

Exhibit 29



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Transcript of Alvin Jones, Volume II

Date: February 27, 2020

Case: Watts Coordinated Cases

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Transcript of Alvin Jones, Volume II
Conducted on February 27, 2020

1 (326 to 329)

326	<p>1 IN THE UNITED STATES DISTRICT COURT FOR THE</p> <p>2 NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION</p> <p>3</p> <p>4 -----x</p> <p>5 : Master Docket Case No.</p> <p>6 : 19-cv-01717</p> <p>7 In re: WATTS COORDINATED :</p> <p>8 PRETRIAL PROCEEDINGS : Judge Andrea R. Wood</p> <p>9 :</p> <p>10 : Magistrate Judge</p> <p>11 : Sheila M. Finnegan</p> <p>12 -----x</p> <p>13</p> <p>14 VOLUME 2</p> <p>15 Continued videotaped Deposition of SERGEANT ALVIN JONES</p> <p>16 CHICAGO, ILLINOIS</p> <p>17 Thursday, February 27, 2020</p> <p>18 10:17 a.m.</p> <p>19</p> <p>20</p> <p>21</p> <p>22 Job: 291161</p> <p>23 Pages: 326 - 608</p> <p>24 Transcribed by: Jerome E. Harris, CLDT-204</p>	328	<p>1 A P P E A R A N C E S</p> <p>2 ON BEHALF OF CERTAIN PLAINTIFFS:</p> <p>3 SCOTT R. RAUSCHER, ESQUIRE</p> <p>4 LOEVY & LOEVY</p> <p>5 311 North Aberdeen Street</p> <p>6 Third Floor</p> <p>7 Chicago, Illinois 60607</p> <p>8 (312) 243-5900</p> <p>9</p> <p>10 ON BEHALF OF CERTAIN PLAINTIFFS:</p> <p>11 JOEL A. FLAXMAN, ESQUIRE</p> <p>12 KENNETH N. FLAXMAN P.C.</p> <p>13 200 South Michigan Avenue</p> <p>14 Suite 201</p> <p>15 Chicago Illinois 60604</p> <p>16 (312) 427-3200</p> <p>17</p> <p>18 ON BEHALF OF DEFENDANTS, CADDMAN and SPAARGAREN</p> <p>19 MICHAEL SCHALKA, ESQUIRE</p> <p>20 LEINENWEBER BARONI & DAFFADA LLC</p> <p>21 120 North LaSalle Street</p> <p>22 Suite 2000</p> <p>23 Chicago, Illinois 60602</p> <p>24 (866) 786-3705</p>
327	<p>1 Continued Videotaped Deposition of SERGEANT ALVIN JONES,</p> <p>2 held at the offices of:</p> <p>3 LOEVY & LOEVY</p> <p>4 311 N. Aberdeen Street</p> <p>5 3rd Floor</p> <p>6 Chicago, IL 60607</p> <p>7 (312) 243-5900</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 Pursuant to notice, before Ryan Grzelak, Notary</p> <p>16 Public in and for the State of Illinois.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	329	<p>1 A P P E A R A N C E S C O N T I N U E D</p> <p>2 ON BEHALF OF DEFENDANT, KALLATT MOHAMMED</p> <p>3 GARY RAVITZ, ESQUIRE</p> <p>4 DALEY MOHAN GROBLE</p> <p>5 55 West Monroe</p> <p>6 Suite 1600</p> <p>7 Chicago, Illinois 60603</p> <p>8 (312) 422-9999</p> <p>9</p> <p>10 ON BEHALF OF THE DEFENDANT, RONALD WATTS:</p> <p>11 AHMED A. KOSOKO, ESQUIRE</p> <p>12 JOHNSON & BELL</p> <p>13 33 West Monroe Street</p> <p>14 Suite 2700</p> <p>15 Chicago, Illinois 60603</p> <p>16 (312) 984-0214</p> <p>17</p> <p>18 ON BEHALF OF CITY OF CHICAGO and SUPERVISORY OFFICIALS</p> <p>19 PAUL A. MICHALIK, ESQUIRE</p> <p>20 REITER BURNS LLP</p> <p>21 311 Wacker Drive</p> <p>22 Suite 5200</p> <p>23 Chicago Illinois 60606</p> <p>24 (312) 878-1294</p>

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<p style="text-align: center;">A P P E A R A N C E S C O N T I N U E D</p> <p>ON BEHALF OF DEFENDANT, SERGEANT ALVIN JONES and</p> <p>INDIVIDUAL DEFENDANTS</p> <p>WILLIAM E. BAZAREK, ESQUIRE</p> <p>HALE & MONICO</p> <p>The Monadnock building</p> <p>53 West Jackson Boulevard</p> <p>Suite 337</p> <p>Chicago, Illinois 60604</p> <p>(312) 500-2951</p> <p>ALSO PRESENT:</p> <p>Rick Kosberg, Videographer</p> <p>Andrew Segal - Paralegal</p> <p>Clarissa Glenn</p>		<p>Arrest report 421</p> <p>Vice case report 422</p> <p>Arrest report 425</p> <p>Vice case report 425</p> <p>Arrest report 427</p> <p>Vice case report 427</p> <p>Arrest report 428</p> <p>Vice case report 428</p> <p>Arrest report 434</p> <p>Vice case report 434</p> <p>Arrest report 435</p> <p>Vice case report 435</p> <p>Arrest report 437</p> <p>Vice case report 437</p> <p>Affidavit 440</p>	
331		333	
<p style="text-align: center;">C O N T E N T S</p> <p>Examination of: PAGE</p> <p>ALVIN JONES</p> <p>By Mr. Rauscher: 335</p> <p>By Mr. Flaxman: 512</p> <p>By Mr. Rauscher: 567</p> <p style="text-align: center;">EXHIBITS</p> <p style="text-align: center;">(Attached to the transcript)</p> <p>12 Arrest report 337</p> <p>13 Police report 357</p> <p>14 Vice case report 367</p> <p>15 To from report 385</p> <p>16 Arrest report 390</p> <p>17 Vice case report 397</p> <p>18 Arrest report 400</p> <p>19 Vice case report 405</p> <p>20 Arrest report 411</p> <p>21 Arrest report 416</p> <p>Vice case report 418</p>		<p>38 Vice case report 454</p> <p>39 Affidavit 492</p> <p>40 Arrest report 497</p> <p>41 Arrest report 505</p> <p>42 Arrest report 512</p> <p>43 Arrest report 531</p> <p>44 Vice case report 535</p> <p>45 Arrest inventory sheet 550</p> <p>46 Inventory sheet 551</p> <p>47 General defense case report 554</p> <p>48 Arrest report 569</p> <p>49 Vice case report 579</p> <p>50 Inventory sheets 585</p> <p>51 Complaint 590</p> <p>52 Grand just indictment 593</p> <p>53 General offense case report 594</p>	

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334	<p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: This is day 2 of the video</p> <p>3 deposition of Alvin Jones, taken by Loevy & Loevy, in</p> <p>4 the matter of the Watts Coordinated Pre-Trial</p> <p>5 Proceedings, Master Docket Case No. 19-cv-01717, held at</p> <p>6 Loevy & Loevy, 311 North Aberdeen Street, Chicago,</p> <p>7 Illinois.</p> <p>8 Today is February 27, 2020. The time is 10:17.</p> <p>9 The court reporter is Ryan Grzelak of Planet Depos. The</p> <p>10 videographer is Rick Kosberg.</p> <p>11 Counsel can now introduce themselves, and Ryan</p> <p>12 is free to administer the oath.</p> <p>13 MR. RAUSCHER: Scott Rauscher for the</p> <p>14 plaintiffs in the Coordinated cases, represented by</p> <p>15 Loevy & Loevy. And one of our clients, Clarissa Glenn,</p> <p>16 is also here.</p> <p>17 MR. FLAXMAN: Joel Flaxman for the Flaxman</p> <p>18 plaintiffs. And paralegal, Andrew Segal, is present.</p> <p>19 MR. SCHALKA: Michael Schalka for defendants,</p> <p>20 Spaargaren and Caddman.</p> <p>21 MR. RAVITZ: Gary Ravitz for Kallatt Mohammed.</p> <p>22 MR. KOSOKO: I'm Ed Kosoko on behalf of Ronald</p> <p>23 Watts.</p> <p>24 MR. MICHALIK: Paul Michalik on behalf of the</p>	336	<p>1 talk to you about a CR related to that arrest?</p> <p>2 A I don't remember.</p> <p>3 Q Do you recall Sergeant Watts ever coming to</p> <p>4 talk to you about a CR in which you were accused of</p> <p>5 wrongdoing?</p> <p>6 A He may have if I was -- if he had paperwork</p> <p>7 concerning me to do a paperwork for a CR, yes.</p> <p>8 Q But you don't have any specific recollection?</p> <p>9 A No.</p> <p>10 Q Do you know for sure that that happened?</p> <p>11 A That what happened?</p> <p>12 Q That he came and talked to you about a CR or</p> <p>13 more that you were involved in?</p> <p>14 A If I had a CR against me, he would have to</p> <p>15 serve me with it.</p> <p>16 Q Okay. But do you recall him ever coming to ask</p> <p>17 you what happened in the underlying incident?</p> <p>18 A I can't remember anything like that.</p> <p>19 Q And do you recall him ever being assigned to</p> <p>20 investigate a CR where you were alleged to have</p> <p>21 committed misconduct and he was also at the scene of the</p> <p>22 incident?</p> <p>23 A I don't recall anything like that.</p> <p>24 Q Do you remember being involved in the arrest of</p>
335	<p>1 City of Chicago and certain supervisory officials.</p> <p>2 MR. BAZAREK: William E. Bazarek for Sergeant</p> <p>3 Alvin Jones along with the other individual defendants</p> <p>4 represented by Hale & Monico.</p> <p>5 THE REPORTER: Please raise your right hand.</p> <p>6 Whereupon,</p> <p>7 ALVIN JONES,</p> <p>8 being first duly sworn or affirmed to testify to the</p> <p>9 truth, the whole truth, and nothing but the truth, was</p> <p>10 examined and testified as follows:</p> <p>11 CONTINUED EXAMINATION BY COUNSEL FOR THE PLAINTIFFS:</p> <p>12 BY MR. RAUSCHER:</p> <p>13 Q Yesterday we -- at the end of the day, we</p> <p>14 talked about an arrest that you were involved in with</p> <p>15 Lee Rainey and Thomas Jefferson from 2004.</p> <p>16 A Yes.</p> <p>17 Q And I'm not going to go over that whole -- I</p> <p>18 don't want plan to go over that whole arrest again, but</p> <p>19 I have just another I think small amount of questions</p> <p>20 about it.</p> <p>21 Do you remember if Lee Rainey filed a CR</p> <p>22 related to that arrest, or if anyone did?</p> <p>23 A I don't remember.</p> <p>24 Q Do you recall Sergeant Watts ever coming to</p>	337	<p>1 the Lee Rainey in 2003?</p> <p>2 A No, I do not.</p> <p>3 Q Did you see any paperwork when you were</p> <p>4 preparing for your deposition about an arrest of Lee</p> <p>5 Rainey in 2003?</p> <p>6 A I think I saw a case report.</p> <p>7 MR. RAUSCHER: We are going to mark Exhibit 12,</p> <p>8 which is DOJoint 005976 through 5977.</p> <p>9 (Exhibit 12, Arrest report, was marked for</p> <p>10 identification and is attached to the transcript.)</p> <p>11 Q Have you had a chance to review this report?</p> <p>12 A Yes.</p> <p>13 Q Have you seen it before today?</p> <p>14 A Probably.</p> <p>15 Q Do you remember looking at it to prepare for</p> <p>16 your deposition today?</p> <p>17 A Yes.</p> <p>18 Q Do you think you saw it around the time it was</p> <p>19 created in 2003?</p> <p>20 A Probably.</p> <p>21 Q And why do you say you probably would have seen</p> <p>22 it around that time?</p> <p>23 A Because I'm listed here as on this report.</p> <p>24 Q And are you -- would it -- was it typical on</p>

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<p style="text-align: right;">338</p> <p>1 the team that everybody who's listed as being on the 2 report would see the report? 3 MR. KOSOKO: Objection. Foundation. 4 A You probably would take a look at it at some 5 point. 6 Q Would you take a look at it before it was 7 finished? 8 A No, you wouldn't look at it before it was 9 finished. 10 Q When would you have looked at it? 11 A I probably would have looked after it was 12 finished. 13 Q What was the -- what would be the purpose of 14 you looking at it after it was finished? 15 A To act -- to see what was actually written and 16 was accurate as it was -- as what went down. 17 Q Does looking at this report refresh your 18 recollection at all about the arrest described in the 19 report or any of the events described in the report? 20 A No, it does not. 21 Q Do you know one way or the other whether this 22 report was accurate? 23 A I don't remember anything about this. I don't 24 remember anything about it.</p>	<p style="text-align: right;">340</p> <p>1 Q As you sit here today, you have no knowledge of 2 it? 3 A No knowledge of it. 4 Q Do you know whether there was a foot chase 5 involving Lee Rainey on May 31st, 2003? 6 A I don't remember the incident at all. 7 Q So you don't know whether there was a foot 8 chase? 9 A I don't. 10 Q One of the arrests that I believe you do 11 remember is Lionel -- involves Lionel White, Sr. Is 12 that correct? 13 A When -- what is that? 14 Q Do you remember ever being involved in 15 arresting Lionel White, Sr.? 16 A Yes. 17 Q When were you involved -- what do you remember 18 about arresting Lionel White, Sr.? 19 A On what date? 20 Q How many times do you remember arresting him? 21 A At least once. I don't. 22 Q Well, tell me about the one you remember. 23 A The once I remember, Lionel White, Sr.? 24 Q Yeah.</p>
<p style="text-align: right;">339</p> <p>1 Q So you don't know one way or the other whether 2 it's accurate? 3 A I would believe that it's accurate because 4 Officer Edwards prepared it. 5 Q And you would believe -- but you don't have any 6 personal knowledge of whether it's accurate? 7 A I don't recall this incident, so -- 8 Q So no, you don't have any personal knowledge? 9 A I don't -- I don't recall the incident. 10 Q And because you don't recall the incident, you 11 don't have any personal knowledge as to whether the 12 report is accurate? 13 MR. BAZAREK: Yeah, I'm just going to object to 14 the form of the question, and also vague and ambiguous 15 as to the phrase, personal knowledge. 16 He's already said he doesn't remember. 17 A I just don't remember it. 18 Q All right. Can you try to answer this next 19 question with a yes or no, and if you can't tell, me why 20 you can't. 21 Do you have any personal knowledge as to 22 whether the events described in this report are true? 23 A I can't tell you because I don't know if I have 24 personal knowledge or not. I don't remember it.</p>	<p style="text-align: right;">341</p> <p>1 A That was the day that we went to the building, 2 and as I entered the building, I observed him coming out 3 of the front stairwell, holding suspect narcotics. When 4 he made eye contact with me, he turned around and fled 5 back up the stairwell. 6 And in that stairwell between the first and the 7 second floor, we had a physical encounter where he tried 8 to throw a few punches at me, I tried to block him. I 9 threw punches and elbow strikes back at him, subdued 10 him, placed him in custody, and recovered the narcotics 11 that he had. 12 Q How many arrests over the years do you think 13 you were involved in? 14 A I have no idea. 15 Q Best estimate? 16 A At least 250. 17 Q How many of those do you remember? 18 A Not a lot of them. 19 Q Like five, ten? 20 A I don't know. I could take a look at the 21 report and see. 22 Q So as you -- you don't -- is it fair to say you 23 don't remember any just sitting here, but if you looked 24 at a report as you've done to prepare for this</p>

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342	<p>1 deposition, you might remember some of them?</p> <p>2 A I might --</p> <p>3 MR. BAZAREK: Object. Yeah, I'd object to the</p> <p>4 form of that question. I think it mischaracterizes his</p> <p>5 testimony.</p> <p>6 A I might remember some of it.</p> <p>7 Q But without looking at a report, is it fair to</p> <p>8 say you don't remember any?</p> <p>9 A Most of them I don't remember.</p> <p>10 Q Do you recall any as you sit here today?</p> <p>11 A Excuse me?</p> <p>12 Q Do you recall any as you sit here today?</p> <p>13 A I remember Lionel White's situation.</p> <p>14 Q Yeah, are there any others that you remember as</p> <p>15 you sit here today?</p> <p>16 A The Lucky Pearson.</p> <p>17 Q Any not involving plaintiffs in the Watts</p> <p>18 Coordinated Proceedings that you remember?</p> <p>19 A Not that I remember, no.</p> <p>20 Q Did you remember White, Sr. and Luck Pearson</p> <p>21 before you looked at documents?</p> <p>22 A Yes.</p> <p>23 Q Do you have -- so we'll take them one at a</p> <p>24 time. Right now, let's talk about White, Sr.</p>	344	<p>1 questions. So I -- I won't interrupt your deposition</p> <p>2 but I'm just putting it out there.</p> <p>3 A I don't know, but it occurred.</p> <p>4 Q More than ten times?</p> <p>5 A If 23 years, I don't know.</p> <p>6 Q You don't know if it's more than ten?</p> <p>7 A I don't know.</p> <p>8 Q Do you know if it's more than 50?</p> <p>9 A I don't know.</p> <p>10 Q Do you know if it's more than a thousand?</p> <p>11 A I don't know.</p> <p>12 Q Can you narrow it down to anywhere between 1</p> <p>13 and thousands.</p> <p>14 But I shouldn't ask it that way because I think</p> <p>15 you've already said it happened more than once. Can you</p> <p>16 narrow it down anywhere between more than five and a</p> <p>17 thousand or more?</p> <p>18 A Where I had altercations of physical somewhere</p> <p>19 in the hallways or somewhere with the individual?</p> <p>20 Q Uh-hum.</p> <p>21 A More than five times, I would say. Because</p> <p>22 when you're in those buildings and you run across</p> <p>23 someone, trying to apprehend them, they struggle some --</p> <p>24 to a point some kind of way to get away.</p>
343	<p>1 Is there any particular reason that you can</p> <p>2 think of or that you know of as to why you remember the</p> <p>3 White, Sr. one even without looking at paperwork?</p> <p>4 A Because of the altercation in the stairwell.</p> <p>5 Q Was it unusual for you to have altercations</p> <p>6 with people?</p> <p>7 A No, but that one just was memorable at that</p> <p>8 time.</p> <p>9 Q What was so memorable about -- memorable about</p> <p>10 that altercation?</p> <p>11 A Because we was struggling in the stairwell. I</p> <p>12 just remember that struggle.</p> <p>13 Q How often over the years did you struggle with</p> <p>14 people in stairwells of buildings?</p> <p>15 MR. BAZAREK: Object to foundation.</p> <p>16 A I don't know how often, but some past</p> <p>17 struggles, sometimes they would be not a struggle of</p> <p>18 punches and blows but more a struggle of them struggling</p> <p>19 to get away.</p> <p>20 Q How often did you have the exchange of punches</p> <p>21 and blows with civilians?</p> <p>22 MR. BAZAREK: Just standing objection to all</p> <p>23 these questions that involved Lionel White. And also,</p> <p>24 there is no foundation to any -- to any of these</p>	345	<p>1 Q Were you ever injured in any of the struggles</p> <p>2 that you had with civilians?</p> <p>3 A Yes.</p> <p>4 Q Did you ever have to take time off work because</p> <p>5 of those injuries?</p> <p>6 A No.</p> <p>7 Q Can you tell me what injuries you remember</p> <p>8 suffering from struggles with civilians?</p> <p>9 A I don't remember the exact incident, but this</p> <p>10 -- that's what I have one of these marks over one of my</p> <p>11 eyes that I suffered from an incident at that time.</p> <p>12 Q And that was a -- well, can you -- do you</p> <p>13 remember anything about it?</p> <p>14 A We tried to make an arrest in one of those</p> <p>15 buildings, and a struggle ensued, and some kind of way I</p> <p>16 got hit in the face or hit the ground, wall, or</p> <p>17 whatever, and I ended up with this scar that I have</p> <p>18 permanently over my face.</p> <p>19 Q Why were you at -- well, do you remember which</p> <p>20 building Lionel White, Sr. was arrested at?</p> <p>21 A I believe it was the 575 building.</p> <p>22 Q Do you know why your team was at the 575</p> <p>23 building that day?</p> <p>24 A I don't know exactly why, but I believe we were</p>

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346	<p>1 going down there to do investigation as a part of</p> <p>2 routine job that we did.</p> <p>3 Q Do you know what kind of investigation you were</p> <p>4 going down to do?</p> <p>5 A Not offhand.</p> <p>6 Q Do you know if -- well, were you involved in</p> <p>7 arresting anybody else that day?</p> <p>8 A Involved in arresting anyone else how?</p> <p>9 Q In any way?</p> <p>10 A Yes.</p> <p>11 Q Right. Tell me about your involvement in</p> <p>12 arresting other people that day.</p> <p>13 A Later on that day, after Lionel White had been</p> <p>14 placed in custody, the team did a reverse sting.</p> <p>15 Q Was the reverse sting planned out before you</p> <p>16 all were at the building?</p> <p>17 A I don't remember.</p> <p>18 Q But the reverse sting started after Lionel</p> <p>19 White was already in custody?</p> <p>20 A Yes.</p> <p>21 Q So was Lionel the first person arrested that</p> <p>22 day?</p> <p>23 A To my knowledge, yes.</p> <p>24 Q Do you know whether the reverse sting started</p>	348	<p>1 A First floor.</p> <p>2 Q But on the side of other people?</p> <p>3 A Yes.</p> <p>4 Q And who else was involved in the reverse sting?</p> <p>5 A It would have been whoever was working on the</p> <p>6 team that day.</p> <p>7 Q And do you remember as you sit here today who</p> <p>8 else was working on the team that day and involved in</p> <p>9 the reverse sting?</p> <p>10 A Not exactly.</p> <p>11 Q Do you remember any -- any of the people who</p> <p>12 were there?</p> <p>13 A I'm quite sure if I saw the report I would.</p> <p>14 Q Okay. Do you know if Watts was there?</p> <p>15 A Yes.</p> <p>16 Q Do you know if -- do you know of anyone else</p> <p>17 other than Watts who was there?</p> <p>18 A If I see the report, I would know exactly who</p> <p>19 was there.</p> <p>20 Q Yeah, I'm just -- I'm just asking what you</p> <p>21 remember without looking at the report, if anything?</p> <p>22 A Elsworth Smith was there, I know.</p> <p>23 Q Anyone else without looking at the reports?</p> <p>24 A Not that I can remember right now.</p>
347	<p>1 before -- do you know one way or the other whether the</p> <p>2 reverse sting started before you were involved in the</p> <p>3 reverse sting?</p> <p>4 A Excuse me?</p> <p>5 Q Well, were you involved in the -- were you part</p> <p>6 of the reverse sting from the start of the reverse sting</p> <p>7 that day?</p> <p>8 A I believe I was.</p> <p>9 Q And why is it that you think you were there at</p> <p>10 the beginning and part of the reverse sting from the</p> <p>11 start?</p> <p>12 A Because when the reverse sting started, I was</p> <p>13 working the -- in the security area of for the</p> <p>14 prisoners, and I was there with Lionel White.</p> <p>15 Q And then, at some point after the other people</p> <p>16 who were being arrested were brought over to either</p> <p>17 side, right?</p> <p>18 A After the reverse sting started, yes.</p> <p>19 Q And were you -- well, so you were working</p> <p>20 security for the people in custody?</p> <p>21 A Yes, I was working in the security.</p> <p>22 Q Where were they held?</p> <p>23 A They were held in the lobby area.</p> <p>24 Q First floor?</p>	349	<p>1 Q Do you remember how many people were arrested</p> <p>2 in that reverse sting?</p> <p>3 A No, I do not.</p> <p>4 Q Who was keeping track of when people were</p> <p>5 arrested?</p> <p>6 A I don't remember.</p> <p>7 Q Well, was someone doing that?</p> <p>8 A Yes.</p> <p>9 Q And that means they were writing it down. Was</p> <p>10 it on a sheet or inventory sheets or did you have a</p> <p>11 reverse sting kit? How did that work at that time?</p> <p>12 A I don't remember if we had a reverse sting kit</p> <p>13 that day or not.</p> <p>14 Q But either way, somebody had a sheet of paper</p> <p>15 and they were writing down the names and the order and</p> <p>16 when people were arrested?</p> <p>17 A Someone had to do, take order for who got</p> <p>18 arrested and when.</p> <p>19 Q And they did that at the scene at the time?</p> <p>20 A They would have done that at the scene.</p> <p>21 Q Okay. Can you tell me where exactly Lionel</p> <p>22 White was when you first saw him?</p> <p>23 A Coming out of the front stairwell.</p> <p>24 Q Was he still on the stairs or --</p>

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350	<p>1 A No, he was out the stairwell.</p> <p>2 Q And he had drugs that you just saw?</p> <p>3 A Yeah. He was coming out of the stairwell.</p> <p>4 Q Was it like -- was he selling drugs or --</p> <p>5 A I don't know what he was gon' do with them.</p> <p>6 Q Did he have enough of a supply of drugs that</p> <p>7 you thought he would be selling?</p> <p>8 A Yes.</p> <p>9 Q How big was that bag he was holding?</p> <p>10 A A small sandwich bag, clear sandwich bag type.</p> <p>11 Q Was that how drugs would commonly be moved in</p> <p>12 Ida B. Wells?</p> <p>13 A Yes, it was.</p> <p>14 Q Do you remember who you came to the building</p> <p>15 with that day?</p> <p>16 A I can't remember. Whoever there was on the</p> <p>17 team? Without the report, no.</p> <p>18 Q Did the whole team get there at the same time?</p> <p>19 A Pretty much. Same, same time simultaneously.</p> <p>20 Q Like you all kind of drove together?</p> <p>21 A Yes.</p> <p>22 Q No one was there? Like Watts didn't get there</p> <p>23 and then you got there half an hour later?</p> <p>24 A No.</p>	352	<p>1 Q Have you seen his allegations or heard his</p> <p>2 allegations against you?</p> <p>3 A Yes.</p> <p>4 Q He alleges that he was pulled out of an</p> <p>5 apartment, right?</p> <p>6 A Yes, he does.</p> <p>7 Q That is -- is that just false?</p> <p>8 A That's false.</p> <p>9 Q Any then now the witnesses who say the same</p> <p>10 thing, also false?</p> <p>11 A What did they say?</p> <p>12 Q Have you seen any other witness -- any other</p> <p>13 witnesses making that allegations?</p> <p>14 A No.</p> <p>15 Q Okay. But if anybody says that they were with</p> <p>16 Lionel White in an apartment, the apartment was searched</p> <p>17 by cops that day, that would not be true?</p> <p>18 A It would be false.</p> <p>19 Q Did you have another altercation with Lionel</p> <p>20 White outside of the stairs?</p> <p>21 A Yes, I did.</p> <p>22 Q Tell me about that.</p> <p>23 A After the reverse sting, when we were getting</p> <p>24 ready to transport individuals who had been arrested in</p>
351	<p>1 Q Do you know whether Watts went upstairs in the</p> <p>2 building that day?</p> <p>3 A I don't remember.</p> <p>4 Q Did you go upstairs in the building that day?</p> <p>5 A Only to the second floor area. I remember</p> <p>6 going, bringing Lionel White after the struggle, and he</p> <p>7 was placed in custody there.</p> <p>8 Q After the struggle with Lionel White, you</p> <p>9 brought him up to --</p> <p>10 A Lobby area.</p> <p>11 Q Where is the lobby area?</p> <p>12 A First floor.</p> <p>13 Q And when were you up on the second floor?</p> <p>14 A With the struggle between the first and the</p> <p>15 second floor. The hallway.</p> <p>16 Q So you struggled with him on the stairs?</p> <p>17 A Yes.</p> <p>18 Q That's the only time you left the lobby?</p> <p>19 A And I brought him -- placed him in custody and</p> <p>20 brought him back downstairs.</p> <p>21 Q Right. I'm sorry. The only time you left the</p> <p>22 first floor was during your struggle with Lionel White</p> <p>23 on the stairs?</p> <p>24 A What I remember, yes.</p>	353	<p>1 the reverse sting, Lionel White had been handcuffed to</p> <p>2 another -- other individuals. In order to transport</p> <p>3 them, we were going to take the handcuff off them and</p> <p>4 put them separately on him.</p> <p>5 As I took the handcuff off, he took a swing at</p> <p>6 me. I blocked that, gave him a couple of punches, elbow</p> <p>7 strikes, and then got him back in handcuffs.</p> <p>8 Q Did you use more force than was necessary in</p> <p>9 either of those struggles?</p> <p>10 A No, I did not.</p> <p>11 Q So you were part -- as part of security, you</p> <p>12 were holding people in the lobby during the reverse</p> <p>13 sting?</p> <p>14 A Yes.</p> <p>15 Q And where exactly was the reverse sting</p> <p>16 happening?</p> <p>17 A They were dealing with individuals who were</p> <p>18 coming to purchase narcotics I believe from the back</p> <p>19 door.</p> <p>20 Q How far was -- did people get in the building</p> <p>21 when they would go to try to purchase the drugs or was</p> <p>22 it outside?</p> <p>23 A They were inside.</p> <p>24 Q How far is the back door area where this was --</p>

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354	<p>1 the reverse sting was happening from where you were</p> <p>2 holding people?</p> <p>3 A The back door from the front area? I'm not</p> <p>4 sure how far is the distance from that lobby to that</p> <p>5 back door area. But you'd have to come -- from outside,</p> <p>6 you'd have to come into a small hallway, make a turn,</p> <p>7 walk roughly 15, 20 feet, go up a couple stairs to a</p> <p>8 landing, before you step out of a doorway into the lobby</p> <p>9 area where I believe the officers in the reverse sting</p> <p>10 were. And prisoners were being held around the corner</p> <p>11 in the lobby area over toward the stairwell, other</p> <p>12 stairwell.</p> <p>13 Q When you were in the lobby overseeing people</p> <p>14 who had been arrested, could you hear what was happening</p> <p>15 in the back with the reverse sting?</p> <p>16 A Yeah, you could hear it.</p> <p>17 Q What could you hear?</p> <p>18 A You could hear whatever conversations was going</p> <p>19 on. I don't remember what they were.</p> <p>20 Q Were the -- were any of the people you were</p> <p>21 holding who had been arrested saying anything?</p> <p>22 A I don't remember.</p> <p>23 Q How many -- were there other officers who were</p> <p>24 also working security over the people who have been</p>	356	<p>1 altercation with Lionel White on April 24, 2006?</p> <p>2 A Yes.</p> <p>3 Q Should you have filled out two TRRs?</p> <p>4 A Now I think I should have.</p> <p>5 Q Why do you think you should have filed out two</p> <p>6 TRRs?</p> <p>7 A Because after going to training at supervisory</p> <p>8 school and having it, I know it's two. In separate</p> <p>9 incidents, I should have filled out a separate TRR that</p> <p>10 day.</p> <p>11 Q At the time, why did you not fill out two?</p> <p>12 A Because I didn't think I had two.</p> <p>13 Q Had you ever received training on when you are</p> <p>14 supposed to fill out TRRs.</p> <p>15 A I'm quite sure at some point I did.</p> <p>16 Q Do you remember whether that training told you</p> <p>17 you needed to fill one out every time you had a physical</p> <p>18 altercation with someone?</p> <p>19 A I don't remember.</p> <p>20 Q What did you learn in supervisory training</p> <p>21 about TRRs?</p> <p>22 A That every incident that occurs, even if it</p> <p>23 occurred, one occurs and another one occurs</p> <p>24 hypothetically three minutes later, you should do</p>
355	<p>1 arrested?</p> <p>2 A I'm quite sure I wasn't by myself. I don't</p> <p>3 know who it was though.</p> <p>4 Q Typically there'd be at least two?</p> <p>5 A Typically at least two.</p> <p>6 Q Do you remember what Watts' role was in the</p> <p>7 reverse sting that day?</p> <p>8 A No, I don't.</p> <p>9 Q Do you remember Elsworth Smith's role?</p> <p>10 A No, I don't.</p> <p>11 Q Did you review arrest reports or vice case</p> <p>12 reports from that reverse sting around the time that it</p> <p>13 happened?</p> <p>14 A Around the time that it happened?</p> <p>15 Q Yeah.</p> <p>16 A I don't remember.</p> <p>17 Q Would it have been your normal practice to</p> <p>18 review arrest reports and vice case reports from a</p> <p>19 reverse sting that you were involved in?</p> <p>20 A I don't remember doing that.</p> <p>21 Q What's a tactical response report?</p> <p>22 A It's called TRR. You have a altercation with</p> <p>23 someone, you supposed to fill that out.</p> <p>24 Q And did you fill out a TRR involving your</p>	357	<p>1 another TRR for each incident.</p> <p>2 MR. BAZAREK: Just going to have another</p> <p>3 standing objection. Mr. White is not bringing any</p> <p>4 claims for excessive force. That would be longtime</p> <p>5 barred. And also I believe COPA is jurisdiction to</p> <p>6 investigate a complaint involving use of force. You</p> <p>7 can't bring a complaint for use of force. That's more</p> <p>8 the by result. That's the law. So that's the law. So</p> <p>9 I'm just putting it out there. I don't want to</p> <p>10 interrupt your deposition.</p> <p>11 MR. RAUSCHER: Let me mark Exhibit 13, please.</p> <p>12 (Exhibit 13, Police report, was marked for</p> <p>13 identification and is attached to the transcript.)</p> <p>14 Q Have you had a chance to look this over?</p> <p>15 A Yes.</p> <p>16 Q It's also an arrest report for Lionel White's</p> <p>17 April 24, 2006 arrest?</p> <p>18 A Yes.</p> <p>19 Q Did you create this report?</p> <p>20 A Yes, I did.</p> <p>21 Q Is it an accurate report?</p> <p>22 A As far as I can see, it is.</p> <p>23 Q You've had a chance to review it now, right?</p> <p>24 A As far as I can see, it's accurate.</p>

