 773.	13:21:03
19	Q Did you ever give anyone else	13:21:05
20	authorization to use your PC number?	13:21:10
21	A No. Because they would have to have my	13:21:12
22	password to log in.	13:21:15
23	Q Has anyone else ever given you	13:21:17
24	authorization to use their PC number?	13:21:20

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1	A No.	13:21:22
2	Q When you were part of the 264 tactical	13:21:22
3	team, did you have a specific beat that you were a	13:21:56
4	part of?	13:21:58
5	A Which time?	13:21:58
6	Q Well, let's start with when you first	13:22:02
7	joined the team in November 2004.	13:22:06
8	A Yeah, I was 264C, as in Charlie.	13:22:08
9	Q Okay. And at other points in your time on	13:22:12
10	264 did that change?	13:22:16
11	A Yes.	13:22:18
12	Q And when did that change?	13:22:18
13	A When I left the 263 team, and I came back	13:22:20
14	to the 264 team.	13:22:27
15	Q Okay. What was your beat after that?	13:22:28
16	A 264A, as in Adam.	13:22:29
17	Q I think we talked earlier about various	13:22:34
18	police reports that you were trained to complete.	13:22:45
19	Do you recall that?	13:22:47
20	A Yes.	13:22:48
21	Q Okay. Is it typically the same person who	13:22:48
22	writes up the narrative in the vice case report	13:22:58
23	and the narrative in the arrest report?	13:22:55
24	A Could you repeat that question?	13:22:59

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1	Q Yeah. There's a narrative section to a	13:23:00
2	vice case report.	13:23:04
3	Do you recall that?	13:23:05
4	A Yes.	13:23:06
5	Q And there's a narrative section to the	13:23:06
6	arrest report.	13:23:09
7	Do you recall that?	13:23:09
8	A Yes.	13:23:10
9	Q Is it typically the same person who writes	13:23:10
10	up both narrative sections for the same arrest?	13:23:14
11	A Typically, yes.	13:23:22
12	Q Was it your practice, when you were part	13:23:23
13	of the 264 team, to take notes on the arrests that	13:23:29
14	you were making?	13:23:33
15	A To take notes, no.	13:23:34
16	Q Have you ever been interviewed by federal	13:23:36
17	law enforcement about your time working on the	13:23:43
18	264 team?	13:23:47
19	A I never talked to the federal government	13:23:47
20	before.	13:23:50
21	Q Did you ever conduct a floor-by-floor	13:23:50
22	check of an Ida B. Wells building?	13:24:08
23	A Yes.	13:24:10
24	Q Okay. When would you do that?	13:24:11

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1	A It would be numerous times. When we were	13:24:15
2	doing building checks, we would do floor-by-floor.	13:24:21
3	If we were conducting a mission, we would do a	13:24:25
4	floor-by-floor. There's so many different	13:24:28
5	instances we would do floor-by-floor. There's not	13:24:30
6	a specific time where we would do it. You know,	13:24:34
7	there's so many different circumstances we would	13:24:37
8	do a floor-by-floor check.	13:24:39
9	Q You mentioned one of those circumstances	13:24:40
10	would be a mission?	13:24:42
11	A Yes.	13:24:44
12	Q Would that be -- tell me what you mean by	13:24:44
13	mission?	13:24:47
14	A A mission -- if we were doing a reverse	13:24:48
15	sting mission, we would do a floor-by-floor check	13:24:50
16	of the building.	13:24:53
17	Q Would you do that before the officer	13:24:54
18	posing as a drug dealer would make the purchase?	13:25:01
19	A Yes.	13:25:07
20	Q Do you know who Shannon Spalding is?	13:25:07
21	A I know her from social media -- not social	13:25:13
22	media, the media, I should say. I know her from	13:25:16
23	the media, and that's about the extent I know of	13:25:20
24	Shannon Spalding.	13:25:23

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1	Q You've never met her in person?	13:25:24
2	A I have never met her in person. No, I	13:25:27
3	have not.	13:25:28
4	Q Okay. Do you know who Daniel Echeverria	13:25:28
5	is?	13:25:31
6	A Same thing. I know him from the media,	13:25:31
7	and that's it.	13:25:34
8	Q Are you aware that Shannon Spalding has	13:25:35
9	alleged that you would shake down drug dealers for	13:25:43
10	money?	13:25:47
11	A That I would?	13:25:47
12	Q Yes.	13:25:48
13	MR. NOLAND: I just object to the form of	13:25:51
14	the question.	13:25:52
15	MR. BAZAREK: Join.	13:25:56
16	MR. KOSOKO: Join.	13:25:57
17	MR. PALLES: Join.	13:25:58
18	A No, I was not aware.	13:26:00
19	Q Have you ever lied under oath?	13:26:01
20	A Never. I have never lied under oath.	13:26:08
21	Q Have you ever fabricated a police report?	13:26:11
22	A Absolutely not.	13:26:15
23	Q Have you ever planted drugs on someone?	13:26:16
24	A Absolutely not. I never would do that.	13:26:18

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1	Q Have you ever been aware of another police	13:26:21
2	officer fabricating a police report?	13:26:28
3	A No. I never saw anyone -- absolutely not	13:26:30
4	have I ever witnessed that.	13:26:33
5	Q Have you ever witnessed another officer	13:26:35
6	plant drugs on someone?	13:26:37
7	A No.	13:26:38
8	Q Have you ever arrested someone because	13:26:45
9	they would not give you information about the drug	13:26:49
10	trade?	13:26:50
11	MR. KOSOKO: I object to the form of the	13:26:51
12	question, vague, and ambiguous.	13:26:52
13	A No, I have never not arrested someone that	13:26:54
14	would not give me information.	13:26:57
15	Q Have you ever observed another officer	13:26:58
16	arrest someone because the person refused to give	13:27:01
17	information about the drug trade?	13:27:05
18	A No, never, absolutely not, no.	13:27:06
19	Q I want to talk to you about my client	13:27:12
20	Andre McNairy.	13:27:32
21	Do you know Mr. McNairy?	13:27:33
22	A I believe I heard his name before, and	13:27:34
23	that's about the extent I know Andre McNairy.	13:27:37
24	Q Okay. Have you reviewed the complaint	13:27:43

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1	that he filed in this lawsuit?	13:27:46
2	A No, I don't believe I have.	13:27:47
3	(Nichols Deposition Exhibit 2 marked for	13:27:47
4	identification and attached to the transcript.)	13:27:47
5	BY MS. KLEINHAUS:	13:27:47
6	Q I'm going to show you what we'll mark as	13:27:57
7	Exhibit 2. If you could look at that, please.	13:28:00
8	It's a photo of Mr. McNairy, and it's	13:28:17
9	marked with his name there.	13:28:27
10	Does seeing that photo refresh your	13:28:28
11	recollection at all as to who Mr. McNairy is?	13:28:31
12	A No.	13:28:34
13	Q You can put that to the side.	13:28:34
14	Did you review documents related to the	13:28:38
15	arrest of Mr. McNairy as part of your preparation	13:28:40
16	for the deposition today?	13:28:46
17	A I might have briefly looked at his arrest	13:28:46
18	report and case report.	13:28:50
19	Q Okay. Did that allow you to remember	13:28:51
20	anything about his arrest?	13:28:53
21	A No.	13:28:54
22	Q Okay. Do you recall testifying in	13:28:55
23	Mr. McNairy's criminal trial?	13:29:01
24	A I don't.	13:29:03

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1	Q Okay. Did you review any testimony from	13:29:04
2	that trial in preparation for your deposition	13:29:05
3	today?	13:29:07
4	A I don't believe so, no.	13:29:07
5	(Nichols Deposition Exhibit 3 marked for	13:29:07
6	identification and attached to the transcript.)	13:29:09
7	Q I'm going to show you what we will mark as	13:29:09
8	Exhibit 3. I'll represent to you, I think, your	13:29:20
9	testimony starts on the fourth page.	13:29:55
10	I'm going to ask you to go ahead and	13:30:13
11	review your testimony. It starts on page 4, ends	13:30:15
12	on page 16.	13:30:22
13	MS. KLEINHAUS: If it's okay, I think we	13:30:23
14	can go off the record for a second while he	13:30:25
15	reviews it. Let's go off the record, please.	13:30:28
16	THE VIDEOGRAPHER: Off the record, 1:30.	13:30:30
17	(A recess was taken from 1:30 p.m. to	13:41:13
18	1:41 p.m.)	13:41:13
19	THE VIDEOGRAPHER: Back on the record,	13:41:15
20	1:41.	13:41:24
21	BY MS. KLEINHAUS:	13:41:25
22	Q Okay. Sir, having reviewed Exhibit 3, did	13:41:25
23	that refresh your recollection at all about the	13:41:28
24	arrest of Andre McNairy?	13:41:30

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1	A No, it does not.	13:41:34
2	(Nichols Deposition Exhibit 4 marked for	13:41:34
3	identification and attached to the transcript.)	13:41:34
4	BY MS. KLEINHAUS:	13:41:34
5	Q Okay. I'm going to show you the arrest	13:41:36
6	report from that arrest. We'll mark it as	13:41:38
7	Exhibit 4.	13:41:51
8	A Do you want me to put this off to the	13:41:59
9	side?	13:42:01
10	Q Yes, please.	13:42:03
11	Okay. Turn please to the narrative	13:42:04
12	section.	13:42:23
13	Is this one of the reports that you	13:42:24
14	reviewed in preparation for your deposition today?	13:42:27
15	A Like I said, I don't know if I looked at	13:42:32
16	this, but I might have looked at this. I don't	13:42:34
17	know if I looked at it. I don't recall if I did	13:42:36
18	or didn't.	13:42:39
19	Q Okay. Read the narrative section, please,	13:42:40
20	and then I'm going to ask you some questions about	13:42:43
21	it.	13:42:46
22	A Okay.	13:43:30
23	Q Did reviewing that narrative help you	13:43:30
24	recall this arrest at all?	13:43:33

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1	A	No, it does not.	13:43:35
2	Q	Okay. Do you know whether, in the course	13:43:36
3		of this arrest, you asked Mr. McNairy for any	13:43:39
4		information about the drug trade at Ida B. Wells?	13:43:44
5	A	I don't recall. I don't know.	13:43:46
6	Q	Okay. Turn with me to the following page.	13:43:47
7		It's the third page of the arrest report. You're	13:43:51
8		listed there as the attesting officer.	13:43:54
9		Do you see that?	13:43:58
10	A	I do.	13:43:59
11	Q	What does it mean for you to be the	13:43:59
12		attesting officer?	13:44:01
13	A	The attesting officer is where you would	13:44:02
14		log in to the computer, and you log in to the	13:44:04
15		arrest report with your credentials.	13:44:11
16	Q	Okay. And is the attesting officer	13:44:12
17		typically the officer who is called to testify at	13:44:16
18		trial?	13:44:18
19	MR. NOLAND:	Objection; form.	13:44:21
20	MR. KOSOKO:	Join.	13:44:22
21	MR. BAZAREK:	Join.	13:44:22
22	A	Could you repeat that question? I don't	13:44:24
23		understand.	13:44:26
24	Q	Sure. Is the attesting officer typically	13:44:26

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1	the officer who is called to testify at trial?	13:44:30
2	A Not necessarily, no.	13:44:34
3	Q Okay. By logging in and completing this	13:44:36
4	as the attesting officer, you were declaring that	13:44:40
5	the facts contained in the report were truthful	13:44:46
6	and accurate to the best of your knowledge; right?	13:44:48
7	A That's correct.	13:44:50
8	Q Okay. And you're listed here as the first	13:44:50
9	arresting officer.	13:44:53
10	Do you see that?	13:44:54
11	A I do.	13:44:55
12	Q What does it mean for you to be the first	13:44:56
13	arresting officer?	13:44:57
14	A The first arresting officer is just that	13:44:58
15	person in the -- that box, and they are	13:45:00
16	generating -- they are filling out the report.	13:45:05
17	Q Okay. And the person listed as the first	13:45:07
18	arresting officer is the same as what you were	13:45:11
19	describing earlier as Box 1; right?	13:45:15
20	A Could you repeat that question? I'm	13:45:17
21	sorry.	13:45:18
22	Q Yeah. Earlier in the day, you testified	13:45:18
23	about someone being Box 1 on a report.	13:45:21
24	Do you remember that?	13:45:23

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1	A Yes. Vaguely, yes.	13:45:24
2	Q Okay. Is Box 1 the same as the first	13:45:26
3	arresting officer?	13:45:29
4	A Yes.	13:45:30
5	Q Okay. And is the person who is in Box 1	13:45:30
6	or who is listed as the first arresting officer	13:45:34
7	someone who has personal knowledge of the facts	13:45:37
8	contained in the narrative section?	13:45:40
9	MR. KOSOKO: Objection; form of the	13:45:43
10	question, foundation.	13:45:44
11	MR. BAZAREK: I'll join.	13:45:46
12	A Yes. A person in Box 1 would have	13:45:48
13	knowledge of the case, either through observing	13:45:51
14	it, through another officer, many ways; but they	13:45:53
15	would have knowledge of the case; correct.	13:45:57
16	Q Okay. You can put this exhibit to the	13:45:59
17	side.	13:46:01
18	(Nichols Deposition Exhibit 5 marked for	13:46:01
19	identification and attached to the transcript.)	13:46:01
20	Q I'm going to show the case incident report	13:46:02
21	for this arrest.	13:46:05
22	Do you know whether you have reviewed that	13:46:06
23	in preparation for today's deposition?	13:46:08
24	A Like I said, I don't recall. I don't	13:46:10

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1	know.	13:46:13
2	Q Okay. This exhibit contains the original	13:46:13
3	case incident report and a couple of supplement	13:46:45
4	reports.	13:46:54
5	I'd just ask you to review this exhibit	13:46:54
6	and let me know if it refreshes your recollection	13:46:57
7	about the arrest of Mr. McNairy.	13:47:02
8	Have you had a chance to review it?	13:49:36
9	A Yes.	13:49:38
10	Q Does that refresh your recollection at all	13:49:38
11	about the arrest of Mr. McNairy?	13:49:40
12	A It does not.	13:49:42
13	(Nichols Deposition Exhibit 6 marked for	13:49:42
14	identification and attached to the transcript.)	13:49:43
15	Q I'm going to show you an inventory report	13:49:43
16	from this arrest.	13:49:51
17	MR. BAZAREK: What's the number, Counsel?	13:50:03
18	MS. KLEINHAUS: No. 6.	13:50:06
19	Q This is a two-sided exhibit.	13:50:08
20	A Okay.	13:50:35
21	Q Having reviewed that, does it refresh	13:50:36
22	your recollection about the arrest of Mr. McNairy	13:50:39
23	at all?	13:50:41
24	A It does not.	13:50:41

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1	(Nichols Deposition Exhibit 7 marked for	13:50:41
2	identification and attached to the transcript.)	13:50:41
3	BY MS. KLEINHAUS:	13:50:41
4	Q Okay. I'm going to show you what we'll	13:50:42
5	mark as Exhibit 7. This is the affidavit of Andre	13:50:45
6	McNairy.	13:50:52
7	Have you reviewed his affidavit before?	13:50:53
8	A I don't believe so, no.	13:50:54
9	Q Okay. Go ahead and take a moment to	13:50:56
10	review it, please.	13:50:58
11	MR. PALLES: This is 6 or 7?	13:52:27
12	MS. KLEINHAUS: No. 7.	13:52:29
13	A Okay.	13:55:59
14	Q Okay. Having reviewed this affidavit,	13:55:59
15	does that allow you to recall who Mr. McNairy is?	13:56:03
16	A No, it does not.	13:56:06
17	Q Does it refresh your recollection at all	13:56:08
18	about the arrest of Mr. McNairy?	13:56:10
19	A No, it does not.	13:56:11
20	Q Okay. I want to turn your attention to	13:56:13
21	the third paragraph in this affidavit. It's at	13:56:15
22	the bottom of the first page. It says -- this is	13:56:19
23	talking about something that happened a few weeks	13:56:25
24	before the arrest that we just -- I just showed	13:56:28