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358	<p>1 Q Nothing you noticed that's wrong about it?</p> <p>2 MR. BAZAREK: Object to the form of the</p> <p>3 question.</p> <p>4 A As far as I can see, it's accurate.</p> <p>5 Q Is your Star number 19 -- or was your Star</p> <p>6 number at the time 19462?</p> <p>7 A Yes.</p> <p>8 Q Do you have a different Star number now?</p> <p>9 A Yes.</p> <p>10 Q What's your current Star number?</p> <p>11 A 815.</p> <p>12 Q When did that -- when did your Star number</p> <p>13 change?</p> <p>14 A When I was promoted.</p> <p>15 Q To sergeant?</p> <p>16 A Yes.</p> <p>17 Q When you fill this report out?</p> <p>18 A On April 24 --</p> <p>19 Q Do you know what time?</p> <p>20 A -- 2006.</p> <p>21 I don't know the exact time I did.</p> <p>22 Q Was it -- do you see on the third page, City</p> <p>23 G013552? It says you're the attesting officer?</p> <p>24 A Yes.</p>	360	<p>1 officer?</p> <p>2 A Yes.</p> <p>3 Q Why did you put him as the second arresting</p> <p>4 officer?</p> <p>5 A Because he was my partner.</p> <p>6 Q And it looks like Mohammed was also in 264B</p> <p>7 that day?</p> <p>8 A I believe so.</p> <p>9 Q Why didn't you put him as the second?</p> <p>10 A I don't know why I didn't. I know it was</p> <p>11 Smith.</p> <p>12 Q Was anyone in a position to see your</p> <p>13 altercation with Lionel White other than you and Mr.</p> <p>14 White?</p> <p>15 MR. KOSOKO: Objection. Foundation. Form.</p> <p>16 A I don't know who saw what, but I do know after</p> <p>17 Mr. White was placed in custody, Sergeant Watts was in</p> <p>18 the hallway also.</p> <p>19 Q He was in the stairwell hallway?</p> <p>20 A Stairwell hallway, yes, sir.</p> <p>21 Q Did he say anything to you?</p> <p>22 A I don't recall.</p> <p>23 Q Did he say anything to Mr. White?</p> <p>24 A I don't recall.</p>
359	<p>1 Q It's got a time, it looks like?</p> <p>2 A Yes.</p> <p>3 Q Did you put that time on or is that</p> <p>4 automatically generated?</p> <p>5 A That's automatically generated.</p> <p>6 Q So does that show you when you created this</p> <p>7 report?</p> <p>8 A No, that would show me when I first prepared</p> <p>9 this report.</p> <p>10 Q Oh, yeah. Was there a gap between when you</p> <p>11 started and when you finished?</p> <p>12 A I don't remember.</p> <p>13 Q Would you typically start a report and then</p> <p>14 have to come back to finish it later?</p> <p>15 A Sometimes.</p> <p>16 Q What would be the circumstances when you'd</p> <p>17 start a report and have to come back a different time to</p> <p>18 finish it?</p> <p>19 A I had to deal with something else, and I don't</p> <p>20 know what it was at that time.</p> <p>21 Q And you're just not sure one way or the other</p> <p>22 whether you attempted to do that this day?</p> <p>23 A Correct.</p> <p>24 Q It's got Elsworth Smith as the second arresting</p>	361	<p>1 Q Did he touch Mr. White?</p> <p>2 A I don't recall.</p> <p>3 Q Did Mr. White say anything to either you or Mr.</p> <p>4 -- or Watts in the hallway?</p> <p>5 A I don't recall what he said.</p> <p>6 Q Did he say anything?</p> <p>7 A I don't recall.</p> <p>8 Q So do you know one way or the other whether</p> <p>9 Watts had seen your altercation with Lionel White?</p> <p>10 MR. KOSOKO: Objection. Form, foundation.</p> <p>11 A I don't know.</p> <p>12 Q Have you ever talked to him about it?</p> <p>13 A I don't remember.</p> <p>14 Q Do you see in the incident narrative, it says</p> <p>15 it's an arrest by 002 TAC Unit B264D.</p> <p>16 A Yes.</p> <p>17 Q Why doesn't it just say it's an arrest by you?</p> <p>18 A Because it is the beat. That's the beat number</p> <p>19 that we had. It was everyone on that beat.</p> <p>20 Q So it's just a common practice to list the</p> <p>21 beat?</p> <p>22 A Yes, sir.</p> <p>23 Q And it says on here AO?</p> <p>24 A Yes.</p>

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362	<p>1 Q But it doesn't say which AO. How come?</p> <p>2 A I have no idea. It just says AO. AO means</p> <p>3 arresting officer. And considering that I prepared the</p> <p>4 report in box 1, I considered myself the AO.</p> <p>5 Q Did you also consider Smith an arresting</p> <p>6 officer?</p> <p>7 A He would have been an arresting officer on the</p> <p>8 paperwork.</p> <p>9 Q Was he an arresting officer in any other way</p> <p>10 other than the fact that you listed him in the</p> <p>11 paperwork?</p> <p>12 A He was my partner so he would have been in box</p> <p>13 -- box 2 in the paperwork.</p> <p>14 Q Did he have anything to do with the arrest</p> <p>15 other than you putting him in box 2 on the paperwork?</p> <p>16 MR. KOSOKO: Objection. Form. Foundation.</p> <p>17 A Not that I remember.</p> <p>18 Q Looking at the last page of this document, City</p> <p>19 BG013554.</p> <p>20 A Yes.</p> <p>21 Q There's a lot of people -- well, there's</p> <p>22 multiple people as assisting arresting officers?</p> <p>23 A Yes.</p> <p>24 Q Gonzalez, Nichols, Mohammed, Bolton, Leono?</p>	364	<p>1 Q What types of -- what other types of activities</p> <p>2 can a assisting arresting officer cover?</p> <p>3 A Search. Running name checks. Escorting them</p> <p>4 to the lockup.</p> <p>5 Q Anything else?</p> <p>6 A Nothing else I can think of right now.</p> <p>7 Q Was everybody who was arrested that day, either</p> <p>8 Lionel White or as part of the reverse sting, brought to</p> <p>9 the station at the same time?</p> <p>10 A I believe they were.</p> <p>11 Q Do you remember how they were transported?</p> <p>12 A No, I don't.</p> <p>13 Q Why do you think they were all transported at</p> <p>14 the same time?</p> <p>15 A Because Lionel White was placed in custody</p> <p>16 first, there was reverse sting afterwards. And after</p> <p>17 reverse sting, we go, we went and put all of them</p> <p>18 together and transported, however they were transported</p> <p>19 to the station at whatever time that was.</p> <p>20 Q Do you remember how long Lionel White was held</p> <p>21 at 57 -- 575 before he was transported?</p> <p>22 A No, I do not.</p> <p>23 Q Do you remember where they were transported?</p> <p>24 A To the 2nd District.</p>
363	<p>1 A Yes.</p> <p>2 Q Why did you list all of them -- well, let me</p> <p>3 ask you this: Did you even want to put their names in</p> <p>4 there as assisting?</p> <p>5 A Excuse me?</p> <p>6 Q Are you the one who put their names in there as</p> <p>7 assisting officers?</p> <p>8 A Yes, I am.</p> <p>9 Q Why did you put their names in there as</p> <p>10 assisting arresting officers?</p> <p>11 A Because the effort that what we went down there</p> <p>12 to do was part a team effort, so I put them as</p> <p>13 assisting. And somewhere in the processing of Lionel</p> <p>14 White, I'm quite sure they did something to assist.</p> <p>15 Q Why are you quite sure they did something to</p> <p>16 assist in the processing of Lionel White's arrest?</p> <p>17 A Because that's the way we worked as a team.</p> <p>18 Someone was -- if I was making out this report, someone</p> <p>19 might be doing the complaint, someone might be doing the</p> <p>20 inventory. That's how we worked as a team.</p> <p>21 Q So assisting arresting officer doesn't</p> <p>22 necessarily mean that they assisted in the physical</p> <p>23 arrest of Lionel White?</p> <p>24 A That's correct.</p>	365	<p>1 Q 51st and Wentworth?</p> <p>2 A Yes, sir.</p> <p>3 Q Did you consider getting Lionel White medical</p> <p>4 assistance before you had him transported or while you</p> <p>5 were holding him at the building?</p> <p>6 A No, I did not.</p> <p>7 Q And why did you not consider him -- consider</p> <p>8 giving him medical assistance?</p> <p>9 A I don't know.</p> <p>10 Q Did you ever call for medical assistance after</p> <p>11 you were in a physical altercation with a civilian?</p> <p>12 A Would I ever?</p> <p>13 Q Did you ever?</p> <p>14 A On that day?</p> <p>15 Q No, ever?</p> <p>16 A I don't remember.</p> <p>17 Q Did you ever on that day?</p> <p>18 A Eventually, I asked him if he wanted medical</p> <p>19 attention.</p> <p>20 Q And what did he say?</p> <p>21 A I believe he refused it.</p> <p>22 Q When did you ask him if he wanted medical</p> <p>23 attention?</p> <p>24 A That probably would have been back at the 2nd</p>

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<p style="text-align: right;">366</p> <p>1 District when the process -- in the processing.</p> <p>2 Q Do you know for a fact that you asked him or</p> <p>3 you think you asked him?</p> <p>4 A I think I asked him. I think it's in the</p> <p>5 report that he refused it.</p> <p>6 Q All right. You see the arrest time in the</p> <p>7 first page of this report?</p> <p>8 A Yes.</p> <p>9 Q It says 11:30?</p> <p>10 A Yes.</p> <p>11 Q Is that an accurate -- is that when Lionel</p> <p>12 White was arrested?</p> <p>13 A Pretty much close to it, I would say.</p> <p>14 Q Why do you say pretty much close to it?</p> <p>15 A Because on the case, what I believe at the time</p> <p>16 it was the same time of arrival, and as I was going --</p> <p>17 coming in the building arriving, all those things</p> <p>18 happened very quickly at the same time.</p> <p>19 Q And did you -- how did you know that it was</p> <p>20 11:30?</p> <p>21 A I don't remember how I know it was 11:30.</p> <p>22 Q And at the time, were you confident you did</p> <p>23 know it was 11:30?</p> <p>24 A There or near about, yes.</p>	<p style="text-align: right;">368</p> <p>1 -- I haven't handed it out yet.</p> <p>2 MR. RAVITZ: Oh.</p> <p>3 MR. RAUSCHER: This is a copy of the case.</p> <p>4 They're clipped together.</p> <p>5 Q Have you had a chance to look at this report?</p> <p>6 A Yes, sir.</p> <p>7 Q Did you create this report?</p> <p>8 A Yes, I did.</p> <p>9 Q Did you sign your name at the bottom?</p> <p>10 A Yes, I did.</p> <p>11 Q Did you also sign Elsworth Smith's name or did</p> <p>12 he sign his own name?</p> <p>13 A I signed Elsworth's name.</p> <p>14 Q Did he review this report before you signed it?</p> <p>15 A I don't know.</p> <p>16 Q Did Sergeant Watts sign his own name or did</p> <p>17 someone else do that?</p> <p>18 A He signed his own name.</p> <p>19 Q When it says unit -- you see where it says unit</p> <p>20 notified in the 44?</p> <p>21 A Yes.</p> <p>22 Q What does what mean?</p> <p>23 A That's the Area 1 Violent Crimes Unit.</p> <p>24 Q And who's -- is it Detective Cisco?</p>
<p style="text-align: right;">367</p> <p>1 Q How near about? Like within a minute or two?</p> <p>2 A Maybe.</p> <p>3 Q If it was 11:20, would you have wrote 11:30?</p> <p>4 A No.</p> <p>5 Q If it was 11:25, would you have wrote 11:30?</p> <p>6 A I don't think so.</p> <p>7 Q If you had known it was 11:25, you would not</p> <p>8 have written 11:30?</p> <p>9 A Right.</p> <p>10 Q And you would not have just made up the time so</p> <p>11 you would have looked at something before you wrote it</p> <p>12 down. Is that fair?</p> <p>13 A I would have tried to.</p> <p>14 Q Well, do you ever remember just making up a</p> <p>15 time of arrest?</p> <p>16 A No.</p> <p>17 MR. RAUSCHER: We are going to mark Exhibit 14.</p> <p>18 This is a vice case report, City OW000030 to</p> <p>19 31.</p> <p>20 (Exhibit 14, Vice case report, was marked for</p> <p>21 identification and is attached to the transcript.)</p> <p>22 MR. RAVITZ: Scott, does he have the tactical</p> <p>23 response report?</p> <p>24 MR. RAUSCHER: Not yet. I just asked him about</p>	<p style="text-align: right;">369</p> <p>1 A Yes.</p> <p>2 Q Who's Detective Cisco?</p> <p>3 A He was the detective who would have come down</p> <p>4 to interview Mr. White because we were going to charge</p> <p>5 Mr. White with -- I think it was it battery to a PO or</p> <p>6 something of that nature.</p> <p>7 Q There's a special unit for that?</p> <p>8 A I believe so. That's the one.</p> <p>9 Q Did he come down -- I'm sorry, go ahead.</p> <p>10 A No, I don't -- you know what, as I look at</p> <p>11 this again, I'm not sure that's what -- what that was</p> <p>12 for. I'm not sure.</p> <p>13 Q Okay. You don't know what --</p> <p>14 A Yeah. But I know -- I know that it was</p> <p>15 contemplated of charging him with battery also, and it</p> <p>16 never happened.</p> <p>17 Q Do you think -- you still think that's why you</p> <p>18 wrote down that Detective Cisco was noted -- notified?</p> <p>19 A That may be one of the reasons, but as I looked</p> <p>20 at the end of the report here, in the narrative, the</p> <p>21 last -- the last line --</p> <p>22 Q Uh-hum.</p> <p>23 A I recall at the time that the Fentanyl</p> <p>24 situation was going on. And any time we had a large</p>

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<p style="text-align: right;">370</p> <p>1 narcotic, we had to split them in half and send half of</p> <p>2 the inventory and the other half to the DEA. So I don't</p> <p>3 know if that's why he was called. One or the other.</p> <p>4 Q You say the Fentanyl situation. What do you</p> <p>5 mean by that?</p> <p>6 A They had a lot of Fentanyl being sold in the --</p> <p>7 I wanted to see this -- in the 2nd District area. And</p> <p>8 everyone had been alerted back in 21st District that if</p> <p>9 you have narcotics arrest, you were supposed to split</p> <p>10 half the drugs, send them to the regular over there to</p> <p>11 the inventory and the other half to the DEA.</p> <p>12 Q And this says date of occurrence, April 24,</p> <p>13 2006, 11:30, date RO arrived, April 24, 2016, 11:30.</p> <p>14 You see that?</p> <p>15 A Yes.</p> <p>16 Q In process, private 6. And those -- those are</p> <p>17 accurate?</p> <p>18 A Yeah, that would be accurate.</p> <p>19 Q Why doesn't it say anything about Watts being</p> <p>20 there in this report?</p> <p>21 A I don't know.</p> <p>22 Q Should it have said that Watts was there?</p> <p>23 A I don't know.</p> <p>24 Q Well, why would it not have he was there?</p>	<p style="text-align: right;">372</p> <p>1 building with me, behind me. I ran in the building</p> <p>2 after I saw Lionel, when I saw Lionel ran as we</p> <p>3 approached the building. The altercation happened</p> <p>4 between me and Lionel White. Lionel White was placed in</p> <p>5 custody for narcotics, and then Watts, I knew Watts was</p> <p>6 in the hallway. Just don't know if he came -- I don't</p> <p>7 know if he came right in behind me or not, but he was in</p> <p>8 the hallway after I placed Lionel White into custody.</p> <p>9 Q Did you cuff Lionel White?</p> <p>10 A Yes, I did.</p> <p>11 Q So is it right that -- my understanding right</p> <p>12 that you're saying you didn't see Watts until you had</p> <p>13 already cuffed White and then you turned around and</p> <p>14 Watts was there?</p> <p>15 A Correct, because I was chasing Lionel White up</p> <p>16 the stairwell.</p> <p>17 Q Did you say anything when you were chasing</p> <p>18 Lionel White?</p> <p>19 A I don't remember.</p> <p>20 Q Would it be your normal practice that if you</p> <p>21 wanted someone to stop, you would yell out that you were</p> <p>22 the police?</p> <p>23 A Yes.</p> <p>24 Q Does that -- okay.</p>
<p style="text-align: right;">371</p> <p>1 MR. BAZAREK: Object to the form of the</p> <p>2 question.</p> <p>3 A I wrote the case report as I recalled the</p> <p>4 incident happening, and to my knowledge, all I could</p> <p>5 remember him being in the hallway after Lionel White was</p> <p>6 being placed in custody.</p> <p>7 Q Why didn't you write down that he was in the</p> <p>8 hallway after Lionel White was placed in custody?</p> <p>9 A I don't know. It's just a summary of what I</p> <p>10 remember at the time. That's how the report is written.</p> <p>11 Q Do you remember more now or more then?</p> <p>12 A I don't remember more than what I could see</p> <p>13 here as to why it was.</p> <p>14 Q Plus now you remember that Watts was --</p> <p>15 A Oh, he was on scene. Not a doubt.</p> <p>16 Q And he was there in the hallway after when you</p> <p>17 arrested him?</p> <p>18 A At some point there after Lionel White was</p> <p>19 placed in custody, he was there.</p> <p>20 Q Do you know if it was before or after Lionel</p> <p>21 White was placed in custody that Watts was in the</p> <p>22 hallway?</p> <p>23 A It was -- he was in the hallway after it. I</p> <p>24 ran into the building. I don't know who ran into the</p>	<p style="text-align: right;">373</p> <p>1 Would there have been any good reason not to</p> <p>2 tell Lionel White that you were the police and that he</p> <p>3 should stop?</p> <p>4 MR. KOSOKO: Objection. Form.</p> <p>5 A Sometimes in the excitement of things, you</p> <p>6 don't do that. And I believe Lionel White knew I was</p> <p>7 the police.</p> <p>8 Q But is there -- would there be any good reason</p> <p>9 not to yell out police, stop?</p> <p>10 A I can't think of a good reason for it, other</p> <p>11 than the excitement of adrenaline flowing and trying to</p> <p>12 chase the subject you're chasing and it -- and doesn't</p> <p>13 happen.</p> <p>14 Q What do you mean by the excitement of it?</p> <p>15 A If you're in a foot chase, your adrenalin</p> <p>16 speeds up, your heart speeds up. Which you're trying --</p> <p>17 if you're trying to catch someone, you get a different</p> <p>18 sensation than you just sit here normally, so you may</p> <p>19 forget a step or two what you should do.</p> <p>20 Q How would someone know to stop if some guy just</p> <p>21 started chasing him and didn't say he was in the police</p> <p>22 and wasn't wearing a uniform?</p> <p>23 MR. KOSOKO: Object to form.</p> <p>24 A I don't know.</p>

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13 (374 to 377)

<p>374</p> <p>1 Q You were not wearing a uniform that day, were you?</p> <p>2</p> <p>3 A No, I was not.</p> <p>4 Q Why do you think that Lionel White knew you were the police?</p> <p>5</p> <p>6 MR. BAZAREK: Objection. No, I'll withdraw that objection.</p> <p>7</p> <p>8 A Lionel White had had interactions with us before that.</p> <p>9</p> <p>10 Q Do you remember those interactions?</p> <p>11 A I don't remember them but I knew -- I knew who Lionel White was when I recognized him immediately. I'm quite sure he recognized me, is what I'm saying.</p> <p>12</p> <p>13 Q How do you think it is that Lionel White knew you and recognized you but nobody else who appeared in the building that day did?</p> <p>14</p> <p>15 A Excuse me?</p> <p>16</p> <p>17 Q How is that Lionel White recognized you and knew you but nobody else who came in the building that day did?</p> <p>18</p> <p>19 MR. BAZAREK: Object to the form of the question. Calls for speculation. I don't think that's his testimony.</p> <p>20</p> <p>21 A Anyone else that came in the building when?</p>	<p>376</p> <p>1 spoken with Lionel White. I don't know what the conversation was but I know I had seen him.</p> <p>2</p> <p>3 Q Do you have anything that would even range of topics you might have discussed with him?</p> <p>4</p> <p>5 A No.</p> <p>6 Q Did you believe Lionel White to be a drug dealer?</p> <p>7</p> <p>8 A I don't know. I just saw him that day, he had narcotics.</p> <p>9</p> <p>10 Q And I mean before that. You had said you interacted with him?</p> <p>11</p> <p>12 A I don't remember.</p> <p>13 Q Do you remember if you believed he was a drug addict or drug user before that day?</p> <p>14</p> <p>15 A I don't remember.</p> <p>16 Q When did you create this vice report?</p> <p>17 A Sometime after we arrived in the 2nd District at after the reverse sting that had been done.</p> <p>18</p> <p>19 Q Would you create a vice report before or after you had created the arrest report?</p> <p>20</p> <p>21 A You create the vice report first.</p> <p>22 Q You always create the vice report first?</p> <p>23</p> <p>24 A Yes.</p> <p>Q Why do you do it that way with the vice report</p>
<p>375</p> <p>1 Q Did other people come in the building that day recognize you?</p> <p>2</p> <p>3 A Like who? I don't know. What are you saying?</p> <p>4 Q Did anybody -- well, let's take your partners out of it. They obviously knew who you were.</p> <p>5</p> <p>6 Did any civilians who came in the building that day recognize you?</p> <p>7</p> <p>8 A I don't remember what civilians were there.</p> <p>9 Q Do you remember any civilians recognizing you?</p> <p>10</p> <p>11 A Not that I know of.</p> <p>12 Q Just Lionel White?</p> <p>13</p> <p>14 A Yes.</p> <p>15 Q Did he do -- what did he do that would suggest he recognized you?</p> <p>16</p> <p>17 A As soon as he saw me, he turned around the other way.</p> <p>18</p> <p>19 Q So is that why you think he recognized you?</p> <p>20</p> <p>21 A Yes.</p> <p>22 Q What, if anything, do you remember about your previous interactions with Lionel White, Sr.?</p> <p>23</p> <p>24 A I don't recall them, but I know I had seen Lionel White, Sr. before. I had with spoken with him.</p> <p>Q What do you mean you had spoken with him?</p> <p>A In general outside in the area that I had</p>	<p>377</p> <p>1 before the arrest report?</p> <p>2 A Because trying to remember somewhat what my memory of how this situation happened, I would always do the vice case first. The arrest report is primarily taken from our voice report to show the probable cause for the arrest.</p> <p>3</p> <p>4 Q Is the vice case report supposed to be a more complete version or narrative?</p> <p>5</p> <p>6 MR. MICHALIK: Object. Foundation.</p> <p>7</p> <p>8 MR. BAZAREK: Also form of the question.</p> <p>9</p> <p>10 A It should be more informative, but it's just a summary of what you remember from the incident.</p> <p>11</p> <p>12 Q The vice case report is just a summary?</p> <p>13</p> <p>14 A It's a summary of the incident.</p> <p>15 Q But you create them like right away basically, right?</p> <p>16</p> <p>17 A Create them right away?</p> <p>18 Q You're saying it's a summary of what you remember, but it's not like you get some big every time. You do something and then you go back and you create the vice case report, right?</p> <p>19</p> <p>20 A I'm not understanding.</p> <p>21 Q Well, what do you mean by when you say it's a summary of what you remember about the incident?</p> <p>22</p> <p>23</p> <p>24</p>

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14 (378 to 381)

<p>378</p> <p>1 A As of this case right here, this, this incident</p> <p>2 happened at 11:30 in the morning. After he was placed</p> <p>3 in custody, we didn't go right back to the 2nd District</p> <p>4 right away. A reverse sting was done. After the</p> <p>5 reverse sting was done, whatever time that was finished</p> <p>6 and completed, that's when I went back to the 2nd</p> <p>7 District to complete this report.</p> <p>8 Q Got it. So it's possible that you may not have</p> <p>9 remembered everything that happened with Lionel White,</p> <p>10 Sr. by the time you got back to the station and got</p> <p>11 around to doing the vice case report?</p> <p>12 MR. MICHALIK: Object to form.</p> <p>13 A I don't think I did not remember what happened.</p> <p>14 I clearly remembered that he had the narcotics in front</p> <p>15 of the stairwell as I wrote in the report.</p> <p>16 Q Do you think at the time you would have had a</p> <p>17 more clear memory of where Watts was?</p> <p>18 A When?</p> <p>19 Q During any of your interactions with Lionel</p> <p>20 White, Sr.?</p> <p>21 MR. MICHALIK: Objection to form.</p> <p>22 A I would have had a more clear? What do you</p> <p>23 mean by clear?</p> <p>24 Q Like a more certain memory of where he was than</p>	<p>380</p> <p>1 A No, I don't.</p> <p>2 Q What do you -- like when you say goes to</p> <p>3 review, do you have to do something with the report?</p> <p>4 A No, I make a copy. I make a package for it to</p> <p>5 go with the arrest package but -- excuse me.</p> <p>6 Case reports go into a bin and then seen by a</p> <p>7 review officer who reviews the reports.</p> <p>8 Q What else goes with the case report, if</p> <p>9 anything, you put in that bin?</p> <p>10 A The case report? Nothing in there. Not in</p> <p>11 there.</p> <p>12 Q Is there a different bin for an arrest report?</p> <p>13 A Arrest report is generated -- was generated</p> <p>14 there in the system.</p> <p>15 Q How do you know which time to put in box 47?</p> <p>16 Do you look at something?</p> <p>17 A When you -- when you -- usually typically you</p> <p>18 try to look at the time somewhere after you finish, you</p> <p>19 complete that.</p> <p>20 Q Do you ever recall doing your report where you</p> <p>21 didn't look at the time and you just put a number in</p> <p>22 there or a time in there?</p> <p>23 A No.</p> <p>24 MR. RAUSCHER: Can we take a real quick break?</p>
<p>379</p> <p>1 you might today?</p> <p>2 A No.</p> <p>3 Q When did you sign the report? Like where in</p> <p>4 the process would you sign it?</p> <p>5 A This, the vice case report.</p> <p>6 Q Yeah, the vice case report.</p> <p>7 A After completing it.</p> <p>8 Q So right away?</p> <p>9 A Usually right when I complete it within -- you</p> <p>10 have a end time there.</p> <p>11 Q End time is probably when you signed it?</p> <p>12 A Pardon me?</p> <p>13 Q Which box are you looking at for that?</p> <p>14 A I'm looking at box number 47.</p> <p>15 Q That's the investigation completed time?</p> <p>16 A Yes.</p> <p>17 Q And that's when you signed it? Basically you</p> <p>18 finished the report and signed it?</p> <p>19 A Yes.</p> <p>20 Q What do you do with the vice case report when</p> <p>21 you're done with your part and you signed it?</p> <p>22 A It goes to -- the actual report goes for -- to</p> <p>23 the review.</p> <p>24 Q And then, do you know who does the review?</p>	<p>381</p> <p>1 MR. BAZAREK: Sure.</p> <p>2 THE VIDEOGRAPHER: Off the record. 11:10.</p> <p>3 (A brief recess was taken.)</p> <p>4 THE VIDEOGRAPHER: Back on the record. 11:19.</p> <p>5 BY MR. RAUSCHER:</p> <p>6 Q Did anybody yell clean up or anything like that</p> <p>7 when you approached 575 East Browning on April 24, 2006?</p> <p>8 A I don't remember.</p> <p>9 Q Do you think it's more likely one way or the</p> <p>10 other that someone did or didn't?</p> <p>11 MR. MICHALIK: Object to form.</p> <p>12 A I don't know.</p> <p>13 Q Would you have been able to arrest Lionel White</p> <p>14 right when you got there if somebody had yelled clean</p> <p>15 up?</p> <p>16 MR. MICHALIK: Objection. Form.</p> <p>17 A I don't know. I may have. May not been.</p> <p>18 Q Did you come -- when people yell clean up as</p> <p>19 you are approaching buildings, just generally was it</p> <p>20 common that you could also simultaneously catch people</p> <p>21 with drugs and arrest them?</p> <p>22 A Excuse me?</p> <p>23 Q So there were times when you remembered as you</p> <p>24 approached one of the buildings in Ida B. Wells that</p>

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15 (382 to 385)

382	<p>1 people would be yelling clean up, right?</p> <p>2 A Yes.</p> <p>3 Q And was it common in those instances that you</p> <p>4 would also simultaneously be able to arrest someone with</p> <p>5 drugs?</p> <p>6 A If they had the narcotics on them, yes.</p> <p>7 Q If who had narcotics on them?</p> <p>8 A A person being arrested.</p> <p>9 Q The person yelling clean up or someone else?</p> <p>10 A If the person yelling clean up had narcotics on</p> <p>11 them too, they subject to arrest.</p> <p>12 Q And then, what about other people, was it</p> <p>13 common that you would hear someone yelling clean up, and</p> <p>14 you would be able to simultaneously still arrest</p> <p>15 somebody else inside the building?</p> <p>16 A Someone else would be able to detain them.</p> <p>17 Everyone wouldn't stop here at the clean up person.</p> <p>18 Some people stop the people in this area, some people</p> <p>19 would go up in the buildings.</p> <p>20 Q Can you hear clean up being yelled when you are</p> <p>21 inside the buildings?</p> <p>22 A Sometimes.</p> <p>23 Q Typically?</p> <p>24 A Depends upon where you're at in the building.</p>	384	<p>1 Q -- or suspected Fentanyl?</p> <p>2 A Yes.</p> <p>3 Q Who would -- who was responsible for doing</p> <p>4 that?</p> <p>5 A Whoever was doing the inventory.</p> <p>6 Q Do you remember when that program started or</p> <p>7 how long --</p> <p>8 A No.</p> <p>9 Q Do you know how long it lasted?</p> <p>10 A No.</p> <p>11 Q Do you recall that Lionel White filed a</p> <p>12 complaint about his arrest? Not the lawsuit but the CR?</p> <p>13 A Vaguely.</p> <p>14 Q Do you remember giving a to from statement?</p> <p>15 A I might have. I don't remember that. I</p> <p>16 haven't seen it in a long time. It might be.</p> <p>17 Q Did you have a process typically for how you</p> <p>18 would prepare to from statements if you had to for CRs?</p> <p>19 A A process?</p> <p>20 Q Yes. Like did you sit down, did you talk to</p> <p>21 someone, did you consult with a lawyer, did you consult</p> <p>22 with your partners, did you just do it on your own, did</p> <p>23 you look at reports?</p> <p>24 A You do it on your own.</p>
383	<p>1 Q What about in the lobby of 575 East Browning?</p> <p>2 A It's possible.</p> <p>3 Q Is it common that you would be able to hear it?</p> <p>4 A It's possible.</p> <p>5 Q Like hypothetically possible or you remember</p> <p>6 that it happened?</p> <p>7 A No, it's possible.</p> <p>8 See, when one person yell clean up, if that's</p> <p>9 the case, someone else probably going yell clean up</p> <p>10 also. So it may be a chain flow reaction. Whether that</p> <p>11 occurred that day, I don't know.</p> <p>12 Q Would you typically write down in your reports</p> <p>13 if it happened that people were yelling clean up?</p> <p>14 A I don't know. It's how I remember it when I</p> <p>15 get ready to write the report.</p> <p>16 Q So you might and you might not?</p> <p>17 A It's depending on how I remember the situation.</p> <p>18 Q But if you remembered that it happened that</p> <p>19 people were yelling clean up, would you write it down in</p> <p>20 the report?</p> <p>21 A If I remembered it, it would go on the report.</p> <p>22 Q And then, you talked about splitting half of</p> <p>23 the Fentanyl --</p> <p>24 A Yes.</p>	385	<p>1 Q Did you --</p> <p>2 A You get served with allegation and you had to</p> <p>3 prepare a to from report.</p> <p>4 Q And you would do that on your own?</p> <p>5 A Yes.</p> <p>6 Q Would you compare your to from report with your</p> <p>7 partners or other team members?</p> <p>8 A No.</p> <p>9 Q Did you look at reports to prepare a to from</p> <p>10 report?</p> <p>11 A Sometimes.</p> <p>12 MR. RAUSCHER: Let's just go ahead and mark as</p> <p>13 Exhibit 15 City BG013722.</p> <p>14 (Exhibit 15, To from report, was marked for</p> <p>15 identification and is attached to the transcript.)</p> <p>16 Q Do you recognize this document?</p> <p>17 A Yes.</p> <p>18 Q Can you tell us what it is?</p> <p>19 A It's a to from report for CR number 313536.</p> <p>20 Q And does that appear to be about the Lionel</p> <p>21 White April 24, 2006 arrest that we've been talking</p> <p>22 about this morning?</p> <p>23 A Yes.</p> <p>24 Q Do you recall if you created this report?</p>

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16 (386 to 389)

<p>386</p> <p>1 A Yes, I did.</p> <p>2 Q And is that your signature on it?</p> <p>3 A Yes, it is.</p> <p>4 Q Did you place your signature on it?</p> <p>5 A Yes, I did.</p> <p>6 Q Do you remember if you looked at any reports to</p> <p>7 create this report?</p> <p>8 A I don't know if I did or I didn't.</p> <p>9 Q And sometimes you said sometimes you would,</p> <p>10 sometimes you wouldn't?</p> <p>11 A Correct.</p> <p>12 Q Is there anything that would help refresh your</p> <p>13 recollection as to whether you looked at reports to</p> <p>14 create this to from?</p> <p>15 A No.</p> <p>16 Q Is there room in the stairwell to move before</p> <p>17 you reach the stairs at 575?</p> <p>18 A Yes.</p> <p>19 Q How much room before the stairs?</p> <p>20 A Roughly the width of that there. Yes, the</p> <p>21 width of it, yes.</p> <p>22 Q So --</p> <p>23 A From that wall to being out here.</p> <p>24 Q Couple of feet maybe?</p>	<p>388</p> <p>1 him?</p> <p>2 A I don't remember. The scuffle was on then.</p> <p>3 Q Did anyone fall?</p> <p>4 A I think we both fell at some point, which I</p> <p>5 think I ended up on top of him.</p> <p>6 Q And were you on top of him on the stair?</p> <p>7 A We -- I don't know if it was the stairway or</p> <p>8 the landing there but I ended up on top of him at some</p> <p>9 point.</p> <p>10 Q What were the stairs made of?</p> <p>11 A Concrete.</p> <p>12 Q How big were they?</p> <p>13 A How big?</p> <p>14 Q Yeah, like how much room, how wide?</p> <p>15 A I don't -- it wasn't -- I wasn't a wide</p> <p>16 staircase but it wasn't a real narrow one either.</p> <p>17 Q Would it have room for two for like you to have</p> <p>18 fallen on him on a stair or would you have to be over</p> <p>19 multiple stairs?</p> <p>20 A Oh, we wouldn't have -- no, we would have been</p> <p>21 in multiple stairs. It wasn't just one stair we would</p> <p>22 have been laying on.</p> <p>23 Q And you -- but you don't remember one way or</p> <p>24 the other where you landed when you fell?</p>
<p>387</p> <p>1 A Couple of feet.</p> <p>2 Q Where was it -- where was Lionel White when you</p> <p>3 first grabbed him and made contact with him?</p> <p>4 A In the stairwell, near the top of the second</p> <p>5 landing.</p> <p>6 Q How many stairs up was that?</p> <p>7 A I don't know.</p> <p>8 Q When you -- is second landing up to the second</p> <p>9 floor?</p> <p>10 A Yes, sir.</p> <p>11 Q How do the stairs -- how were the stairs set up</p> <p>12 there? Did you just go up or you get a little landing</p> <p>13 before you get to the floors?</p> <p>14 A You had to go in the hallway, go pass the</p> <p>15 little area, then you go straight up the stairs.</p> <p>16 Q And so when you say up toward the second</p> <p>17 landing --</p> <p>18 A Yes.</p> <p>19 Q -- he's almost at the second floor?</p> <p>20 A Yes.</p> <p>21 Q And that's when you first grabbed him?</p> <p>22 A When I first put my hand and made contact with</p> <p>23 him, yes.</p> <p>24 Q Did he get up any more stairs after you grabbed</p>	<p>389</p> <p>1 A No.</p> <p>2 Q So yesterday I think you said, and correct me</p> <p>3 if I'm wrong, that there was always -- always some</p> <p>4 period of time would elapse between when you all arrived</p> <p>5 at the scene of the building and when you start a</p> <p>6 reverse sting?</p> <p>7 A There would be some time.</p> <p>8 Q How long of a time period elapsed on April 24,</p> <p>9 2006 from when you and the team arrived at 575 East</p> <p>10 Browning and when you started a reverse sting?</p> <p>11 A I don't know. I don't remember.</p> <p>12 Q Do you have any estimate?</p> <p>13 A No.</p> <p>14 Q Would it have been at least enough time to</p> <p>15 struggle with Lionel White, get him in custody and get</p> <p>16 him away from the staircase?</p> <p>17 A It didn't take long. That was a matter of a --</p> <p>18 a minute or so.</p> <p>19 Q Would the team have needed to regroup after</p> <p>20 that, make sure the building is cleared out, there's no</p> <p>21 people outside that could be yelling clean up, talk to</p> <p>22 the people who were going to be helping work security?</p> <p>23 A Yes, that part that probably would occur.</p> <p>24 Q That would not have been like a minute type</p>

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17 (390 to 393)

390	<p>1 thing?</p> <p>2 A No, that wouldn't have been like a minute type</p> <p>3 of thing.</p> <p>4 Q What's like the shortest time you think that</p> <p>5 could have all happened then?</p> <p>6 A I don't know.</p> <p>7 Q 10 minutes, 15, 20?</p> <p>8 A 10 minutes maybe, but I don't know.</p> <p>9 Q So maybe the earliest the reverse sting could</p> <p>10 have started was like 11:40?</p> <p>11 A I don't know. 10 minutes. 10 minutes probably</p> <p>12 but I'm not sure. I can't be definite about that.</p> <p>13 Q The best estimate is the earliest it could have</p> <p>14 started is 11:40?</p> <p>15 MR. BAZAREK: Objection. He has testified he</p> <p>16 does not know.</p> <p>17 A I'm not sure.</p> <p>18 Q We are going to look at some more reports.</p> <p>19 Do you know who Cleophius Morris is?</p> <p>20 A I don't know.</p> <p>21 MR. RAUSCHER: We are going to mark -- the next</p> <p>22 exhibit is 16, which is COPA LOT 007743 to 47.</p> <p>23 (Exhibit 16, Arrest report, was marked for</p> <p>24 identification and is attached to the transcript.)</p>	392	<p>1 instantly chasing Lionel White?</p> <p>2 MR. MICHALIK: Object to form.</p> <p>3 A I don't know.</p> <p>4 Q It might have been?</p> <p>5 A I don't know. I was in the building, and</p> <p>6 that's their front stairwell. I don't know what was</p> <p>7 going on --</p> <p>8 Q Do you think that it likely was already going</p> <p>9 on?</p> <p>10 MR. MICHALIK: Object to the form.</p> <p>11 A I don't know.</p> <p>12 Q Right. Well, earlier you said the reverse</p> <p>13 sting, you were in the area at the start of the reverse</p> <p>14 sting?</p> <p>15 A Yeah.</p> <p>16 Q Are you questioning that now?</p> <p>17 A No, I'm not.</p> <p>18 Q All right. So then this couldn't have happened</p> <p>19 at 11:30?</p> <p>20 MR. BAZAREK: Object to the form of the</p> <p>21 question. It's also argumentive.</p> <p>22 A I don't know. I didn't prepare this report so</p> <p>23 I don't know.</p> <p>24 Q Al right. Let's forget about the fact that you</p>
391	<p>1 Q Have you had a chance to look at this report?</p> <p>2 A Yes.</p> <p>3 Q Looking at the picture in the front right-hand</p> <p>4 corner, does that refresh your recollection about</p> <p>5 Cleophius Morris?</p> <p>6 A No, it does not.</p> <p>7 Q Do you know if you had ever seen him before</p> <p>8 right now?</p> <p>9 A I don't remember.</p> <p>10 Q You see that he's listed as being arrested on</p> <p>11 April 24, 2006 at 11:30?</p> <p>12 A Yes.</p> <p>13 Q Is that accurate?</p> <p>14 A I don't know.</p> <p>15 Q Well, was the reverse sting going on at that</p> <p>16 time?</p> <p>17 A I don't know.</p> <p>18 Q You think it might have been?</p> <p>19 A I don't know. 11:30 about the time I was going</p> <p>20 in the building, I was dealing with Lionel White. I</p> <p>21 don't know.</p> <p>22 Q So you think that the whole process of setting</p> <p>23 everything up, getting security out front, clearing</p> <p>24 everything out was happening at the same time you were</p>	393	<p>1 didn't -- well, all right. Strike that.</p> <p>2 You're confident that you arrested Lionel White</p> <p>3 at 11:30?</p> <p>4 A There around that time, yes.</p> <p>5 Q And you are confident that you were also part</p> <p>6 of the reverse sting from the start?</p> <p>7 A Pretty much, yes.</p> <p>8 Q Doesn't that necessarily mean that Cleophius</p> <p>9 Morris could have not also have been arrested at 11:30?</p> <p>10 MR. BAZAREK: Object to the form of the</p> <p>11 question.</p> <p>12 A I don't know.</p> <p>13 Q Well, explain how it could have happened that</p> <p>14 he was arrested at the same time as Lionel White while</p> <p>15 you were also part of the reverse sting?</p> <p>16 A I have no explanation for that.</p> <p>17 Q Why are you not listed as one the assisting</p> <p>18 arresting officers?</p> <p>19 MR. MICHALIK: Objection. Foundation.</p> <p>20 A I don't know.</p> <p>21 Q Would you have reviewed this report around the</p> <p>22 time it was created?</p> <p>23 A Would I have reviewed it? Probably not.</p> <p>24 Q What beat were you April 24, 2006?</p>

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18 (394 to 397)

<p>394</p> <p>1 A 264 David.</p> <p>2 Q All right. So you were partners with Smith and</p> <p>3 Mohammed?</p> <p>4 A Yes.</p> <p>5 Q And they're the first and second arresting</p> <p>6 officers here?</p> <p>7 A Yes.</p> <p>8 Q And you are not listed at all.</p> <p>9 A I don't know why.</p> <p>10 Q That's a break from protocol, right?</p> <p>11 MR. BAZAREK: Objection.</p> <p>12 MR. MICHALIK: Objection. Foundation.</p> <p>13 A I wouldn't think so.</p> <p>14 Q Oh, it's not one of them?</p> <p>15 MR. MICHALIK: Objection. Form.</p> <p>16 A Whoever prepared the report because as I see it</p> <p>17 right here, Officer Smith made his self the arresting</p> <p>18 officer and he made Officer Mohammed the second</p> <p>19 arresting officer.</p> <p>20 Q I know that's what happened according to the</p> <p>21 report, but I'm asking that seems inconsistent with your</p> <p>22 testimony about how reports are supposed to be prepared?</p> <p>23 MR. MICHALIK: Object to form.</p> <p>24 A Not necessarily.</p>	<p>396</p> <p>1 this electronic report, you can't put three officers.</p> <p>2 Q But you could put assisting arresting officers?</p> <p>3 A You could.</p> <p>4 Q And is this any reason to ever list assisting</p> <p>5 arresting officers?</p> <p>6 A Yes, if they were there and assisting in some</p> <p>7 type of way.</p> <p>8 Q So does this mean you didn't assist in some</p> <p>9 type of way?</p> <p>10 A No, it does not.</p> <p>11 Q Is there a reason to leave people off who did</p> <p>12 assist to arrest in the arrest?</p> <p>13 A He --</p> <p>14 MR. MICHALIK: Object to form.</p> <p>15 A -- might have forgotten.</p> <p>16 Q He might have forgotten?</p> <p>17 A He might have forgotten.</p> <p>18 Q Do you see it in the narrative part, it says</p> <p>19 (This a narcotics mission arrest by 002 Housing Tag 264</p> <p>20 ABCD)?</p> <p>21 A Yes.</p> <p>22 Q Does that mean that you were a part of it or at</p> <p>23 least somebody in your unit was part of it?</p> <p>24 A I was 264D. I was a part of it.</p>
<p>395</p> <p>1 Q Okay. How is it consistent with your</p> <p>2 understanding of how a report should be prepared?</p> <p>3 MR. MICHALIK: Object to form.</p> <p>4 A Officer Smith shows Officer Mohammed to put in</p> <p>5 that box. He prepared that report, and that's the way</p> <p>6 he prepared it.</p> <p>7 Q That's you're just saying what you think</p> <p>8 happened. What I'm trying to ask is how is that</p> <p>9 consistent with your understanding as a police officer</p> <p>10 of how a report should be prepared?</p> <p>11 MR. MICHALIK: Object to form.</p> <p>12 A That is my consistency of how it should be</p> <p>13 prepared. He put it -- is one of his partners. I was</p> <p>14 -- It was three of us. He put one of us there. He put</p> <p>15 Officer Mohammed there.</p> <p>16 Q And it was okay for you that he left one of the</p> <p>17 other partners off?</p> <p>18 MR. BAZAREK: Object to the form of the</p> <p>19 question.</p> <p>20 A Not okay with me. It's what he did in</p> <p>21 preparing that report.</p> <p>22 Q Is that an acceptable way to write a report?</p> <p>23 A Yes, it is. If it's three people on a -- get</p> <p>24 on the car, yes. Three partners, you can't put -- on</p>	<p>397</p> <p>1 Q So you should have been listed? 4?</p> <p>2 MR. MICHALIK: Objection. Form.</p> <p>3 A He just missed putting it in there, I assume.</p> <p>4 Q Do you know if you saw any part of this arrest?</p> <p>5 A Me?</p> <p>6 Q Yes.</p> <p>7 A I don't remember this arrest at all, no.</p> <p>8 Q So do you know if it's true that this alleged</p> <p>9 offender approached an undercover officer and asked to</p> <p>10 purchase Blow, which is street terminology for heroin,</p> <p>11 and tendered \$10?</p> <p>12 A I don't know. I was working the security area</p> <p>13 that day.</p> <p>14 Q So you don't know?</p> <p>15 A I don't know.</p> <p>16 Q All right.</p> <p>17 MR. RAUSCHER: Let's mark Exhibit 17, please.</p> <p>18 (Exhibit 17, Vice case report, was marked for</p> <p>19 identification and is attached to the transcript.)</p> <p>20 Q All right. Are you familiar with this vice</p> <p>21 case report?</p> <p>22 A Yes.</p> <p>23 Q Have you seen it before today?</p> <p>24 A This particular one?</p>

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19 (398 to 401)

398	<p>1 Q Yeah.</p> <p>2 A I don't recall.</p> <p>3 Q Do you know who Dale Morrow is?</p> <p>4 A No, I do not.</p> <p>5 Q Do you know if Dale Morrow was arrested at</p> <p>6 12:05?</p> <p>7 A That's what the report says.</p> <p>8 Q But do you know if he was arrested then?</p> <p>9 A No, I don't.</p> <p>10 Q And do you have any reason to think you were</p> <p>11 not at the scene for at least 45 minutes? While the</p> <p>12 reverse sting was happening?</p> <p>13 A For 45 minutes?</p> <p>14 Q Yeah. I'm sorry, 35 minutes.</p> <p>15 A I don't know how long we were there.</p> <p>16 Q Is that date RO arrived time incorrect; 11:30?</p> <p>17 A Yes, that's pretty much accurate, I believe.</p> <p>18 Q Do you know whether Dale Morrow approached an</p> <p>19 undercover officer, asked to purchase Blow, and tendered</p> <p>20 \$20?</p> <p>21 A No, I don't.</p> <p>22 Q Do you know if he was placed into custody and</p> <p>23 read his warnings?</p> <p>24 A No, I don't.</p>	400	<p>1 sure all of the information was accurate and more</p> <p>2 accurate, that sort of thing?</p> <p>3 MR. MICHALIK: Object to the form of the</p> <p>4 question.</p> <p>5 A What do you mean by check?</p> <p>6 Q Well, I mean if you had a question, you kind of</p> <p>7 say hey, I want to make sure I get this time right,</p> <p>8 there everyone else on the team is around and you got</p> <p>9 the sheet to check it on?</p> <p>10 A Someone would be around to ask that question</p> <p>11 too.</p> <p>12 MR. RAUSCHER: Let's mark this as Exhibit 18.</p> <p>13 (Exhibit 18, Arrest report, was marked for</p> <p>14 identification and is attached to the transcript.)</p> <p>15 Q Have you had a chance to read this report?</p> <p>16 A Yes.</p> <p>17 Q Do you see the picture on the front right-hand</p> <p>18 corner?</p> <p>19 A Yes.</p> <p>20 Q Do you recognize the person in that picture?</p> <p>21 A No.</p> <p>22 Q Do you know if you've ever seen this report</p> <p>23 before today?</p> <p>24 A No.</p>
399	<p>1 Q Do you know who signed this report?</p> <p>2 A It looks like Elsworth Smith.</p> <p>3 Q Do you know whether he signed for him and</p> <p>4 Mohammed?</p> <p>5 A I don't know.</p> <p>6 Q When you say it looks like, do you know his</p> <p>7 handwriting or you just see his name on there? 4?</p> <p>8 A I see his name there.</p> <p>9 Q Do you know when this vice case report was</p> <p>10 completed?</p> <p>11 A No, I don't.</p> <p>12 Q Do you know if you were around when it was</p> <p>13 completed?</p> <p>14 A I'm quite sure I was somewhere.</p> <p>15 Q Is there -- were you all in like kind of an</p> <p>16 open room usually when the report was being completed?</p> <p>17 A Yes.</p> <p>18 Q Would people be talking about the paperwork</p> <p>19 they were completing?</p> <p>20 A Yes.</p> <p>21 Q But after reverse stings, would people be</p> <p>22 talking about paperwork they were completing?</p> <p>23 A Yes.</p> <p>24 Q So there would be a check on people to make</p>	401	<p>1 Q And maybe the same question goes for the last</p> <p>2 one.</p> <p>3 You list -- 264D is listed as being put in the</p> <p>4 arrest and the narrative?</p> <p>5 A Yes.</p> <p>6 Q Does that mean you have some role in the</p> <p>7 arrest?</p> <p>8 A Yes.</p> <p>9 Q But as you sit here today, you can't tell us</p> <p>10 what role that is?</p> <p>11 A I don't remember what role that was.</p> <p>12 Q And is there anything you can think that would</p> <p>13 refresh your recollection as to what role you played in</p> <p>14 this arrest or any of the other ones made on April 24,</p> <p>15 2006?</p> <p>16 A No.</p> <p>17 Q Do you know what lines of drugs were sold out</p> <p>18 of 575 East Browning in April 2006?</p> <p>19 A I don't remember.</p> <p>20 Q Do you remember lines of drugs sold anywhere in</p> <p>21 2006?</p> <p>22 A No.</p> <p>23 Q Do you know why people would have been coming</p> <p>24 up and just asking for Blows instead of a line?</p>

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20 (402 to 405)

<p style="text-align: right;">402</p> <p>1 A I don't know.</p> <p>2 MR. KOSOKO: Objection.</p> <p>3 Q Was that unusual?</p> <p>4 A No.</p> <p>5 MR. KOSOKO: Objection to form.</p> <p>6 Q Was it more frequently -- more frequent that</p> <p>7 people would come ask for a specific line or that they</p> <p>8 would just say Blows?</p> <p>9 MR. KOSOKO: Objection. Form. Foundation.</p> <p>10 A I don't know. You have different drug addicts.</p> <p>11 They just come and ask for what they want or they'd ask</p> <p>12 for what they hear. I don't know.</p> <p>13 Q Did anybody that day come and ask for anything</p> <p>14 other than Blows?</p> <p>15 A I don't know.</p> <p>16 MR. KOSOKO: Object to form. Foundation.</p> <p>17 Q Would it be surprising if nobody did; if they</p> <p>18 all asked for Blows and nothing else?</p> <p>19 A Would it be surprising?</p> <p>20 Q Yeah, would that be surprising, that no one</p> <p>21 asked for a specific line or something different than</p> <p>22 blows?</p> <p>23 A No, I wouldn't be surprised.</p> <p>24 Q Why not?</p>	<p style="text-align: right;">404</p> <p>1 be a low spot and they want Rocks. They might ask for</p> <p>2 Rocks.</p> <p>3 Q But I guess what I'm asking is in your</p> <p>4 experience, how common is it that everybody comes and</p> <p>5 asks for the same thing, and that specific thing is</p> <p>6 Blows, it's not Rocks, it's not Blows and Rocks, it's</p> <p>7 not lines, it's not some different drug?</p> <p>8 A Maybe that -- maybe those people who came in</p> <p>9 had been there before to get Blows.</p> <p>10 Q I'm not asking you to speculate as to why these</p> <p>11 specific people might or might not have done that. I'm</p> <p>12 asking -- well, I might be asking you to speculate.</p> <p>13 MR. MICHALIK: You are asking him to speculate.</p> <p>14 MR. RAUSCHER: Not that specifically. I'm</p> <p>15 trying to ask a different question.</p> <p>16 Q What I -- I am trying to ask for your</p> <p>17 experience. What I'm trying to ask for is in your</p> <p>18 experience, would it be common to have ten people in a</p> <p>19 row come up and just say I want Blows?</p> <p>20 A It's possible.</p> <p>21 Q Do you remember that ever happening?</p> <p>22 A It's possible.</p> <p>23 Q I know it's possible, but I want to know do you</p> <p>24 remember --</p>
<p style="text-align: right;">403</p> <p>1 A Because drug addicts, when they go in and get</p> <p>2 dope, they just focused on going and getting their dope</p> <p>3 and moving along. So if this is what they wanted and</p> <p>4 that's what they said, that's what they said.</p> <p>5 Q Was it like would that be a weird coincidence</p> <p>6 that 10 people came up and just asked for Blows and</p> <p>7 didn't say a different line or specific line?</p> <p>8 MR. BAZAREK: Object to the form of the</p> <p>9 question.</p> <p>10 MR. MICHALIK: Objection.</p> <p>11 MR. RAVITZ: Calls for speculation.</p> <p>12 A No.</p> <p>13 Q It would not be?</p> <p>14 A No.</p> <p>15 Q Sometimes that would happen?</p> <p>16 A I don't know that. Drug addicts looking to get</p> <p>17 their drugs however they can and quickly as they can and</p> <p>18 get back out. Whatever they choose to ask for it, how</p> <p>19 they choose, I don't know.</p> <p>20 Q But you have experience working in reverse</p> <p>21 stings?</p> <p>22 A I have experience in working in reverse stings.</p> <p>23 Some people, they don't know. They don't even know</p> <p>24 whether their supplier have Rocks or Blows. They might</p>	<p style="text-align: right;">405</p> <p>1 A I can't recall it happening or not happening</p> <p>2 but it's possible.</p> <p>3 Q Do you know who John Pierce is?</p> <p>4 A No.</p> <p>5 Q And I know I've already asked you this but did</p> <p>6 you get to this -- to 575 East Browning, I think you did</p> <p>7 say you got there the same time as everyone else on your</p> <p>8 --</p> <p>9 A Yes.</p> <p>10 Q -- on the TAC team?</p> <p>11 A Yes.</p> <p>12 Q Not like 20 minutes later?</p> <p>13 A No.</p> <p>14 MR. RAUSCHER: So I'm going to mark Exhibit 19.</p> <p>15 (Exhibit 19, Vice case report, was marked for</p> <p>16 identification and is attached to the transcript.)</p> <p>17 Q Have you had a chance to look it over?</p> <p>18 A Yes.</p> <p>19 Q Do you see any -- anything wrong with this</p> <p>20 report?</p> <p>21 MR. RAVITZ: Objection.</p> <p>22 MR. BAZAREK: Object to form.</p> <p>23 MR. MICHALIK: Foundation.</p> <p>24 A Is there something wrong with it?</p>

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21 (406 to 409)

406	<p>1 Q Yeah.</p> <p>2 A I see some inconsistencies in the other reports</p> <p>3 I've looked at.</p> <p>4 Q What are the inconsistencies?</p> <p>5 A The first one is time.</p> <p>6 Q What's inconsistent about the time?</p> <p>7 A Because the time here says the time of arrival</p> <p>8 is 11:15 and the time of occurrence is 11:35.</p> <p>9 Q What is inconsistent about that?</p> <p>10 A Because other report says 11:30.</p> <p>11 Q And you said 11:30?</p> <p>12 A My report says 11:30.</p> <p>13 Q So 11:15 is wrong?</p> <p>14 A I don't know.</p> <p>15 MR. MICHALIK: Object to the form.</p> <p>16 Q Oh, one them is wrong?</p> <p>17 MR. MICHALIK: Objection. Argumentative.</p> <p>18 A Looking at that, one -- they're different. I</p> <p>19 don't know if they're that -- they're different.</p> <p>20 Q I know they're different but one of them is</p> <p>21 wrong.</p> <p>22 MR. BAZAREK: Objection. Argumentative.</p> <p>23 Q I'll re -- I'll ask it a different way.</p> <p>24 Is one of the times wrong?</p>	408	<p>1 Q But can you at least agree with me that you</p> <p>2 could not both have gotten to the scene at 11:15 and</p> <p>3 gotten there at 11:30 also?</p> <p>4 MR. BAZAREK: Object to the form of the</p> <p>5 question. Also, I'm just going to throw out a standing</p> <p>6 objection to nonparties and the times indicated on their</p> <p>7 arrest reports.</p> <p>8 A I can agree with you that these times are</p> <p>9 different. Why they are, I don't know.</p> <p>10 Q I'm not asking why they are. I'm just asking</p> <p>11 can you agree that you could not have gotten there at</p> <p>12 11:15 and also gotten there at 11:30?</p> <p>13 MR. BAZAREK: Object to the form of the</p> <p>14 question. Vague, ambiguous, confusing.</p> <p>15 A Again, I say 11:15, I didn't prepare the</p> <p>16 report, I don't know. I know at 11:30, around the time</p> <p>17 that I did, what I know I put on there on my report,</p> <p>18 that's what I know what happened.</p> <p>19 Q So you know that the team arrived at 11:30?</p> <p>20 A That's what I remember happening on my report.</p> <p>21 Q Is that what you remember happening?</p> <p>22 A On my report, yes.</p> <p>23 Q Do you remember it some other way other than</p> <p>24 your report?</p>
407	<p>1 A I don't know.</p> <p>2 Q Could it be possible that you got there 11:15</p> <p>3 and 11:30?</p> <p>4 A I don't know.</p> <p>5 Q Really?</p> <p>6 A I know --</p> <p>7 MR. MICHALIK: Objection. That's</p> <p>8 argumentative.</p> <p>9 A -- based upon what I wrote --</p> <p>10 MR. RAUSCHER: You're right. That was</p> <p>11 argumentative. I'm going to withdraw it. I'll ask a</p> <p>12 different question.</p> <p>13 Q Can you explain any way in which you could have</p> <p>14 gotten to the scene at 11:15 and also gotten there at</p> <p>15 11:30?</p> <p>16 MR. BAZAREK: Object to the form of the</p> <p>17 question.</p> <p>18 A I didn't prepare this report. I don't know.</p> <p>19 The report I prepared, it's 11:30, and based upon my</p> <p>20 recollection, it was 11:30.</p> <p>21 Q Right, so I understand you didn't prepare the</p> <p>22 report. You may not know why the person who did wrote</p> <p>23 11:15, right?</p> <p>24 A Yes.</p>	409	<p>1 A No.</p> <p>2 Q Would you be satisfied if you asked one of your</p> <p>3 subordinates to explain a discrepancy in two of their</p> <p>4 reports, and they said I know they're different, I can't</p> <p>5 tell you if one's wrong?</p> <p>6 MR. BAZAREK: Object to the form of the</p> <p>7 question. Compound. Also argumentative.</p> <p>8 A I would look at it and question it.</p> <p>9 Q And then, what if their answer is I just know</p> <p>10 they're different but I know they are wrong, what would</p> <p>11 you do?</p> <p>12 MR. BAZAREK: Object to the form of the</p> <p>13 question.</p> <p>14 A I can't make them rewrite, I can't make them</p> <p>15 find me a right answer because that's what they believe,</p> <p>16 because like I said, this -- these reports are all in</p> <p>17 summarization. So what they've summarized in their mind</p> <p>18 when they put this report together is what they did.</p> <p>19 Q What would they be summarizing?</p> <p>20 MR. BAZAREK: Object.</p> <p>21 Q Aren't they just working off of a sheet?</p> <p>22 MR. BAZAREK: Object to the form of the</p> <p>23 question. It calls for speculation.</p> <p>24 A They are working off whatever they had to when</p>

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22 (410 to 413)

410	<p>1 they put this report together to summarize this report.</p> <p>2 Q And you don't know what that is?</p> <p>3 A No.</p> <p>4 Q Do you know whose signatures are on these</p> <p>5 reports or signature?</p> <p>6 A It says Smith and Mohammed.</p> <p>7 Q Can you tell if one or both of them signed it?</p> <p>8 A No.</p> <p>9 Q Do you know if John Pierce approached an</p> <p>10 officer asking to purchase Blow and then tendered \$10?</p> <p>11 A I don't remember.</p> <p>12 Q Do you know if he was read warnings,</p> <p>13 transported to the 2nd District?</p> <p>14 A According to the report, he was transported to</p> <p>15 the 2nd District. And read the warnings, all that, I</p> <p>16 don't know.</p> <p>17 Q And you don't know probably why -- well, I</p> <p>18 shouldn't say that.</p> <p>19 Do you know why you weren't listed on that</p> <p>20 report anywhere?</p> <p>21 A No, I do not.</p> <p>22 Q You had said that -- are there any other</p> <p>23 inconsistencies you see in this report with the other</p> <p>24 reports you've seen or with your testimony?</p>	412	<p>1 question. Also it's argumentative.</p> <p>2 A There's a difference there.</p> <p>3 Q Well, does that -- does it seem problematic to</p> <p>4 have inconsistencies on the times on different reports?</p> <p>5 MR. BAZAREK: Object to the form of the</p> <p>6 question.</p> <p>7 A Mistakes can be made in times and dates on some</p> <p>8 reports at times. So I can't speak to how or why</p> <p>9 there's a mistake there because I didn't prepare neither</p> <p>10 one of them.</p> <p>11 Q Does that mean that you don't think that it's</p> <p>12 problematic or you don't have a position either way?</p> <p>13 A It's a problem. It could be corrected.</p> <p>14 Q How could it be corrected?</p> <p>15 A By going back and informing the person who</p> <p>16 wrote these two reports to show them the inconsistency.</p> <p>17 That's what -- that's what should be done.</p> <p>18 Q Who should have done that?</p> <p>19 A The supervisor.</p> <p>20 Q Watts?</p> <p>21 A He was the supervisor at the time, yes.</p> <p>22 Q So he's one the who should have done that?</p> <p>23 A He should have oversaw that, yes.</p> <p>24 Q Do you have any way in which you think it would</p>
411	<p>1 MR. BAZAREK: Object to the form of the</p> <p>2 question.</p> <p>3 A I don't think John saw that.</p> <p>4 MR. RAUSCHER: All right. We're going to mark</p> <p>5 the next document as Exhibit 20.</p> <p>6 (Exhibit 20, Arrest report, was marked for</p> <p>7 identification and is attached to the transcript.)</p> <p>8 Q Have you had a chance to review this report?</p> <p>9 A Yes.</p> <p>10 Q Do you have any explanation for why there's a</p> <p>11 different arrest time listed on this one than there is</p> <p>12 on his vice case report?</p> <p>13 MR. BAZAREK: Object to the form of the</p> <p>14 question. Also calls for speculation.</p> <p>15 Q Well me -- actually, let me ask you a first</p> <p>16 question.</p> <p>17 Do you see that there is a different time</p> <p>18 listed for his arrest here than on the vice case report?</p> <p>19 A Yes, I do.</p> <p>20 Q All right. Do you have any explanation for why</p> <p>21 that's the case?</p> <p>22 A No, I don't.</p> <p>23 Q Does that seem problematic to you?</p> <p>24 MR. BAZAREK: Object to the form of the</p>	413	<p>1 be possible to go back and correct the reports now?</p> <p>2 A I don't believe so.</p> <p>3 Q You testified I believe you were interviewed at</p> <p>4 COPA about these incidents, right?</p> <p>5 A Yes.</p> <p>6 Q Did you tell the truth --</p> <p>7 A Yes, I did.</p> <p>8 Q -- when you testified to them?</p> <p>9 A Yes, I did.</p> <p>10 Q Anything you need to or want to correct from</p> <p>11 your testimony to COPA?</p> <p>12 A There was some things in there that were</p> <p>13 inconsistent because --</p> <p>14 Q Well, hold on, and I'm -- I'm just asking you</p> <p>15 about the Lionel White one. I know you've also been</p> <p>16 interviewed about Baker.</p> <p>17 A With these here? I don't remember what I said</p> <p>18 to COPA about these.</p> <p>19 Q And I -- I didn't mean to cut you off. I only</p> <p>20 did that as yesterday, a couple of times things came up</p> <p>21 that we have agreements on, and I want to be fair, and I</p> <p>22 don't want to ask you about a case that I'm not supposed</p> <p>23 to ask about today.</p> <p>24 So if you're going to answer about the Baker</p>

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23 (414 to 417)