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1	you all the reports for. Okay.	13:56:31
2	It says that Mr. McNairy was by himself at	13:56:32
3	40th and Oakwood when you and Officer Gonzalez	13:56:35
4	stopped him and asked about drugs.	13:56:39
5	Do you know whether that encounter	13:56:41
6	happened or not?	13:56:46
7	A I don't know if I had any encounter with	13:56:46
8	him that day, no.	13:56:49
9	Q Okay. Below that it says, "I told them I	13:56:50
10	didn't have anything, and they said just give me	13:56:57
11	the heroin. We gonna to work with you."	13:56:59
12	Do you see that?	13:57:01
13	A Yes.	13:57:01
14	Q Okay. Do you know whether that discussion	13:57:03
15	or conversation happened or not?	13:57:08
16	A I know that conversation never happened.	13:57:10
17	Q And how do you know that?	13:57:12
18	A Because I never asked him that.	13:57:13
19	Q And why do you think you never asked him	13:57:15
20	that?	13:57:18
21	A Because I wouldn't bring him in the	13:57:18
22	station and ask him for heroin if I didn't observe	13:57:21
23	it.	13:57:23
24	Q Okay. And if you had -- I know you're	13:57:26

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1	saying you didn't do that. If someone -- if a	13:57:27
2	police officer did do that and brought someone in	13:57:29
3	to try and get information, threatened to charge	13:57:32
4	them with a drug crime, that would be wrong,	13:57:35
5	wouldn't it?	13:57:39
6	A Yes.	13:57:39
7	MR. PALLES: I object.	13:57:40
8	BY MS. KLEINHAUS:	13:57:40
9	Q Okay. That would be a violation of his	13:57:42
10	rights, wouldn't it?	13:57:44
11	MR. KOSOKO: I'm just going to -- I know	13:57:46
12	where you're going but I'm just going to the --	13:57:48
13	it's assuming facts not in evidence.	13:57:49
14	MR. PALLES: I'm going to object to laying	13:57:52
15	a foundation.	13:57:54
16	MR. BAZAREK: Further object to the	13:57:57
17	hypothetical.	13:58:00
18	A If they didn't have any other reason to	13:58:01
19	bring him into the station, that's correct.	13:58:02
20	Q Okay. Turn with me please to the fifth	13:58:04
21	paragraph. It says, "At the station, they strip	13:58:08
22	searched me. They confiscated some drugs and	13:58:11
23	money I had in my possession."	13:58:15
24	Do you know whether that happened or not?	13:58:16

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1	A That did not happen.	13:58:19
2	Q Okay. Why do you believe that did not	13:58:20
3	happen?	13:58:22
4	A Because I never strip searched him or did	13:58:22
5	I observe anyone strip search him.	13:58:25
6	Q How do you know that?	13:58:27
7	A Because I never strip searched someone in	13:58:28
8	my career.	13:58:31
9	Q Okay. And if you wanted to strip search	13:58:32
10	someone, was there a process at the 2nd District	13:58:35
11	you would have needed to go through?	13:58:39
12	A To the best of my knowledge, if an officer	13:58:41
13	wanted to strip someone, an offender, they would	13:58:44
14	have to go to a watch commander and get, like, an	13:58:48
15	assent, to the best of my knowledge.	13:58:52
16	Q Okay. If an officer were to strip search	13:58:54
17	someone at the district without that permission,	13:59:00
18	that would be against the rules; right?	13:59:03
19	A Yes.	13:59:05
20	MR. PALLES: Object. Lay a foundation.	13:59:06
21	Q Okay. Look with me, please, at	13:59:09
22	paragraph 6 of the affidavit. It says, "A little	13:59:16
23	bit later, Watts comes out of the office and told	13:59:19
24	Nichols to 'hold up.' Nichols was at the desk at	13:59:22

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1	his computer. Watts then alone took me to his	13:59:26
2	office alone. This was the first time I had ever	13:59:29
3	spoken to Watts."	13:59:32
4	Do you know whether or not that happened?	13:59:33
5	A I don't know. I don't recall this	13:59:35
6	incident.	13:59:38
7	Q Okay. Turn with me, please, to	13:59:38
8	paragraph 11.	13:59:58
9	Mr. McNairy mentions a Mohammed Blanden.	13:59:59
10	He was also mentioned in some of the previous	14:00:09
11	reports I showed you.	14:00:12
12	Do you know who Mr. Blanden is?	14:00:13
13	A No. I can't say that I do.	14:00:17
14	Q Okay. Turn with me, please, to	14:00:28
15	paragraph 14. It says, "One of the officers	14:00:34
16	said," quote, 'Where did you find that?', end	14:00:37
17	quote, "and Watts said he pulled back some wood in	14:00:39
18	an abandoned building."	14:00:43
19	Did you ever observe that conversation?	14:00:46
20	A Was he talking -- where did he find that?	14:00:47
21	I never observed Watts saying that that I recall.	14:00:51
22	No. What is -- I don't understand what -- where	14:00:53
23	did you find that. What is he talking about.	14:00:57
24	Q Okay. You can put that exhibit to the	14:01:02

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1	side.	14:01:07
2	I'd like to talk to you about my client	14:01:08
3	Christopher Scott.	14:01:16
4	Do you know who Mr. Scott is?	14:01:18
5	A I think I heard of the name before, yes.	14:01:19
6	Q Okay. Other than having heard the name	14:01:21
7	before, do you know anything about Mr. Scott?	14:01:24
8	A Not that I recall, no.	14:01:28
9	Q Okay. Do you know of any nicknames for	14:01:29
10	Mr. Scott?	14:01:32
11	A No. Not that I recall, no.	14:01:32
12	Q Okay. Do you recall anyone in the	14:01:38
13	Ida B. Wells housing complex with the nickname	14:01:39
14	Greedy?	14:01:42
15	A Greedy? No.	14:01:43
16	(Nichols Deposition Exhibit 8 marked for	14:01:43
17	identification and attached to the transcript.)	14:01:44
18	Q I'm going to show you what we'll mark as	14:01:44
19	Exhibit 14. Sorry, my bad, Exhibit 8.	14:01:57
20	Do you recognize the person that you see	14:02:21
21	in Exhibit 8?	14:02:24
22	A No, I don't.	14:02:25
23	Q Did you review reports related to	14:02:26
24	Mr. Scott in preparation for your deposition	14:02:37

Transcript of Douglas Nichols
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1	today?	14:02:39
2	A Maybe briefly, yes.	14:02:39
3	Q Okay. Do you know which reports you	14:02:40
4	reviewed?	14:02:43
5	A Maybe a general case report -- or a vice	14:02:43
6	case report, a booking photo, and the arrest	14:02:49
7	report, if any.	14:02:52
8	Q Okay. You said you may have looked at	14:02:52
9	those or you looked at them?	14:02:59
10	A I don't recall. I believe I did. I can't	14:03:00
11	recall if I did or didn't.	14:03:03
12	(Nichols Deposition Exhibit 9 marked for	14:03:03
13	identification and attached to the transcript.)	14:03:05
14	Q Okay. I'll hand you what we'll mark as	14:03:05
15	Exhibit 9. It's the arrest report for Chris	14:03:10
16	Scott.	14:03:13
17	MR. KOSOKO: Do you mean to give me the	14:03:42
18	vice case report for this?	14:03:44
19	MS. KLEINHAUS: I didn't, but hang on to	14:03:47
20	it. You'll need it in a second.	14:03:49
21	Q Review the narrative portion of this	14:03:54
22	report, please.	14:03:59
23	A Okay.	14:04:01
24	Q Okay. Did reviewing that narrative	14:04:28

Transcript of Douglas Nichols
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1	portion of the report refresh your recollection at	14:04:32
2	all about the arrest of Chris Scott?	14:04:36
3	A No, it does not.	14:04:38
4	Q Okay. Turn with me to the fifth page of	14:04:40
5	this exhibit. You're listed there as an assisting	14:04:44
6	arresting officer.	14:04:48
7	Do you know what you did to assist with	14:04:50
8	this arrest?	14:04:53
9	A No, I do not.	14:04:54
10	Q Can you think of anything that you could	14:04:55
11	review that would tell you what you did?	14:04:59
12	A Maybe I did an inventory. Maybe -- I	14:05:02
13	don't know. Maybe I did complaints. Maybe I	14:05:07
14	searched. Maybe a lot of things that would	14:05:11
15	consist of an assisting arresting officer on the	14:05:14
16	case.	14:05:16
17	Q Right. Do you know of anything -- any	14:05:19
18	documents that would tell us what your role was	14:05:20
19	specifically?	14:05:23
20	MR. BAZAREK: Other than what he just	14:05:24
21	testified to?	14:05:25
22	A Other than maybe the vice -- or the	14:05:29
23	inventory slip, maybe.	14:05:34
24	Q Okay. Other than the inventory slip, is	14:05:35

Transcript of Douglas Nichols
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1	there anything that could tell us what you did?	14:05:37
2	A Not that I'm aware of, no.	14:05:39
3	Q Okay. You can put that to the side.	14:05:41
4	And is that true for all arrests? Other	14:05:45
5	than if you did the inventory so your name is on	14:06:02
6	that, is there any way for us to know what you did	14:06:05
7	if you're listed as an assisting officer?	14:06:09
8	MR. BAZAREK: Object to the form of the	14:06:12
9	question, foundation, compound, vague, and	14:06:13
10	ambiguous.	14:06:16
11	MR. NOLAND: I object to the extent it	14:06:17
12	mischaracterizes.	14:06:19
13	MR. KOSOKO: Join in both of those	14:06:20
14	objections.	14:06:22
15	MR. BAZAREK: And I join that one too.	14:06:22
16	A Maybe the narrative in the arrest report	14:06:25
17	or the case report of what I did.	14:06:27
18	Q Okay. Other than the narrative, is there	14:06:29
19	any document you know of that would tell us what	14:06:33
20	the assisting officers did? Besides the	14:06:35
21	inventory, you told us that.	14:06:38
22	MR. BAZAREK: Same objection.	14:06:39
23	A Other than the case report and the arrest	14:06:42
24	report, I don't believe so, no.	14:06:45

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Conducted on December 19, 2019

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1	(Nichols Deposition Exhibit 10 marked for	14:06:45
2	identification and attached to the transcript.)	14:06:45
3	BY MS. KLEINHAUS:	14:06:45
4	Q Okay. I'm going to show you what we'll	14:06:46
5	mark as the next exhibit. It's the vice case	14:06:48
6	report.	14:06:51
7	MR. BAZAREK: This is 10; right?	14:07:06
8	MS. KLEINHAUS: Yes.	14:07:08
9	A Okay.	14:08:13
10	Q Does reviewing this vice case report	14:08:14
11	refresh your recollection about this arrest?	14:08:17
12	A It does not.	14:08:20
13	Q Okay. You can put that to the side.	14:08:21
14	(Nichols Deposition Exhibit 11 marked for	14:08:21
15	identification and attached to the transcript.)	14:08:21
16	Q I'm going to show you what we'll mark as	14:08:45
17	Exhibit 11. This is the affidavit of Christopher	14:08:50
18	Scott.	14:08:53
19	A Okay.	14:09:03
20	Q Okay. Having reviewed this affidavit,	14:11:30
21	does it refresh your recollection at all about who	14:11:33
22	Christopher Scott is?	14:11:36
23	A No.	14:11:38
24	Q Does it refresh your recollection about	14:11:38

Transcript of Douglas Nichols
Conducted on December 19, 2019

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1	the arrest of Christopher Scott?	14:11:39
2	A No.	14:11:41
3	Q Okay. I'm going to direct your attention	14:11:41
4	to the third paragraph of this affidavit. He	14:11:44
5	describes a scheme where officers would go to the	14:11:49
6	second floor of the building and use individuals	14:11:55
7	in the projects to solicit drug purchasers.	14:11:57
8	MR. BAZAREK: I just want to object to the	14:12:04
9	way you're paraphrasing it. I mean 3 -- No. 3	14:12:07
10	says what it says.	14:12:09
11	MR. KOSOKO: Join in that.	14:12:10
12	A Where the -- could you repeat that	14:12:15
13	question, ma'am.	14:12:17
14	Q Sure. You've read paragraph 3; right?	14:12:18
15	A Yes.	14:12:20
16	Q Okay. Are you familiar with the scheme	14:12:20
17	where officers would ask people from the projects	14:12:22
18	to solicit drug purchasers for them?	14:12:24
19	A No, never.	14:12:29
20	Q Are you familiar with a mission or a	14:12:31
21	process or a project where the sales would happen	14:12:38
22	on the second floor; and then when the purchasers	14:12:42
23	would go down to the first floor, they'd get	14:12:46
24	arrested?	14:12:49

Transcript of Douglas Nichols
Conducted on December 19, 2019

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1	A	No, never, no.	14:12:50
2	Q	Okay. You can put that exhibit to the	14:12:51
3		side.	14:12:56
4		How many times were you part of a reverse	14:12:57
5		sting with the 264 team?	14:13:08
6	A	I don't know.	14:13:11
7	Q	Would it be more than 10 times?	14:13:14
8	A	Like I said, I don't know. I don't know.	14:13:19
9		I'd be guessing. I don't know.	14:13:22
10	Q	You have no idea if it's 2 times or 100	14:13:23
11		times?	14:13:28
12	A	Like I said, I don't know an exact number.	14:13:28
13		I don't know.	14:13:32
14	Q	I'm not asking for an exact number.	14:13:32
15		Do you know approximately how many times?	14:13:34
16	A	No, I don't know. I don't know.	14:13:36
17	Q	When you would participate in the reverse	14:13:38
18		stings, where in the building would that happen?	14:13:42
19	A	Excuse me?	14:13:45
20	Q	Where would the reverse stings take place?	14:13:47
21	A	Like I stated before, the reverse stings,	14:13:51
22		I would be inside the building, and then the	14:13:54
23		officers would be outside the building.	14:13:57
24	Q	The officers posing as drug dealers would	14:13:59

Transcript of Douglas Nichols
Conducted on December 19, 2019

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1	be outside the building?	14:14:04
2	A That's correct.	14:14:05
3	Q Okay. Do you know someone by the name of	14:14:05
4	Jamell Sanders?	14:14:19
5	A I believe so, yes.	14:14:21
6	Q Okay. What do you know about Mr. Sanders?	14:14:23
7	A That he was a regular drug dealer down in	14:14:27
8	Ida B. Wells.	14:14:33
9	Q Okay. And what drugs did he sell?	14:14:33
10	A I believe he would sell either heroin or	14:14:39
11	crack cocaine.	14:14:45
12	Q What did Mr. Sanders look like?	14:14:48
13	A If I'm thinking of the right person, he	14:14:51
14	had basically no neck.	14:14:53
15	Q Did you arrest Mr. Sanders?	14:14:57
16	A I don't recall. I would have to look at	14:15:01
17	documents or anything that would refresh my	14:15:07
18	memory.	14:15:11
19	Q How old was Mr. Sanders when you knew him?	14:15:12
20	A I think he was a teenager at the time or	14:15:15
21	16 or young adult at the time. I don't exact --	14:15:21
22	know exactly how old he was at the time.	14:15:27
23	Q Who did he live with?	14:15:31
24	A I couldn't tell you. I don't know.	14:15:32