414	<p>1 case when I ask, so --</p> <p>2 A No.</p> <p>3 Q You're ready to talk about the White --</p> <p>4 A I was going to talk about this here.</p> <p>5 Q Okay.</p> <p>6 A I don't remember what I said to COPA about</p> <p>7 that. I haven't seen the statement recently about what</p> <p>8 I said to COPA about the situation.</p> <p>9 Q And when you were saying there were some</p> <p>10 inconsistencies, was that about the Baker case?</p> <p>11 A I believe so.</p> <p>12 Q Okay. Well, then, we will -- that's for a</p> <p>13 different day.</p> <p>14 MR. RAUSCHER: Is that right?</p> <p>15 MR. BAZAREK: Right. Correct.</p> <p>16 Q Were you part of the inventory process for</p> <p>17 these arrests?</p> <p>18 A I don't remember.</p> <p>19 Q Do you see the transport details?</p> <p>20 MR. RAVITZ: Which report are we on?</p> <p>21 MR. RAUSCHER: I'm not sure. Number 20.</p> <p>22 A Yes.</p> <p>23 Q It says -- is that two PO?</p> <p>24 A Two POs.</p>	416	<p>1 arrests on April 24, 2006?</p> <p>2 A No.</p> <p>3 Q Is there a -- was it common that in a reverse</p> <p>4 sting, you could wait five, ten, 15, 20 minutes between</p> <p>5 arrests?</p> <p>6 A Sometimes.</p> <p>7 Q Did that happen frequently?</p> <p>8 A It sometimes don't happen.</p> <p>9 Q Was there any sort of pattern that you could</p> <p>10 see or --</p> <p>11 A No.</p> <p>12 MR. RAUSCHER: Okay. I'm going to mark Exhibit</p> <p>13 21.</p> <p>14 (Exhibit 21, Arrest report, was marked for</p> <p>15 identification and is attached to the transcript.)</p> <p>16 Q Have you had a chance to review this?</p> <p>17 A Yes.</p> <p>18 Q You see there's an 11:40 arrest time?</p> <p>19 A Yes.</p> <p>20 Q That's the same time listed on the arrest</p> <p>21 report that for John Pierce we just looked at, Exhibit</p> <p>22 20?</p> <p>23 A Yes.</p> <p>24 Q But not the same time as the vice case report</p>
415	<p>1 Q What's -- two police officers?</p> <p>2 A Yes.</p> <p>3 Q And then, what's 0271?</p> <p>4 A The beat.</p> <p>5 Q Which beat is that?</p> <p>6 A That's the wagon.</p> <p>7 Q And then, it says 24 April 2006, 13:30?</p> <p>8 A Yes.</p> <p>9 Q Is that the time when everyone was transported?</p> <p>10 A According to this report.</p> <p>11 Q You don't have any independent recollection?</p> <p>12 A No.</p> <p>13 Q Is that about two hours after you got there?</p> <p>14 A Pretty much so, yes.</p> <p>15 Q Assuming that you arrived at 11:30, right?</p> <p>16 A Assuming that I'm right, yes.</p> <p>17 Q Do you have any recollection of whether you</p> <p>18 were at the scene at 575 East Browning for two hours</p> <p>19 that day?</p> <p>20 A We were there for a while.</p> <p>21 Q But you're not sure how long?</p> <p>22 A Not sure how long it was.</p> <p>23 Q Do you have any -- any recollection of how far,</p> <p>24 like how far or how many minutes there were in between</p>	417	<p>1 for John Pierce, right?</p> <p>2 A Not the same time.</p> <p>3 Q So do you remember that day getting -- well,</p> <p>4 actually, let me ask you this. You said you were</p> <p>5 working security over the people who had been arrested?</p> <p>6 A Yes.</p> <p>7 Q Were you the one going to get them or were they</p> <p>8 brought to you or something different?</p> <p>9 A They were brought to that area.</p> <p>10 Q Were -- who was bringing them?</p> <p>11 A The people who were posing as the dealers at</p> <p>12 the time.</p> <p>13 Q In looking at the reports, does that mean it</p> <p>14 was Smith and Mohammed?</p> <p>15 A Based off this, I would believe that.</p> <p>16 Q But you just -- you don't have an independent</p> <p>17 memory but because they are first and second on the</p> <p>18 reports, that's who you think were the ones posing?</p> <p>19 A Yes.</p> <p>20 Q Do you remember Smith and Mohammed ever</p> <p>21 bringing you on that day two people at the same time?</p> <p>22 A I don't remember.</p> <p>23 Q Do you know who Cleveland Smith is?</p> <p>24 A No.</p>

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24 (418 to 421)

418	<p>1 Q In looking at this report with his picture in</p> <p>2 the right-hand corner, does that refresh your</p> <p>3 recollection?</p> <p>4 A No.</p> <p>5 Q It looks like it says there's a tattoo that</p> <p>6 says Love Mom. You see that?</p> <p>7 A Yes.</p> <p>8 Q Do you remember seeing anyone with that Love</p> <p>9 Mom tattoo on their right hand?</p> <p>10 A No.</p> <p>11 Q You don't know whether Mr. Smith approached an</p> <p>12 undercover officer and asked to purchase Blows and</p> <p>13 tendered \$20?</p> <p>14 A No, I do not.</p> <p>15 MR. RAUSCHER: All right. Let's mark the vice</p> <p>16 case report as Exhibit 22.</p> <p>17 (Exhibit 22, Vice case report, was marked for</p> <p>18 identification and is attached to the transcript.)</p> <p>19 Q Have you had a chance to look this one over?</p> <p>20 A Yes.</p> <p>21 Q See where it says Nickname Red in box 21?</p> <p>22 A Yes.</p> <p>23 Q Do you remember anyone with the nickname, Red?</p> <p>24 A No.</p>	420	<p>1 blank for amount of money, and that's handwritten?</p> <p>2 MR. BAZAREK: Yeah, just object to the form of</p> <p>3 that question.</p> <p>4 A Yes.</p> <p>5 Q And then, same thing for the time. They put</p> <p>6 the date in because there's a bunch of them, and then</p> <p>7 they have the time because they might be different?</p> <p>8 MR. MICHALIK: Objection. Calls for</p> <p>9 speculation.</p> <p>10 A You would put the time in and fill the box in.</p> <p>11 Q Just as an example, on the vice -- what -- I'm</p> <p>12 just trying to make sure I understand your testimony and</p> <p>13 that there's a clear record of it.</p> <p>14 A Okay.</p> <p>15 Q Is what you're saying that sometimes you'd use</p> <p>16 pen or handwriting for certain parts of the report</p> <p>17 because you'd have a bunch of different reports and</p> <p>18 everything is going to be on the same -- no, except a</p> <p>19 few things like the time, for example?</p> <p>20 A The time is except -- yeah, the time would</p> <p>21 vary. In looking at this report, what you trying -- I</p> <p>22 guess what you're asking is when you do a reverse sting,</p> <p>23 you have all these reports. If they had asked for</p> <p>24 anything other than Blow, that would have been taken out</p>
419	<p>1 Q Do you know why the times are filled in, it</p> <p>2 looks -- well, let me ask you this.</p> <p>3 Does it look like the times are filled in with</p> <p>4 pen or pencil as opposed to being typed?</p> <p>5 A Yes.</p> <p>6 Q Do you know why it was done that way?</p> <p>7 A No.</p> <p>8 Q Was that common?</p> <p>9 A I don't know.</p> <p>10 Q Did you ever to your memory create vice case</p> <p>11 reports that way?</p> <p>12 A Vice case reports?</p> <p>13 Q By typing certain things but writing in the</p> <p>14 time in handwriting?</p> <p>15 A Yes.</p> <p>16 Q Why would you do it that way sometimes?</p> <p>17 A Sometimes you do that because you'd have</p> <p>18 multiple arrest reports, and you'd have -- you do that</p> <p>19 already, you put all the stuff in and you put the other</p> <p>20 stuff in after it was filled in.</p> <p>21 Q So for example, this was a reverse sting.</p> <p>22 They'd just put in almost verbatim, or maybe verbatim</p> <p>23 the story about approaching an officer -- approaching an</p> <p>24 officer asking to purchase Blow, and then there is a</p>	421	<p>1 there and then would have been scratched and put</p> <p>2 whatever there. If they had put -- if they had had a</p> <p>3 name, they would have -- the name would have been taken</p> <p>4 out and filled in in that report there.</p> <p>5 Q There was -- okay. Do you know Lorino or</p> <p>6 Lorino Williams?</p> <p>7 A No.</p> <p>8 MR. RAUSCHER: All right. We're going to mark</p> <p>9 this next document as Exhibit 23.</p> <p>10 (Exhibit 23, Arrest report, was marked for</p> <p>11 identification and is attached to the transcript.)</p> <p>12 MR. RAVITZ: What's the number on that one?</p> <p>13 MR. RAUSCHER: 23.</p> <p>14 Q Have you -- does looking at this report, do you</p> <p>15 recognize the woman in the front?</p> <p>16 A No.</p> <p>17 Q Do you know whether she was arrested at 11:45?</p> <p>18 A No.</p> <p>19 Q Do you know whether she approached officers and</p> <p>20 asked to purchase Blows?</p> <p>21 A No.</p> <p>22 Q Do you see where it says that he approached an</p> <p>23 undercover officer?</p> <p>24 A Yes.</p>

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25 (422 to 425)

422	<p>1 Q That's obviously a mistake, right? You can</p> <p>2 agree that's incorrect?</p> <p>3 A Yes, it is.</p> <p>4 MR. RAUSCHER: All right. Let's mark the next</p> <p>5 document, vice case report, as Exhibit 24.</p> <p>6 (Exhibit 24, Vice case report, was marked for</p> <p>7 identification and is attached to the transcript.)</p> <p>8 Q See the nickname, Peaches?</p> <p>9 A Yes.</p> <p>10 Q Do you know anyone who went by the nickname,</p> <p>11 Peaches?</p> <p>12 A No.</p> <p>13 Q You see this one has got the arrival time,</p> <p>14 11:15?</p> <p>15 A Yes.</p> <p>16 Q Do you have any -- any explanation for why this</p> <p>17 one says 11:15?</p> <p>18 A No.</p> <p>19 MR. BAZAREK: Object to the form of the</p> <p>20 question. Speculative.</p> <p>21 A No, I do not.</p> <p>22 Q Why is it important to make sure that the times</p> <p>23 are recorded accurately on arrest reports and vice case</p> <p>24 reports?</p>	424	<p>1 all of them.</p> <p>2 Q Do you know why -- looking at the arrest</p> <p>3 reports, do you know how the person to be the attesting</p> <p>4 officer on these reports was chosen?</p> <p>5 A No.</p> <p>6 Q Do you know why sometimes it was Leono and</p> <p>7 sometimes it was Gonzalez?</p> <p>8 A Because Leono or Gonzalez was putting the</p> <p>9 information in at the time for the report.</p> <p>10 Q What do you mean by that?</p> <p>11 A When they -- they prepared report for -- the</p> <p>12 arrest report for Officer Smith, Officer Smith was -- I</p> <p>13 probably was doing something else, that they attest to</p> <p>14 it.</p> <p>15 Q So it's your understanding that -- well, in</p> <p>16 your experience, is the person who creates the arrest</p> <p>17 report is the attesting officer?</p> <p>18 A They would pretty much attest to it.</p> <p>19 Q So yes, the person who creates it --</p> <p>20 A Yes.</p> <p>21 Q And they're -- and they don't have to be</p> <p>22 someone who witnessed any of the events?</p> <p>23 A No.</p> <p>24 Q And where would that person be getting the</p>
423	<p>1 A To make sure that everything is correctly done,</p> <p>2 you supposed to be accurate as to what should happen to</p> <p>3 reflect that.</p> <p>4 Q Do all the inconsistencies and errors in the</p> <p>5 reports cause you any concern about the substance of the</p> <p>6 report?</p> <p>7 MR. BAZAREK: Object to the form of the</p> <p>8 question. Mischaracterizes this witness' testimony, and</p> <p>9 also calls -- it's argumentative.</p> <p>10 A Not really.</p> <p>11 Q And why not?</p> <p>12 A Because when you working with a multiple</p> <p>13 situation or arrest reports like this, mistakes can</p> <p>14 happen.</p> <p>15 Q How could the mistakes happen when you're</p> <p>16 handwriting and you're using a sheet that was documented</p> <p>17 at the same time that the arrests were happening?</p> <p>18 MR. BAZAREK: Object to the form of the</p> <p>19 question. Calls for speculation.</p> <p>20 A The person who actually writing that maybe</p> <p>21 didn't pay attention.</p> <p>22 Q Even if it's the same person who's writing all</p> <p>23 of them?</p> <p>24 A I don't know if the same person was writing all</p>	425	<p>1 times from? Would they be looking at the arrest report</p> <p>2 or would they have that sheet from the reverse sting or</p> <p>3 both?</p> <p>4 A They could get it from somewhere from someone</p> <p>5 else. We can have this but I'm not sure.</p> <p>6 MR. RAUSCHER: We are going to mark Exhibit 25.</p> <p>7 (Exhibit 25, Arrest report, was marked for</p> <p>8 identification and is attached to the transcript.)</p> <p>9 MR. RAUSCHER: Let's just mark Exhibit 26, the</p> <p>10 vice case report at the same time.</p> <p>11 (Exhibit 26, Vice case report, was marked for</p> <p>12 identification and is attached to the transcript.)</p> <p>13 MR. RAUSCHER: Oh, wait, did I go -- was 25 the</p> <p>14 last one?</p> <p>15 A The vice case is 26.</p> <p>16 Q Okay.</p> <p>17 MR. MICHALIK: This is 25?</p> <p>18 MR. RAUSCHER: The arrest report is 25, and the</p> <p>19 vice case report is 26.</p> <p>20 Q Do you know Ben Howard?</p> <p>21 A No, I don't.</p> <p>22 Q Looking at Exhibit 25, the arrest report, you</p> <p>23 see a picture?</p> <p>24 A Yes.</p>

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26 (426 to 429)

426	<p>1 Q Does that refresh your recollection in any way?</p> <p>2 A No.</p> <p>3 Q Do you remember ever seeing this person?</p> <p>4 A I don't remember.</p> <p>5 Q Or having any interaction with him?</p> <p>6 A No.</p> <p>7 Q You see the inconsistencies on the time on</p> <p>8 these two reports?</p> <p>9 A Yes, I do.</p> <p>10 Q Any explanation for it?</p> <p>11 A Someone put them in incorrectly.</p> <p>12 Q Would you agree with me, at least I am hoping</p> <p>13 we can agree on this one, that he wasn't arrested at</p> <p>14 11:15 and 11:55?</p> <p>15 A No. 11:15 and 11:55, he wasn't arrested at two</p> <p>16 different times.</p> <p>17 Q Is there any process in place that you were</p> <p>18 aware of at the time that would have caught these kinds</p> <p>19 of inconsistencies so they can be corrected?</p> <p>20 MR. BAZAREK: Objection. Asked and answered.</p> <p>21 A No.</p> <p>22 Q You don't know whether Ben Howard approached</p> <p>23 asking for Blow and tendered \$20?</p> <p>24 A No.</p>	428	<p>1 Q We can agree that those cannot both be right?</p> <p>2 A I'll agree.</p> <p>3 Q You are not sure which or either of them is</p> <p>4 right as we sit here today?</p> <p>5 A I'm not sure which one is correct.</p> <p>6 Q You do not know whether she approached an</p> <p>7 undercover officer and asked to purchase Blow and</p> <p>8 tendered \$10?</p> <p>9 A No.</p> <p>10 Q You see this arrest report, the incident also</p> <p>11 refers to Ms. Butler as he?</p> <p>12 A Yes, I do.</p> <p>13 Q That's a mistake?</p> <p>14 A Yes.</p> <p>15 Q Do you know -- you don't know how that</p> <p>16 happened?</p> <p>17 A No, I do not.</p> <p>18 MR. RAUSCHER: All right. We're going to mark</p> <p>19 29 as the arrest report and 30 as the vice case respect.</p> <p>20 (Exhibit 29, Arrest report, was marked for</p> <p>21 identification and is attached to the transcript.)</p> <p>22 (Exhibit 30, Vice case report, was marked for</p> <p>23 identification and is attached to the transcript.)</p> <p>24 Q You see Exhibit 29 again has an arrest time</p>
427	<p>1 Q Is that -- do you know whose signatures are on</p> <p>2 Exhibit 26?</p> <p>3 A It says Smith and Mohammed.</p> <p>4 Q Do you recognize the handwriting?</p> <p>5 A No.</p> <p>6 MR. RAUSCHER: We are going to mark another</p> <p>7 arrest report as Exhibit 27, and a vice case report as</p> <p>8 28.</p> <p>9 (Exhibit 27, Arrest report, was marked for</p> <p>10 identification and is attached to the transcript.)</p> <p>11 (Exhibit 28, Vice case report, was marked for</p> <p>12 identification and is attached to the transcript.)</p> <p>13 Q Have you had a chance to look at these two</p> <p>14 reports?</p> <p>15 A Yes.</p> <p>16 Q Do you recognize Theresa Butler?</p> <p>17 A No, I not.</p> <p>18 Q Do you think you have ever seen her before?</p> <p>19 A I don't remember.</p> <p>20 Q You see the time inconsistencies here?</p> <p>21 A Yes, I do.</p> <p>22 Q She was arrested, according to the report, at</p> <p>23 12:00, and according to the vice case report at 11:55?</p> <p>24 A Yes.</p>	429	<p>1 that doesn't match up with Exhibit 30?</p> <p>2 A Yes.</p> <p>3 Q One of those is wrong? He was not arrested</p> <p>4 both at 12:05 and at 12:00?</p> <p>5 A That's correct.</p> <p>6 Q And then, it's got the arrival time at 11:15 on</p> <p>7 Exhibit 30, the vice case report?</p> <p>8 A Yes.</p> <p>9 Q And do you think that's wrong?</p> <p>10 A I'm not sure if it's wrong or not.</p> <p>11 Q Either that's wrong or your report on Lionel</p> <p>12 White is wrong?</p> <p>13 MR. MICHALIK: Objection.</p> <p>14 A I know by the time I -- it was 11:30. I don't</p> <p>15 know why I see reports with 11:15 on it. We all showed</p> <p>16 up the same time.</p> <p>17 Q How -- why is it that you can agree that he</p> <p>18 couldn't have been arrested at two times, but you can't</p> <p>19 agree on the arrival time, one of them being wrong?</p> <p>20 A Because I know that we all came down there at</p> <p>21 the same time.</p> <p>22 Q That's why -- that's what I'm wondering --</p> <p>23 A And I -- and my recollection of what I remember</p> <p>24 from me, 11:30 is what I put in the report because</p>

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27 (430 to 433)

<p style="text-align: right;">430</p> <p>1 that's what I remember of how I got to that time. How I</p> <p>2 got to it, I'm not sure.</p> <p>3 Q I'm not actually trying -- let me try to</p> <p>4 clarify.</p> <p>5 I'm not -- right now, I'm trying to ask you</p> <p>6 which is correct between 11:15 and 11:30 or if either of</p> <p>7 them are correct. I'm just asking if you will agree</p> <p>8 that one of those two has to be wrong or both can't be</p> <p>9 right?</p> <p>10 MR. BAZAREK: Object to the form of the</p> <p>11 question.</p> <p>12 A One of them, something is wrong there. Yes, I</p> <p>13 agree to that.</p> <p>14 Q Looking at Exhibit 29, the arrest report.</p> <p>15 Charlie Riley?</p> <p>16 A Yes.</p> <p>17 Q Do you recognize him in looking at that</p> <p>18 picture?</p> <p>19 A No.</p> <p>20 Q Do you know if you've ever seen him before?</p> <p>21 A I don't remember if I have.</p> <p>22 Q Do you know one way or the other whether he</p> <p>23 approached an undercover officer and asked to purchase</p> <p>24 Blows and tendered \$20?</p>	<p style="text-align: right;">432</p> <p>1 A Yes, it was.</p> <p>2 Q Do you know why it didn't say that on this</p> <p>3 report?</p> <p>4 A No, I do not.</p> <p>5 Q Would you have said that if you were writing</p> <p>6 those reports?</p> <p>7 A If I had been writing this report, based on my</p> <p>8 experience, I would have written the 264 team, and I</p> <p>9 would have had 264 David in parenthesis.</p> <p>10 Q Why would you have had 264 David in</p> <p>11 parentheses?</p> <p>12 A I was going to put the 264 David in parentheses</p> <p>13 because I would have been the first or the second</p> <p>14 arresting officer lead on this reverse sting.</p> <p>15 Q And would you have listed all of your partners</p> <p>16 on 264D on the report somewhere?</p> <p>17 A If I had written this report?</p> <p>18 Q Yeah.</p> <p>19 A If I personally had written this report, yes,</p> <p>20 they all would be on here.</p> <p>21 Q Let me make sure I understand that, that last</p> <p>22 answer. Were you saying if you would have written 264D,</p> <p>23 you would have done that to signify they were in the</p> <p>24 lead, or that if you were writing the report, you would</p>
<p style="text-align: right;">431</p> <p>1 A No.</p> <p>2 Q Were 10 and \$20 common amounts?</p> <p>3 A Yes.</p> <p>4 Q Common amounts for --</p> <p>5 A Common -- common amount you have, usually a</p> <p>6 Blow is \$10, so he went and bought him one, \$20.</p> <p>7 Q One Blow is 10, and if you get two?</p> <p>8 A Two. Yeah.</p> <p>9 Q Do you know why this vice case report says this</p> <p>10 is a reverse sting operation by 2nd District 264DD TAC</p> <p>11 team?</p> <p>12 A No.</p> <p>13 Q Is that accurate?</p> <p>14 A Yes, it is.</p> <p>15 Q Is it incomplete?</p> <p>16 A Why would it be incomplete?</p> <p>17 Q I'm asking you.</p> <p>18 A No. It says 2 -- 2nd District, 264 TAC team.</p> <p>19 Q It says 264D.</p> <p>20 A 264D is actually the officers that are on these</p> <p>21 reports as the arresting officers, these officers are,</p> <p>22 yes.</p> <p>23 Q But it was an operation that involved more than</p> <p>24 just 264D, correct?</p>	<p style="text-align: right;">433</p> <p>1 have done it similar to them and you would have included</p> <p>2 just 264D?</p> <p>3 MR. BAZAREK: Just going to object to the form</p> <p>4 of that question. The compound nature of it.</p> <p>5 Q Yeah, that might have been confusing. Did you</p> <p>6 understand that?</p> <p>7 A No.</p> <p>8 Q All right. So this report --</p> <p>9 A Well, then I may -- yes, I understand. I have</p> <p>10 an explanation for this.</p> <p>11 Q Okay.</p> <p>12 A If I had written this report, first of all, I</p> <p>13 would have wrote the 264 Tactical Team. If I had put</p> <p>14 264 David, it would have been that 264 Tactical Team</p> <p>15 would have been there. If I had written this report,</p> <p>16 everyone that would have been on the team would have</p> <p>17 been listed up here also.</p> <p>18 Q Okay. And then, so just one question about</p> <p>19 that. Are you saying you would have written 264D?</p> <p>20 A No, I said if I had put 264D in parentheses</p> <p>21 there on the paper, I would have had 264 Tactical Team.</p> <p>22 Q Got it.</p> <p>23 MR. RAUSCHER: We're going to mark an arrest</p> <p>24 report as 31.</p>

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28 (434 to 437)

434	<p>1 (Exhibit 31, Arrest report, was marked for</p> <p>2 identification and is attached to the transcript.)</p> <p>3 MR. RAUSCHER: Vice case report as 32.</p> <p>4 MR. BAZAREK: Thank you.</p> <p>5 (Exhibit 32, Vice case report, was marked for</p> <p>6 identification and is attached to the transcript.)</p> <p>7 Q Have you had a chance to look at these?</p> <p>8 A Yes, sir.</p> <p>9 Q You see all the errors in the times?</p> <p>10 A Yes, sir.</p> <p>11 Q Vice case report says date of occurrence and</p> <p>12 date arrived 14:38.</p> <p>13 A Yes.</p> <p>14 Q That's 2:38 in the afternoon?</p> <p>15 A Yes.</p> <p>16 Q Obviously wrong?</p> <p>17 A Obviously.</p> <p>18 Q Arrest time, 12:25?</p> <p>19 A That's what it says.</p> <p>20 Q On the arrest report, Exhibit 31?</p> <p>21 A Yes.</p> <p>22 Q Obviously would have been arrested two hours</p> <p>23 before everybody arrived?</p> <p>24 A Not at all.</p>	436	<p>1 A Yes.</p> <p>2 Q There is not even a time of arrest listed on</p> <p>3 the vice case report?</p> <p>4 A No, there isn't.</p> <p>5 Q That's a mistake?</p> <p>6 A Yes, it is.</p> <p>7 Q Date arrived obviously is wrong?</p> <p>8 A Yes.</p> <p>9 Q And arrest date on the report says 12:30?</p> <p>10 A Yes.</p> <p>11 Q Which is exactly five minutes after George</p> <p>12 Green was supposedly arrested in his report?</p> <p>13 A Okay.</p> <p>14 Q I'm asking you, do you agree with that? That's</p> <p>15 Exhibit 31.</p> <p>16 A Yes.</p> <p>17 Q You don't know whether that's correct?</p> <p>18 A No, I do not.</p> <p>19 Q Do you know Thomas Mitchell?</p> <p>20 A No.</p> <p>21 Q Seeing his picture in Exhibit 34, does that</p> <p>22 refresh your recollection or do you recognize him in any</p> <p>23 way?</p> <p>24 A No, I do not.</p>
435	<p>1 Q Do you know what if any of these times are</p> <p>2 correct?</p> <p>3 A No, I don't.</p> <p>4 Q Do you recognize George Green?</p> <p>5 A No, I don't.</p> <p>6 Q Do you see that picture up in the right-hand</p> <p>7 corner on Exhibit 31?</p> <p>8 A Yes, I do.</p> <p>9 Q Any idea why 14:38 shows up in those two boxes?</p> <p>10 A No, I don't.</p> <p>11 Q Do you know who put it in there?</p> <p>12 A No, I don't.</p> <p>13 Q You don't know if George Green approached an</p> <p>14 undercover officer and asked to purchase Blows, tendered</p> <p>15 \$10?</p> <p>16 A No, I don't.</p> <p>17 MR. RAUSCHER: And we'll mark Exhibit 33, and</p> <p>18 it's an arrest report. We are going to mark vice case</p> <p>19 report as 34.</p> <p>20 (Exhibit 33, Arrest report, was marked for</p> <p>21 identification and is attached to the transcript.)</p> <p>22 (Exhibit 34, Vice case report, was marked for</p> <p>23 identification and is attached to the transcript.)</p> <p>24 Q You see these?</p>	437	<p>1 Q Do you know whether on April 24, 2006, he</p> <p>2 approached an undercover officer and asked to purchase</p> <p>3 Blow and tendered \$4?</p> <p>4 A No, I do not.</p> <p>5 Q What could he have gotten for \$4?</p> <p>6 A I don't know.</p> <p>7 Q Nothing?</p> <p>8 A I don't know.</p> <p>9 Q In your experience in doing reverse stings, do</p> <p>10 people try to buy drugs without enough money for drugs?</p> <p>11 A Yes.</p> <p>12 Q Does that happen a lot?</p> <p>13 A Occasionally.</p> <p>14 Q Is it -- according to this report, is that what</p> <p>15 happened here?</p> <p>16 A According to this report.</p> <p>17 MR. RAUSCHER: We're going to mark an arrest</p> <p>18 report of Timothy Brown as Exhibit 35.</p> <p>19 (Exhibit 35, Arrest report, was marked for</p> <p>20 identification and is attached to the transcript.)</p> <p>21 MR. RAUSCHER: The vice case report would be</p> <p>22 Exhibit 36.</p> <p>23 (Exhibit 36, Vice case report, was marked for</p> <p>24 identification and is attached to the transcript.)</p>

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29 (438 to 441)

438	<p>1 Q Have you had a chance to look at these two</p> <p>2 reports?</p> <p>3 A Yes.</p> <p>4 Q Do you recognize Timothy Brown?</p> <p>5 A No.</p> <p>6 Q You see his picture, though, on Exhibit 35?</p> <p>7 A Yes, I do.</p> <p>8 Q Do you know if you ever seen him before?</p> <p>9 A No, I do not.</p> <p>10 Q You see the problems with the time on these</p> <p>11 reports?</p> <p>12 A Yes.</p> <p>13 Q Does it say 12:28 his time of his arrest on the</p> <p>14 vice case report?</p> <p>15 A Yes.</p> <p>16 Q And 12:35 on the arrest report?</p> <p>17 A Yes.</p> <p>18 Q Do you agree those cannot both be right?</p> <p>19 A You are correct.</p> <p>20 Q Do you know whether Timothy Brown approached an</p> <p>21 undercover officer, asked to purchase Blow and tendered</p> <p>22 \$100?</p> <p>23 A No, I do not.</p> <p>24 Q That would be for 10?</p>	440	<p>1 person.</p> <p>2 MR. RAUSCHER: Take a quick break.</p> <p>3 THE VIDEOGRAPHER: Off the record. 12:32.</p> <p>4 (A brief recess was taken.)</p> <p>5 THE VIDEOGRAPHER: Back on the record. 12:42.</p> <p>6 MR. RAUSCHER: All right. We're going to mark</p> <p>7 the next exhibit. 37?</p> <p>8 THE REPORTER: Yes.</p> <p>9 (Exhibit 37, Affidavit, was marked for</p> <p>10 identification and is attached to the transcript.)</p> <p>11 Q All right. We marked Exhibit 37, which is an</p> <p>12 affidavit of Lionel White. Have you had a chance to</p> <p>13 review this?</p> <p>14 A Yes.</p> <p>15 Q Have you seen this affidavit before today?</p> <p>16 A Yes.</p> <p>17 Q Is there anything in the affidavit that you</p> <p>18 agree with?</p> <p>19 A None of it. It's all false.</p> <p>20 Q Do you know Kimberly Collins?</p> <p>21 A No.</p> <p>22 Q Did you go up to the fifth floor of 575 East</p> <p>23 Browning on April 24, 2016?</p> <p>24 A No.</p>
439	<p>1 A 10.</p> <p>2 Q Do you know if he was read his rights?</p> <p>3 A No, I don't know.</p> <p>4 Q Do you know if you had any role in this arrest?</p> <p>5 A I do not.</p> <p>6 Q Do you know why on the arrest report it says,</p> <p>7 Total number arrested 1, and co-arrest doesn't say</p> <p>8 anything?</p> <p>9 A Because attempted possession is always one, one</p> <p>10 incident.</p> <p>11 Q Got it. Why is it that attempted possession is</p> <p>12 always one incident?</p> <p>13 A That's the way we were taught, when we're doing</p> <p>14 it, it's one separate incident.</p> <p>15 Q Taught in the academy?</p> <p>16 A No, we were taught when we first started doing</p> <p>17 reverse stings on the West Side.</p> <p>18 Q Okay. And that's something that carried over</p> <p>19 to Ida B. Wells?</p> <p>20 A Yes.</p> <p>21 Q So any time there's a reverse sting, we should</p> <p>22 see the reports just listing --</p> <p>23 A It should say one, one person, one individual</p> <p>24 is purchasing commits the act, so it's one, just one</p>	441	<p>1 Q Did you ever say anything like this to Lionel</p> <p>2 White: If we find one bag, we putting that bitch out?</p> <p>3 A No.</p> <p>4 Q You ever said anything like that to anybody?</p> <p>5 A No.</p> <p>6 Q Did you frame Lionel White, Jr. because he</p> <p>7 wouldn't bribe you and Ronald Watts?</p> <p>8 A No, I did not frame anybody.</p> <p>9 Q Do you know if Watts ever asked Lionel White,</p> <p>10 Jr. -- not Jr. -- Lionel White, Sr. for a bribe?</p> <p>11 A No, I do not.</p> <p>12 Q Or expected a bribe from him?</p> <p>13 A No, I do not.</p> <p>14 Q Do you know whether Lionel White is telling the</p> <p>15 truth when he says he confronted Watts and said, What</p> <p>16 you did to me is wrong, and Watts replied, You just</p> <p>17 caught the bad end of the stick?</p> <p>18 A No, I do not.</p> <p>19 Q You don't know whether that's true?</p> <p>20 A I don't know whether that's true or not.</p> <p>21 Q Did you ever know Watts to say anything like</p> <p>22 that to people?</p> <p>23 A No.</p> <p>24 Q Did you ever know him to say anything like,</p>

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30 (442 to 445)

<p style="text-align: right;">442</p> <p>1 It's just business, to people after an arrest?</p> <p>2 A No.</p> <p>3 Q Did you punch Lionel White on the fifth floor</p> <p>4 of 575 East Browning?</p> <p>5 A No, I had a physical altercation with Lionel</p> <p>6 White between the first and the second floor in the</p> <p>7 hallway.</p> <p>8 Q And also on --</p> <p>9 A In the hallway, and also on the first floor.</p> <p>10 Q In the first floor, was that like right before</p> <p>11 he was put in the van to transport?</p> <p>12 A I was getting ready to do the transport, yes,</p> <p>13 and the second altercation happened.</p> <p>14 Q How close in time was it to the transport</p> <p>15 happening?</p> <p>16 A How close in time was it to the --</p> <p>17 Q So was it like something where you took off one</p> <p>18 set of cuffs --</p> <p>19 A I took off one cuff that they was chained,</p> <p>20 chained to someone else. I was taking off the cuff to</p> <p>21 get his free hand and put it back behind his back and</p> <p>22 put him in the thing when he said what he would do to me</p> <p>23 on altercation, was he attempted to swing at me with the</p> <p>24 free hand he had. I threw a couple a blows at him,</p>	<p style="text-align: right;">444</p> <p>1 handcuffs on him.</p> <p>2 Q So did he have two free hands or one free hand</p> <p>3 when you took a swing at him?</p> <p>4 A One.</p> <p>5 Q Where was his other hand?</p> <p>6 A In a handcuff. That I had hold of.</p> <p>7 Q You were holding the other hand?</p> <p>8 A I was holding the other one.</p> <p>9 Q So you were in the process of cuffing him when</p> <p>10 he swung at you?</p> <p>11 A Yes.</p> <p>12 Q And you said he said something to you?</p> <p>13 A Oh, yeah.</p> <p>14 Q What did he say to you?</p> <p>15 A He told me without my gun and my badge, he'd</p> <p>16 whoop my ass. Without the gun and a badge and I wasn't</p> <p>17 the police, he would -- he would whoop my ass basically.</p> <p>18 Q Do you remember specifically what he said or is</p> <p>19 that just the gist of it?</p> <p>20 A That's the gist of what he said.</p> <p>21 Q Do you remember anything more specific?</p> <p>22 A Nothing more specific. That's the gist of what</p> <p>23 he said. The badge and the gun thing was what he said</p> <p>24 with what people normally said. Without the badge and</p>
<p style="text-align: right;">443</p> <p>1 pinned him against the wall, and put him back in</p> <p>2 handcuffs.</p> <p>3 Q So when you had that altercation with him, was</p> <p>4 he cuffed to anybody else?</p> <p>5 A No.</p> <p>6 Q He had --</p> <p>7 A He had one hand free.</p> <p>8 Q Where was his other hand?</p> <p>9 A In a cuff.</p> <p>10 Q Cuffed to what?</p> <p>11 A His hand, his wrist. I was trying to take the</p> <p>12 cuffs off the other person to put back onto Lionel</p> <p>13 White's both hands.</p> <p>14 Q So --</p> <p>15 A Because --</p> <p>16 Q Yeah, go ahead.</p> <p>17 A That day we had so many of the -- of the</p> <p>18 reverse sting people. Sometimes we didn't have enough</p> <p>19 cuffs so you had to cuff them arm-to-arm like this. Got</p> <p>20 down to him with the free hand, and the other person, to</p> <p>21 take the cuff off the other person to put his other hand</p> <p>22 behind his bag. That person, that's when he attempted</p> <p>23 to take a swing at me. I blocked it, threw a couple</p> <p>24 more swings at him, put him against the wall and put the</p>	<p style="text-align: right;">445</p> <p>1 the gun, what they would do to you.</p> <p>2 Q That's what people say over the years?</p> <p>3 A They said it to police officers all the time.</p> <p>4 I've heard it said to police officers a lot of times.</p> <p>5 It's about police officers a lot of times.</p> <p>6 Q Has it been said to you a lot of times?</p> <p>7 A Yes.</p> <p>8 Q How did you respond to Lionel White, Sr. when</p> <p>9 he said that?</p> <p>10 A It wasn't a problem with him speaking. It was</p> <p>11 the problem when he tried to raise his hand to assault</p> <p>12 me.</p> <p>13 Q Did you say anything in response to him?</p> <p>14 A Not at that point. Other than trying to block</p> <p>15 him, get him in handcuffs and let's get the hell out of</p> <p>16 here. He was already in custody. I had already had the</p> <p>17 altercation with him.</p> <p>18 Q Did you say anything to him at all?</p> <p>19 A I don't recall saying anything to him.</p> <p>20 Q I know you said now that I think you should</p> <p>21 have written the second TRR for that?</p> <p>22 A Yes.</p> <p>23 Q Should you have also mentioned it in the arrest</p> <p>24 report?</p>

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31 (446 to 449)

446	<p>1 A The altercation?</p> <p>2 Q Yeah.</p> <p>3 A The second altercation?</p> <p>4 Q Yeah.</p> <p>5 A Probably.</p> <p>6 Q And why do you think you should have mentioned</p> <p>7 it in the arrest report?</p> <p>8 A Because it occurred. And like I said, not</p> <p>9 being the supervisor and having been trained and the</p> <p>10 policy had been changed as of in the last couple of</p> <p>11 years, knowing that any altercation should be notated</p> <p>12 and it should have its own TRR form.</p> <p>13 Q Is it your understanding that at the time, the</p> <p>14 policy didn't require you to write it down?</p> <p>15 A No, I wasn't -- I wasn't -- at the time I would</p> <p>16 I wasn't sure what the policy was.</p> <p>17 Q I think -- I thought you had said something</p> <p>18 just now about the policy changing?</p> <p>19 A Yes, they recently changed on how you're</p> <p>20 supposed to -- it is part of order, you are mandated if</p> <p>21 you have more than one physical action a certain time,</p> <p>22 you should have two separate TRRs.</p> <p>23 Q That's the -- that's in the new order?</p> <p>24 A Yes.</p>	448	<p>1 Q I may have covered this yesterday, but have you</p> <p>2 seed Lionel White, Sr. at all since this incident?</p> <p>3 A Not that I remember.</p> <p>4 MR. RAUSCHER: I don't think I have anything</p> <p>5 else on Lionel White, so if you all want to break for</p> <p>6 lunch now and come back and pick up on the other cases.</p> <p>7 MR. BAZAREK: Right.</p> <p>8 THE VIDEOGRAPHER: Off the record. 12:55.</p> <p>9 (Lunch was taken.)</p> <p>10 THE VIDEOGRAPHER: Back on the record. 1:47.</p> <p>11 BY MR. RAUSCHER:</p> <p>12 Q Did you know someone named Mr. Pearson?</p> <p>13 A Yes.</p> <p>14 Q Tell me what you remember about Mr. Pearson?</p> <p>15 A Mr. Pearson was a drug dealer down in the area</p> <p>16 of Ida B. Wells.</p> <p>17 Q What period of time was he a drug dealer?</p> <p>18 A I don't know what period of time, but most of</p> <p>19 the time I was down there, he was involved in some type</p> <p>20 of way with the drug gang.</p> <p>21 Q How did you know that he was a drug dealer?</p> <p>22 A He would be with them, and I had heard</p> <p>23 information from other officers about his involvement in</p> <p>24 the drug gang.</p>
447	<p>1 Q But you're not sure what the old order said?</p> <p>2 A No.</p> <p>3 Q All right. Can you just briefly turn back to</p> <p>4 Exhibit 13. I can even show it to you if you don't have</p> <p>5 it.</p> <p>6 MR. BAZAREK: The arrest report.</p> <p>7 THE WITNESS: The arrest report?</p> <p>8 Q It's the -- you know what, I'm going to show</p> <p>9 you. There's a couple highlights on it.</p> <p>10 There's a mention of a -- you see the charges</p> <p>11 in the middle?</p> <p>12 A Yes.</p> <p>13 Q And there's one about -- I'm going to</p> <p>14 paraphrase -- about assaulting a police officer?</p> <p>15 A Yes.</p> <p>16 Q Is that about one of those altercations, both,</p> <p>17 or one? What's that about?</p> <p>18 A That was about the first altercation, I</p> <p>19 believe.</p> <p>20 Q And what's the basis for your belief that it's</p> <p>21 about the first altercation?</p> <p>22 A Because that's what I wrote the TRR from, the</p> <p>23 first altercation. That's what I am charging him for</p> <p>24 the altercation.</p>	449	<p>1 Q When you say he would be with them, who would</p> <p>2 he be with?</p> <p>3 A It depended upon what building he was at,</p> <p>4 because I would see him sometimes at 574, 575, 527. I</p> <p>5 knew exactly who they actually were to him, but I</p> <p>6 remember him being in the narcotics operations going on</p> <p>7 down there.</p> <p>8 Q Are you saying you saw him hanging around each</p> <p>9 of those three buildings?</p> <p>10 A Yes.</p> <p>11 Q And do you know if he sold drugs in each of</p> <p>12 those buildings?</p> <p>13 A I'm not sure if he did or not in either one of</p> <p>14 them.</p> <p>15 Q Did someone run each building?</p> <p>16 A I don't know how they say run, but certain</p> <p>17 people had certain areas where they would be.</p> <p>18 Q Who else would be at 574, 575 and 527?</p> <p>19 MR. KOSOKO: Objection. Foundation.</p> <p>20 A I don't recall exactly who.</p> <p>21 Q Do you recall anyone?</p> <p>22 A 574? I see Alan Jackson in there. I see Shock</p> <p>23 in there. You would see -- 527, you would see Ben</p> <p>24 Baker. You would see -- um. I'm not sure of who else</p>

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32 (450 to 453)

<p>450</p> <p>1 in there that.</p> <p>2 And just off the top of my head, 575 as far as</p> <p>3 people who would regularly be selling narcotics in</p> <p>4 there, it just doesn't come to me like that.</p> <p>5 Q Where was Big Shorty?</p> <p>6 A Pardon me?</p> <p>7 Q Where was Big Shorty, if anywhere?</p> <p>8 A Big Shorty? My understanding, shorty was like</p> <p>9 over everything. My understanding.</p> <p>10 Q The whole Ida B. Wells?</p> <p>11 A My understanding.</p> <p>12 Q In where did that understanding come from?</p> <p>13 A Information received from other officers.</p> <p>14 Q Do you ever remember which officers told you</p> <p>15 that?</p> <p>16 A No.</p> <p>17 Q Do you remember arresting Mr. Pearson?</p> <p>18 A Yes, I do.</p> <p>19 Q How many times do you remember arresting Mr.</p> <p>20 Pearson?</p> <p>21 A I remember arresting Mr. Pearson at least one</p> <p>22 time. That's memorable to me.</p> <p>23 Q Was that on November 3rd, 2007?</p> <p>24 A I believe so.</p>	<p>452</p> <p>1 Q Did anyone run in with you?</p> <p>2 A I don't remember who ran in with me.</p> <p>3 Q Did somebody you know, somebody did?</p> <p>4 A Yes.</p> <p>5 Q So what was different about this mission,</p> <p>6 versus for example, Lionel White, Sr.'s arrest?</p> <p>7 A It was similar.</p> <p>8 Q Did you approach that building the same way you</p> <p>9 went in running?</p> <p>10 A Yes.</p> <p>11 Q Okay. Would you go in running to start reverse</p> <p>12 stings also?</p> <p>13 A Sometimes.</p> <p>14 Q What would be reasons why you would or went</p> <p>15 running for a reverse sting?</p> <p>16 A If we were just specifically going to do a</p> <p>17 reverse sting, we'd go down there as a mass and just go</p> <p>18 down and show your presence. To make it - to clear</p> <p>19 everything out and then set up then.</p> <p>20 But if we were going down there initially</p> <p>21 trying to get someone that was selling in the building,</p> <p>22 you always get out the car, somebody is always trying to</p> <p>23 get up in the building before they get farther up in the</p> <p>24 building into an hiding spot.</p>
<p>451</p> <p>1 Q Can you tell us what you remember about that</p> <p>2 arrest?</p> <p>3 A That morning, we went in the building. Again,</p> <p>4 as I ran up in the building, we heard people yelling</p> <p>5 clean up, I believe. And I ran up the stairs chasing up</p> <p>6 the people who had been in the hallway up the stairs.</p> <p>7 Q And what -- did you come into the building</p> <p>8 running?</p> <p>9 A Yes.</p> <p>10 Q Why did you come in the building running?</p> <p>11 A Because you have to come into the building</p> <p>12 running. If you trying to catch someone who does</p> <p>13 narcotics, you just not going to creep up in the</p> <p>14 building. It wasn't one of those times where we would</p> <p>15 be trying to sneak in. We would try to get up on them</p> <p>16 as quickly as possible.</p> <p>17 Q Why were you trying to get up on them as</p> <p>18 quickly as possible?</p> <p>19 A Because if you get alerted --- they get alerted</p> <p>20 to you, by the time you get in the building, they going</p> <p>21 to be gone, somewhere hiding out into the cleaning spot</p> <p>22 somewhere else. So you get -- you get to the building</p> <p>23 as fast as you can, you get out of the car and you get</p> <p>24 up in the building as fast as you can.</p>	<p>453</p> <p>1 Q Why is it that you think people yelled clean up</p> <p>2 when you approached -- when you started -- well, when</p> <p>3 you approached the building on November 3rd, 2007?</p> <p>4 A I believe that's what I heard.</p> <p>5 Q You believe you heard clean u?</p> <p>6 A I believe they were -- clean -- calling clean</p> <p>7 up out.</p> <p>8 Q Sorry, what?</p> <p>9 A I heard -- I believe I heard them call clean up</p> <p>10 out.</p> <p>11 Q Got it.</p> <p>12 Was there a particular -- do you remember</p> <p>13 where he was arrested?</p> <p>14 A Yes.</p> <p>15 Q Where was he -- where was Mr. Pearson</p> <p>16 arrested?</p> <p>17 A On the second floor by apartment 210.</p> <p>18 Q Which building?</p> <p>19 A I believe it was the 574 building.</p> <p>20 Q Do you have own independent recollection of</p> <p>21 arresting him outside of 210 or is that from reading the</p> <p>22 reports?</p> <p>23 A No, that's my independent recollection.</p> <p>24 Q So even without looking at a report, you</p>

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454	<p>1 remembered that you arrested him outside 210?</p> <p>2 A Yes.</p> <p>3 Q Was there a particular line or lines of drugs</p> <p>4 that were sold at the 574 building in November 2007?</p> <p>5 A Not that I remember.</p> <p>6 Q 574 East 36th, that's one of the seven-story</p> <p>7 buildings?</p> <p>8 A Yes.</p> <p>9 MR. RAUSCHER: Let's mark this as Exhibit 38.</p> <p>10 (Exhibit 38, Vice case report, was marked for</p> <p>11 identification and is attached to the transcript.)</p> <p>12 Q Have you had a chance to look at this report?</p> <p>13 A Yes, I did.</p> <p>14 Q Did you prepare this vice case report?</p> <p>15 A Yes, I did.</p> <p>16 Q Did you sign your own name to it?</p> <p>17 A Yes.</p> <p>18 Q Did you sign for Doug Nichols also?</p> <p>19 A Yes, I did.</p> <p>20 Q Did he review it before you signed his name?</p> <p>21 A No.</p> <p>22 Q Do you know why you signed -- why his name's on</p> <p>23 here?</p> <p>24 A Why his name's on there?</p>	456	<p>1 sometimes says RO, sometimes says ROs?</p> <p>2 A Yes.</p> <p>3 Q You see that?</p> <p>4 A Yes.</p> <p>5 Q Looking at the report, can you tell me who did</p> <p>6 what?</p> <p>7 A Where it says RO on the first line? That</p> <p>8 means everybody that was there.</p> <p>9 Q Where are you on right now? The first line of</p> <p>10 what; the narrative?</p> <p>11 A In summary where it says RO --</p> <p>12 Q It says ROs, right.</p> <p>13 A ROs worked in narcotics and gang enforcement</p> <p>14 mission at the above location.</p> <p>15 Q So that's all the ROs?</p> <p>16 A That's all the ROs.</p> <p>17 Q Is that you and Nichols or you and Nichols,</p> <p>18 Lewis, Bolton, Nash, Wilson, Leono?</p> <p>19 A Yes, all of those people.</p> <p>20 Q And did also include Watts?</p> <p>21 A Yes, he was there.</p> <p>22 Q So is he one of the ROs?</p> <p>23 A I just would put him in there as Ro. I don't</p> <p>24 know why I didn't.</p>
455	<p>1 Q Yes.</p> <p>2 A He was my partner at the time.</p> <p>3 Q And there were multiple people arrested on this</p> <p>4 report, right?</p> <p>5 A Yes.</p> <p>6 Q It looks like four?</p> <p>7 A Yes.</p> <p>8 Q Do you remember any of the other people?</p> <p>9 A Yes.</p> <p>10 Q Which people on here do you remember?</p> <p>11 A I remember Sandra Cartwright. I can remember</p> <p>12 now but I also remember Gibbs.</p> <p>13 Q Do you remember anything about your interaction</p> <p>14 with Gibbs from that day?</p> <p>15 A No.</p> <p>16 MR. KOSOKO: Can I -- can we go off the record</p> <p>17 for a second.</p> <p>18 MR. RAUSCHER: Yeah. Sure.</p> <p>19 THE VIDEOGRAPHER: Off the record. 1:57.</p> <p>20 (Whereupon, a discussion was held off the</p> <p>21 record, after which, the following proceedings were</p> <p>22 held.)</p> <p>23 THE VIDEOGRAPHER: Back on the record. 1:58.</p> <p>24 Q So the narrative section of this report</p>	457	<p>1 Q He is -- but he's one of the people whose</p> <p>2 actions are being described in the narrative?</p> <p>3 A Somewhere there.</p> <p>4 Q Okay. So it says in the first sentence, All</p> <p>5 the ROs were conducting a narcotic and gang enforcement</p> <p>6 mission?</p> <p>7 A Yes.</p> <p>8 Q What was the narcotics and gang enforcement</p> <p>9 mission?</p> <p>10 A That's where you rush down to the building, and</p> <p>11 try to arrest anyone you see doing illegal activities,</p> <p>12 which most of the times to us was making narcotics</p> <p>13 sales. And most of these people were had some</p> <p>14 affiliation to some type of gang.</p> <p>15 Q So is that -- did you have any information that</p> <p>16 there would be sales going on that day or is that</p> <p>17 just --</p> <p>18 A I don't know about that day, if we had any</p> <p>19 information. But common knowledge was that they would</p> <p>20 be selling every day. And we try to get there as early</p> <p>21 as possible.</p> <p>22 Q How many times -- how often would you go</p> <p>23 conduct a narcotics gang and enforcement mission the way</p> <p>24 you're using it where you didn't have anything specific</p>

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458	<p>1 but you just would go rush into the building?</p> <p>2 A Three, four times a week.</p> <p>3 Q How come sometimes you would list that you got</p> <p>4 -- that you went to a building because a concerned</p> <p>5 citizen sent you there?</p> <p>6 A Because somebody probably would have said that</p> <p>7 they were -- this building is up and working at that</p> <p>8 time, and we list them as the concerned citizen.</p> <p>9 Q Did you usually arrest people when you did</p> <p>10 those -- these types of narcotics and gang enforcement</p> <p>11 missions that you're talking about?</p> <p>12 A Sometimes we would. Sometimes we wouldn't.</p> <p>13 Q Were there any times when you rushed into</p> <p>14 building and you didn't find any evidence of drug sales?</p> <p>15 A Yes, there were.</p> <p>16 Q How frequently did that happen when you would</p> <p>17 go in and not see any evidence of drug sales?</p> <p>18 A It would be fifty-fifty.</p> <p>19 Q Did all of the people flee in the same</p> <p>20 direction?</p> <p>21 A What --</p> <p>22 Q Yes. So getting back to this report, did all</p> <p>23 four of the people that were arrested flee in the same</p> <p>24 direction?</p>
459	<p>1 A No.</p> <p>2 Q Tell me about where people went.</p> <p>3 A As I understand it, Mr. Gibes was trying to</p> <p>4 exit the building. The other two offenders, Mr.</p> <p>5 Pearson, and Mr. Niles, they fled out the hallway into</p> <p>6 the hallway. And offender number 2, I believe it is</p> <p>7 Cartwright, was already in her apartment.</p> <p>8 Q She was already in her apartment when?</p> <p>9 A Yes.</p> <p>10 Q When? When was she in her apartment?</p> <p>11 A She was in her apartment as Mr. Pearson ran to</p> <p>12 her apartment, she was already inside her apartment.</p> <p>13 Q All right, let's keep going through the report.</p> <p>14 So the second sentence in here says, As ROs</p> <p>15 entered the building, several individuals fled up the</p> <p>16 stairwell.</p> <p>17 A Yes.</p> <p>18 Q Which RO is that talking about?</p> <p>19 A Right now, if I can say that at this time, it</p> <p>20 was myself and Doug.</p> <p>21 Q Why can you say that?</p> <p>22 A Because we ended up on the second floor on the</p> <p>23 -- the second floor where Mr. Pearson was arrested.</p> <p>24 Q And do you remember Doug being up there with</p>
460	<p>1 you?</p> <p>2 A Yes.</p> <p>3 Q Is it possible there was more than you and Doug</p> <p>4 and you just don't remember?</p> <p>5 A At the time of the arrest, it was myself and</p> <p>6 Doug.</p> <p>7 Q But who was -- who entered the building, you're</p> <p>8 not sure if it was --</p> <p>9 A Who else entered the building and went up</p> <p>10 another stairwell, I don't know. Or kept going up the</p> <p>11 stairwell to another floor, I don't know.</p> <p>12 Q All right. It says, Several individuals went</p> <p>13 up the stairwell.</p> <p>14 Which individuals?</p> <p>15 A I don't know. I just know the two that I</p> <p>16 encountered on the second floor.</p> <p>17 Q Were there other individuals who were around</p> <p>18 who fled and didn't get caught?</p> <p>19 A I don't know.</p> <p>20 Q It says, RO gave chase to the second floor</p> <p>21 apartment 210?</p> <p>22 A Yes.</p> <p>23 Q And which RO is that referring to?</p> <p>24 A Myself.</p>
461	<p>1 Q How do you know it's referring to you?</p> <p>2 A Because I wrote it. I know what happened. I</p> <p>3 saw it.</p> <p>4 Q RO observed offender 1 give offender 2 two</p> <p>5 clear plastic bags of suspect narcotics, and offender 2</p> <p>6 went into apartment 210 and closed the door?</p> <p>7 A Yes.</p> <p>8 Q You saw that happen?</p> <p>9 A Yes.</p> <p>10 Q How did they get -- well, how far away from you</p> <p>11 were they when they started running?</p> <p>12 A I don't know. They ran up the stairwell. We</p> <p>13 hit the building, we were up the stairwell. Get up the</p> <p>14 stairwell to the second floor. As I come out and look,</p> <p>15 I see them headed down the hallway. So I followed</p> <p>16 behind them through the hallway. Pearson was in front.</p> <p>17 The -- the guy, Niles, was behind him. Pearson knocked</p> <p>18 at Cartwright's door, went up, boom, she opens the door.</p> <p>19 He tries to give the suspect narcotics. In the process,</p> <p>20 he drops the bag. She closed the door. I placed</p> <p>21 Pearson in custody there and recovered the bag of</p> <p>22 suspect narcotics.</p> <p>23 Q When did Pearson hand off the narcotics?</p> <p>24 A He ran to her door, knocked on the door, she</p>

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<p style="text-align: right;">462</p> <p>1 opened the door, give her the narcotics. In the process</p> <p>2 of giving her the narcotics, he dropped the bag of it.</p> <p>3 Q Wait. So you saw him give her some and dropped</p> <p>4 a bag?</p> <p>5 A Yes.</p> <p>6 Q Where was the third person? Was it Nile</p> <p>7 something --</p> <p>8 A Nile. He was running behind Pearson?</p> <p>9 Q Was he directly behind Pearson?</p> <p>10 A He was right behind Pearson.</p> <p>11 Q How could you see what Pearson was doing with</p> <p>12 Nile in the middle?</p> <p>13 A Because Nile -- Nile going down the hallway.</p> <p>14 When Pearson went to Cartwright's door on the left,</p> <p>15 which is where 210 was, Niles stopped at the right at a</p> <p>16 vacant apartment that had a VPS at 207. I saw when he</p> <p>17 hit the door, knocked on the door, she opens it, he</p> <p>18 tried to give her the narcotics, he drops one.</p> <p>19 Q Nile stopped at a vacant --</p> <p>20 A Right. He tries to get -- discard what he had</p> <p>21 up under a VPS door.</p> <p>22 Q What is -- can you describe what a VPS door is?</p> <p>23 A A VPS door is a metal doorway, a vacant -- when</p> <p>24 you have vacant apartments, they put a metal frame over</p>	<p style="text-align: right;">464</p> <p>1 recovered that narcotic. Then I started fumbling up</p> <p>2 under there for what he had put under there, and found</p> <p>3 the narcotics.</p> <p>4 Q You found the narcotics that Niles --</p> <p>5 A Yes.</p> <p>6 Q -- had put under that security door?</p> <p>7 A Yes.</p> <p>8 Q How could you reach under there?</p> <p>9 A I reached my hand under like he was trying to</p> <p>10 shove his hand up under there.</p> <p>11 Q How big of a space, how big of a gap was there</p> <p>12 from the floor to where the door started?</p> <p>13 A I'm not sure. It's not big. It's not a big</p> <p>14 slot.</p> <p>15 Q Can you just try to show up -- show it the best</p> <p>16 you can. You can even just do it like that, you know,</p> <p>17 you measure your hand.</p> <p>18 A I'm trying to look at the door and imagine what</p> <p>19 a VPS look like.</p> <p>20 So the frame of the VPS doesn't actually sit</p> <p>21 directly on the floor as it will cover that door. But</p> <p>22 the frame of it sits up like a lip that goes up</p> <p>23 underneath there.</p> <p>24 So if this is the door --</p>
<p style="text-align: right;">463</p> <p>1 it to lock out so that homeless people, I should say,</p> <p>2 would say, can't break into those vacant apartments and</p> <p>3 squat. So no one can get in those vacant apartments.</p> <p>4 Q Does it cover the whole door from bottom to</p> <p>5 top?</p> <p>6 A It's a frame. It's a frame like outside of the</p> <p>7 door. It has metal -- it's a metal frame outside the</p> <p>8 door, and inside the front -- inside of this frame is a</p> <p>9 door that opens in.</p> <p>10 Q You mean like the regular door or the door in</p> <p>11 the VSP?</p> <p>12 A No, it's made into the frame?</p> <p>13 Q Is it realistic to be able to put -- shove</p> <p>14 something under the door --</p> <p>15 A Yes.</p> <p>16 Q -- like drugs? Yes.</p> <p>17 A Yes.</p> <p>18 Q There is space?</p> <p>19 A There is space to get up under that frame.</p> <p>20 Q And did you see Nile push drugs under that</p> <p>21 door?</p> <p>22 A He was trying to put something under it. I</p> <p>23 didn't know what it was until after Doug had stopped him</p> <p>24 and detained him, I had Pearson in custody and we</p>	<p style="text-align: right;">465</p> <p>1 Q Um-um.</p> <p>2 A -- the VPS goes over it, there's a lip that</p> <p>3 goes underneath the door here. It doesn't -- the frame</p> <p>4 doesn't go all the way down to the floor.</p> <p>5 Q Okay.</p> <p>6 A So you can get up under there wherever you</p> <p>7 trying to start.</p> <p>8 Q How -- so if you -- can you hold that up again</p> <p>9 and tell me --</p> <p>10 A Sure. This is the door.</p> <p>11 Q Say this is the ground. The table is the</p> <p>12 ground. How far up is there of a space? Hold -- push</p> <p>13 that --</p> <p>14 A Underneath?</p> <p>15 Q Yeah.</p> <p>16 A It's like this.</p> <p>17 Q That far?</p> <p>18 A About -- yeah, about like that far to shove</p> <p>19 your -- just get your hand up under there to try to put</p> <p>20 it in whatever way you can fit it up under there in that</p> <p>21 frame in that door.</p> <p>22 Q Could you fit your whole hand under or just</p> <p>23 like fingers?</p> <p>24 A I don't know if you can get your whole hand up</p>

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466	<p>1 under there.</p> <p>2 Q It looks like you couldn't reach very far under</p> <p>3 it?</p> <p>4 A Right. So however far he shoved it, I could</p> <p>5 have got my hand in there too because he couldn't get</p> <p>6 his hand that far either.</p> <p>7 Q You could get your hand in as far as him, but</p> <p>8 you could push something under the door, right?</p> <p>9 A Under the door?</p> <p>10 Q You could push something under that hole</p> <p>11 probably further than you could reach?</p> <p>12 A No, because --</p> <p>13 MR. BAZAREK: Yeah, i just would object to the</p> <p>14 form of the question.</p> <p>15 A No, because this is the VPS door.</p> <p>16 Q Yeah.</p> <p>17 A Okay. So we know how high it's going to sit.</p> <p>18 It's not going to sit very high.</p> <p>19 Q Right.</p> <p>20 A Okay. Now, you take this away. This is the</p> <p>21 door. Right behind the VPS frame is the door.</p> <p>22 Nothing's going farther back than the door that's</p> <p>23 already sitting there. There's a wooden door there, but</p> <p>24 the VPS frame is over there so that squatters can't</p>	468	<p>1 before you kicked the door in?</p> <p>2 A Yes.</p> <p>3 Q What did you try before you kicked the door in?</p> <p>4 A Tried to contact CHA Management.</p> <p>5 Q And were you able to get in touch with anyone?</p> <p>6 A Yes, but we weren't able to get a key to get in</p> <p>7 there.</p> <p>8 Q What did management tell you?</p> <p>9 A She said, if I could remember well, she</p> <p>10 couldn't -- she couldn't locate anyone to bring us a</p> <p>11 key.</p> <p>12 Q Who did you talk to?</p> <p>13 A Ms. Osborne.</p> <p>14 Q Do you remember her first name?</p> <p>15 A I believe it's Francine.</p> <p>16 Q How did you get in touch with her?</p> <p>17 A I called her.</p> <p>18 Q Did you have her cell phone?</p> <p>19 A Yeah, I had her cell phone number.</p> <p>20 Q Did you call her from your cell phone?</p> <p>21 A Did I call her from my cell phone? I don't</p> <p>22 know if I called her from my cell phone or Watts called</p> <p>23 her from his cellphone.</p> <p>24 Q Do you know if you talked to her at all?</p>
467	<p>1 break into that door to get into the apartment.</p> <p>2 Q Does the wooden door go all the way to the</p> <p>3 ground?</p> <p>4 A Yes.</p> <p>5 Q There's no space between the wooden door and</p> <p>6 the ground?</p> <p>7 A No, it's flush.</p> <p>8 Q Do you remember that particular wooden door?</p> <p>9 A I didn't see that wooden door.</p> <p>10 Q Did you feel it?</p> <p>11 A I don't remember feeling it. I remember the</p> <p>12 VPS door is there.</p> <p>13 Q All right. Tell me about going into the</p> <p>14 apartment.</p> <p>15 A Going into the apartment?</p> <p>16 Q Yeah. 210. How did you get in?</p> <p>17 A Eventually, we kicked the door in.</p> <p>18 Q And why did -- who kicked the door in?</p> <p>19 A I did.</p> <p>20 Q Why did you kick the door in?</p> <p>21 A Because I was trying to get in there, and I had</p> <p>22 seen Cartwright take the narcotics from Mr. Pearson, and</p> <p>23 from them, and put it in there.</p> <p>24 Q How -- did you try something, anything else,</p>	469	<p>1 A I can't remember if I did or not.</p> <p>2 Q But one or the other, you learned that you</p> <p>3 weren't going to be able to get help from CHA on this?</p> <p>4 A Right.</p> <p>5 Q So then, did you knock on the door or did you</p> <p>6 try to get in without --</p> <p>7 A I knocked on the door several times. But her</p> <p>8 response was go sway, she wasn't opening the door.</p> <p>9 Q So you kicked the door in?</p> <p>10 A Yes. Eventually.</p> <p>11 Q And how long elapsed between when you arrested</p> <p>12 Mr. Pearson and when you kicked the door down?</p> <p>13 A 20, 25 minutes.</p> <p>14 Q Well, what -- tell me what you were doing in</p> <p>15 those 25 minutes? We know some of it I think was</p> <p>16 calling Osborne?</p> <p>17 A Calling Osborne, waiting for him to come back,</p> <p>18 waiting for an answer to come back.</p> <p>19 Watts came up there. Nichols took Mr. Pearson</p> <p>20 and Niles down to the lobby area where everyone else</p> <p>21 was. I stood at the door because at one time I think</p> <p>22 Watts left and I was standing at the door by myself, and</p> <p>23 then he came back.</p> <p>24 And then, I began -- eventually, we talked to</p>