Transcript of Douglas Nichols
Conducted on December 19, 2019

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1	Q Which Ida B. Wells building did he live	14:15:37
2	in?	14:15:39
3	A I don't even know if he lived in	14:15:39
4	Ida B. Wells. I couldn't tell you that either.	14:15:43
5	Q What makes you believe that he was a drug	14:15:45
6	dealer?	14:15:57
7	A Just from prior investigations and talking	14:15:57
8	to fellow officers.	14:16:01
9	Q Who did you talk to about Mr. Sanders?	14:16:02
10	A My other teammates and people in the tac	14:16:06
11	office.	14:16:12
12	Q Which teammates?	14:16:12
13	A The teammates that were on my team.	14:16:14
14	Q Which ones did you talk to about	14:16:16
15	Mr. Sanders?	14:16:21
16	A I don't recall.	14:16:23
17	Q Do you know whether or not you ever talked	14:16:23
18	to them about Mr. Sanders?	14:16:25
19	A Excuse me?	14:16:25
20	Q Do you know whether you actually talked to	14:16:25
21	them about Mr. Sanders?	14:16:27
22	MR. PALLES: Objection; asked and	14:16:27
23	answered.	14:16:28
24	MR. BAZAREK: Yeah. Asked and answered.	14:16:28

Transcript of Douglas Nichols
Conducted on December 19, 2019

119

1	A Yes, I talked to other officers about	14:16:30
2	Mr. Sanders.	14:16:33
3	BY MS. KLEINHAUS:	14:16:33
4	Q Okay. What did you discuss?	14:16:35
5	A Like I said, I don't remember.	14:16:35
6	Q What do you remember about the	14:16:38
7	discussions?	14:16:39
8	A That he was a known drug dealer in the	14:16:40
9	Ida B. Wells housing complex.	14:16:43
10	Q Okay. Where did those conversations take	14:16:44
11	place?	14:16:47
12	A That I don't remember.	14:16:47
13	Q When did you first encounter Mr. Sanders?	14:16:48
14	A I don't remember that either. I don't	14:17:02
15	know.	14:17:05
16	Q You mentioned you knew he was a drug	14:17:05
17	dealer from prior investigations.	14:17:12
18	What prior investigations did you do with	14:17:14
19	Mr. Sanders?	14:17:16
20	MR. KOSOKO: I'm going to object to the	14:17:18
21	form of the question, vague, ambiguous,	14:17:20
22	foundation.	14:17:22
23	MR. BAZAREK: I'll join.	14:17:23
24	MR. KOSOKO: And the form of the question,	14:17:24

Transcript of Douglas Nichols
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1	of Sanders.	14:17:26
2	A Other investigations, talking to other	14:17:29
3	fellow officers.	14:17:31
4	Q Right. What prior investigations or other	14:17:32
5	investigations are you reviewing to?	14:17:35
6	A Well, investigations when I was talking to	14:17:37
7	other officers.	14:17:39
8	Q Who were you investigating?	14:17:39
9	A The known drug dealers in the Ida B. Wells	14:17:42
10	housing complex.	14:17:47
11	Q Who else do you consider to be a known	14:17:47
12	drug dealer at the Ida B. Wells housing complex?	14:17:51
13	A That I recall, there was a name -- Brian	14:17:53
14	Ford, Ben Baker, Allen Jackson, Mr. Pearson. I	14:17:59
15	don't remember off the top of my head anyone else	14:18:24
16	at this time.	14:18:26
17	Q Do you know anyone that you believe	14:18:26
18	Mr. Sanders to be working with?	14:18:33
19	A No, I don't. I don't know.	14:18:36
20	Q Do you know of any nicknames for	14:18:38
21	Mr. Sanders?	14:18:43
22	A I believe his nickname was No Neck, if I'm	14:18:43
23	thinking of the right person.	14:18:47
24	Q Anything else?	14:18:48

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1	A	Not that I recall, no.	14:18:51
2	Q	Do you know whether or not you were	14:18:53
3		actually ever part of any investigations of	14:18:58
4		Mr. Sanders?	14:19:00
5	A	I know I talked to other officers about	14:19:00
6		the investigations -- or investigations of known	14:19:04
7		drug dealers in the Ida B. Wells housing complex,	14:19:09
8		yes.	14:19:10
9	Q	Were you part of any investigations of	14:19:11
10		Mr. Sanders?	14:19:14
11	A	Excuse me?	14:19:14
12	Q	Were you part of any investigations of	14:19:17
13		Mr. Sanders?	14:19:20
14	A	Yes.	14:19:20
15	MR. BAZAREK:	Object to the form of the	14:19:22
16		question. Also I think it's been asked and	14:19:24
17		answered.	14:19:28
18	MR. KOSOKO:	I'll join that.	14:19:28
19	A	Yes. As I stated before, I had other	14:19:29
20		conversations with fellow officers about	14:19:31
21		Mr. Sanders.	14:19:35
22	Q	Okay. Which investigations of Mr. Sanders	14:19:35
23		do you recall?	14:19:37
24	A	I don't recall any.	14:19:37

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1	Q So the investigations you discussed with	14:19:40
2	your teammates weren't investigations of	14:19:49
3	Mr. Sanders?	14:19:53
4	MR. BAZAREK: Object to the form of the	14:19:53
5	question, compound, vague, ambiguous.	14:19:55
6	MR. KOSOKO: Join.	14:20:00
7	A Like I stated before, we talked about	14:20:03
8	known drug dealers in the Ida B. Wells housing	14:20:07
9	complex.	14:20:07
10	Q And my question is what investigations of	14:20:10
11	Mr. Sanders did you discuss with them?	14:20:12
12	MR. KOSOKO: Objection; asked and	14:20:15
13	answered.	14:20:15
14	MR. BAZAREK: Join.	14:20:19
15	A Like I stated before, we talked about	14:20:19
16	known drug dealers in the Ida B. Wells housing	14:20:22
17	complex.	14:20:24
18	Q That wasn't my question.	14:20:24
19	Did you discuss investigations of	14:20:27
20	Mr. Sanders with your teammates?	14:20:29
21	A Other than talking about known drug	14:20:31
22	dealers in the Ida B. Wells housing complex? I	14:20:33
23	don't recall. I don't know.	14:20:40
24	Q Did you review documents related to an	14:20:40

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123

1	arrest of Mr. Sanders in preparation for your	14:20:55
2	deposition today?	14:20:57
3	A I believe so, briefly, yes.	14:20:58
4	Q Okay. Did those reports allow you to	14:21:01
5	refresh your recollection about an arrest of	14:21:04
6	Mr. Sanders?	14:21:06
7	A No.	14:21:07
8	Q Okay. Did you review the arrest report?	14:21:08
9	A I believe I did, yes. I believe so.	14:21:12
10	Q Okay. Did you review the vice case	14:21:16
11	report?	14:21:20
12	A I think I did very briefly, yes.	14:21:20
13	Q Okay. Who else was on that arrest with	14:21:22
14	you? Which other officers were on that arrest?	14:21:26
15	A I would have to look at the arrest report	14:21:28
16	to find out who was on that with me or even if I	14:21:31
17	was there. I don't remember.	14:21:36
18	(Nichols Deposition Exhibit 12 marked for	14:21:36
19	identification and attached to the transcript.)	14:21:37
20	Q Is this the person that you're referring	14:21:37
21	to when you talk about Mr. Sanders?	14:21:54
22	A That's correct.	14:21:56
23	Q You recognize him from the photo?	14:21:57
24	A I do.	14:21:59

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124

1	Q Okay. That's the person you're referring	14:21:59
2	to as No Neck; right?	14:22:02
3	A That's correct.	14:22:03
4	Q Okay. You can put that to the side.	14:22:03
5	MR. BAZAREK: Counsel, that was	14:22:06
6	Exhibit 12? That was No. 12, the booking photo?	14:22:08
7	MS. KLEINHAUS: Yep.	14:22:15
8	MR. BAZAREK: This is 13?	14:22:36
9	MS. KLEINHAUS: Yep.	14:22:37
10	(Nichols Deposition Exhibit 13 marked for	14:22:37
11	identification and attached to the transcript.)	14:22:38
12	Q Okay. Is this the arrest report that you	14:22:38
13	reviewed?	14:23:07
14	A I believe so, yes.	14:23:08
15	Q Okay. And take a look at the narrative	14:23:09
16	section of this report, and let me know if it	14:23:15
17	refreshes your recollection about this arrest.	14:23:18
18	A Okay.	14:23:23
19	Q Having reviewed the narrative section,	14:23:49
20	does it refresh your recollection about this	14:23:51
21	arrest?	14:23:54
22	A It does not.	14:23:56
23	Q You don't know what role you played in	14:23:56
24	this arrest; right?	14:23:58

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1	A I do not.	14:23:59
2	Q And you didn't write it down at the time;	14:24:01
3	right?	14:24:03
4	A I did not, no.	14:24:03
5	Q Okay. Turn to the front page of this	14:24:05
6	exhibit, it shows there that Mr. Sanders would	14:24:08
7	have been 17 years old at the time of this arrest.	14:24:12
8	Had you encountered him when he was	14:24:15
9	younger than that?	14:24:19
10	A I'm sure -- I don't know if I actually	14:24:20
11	encountered him but -- face-to-face, I don't know.	14:24:26
12	(Nichols Deposition Exhibit 14 marked for	14:24:26
13	identification and attached to the transcript.)	14:24:32
14	Q Okay. This is Exhibit 14. It's the vice	14:24:32
15	case report for the arrest of Mr. Sanders.	14:24:49
16	A Okay.	14:25:31
17	Q Okay. Having reviewed the vice case	14:25:31
18	report, does it refresh your recollection about	14:25:35
19	this arrest report?	14:25:37
20	A It does not.	14:25:38
21	Q Okay. In the narrative section, it	14:25:39
22	describes doing a premise check.	14:25:40
23	Do you see that?	14:25:43
24	A Yes.	14:25:44

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1	Q What is a premise check?	14:25:52
2	A A premise check of the building is when	14:25:54
3	you enter the location and you go floor-by-floor	14:25:58
4	of the building.	14:26:02
5	Q You can put that exhibit to the side.	14:26:04
6	(Nichols Deposition Exhibit 15 marked for	14:26:04
7	identification and attached to the transcript.)	14:26:04
8	Q I'm handing you what's been marked as	14:26:30
9	Exhibit 15, this is the affidavit of Jamell	14:26:32
10	Sanders.	14:26:35
11	Have you seen this affidavit before?	14:26:36
12	A No.	14:26:37
13	Q Take a moment to review it, please.	14:26:38
14	A Okay.	14:26:38
15	Q Okay. Having reviewed this affidavit,	14:30:12
16	does it refresh your recollection about the arrest	14:30:14
17	of Mr. Sanders?	14:30:16
18	A No, it doesn't.	14:30:16
19	Q Has it refreshed your recollection about	14:30:18
20	any encounters that you had with Mr. Sanders?	14:30:21
21	A No, it does not.	14:30:23
22	Q Do you have any recollection of any	14:30:25
23	encounters with him at all?	14:30:28
24	A No. Not that I can think of, no.	14:30:29

Transcript of Douglas Nichols
Conducted on December 19, 2019

127

1 Q Okay. Turn with me, please, to the second
2 page of this affidavit. I want to focus your
3 attention on paragraph 7. It says, "While there,
4 Watts received a call from someone. The officers
5 then took me to an apartment in the complex. They
6 opened the door and put me in there."

14:30:31

14:30:37

14:30:45

14:30:49

14:30:52

14:30:55

7 Do you know whether that happened or not?

14:30:57

8 A No, I don't know. I don't know.

14:30:58

9 Q Okay. And looking below that to paragraph
10 8, it says, "The officers then searched the
11 apartment. I saw Watts open a cabinet and recover
12 a bunch of drugs."

14:31:05

14:31:10

14:31:12

14:31:16

13 Do you know whether that happened or not?

14:31:18

14 A No, I don't.

14:31:19

15 Q Okay. Turn to the next paragraph, it's
16 paragraph 9. It says, Watts then said if I tell
17 him where the stuff -- where stuff is, he would
18 let me go.

14:31:20

14:31:26

14:31:29

14:31:31

19 Do you know whether that happened or not?

14:31:33

20 A No, I don't. I don't know.

14:31:34

21 Q Okay. Looking below that at paragraph 11,
22 it says, "They took me to 51st and Wentworth.
23 While I was there, Gonzalez said to me," quote,
24 'you had a chance to say something but you didn't.

14:31:36

14:31:44

14:31:46

14:31:49

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Conducted on December 19, 2019

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1	So now you got to go to jail.'" 14:31:52
2	Do you know whether that happened or not? 14:31:55
3	A I don't know. 14:31:57
4	Q Okay. You can put this exhibit to the 14:31:58
5	side. 14:32:01
6	MR. NOLAND: I'm going to object to the 14:32:02
7	form of those questions to the extent that any 14:32:03
8	implication could be met if they were 14:32:08
9	incorporating sentences of the affidavit that were 14:32:11
10	not read to the witness. 14:32:13
11	MR. BAZAREK: I'll join. 14:32:15
12	MR. KOSOKO: Join. 14:32:17
13	Q Do you know who Cleon Glover is? 14:32:19
14	A No, I don't. 14:32:24
15	(Nichols Deposition Exhibit 16 marked for 14:32:24
16	identification and attached to the transcript.) 14:32:25
17	Q I'm going to show you an exhibit with 14:32:25
18	Mr. Glover's photo on it. It's got his name on it 14:32:31
19	too. I want you tell me whether this refreshes 14:32:35
20	your recollection at all as to who Mr. Glover is. 14:32:38
21	A It does not. 14:32:47
22	(Nichols Deposition Exhibit 17 marked for 14:32:47
23	identification and attached to the transcript.) 14:32:48
24	Q You can put that to the side, sir. 14:32:48

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1	I'm going to show you what we've marked as	14:32:57
2	Exhibit 17.	14:33:00
3	A Okay.	14:34:51
4	Q Have you reviewed the narrative portion of	14:34:51
5	that report?	14:34:54
6	A I did.	14:34:54
7	Q Did it refresh your recollection at all	14:34:55
8	about the arrest of Mr. Glover?	14:34:58
9	A It did not.	14:35:00
10	Q Okay. You wrote the narrative section of	14:35:01
11	this report; is that correct?	14:35:06
12	A I believe I did, yes.	14:35:08
13	Q Okay. In the narrative section in a few	14:35:09
14	different places it refers to A, slash, O's, A,	14:35:16
15	forward slash, O's.	14:35:21
16	Do you see what I'm talking about? For	14:35:26
17	example, A/O's entered the rear door.	14:35:31
18	A Okay.	14:35:36
19	Q What does A/O stand for?	14:35:37
20	A A/O's could stand for me and my partner in	14:35:38
21	the rear door of that.	14:35:43
22	Q Okay. A/O would be the arresting	14:35:44
23	officers; right?	14:35:48
24	A Yes.	14:35:48