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470	<p>1 Ms. Osborne, and she said she couldn't get a key, were</p> <p>2 we sure what we saw, go ahead and kick the door in.</p> <p>3 Q Wait. Watts said -- asked you if you were</p> <p>4 sure?</p> <p>5 A No, Ms. Osborne.</p> <p>6 Q Okay. She gave you permission to kick --</p> <p>7 A Yes.</p> <p>8 Q -- the door in?</p> <p>9 A Yes.</p> <p>10 Q Did you think that she had authority to tell</p> <p>11 you you could kick doors in?</p> <p>12 A She was CHA manager, she was worried about --</p> <p>13 that's why we was her number to call her because she was</p> <p>14 tired of what she said kicking doors in or somebody else</p> <p>15 destroying it, so call her first, and if she could get</p> <p>16 us a key to it, she would.</p> <p>17 Q So were you getting permission to kick the door</p> <p>18 in?</p> <p>19 A No, I was asking for a key first.</p> <p>20 Q And then, did it -- what if she said don't kick</p> <p>21 the door in, what would you have done?</p> <p>22 A Then I wouldn't have kicked the door in.</p> <p>23 MR. BAZAREK: Stop for one second.</p> <p>24 MR. RAUSCHER: Sure.</p>	472	<p>1 a door in so I can't remember that.</p> <p>2 Q Wait. You can't remember her --</p> <p>3 A Telling me -- not giving me permission to kick</p> <p>4 a door in.</p> <p>5 Q Can you tell me what else you remember from the</p> <p>6 arrest? Is there any other parts of it that you</p> <p>7 remember?</p> <p>8 A Of Mr. Pearson's arrest?</p> <p>9 Q Yeah.</p> <p>10 A Other than the fact that as the -- as the</p> <p>11 narcotics fell, the door closed, right there in the</p> <p>12 hallway he was placed in custody, and then I recovered</p> <p>13 the narcotics.</p> <p>14 Q And did someone perform a search?</p> <p>15 A It would have. There would have had to have</p> <p>16 been a search of him.</p> <p>17 Q There would have or would not?</p> <p>18 A Would have.</p> <p>19 Q Do you know who did that?</p> <p>20 A I don't recall.</p> <p>21 Q Does it say in here that people were yelling</p> <p>22 clean up when you came in?</p> <p>23 A No, it doesn't say that here.</p> <p>24 Q Why didn't you write it in the report?</p>
471	<p>1 THE VIDEOGRAPHER: Going off the record. 2:12.</p> <p>2 (A discussion was held off the record.</p> <p>3 THE VIDEOGRAPHER: Back on the record. 2:12.</p> <p>4 BY MR. RAUSCHER:</p> <p>5 Q All right. Why would you have listened to Ms.</p> <p>6 Osborne of the CHA if she told you to not kick the door</p> <p>7 in?</p> <p>8 A Why?</p> <p>9 Q Why would you?</p> <p>10 I thought you said if she would have told you</p> <p>11 not to kick the door in, you wouldn't have done it.</p> <p>12 A No, I wouldn't have.</p> <p>13 Q And why is that? Why would you have listened</p> <p>14 to her if she had said don't kick that door in?</p> <p>15 A Because she had been cooperative with us in the</p> <p>16 past, and that she had never not been cooperative, so I</p> <p>17 would respect her wishes in not kicking in a door that</p> <p>18 she would have to pay to replace.</p> <p>19 Q Even though you believed that drugs were</p> <p>20 inside?</p> <p>21 A Even though I believed that.</p> <p>22 Q Did it ever happen that she told you not to</p> <p>23 kick a door in?</p> <p>24 A I can't remember her not telling me not to kick</p>	473	<p>1 A Again, it's a summary of the report. By the</p> <p>2 time I got back and put it in, I made a mistake of not</p> <p>3 putting it in there.</p> <p>4 Q Right. And I think you said you don't remember</p> <p>5 anything about your interaction with Gibbs this day?</p> <p>6 A I passed Gibbs as I was going into the</p> <p>7 building. Like I said before, when we rush -- we rush</p> <p>8 -- rush down on a building, hit a building, whatever you</p> <p>9 want to call it, you don't just stop everybody.</p> <p>10 Somebody keeps on going. Somebody behind may stop the</p> <p>11 other people coming up.</p> <p>12 I did see him coming out the building as I was</p> <p>13 going in.</p> <p>14 Q Why would you stop people going out of the</p> <p>15 building as you're coming in?</p> <p>16 A Pardon me?</p> <p>17 Q Why would -- why would an officer and</p> <p>18 detectives stop people from leaving the building?</p> <p>19 A Because there had been times where we rushed a</p> <p>20 building, and the people that are selling narcotics</p> <p>21 handed these narcotics off to someone else and then walk</p> <p>22 right out the building past us. So you stopped</p> <p>23 everyone.</p> <p>24 Q So when you rush into a building, do your teams</p>

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<p style="text-align: right;">474</p> <p>1 cause you to stop everybody?</p> <p>2 A Stop as many people as you can.</p> <p>3 Q With no basis to stop them?</p> <p>4 A If they're running down and they know me --</p> <p>5 MR. KOSOKO: Objection. Calls for legal</p> <p>6 conclusion.</p> <p>7 A If we're hitting a building, it's our</p> <p>8 understanding from our expertise that they are trying to</p> <p>9 get away from the police, whatever, and they may have</p> <p>10 had the narcotic past off to them. It has happened.</p> <p>11 Q Okay. So you stop everybody and then you</p> <p>12 search them all?</p> <p>13 A Yes. Yes.</p> <p>14 Q Has anybody ever suggested that that maybe</p> <p>15 isn't the right way to do it?</p> <p>16 MR. BAZAREK: I'd object to the form of the</p> <p>17 question as an incomplete hypothetical.</p> <p>18 A No, based on the fact that it has happened to</p> <p>19 us that people have walked past us with narcotics or</p> <p>20 rushed out of the building because the narcotic had been</p> <p>21 past off to them, and we didn't learn about it till</p> <p>22 later on after the situation was over with.</p> <p>23 Q So once you learned that it had happened, then</p> <p>24 you started stopping everybody who was leaving the</p>	<p style="text-align: right;">476</p> <p>1 A Yeah, people would stop. Yeah.</p> <p>2 Q Well, not people would stop. Everybody --</p> <p>3 A Teams.</p> <p>4 Q -- would stop.</p> <p>5 A As many people -- as many people that could be</p> <p>6 stopped at that time.</p> <p>7 Q So to be clear on Gibbs, you were not part of</p> <p>8 his arrest this day?</p> <p>9 A I wasn't part of his arrest. Someone else</p> <p>10 stopped him. And at that time, the actions what he</p> <p>11 spoke that's listed in the report is what happened.</p> <p>12 Q You don't know if it happened?</p> <p>13 A I don't know if it happened.</p> <p>14 Q Well, you don't know if he said the things that</p> <p>15 are said here because you didn't interact with him,</p> <p>16 right?</p> <p>17 A I didn't interact with him. I interacted with</p> <p>18 the officer who gave me the information for the report.</p> <p>19 Q Right. So an -- someone told you that --</p> <p>20 A Yes.</p> <p>21 Q -- and you wrote it down?</p> <p>22 A Yes.</p> <p>23 Q You don't have any personal knowledge as to</p> <p>24 whether it actually happened the way that the officer</p>
<p style="text-align: right;">475</p> <p>1 building and searching them?</p> <p>2 A If you're --</p> <p>3 MR. KOSOKO: Objection. Calls for legal</p> <p>4 conclusion. Incomplete hypothetical. And foundation.</p> <p>5 A If we're going down there in that circumstance,</p> <p>6 we would stop most of the people we could.</p> <p>7 Q Most people you could or everybody you could?</p> <p>8 A Everybody we could.</p> <p>9 Q And then, you said in that circumstance. In</p> <p>10 what circumstance?</p> <p>11 A Pardon me?</p> <p>12 Q In what circumstance? You said if we're going</p> <p>13 down there in that circumstance. What circumstance?</p> <p>14 A We're going -- if we're going in a -- to hit a</p> <p>15 building, run up on a building, yeah, we stopping</p> <p>16 everybody we can.</p> <p>17 Q How many years did that go on for? The whole</p> <p>18 time you were in the TAC Team in Ida B. Wells?</p> <p>19 A It wasn't just the TAC Team at Ida B. Wells. I</p> <p>20 have seen that practice in Stateway Gardens with other</p> <p>21 tactical teams, and Robert Taylor's Homes. It wasn't</p> <p>22 just in Ida B. Wells.</p> <p>23 Q Okay. But it was -- the whole time you were in</p> <p>24 Ida B. Wells, that was the practice?</p>	<p style="text-align: right;">477</p> <p>1 told you it did?</p> <p>2 A I had no reason not to believe it happened that</p> <p>3 way, other than because the officer told me what</p> <p>4 happened.</p> <p>5 Q Right.</p> <p>6 A And I'm not sure where the officer was, but I</p> <p>7 have no reason to believe it did not happen that way.</p> <p>8 Q You trust the other officers you worked with?</p> <p>9 A Yes.</p> <p>10 Q But you don't actually know if it was true what</p> <p>11 the officer told you about Gibbs that day?</p> <p>12 A I have no reason not to believe it was true.</p> <p>13 Q But that's not my question. I want to know if</p> <p>14 you have any -- if you have any knowledge as to whether</p> <p>15 it was true?</p> <p>16 A I wasn't there when the actual conversation was</p> <p>17 said. I got the information from the officer, whatever</p> <p>18 officer it was that stopped him and had to know that he</p> <p>19 had weed on him.</p> <p>20 Q And did you have any other source of that</p> <p>21 information other than the officer telling it to you?</p> <p>22 A Not that I recall.</p> <p>23 Q How come this vice case report lists four</p> <p>24 people? Why does it list four -- yeah, that's a very</p>

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478	<p>1 -- clarification. Why does it have all four offenders?</p> <p>2 A Why doesn't it?</p> <p>3 Q Why does it? Why does it list four people?</p> <p>4 A Because in the actions, from beginning to end</p> <p>5 when we went there, all four had some type of action</p> <p>6 that took place, and that's why they're all on the case</p> <p>7 report.</p> <p>8 Q What -- what's different about this versus a</p> <p>9 reverse sting?</p> <p>10 A Reverse sting, things happen at different</p> <p>11 times, different -- each one is a different, separate</p> <p>12 act. This was one separate, continuous act from</p> <p>13 beginning of rushing in there to getting control of Mr.</p> <p>14 Pearson, the other offender, bringing him back down the</p> <p>15 lobby where Mr. Gibbs was stopped outside, and</p> <p>16 eventually the other offender, Cartwright, got placed in</p> <p>17 custody.</p> <p>18 Q Was Gibbs -- would you consider Gibbs to be a</p> <p>19 separate event than the other three?</p> <p>20 A No.</p> <p>21 Q Why not?</p> <p>22 A Because Gibbs was coming out of the building as</p> <p>23 we were going into the building at getting up the</p> <p>24 operation there.</p>	480	<p>1 Q Do you have to make any turns to get out of the</p> <p>2 stairs?</p> <p>3 A Yes.</p> <p>4 Q Where? Which direction did you have to turn?</p> <p>5 A That stairwell, I would have to turn west and</p> <p>6 go back south.</p> <p>7 Q Was that right?</p> <p>8 A Left, left.</p> <p>9 Q All right. This says you saw offender 2 going</p> <p>10 out of the window of the apartment.</p> <p>11 A Eventually.</p> <p>12 Q Was that -- well, it says RO. I should ask, is</p> <p>13 that you saw that?</p> <p>14 A Yes, I did.</p> <p>15 Q Tell me what you remember about that?</p> <p>16 A As I started kicking the door, when I finally</p> <p>17 got the door in, it wasn't a very large apartment. As</p> <p>18 you walk in the door, you could see. Took the right</p> <p>19 there. The bedroom area. Her hands were on the ledge.</p> <p>20 She was outside of the window. I looked in her face,</p> <p>21 she saw when I came to the door, she let down.</p> <p>22 Q And was there anything below her apartment?</p> <p>23 A Outside to the ground?</p> <p>24 Q Just straight drop to the ground?</p>
479	<p>1 Q Well, how was that different than like Lionel</p> <p>2 White and the first person arrested in the reverse</p> <p>3 sting?</p> <p>4 A Lionel White, when I ran into the building,</p> <p>5 same thing. Lionel White was just I ran and chased</p> <p>6 Lionel White then. I didn't stop. The similar, the</p> <p>7 same thing as me going up the stairwell and getting down</p> <p>8 there and seeing Mr. Pearson. Same thing.</p> <p>9 Q Did you catch up, like did you make up ground</p> <p>10 on Mr. Pearson when you were running?</p> <p>11 A Eventually I did.</p> <p>12 Q But like he stopped and you did or did you --</p> <p>13 A He had to stop at the door to -- he banged on</p> <p>14 the door.</p> <p>15 Q Did you make up any ground before he stopped at</p> <p>16 the door?</p> <p>17 A No, it was -- it was perpetual movement. You</p> <p>18 don't just come running out of a stairwell. I came out</p> <p>19 of the stairwell and leave the second floor because I</p> <p>20 heard -- I saw where he was going and I kept on going.</p> <p>21 Q Was it a straight shot up the stairs?</p> <p>22 A Straight shot up the stairs. But when you come</p> <p>23 out the hallway, you got to come out the hallway, and it</p> <p>24 is a straight shot down the hallway.</p>	481	<p>1 A Straight drop to the ground.</p> <p>2 Q From second floor?</p> <p>3 A Yes.</p> <p>4 Q How far is that?</p> <p>5 A I don't know. At least 30 feet.</p> <p>6 Q Did she get hurt?</p> <p>7 A No, she didn't. She was hanging out. She is</p> <p>8 about six feet tall.</p> <p>9 Q And then, you saw her later?</p> <p>10 A Eventually, I saw her later.</p> <p>11 Q So when she jumped out of the window, what did</p> <p>12 you do next?</p> <p>13 A I went to the window. The narcotics that I saw</p> <p>14 her receive from Mr. Pearson was still inside the</p> <p>15 apartment at that window.</p> <p>16 Q They were at the window --</p> <p>17 A They were at the window.</p> <p>18 Q Okay.</p> <p>19 A She was out the window. So when she let go,</p> <p>20 hit the ground, then she started to run in a</p> <p>21 northeasterly direction around the building toward out</p> <p>22 through the parking lot.</p> <p>23 Q Did she hit the -- was it a asphalt, concrete,</p> <p>24 grass?</p>

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<p style="text-align: right;">482</p> <p>1 A No, it was grassy area.</p> <p>2 Q All right. So after you saw her, you said you</p> <p>3 saw her running?</p> <p>4 A Yeah, she got up, she ran northeasterly</p> <p>5 direction toward through the parking lot.</p> <p>6 Q And then, what did you do next?</p> <p>7 A I radioed that she was fleeing in that</p> <p>8 direction for somebody to try to put a stop on her.</p> <p>9 Q Did you say on the radio call that she had</p> <p>10 jumped out the apartment?</p> <p>11 A Yes.</p> <p>12 Q And then, do you know who stopped her?</p> <p>13 A I believe -- I'm not sure who stopped her.</p> <p>14 Q You say you believe. Do you have a belief as</p> <p>15 to who it is?</p> <p>16 A I'm really not sure who stopped her because I</p> <p>17 believe she was actually was stopped in the park across</p> <p>18 the freeway.</p> <p>19 Q And do you have a -- your own memory of that or</p> <p>20 is that something from the record?</p> <p>21 A I believe that's on the report. I believe she</p> <p>22 stopped in the park.</p> <p>23 Q All right. You see where it talks about number</p> <p>24 3. So after the car ride, she was placed in custody?</p>	<p style="text-align: right;">484</p> <p>1 A It wasn't -- it wasn't I had to go back anyway</p> <p>2 because the door were offset.</p> <p>3 Q Okay.</p> <p>4 A So 210 was like here, 207 like here. It wasn't</p> <p>5 like a great distance between those doorways.</p> <p>6 Q Is it across the hall?</p> <p>7 A Across --</p> <p>8 Q May not -- right.</p> <p>9 A Not directly across but all seven cross, yes.</p> <p>10 Q And then, so -- did you just turn around?</p> <p>11 A All I did was turn around toward in that area</p> <p>12 where I was.</p> <p>13 Q And then, you put your hand under the security</p> <p>14 door?</p> <p>15 A Yeah, I start searching under the door till I</p> <p>16 found the bag, the plastic bag.</p> <p>17 Q What was Doug doing?</p> <p>18 A What was done to it?</p> <p>19 Q No, no, sir. What was Doug doing?</p> <p>20 A Doug had secured offender number 3.</p> <p>21 Q And where -- who was securing Mr. Pearson?</p> <p>22 A He was sitting on the wall. He was already</p> <p>23 secured.</p> <p>24 Q And when you were doing this, was Cartwright</p>
<p style="text-align: right;">483</p> <p>1 A Yes.</p> <p>2 Q It says number 3 was -- or offender number 3</p> <p>3 was detained in the hallway, and was observed trying to</p> <p>4 place a plastic bag with suspect narcotics underneath</p> <p>5 the vacant apartment door in number 207?</p> <p>6 A Yes.</p> <p>7 Q So was he caught in the act of trying to push</p> <p>8 it under or had he successfully pushed it under that</p> <p>9 security door?</p> <p>10 A I think he had got it under there because Doug,</p> <p>11 I passed him to get to Mr. Pearson.</p> <p>12 Q Wait, I'm sorry, you said Doug?</p> <p>13 A I passed offender number 3--</p> <p>14 Q Okay.</p> <p>15 A -- to get to Mr. Pearson. Doug stopped and</p> <p>16 detained offender number 3 as he was trying to step -- I</p> <p>17 had had handcuffs on Mr. Pearson already and recovered</p> <p>18 that narcotics.</p> <p>19 Doug got handcuffs on him, I immediately went</p> <p>20 over there and we tried -- we would go up over there to</p> <p>21 see what he had stuck up under there, under the door.</p> <p>22 Q So when Doug got handcuffs on Nile --</p> <p>23 A Um-hum.</p> <p>24 Q You then went back and --</p>	<p style="text-align: right;">485</p> <p>1 outside?</p> <p>2 A Cartwright was in her apartment.</p> <p>3 Q She was still in her apartment when you did</p> <p>4 that?</p> <p>5 A Yes.</p> <p>6 Q Is this supposed to be in chronological order</p> <p>7 the way it's written on the report?</p> <p>8 A That's how I remember, yes.</p> <p>9 Q Is that how it reads?</p> <p>10 A Yes, this is how it reads.</p> <p>11 Q Offender 2 fled to the park where she was</p> <p>12 eventually placed in custody.</p> <p>13 Offender number 3 is detained in the hallway</p> <p>14 and was observed --</p> <p>15 A Oh, no. Offender 2 fled eventually to the</p> <p>16 park. She didn't fled -- she didn't flee. Mr. Pearson</p> <p>17 and offender number 3 were already in custody. Someone</p> <p>18 had already, I assume, offender number 4 prior to all of</p> <p>19 that because he was trying to come out the building and</p> <p>20 they detained him.</p> <p>21 Q Was that part about 2 and 3 supposed to be in</p> <p>22 chronological order? Meaning in the order that it</p> <p>23 happened?</p> <p>24 A 2 and 3 -- 2's action happened before 3's.</p>

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<p style="text-align: right;">486</p> <p>1 Q So 2 fled before 3?</p> <p>2 No, Cartwright?</p> <p>3 A No, Cartwright was -- Cartwright was the last</p> <p>4 person to flee.</p> <p>5 Q So it's not in chron --</p> <p>6 A Not chronologically, no. But Cartwright fled.</p> <p>7 She's the last person to actually flee -- well, I won't</p> <p>8 say actually flee, because she has accepted the</p> <p>9 narcotics from Pearson at the beginning in closed doors.</p> <p>10 So she had -- I considered that fleeing then.</p> <p>11 Q But that's not what you write?</p> <p>12 A That's not how I wrote it, no, it's not.</p> <p>13 Q Did you have any other conversations with</p> <p>14 Cartwright that day?</p> <p>15 A After she was in custody?</p> <p>16 Q Yeah.</p> <p>17 A I don't remember having any other conversation</p> <p>18 with her.</p> <p>19 Q Did you have conversations with any of the</p> <p>20 three people other than Gibbs, Nile, Pearson and</p> <p>21 Cartwright before they were in custody?</p> <p>22 A Before?</p> <p>23 Q Yeah.</p> <p>24 A No, I don't believe I did.</p>	<p style="text-align: right;">488</p> <p>1 Q Are you getting on the radio to say you were on</p> <p>2 2 or --</p> <p>3 A No, I'm yelling.</p> <p>4 Q Just yelling?</p> <p>5 A Yes.</p> <p>6 Q And they were able to hear you okay?</p> <p>7 A I -- I don't know if they hear me or not. But</p> <p>8 yelling throughout the building. Yelling as it warmed</p> <p>9 up.</p> <p>10 Q Do you assume they hear you if you were</p> <p>11 yelling?</p> <p>12 A I would assume so. I hope so if I needed help.</p> <p>13 Q Can you hear people yelling from other floors?</p> <p>14 A Possibly, yes.</p> <p>15 Q Sometimes?</p> <p>16 A Sometimes.</p> <p>17 Q You have a loud voice when you yell?</p> <p>18 A Pretty much.</p> <p>19 Q You said that earlier when we I which started</p> <p>20 looking at this report that you remember Sandra</p> <p>21 Cartwright?</p> <p>22 A Yes.</p> <p>23 Q Sandra Cartwright?</p> <p>24 A Yes.</p>
<p style="text-align: right;">487</p> <p>1 Q Did you tell them to stop when they started</p> <p>2 running?</p> <p>3 A I was yelling, I believe. I don't remember</p> <p>4 what I was yelling but I was yelling.</p> <p>5 Q What -- do you remember yelling?</p> <p>6 A Yeah, because see, sometimes you have to let</p> <p>7 people know where you are. But I was yelling. I was on</p> <p>8 2. I do remember I was on 2. Some other people went up</p> <p>9 to 3, but I remember I was on 2. I don't know what</p> <p>10 exactly what I said to them, but I knew I was -- you</p> <p>11 always try to -- I always try to let people know where I</p> <p>12 was especially when I'm chasing someone.</p> <p>13 Q You're yelling to your partners?</p> <p>14 A Yes, I'm just yelling I'm on 2.</p> <p>15 Q You're yelling you're on 2?</p> <p>16 A Yeah.</p> <p>17 Q Were you yelling when you got in the building</p> <p>18 and they started running?</p> <p>19 A We -- we going up. We all -- we going up.</p> <p>20 When I got out 2, Nile came out of the hallway</p> <p>21 and saw him going on 2, we on -- I'm on 2.</p> <p>22 Somebody else might have went up to 3, but me</p> <p>23 and Doug went all to 2 where we -- where I observed this</p> <p>24 information that's in the report.</p>	<p style="text-align: right;">489</p> <p>1 Q What do you remember about her?</p> <p>2 A Sandra Cartwright was -- she lived in the</p> <p>3 building there, she seemed unstable, and she was known</p> <p>4 at times to be involved in the narcotics situations that</p> <p>5 were going on down.</p> <p>6 Q What do you mean she was known at times to be</p> <p>7 involved in the narcotic situations?</p> <p>8 A She had been observed as a lookout or a person</p> <p>9 who would solicit for business for down there.</p> <p>10 Q A lookout and someone soliciting for business</p> <p>11 are two different things?</p> <p>12 A Yes.</p> <p>13 Q So what's a lookout and what is someone</p> <p>14 soliciting for business?</p> <p>15 A A lookout is looking for the police.</p> <p>16 Solicitation is when she's actually out yelling whatever</p> <p>17 drug line they have or whatever narcotics they have to</p> <p>18 sell them.</p> <p>19 Q Does that happen outside of the buildings?</p> <p>20 A Yes.</p> <p>21 Q Does it also happen inside the buildings?</p> <p>22 A Inside the building? You wouldn't be yelling</p> <p>23 inside the building what your drug line is for somebody</p> <p>24 to come get them and come in.</p>

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42 (490 to 493)

<p style="text-align: right;">490</p> <p>1 Q I'm asking.</p> <p>2 A No, you had to be outside.</p> <p>3 Q And where does the lookout work?</p> <p>4 A Where does the lookout work?</p> <p>5 Q Yeah.</p> <p>6 A A lookout is looking and paying attention to</p> <p>7 the streets and trying to observe if police are coming</p> <p>8 or not.</p> <p>9 Q Are they inside the building, outside or both?</p> <p>10 A They usually outside the building.</p> <p>11 Q Was she acting as either a lookout or someone</p> <p>12 soliciting business on November 3rd, 2007?</p> <p>13 A I don't believe that's what she was doing.</p> <p>14 Q Was she known to have any other role in the</p> <p>15 drug trade other than lookout or soliciting?</p> <p>16 A On this particular day, it appeared to me she</p> <p>17 was the cleanup person.</p> <p>18 Q Other than this day, did you have any</p> <p>19 information that she was a cleanup person?</p> <p>20 A I don't recall.</p> <p>21 Q What's a -- what's a cleanup person?</p> <p>22 A That's the person who when drug dealers are</p> <p>23 alerted that the police are coming, they either run to</p> <p>24 their apartment and leave the drugs or they run into the</p>	<p style="text-align: right;">492</p> <p>1 Q Have you read Mr. Pearson's affidavit?</p> <p>2 A Not recently.</p> <p>3 Q I'll give you a copy of it.</p> <p>4 MR. RAUSCHER: It's Exhibit 39.</p> <p>5 (Exhibit 39, Affidavit, was marked for</p> <p>6 identification and is attached to the transcript.)</p> <p>7 Q Have you had a chance to review this?</p> <p>8 A Yes.</p> <p>9 Q Do you disagree with this affidavit?</p> <p>10 A 100 percent a false affidavit and it's all</p> <p>11 lies.</p> <p>12 Q Well, do you know if Watts ever stopped Mr.</p> <p>13 Pearson and shook him down by asking him for money,</p> <p>14 drugs or guns?</p> <p>15 A I don't know anything about that. But Mr.</p> <p>16 Pearson saying he was on the third floor, and anything</p> <p>17 other than that, it's a lie.</p> <p>18 Q All right. But you don't know if paragraph one</p> <p>19 is a lie?</p> <p>20 A I have no knowledge of that.</p> <p>21 Q You don't know if paragraph three is a lie, do</p> <p>22 you?</p> <p>23 A He was on the second floor when I saw him. I</p> <p>24 didn't know. He never visited the third floor in my</p>
<p style="text-align: right;">491</p> <p>1 apartment to hide with the drugs.</p> <p>2 Q Every day when there is drug sales going down</p> <p>3 at Ida B. Wells, were there lookouts looking out for the</p> <p>4 police and cleanup people responsible for cleaning up</p> <p>5 before police come?</p> <p>6 A Excuse me?</p> <p>7 Q Was it the case that every day when there were</p> <p>8 drug sales going on in Ida B. Wells, at least when you</p> <p>9 were working there, that there would be lookouts outside</p> <p>10 looking out for the police and cleanup people ready to</p> <p>11 clean up?</p> <p>12 A I assume there were, yes.</p> <p>13 Q So is it just that some days they failed?</p> <p>14 A Some days they failed.</p> <p>15 Q And this was one of those days?</p> <p>16 A It was one of those days that they failed.</p> <p>17 Q And then, April 24, 2006, with Lionel White and</p> <p>18 all the reverse sting was another fail?</p> <p>19 MR. BAZAREK: I'd object to the form of that</p> <p>20 question. And it's also argumentative.</p> <p>21 A I don't know if he -- clean up was yelled out</p> <p>22 then.</p> <p>23 Q Do you know a Trice Harris?</p> <p>24 A No. Can't say I do.</p>	<p style="text-align: right;">493</p> <p>1 presence.</p> <p>2 Q You first encountered him, I thought you said,</p> <p>3 in the lobby?</p> <p>4 A No, he was going up there. They went up the</p> <p>5 stairwell. He was going down the second floor hallway</p> <p>6 when I got my hands on him. They went up the stairwell.</p> <p>7 I didn't know who they were. Fled up the stairwell. I</p> <p>8 didn't see him until I came out on the second floor, and</p> <p>9 he was heading down the hallway to 210.</p> <p>10 Q So who were you chasing from the first floor?</p> <p>11 A Whoever fled up that stairwell.</p> <p>12 Q So you just you saw people --</p> <p>13 A Heard people going up the stairs. Never saw</p> <p>14 him until I got to the second floor, on the second</p> <p>15 floor, and they were headed down the stairwell down the</p> <p>16 hallway to apartment 2 -- apartment 210.</p> <p>17 Q All right. I might have misunderstood the</p> <p>18 beginning of that timing earlier. So tell, me what was</p> <p>19 the scene when you entered the building? I know you</p> <p>20 said you came in running.</p> <p>21 A Came in running, people started fleeing up the</p> <p>22 stairwell.</p> <p>23 Q Was there anybody still in the lobby?</p> <p>24 A I don't know. I never got to the lobby because</p>

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43 (494 to 497)

494	<p>1 I came through the back door, the back hallway stairs.</p> <p>2 Q So you came down the back hallway and then</p> <p>3 people were fleeing from there up the stairs?</p> <p>4 A People were fleeing up the stairs. People were</p> <p>5 trying to get out the building, but people were going up</p> <p>6 the stairs. I was going up the stairs. When I come out</p> <p>7 the stairwell on to, I see Mr. Pearson and Mr. Nile</p> <p>8 fleeing down the hallway.</p> <p>9 Q Were the people who you were chasing after,</p> <p>10 were they coming from the lobby of the stairs or from</p> <p>11 the back of the stairs?</p> <p>12 A I don't know where they were coming from, but</p> <p>13 they went up the stairs. I came in the building and</p> <p>14 immediately turned and went up the stairs. People were</p> <p>15 fleeing up the stairwell.</p> <p>16 Q So when you immediately turned up the</p> <p>17 stairwell, did you see people fleeing up the stairwell?</p> <p>18 A I didn't see. I heard.</p> <p>19 Q When did you first see anybody?</p> <p>20 A I first saw Mr. Pearson and Mr. Bolt when I</p> <p>21 stepped out onto the second floor landing.</p> <p>22 Q You had already gotten up to the second floor?</p> <p>23 A Yes.</p> <p>24 Q Got it. And you know you did not see him on</p>	496	<p>1 A No, Doug took Pearson and Niles down to the</p> <p>2 lobby area where everyone else was.</p> <p>3 Q Yes, so I was just trying to ask, was Watts</p> <p>4 ever up there on the second floor with you while Pearson</p> <p>5 was still up there?</p> <p>6 A Yes.</p> <p>7 Q For how long?</p> <p>8 A Not long. Because he was already in custody</p> <p>9 and we were trying to turn our attention to getting into</p> <p>10 apartment 210.</p> <p>11 Q You and Watts?</p> <p>12 A Nichols too, but Nichols ended up eventually</p> <p>13 taking Niles and Pearson down to the lobby area. They</p> <p>14 were in custody.</p> <p>15 Q Is it true that you called Watts at all when</p> <p>16 you were with Pearson?</p> <p>17 A I'm not sure if I did or not. I don't know how</p> <p>18 I contacted Watts to let him know where we were.</p> <p>19 Q It is true that other people were detained at</p> <p>20 the lobby of the building, right?</p> <p>21 A Yeah, there were some people detained there.</p> <p>22 Q And were those people lined up?</p> <p>23 A I don't know.</p> <p>24 Q Do you know who Vanessa King is?</p>
495	<p>1 the third floor that day?</p> <p>2 A No, I did not.</p> <p>3 Q Other people were on the third floor of your</p> <p>4 team?</p> <p>5 A I don't know who went up there or not.</p> <p>6 Q But you said --</p> <p>7 A Someone -- some of them were fleeing, there was</p> <p>8 a lot of us, and I don't know who gave chase at the</p> <p>9 higher. I don't know who went up to a higher floor.</p> <p>10 Q Do you know whether anybody went up to the</p> <p>11 third floor from your team that day?</p> <p>12 A I don't know.</p> <p>13 Q Did you keep Lucky Pearson, Mr. Pearson up on</p> <p>14 the second floor for approximately five minutes?</p> <p>15 A No.</p> <p>16 Q Did he ever ask you if he could go?</p> <p>17 A No.</p> <p>18 Q Did Watts ever come up when you were holding</p> <p>19 Lucky Pearson?</p> <p>20 A Yeah, he came up on the second floor where me</p> <p>21 and Doug had him and Niles because Doug then tried -- he</p> <p>22 had to escort Nile and Pearson down and Watts were</p> <p>23 trying to get in apartment 210.</p> <p>24 Q Was Lucky Pearson still out there at the time?</p>	497	<p>1 A I don't remember her.</p> <p>2 Q Do you know if Vanessa King said that she had</p> <p>3 drugs that day?</p> <p>4 A No, I do not.</p> <p>5 MR. RAUSCHER: We will mark this as Exhibit 40.</p> <p>6 It's an arrest report.</p> <p>7 (Exhibit 40, Arrest report, was marked for</p> <p>8 identification and is attached to the transcript.)</p> <p>9 MR. RAUSCHER: So this should be City BG 052261</p> <p>10 through 65, a five-page document.</p> <p>11 I have some floating fives.</p> <p>12 Do you have all five pages?</p> <p>13 MR. BAZAREK: I don't have --</p> <p>14 MR. RAUSCHER: So it should go through 65.</p> <p>15 A I have 5. I have 5 of 5.</p> <p>16 Q Okay. That's the -- you have the full</p> <p>17 document.</p> <p>18 MR. RAUSCHER: Does everyone else have the</p> <p>19 fifth page now?</p> <p>20 MR. RAVITZ: I have the fifth page.</p> <p>21 MR. RAUSCHER: You have only the fifth page? I</p> <p>22 have an extra one right here.</p> <p>23 All right. So I think we're all set on this</p> <p>24 exhibit.</p>

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44 (498 to 501)

498	<p>1 Q So just -- you can take your time and read it, 2 but let me just confirm the pages, if that's okay before 3 you do that. 4 City BG 052261 is the first one. And City BG 5 052265 is the last one. 6 Did you complete this report? 7 A Did I complete it? 8 Q Yes. 9 A Yes. 10 Q How come Leono is the attesting officer? 11 A Because Leono put -- probably put the guts of 12 the applicable narrative information into this report. 13 We put the other stuff into it. I was preparing the 14 other reports. 15 Q Do you remember preparing the other reports? 16 A Yes, I remember preparing this case report. 17 Q Wouldn't the case report need to be done before 18 you can do the arrest report? 19 A Not if I explain the situation what it was, and 20 I was going to put the narrative in anyway. All he 21 needed was the charges and Mr. Pearson's personal 22 information as listed here. 23 Q So you -- he might have started -- 24 A Started it and I put the narrative in.</p>	500	<p>1 Q So why wouldn't you just attest to it? 2 A Because he opened up the framework of this 3 arrest report. 4 Q And can you not change that? Is that automatic 5 when you -- 6 A It would automatically if you open it up. 7 Q So whoever opens up the framework automatically 8 becomes the attesting officer? 9 A They going to attest to it. 10 Q And you can't change that? 11 A You can't change that. 12 Q So did you -- who filled in the arrest time? 13 A I believe that would have been on Leono. 14 Q Do you know where he got 8:32 from? 15 A From me. 16 Q Do you know where you got 8:32 from? 17 A From the assumption of what the time was when I 18 -- time on the case report, when I got to get the case 19 report which was just a short time later after arriving 20 at the building that Mr. Pearson was placed into 21 custody. 22 Q Why such a specific time on the arrest report 23 and not the case -- not the vice case report? 24 A Because I knew that at that time I arrived, I</p>
499	<p>1 Q Got it. So you both created the report; is 2 that fair? 3 A No, he didn't create the report. I created. 4 He created the body of the report. I put the narrative 5 in the report. So we both didn't create a report. I 6 created a report. 7 Q What's his role then? 8 A He put the body of the report together. I 9 created the report. 10 Q Why is he -- why are you the attesting officer 11 then instead of him? 12 A Why am I not? 13 Q Yeah. 14 A Because he put --started the arrest report for 15 me, which all he needed was the information from Mr. 16 Pearson on what he was being charged with. When it came 17 down to what went into the narrative of that report, I 18 put that in that report. 19 Q But he couldn't have attested to that until he 20 saw the narrative, right? 21 A He couldn't attest to it until after I put the 22 narrative in it. 23 Q I think we are agreeing with that, right? 24 A Right. Until after I put the narrative in.</p>	501	<p>1 knew sometime had past between the time he was placed in 2 custody and the time I arrived at the building. 3 Q And was your best estimate that that was two 4 minutes? 5 A It was my best estimate at that time, yes. 6 Q And just to confirm this. The picture in the 7 right-hand corner of the first page of the arrest 8 report, do you recognize that person? 9 A Yes. 10 Q And would you know that was Mr. Person if you 11 didn't have the report in front of you? 12 A Yes. 13 Q How many times do you think you saw him over 14 the years? 15 A Several. 16 Q Three, four? 17 A More than that. 18 Q Ten? 19 A More than that. 20 Q Like 50? 21 A I would say -- well, probably could be 50. I 22 was down there -- I worked down there long enough, Mr. 23 Pearson could have been down there long enough, yes. 24 Q How often did you talk to him, if at all, over</p>

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45 (502 to 505)

502	<p>1 the years?</p> <p>2 A I don't know. You know, I -- I won't see him.</p> <p>3 He was a heavy drinker. He'd be drunk a lot of times</p> <p>4 down there. And he was -- he was familiar because he</p> <p>5 had a scar under his eye, a long scar on his face, so I</p> <p>6 knew who Lucky was.</p> <p>7 Q Was he drunk during the day, at night, both?</p> <p>8 A Varied. Sometimes. If he wasn't drunk, he was</p> <p>9 working.</p> <p>10 Q Working meaning selling drugs?</p> <p>11 A Yes, being in the narcotics gang.</p> <p>12 Q Do you mean selling drugs specifically?</p> <p>13 A I don't know if he was selling. Some part --</p> <p>14 some part actually in the narcotics gang.</p> <p>15 Q That could be lookout, soliciting?</p> <p>16 A That could be anything, yes.</p> <p>17 Q Was he drunk on November 3rd, 2007?</p> <p>18 A I don't believe he was.</p> <p>19 Q Do you know how, if you look at the fourth</p> <p>20 page, 4, which is 52264.</p> <p>21 A Yes.</p> <p>22 Q Do you know who -- how that time, like where</p> <p>23 the time comes from in there in the transport details?</p> <p>24 A It's places in there.</p>
503	<p>1 Q By who?</p> <p>2 A By whoever prepares the arrest report.</p> <p>3 Q So in that case, would that be you or Leono?</p> <p>4 A I don't know if I put it in there or Leono put</p> <p>5 it in there at the time we transported from that area to</p> <p>6 -- I don't know.</p> <p>7 Q Does the transport time reflect when the --</p> <p>8 when he put the call in to get the transport, or when</p> <p>9 you arrived at the station or something else?</p> <p>10 A It's usually the time that they get ready to</p> <p>11 get on the -- get in the transportation and go to the</p> <p>12 station.</p> <p>13 Q And was that like one of all would take a note</p> <p>14 or something and write --</p> <p>15 A Somebody usually would know, or if you have a</p> <p>16 computer in your car, once 271 or whoever doing the</p> <p>17 transport say they going in whatever, whatever, that</p> <p>18 time is generated on the computer.</p> <p>19 Q What's 262F?</p> <p>20 A 262. Okay. That means Lucky was not</p> <p>21 transported by wagon. He was transported by another</p> <p>22 tactical unit.</p> <p>23 Q And do you know which tactical unit?</p> <p>24 A It says 262 Frank.</p>
504	<p>1 Q Do you know what that was?</p> <p>2 A No, I don't.</p> <p>3 Q And then, there's a bunch of other times in</p> <p>4 this round there?</p> <p>5 A Yes.</p> <p>6 Q You see lock up, prints taken, photographs</p> <p>7 taken. Who throws -- release from lockup. Who throws</p> <p>8 those times in?</p> <p>9 A Those are generated from the lockup. From the</p> <p>10 process and then the lockup.</p> <p>11 Q Somebody else does that?</p> <p>12 A Somebody else does that.</p> <p>13 Q And what does it mean in the arrest processing</p> <p>14 report on the right side, time, last time called?</p> <p>15 A That's lockup procedure. Things that go on the</p> <p>16 lockup.</p> <p>17 Q Someone else puts those in there?</p> <p>18 A Yes.</p> <p>19 MR. BAZAREK: Scott, you're going into another?</p> <p>20 MR. RAUSCHER: Yeah. You want to take a break?</p> <p>21 Sure.</p> <p>22 THE VIDEOGRAPHER: Off the record. 2:48.</p> <p>23 (A brief recess was taken.)</p> <p>24 THE VIDEOGRAPHER: Back on the record at 2:57.</p>
505	<p>1 BY MR. RAUSCHER:</p> <p>2 Q Do you know who Andre McNary is?</p> <p>3 A I can't say that I do.</p> <p>4 Q Did you look at any pictures anywhere in your</p> <p>5 reports to prepare for your deposition today?</p> <p>6 A Yes.</p> <p>7 Q And did looking at those pictures and reports</p> <p>8 refresh your recollection at all about interacting with</p> <p>9 him?</p> <p>10 A No.</p> <p>11 MR. RAUSCHER: I'm just going to mark Exhibit</p> <p>12 41. This is an arrest report.</p> <p>13 (Exhibit 41, Arrest report, was marked for</p> <p>14 identification and is attached to the transcript.)</p> <p>15 Q Did you have a chance to look at this report?</p> <p>16 A Yes.</p> <p>17 Q You see that picture in the front?</p> <p>18 A Yes.</p> <p>19 Q Do you recognize that person?</p> <p>20 A No.</p> <p>21 Q And do you see this as an arrest report of an</p> <p>22 arrest from September 15, 2008?</p> <p>23 A Yes.</p> <p>24 Q And do you know if you participated in that</p>

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46 (506 to 509)

<p>506</p> <p>1 arrest in any way?</p> <p>2 A I don't remember.</p> <p>3 Q It's -- the location of the arrest is listed as</p> <p>4 657 East 40th Street, Chicago.</p> <p>5 A Yes.</p> <p>6 Q Was that in a CHA home?</p> <p>7 A I believe that's like a standard site area.</p> <p>8 Q No particular name to it?</p> <p>9 A I don't know. I don't remember.</p> <p>10 Q You see you're listed as an assisting officer</p> <p>11 on page 5 of the report?</p> <p>12 A Yes.</p> <p>13 MR. BAZAREK: Assisting arresting officers?</p> <p>14 MR. RAUSCHER: Yes. Assisting --</p> <p>15 Q It says assisting arresting officer, right?</p> <p>16 A Yes.</p> <p>17 Q Does seeing that refresh your recollection at</p> <p>18 all about what you may have been assisting with?</p> <p>19 A No.</p> <p>20 Q You see in the narrative, it says Event number</p> <p>21 12525, this is a on view arrest by 264 Housing Tactical</p> <p>22 Team?</p> <p>23 A Yes.</p> <p>24 Q What's an on view arrest?</p>	<p>508</p> <p>1 Q It is a valid arrest?</p> <p>2 A It's a valid arrest.</p> <p>3 Q But you don't have any personal knowledge of</p> <p>4 that?</p> <p>5 A Apparently I was there. I just don't remember</p> <p>6 it. The team or partner prepared it. I believe what's</p> <p>7 in this report is valid and true.</p> <p>8 Q Which of your partners prepared it?</p> <p>9 A This arrest report was prepared by Officer</p> <p>10 Nichols.</p> <p>11 Q What area was Nichols in? Or what beat was</p> <p>12 Nichols in?</p> <p>13 A According to this report, it was 264 Charlie.</p> <p>14 Q So when you say partner, you just don't mean</p> <p>15 partner in the way you would use it as to like who goes</p> <p>16 on the report?</p> <p>17 A No.</p> <p>18 Q You would say when you say partner --</p> <p>19 A It's a team member.</p> <p>20 Q Got it. So because your team member prepared</p> <p>21 the report, you assume it was true?</p> <p>22 A Yes. I don't assume. I know it's true.</p> <p>23 Q How would you know it's true if you didn't see</p> <p>24 it?</p>
<p>507</p> <p>1 A That means you go up and you observe whatever</p> <p>2 is going on.</p> <p>3 Q And do you know which members of the tactical</p> <p>4 team observed McNary doing the things that are described</p> <p>5 in this narrative report?</p> <p>6 A No.</p> <p>7 Q You don't know one way or the other whether it</p> <p>8 was you, right?</p> <p>9 A Pardon me?</p> <p>10 Q You don't know one way or the other whether you</p> <p>11 observed him do anything that day?</p> <p>12 A I don't recall this report at all.</p> <p>13 Q Or the incident?</p> <p>14 A Or the incident.</p> <p>15 Q How are the event numbers generated?</p> <p>16 A They are generated through a computer when you</p> <p>17 call in for a RD number.</p> <p>18 Q And when you're doing a reverse sting, do you</p> <p>19 get unique event numbers for each arrest?</p> <p>20 A I'm not sure.</p> <p>21 Q Okay. Did you frame Andre McNary?</p> <p>22 A No, I did not.</p> <p>23 Q Do you know whether this was a valid arrest?</p> <p>24 A It's a valid arrest as it is?</p>	<p>509</p> <p>1 A I just don't remember it. I didn't say I</p> <p>2 didn't see it. I don't remember the situation. I don't</p> <p>3 remember --</p> <p>4 Q So you don't know one way or the other whether</p> <p>5 you saw it?</p> <p>6 A I don't remember this situation or this</p> <p>7 occurrence on that day. Not that I didn't see it. I</p> <p>8 don't remember seeing it.</p> <p>9 Q But you know you did see it?</p> <p>10 MR. BAZAREK: Objection. It mischaracterizes</p> <p>11 what he said.</p> <p>12 A This meant a report is being there. I had to</p> <p>13 be there to be in this report. I just don't remember</p> <p>14 anything from this report or this situation.</p> <p>15 Q So is it your testimony now that when you're</p> <p>16 listed as an assisting arresting officer, you</p> <p>17 necessarily saw the illegal activity?</p> <p>18 MR. KOSOKO: Objection.</p> <p>19 A I didn't say necessarily. I was there at some</p> <p>20 point in time. I just do not remember this incident in</p> <p>21 any way.</p> <p>22 Q So that point in time could have been help with</p> <p>23 processing, it could have been getting ready for</p> <p>24 transport?</p>

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47 (510 to 513)

510	<p>1 A It could have been showing up and searching</p> <p>2 around to see if any other narcotics was in the area.</p> <p>3 It could have been anything? I just don't remember what</p> <p>4 it was.</p> <p>5 Q Right. So we agree that you may or may not</p> <p>6 have seen Andre McNary do anything that day?</p> <p>7 A No, I don't remember what happened that day.</p> <p>8 At all.</p> <p>9 Q Well, then, I don't what -- what's different</p> <p>10 about what you're saying and what I'm saying?</p> <p>11 A Because my opinion what I said is I don't</p> <p>12 remember. You're trying to get me to say, or your</p> <p>13 opinion of what I believe you're saying is well, if I</p> <p>14 didn't see nothing, I wasn't there. No, that's not what</p> <p>15 I'm saying.</p> <p>16 Q I'm not suggesting you definitely weren't</p> <p>17 there. I'm asking if you know one way or the other</p> <p>18 whether you saw Andre McNary do anything illegal?</p> <p>19 A I don't remember if I saw him do anything</p> <p>20 illegal.</p> <p>21 Q Okay. And because you don't remember, when you</p> <p>22 say that you know it was a valid arrest, you're relying</p> <p>23 on the report description; is that fair?</p> <p>24 A Yes, that's fair.</p>	512	<p>1 EXAMINATION BY COUNSEL FOR PLAINTIFFS:</p> <p>2 BY MR. FLAXMAN:</p> <p>3 Q Sir, my name is Joel Flaxman, I represent some</p> <p>4 of the plaintiffs in these cases. I'm going to ask you</p> <p>5 some questions about other cases. Do you understand</p> <p>6 that?</p> <p>7 A Yes, sir.</p> <p>8 Q And first of all what I want to ask you about</p> <p>9 is the arrest of Jermaine Coleman and Jabal Stokes on</p> <p>10 May 3rd, 2006. Do you remember either of those men?</p> <p>11 A No.</p> <p>12 Q Have you looked in a document to try to</p> <p>13 remember either of those men?</p> <p>14 A I looked at that arrest report and case report.</p> <p>15 Q And looking at that did not help you remember</p> <p>16 them?</p> <p>17 A Not at all.</p> <p>18 Q Were they documents that you made, that you</p> <p>19 prepared?</p> <p>20 A No.</p> <p>21 MR. FLAXMAN: Let's mark this exhibit.</p> <p>22 (Exhibit 42, Arrest report, was marked for</p> <p>23 identification and is attached to the transcript.)</p> <p>24 Q Do you recognize Exhibit 42 to be the arrest</p>
511	<p>1 Q And other than the report and the fact that you</p> <p>2 trust your partners, do you have any other basis to say</p> <p>3 that that was a valid arrest of Andre McNary?</p> <p>4 A I believe what's in the report is accurate,</p> <p>5 true, and it's a lawful arrest.</p> <p>6 Q I know. And I want to make sure --</p> <p>7 A Other than that?</p> <p>8 Q Other than the fact that it is written in the</p> <p>9 report and that you trust your partners from the TAC</p> <p>10 Team, do you have any other basis to believe that there</p> <p>11 was a valid arrest?</p> <p>12 A No.</p> <p>13 MR. RAUSCHER: All right. I don't have any</p> <p>14 other questions on McNary, so I think we're going to</p> <p>15 turn to some of those cases like we did yesterday.</p> <p>16 MR. BAZAREK: We had also covered Mr. Lucky</p> <p>17 Pearson?</p> <p>18 MR. RAUSCHER: Yes. We covered Mr. Lucky</p> <p>19 Pearson.</p> <p>20 MR. MICHALIK: Can we go off the record while</p> <p>21 we're setting up.</p> <p>22 THE VIDEOGRAPHER: Off the record. 3:04.</p> <p>23 (A discussion was held off the record.)</p> <p>24 THE VIDEOGRAPHER: Back on the record. 3:05.</p>	513	<p>1 report of Jermaine Coleman on May 3rd, 2006?</p> <p>2 A Yes.</p> <p>3 Q Is this -- did you review this document before</p> <p>4 the deposition?</p> <p>5 A Pardon me?</p> <p>6 Q Did you review this document before the</p> <p>7 deposition?</p> <p>8 A Yes.</p> <p>9 Q And did you create this arrest report?</p> <p>10 A Yes, I did.</p> <p>11 Q Did you misspeak when you told me before that</p> <p>12 you didn't make the reports for Mr. Coleman?</p> <p>13 A Did I?</p> <p>14 Q I thought I understood you to say that you</p> <p>15 didn't create reports about Mr. Coleman?</p> <p>16 A No, I didn't create. I thought you meant did I</p> <p>17 create the report to look at. I didn't pull the report</p> <p>18 to look at.</p> <p>19 Q Oh, I'm sorry. I misunderstood.</p> <p>20 A Yes.</p> <p>21 Q Let me ask you more.</p> <p>22 The precise question would be: Following the</p> <p>23 arrest on May 3rd of 2006, did you draft the arrest</p> <p>24 report that we're looking at, Exhibit number 42?</p>

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48 (514 to 517)

514	<p>1 A Yes.</p> <p>2 Q And do you remember drafting the arrest report</p> <p>3 in 2006?</p> <p>4 A No.</p> <p>5 Q And how do you know that you created the</p> <p>6 report?</p> <p>7 A Because I'm listed here as the first arresting</p> <p>8 officer and attesting officer, and I would have had to</p> <p>9 do that report to create it.</p> <p>10 Q And for the record, you're looking on Exhibit</p> <p>11 42 on page 3 of 5?</p> <p>12 A Yes.</p> <p>13 Q And you said you're listed as the attesting</p> <p>14 officer and the first arresting officer?</p> <p>15 A Yes.</p> <p>16 Q I know we've looked at some reports before</p> <p>17 where the attesting officer and the first arresting</p> <p>18 officer are different?</p> <p>19 A Yes.</p> <p>20 Q What does that mean to you when you see that?</p> <p>21 A That means in order to open this file the</p> <p>22 officer made this report, I would have had to be able to</p> <p>23 attest to it. So I opened this up to create this</p> <p>24 report.</p>	516	<p>1 number. Do you see that?</p> <p>2 A Yes.</p> <p>3 Q What is a CE number?</p> <p>4 A Central Booking Number.</p> <p>5 Q Okay. Is that something that you as the</p> <p>6 officer creating the report would obtain?</p> <p>7 A No.</p> <p>8 Q Okay. Where does the central booking number</p> <p>9 come from?</p> <p>10 A It comes when this report is generated.</p> <p>11 Q So it's computer generated?</p> <p>12 A Yes.</p> <p>13 Q Next line under that is the IR number. What's</p> <p>14 an IR number?</p> <p>15 A I believe that's the subject's rap sheet</p> <p>16 number.</p> <p>17 Q So every individual arrested has their own IR</p> <p>18 number?</p> <p>19 A Yes.</p> <p>20 Q Under that is a YD number. Do you know what</p> <p>21 that means?</p> <p>22 A That's usually when you have a juvenile.</p> <p>23 Q Would that be an identifier like an IR?</p> <p>24 A Yes. For juvenile, yes.</p>
515	<p>1 Q Okay. Let me try to ask that a different way</p> <p>2 then that's more clear.</p> <p>3 On other reports, we sometimes see that the</p> <p>4 attesting officer and the first arresting officer are</p> <p>5 different, right?</p> <p>6 A Yes.</p> <p>7 Q And when that is the case, are you able to tell</p> <p>8 who is the officer who wrote the report?</p> <p>9 A Actually wrote the narrative on the report?</p> <p>10 Q Yes.</p> <p>11 A No.</p> <p>12 Q But when it's the same, you can tell who wrote</p> <p>13 the narrative, right?</p> <p>14 A Yes.</p> <p>15 Q Did you take a look at the narrative of this</p> <p>16 report, Exhibit number 42?</p> <p>17 A Yes, I did.</p> <p>18 Q And does reviewing that help you remember the</p> <p>19 arrest of Jermaine Coleman on May 3rd, 2006?</p> <p>20 A No, it does not.</p> <p>21 Q Can I ask you to go back to the first page of</p> <p>22 Exhibit number 42?</p> <p>23 A Okay.</p> <p>24 Q On the top right, there's a box that says, CE</p>	517	<p>1 Q Under that is an RD number. What's an RD</p> <p>2 number?</p> <p>3 A That's the record division number for this</p> <p>4 report.</p> <p>5 Q And is that generated by the computer too?</p> <p>6 A Yes. No. Well, not necessarily. You call --</p> <p>7 it can be generated through computer or it can be</p> <p>8 printed, given to you via the radio from the dispatcher.</p> <p>9 Q Okay. I think there was a -- from talking</p> <p>10 about that earlier today about RD numbers covering more</p> <p>11 than one report?</p> <p>12 A Covering more than one report?</p> <p>13 Q Well, let me try to ask it in the right way.</p> <p>14 A CV number is unique to the arrest, right?</p> <p>15 A I believe that's yes.</p> <p>16 Q Does an RD number -- can an RD number cover</p> <p>17 multiple arrests?</p> <p>18 A Yes.</p> <p>19 Q Do you know who decides how many arrests go to</p> <p>20 each RD number?</p> <p>21 A Whoever preparing the case report and the</p> <p>22 arrest.</p> <p>23 Q Underneath RD number is event number. What's</p> <p>24 an event number?</p>

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<p style="text-align: right;">518</p> <p>1 A The events that happened throughout the day</p> <p>2 throughout the city, and these event numbers are</p> <p>3 generated via computer.</p> <p>4 Q Do you know what happens before they're</p> <p>5 generated?</p> <p>6 A What happens before?</p> <p>7 Q Let me ask it better.</p> <p>8 What causes an event number to be generated?</p> <p>9 A Some type of action of the officer calls into</p> <p>10 the dispatcher and asks for an event number. I mean an</p> <p>11 RD number. If an RD number is obtained, an event number</p> <p>12 is also generated.</p> <p>13 Q Are RD numbers and event numbers always the</p> <p>14 same?</p> <p>15 A No.</p> <p>16 Q When would there be multiple event numbers but</p> <p>17 not multiple RD number?</p> <p>18 A Multiple event numbers? No. One event</p> <p>19 number, one RD number. They go hand-in-hand.</p> <p>20 Q Okay. So any time there is an event -- okay</p> <p>21 you answered it. I won't ask it again.</p> <p>22 The next one is SID number. What does that</p> <p>23 mean?</p> <p>24 A I'm not really sure.</p>	<p style="text-align: right;">520</p> <p>1 Q And total NO arrested means total number</p> <p>2 arrested?</p> <p>3 A Yes.</p> <p>4 Q And that means that two people were arrested</p> <p>5 during this incident?</p> <p>6 A Yes.</p> <p>7 Q And that's something that the officer preparing</p> <p>8 the arrest report would fill out, right?</p> <p>9 A Yes.</p> <p>10 Q The box below that has charges. You see that?</p> <p>11 A Yes.</p> <p>12 Q And Mr. Coleman has, looks like three charges,</p> <p>13 right?</p> <p>14 A Yes.</p> <p>15 Q And who was responsible for filling out the</p> <p>16 charges section?</p> <p>17 A The person preparing this report.</p> <p>18 Q Do you know if there is a limit as to how many</p> <p>19 charges an officer preparing a report could put in?</p> <p>20 A No.</p> <p>21 Q Meaning you don't down if there was a limit?</p> <p>22 A There's no limit for charges.</p> <p>23 Q There's no limit. Thank you, sir.</p> <p>24 The next box says Recovered narcotics. Do you</p>
<p style="text-align: right;">519</p> <p>1 Q When you were creating arrest reports, for</p> <p>2 example, this one in May of 2006, would you be</p> <p>3 responsible for filling in the SE ID number -- the SID</p> <p>4 number?</p> <p>5 A I don't think so.</p> <p>6 Q Okay. Underneath those numbers, there's some</p> <p>7 information about Mr. Coleman; his name, address, and</p> <p>8 other stuff. You see that?</p> <p>9 A Yes.</p> <p>10 Q Was it your responsibility as the officer</p> <p>11 preparing the arrest report to obtain that information</p> <p>12 from the arrestee?</p> <p>13 A Yes.</p> <p>14 Q Okay. The box below that has Incident</p> <p>15 information. Do you see that?</p> <p>16 A Yes.</p> <p>17 Q Was it your responsibility as the officer</p> <p>18 preparing the arrest report to fill in that incident</p> <p>19 information?</p> <p>20 A Yes.</p> <p>21 Q One of the boxes or one of the things in that</p> <p>22 incident box is Total NO arrested. You see that?</p> <p>23 A What are you looking -- the total number</p> <p>24 arrested, it says two.</p>	<p style="text-align: right;">521</p> <p>1 see that?</p> <p>2 A Yes.</p> <p>3 Q Who is responsible for filling in that section?</p> <p>4 A Whoever is preparing the report.</p> <p>5 Q And you in this instance, right?</p> <p>6 A Yes.</p> <p>7 Q Is that the same answer for the Warrant section</p> <p>8 below that?</p> <p>9 A Yes.</p> <p>10 Q Going on the next page, there's a box that says</p> <p>11 Nonoffenders. You see that?</p> <p>12 A Yes.</p> <p>13 Q What's that box for?</p> <p>14 A I'm not sure.</p> <p>15 Q Have you ever used that box?</p> <p>16 A I'm not sure.</p> <p>17 Q The next box says Arrestee vehicle. You see</p> <p>18 that?</p> <p>19 A Yes.</p> <p>20 Q What's that box for?</p> <p>21 A You list the information for vehicle if the</p> <p>22 arrestee had one.</p> <p>23 Q And whose responsibility was it to complete</p> <p>24 that information?</p>

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50 (522 to 525)

522	<p>1 A The person making a report.</p> <p>2 Q The next box says Properties. Do you see that?</p> <p>3 A Yes.</p> <p>4 Q What's that for?</p> <p>5 A It's all properties confiscated are recorded</p> <p>6 in each access number.</p> <p>7 Q And that's a system for maintaining information</p> <p>8 about property?</p> <p>9 A Yes.</p> <p>10 Q If -- I guess this one says Not available on</p> <p>11 the automated arrest system. Do you see that?</p> <p>12 A Yes.</p> <p>13 Q Do you know what that means?</p> <p>14 A That means that an inventory wasn't created for</p> <p>15 his property, whatever, in the system where they cross</p> <p>16 and merge them together.</p> <p>17 Q It was not?</p> <p>18 A It was not.</p> <p>19 Q Okay. The next box says Incident narrative.</p> <p>20 You see that?</p> <p>21 A Yes.</p> <p>22 Q And at the top of that box, there's a sentence</p> <p>23 that says, The facts for probably cause to arrest, and</p> <p>24 -- all capitals -- TO SUBSTANTIATE THE CHARGES INCLUDED</p>	524	<p>1 A No, I won't say that.</p> <p>2 Q Okay. The next sentence says, During a</p> <p>3 narcotics surveillance. What's a narcotics surveillance?</p> <p>4 A That's when you sit and observe narcotics being</p> <p>5 sold.</p> <p>6 Q And that could mean observing that from any</p> <p>7 different location, right?</p> <p>8 A Yes.</p> <p>9 Q So you could have been in the car, right?</p> <p>10 A Could have been in the car.</p> <p>11 Q Could have been in a vacant apartment?</p> <p>12 A Could have been in a vacant apartment.</p> <p>13 Q Could have been on foot somewhere?</p> <p>14 A On foot somewhere. I just don't remember it.</p> <p>15 Q And probably other possibilities, right?</p> <p>16 A I just don't remember it, yes.</p> <p>17 Q The next sentence says, AO observed the above</p> <p>18 subject. And does that mean that you were the one who</p> <p>19 observed it?</p> <p>20 A Yes.</p> <p>21 Q The next sentence begins AO, with an S,</p> <p>22 Recovered the bag.</p> <p>23 Does that mean that -- well, what does that</p> <p>24 mean?</p>
523	<p>1 BUT YOU ARE NOT LIMITED TO THE FOLLOWING.</p> <p>2 Is that a description of what you as the</p> <p>3 officer preparing the report would put into this</p> <p>4 section?</p> <p>5 A Yes.</p> <p>6 Q And for this report, that's what you did by</p> <p>7 typing up this narrative, right?</p> <p>8 A When I typed this narrative, yes.</p> <p>9 Q This narrative begins by saying, It was an</p> <p>10 arrest by tactical units 264D, B and C. Is that right?</p> <p>11 A Yes.</p> <p>12 Q Were you unit D on this day?</p> <p>13 A Yes, I was.</p> <p>14 Q You can tell that by looking at your</p> <p>15 information on the third page; is that right?</p> <p>16 A Yes.</p> <p>17 Q Did your letter change from day-to-day?</p> <p>18 A Not -- no.</p> <p>19 Q So for the -- were you D --</p> <p>20 A Depending upon who -- if you was with a</p> <p>21 different partner, you'd either be whatever letter he</p> <p>22 was or whatever the (inaudible) --</p> <p>23 Q So you can't say, I mean you wouldn't say that</p> <p>24 the whole time you were on the 264 team you were 264D?</p>	525	<p>1 A It says AOs recovered the bags.</p> <p>2 Q Oh, I'm sorry.</p> <p>3 And what does it mean when the report refers to</p> <p>4 AOs with an S?</p> <p>5 A It means arresting officers.</p> <p>6 Q Okay. And can you tell who the arresting</p> <p>7 officers are by looking at other parts of the report?</p> <p>8 A It looks like listed here, the first arresting</p> <p>9 officer would be myself, and the second arresting</p> <p>10 officer would be Officer Smith.</p> <p>11 Q And the fifth page of the report lists five</p> <p>12 assisting arresting officers. Do you see that?</p> <p>13 A Yes.</p> <p>14 Q Could those people be included in that</p> <p>15 reference in the narrative to AOs?</p> <p>16 A Could have been.</p> <p>17 Q Okay. But because you don't remember this one,</p> <p>18 you don't know whether you -- they are or are not?</p> <p>19 A Correct, I don't remember.</p> <p>20 Q Okay. And going further into the narrative,</p> <p>21 I'm skipping ahead two sentences. It starts, The</p> <p>22 subject was placed in custody. You see where I am?</p> <p>23 A Subject, yes.</p> <p>24 Q Okay. You are not able to tell from the report</p>

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51 (526 to 529)

526	<p>1 who was the one who placed Mr. Coleman in custody,</p> <p>2 right?</p> <p>3 A No.</p> <p>4 Q And you don't know, right?</p> <p>5 A I don't remember.</p> <p>6 Q You don't remember. Sorry.</p> <p>7 And the next thing it says is that, A custodial</p> <p>8 search revealed a clear plastic bag with 31 Ziploc</p> <p>9 baggies with a -- with a white rock-like substance</p> <p>10 substance. Suspect crack cocaine inside his right front</p> <p>11 pants pocket.</p> <p>12 Did I read that right?</p> <p>13 A Believe yes.</p> <p>14 Q And from the report, you can't tell who did</p> <p>15 that custodial search, right?</p> <p>16 A No.</p> <p>17 Q And do you remember who did that custodial</p> <p>18 search?</p> <p>19 A No.</p> <p>20 Q The next sentence refers to \$256 that were</p> <p>21 recovered from Mr. Coleman. You see that?</p> <p>22 A Yes.</p> <p>23 Q Okay. From the report, can you tell who was</p> <p>24 the one who recovered that money?</p>	528	<p>1 A A location code.</p> <p>2 Q So based on that code, you're able to tell it</p> <p>3 was somewhere within that address, right?</p> <p>4 A Yes.</p> <p>5 Q Was that one of the -- what was 575 East</p> <p>6 Browning?</p> <p>7 A Ida B. Wells extension high-rise building.</p> <p>8 Q Did you know there to be a lot of narcotics</p> <p>9 activity at that building in May of 2006?</p> <p>10 A Yes.</p> <p>11 Q Did you know who controlled that building in</p> <p>12 May of 2006?</p> <p>13 A I don't remember.</p> <p>14 Q And I know you said you don't recall arresting</p> <p>15 Mr. Coleman on May 3rd of 2006. Do you have any</p> <p>16 recollection of Mr. Coleman from any other dates?</p> <p>17 A No.</p> <p>18 Q I'm on the last page of this report, 5 of 5.</p> <p>19 We looked before at the assisting arresting officers.</p> <p>20 Do you see them?</p> <p>21 A Yes.</p> <p>22 Q And it looks like -- I'm not sure. Am I right</p> <p>23 that Officer Gonzalez and Officer Bolton were on 264B,</p> <p>24 as in boy, that day?</p>
527	<p>1 A No, I could not.</p> <p>2 Q Would any other kind of report say who</p> <p>3 recovered the bags and who recovered the money?</p> <p>4 A I don't know. I don't see them. I don't know.</p> <p>5 Q That might be on an inventory report?</p> <p>6 A That might be on an inventory report.</p> <p>7 Q Okay. But you don't remember as we sit here</p> <p>8 today who recovered the \$256, right?</p> <p>9 A No.</p> <p>10 Q And going back to the front page. You see what</p> <p>11 the arrest location is?</p> <p>12 A Yes.</p> <p>13 Q And what is the location of the arrest?</p> <p>14 A 575 East Browning.</p> <p>15 Q Okay. Does it tell where at that address Mr.</p> <p>16 Coleman was arrested?</p> <p>17 A It says CHA hallway stair elevator.</p> <p>18 Q Based on the report, are you able to narrow it</p> <p>19 down?</p> <p>20 A No.</p> <p>21 Q But the -- but is the hallway stair elevator,</p> <p>22 is that exactly number 122?</p> <p>23 A Yes.</p> <p>24 Q What does 122 mean?</p>	529	<p>1 A Yes.</p> <p>2 Q And Officer Leono and Officer Nichols were</p> <p>3 264C, as in Charlie; is that right?</p> <p>4 A Yes.</p> <p>5 Q And Officer Mohammed was 264D, as in David,</p> <p>6 correct?</p> <p>7 A Yes.</p> <p>8 Q Does that mean that Mohammed, Jones -- I'm</p> <p>9 sorry. Does that mean that you, Officer Elsworth Smith</p> <p>10 and Officer Mohammed were partners on this day?</p> <p>11 A Yes.</p> <p>12 Q What does it mean to have -- what does it mean</p> <p>13 that you -- that the three of you were partners that</p> <p>14 day?</p> <p>15 A That means the three of us would have been</p> <p>16 riding a vehicle together. It would have been a</p> <p>17 three-man car that day.</p> <p>18 Q Who made the decision that the three of you</p> <p>19 would be partners?</p> <p>20 A I don't know who made the decision. That means</p> <p>21 it was a odd person. Usually send two out. It was a</p> <p>22 odd three. The three of us were together.</p> <p>23 Q So a normal -- normally --</p> <p>24 A It's two.</p>