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1	Q Okay. And that would refer to you and	14:35:48
2	Officer Leano; is that right?	14:35:53
3	A Yes.	14:35:54
4	Q Okay. Was it your practice for that to	14:35:55
5	also refer to the officers listed as assisting?	14:35:59
6	MR. KOSOKO: Object to the form of the	14:36:07
7	question, foundation.	14:36:08
8	A It depends if -- yes, it could. It could	14:36:11
9	mean that too, yes.	14:36:14
10	Q Does it refer to the assisting arresting	14:36:15
11	officers in this narrative?	14:36:20
12	A In which part? We entered the rear door?	14:36:21
13	I don't know what you're --	14:36:26
14	Q Any of the parts that it says A/O's.	14:36:27
15	Let's start with the first one. A/O's entered the	14:36:30
16	rear door.	14:36:33
17	Does that include the assisting arresting	14:36:34
18	officers?	14:36:37
19	A I don't recall this incident, so I don't	14:36:37
20	know.	14:36:41
21	Q Was it your practice, when you were	14:36:41
22	writing narratives for police reports, for A/O's	14:36:45
23	to refer to the assisting arresting officer?	14:36:49
24	A It could.	14:36:54

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1	Q Okay. How would you decide whether you	14:36:54
2	thought it referred to the assisting arresting	14:36:58
3	officer or not?	14:37:02
4	MR. NOLAND: Objection; argumentative.	14:37:02
5	MR. KOSOKO: Join.	14:37:05
6	MR. BAZAREK: Also object to the form,	14:37:05
7	vague, ambiguous, compound.	14:37:07
8	A Just like if they entered the rear door	14:37:10
9	with me at that time, they could be considered	14:37:13
10	A/O's.	14:37:16
11	Q My question is about you as the author of	14:37:17
12	the narrative section, whether you considered	14:37:20
13	A/O's to include them or not?	14:37:23
14	A In which part? I don't understand.	14:37:25
15	Entered the rear door?	14:37:32
16	Q Yeah. Let's start there.	14:37:33
17	A It could and it couldn't. I don't know.	14:37:36
18	I don't remember this. So I don't know.	14:37:40
19	Q Okay. When would you, as the writer,	14:37:42
20	intend for it to refer to the assisting arresting	14:37:46
21	officers?	14:37:50
22	A Excuse me?	14:37:50
23	MR. KOSOKO: I'll object to the form of	14:37:51
24	the question, vague, ambiguous, calls for	14:37:53

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1	speculation.	14:38:02
2	MR. PALLES: (Inaudible) from reading the	14:38:02
3	draft of the report.	14:38:07
4	MR. BAZAREK: I'll join.	14:38:07
5	A I don't understand the question. I don't	14:38:09
6	know.	14:38:10
7	Q Okay. Is it your testimony that sometimes	14:38:10
8	A/O's includes the assisting arresting officers	14:38:15
9	and sometimes it doesn't?	14:38:19
10	MR. BAZAREK: Objection; asked and	14:38:20
11	answered.	14:38:20
12	A It could, yes.	14:38:22
13	Q Why?	14:38:23
14	A Just like what I stated before, if they	14:38:23
15	entered the rear door with me, they could be	14:38:26
16	A/O's.	14:38:29
17	Q How could anyone reading your narrative	14:38:31
18	ever know who is included in the A/O's?	14:38:33
19	MR. BAZAREK: Object to the form of the	14:38:38
20	question, foundation.	14:38:39
21	MR. KOSOKO: I'm going to join and add to	14:38:40
22	that as argumentative, and it assumes facts not in	14:38:41
23	evidence --	14:38:44
24	MR. FLAXMAN: We got your objection.	14:38:45

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1	Thanks.	14:38:46
2	MR. KOSOKO: -- regarding the report.	14:38:47
3	MR. BAZAREK: I join with the extras.	14:38:48
4	A Well, because it's happened before, maybe	14:38:54
5	I would have a better recollection of who was the	14:38:56
6	A/O's at the time of this incident.	14:38:59
7	BY MS. KLEINHAUS:	14:38:59
8	Q Okay. My question is a little bit	14:39:01
9	different. I'm focused on how someone reading	14:39:03
10	this could know who the abbreviation A/O's refers	14:39:06
11	to in this report.	14:39:11
12	MR. BAZAREK: Objection; argumentative,	14:39:12
13	same objections.	14:39:14
14	MR. KOSOKO: Join.	14:39:15
15	A It could mean the arresting officers.	14:39:17
16	Q How would someone know who it refers to?	14:39:19
17	MR. BAZAREK: Objection; argumentative.	14:39:23
18	A Because there's a list of arresting	14:39:25
19	officers on here. There's officer Leano on this	14:39:26
20	case report. There's Officer Gonzalez on this	14:39:29
21	arrest report, Officer Bolton on this arrest	14:39:32
22	report, Officer Jones on this arrest report.	14:39:36
23	Q All right. And it's your testimony that	14:39:38
24	it may or may not refer to those people; correct?	14:39:39

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1	A	As the assisting officers? I don't know.	14:39:43
2	Q	And you're the one who wrote it; right?	14:39:48
3	A	I did.	14:39:50
4	Q	Okay. Were you trained by the Chicago	14:39:51
5		Police Department not to explain in the narrative	14:39:57
6		what assisting arresting officers did?	14:39:58
7	MR. BAZAREK:	Object to the form of the	14:40:01
8		question.	14:40:02
9	MR. KOSOKO:	Join.	14:40:03
10	MR. NOLAND:	Join. Objection; form,	14:40:05
11		foundation.	14:40:07
12	A	Were we trained not to?	14:40:08
13	Q	Yes, sir.	14:40:10
14	A	Not that I recall, no.	14:40:11
15	Q	Okay. Was it your practice to explain	14:40:13
16		what the assisting arresting officers did?	14:40:19
17	MR. KOSOKO:	Object to the form of the	14:40:23
18		question.	14:40:24
19	MR. BAZAREK:	And further object vague,	14:40:25
20		ambiguous.	14:40:27
21	A	If they had anything with -- facts that	14:40:29
22		they did personally, yes, I would put them in	14:40:34
23		there.	14:40:36
24	Q	Okay. You can put that exhibit to the	14:40:37

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1	side.	14:40:42
2	Do you know whether you looked at the vice	14:40:43
3	case report for Mr. Glover in preparation for your	14:41:05
4	deposition today?	14:41:07
5	A I believe I did very briefly, but I'm not	14:41:08
6	100 percent sure. But I believe I did.	14:41:12
7	(Nichols Deposition Exhibit 18 marked for	14:41:12
8	identification and attached to the transcript.)	14:41:14
9	Q Okay. I'm going to show you what we'll	14:41:14
10	mark as Exhibit 18.	14:41:18
11	A Okay.	14:42:06
12	Q Okay. Does reviewing that vice case	14:42:06
13	report refresh your recollection at all about the	14:42:10
14	arrest of Mr. Glover?	14:42:13
15	A It does not.	14:42:14
16	Q Okay. You can put that to the side.	14:42:15
17	(Nichols Deposition Exhibit 19 marked for	14:42:15
18	identification and attached to the transcript.)	14:42:15
19	Q I'll show you what's been marked as	14:42:35
20	Exhibit 19. This is the original case incident	14:42:36
21	report for Mr. Glover's arrest.	14:42:41
22	A Okay.	14:43:01
23	Q And that's a two-sided exhibit. You saw	14:43:01
24	that.	14:43:05

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1	Does this exhibit refresh your	14:43:05
2	recollection about the arrest of Mr. Glover?	14:43:08
3	A It does not.	14:43:10
4	(Nichols Deposition Exhibit 20 marked for	14:43:10
5	identification and attached to the transcript.)	14:43:10
6	BY MS. KLEINHAUS:	14:43:10
7	Q Okay. I'm going to show you what we'll	14:43:12
8	mark as Exhibit 20.	14:43:13
9	A Okay.	14:44:00
10	Q This is the inventory report for the	14:44:00
11	arrest of Mr. Glover; correct?	14:44:02
12	A Correct.	14:44:04
13	Q Does this refresh your recollection about	14:44:05
14	the arrest of Mr. Glover?	14:44:06
15	A It does not.	14:44:07
16	Q Okay. You're listed here as the	14:44:08
17	investigating officer for this arrest.	14:44:14
18	Do you see that?	14:44:16
19	A Yes, I do.	14:44:17
20	Q And what does it mean to be the	14:44:20
21	investigating officer on the inventory form?	14:44:23
22	MR. NOLAND: Objection; foundation.	14:44:28
23	MR. BAZAREK: Join.	14:44:31
24	MR. KOSOKO: Join.	14:44:32

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1	A I believe -- I believe that box is for --	14:44:38
2	that the investigation -- the officer who wants to	14:44:41
3	hold that for the court purposes.	14:44:45
4	Q Okay.	14:44:47
5	A Because I'm holding it for the	14:44:49
6	investigation.	14:44:51
7	Q Okay. What is it that you would be	14:44:52
8	holding for the investigation?	14:44:56
9	A The narcotics, the money.	14:44:57
10	Q Okay. All right. You can put that	14:45:01
11	exhibit to the side.	14:45:04
12	(Nichols Deposition Exhibit 21 marked for	14:45:04
13	identification and attached to the transcript.)	14:45:04
14	Q I'm going to show you what we'll mark as	14:45:17
15	Exhibit 21. This is the affidavit of Mr. Glover.	14:45:20
16	A Okay.	14:46:39
17	Q Okay. Having reviewed this affidavit,	14:46:40
18	does it refresh your recollection at all about an	14:46:41
19	encounter with Cleon Glover?	14:46:45
20	A No. It doesn't have me listed in his	14:46:50
21	affidavit either.	14:46:53
22	Q Okay. Look with me, please, at	14:46:54
23	paragraph 3. You've had a chance to review that.	14:46:58
24	A Okay.	14:47:02

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1	Q Do you know whether or not what's	14:47:03
2	described in paragraph 3 happened or not?	14:47:05
3	A On which location on what day?	14:47:07
4	Q Well, if you look above paragraph 3, it's	14:47:16
5	June 6th, 2006.	14:47:21
6	A No. This didn't happen on the -- if we're	14:47:23
7	talking about the arrest incident, no, it did not	14:47:30
8	happen this way.	14:47:32
9	Q Okay. How do you know that?	14:47:34
10	A Because I know that we walked in there and	14:47:35
11	we observed him giving an object to a female, and	14:47:38
12	the female tendered him money, and then the female	14:47:42
13	fled. So that's how I know that didn't happen.	14:47:45
14	Q Okay. Do you recall the arrest?	14:47:49
15	A No, I don't.	14:47:51
16	Q Okay. So are you -- is your testimony	14:47:53
17	that you believe that the report is accurate?	14:47:57
18	A If I wrote the report, it's going to be	14:47:59
19	accurate. If another officer -- I would have no	14:48:02
20	way of knowing if it was false or not, and I would	14:48:05
21	believe that officer was telling the truth, and I	14:48:09
22	would have no reason not to believe that officer.	14:48:11
23	Q Okay. So when you're saying you don't	14:48:14
24	think it happened the way it's described in	14:48:17

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1	paragraph 3, that's not based on your personal	14:48:19
2	recollection; it's based on your reliance on the	14:48:24
3	reports; right?	14:48:27
4	MR. NOLAND: Object to the form.	14:48:27
5	MR. KOSOKO: Join.	14:48:29
6	MR. BAZAREK: Join.	14:48:29
7	MR. PALLES: Join.	14:48:30
8	MR. BAZAREK: Also mischaracterizes his	14:48:31
9	testimony.	14:48:33
10	MR. KOSOKO: Join.	14:48:34
11	A That's based on the reports, correct.	14:48:35
12	BY MS. KLEINHAUS:	14:48:35
13	Q Okay. Looking at paragraph 4, it says,	14:48:40
14	"Watts grabbed me and put up against the wall and	14:48:40
15	asked me 'where the shit at?'"	14:48:44
16	Do you know whether that happened?	14:48:46
17	A If we're talking about this in the case	14:48:47
18	report, it did not happen. I know it didn't	14:48:50
19	happen that way.	14:48:51
20	Q And is that again because you rely on the	14:48:52
21	reports?	14:48:54
22	MR. NOLAND: Object to the form.	14:48:54
23	MR. KOSOKO: Join.	14:48:56
24	A That's correct.	14:48:56

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1	BY MS. KLEINHAUS:	14:48:56
2	Q Okay. You can put that exhibit to the	14:49:11
3	side.	14:49:13
4	MR. BAZAREK: Take a break?	14:49:18
5	MS. KLEINHAUS: Sure.	14:49:19
6	THE VIDEOGRAPHER: Off the record, 2:49.	14:49:19
7	(A recess was taken from 2:49 p.m. to	14:59:08
8	2:59 p.m.)	14:59:08
9	THE VIDEOGRAPHER: Back on the record,	14:59:09
10	2:59.	14:59:13
11	BY MS. KLEINHAUS:	14:59:15
12	Q Sir, in the course of your career, how	14:59:15
13	many vehicle chases have you been part of?	14:59:19
14	A I don't know. I don't know.	14:59:22
15	Q Is it more than 12 or less than 12?	14:59:25
16	A I don't know.	14:59:29
17	Q No idea?	14:59:30
18	A No idea.	14:59:31
19	Q Okay. How many foot chases have you been	14:59:31
20	part of?	14:59:39
21	A Many.	14:59:40
22	Q Dozens?	14:59:41
23	A I don't know. I know it's many.	14:59:43
24	Q Do you know who Brian Hunt is?	14:59:48

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1	A	Not that I can recall, no.	15:00:00
2	Q	Okay. Do you know whether you have	15:00:07
3		reviewed a lawsuit -- a complaint filed by Brian	15:00:09
4		Hunt in these cases?	15:00:13
5	A	Not that I'm aware of, no.	15:00:14
6		(Nichols Deposition Exhibit 22 marked for	15:00:14
7		identification and attached to the transcript.)	15:00:20
8	Q	I'm going to show you a photo -- an	15:00:20
9		exhibit that we'll mark as Exhibit 22.	15:00:25
10		Do you recognize the person depicted in	15:00:52
11		that photo?	15:00:54
12	A	I don't.	15:00:55
13	Q	You can put that to the side.	15:00:56
14		(Nichols Deposition Exhibit 23 marked for	15:00:56
15		identification and attached to the transcript.)	15:00:56
16	Q	I'm going to show you what we'll mark as	15:01:03
17		Exhibit 23. This is the arrest report of Brian	15:01:07
18		Hunt.	15:01:11
19		Did you review reports related to an	15:01:12
20		arrest of Brian Hunt in preparation for your	15:01:15
21		deposition today?	15:01:18
22	A	Probably, briefly, yes.	15:01:18
23		Okay.	15:02:42
24	Q	Having reviewed the arrest report, does	15:02:43

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1	that refresh your recollection about the arrest of	15:02:46
2	Mr. Hunt?	15:02:49
3	A It does not.	15:02:50
4	Q Put that to the side.	15:02:50
5	(Nichols Deposition Exhibit 24 marked for	15:02:50
6	identification and attached to the transcript.)	15:02:50
7	Q I'm going to show you what we'll mark as	15:03:07
8	Exhibit 24. This is the vice case report of the	15:03:10
9	arrest of Mr. Hunt.	15:03:18
10	A Okay.	15:03:48
11	Q Having reviewed the vice case report, does	15:03:48
12	that refresh your recollection about the arrest of	15:03:52
13	Mr. Hunt?	15:03:55
14	A Does not.	15:03:56
15	(Nichols Deposition Exhibit 25 marked for	15:03:56
16	identification and attached to the transcript.)	15:03:57
17	Q I'm going to show you what we'll mark as	15:03:57
18	Exhibit 25. This is the affidavit of Mr. Hunt.	15:04:09
19	A Okay.	15:05:33
20	Q Having reviewed the affidavit of Mr. Hunt,	15:05:34
21	does that refresh your recollection at all about	15:05:37
22	any encounters you've had with him?	15:05:39
23	A No, it does not.	15:05:41
24	Q Do you know who Deonta Smith is?	15:05:43

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1	A	No, I don't. That I recall, no.	15:05:46
2	Q	Okay. Turning your attention to the third	15:05:52
3		paragraph of this affidavit, do you know whether	15:06:01
4		or not what's described there happened or not?	15:06:05
5	A	No. It did not happen. Because reading	15:06:10
6		the case report, I believe it did not happen, and	15:06:15
7		I would say it didn't happen.	15:06:19
8	Q	Okay. Is there something in the case	15:06:20
9		report that you think contradicts what's in	15:06:22
10		paragraph 3?	15:06:25
11	A	It doesn't -- the narrative in the case	15:06:25
12		report doesn't say they were ever in a bathroom.	15:06:28
13	Q	Okay. Is that something that you	15:06:32
14		typically would include in the narrative of a case	15:06:35
15		report?	15:06:38
16	A	Most definitely.	15:06:38
17	Q	And why is that?	15:06:39
18	A	If it was pertinent to the case, yes, you	15:06:41
19		would -- to this, yes.	15:06:43
20	Q	Okay. And why would it be pertinent to	15:06:44
21		the case that you questioned someone in the	15:06:49
22		bathroom?	15:06:51
23	A	Why would you -- why would you question	15:06:52
24		him? Like how he states, why would you say where	15:06:53

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1 are the drugs in a bathroom? Why? 15:06:56

2 Q Okay. So other than the fact that a 15:07:00

3 description of questioning in the bathroom isn't 15:07:03

4 in the narrative section of the report, do you 15:07:05

5 have any other reason that you believe what's 15:07:08

6 described in paragraph 3 didn't happen? 15:07:12

7 A Yes. Because I believe I had no other 15:07:14

8 facts stating otherwise, that it would -- all 15:07:17

9 that's true on the case report and the arrest 15:07:20

10 report is not factual. 15:07:22

11 Q Okay. Other than those reports, are you 15:07:24

12 relying on anything else, in your opinion, that 15:07:27

13 what's described in paragraph 3 didn't happen? 15:07:31

14 A Just on the reports, no. 15:07:33

15 Q Okay. I think I may have asked a bad 15:07:37

16 question. 15:07:39

17 Are you relying on anything else besides 15:07:39

18 the reports to come to your conclusion that what's 15:07:41

19 described in paragraph 3 didn't happen? 15:07:45

20 A I'm just relying on the reports. 15:07:46

21 Q Okay. You can put that exhibit to the 15:07:48

22 side. 15:07:50

23 Do you know who Willie Martin is? 15:07:50

24 A Not that I recall, no. 15:08:12

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1	Q Have you ever been disciplined by the	15:08:31
2	Chicago Police Department?	15:08:34
3	A No, I have not.	15:08:34
4	(Nichols Deposition Exhibit 26 marked for	15:08:34
5	identification and attached to the transcript.)	15:08:34
6	BY MS. KLEINHAUS:	15:08:34
7	Q Okay. I'm going to show you what we'll	15:08:40
8	mark as Exhibit 26.	15:08:43
9	A Okay.	15:10:07
10	Q Okay. Prior to seeing this exhibit, were	15:14:10
11	you aware that Mr. Martin had filed this complaint	15:14:19
12	against you?	15:14:24
13	A No. This is my first time I'm seeing	15:14:24
14	this.	15:14:27
15	Q Okay. And this complaint is from October	15:14:27
16	of 2007.	15:14:31
17	Do you see that?	15:14:32
18	A Yes, I do.	15:14:33
19	Q Okay. Did anyone from the Chicago Police	15:14:35
20	Department ever question you about any of the	15:14:38
21	allegations contained here?	15:14:41
22	A No.	15:14:42
23	Q Okay. Turn with me please to the second	15:14:43
24	page where the allegations are listed.	15:14:48

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1 The first allegation is that on
2 August 18th of 2006 at approximately 2125 hours in
3 the vicinity of 540 West Browning Avenue, you and
4 Officers Leano, Mohammed, Smith, and Jones failed
5 to inventory \$916.

15:14:50

15:14:57

15:15:04

15:15:09

15:15:12

6 Do you deny that allegation?

15:15:16

7 A I completely deny that allegation, and
8 Mr. Martin is a complete liar.

15:15:17

15:15:21

9 Q Okay. Look at the second allegation
10 there. It says -- it's an allegation that you,
11 Officer Leano, Officer Mohammed, Officer Smith,
12 and Officer Jones pushed him to the ground.

15:15:23

15:15:26

15:15:29

15:15:31

13 Do you deny that?

15:15:34

14 A I don't recall this incident.

15:15:35

15 Q Okay.

15:15:42

16 A But I know we didn't place our feet on
17 his neck.

15:15:45

15:15:49

18 Q Okay. So am I understanding you
19 correctly, you're not sure about him being pushed
20 to the ground, but you know for sure you didn't
21 place your feet on his neck?

15:15:49

15:15:55

15:15:58

15:16:00

22 A I know I didn't place my feet on his neck.

15:16:02

23 Q Okay. What about pushing him to the
24 ground?

15:16:05

15:16:06

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1	A I don't know this incident. I don't	15:16:07
2	remember this incident.	15:16:08
3	MR. NOLAND: I would just state for the	15:16:09
4	record that it looks like this is an excerpt of	15:16:11
5	this Complaint Register No. 100585 that you have	15:16:12
6	provided to the witness, and it looks like there's	15:16:18
7	over 100 pages that you have not provided to the	15:16:22
8	witness. Am I right about that?	15:16:26
9	MS. KLEINHAUS: Yeah. There are hundreds	15:16:28
10	of duplicates, and I chose an excerpt that's	15:16:29
11	relevant to this witness. So what you're looking	15:16:36
12	at is an excerpt of the complaint that he never	15:16:38
13	knew about.	15:16:39
14	MR. NOLAND: Hold on. Duplicates, I'm not	15:16:41
15	certain that's -- that's not the point I'm getting	15:16:42
16	at. It looks like you omitted things from the	15:16:43
17	complaint register file; right?	15:16:48
18	MS. KLEINHAUS: That's true.	15:16:48
19	MR. NOLAND: Okay.	15:16:48
20	MS. KLEINHAUS: That's true. I omitted	15:16:49
21	things from the complaint register file, and I'm	15:16:50
22	using an excerpt from the exhibit -- or from that	15:16:53
23	complaint register to talk to this witness who has	15:16:57
24	never heard of this before.	15:17:00

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1	MR. NOLAND: Well --	15:17:02
2	MR. BAZAREK: I'll also object further to	15:17:04
3	the doctrine of completeness in terms of this	15:17:07
4	exhibit, and it's kind of hodgepodge. These are	15:17:12
5	things are slapped together, it looks like.	15:17:16
6	MS. KLEINHAUS: Okay. Well, that's a fine	15:17:18
7	trial objection, but your objection is noted.	15:17:21
8	BY MS. KLEINHAUS:	15:17:21
9	Q Okay. Looking at the third allegation	15:17:27
10	there, it says, Officer Nic -- listed as Nicholas,	15:17:28
11	Leano, Mohammed, Smith, and Jones attempted to	15:17:35
12	coerce Mr. Martin to admit to a crime by hitting	15:17:39
13	him and kicking him.	15:17:45
14	Do you deny that?	15:17:46
15	A I completely deny that, and Mr. Martin is	15:17:47
16	a complete liar.	15:17:51
17	Q Okay. And looking below that fourth	15:17:51
18	allegation, is that Officers Nicholas, which	15:17:54
19	appears to be a typo, Leano, Mohammed, Smith, and	15:17:57
20	Jones demanded money and information, handcuffed	15:18:00
21	him too tightly, and beat him.	15:18:04
22	Do you deny that?	15:18:05
23	A I completely deny that.	15:18:06
24	Q Okay. Turning to the next page in this	15:18:07

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1	exhibit, this is for the August arrest. There's a	15:18:13
2	vice case report there.	15:18:17
3	You've had a chance to review that; right?	15:18:20
4	A Yes.	15:18:21
5	Q Okay. Does that refresh your recollection	15:18:22
6	at all about an encounter with Mr. Martin?	15:18:23
7	A It does not.	15:18:27
8	Q Okay. Following that is the handwritten	15:18:27
9	complaint from Mr. Martin.	15:18:31
10	You've had a chance to review that; right?	15:18:32
11	A Very briefly, yes.	15:18:35
12	Q Okay. Does that refresh your recollection	15:18:36
13	at all about any encounter with Mr. Martin?	15:18:38
14	A No, it does not.	15:18:41
15	Q Okay. Turning from that, there's the	15:18:42
16	arrest report from this August encounter with	15:18:45
17	Mr. Martin.	15:18:48
18	Does that refresh your recollection at all	15:18:49
19	about an August encounter with Mr. Martin?	15:18:51
20	A No, it does not.	15:18:58
21	Q He has a nickname listed here as a Fatty.	15:18:59
22	Does that refresh your recollection at all	15:19:05
23	as to who this is?	15:19:08
24	A It does not.	15:19:09

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1	Q Okay. You can put that exhibit to the	15:19:10
2	side.	15:19:17
3	(Nichols Deposition Exhibit 27 marked for	15:19:17
4	identification and attached to the transcript.)	15:19:17
5	Q I'm going to show you what we'll mark as	15:19:22
6	Exhibit 27. This is the arrest report for the	15:19:25
7	September 2006 arrest of Mr. Martin.	15:19:33
8	A Okay.	15:20:19
9	Q All right. Does this arrest report	15:20:19
10	refresh your recollection about an encounter with	15:20:22
11	Mr. Martin?	15:20:23
12	A It does not and I'm not even on the --	15:20:24
13	listed in the case report. I'm not assisting, not	15:20:27
14	arresting, in that box, not the first arresting	15:20:31
15	officer, not the second arresting officer, not	15:20:33
16	assisting arresting report on this case report.	15:20:35
17	Q Right. And if you were part of this	15:20:38
18	arrest, you should have been included; right?	15:20:40
19	A Yes. Not in all circumstances but	15:20:43
20	typically, yes.	15:20:46
21	Q When would an officer who was part of an	15:20:46
22	arrest not be listed on the arrest reports?	15:20:50
23	MR. KOSOKO: Objection; form of the	15:20:54
24	question.	15:20:54

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1	A	When he would not be? Maybe an officer	15:20:57
2		forgot to put an officer on it. I don't know.	15:21:00
3		Maybe he didn't do anything with the processing of	15:21:03
4		the arrest or any involvement with the arrest, so	15:21:08
5		that's why he would not be on it.	15:21:11
6	BY MS. KLEINHAUS:		15:21:11
7	Q	Okay. If someone did assist with the	15:21:13
8		arrest in some way --	15:21:15
9	MR. BAZAREK:	Object. Sorry, I thought	15:21:20
10		you were done.	15:21:22
11	Q	Okay. All right. I'm going to show you	15:21:23
12		the next exhibit, and we'll compare them.	15:21:26
13	A	Keep this one to the side?	15:21:26
14	Q	Yes. No, not to the side. Keep that in	15:21:26
15		front of you. We're going to talk about both of	15:21:34
16		them.	15:21:36
17		(Nichols Deposition Exhibit 28 marked for	15:21:36
18		identification and attached to the transcript.)	15:22:02
19	MR. BAZAREK:	Can we go off the record for	15:22:02
20		a minute?	15:22:04
21	MS. KLEINHAUS:	Can we just finish this --	15:22:06
22	MR. BAZAREK:	Oh, sure, yeah.	15:22:06
23	MS. KLEINHAUS:	-- and then we'll do it.	15:22:08
24	MR. BAZAREK:	Sure.	15:22:09

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1	A Okay.	15:22:21
2	BY MS. KLEINHAUS:	15:22:21
3	Q Okay. Having reviewed the vice case	15:22:22
4	report for this arrest, you see that you're listed	15:22:24
5	on the vice case report; right?	15:22:26
6	A I do.	15:22:29
7	Q And as you already noted, you're not on	15:22:29
8	the arrest report; right?	15:22:33
9	A That's correct.	15:22:33
10	Q Do you know why you're not included on the	15:22:34
11	arrest report?	15:22:40
12	MR. PALLES: Objection; lack of	15:22:42
13	foundation.	15:22:43
14	MR. KOSOKO: Join.	15:22:44
15	MR. BAZAREK: Join.	15:22:45
16	A I don't know.	15:22:47
17	Q Okay. Were you ever given any instruction	15:22:47
18	on who to include on an arrest report?	15:22:51
19	MR. PALLES: Objection; asked and	15:22:55
20	answered.	15:22:57
21	A Could you repeat that question?	15:22:57
22	MR. KOSOKO: Join.	15:22:58
23	Q Were you ever given any instruction on	15:22:59
24	which officers to list on an arrest report?	15:23:03

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1	A	Instruction by who? I don't understand	15:23:05
2		the --	15:23:08
3	Q	Your employer or anybody else.	15:23:08
4	A	No.	15:23:11
5	Q	Okay. Did anybody tell you, and that	15:23:12
6		means anyone from the Chicago Police Department,	15:23:16
7		who to list as officers on a vice case report?	15:23:18
8		MR. BAZAREK: Object to foundation, form.	15:23:22
9	A	If they had anything -- involvement with	15:23:26
10		the arrest report or the arrest process, yes, they	15:23:27
11		would typically be listed. In some circumstances,	15:23:31
12		they're left off.	15:23:35
13	Q	Okay. Other than the circumstance that	15:23:35
14		you mentioned where someone just forgets, is there	15:23:38
15		any other circumstance that you know of where an	15:23:41
16		officer should be left off?	15:23:44
17		MR. KOSOKO: Object; form of the question,	15:23:49
18		calls for a speculative response.	15:23:51
19		MR. BAZAREK: Join.	15:23:53
20	A	Could you repeat that question?	15:23:54
21		MS. KLEINHAUS: Could you read it back,	15:23:54
22		please.	15:23:54
23		(Pending question read.)	15:24:09
24	A	Not that I'm aware of, no.	15:24:09

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1	MS. KLEINHAUS: Okay. We can go off the	15:24:13
2	record now, Bill.	15:24:15
3	THE VIDEOGRAPHER: Off the record, 3:24.	15:24:16
4	(A recess was taken from 3:24 p.m. to	15:27:53
5	3:28 p.m.)	15:27:53
6	THE VIDEOGRAPHER: Back on the record,	15:27:54
7	3:28.	15:28:09
8	BY MS. KLEINHAUS:	15:28:10
9	Q Sir, do either of the reports you've just	15:28:12
10	looked at, the arrest report and the vice case	15:28:16
11	report, refresh your recollection about an arrest	15:28:20
12	of Willie Martin from September of 2006?	15:28:22
13	A It does not.	15:28:25
14	(Nichols Deposition Exhibit 29 marked for	15:28:25
15	identification and attached to the transcript.)	15:28:26
16	Q Showing you what's been marked as	15:28:26
17	Exhibit 29. It's a two-sided exhibit.	15:28:43
18	A Okay.	15:29:40
19	Q Are you familiar with this type of	15:29:41
20	document?	15:29:42
21	A I am not.	15:29:43
22	Q Okay. It's labeled an "eTrack Chain of	15:29:45
23	Custody." I want to turn your attention to the	15:29:51
24	back side of this document. There's an entry	15:29:54

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1	there from September of 2006 where it says,	15:29:58
2	"inventory creator," and then it has your name.	15:30:04
3	Do you see that?	15:30:05
4	A Yes.	15:30:06
5	Q Okay. Was it your practice to -- I'm	15:30:07
6	sorry -- strike that, please.	15:30:13
7	How would you create a record of the chain	15:30:14
8	of custody for narcotics that you recovered?	15:30:19
9	A Like I stated before, I don't know about	15:30:22
10	this paper, but I can talk to you about the	15:30:26
11	inventory process.	15:30:29
12	Q Sure. How would you create an inventory?	15:30:30
13	MR. NOLAND: I would object. You said	15:30:34
14	narcotics. This relates to money --	15:30:36
15	THE WITNESS: Or money.	15:30:36
16	MR. NOLAND: -- but I don't know if you	15:30:38
17	were --	15:30:38
18	MS. KLEINHAUS: Oh, I'm sorry. Okay.	15:30:40
19	MR. NOLAND: -- you know, specifying one	15:30:41
20	or the other.	15:30:42
21	Q I'll rephrase.	15:30:43
22	How would you do an inventory for money?	15:30:46
23	A I would log in to an eTrack, the eTrack	15:30:48
24	system, and then I would go into the computer, and	15:30:52

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1 it would generate a unique number for that 15:30:56
2 incident. 15:30:59

3 After I get that unique number, I fill in 15:31:02
4 the boxes; and then after I check all the boxes or 15:31:06
5 fill in all the boxes that need to be, I submit it 15:31:10
6 for approval. 15:31:13

7 Q Okay. And who has to approve it? 15:31:15

8 A A sergeant. 15:31:18

9 Q Okay. If you turn to the front page, at 15:31:19
10 the very bottom there it says "inventory 15:31:25
11 submitter" next to your name. 15:31:26

12 Do you see that? 15:31:28

13 A Yes. 15:31:29

14 Q And when you finished creating an 15:31:29
15 inventory, would there be an option on the screen 15:31:33
16 for you to submit it? 15:31:36

17 A Yes. 15:31:37

18 Q Okay. If you look one line above that, it 15:31:38
19 says "hold creator." 15:31:41

20 Do you know how in the system you would 15:31:42
21 create a hold? 15:31:45

22 A Like I said before, maybe if it's hold for 15:31:45
23 investigation. That's why the hold create- -- but 15:31:50
24 I'm not too familiar with this particular sheet. 15:31:55

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1	I never saw one of these before.	15:31:58
2	Q Okay. When you would use the eTrack for	15:32:01
3	inventories, was there an option in that system	15:32:04
4	for you to place something on hold or create a	15:32:08
5	hold?	15:32:11
6	A Yes.	15:32:12
7	Q Okay. Do you know in this instance why	15:32:12
8	you would be the one creating and submitting the	15:32:23
9	inventory but Officer Mohammed would be the one	15:32:25
10	creating the hold?	15:32:28
11	A Because that was my duties during the --	15:32:29
12	this particular arrest. I was inventorying the	15:32:33
13	money.	15:32:35
14	Q Okay. And would those typically be	15:32:36
15	different duties, the person inventorying versus	15:32:40
16	the person creating the hold?	15:32:44
17	MR. NOLAND: Objection; foundation.	15:32:46
18	MR. BAZAREK: Yeah. I'd object, compound.	15:32:48
19	A I don't understand what you're -- what you	15:32:53
20	mean.	15:32:54
21	Q Okay. You said it was part of your duties	15:32:55
22	for this arrest to create the inventory and submit	15:32:57
23	it; right?	15:32:59
24	A This particular arrest, that's what it	15:33:00

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1	looks like I did.	15:33:03
2	Q Okay. Were there some arrests where it	15:33:04
3	was your responsibility to create a hold?	15:33:07
4	A We never -- I don't create a hold. It's	15:33:10
5	through the inventory process. We don't go in and	15:33:15
6	create a hold.	15:33:18
7	Q Okay. So do you know what it means on the	15:33:19
8	line above that where it says "hold creator"?	15:33:22
9	A I see it.	15:33:25
10	Q Do you have an understanding of what that	15:33:26
11	phrase means?	15:33:28
12	A On this piece of paper, no.	15:33:29
13	Q What about in the system that you used for	15:33:33
14	eTrack?	15:33:38
15	A There's a box on eTrack that says "hold	15:33:38
16	for investigation," and then you put an officer's	15:33:41
17	name in there.	15:33:44
18	Q Okay. Is there any reason why you would	15:33:45
19	create the inventory and not also click hold for	15:33:47
20	investigation?	15:33:50
21	MR. BAZAREK: Object to the form of the	15:33:51
22	question.	15:33:52
23	A Could you repeat that?	15:33:56
24	Q Yeah. When you're in the system, the	15:33:57

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1	eTrack system that you've described --	15:34:01
2	A Yes.	15:34:02
3	Q -- after you've created the inventory and	15:34:02
4	you've submitted the inventory, would you have an	15:34:06
5	option to create a hold?	15:34:09
6	A No. We have to -- we have to create that	15:34:12
7	before we even submit it. We have to put for hold	15:34:15
8	for investigation -- or what we're doing with the	15:34:18
9	money before we even submit it.	15:34:20
10	Q Okay. So I must have misunderstood.	15:34:22
11	So you create the inventory, and then you	15:34:25
12	have an option to create a hold or press a button	15:34:27
13	that says "hold"?	15:34:32
14	A Yes.	15:34:33
15	Q Okay. Is there any reason when you were	15:34:34
16	creating the inventory that you wouldn't also	15:34:40
17	create the hold at the same time?	15:34:42
18	A I don't understand. Could you repeat that	15:34:43
19	one more time?	15:34:49
20	Q Yeah. After you create an inventory, is	15:34:50
21	there any reason you couldn't then just click hold	15:34:53
22	after you've created your inventory?	15:34:56
23	A I don't understand the question.	15:34:58
24	Q Okay. As an officer, could you do a hold	15:35:00

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1	on money that you had inventoried? Like the	15:35:17
2	inventory form we saw before that says "hold for	15:35:21
3	investigation"?	15:35:24
4	A Correct.	15:35:26
5	Q Okay. Is that something that you could do	15:35:26
6	in the eTrack system?	15:35:29
7	A The hold for investigation?	15:35:31
8	Q Yes, sir.	15:35:34
9	A Yes. That's a box in the eTrack when we	15:35:34
10	create an inventory.	15:35:39
11	Q Okay. You can put that to the side.	15:35:40
12	Was 38th and Cottage Grove an area with	15:35:44
13	public housing units?	15:35:58
14	A I don't recall what was over there. I	15:36:00
15	know it's part of the Ida B. Wells housing	15:36:09
16	complex.	15:36:15
17	Q I'm going to talk about the arrest of	15:36:15
18	James Moore.	15:36:18
19	Do you know who Mr. Moore is?	15:36:19
20	A No, I don't.	15:36:20
21	(Nichols Deposition Exhibit 30 marked for	15:36:20
22	identification and attached to the transcript.)	15:36:22
23	Q I'll show you what we'll mark as	15:36:22
24	Exhibit 30.	15:36:35

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1	Do you recognize the person that you see	15:36:35
2	depicted in Exhibit 30?	15:36:59
3	A I don't.	15:37:00
4	Q Okay. You can put that to the side.	15:37:00
5	(Nichols Deposition Exhibit 31 marked for	15:37:00
6	identification and attached to the transcript.)	15:37:00
7	BY MS. KLEINHAUS:	15:37:00
8	Q I'll show you what we'll mark as	15:37:20
9	Exhibit 31. This is the arrest report for James	15:37:22
10	Moore.	15:37:31
11	A Okay.	15:38:19
12	Q Having reviewed Exhibit 30 [sic], does	15:38:19
13	this refresh your recollection about the arrest of	15:38:26
14	James Moore?	15:38:30
15	MS. KLEINHAUS: I suppose, I do. Yes, 31.	15:38:31
16	Q Do you remember -- based on this report,	15:38:36
17	do you remember this arrest?	15:38:38
18	A No, I don't.	15:38:39
19	Q Okay. Looking at the narrative section	15:38:40
20	here, it says "during a narcotics investigation."	15:38:43
21	Do you see that?	15:38:49
22	A Okay. Yes, I do.	15:38:49
23	Q Okay. Do you have an understanding of	15:38:53
24	whether there was a separate narcotics	15:38:55

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1	investigation, besides talking to Mr. Moore, going	15:38:57
2	on?	15:39:01
3	A I don't know.	15:39:02
4	Q You can't tell from this narrative, can	15:39:03
5	you?	15:39:06
6	A If there was another investigation going	15:39:06
7	on at the time?	15:39:12
8	Q Right.	15:39:14
9	A No. You can't tell if there was another	15:39:15
10	investigation going on.	15:39:18
11	Q It says below that when "A/O stated,	15:39:21
12	quote, 'I'll take one' the subject produced from	15:39:24
13	his pants pocket a clear plastic bag with a white	15:39:27
14	chunky rock-like substance, suspect crack	15:39:31
15	cocaine."	15:39:31
16	Do you see that?	15:39:37
17	A Yep. Yes, I do.	15:39:38
18	Q Based on that, do you believe this was	15:39:39
19	part of a reverse sting?	15:39:42
20	MR. BAZAREK: I'd object to the form of	15:39:47
21	that question, foundation.	15:39:49
22	A I don't know if it was part of a reverse	15:39:56
23	sting or not. I don't know.	15:39:58
24	Q Okay. You can't tell from this narrative,	15:39:59

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1	can you?	15:40:02
2	MR. BAZAREK: Object to the form of the	15:40:03
3	question, argumentative.	15:40:05
4	A No, I don't know. It possibly could be.	15:40:10
5	It possibly can't be. I don't know.	15:40:13
6	BY MS. KLEINHAUS:	15:40:13
7	Q Okay. Can you actually turn with me,	15:40:15
8	please, to the fifth page of this exhibit. You're	15:40:19
9	listed as an assisting arresting officer.	15:40:27
10	Do you see that?	15:40:30
11	A Yes, I do.	15:40:30
12	Q What did you do as part of the arrest of	15:40:35
13	Mr. Moore?	15:40:38
14	A It looks like I was doing the heading to	15:40:38
15	this narrative.	15:40:52
16	Q Okay. How can you tell that you did the	15:40:52
17	heading to the narrative?	15:40:54
18	A Because I was the attesting officer.	15:40:56
19	Q What does it mean to do the heading to the	15:40:59
20	narrative?	15:41:02
21	A The particulars, the name, charge,	15:41:02
22	everything -- everything that's pertinent to this	15:41:12
23	case.	15:41:16
24	Q Okay. So is the attesting officer	15:41:17

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1	responsible for all the portions of the report	15:41:20
2	besides the narrative?	15:41:23
3	A No, it could be -- he could write the	15:41:24
4	narrative also.	15:41:28
5	Q Okay. How is it that you can tell that	15:41:29
6	this report -- I'm sorry -- strike that, please.	15:41:32
7	Was it your practice that where you were	15:41:37
8	the attesting officer, you completed the headings?	15:41:41
9	A You could do numerous things. You could	15:41:44
10	do the heading. You could do the narrative. You	15:41:46
11	could do many things as the attesting officer.	15:41:50
12	Q Okay. Was it your practice as the	15:41:51
13	attesting officer to complete the headings?	15:41:53
14	MR. BAZAREK: Object to foundation.	15:42:01
15	MR. KOSOKO: Join.	15:42:02
16	A As attesting officer, you would be logging	15:42:03
17	in to the arrest report. I would assume that you	15:42:06
18	were doing the arrest report.	15:42:07
19	Q Sir, my question is very specific to you	15:42:08
20	and your practice.	15:42:11
21	When you were the attesting officer, did	15:42:12
22	you complete the headings?	15:42:14
23	MR. BAZAREK: Object to foundation and	15:42:18
24	form.	15:42:19

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1	A Yes, I believe so.	15:42:20
2	BY MS. KLEINHAUS:	15:42:20
3	Q Okay. And that was true whenever you were	15:42:23
4	the attesting officer; correct?	15:42:26
5	A Yes, yes.	15:42:28
6	Q Okay. All right. You can put that one to	15:42:28
7	the side.	15:42:31
8	(Nichols Deposition Exhibit 32 marked for	15:42:31
9	identification and attached to the transcript.)	15:42:31
10	Q Showing you what's been marked as	15:42:51
11	Exhibit 32, this is the affidavit of James Moore.	15:42:53
12	Just take a moment to review it, please.	15:42:57
13	A Okay.	15:43:58
14	Q Okay. Does reviewing the affidavit of	15:43:59
15	Mr. Moore refresh your recollection about any	15:44:02
16	encounters that you had with him?	15:44:05
17	A No, it does not.	15:44:06
18	Q Okay. If you look at the first paragraph	15:44:07
19	of that affidavit, he refers to someone by the	15:44:10
20	name of Tuti.	15:44:13
21	Do you see that?	15:44:15
22	A Yes, I do.	15:44:15
23	Q Do you know who Tuti is?	15:44:16
24	A No, I don't.	15:44:19

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1	Q	Okay. Looking below that in paragraph 4,	15:44:20
2		the second sentence in paragraph 4 says, "At the	15:44:26
3		station, the officers put me into a room, and	15:44:29
4		Watts and another African-American officer came	15:44:31
5		into the room. When Watts entered, he threw a	15:44:34
6		sandwich bag full of what appeared to be drugs	15:44:37
7		onto a table and told me they were mine."	15:44:40
8		Do you have any reason to dispute the two	15:44:43
9		sentences I just read to you?	15:44:46
10	A	Yes.	15:44:47
11	Q	Okay. What's the basis of that?	15:44:48
12	A	The arrest report and the case report, and	15:44:50
13		I have no other reason to believe why it would be	15:44:53
14		false, and this did not happen.	15:44:56
15	Q	Okay. In coming to that conclusion, are	15:45:00
16		you relying on anything besides the reports?	15:45:02
17	A	Other than the reports, no.	15:45:04
18	Q	Okay. You can put that exhibit to the	15:45:05
19		side.	15:45:08
20		Do you know who Lionel White, Jr., is?	15:45:09
21	A	Can we go back to the affidavit, please?	15:45:40
22	Q	Sure. Is there an answer that you'd like	15:45:47
23		to add to?	15:45:52
24	A	Yes.	15:45:54

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1	Q Okay.	15:45:57
2	A If you can look at Exhibit 31 and 32,	15:45:57
3	please.	15:46:00
4	Q What question is it that you want to add	15:46:01
5	to your answer?	15:46:04
6	A His affidavit -- it says November 5th,	15:46:04
7	2005.	15:46:07
8	Q Uh-huh.	15:46:08
9	A His arrest date was November 30th of 2005.	15:46:09
10	Q Okay. You still don't remember him;	15:46:12
11	right?	15:46:15
12	A I still don't remember him, no.	15:46:15
13	Q Okay. All right. Thank you for that.	15:46:17
14	A Thank you.	15:46:18
15	MR. NOLAND: Is the affidavit wrong?	15:46:20
16	MS. KLEINHAUS: That's not a proper	15:46:23
17	question.	15:46:25
18	MR. NOLAND: I mean, is it a typo that	15:46:25
19	you've got November 5th in here? Is he referring	15:46:29
20	to -- your office prepared this affidavit and	15:46:30
21	tendered it to us. Is this something you'd like	15:46:32
22	to correct for us now if that was a mistake that	15:46:35
23	was made with respect to the affidavit?	15:46:37
24	MS. KLEINHAUS: I think that's entirely	15:46:38

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1	improper.	15:46:40
2	MR. NOLAND: It would be improper if you	15:46:40
3	asked him questions about a false -- an affidavit	15:46:42
4	that had an inaccurate assertion of the entire	15:46:42
5	incident in it and filing a lawsuit based upon it.	15:46:46
6	BY MS. KLEINHAUS:	15:46:46
7	Q Sir, do you know who Lionel White, Jr.,	15:46:51
8	is?	15:46:55
9	A The name sounds familiar.	15:46:55
10	Q Okay. Have you reviewed reports related	15:46:57
11	to Lionel White, Jr.?	15:46:59
12	A I briefly did, yes.	15:47:01
13	(Nichols Deposition Exhibit 33 marked for	15:47:01
14	identification and attached to the transcript.)	15:47:04
15	Q Okay. I'm going to show you what we'll	15:47:04
16	mark as Exhibit 33.	15:47:07
17	Do you recognize the person that you see	15:47:08
18	in Exhibit 33?	15:47:25
19	A I don't.	15:47:27
20	Q Okay. Put that exhibit to the side.	15:47:28
21	Do you know someone who goes by the	15:47:33
22	nickname Pig?	15:47:38
23	A No, I don't.	15:47:40
24	Q Okay. Do you know a person by the name of	15:47:42

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1	Larry Southern?	15:47:45
2	A Larry Southern?	15:47:48
3	Q Yes, sir.	15:47:49
4	A No.	15:47:50
5	(Nichols Deposition Exhibit 34 marked for	15:47:50
6	identification and attached to the transcript.)	15:47:50
7	BY MS. KLEINHAUS:	15:47:50
8	Q I'm going to show you what we'll mark as	15:47:54
9	Exhibit 34.	15:47:56
10	A Okay.	15:48:42
11	Q Okay. Having reviewed the narrative of	15:49:06
12	the arrest report, does that refresh your	15:49:09
13	recollection at all about the arrest of Lionel	15:49:11
14	white, Jr.?	15:49:15
15	A It does not.	15:49:16
16	Q Okay. If you look at the top of the third	15:49:17
17	page, you'll see the attesting officer is Officer	15:49:19
18	Mohammed.	15:49:23
19	Do you see that?	15:49:24
20	A I do.	15:49:24
21	Q Okay. Based on that, would you conclude	15:49:25
22	that Officer Mohammed completed the headings for	15:49:30
23	this report?	15:49:33
24	MR. BAZAREK: Object to the form of the	15:49:34

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1	question, foundation, calls for speculation.	15:49:35
2	MR. PALLES: Join.	15:49:39
3	MR. KOSOKO: Join.	15:49:40
4	A I don't know what he did. I would assume	15:49:41
5	that he did the heading and maybe did the	15:49:44
6	narrative. I can't tell you.	15:49:46
7	BY MS. KLEINHAUS:	15:49:46
8	Q Okay. If you look below that, it lists	15:49:47
9	the first arresting officer as Officer Jones.	15:49:49
10	Do you see that?	15:49:54
11	A I do.	15:49:54
12	Q Okay. Based on that, would you assume	15:49:54
13	that Officer Jones wrote the narrative section of	15:49:57
14	the report?	15:50:00
15	MR. BAZAREK: Object to the form of the	15:50:00
16	question, foundation, speculation.	15:50:02
17	MR. KOSOKO: Join.	15:50:04
18	A I don't know who wrote the narrative to	15:50:05
19	this report.	15:50:07
20	Q Okay. Was it the practice on the 264 team	15:50:07
21	that the first arresting officer would write the	15:50:13
22	narrative of the report?	15:50:15
23	MR. BAZAREK: Object to the form and	15:50:16
24	foundation.	15:50:17

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1	MR. KOSOKO: Join.	15:50:18
2	A Not necessarily. I could -- if I'm not	15:50:19
3	the first arresting officer, I could tell another	15:50:21
4	officer what happened, and he could write the	15:50:24
5	narrative.	15:50:26
6	BY MS. KLEINHAUS:	15:50:26
7	Q Okay. Is the only way to know is by	15:50:26
8	asking the individual officer what his practice	15:50:31
9	was?	15:50:35
10	MR. BAZAREK: Objection; argumentative.	15:50:35
11	A Could you repeat that question?	15:50:38
12	Q Sure.	15:50:39
13	MS. KLEINHAUS: Can you read it back.	15:50:39
14	(Pending question read.)	15:50:48
15	MR. NOLAND: Object to form.	15:50:48
16	MR. BAZAREK: Join.	15:50:50
17	MR. KOSOKO: Join.	15:50:50
18	A Yes, but it could be -- like I said, on	15:50:51
19	different circumstances, he could write the	15:50:53
20	narrative or another officer could write the	15:50:56
21	narrative.	15:50:58
22	Q Okay. Or Sergeant Watts could have	15:50:58
23	written the narrative?	15:51:01
24	MR. KOSOKO: Objection.	15:51:02

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1	MR. PALLES: Objection.	15:51:03
2	MR. KOSOKO: Argumentative, calls for	15:51:05
3	speculation, form.	15:51:07
4	A Well, if he witnessed it and he did it,	15:51:08
5	then, yes, he could write the narrative.	15:51:11
6	BY MS. KLEINHAUS:	15:51:13
7	Q Okay. Someone who is not even listed on	15:51:13
8	the report could have written the narrative;	15:51:16
9	right?	15:51:17
10	MR. BAZAREK: Object to the form of the	15:51:17
11	question, foundation, speculation.	15:51:18
12	MR. KOSOKO: Join.	15:51:20
13	A Could you repeat that question?	15:51:22
14	MS. KLEINHAUS: Can you read it back.	15:51:22
15	(Pending question read.)	15:51:22
16	A Someone who is not listed on the report,	15:51:33
17	no.	15:51:35
18	Q Okay. So it should be someone who is	15:51:35
19	listed on the report; right?	15:51:38
20	A Correct.	15:51:39
21	Q But based on the report itself, we can't	15:51:39
22	tell who actually wrote the narrative for this	15:51:50
23	arrest report; right?	15:51:54
24	A That's correct.	15:51:54

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1	(Nichols Deposition Exhibit 35 marked for	15:51:54
2	identification and attached to the transcript.)	15:51:55
3	Q Exhibit 35 is the affidavit of Lionel	15:51:55
4	White, Jr.	15:52:21
5	A Okay.	15:53:59
6	Q Okay. Having reviewed the affidavit of	15:54:00
7	Lionel White, Jr., does that refresh your	15:54:04
8	recollection about any encounters with him?	15:54:07
9	A No, it does not.	15:54:09
10	Q Okay. Looking to the second paragraph it	15:54:10
11	refers to officers Mohammed, Jones, and Smitty.	15:54:13
12	Do you see that?	15:54:18
13	A I do.	15:54:19
14	Q Do you know Officer Smith to go by the	15:54:19
15	nickname Smitty?	15:54:24
16	A Yes.	15:54:25
17	Q Okay. Below that in paragraph 3, it says,	15:54:25
18	"The police started grabbing people. Watts	15:54:30
19	grabbed me and put me against the wall of the	15:54:32
20	building. I told Watts that I didn't have any	15:54:34
21	drugs on me, and he replied by saying, 'Take it up	15:54:37
22	with Al. Al wants you.' I understood that he was	15:54:40
23	referring to Officer Jones."	15:54:41
24	Do you see that?	15:54:43

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1	A I do.	15:54:43
2	Q Do you have any basis on which to dispute	15:54:44
3	that paragraph?	15:54:46
4	A I think it's a complete lie; and reading	15:54:47
5	the arrest report, it did not happen.	15:54:51
6	Q Okay. And that's based on your reliance	15:54:55
7	on the reports; right?	15:55:05
8	A That's correct.	15:55:06
9	Q Okay. You can put that to the side.	15:55:07
10	Do you know who Frank Saunders is?	15:55:10
11	A No, I don't.	15:55:38
12	Q Have you ever read the complaint and the	15:55:39
13	lawsuit that Frank Saunders filed against you?	15:55:43
14	A I'm not sure if I read the complaint.	15:55:48
15	I'm -- I don't recall.	15:55:51
16	(Nichols Deposition Exhibit 36 marked for	15:55:51
17	identification and attached to the transcript.)	15:55:51
18	Q Okay. Showing you what's been marked as	15:55:51
19	Exhibit 36.	15:56:02
20	A Okay.	15:56:24
21	Q Having reviewed this series of photos in	15:56:25
22	Exhibit 36, does that refresh your recollection at	15:56:28
23	all about who Frank Saunders is?	15:56:30
24	A No, it does not.	15:56:33

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1	Q You can put that to the side.	15:56:34
2	(Nichols Deposition Exhibit 37 marked for	15:56:34
3	identification and attached to the transcript.)	15:56:34
4	Q Showing you what's been marked as	15:56:47
5	Exhibit 37, it's the arrest report for Frank	15:56:50
6	Saunders.	15:56:56
7	A Okay.	15:57:31
8	Q Having reviewed that report, does that	15:57:31
9	refresh your recollection at all about the arrest	15:57:34
10	of Frank Saunders?	15:57:37
11	A It does not.	15:57:38
12	Q Okay. Looking at the first page of that	15:57:39
13	report, can you tell me which portions you see on	15:57:41
14	the first page that you would complete if you were	15:57:47
15	assigned to complete the headings?	15:57:49
16	A If I was -- I don't know if I completed	15:57:51
17	the first headings, but I'm almost positive I did.	15:57:57
18	Q Okay. If you were the person assigned to	15:58:01
19	complete the headings, what on the first	15:58:04
20	page would you complete?	15:58:06
21	A I could have completed the narrative too.	15:58:07
22	I don't know.	15:58:10
23	Q Okay. And putting aside the narrative,	15:58:10
24	just focusing on the first page, what do we see	15:58:12

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1	there that are headings that you would have	15:58:14
2	completed if you were the one assigned to complete	15:58:17
3	the headings?	15:58:19
4	A Well, if you're assigned -- his name,	15:58:20
5	address, date of birth. Do you want me to go	15:58:23
6	through the whole thing?	15:58:27
7	Q Yes, please.	15:58:28
8	A His age, place of birth, if he was armed	15:58:29
9	with anything, the beat where he lives, or that	15:58:33
10	generates for you once you put in his address. If	15:58:38
11	he's a male or female, black, whatever race he	15:58:41
12	was, 5-10, 215, brown eyes, black hair, short	15:58:47
13	hairstyle, what complexion he was, which he was	15:58:53
14	dark. If he has any tattoos, the marks. You put	15:58:57
15	tattoos, a cross on the lower right arm.	15:59:01
16	Q Let me stop you there.	15:59:04
17	So that information in the left column	15:59:06
18	starting with his address, is that information	15:59:09
19	that you would get from talking to the arrestee?	15:59:11
20	A Normally, yes.	15:59:14
21	Q Okay. And would you get the date of birth	15:59:19
22	from the arrestee?	15:59:21
23	A Normally, yes.	15:59:22
24	Q Okay. And if I understood you correctly,	15:59:24

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1	once you have the person's address, then the beat	15:59:27
2	that they live in would --	15:59:31
3	A Generate for you.	15:59:32
4	Q -- generate for you. Thank you for that.	15:59:34
5	Okay. Looking in the box to the right	15:59:38
6	there, that physical description of the arrestee,	15:59:40
7	is that -- that would be based on your own	15:59:43
8	observation if you're filling out the headings;	15:59:46
9	right?	15:59:49
10	A Which part? The male and if he's	15:59:49
11	Caucasian, black? Is that what you're --	15:59:52
12	Q Let's start with those two.	15:59:55
13	So his race and gender, would that be	15:59:58
14	based on your observation?	16:00:00
15	A Observation and sometimes I could ask the	16:00:01
16	person too.	16:00:03
17	Q Okay. What about the height? How would	16:00:03
18	you get that information?	16:00:06
19	A I would normally ask the person.	16:00:07
20	Q Okay. Same for weight?	16:00:10
21	A Yes.	16:00:11
22	Q Okay. And then in terms of the	16:00:12
23	description of the hairstyle, is that something	16:00:16
24	you would ask the person or that would be based on	16:00:19

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1	your observation?	16:00:21
2	A Based on my observation.	16:00:22
3	Q Okay. How about for complexion? Is that	16:00:24
4	something you would ask or that would be based on	16:00:27
5	your observation?	16:00:29
6	A Normally based on my observation.	16:00:29
7	Q Okay. For the tattoos, would you ask the	16:00:31
8	arrestee to show you the tattoos that he has?	16:00:37
9	A Yeah. I would ask the arrestee if he had	16:00:39
10	any tattoos or scars.	16:00:41
11	Q Okay. Okay. Looking below that in the	16:00:43
12	boxes marked "Incident," what portions of that	16:00:47
13	would you complete if you were the person assigned	16:00:49
14	to complete the headings?	16:00:52
15	A The arrest date. If there was a TRR	16:00:53
16	completed.	16:00:59
17	Q Okay. And what is a TRR?	16:00:59
18	A Tactical response report.	16:01:00
19	Q And what type of information do you	16:01:05
20	include in a TRR?	16:01:07
21	A If there was any physical altercation,	16:01:08
22	like an emergency takedown, if you had to do	16:01:10
23	open-hand strikes no the individual.	16:01:15
24	Q Okay. And to determine whether or not a	16:01:17

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1	TRR was completed, would you talk to your fellow	16:01:18
2	officers about the arrest?	16:01:22
3	A If I didn't witness it, yes.	16:01:23
4	Q Okay. And if you did witness it, would	16:01:25
5	your answer to that question be based on your	16:01:31
6	observation?	16:01:34
7	A Yes.	16:01:34
8	Q Okay. Looking below that where it says	16:01:35
9	"resisted arrest."	16:01:45
10	Do you see that part?	16:01:47
11	A Yes.	16:01:48
12	Q Would that be based on your observation if	16:01:48
13	you witnessed the arrest?	16:01:52
14	A Would I mark it if I observed it?	16:01:54
15	Q I'm sorry. Let me try and ask it better.	16:01:58
16	How would you gather the information	16:02:02
17	necessary to answer that question, resisted	16:02:04
18	arrest?	16:02:06
19	A Well, if I didn't observe it, then I would	16:02:06
20	ask that other officer if he resisted arrest	16:02:10
21	or not.	16:02:14
22	Q Okay. If you look next to that where it	16:02:14
23	says "dependent children," would you talk to the	16:02:16
24	arrestee to get that information?	16:02:19

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1	A Yes.	16:02:21
2	Q Okay. And next to that it says "DCFS	16:02:21
3	ward."	16:02:21
4	Would you talk to the arrestee to get that	16:02:26
5	information?	16:02:29
6	A Yes.	16:02:30
7	Q Okay. Looking below that under charges,	16:02:30
8	would that be something that you would complete, a	16:02:35
9	section that you would complete if you were the	16:02:38
10	one assigned to complete the headings?	16:02:40
11	A Yes.	16:02:42
12	Q Okay. Looking below that under recovered	16:02:42
13	narcotics, is that something that you would	16:02:52
14	complete if you were the person assigned to	16:02:54
15	complete the headings?	16:02:56
16	A Yes.	16:02:56
17	Q Okay. And how would you know what to	16:02:56
18	include as the weight or quantity?	16:02:59
19	A Either I would weigh it or another officer	16:03:02
20	would weigh the suspect narcotics.	16:03:07
21	Q Okay. How would you determine the	16:03:10
22	estimated street value?	16:03:12
23	A There's an estimated street value in the	16:03:13
24	Chicago Police Department. There's an estimated	16:03:20

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1	street value for each kind of narcotics.	16:03:23
2	Q Okay. And under the warrant section, if	16:03:24
3	you were the person assigned to complete the	16:03:29
4	headings, would you fill out the warrant section?	16:03:32
5	A Yes.	16:03:35
6	Q Okay. And What would you do in order to	16:03:35
7	complete that section?	16:03:41
8	A To complete the warrant section?	16:03:42
9	Q Yes, sir.	16:03:47
10	A I would -- someone would have to run his	16:03:49
11	name to see if he had or didn't have a warrant.	16:03:53
12	In other circumstances, if they're on parole, we	16:03:58
13	would have to call IDOC to see if they are going	16:04:01
14	to issue a warrant or not.	16:04:06
15	Q Okay. In the course of processing	16:04:08
16	arrestees and completing these reports -- not	16:04:13
17	specific to this arrest, but in the course of	16:04:16
18	processing arrestees, did you ever have someone	16:04:19
19	complain to you that they had been falsely	16:04:22
20	arrested?	16:04:25
21	A No.	16:04:26
22	Q Did you ever have someone complain to you	16:04:27
23	that drugs had been planted on them?	16:04:31
24	A Never.	16:04:34

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1	Q Okay. Did anyone ever complain to you	16:04:38
2	that money had been stolen from them?	16:04:40
3	A Yes.	16:04:42
4	Q Okay. When did that happen?	16:04:43
5	A I believe it was 2017. We had arrested an	16:04:47
6	individual, and he said I took money from him --	16:04:57
7	or no, it wasn't that date. Strike that. I don't	16:05:00
8	remember when it was, but it was inventoried.	16:05:04
9	Then there was another incident in 2017	16:05:06
10	that we allegedly took money, but I don't know if	16:05:09
11	he filed a complaint or not. He called me the	16:05:16
12	next day at the station.	16:05:19
13	Q Okay. And those were instances where	16:05:20
14	during the arrest process, arrestees complained to	16:05:25
15	you that money had been taken?	16:05:29
16	A The second incident was the next day. He	16:05:30
17	called the station. The first incident was that	16:05:36
18	day, and we showed him the piece of paper where	16:05:38
19	the inventory -- that's where his money was.	16:05:42
20	Q Okay. Turn with me to the second page,	16:05:44
21	please.	16:05:49
22	A Excuse me --	16:05:50
23	Q I'm sorry.	16:05:51
24	A -- the second page?	16:05:51

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1	Q Turn to the second page, please.	16:05:51
2	If you were the person assigned to	16:05:55
3	complete the headings, which portions of the	16:05:59
4	second page would you complete?	16:06:01
5	A The victim and complainant.	16:06:02
6	Q Okay.	16:06:09
7	A Maybe the narrative, court date, if he had	16:06:10
8	a vehicle, if he had any property.	16:06:22
9	Q Would you complete the bond information?	16:06:29
10	A No, I would not.	16:06:32
11	Q Okay. Turn with me to the third page.	16:06:33
12	A Okay.	16:06:49
13	Q If you were the officer assigned to	16:06:50
14	complete the headings for the report, would you	16:06:53
15	complete anything that you see on the third page?	16:06:58
16	A I put the first arresting officer and the	16:07:02
17	second arresting officer's name in there.	16:07:04
18	Q Okay. And if you're the one assigned to	16:07:07
19	complete the headings, would someone else tell you	16:07:10
20	who is going to be Box 1 and Box 2?	16:07:12
21	A Yes.	16:07:14
22	Q Okay. Is there anything else that we see	16:07:16
23	on page 3 that you would complete if you were the	16:07:26
24	one assigned to complete the headings?	16:07:29

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1	A	No, not that I see.	16:07:32
2	Q	Okay. Turn please to the fourth page.	16:07:34
3		If you were the person assigned to	16:07:39
4		complete the headings, what would you complete on	16:07:42
5		the fourth page?	16:07:49
6	A	The transport details, and I don't know if	16:07:49
7		I generate the holding facility. I don't know if	16:08:17
8		that generates when I put in the first box. I	16:08:21
9		don't know if that generates to this one either.	16:08:25
10	Q	Okay. So the parts about -- I'm sorry.	16:08:26
11		Strike that, please.	16:08:26
12		Where it says "prints taken," you wouldn't	16:08:33
13		complete that.	16:08:36
14	A	No.	16:08:37
15	Q	And the photograph taken, you wouldn't	16:08:37
16		complete that either; right?	16:08:40
17	A	No, I would not.	16:08:41
18	Q	Okay. Where -- you said -- next to that,	16:08:42
19		it says "transport details."	16:08:44
20		Do you see that?	16:08:46
21	A	Yes.	16:08:46
22	Q	What does 2PO mean?	16:08:47
23	A	2PO. Two police officers that are	16:08:49
24		assigned to that vehicle.	16:08:52

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1	Q All right. Under visual check of	16:08:53
2	arrestee, would you complete any of that?	16:08:57
3	A I would not.	16:08:59
4	Q And under arrestee questionnaire, would	16:09:00
5	you ask any of those questions of the arrestee?	16:09:07
6	A I would not.	16:09:10
7	Q Okay. Turn with me to the fifth page.	16:09:11
8	If you were the person assigned to	16:09:21
9	complete the headings, what portions of the fifth	16:09:24
10	page would you do?	16:09:28
11	A List the assisting officers.	16:09:29
12	Q Okay. Anything else on the fifth	16:09:37
13	page that you would do?	16:09:42
14	A No.	16:09:43
15	Q Based on this report, do you believe that	16:09:48
16	you completed the headings for this arrest?	16:09:57
17	A I believe so, but I couldn't answer that	16:09:59
18	100 percent sure. But I believe I did.	16:10:05
19	Q Okay. You can put that exhibit to the	16:10:08
20	side.	16:10:10
21	MR. BAZAREK: Can we take a break?	16:10:11
22	MS. KLEINHAUS: Sure.	16:10:13
23	THE VIDEOGRAPHER: Off the record, 4:10.	16:10:14
24	(A recess was taken from 4:10 p.m. to	16:23:24

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1	4:23 p.m.)	16:23:24
2	THE VIDEOGRAPHER: Back on the record,	16:23:25
3	4:23.	16:23:40
4	BY MS. KLEINHAUS:	16:23:40
5	Q Sir, do you know who George Almond is?	16:23:41
6	A The name, yes.	16:23:46
7	Q Okay. Other than the name, are you	16:23:48
8	familiar with George Almond?	16:23:50
9	A I'd maybe recognize him, but, yes, that's	16:23:52
10	about it.	16:23:59
11	Q Okay. Do you have any recollection of	16:23:59
12	being involved in the arrest of George Almond?	16:24:02
13	A I don't.	16:24:07
14	(Nichols Deposition Exhibit 38 marked for	16:24:07
15	identification and attached to the transcript.)	16:24:07
16	Q Showing you what we'll mark as Exhibit 38.	16:24:07
17	This is the affidavit of George Almond.	16:24:10
18	A Okay.	16:25:45
19	Q Having reviewed the affidavit of George	16:25:45
20	Almond, does that refresh your recollection at all	16:25:49
21	about an encounter you had with him?	16:25:51
22	A No, it does not.	16:25:53
23	Q Okay. If you look at the third paragraph,	16:25:54
24	he makes reference to a person called Tricey.	16:25:58

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1	Do you see that?	16:26:01
2	A I do.	16:26:03
3	Q Okay. Do you know who Tricey is?	16:26:04
4	A I do not.	16:26:06
5	Q Okay. Looking below that in paragraph 4,	16:26:07
6	it says, "At some point, I heard someone yell	16:26:12
7	'clean up.'"	16:26:16
8	Do you see that?	16:26:16
9	A I do.	16:26:17
10	Q Do you know what the term "clean up"	16:26:18
11	means?	16:26:22
12	A The best of my knowledge is when they	16:26:22
13	clean up, they try to get the narcotics in a safe	16:26:25
14	spot which they -- and try to get away from us as	16:26:29
15	the police officers.	16:26:32
16	Q Okay. Looking below that in paragraph 5,	16:26:34
17	it refers to some nicknames.	16:26:39
18	Do you see Doug there?	16:26:42
19	A I do.	16:26:43
20	Q Is that a nickname used for you?	16:26:44
21	A I wouldn't say a nickname used for me. I	16:26:47
22	don't -- my name is Douglas. So it goes by --	16:26:51
23	short by Doug.	16:26:54
24	Q Okay. Next to that it says "Chinaman."	16:26:56

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1	Do you see that?	16:26:59
2	A Yes.	16:27:00
3	Q Are you familiar with that nickname?	16:27:00
4	A I am.	16:27:02
5	Q Okay. Who does that refer to?	16:27:03
6	A My partner, Officer Leano.	16:27:04
7	Q Okay. The next one is Co-Co.	16:27:07
8	Are you familiar with that nickname?	16:27:09
9	A I am.	16:27:11
10	Q And who does that refer to?	16:27:12
11	A Lamonica Lewis.	16:27:13
12	Q Okay. Turn with me please to paragraph 9.	16:27:15
13	It says, "Once in the stairwell, Watts asked me if	16:27:31
14	I had any money on me. I told him I only had a	16:27:35
15	few dollars. Watts said that wasn't enough and	16:27:38
16	that I was going to jail. I asked why, and he	16:27:41
17	said that he got some rocks and that they were my	16:27:43
18	drugs. I knew he was setting me up."	16:27:46
19	Do you know whether what's described in	16:27:48
20	paragraph 9 happened or not?	16:27:52
21	A It did not happen.	16:27:53
22	Q Okay. Is that based on reports that	16:27:56
23	you've reviewed?	16:27:58
24	A And based -- and his affidavit.	16:27:59

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1 Q Okay. What about his affidavit convinces 16:28:02
2 you that it didn't happen? 16:28:05

3 A Because he's saying I was there and I was 16:28:06
4 in the hallway, and he's saying that I falsely 16:28:09
5 arrested him and was putting narcotics on him, and 16:28:12
6 there's no way I would do that to any individual. 16:28:15

7 Q Okay. Looking below that in paragraph 10, 16:28:18
8 it says, "At the station, Mohammed was writing up 16:28:26
9 my report while I was handcuffed to a bench. 16:28:29
10 Watts, Jones, and Doug were also in the room at 16:28:32
11 the time. I asked Mohammed what I was being 16:28:34
12 charged with. At some point one of them put drugs 16:28:36
13 out on the table. Watts told me they were going 16:28:39
14 to charge me with possession and manufacturing." 16:28:44

15 Do you know whether what was described in 16:28:45
16 paragraph 10 happened or not? 16:28:46

17 A I know that's completely false too. 16:28:46

18 Q How do you know that? 16:28:48

19 A Because I know no one put drugs on someone 16:28:49
20 that I observed or -- and I believe another 16:28:54
21 officer would not do that. 16:28:57

22 Q Okay. You can put that exhibit to the 16:28:58
23 side. 16:29:01

24 Do you know who Deandre Bell is? 16:29:02

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1	A No, I don't.	16:29:18
2	(Nichols Deposition Exhibit 39 marked for	16:29:18
3	identification and attached to the transcript.)	16:29:19
4	Q Showing you what's been marked as	16:29:19
5	Exhibit 39, this is a vice case report for Deandre	16:29:43
6	Bell.	16:29:47
7	A Okay.	16:29:50
8	Q Having reviewed the vice case report, does	16:31:00
9	that refresh your recollection about the arrest of	16:31:06
10	Deandre Bell?	16:31:08
11	A No, it does not.	16:31:08
12	Q Okay. If you look on the back, on the	16:31:10
13	second page of this vice case report, it refers to	16:31:13
14	Terra L. Johnson.	16:31:16
15	Do you know who Terra L. Johnson is?	16:31:17
16	A I do not.	16:31:20
17	Q Okay. You can put that exhibit to the	16:31:21
18	side.	16:31:24
19	(Nichols Deposition Exhibit 40 marked for	16:31:24
20	identification and attached to the transcript.)	16:31:24
21	Q Showing you what's been marked as	16:31:36
22	Exhibit 40, it's the affidavit of Deandre Bell.	16:31:37
23	A Okay.	16:33:58
24	Q Okay. Did reviewing the affidavit of	16:33:58

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1	Mr. Bell refresh your recollection at all about an	16:34:01
2	encounter you had with him in August of 2006?	16:34:04
3	A No.	16:34:06
4	Q Okay. If you look at paragraph 3, it	16:34:07
5	refers to a person by the name of China Watkins.	16:34:09
6	Do you see that?	16:34:13
7	A I do.	16:34:13
8	Q Do you know who China Watkins is?	16:34:14
9	A I don't.	16:34:18
10	Q Okay. Looking below that in paragraph 4,	16:34:19
11	it says, "I came out of the room, and Watts was	16:34:22
12	standing behind the door inside our apartment. He	16:34:24
13	grabbed me and stuck his hand in my hoodie pocket.	16:34:26
14	He then pretended to pull out two bags of drugs	16:34:26
15	from my pocket. He looked" -- it seems to be a	16:34:26
16	typo. It should say at me -- "and said 'Told you	16:34:29
17	I was going to get you.' He dragged me out into	16:34:39
18	the hallway."	16:34:39
19	Do you know whether that happened or not?	16:34:42
20	A It did not happen.	16:34:43
21	Q Okay. Is that based on your review of the	16:34:45
22	vice case report?	16:34:47
23	A The vice case report and I would have	16:34:48
24	no -- I wouldn't arrest someone illegally.	16:34:53

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1	Q Okay.	16:34:57
2	MS. KLEINHAUS: All right. Put that to	16:34:57
3	the side.	16:34:59
4	So I think that concludes for today. By	16:35:00
5	agreement of the parties, we're holding the	16:35:06
6	McDaniels case over until tomorrow. The witness	16:35:10
7	has some family obligations, so we're going to	16:35:14
8	stop there.	16:35:17
9	THE VIDEOGRAPHER: This concludes day 1 of	16:35:24
10	the video deposition of Douglas Nichols at 4:35.	16:35:26
11	(Off the record at 4:35 p.m.)	
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1 ACKNOWLEDGMENT OF DEPONENT

2
3 I, DOUGLAS NICHOLS, do hereby acknowledge
4 that I have read and examined the foregoing
5 testimony, and the same is a true, correct, and
6 complete transcription of the testimony given by
7 me and any corrections appear on the attached
8 errata sheet signed by me.
9
10
11

12 _____
13 (DATE)

12 _____
13 (SIGNATURE)

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CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Joanne Ely, Certified Shorthand
Reporter No. 84-4169, CSR, RPR, and a Notary
Public in and for the County of Kane, State of
Illinois, the officer before whom the foregoing
deposition was taken, do hereby certify that the
foregoing transcript is a true and correct record
of the testimony given; that said testimony was
taken by me stenographically and thereafter
reduced to typewriting under my direction; that
review was requested; and that I am neither
counsel for, related to, nor employed by any of
the parties to this case and have no interest,
financial or otherwise, in its outcome.

IN WITNESS WHEREOF I have hereunto set my
hand and affixed my notarial seal this 22nd day of
February, 2020.

My commission expires: May 16, 2020

Joanne E. Ely



Notary Public in and for the
State of Illinois