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52 (530 to 533)

530	<p>1 Q And who is your partner typically on the 264</p> <p>2 team?</p> <p>3 A I don't remember who my partner typically was</p> <p>4 at that time.</p> <p>5 Q Over the whole time you were on the 264 team,</p> <p>6 was there somebody who was your partner more often than</p> <p>7 anyone else?</p> <p>8 A I had a partner, Kenny Young. I was partners</p> <p>9 with Elsworth Smith. I had a regular partner, Caroline</p> <p>10 Smith.</p> <p>11 Q How long would those partnerships last?</p> <p>12 A How long did they last?</p> <p>13 Q Yes.</p> <p>14 A I'm not sure.</p> <p>15 Q Did you decide who to be partners with?</p> <p>16 A Excuse me?</p> <p>17 Q Would you make the decision who to be partners</p> <p>18 with?</p> <p>19 A It would part of my decision who I wanted to be</p> <p>20 partner with.</p> <p>21 Q Would your sergeant sometimes assign you to a</p> <p>22 partner?</p> <p>23 A If I needed partner, he would.</p> <p>24 Q But if you and another person on the team</p>	532	<p>1 A Yes.</p> <p>2 Q Can you tell if they were arrested in the same</p> <p>3 location?</p> <p>4 A Yes.</p> <p>5 Q How can you tell what?</p> <p>6 A It had the same address and location. At the</p> <p>7 same time.</p> <p>8 Q Is it possible that one of them was arrested in</p> <p>9 the hallway and one of them was arrested in the</p> <p>10 stairwell?</p> <p>11 A No.</p> <p>12 Q Why not?</p> <p>13 A I don't know.</p> <p>14 Q I'm sorry?</p> <p>15 A I don't know. I don't remember it.</p> <p>16 Q Is it possible that one of them was arrested in</p> <p>17 an elevator and one of them was arrested in the hallway?</p> <p>18 A I don't know.</p> <p>19 Q You can't tell if they were together when they</p> <p>20 were arrested?</p> <p>21 A I don't know. I don't remember the incident.</p> <p>22 Q Can you tell from the reports if they were</p> <p>23 together when they were arrested?</p> <p>24 A Not from this report, I can't tell.</p>
531	<p>1 decided to be partners, the sergeant would --</p> <p>2 A He would be okay.</p> <p>3 Q And do you know why you had a -- were a part of</p> <p>4 a three-man team on that day?</p> <p>5 A No, don't. I don't remember.</p> <p>6 Q Would it be possible that you would be on a</p> <p>7 three-man team if a member of the team was out sick?</p> <p>8 A Yes.</p> <p>9 MR. FLAXMAN: I'm going to mark the next</p> <p>10 exhibit.</p> <p>11 (Exhibit 43, Arrest report, was marked for</p> <p>12 identification and is attached to the transcript.)</p> <p>13 Q Did you take a look at it?</p> <p>14 A Yes.</p> <p>15 Q Do you recognize Exhibit 43 as the arrest</p> <p>16 report of Jabal Stokes on May 3rd, 2006?</p> <p>17 A Yes.</p> <p>18 Q Did you write this report?</p> <p>19 A Yes.</p> <p>20 Q And do you remember the arrest of Jabal Stokes</p> <p>21 on May 3rd, 2006?</p> <p>22 A No.</p> <p>23 Q Based on looking at the reports, were Mr.</p> <p>24 Stokes and Mr. Coleman arrested at the same time?</p>	533	<p>1 Q Is there another report that would tell you?</p> <p>2 A Maybe the case report but I don't -- I say I</p> <p>3 don't remember the incident.</p> <p>4 Q Okay. The only -- well, if you could turn to</p> <p>5 the fourth page of the arrest report Mr. Stokes, Exhibit</p> <p>6 43.</p> <p>7 A Yes.</p> <p>8 Q This page has a section called The arresting</p> <p>9 processing report, correct?</p> <p>10 A Yes.</p> <p>11 Q And I think what you testified earlier is that</p> <p>12 the only thing that you as the officer preparing the</p> <p>13 arrest report do in the arrestee processing report is</p> <p>14 the transport detail section, right?</p> <p>15 A Yes.</p> <p>16 Q The rest of it's done by other personnel at the</p> <p>17 police station?</p> <p>18 A Yes.</p> <p>19 Q But as the officer print the arrest report, you</p> <p>20 fill in this information next to Transport details?</p> <p>21 A Yes.</p> <p>22 Q What does two PO mean?</p> <p>23 A It means two POs on the vehicle.</p> <p>24 Q So the vehicle that transported Mr. Stokes had</p>

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<p style="text-align: right;">534</p> <p>1 two police officers?</p> <p>2 A 271 yes, sir, would have had two police</p> <p>3 officers.</p> <p>4 Q And what does 271 mean?</p> <p>5 A It's a squad roll. Paddy wagon.</p> <p>6 Q And what does the date and time mean for the</p> <p>7 transport details?</p> <p>8 A It's the time he was transported.</p> <p>9 Approximately 19:30 hours on the 3rd of May 2006.</p> <p>10 Q Meaning that's when they left the --</p> <p>11 A Should have been leaving going to the station.</p> <p>12 Q I'm sorry, let me just finish the question.</p> <p>13 A I'm sorry.</p> <p>14 Q That's the date and time when they left the</p> <p>15 area of arrest to be taken to the station?</p> <p>16 A Yes.</p> <p>17 Q And that's an approximate time that you --</p> <p>18 A That's an approximate time, yes.</p> <p>19 Q How would you determine that approximate time?</p> <p>20 A By looking at a watch, looking at a clock, one</p> <p>21 of those various timepieces or something like that.</p> <p>22 Q Is it the same answer for how you would</p> <p>23 determine the arrest date and time on the report?</p> <p>24 A Approximately, yes.</p>	<p style="text-align: right;">536</p> <p>1 Q And are those Elsworth Smith's and Kallatt</p> <p>2 Mohammed's signatures underneath their names?</p> <p>3 A No, I signed their names.</p> <p>4 Q Why did you sign their names?</p> <p>5 A Because I prepared the report. They were my</p> <p>6 partners that day.</p> <p>7 Q Is that your standard practice?</p> <p>8 A Sometimes, yes.</p> <p>9 Q Why did you put two names in that second box</p> <p>10 for reporting officers?</p> <p>11 A I just put both my partners' name in that box.</p> <p>12 I figured I could fit them in there, and I put them in</p> <p>13 there.</p> <p>14 Q Next to their names is a box that says, Date</p> <p>15 investigation completed. You see that?</p> <p>16 A Yes.</p> <p>17 Q And is that -- would you put the information</p> <p>18 into that box?</p> <p>19 A Yes.</p> <p>20 Q And what -- what does that mean?</p> <p>21 A That's the time I completed the processing of</p> <p>22 the arrest.</p> <p>23 Q Meaning that's when you finished your reports?</p> <p>24 A Pretty much I had finished all of them by then.</p>
<p style="text-align: right;">535</p> <p>1</p> <p>2 (Exhibit 44, Vice case report, was marked for</p> <p>3 identification and is attached to the transcript.)</p> <p>4 Q Do you recognize Exhibit 44 as the vice case</p> <p>5 report for the arrests of Mr. Coleman and Mr. Stokes on</p> <p>6 May 3rd, 2006?</p> <p>7 A Yes.</p> <p>8 Q Did you prepare this report?</p> <p>9 A Yes.</p> <p>10 Q Did you look at this report prior to this</p> <p>11 deposition?</p> <p>12 A Pardon?</p> <p>13 Q Did you look at this before today's deposition?</p> <p>14 A Yes, I looked at it.</p> <p>15 Q Do you remember preparing this report?</p> <p>16 A No.</p> <p>17 Q And how do you know that you prepared it?</p> <p>18 A Because it's my name and my signature there as</p> <p>19 the reporting officer in the first box there, 45.</p> <p>20 Q And you could tell that you are the one who</p> <p>21 signed this, right?</p> <p>22 A Yes.</p> <p>23 Q Who's listed in the -- in 46?</p> <p>24 A Elsworth Smith and Kallatt Mohammed.</p>	<p style="text-align: right;">537</p> <p>1 Should have.</p> <p>2 Q And next to that is a box for Supervisor</p> <p>3 approving. You see that?</p> <p>4 A Yes.</p> <p>5 Q Did you fill in that information as the one</p> <p>6 preparing the report?</p> <p>7 A Like I printed in there.</p> <p>8 Q Okay. But you wouldn't sign for --</p> <p>9 A I wouldn't sign for it.</p> <p>10 Q You wouldn't sign for your sergeant, right?</p> <p>11 A No.</p> <p>12 Q Do you know why there is no signature on this</p> <p>13 one?</p> <p>14 A No.</p> <p>15 Q Before an arrestee goes into the lockup, should</p> <p>16 the supervisor sign the -- that box for approval</p> <p>17 signature?</p> <p>18 MR. KOSOKO: Objection. Form. Foundation.</p> <p>19 A Not the case report. The case report is just</p> <p>20 for him to approve it.</p> <p>21 Q Does the supervisor have to approve something</p> <p>22 before -- something else before an arrestee goes into</p> <p>23 the lockup?</p> <p>24 A Usually he would. I don't know why the</p>

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538	<p>1 signature isn't on this one.</p> <p>2 Q Having reviewed the narrative in this vice case</p> <p>3 report, do you have a -- more of an understanding of</p> <p>4 Watts -- oh, I'm sorry. I will strike that again.</p> <p>5 Does the narrative in this vice case report</p> <p>6 have more details about the event you wrote up in the</p> <p>7 arrest reports?</p> <p>8 A Yes.</p> <p>9 Q And is that typical for the vice case report to</p> <p>10 contain more details?</p> <p>11 A Yes.</p> <p>12 Q Let me ask you about some parts of the</p> <p>13 narrative on the second page of the vice case report.</p> <p>14 Are you there?</p> <p>15 A Yes, sir.</p> <p>16 Q The first line is a continuing from f the</p> <p>17 previous page about the items that were inventoried; is</p> <p>18 that right?</p> <p>19 A Yes.</p> <p>20 Q And that line item with lot X's, do you see</p> <p>21 that?</p> <p>22 A Yes.</p> <p>23 Q What does that mean?</p> <p>24 A That's because I didn't want anything typed on</p>	540	<p>1 Q Okay. When you wrote your report, would you</p> <p>2 have known who received the information?</p> <p>3 A I don't know who would have received the</p> <p>4 information at the time. I don't know.</p> <p>5 Q What does -- who does RO refer to?</p> <p>6 A Reporting officers.</p> <p>7 Q And are the reporting officers you and your two</p> <p>8 partners back then?</p> <p>9 A I have the three of us, and I have all the --</p> <p>10 all the rest of the team listed also.</p> <p>11 Q So any of the officers listed on here could be</p> <p>12 included in the narrative with reference to ROs there?</p> <p>13 A Yes.</p> <p>14 Q And I understand that at this time, you don't</p> <p>15 remember who it was who got the information. What I</p> <p>16 want to the know is on the day that you were involved in</p> <p>17 this operation, would you have known who got that</p> <p>18 information?</p> <p>19 A I don't remember.</p> <p>20 Q Is it possible that you completed an arrest</p> <p>21 report saying that someone on your team received</p> <p>22 information from a concerned citizen, but you never knew</p> <p>23 which person it was on our team who got that</p> <p>24 information?</p>
539	<p>1 behind that. I wanted to start the summary part of the</p> <p>2 narrative on the next line. I didn't want anything to</p> <p>3 go in -- in there.</p> <p>4 Q Did you make this on the typewriter?</p> <p>5 A Yes.</p> <p>6 Q At this time in 2006, would you also use a</p> <p>7 computer to make the arrest reports?</p> <p>8 A Yes.</p> <p>9 Q So there was a period where you were using both</p> <p>10 computers and typewriters?</p> <p>11 A Yes.</p> <p>12 Q Do you know when you stopped using typewriters?</p> <p>13 A No.</p> <p>14 Q All right. The second line says, In summary,</p> <p>15 ROs received information from a concerned citizen.</p> <p>16 You see that?</p> <p>17 A Yes.</p> <p>18 Q Do you know who it was who received the</p> <p>19 information?</p> <p>20 A No.</p> <p>21 Q Did you know at the time?</p> <p>22 A No. I don't remember this.</p> <p>23 Q I--</p> <p>24 A I don't remember who it was.</p>	541	<p>1 A No.</p> <p>2 Q So at that time, you didn't know?</p> <p>3 A I probably would have known, yes.</p> <p>4 Q And at the time, would you have known who the</p> <p>5 concerned citizen was?</p> <p>6 A Not necessarily.</p> <p>7 Q If the -- if you were the one who got the</p> <p>8 information, in that case, you would?</p> <p>9 A If I got the information firsthand, I</p> <p>10 definitely would have known.</p> <p>11 Q Were there times when you got information</p> <p>12 firsthand from concerned citizens at Ida B. Wells?</p> <p>13 A Yes.</p> <p>14 Q But you can't remember if this arrest -- if</p> <p>15 this report we are looking at now is one of those times?</p> <p>16 A Right.</p> <p>17 Q This says that The citizen stated that drug</p> <p>18 dealers were selling narcotics in the hallway on the</p> <p>19 second floor. You see that?</p> <p>20 A Yes.</p> <p>21 Q Was that common that drug dealers would sell</p> <p>22 narcotics on the second floor of a high-rise?</p> <p>23 MR. KOSOKO: Objection. Form and foundation.</p> <p>24 A It could be on the second floor. It was</p>

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<p style="text-align: right;">542</p> <p>1 possible it could be on the first floor, second floor,</p> <p>2 third floor. However high up they felt safe.</p> <p>3 Q Safe from police?</p> <p>4 A Yes.</p> <p>5 Q And this says that, The citizen also stated</p> <p>6 that drug dealers would go to higher floors when police</p> <p>7 would come and hide some -- and hide inside unknown</p> <p>8 apartments until they were gone.</p> <p>9 A Yes.</p> <p>10 Q Was that common that drug dealers would run to</p> <p>11 higher floors -- would go to higher floors and hide</p> <p>12 inside unknown apartments?</p> <p>13 A Yes.</p> <p>14 Q The next one says, ROs went to that location</p> <p>15 and left three ROs behind to set up surveillance inside</p> <p>16 the building.</p> <p>17 Do you see that?</p> <p>18 A Yes.</p> <p>19 Q Do you know who the three ROs setting up</p> <p>20 surveillance were?</p> <p>21 A No, I do not.</p> <p>22 Q Could it have been -- could you have been one</p> <p>23 of them?</p> <p>24 A Possibly.</p>	<p style="text-align: right;">544</p> <p>1 different floor from somebody you were kind of</p> <p>2 surveilling?</p> <p>3 A You could be listening down through the hallway</p> <p>4 for whatever is going on.</p> <p>5 Q So you consider listening in on drug dealers to</p> <p>6 be surveillance?</p> <p>7 A That was a surveillance, yes.</p> <p>8 Q The next sentence says, After being on</p> <p>9 surveillance for a while, RO heard individuals in the</p> <p>10 hallway yelling we're open.</p> <p>11 When you wrote in the report RO without an S,</p> <p>12 did you mean yourself?</p> <p>13 A I probably would have meant that.</p> <p>14 Q And obviously you don't remember this, but I'm</p> <p>15 asking what you meant in your report?</p> <p>16 A I probably would have meant that.</p> <p>17 Q Okay. Do you know what here we're open means?</p> <p>18 A Yes.</p> <p>19 Q What does it mean?</p> <p>20 A That means that they're getting ready to start</p> <p>21 selling drugs again.</p> <p>22 Q The next sentence says, At this time, RO called</p> <p>23 for enforcement. You see that?</p> <p>24 A Based on the way it's written, I did.</p>
<p style="text-align: right;">543</p> <p>1 Q Do you know where they set up surveillance?</p> <p>2 A No.</p> <p>3 Q Were there times when you'd set up surveillance</p> <p>4 inside of one of the high-rises at Ida B. Wells?</p> <p>5 A Yes.</p> <p>6 Q And where could you set up surveillance?</p> <p>7 A In a vacant apartment, in a garbage room. In</p> <p>8 somebody else's apartment.</p> <p>9 Q So an occupied apartment, the tenant might</p> <p>10 allow you to use?</p> <p>11 A Yes.</p> <p>12 Q What's the garbage room?</p> <p>13 A Where they drop the garbage down the garbage</p> <p>14 chute downstairs.</p> <p>15 Q So there were times where you were doing</p> <p>16 surveillance in one of those rooms?</p> <p>17 A Yes.</p> <p>18 Q Can you think of any other locations inside of</p> <p>19 a high-rise at Ida B. Wells where you can set up</p> <p>20 surveillance?</p> <p>21 A In those high-rise floors, you can go -- the</p> <p>22 higher -- the highest you can go is the seventh floor.</p> <p>23 In the hallway somewhere up higher than them.</p> <p>24 Q How could you do surveillance if you were on a</p>	<p style="text-align: right;">545</p> <p>1 Q Based upon what's written, you're the one who</p> <p>2 did the -- made that call?</p> <p>3 A Based on the way it's written.</p> <p>4 Q And what does it mean to call for enforcement?</p> <p>5 A That means we call for the other officers that</p> <p>6 were on the team to come back to the building that</p> <p>7 location.</p> <p>8 Q And did you say -- would you have said</p> <p>9 something to them?</p> <p>10 A Over the radio. I would radio them. On the</p> <p>11 radio or possibly made a phone call.</p> <p>12 Q Would you have communicated you heard</p> <p>13 individuals saying we're open?</p> <p>14 A Yes.</p> <p>15 Q What did it mean for officers to be assigned to</p> <p>16 enforcement?</p> <p>17 A That means they would come in -- come in and</p> <p>18 stop the people as we came down.</p> <p>19 Q Going to the next line, in the middle, it says,</p> <p>20 Upon arriving on the second floor hallway landing, R/O</p> <p>21 observed both offenders holding clear plastic bags with</p> <p>22 suspect narcotics.</p> <p>23 Do you see that?</p> <p>24 A Yes.</p>

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546	<p>1 Q And as it's written, does that refer to you</p> <p>2 observing both offenders?</p> <p>3 A As it's written, that would have been me.</p> <p>4 Q But you can't remember if you were the one who</p> <p>5 saw them?</p> <p>6 A I don't remember - I don't remember this</p> <p>7 incident.</p> <p>8 Q Would you have to written R/O on a report that</p> <p>9 you were writing to refer to somebody other than</p> <p>10 yourself?</p> <p>11 A No.</p> <p>12 Q And I know when we looked at the arrest</p> <p>13 reports, we couldn't see where Mr. Coleman and Mr.</p> <p>14 Stokes were arrested.</p> <p>15 Looking at this, does this report state that</p> <p>16 they were rested together in that second floor hallway</p> <p>17 landing?</p> <p>18 A Yes.</p> <p>19 Q And what is the second floor hallway landing?</p> <p>20 A That's the area on the second floor that we</p> <p>21 were.</p> <p>22 Q Okay. So I know what a hallway is. That's --</p> <p>23 A There --</p> <p>24 Q Hallway is in the middle of the building and</p>
547	<p>1 the apartments are off the hallway, right?</p> <p>2 A Right.</p> <p>3 Q What's the hallway landing?</p> <p>4 A Well, when you get to the bottom or the top of</p> <p>5 the stairs, there's a landing there before you step out</p> <p>6 onto the floor there. And on the second floor, there is</p> <p>7 a landing there.</p> <p>8 Q Were there doors between the hallways and the</p> <p>9 stairwell?</p> <p>10 A Doors between the hallway and the stair. On</p> <p>11 some floors.</p> <p>12 Q Okay. Do you know if there was one on the</p> <p>13 second floor at 575 East Browning in May 2006?</p> <p>14 A I don't remember this incident.</p> <p>15 Q Okay. So you don't remember?</p> <p>16 A No, I do not.</p> <p>17 Q When you wrote second floor hallway landing,</p> <p>18 did you mean a part of the second floor hallway that was</p> <p>19 near the stairs?</p> <p>20 A I don't know.</p> <p>21 Q You don't know what an hallway landing is?</p> <p>22 A I don't recall this incident so I don't know.</p> <p>23 Q Okay. Based on your experience and practice</p> <p>24 writing reports, do you know what the second floor</p>
548	<p>1 hallway landing refer to?</p> <p>2 A The landing would probably be the area in the</p> <p>3 hallway there on the second floor. There is room to</p> <p>4 stand there on that landing before you go up the stairs,</p> <p>5 there is room to stand there before you step out onto</p> <p>6 the actual second floor area.</p> <p>7 Q So this was referring to an area near the</p> <p>8 stairs?</p> <p>9 A Based on the way it's written, yes.</p> <p>10 Q And this report also refers to unknown</p> <p>11 individuals who fled down the stairs?</p> <p>12 A Yes.</p> <p>13 Q Then after that, it says, ROs detained both</p> <p>14 offenders, right?</p> <p>15 A Yes.</p> <p>16 Q And you don't know who that refers to, correct?</p> <p>17 A Correct.</p> <p>18 Q The same for the next sentence about ROs</p> <p>19 recovered, you don't know which ROS that refers to,</p> <p>20 right?</p> <p>21 A Correct.</p> <p>22 Q But it could refer to any of the officers who</p> <p>23 are listed either as the reporting officers or as the</p> <p>24 officers higher up on the first page of your report,</p>
549	<p>1 correct?</p> <p>2 A It would refer to one of the officers higher</p> <p>3 up.</p> <p>4 Q Why do you say that?</p> <p>5 A Because they came down upon them there. We --</p> <p>6 enforcement would have been coming up. Based where this</p> <p>7 is written, it says the ROs who had arrived on that</p> <p>8 landing.</p> <p>9 Q So is it your understand that the three</p> <p>10 surveillance officers were yourself, Smith and Mohammed?</p> <p>11 A I don't know.</p> <p>12 Q So if -- okay. Is it your understanding that</p> <p>13 the officers who placed these men in custody were part</p> <p>14 of the enforcement team?</p> <p>15 A I don't know.</p> <p>16 Q Okay. Maybe I misunderstood. On the first</p> <p>17 page of the report, there are two places that list the</p> <p>18 arresting officers, correct?</p> <p>19 A Yes.</p> <p>20 Q At the bottom, there is Jones, Smith and</p> <p>21 Mohammed right?</p> <p>22 A Yes.</p> <p>23 Q At the top, there's those three, and also</p> <p>24 Bolton, Watts, Gonzalez, Leono and Nichols, right?</p>

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57 (550 to 553)

<p style="text-align: right;">550</p> <p>1 A Yes.</p> <p>2 Q And was it your testimony that the officers who</p> <p>3 placed these two men in custody were listed at the top?</p> <p>4 A Based upon the way this is written, the people</p> <p>5 who placed them in custody were the surveillance</p> <p>6 officers who came down and met them.</p> <p>7 Q Okay. Do you know who those officers were?</p> <p>8 A No, I do not.</p> <p>9 Q Based on how it's written, do you think you</p> <p>10 were one of them?</p> <p>11 A I don't remember.</p> <p>12 Q Let's mark this next exhibit.</p> <p>13 (Exhibit 45, Arrest inventory sheet, was marked</p> <p>14 for identification and is attached to the transcript.)</p> <p>15 Q Let me know when you have looked at it.</p> <p>16 A Yes. I read it.</p> <p>17 Q All right. Did you look at both sides?</p> <p>18 A I'm sorry.</p> <p>19 Okay.</p> <p>20 Q Just looking at the first page of Exhibit 45,</p> <p>21 do you recognize this as an inventory sheet for the</p> <p>22 arrest of Jermaine Coleman that we have been talking</p> <p>23 about?</p> <p>24 A Yes.</p>	<p style="text-align: right;">552</p> <p>1 from Jabal Stokes during the arrest we've been just</p> <p>2 talking about?</p> <p>3 A Yes.</p> <p>4 Q Do you know if you created this inventory</p> <p>5 sheet?</p> <p>6 A No, I do not.</p> <p>7 Q Who does this inventory sheet say recovered the</p> <p>8 money from Mr. Stokes?</p> <p>9 A Officer Smith.</p> <p>10 Q Is that by your looking in the found by box?</p> <p>11 A Yes.</p> <p>12 Q And when you have created inventory sheets, has</p> <p>13 it been your practice to list the officer who found the</p> <p>14 property listed in that found by box?</p> <p>15 A Yes.</p> <p>16 Q Were you trained to do that?</p> <p>17 A Yes.</p> <p>18 Q And you expect other officers to do that,</p> <p>19 right?</p> <p>20 A Yes.</p> <p>21 Q Turning that page over. I'm on the back of</p> <p>22 Exhibit 46. Is this an inventory sheet for narcotics</p> <p>23 that were taken from Mr. Stokes during the arrest we've</p> <p>24 been discussing?</p>
<p style="text-align: right;">551</p> <p>1 Q And this shows that \$256 was taken from Mr.</p> <p>2 Coleman?</p> <p>3 A Yes.</p> <p>4 Q Did you prepare this inventory sheet?</p> <p>5 A I don't know. I can't tell.</p> <p>6 Q Does this inventory sheet state that you were</p> <p>7 the one who found the \$256?</p> <p>8 A Yes.</p> <p>9 Q Turning you to page -- over to the second page</p> <p>10 of Exhibit 45. Is this an inventory sheet for this</p> <p>11 arrest of Jermaine Coleman showing of the narcotics that</p> <p>12 was taken from Mr. Coleman?</p> <p>13 A Yes, it shows that I returned it back.</p> <p>14 Q It shows that you were the one who took the</p> <p>15 narcotics from Mr. Coleman?</p> <p>16 A This says found by myself.</p> <p>17 Q Okay. So that -- and are you able to tell if</p> <p>18 you created this inventory sheet?</p> <p>19 A No, I'm not.</p> <p>20 Q Let me show you another exhibit.</p> <p>21 (Exhibit 46, Inventory sheet, was marked for</p> <p>22 identification and is attached to the transcript.)</p> <p>23 Q Now, do you recognize the first page of Exhibit</p> <p>24 46 as an inventory sheet for money that was recovered</p>	<p style="text-align: right;">553</p> <p>1 A Yes. It says Elsworth Smith recovered</p> <p>2 narcotics from him.</p> <p>3 Q And you said yes, this is an inventory sheet</p> <p>4 for narcotics taken from Mr. Stokes?</p> <p>5 A That were recovered from Mr. Stokes.</p> <p>6 Q I'm sorry, what do you -- where do you see the</p> <p>7 difference between recovered and taking?</p> <p>8 A It's just acting like we took something from</p> <p>9 him. He recovered.</p> <p>10 Q Okay. And I -- I want to have the right</p> <p>11 languages. You think that when I am saying taken, it</p> <p>12 has some negative connotation?</p> <p>13 A Yes.</p> <p>14 Q But you were taking drugs off -- you were</p> <p>15 getting drugs off the street, it wasn't something bad,</p> <p>16 right?</p> <p>17 A He recovered narcotics from Mr. Stokes. Mr.</p> <p>18 Smith, Officer Smith did.</p> <p>19 Q Based on this second page -- based on the</p> <p>20 second page of Exhibit 46, you believe that Elsworth</p> <p>21 Smith recovered the narcotics from Mr. Stokes, right?</p> <p>22 A Yes.</p> <p>23 Q Okay. Do you know if you prepared this</p> <p>24 inventory sheet?</p>

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58 (554 to 557)

554	556
<p>1 A No.</p> <p>2 Q Let me show you another, starting with this --</p> <p>3 MR. RAUSCHER: But let's take a short break.</p> <p>4 Can we go off the record for a second.</p> <p>5 (Exhibit 47, General defense case report, was</p> <p>6 marked for identification and is attached to the</p> <p>7 transcript.)</p> <p>8 THE VIDEOGRAPHER: Off the record. 3:58.</p> <p>9 (A discussion was held off the record.)</p> <p>10 THE VIDEOGRAPHER: Back on the record. 3:59.</p> <p>11 BY MR. FLAXMAN:</p> <p>12 Q Have you looked at Exhibit 47?</p> <p>13 A Yes.</p> <p>14 Q Take the top left, some of the letter are cut</p> <p>15 off, but does that say that it's a case report from the</p> <p>16 Chicago Police?</p> <p>17 A Yes.</p> <p>18 Q What's a case report?</p> <p>19 A A report that looks at your action from inside</p> <p>20 the department for something that officers did.</p> <p>21 MR. MICHALIK: Hold on. I'm just going to</p> <p>22 object. I think that -- yeah, this thing is cut off, so</p> <p>23 I don't think this just is called a case report.</p> <p>24 THE WITNESS: This is a general defense case</p>	<p>1 Q I'm sorry?</p> <p>2 A There are other reports within the department</p> <p>3 in the department.</p> <p>4 Q Okay. My questions is about case reports. Do</p> <p>5 you understand what a case report is?</p> <p>6 A This is a general offense case report.</p> <p>7 Q Do you know what a case report is?</p> <p>8 MR. BAZAREK: Objection.</p> <p>9 A To my knowledge, you report things on. That</p> <p>10 they vary on what type they are.</p> <p>11 Q I think you said earlier when I showed you an</p> <p>12 arrest report --</p> <p>13 A I said what arrest reports were, yes.</p> <p>14 Vice reports are for reporting the action.</p> <p>15 This is general offense for reporting general offenses.</p> <p>16 Q Have you ever heard anyone in the police</p> <p>17 department refer to a case report?</p> <p>18 A Yes.</p> <p>19 Q What does that mean?</p> <p>20 A It's a case report depends upon what type of</p> <p>21 case it is. What's on it.</p> <p>22 Q What types of case reports are there?</p> <p>23 A To my knowledge, general offense case reports,</p> <p>24 vice case reports.</p>
555	557
<p>1 report.</p> <p>2 MR. RAUSCHER: Oh, it's cut -- yeah, it's cut</p> <p>3 off. So I understand.</p> <p>4 Q What's a general offense case report?</p> <p>5 A It's a general action that have happened.</p> <p>6 Q The document we marked before as Exhibit 44 is</p> <p>7 called a vice case report?</p> <p>8 A Yes.</p> <p>9 Q What's the difference between a general offense</p> <p>10 case report and a vice case report?</p> <p>11 A The vice case reports have to deal with</p> <p>12 narcotics, gamblings, situations -- things like that.</p> <p>13 On a general offense case report, you can have</p> <p>14 things such as criminal trespassing, battery reports,</p> <p>15 robbery. There are different, several different things</p> <p>16 in the general offense case reports.</p> <p>17 Q Are there any other reports of that nature for</p> <p>18 different types of incidents?</p> <p>19 A Are there any kind of what?</p> <p>20 Q Are there any other types of case reports</p> <p>21 besides the vice case report and the general offense</p> <p>22 case report?</p> <p>23 MR. MICHALIK: Objection to form.</p> <p>24 A There are other kind of reports.</p>	<p>1 Q Are you aware of any other types of case</p> <p>2 reports?</p> <p>3 A At this time, I can't think of any right now.</p> <p>4 Q Do you recognize Exhibit 47 as a general</p> <p>5 offense case report about several people arrested for</p> <p>6 trespassing on May 3rd, 2006?</p> <p>7 A It would depend on where you -- 47?</p> <p>8 Q Yes.</p> <p>9 A Yes.</p> <p>10 Q And the reporting officers on here are Officers</p> <p>11 Leono and Ben Coltrate (phonetic)?</p> <p>12 A Yes.</p> <p>13 Q And those two are members of your team, right?</p> <p>14 A Yes.</p> <p>15 Q And you included them on your vice case report</p> <p>16 from earlier on May 3rd, 2006, that we marked as Exhibit</p> <p>17 44, right?</p> <p>18 A Yes.</p> <p>19 Q The date of occurrence on your vice case</p> <p>20 report, Exhibit 44, was May 3rd, 2006 at 19:00 hours,</p> <p>21 right?</p> <p>22 A Yes.</p> <p>23 Q And this one, Exhibit 47, is May 3rd, 2006, at</p> <p>24 19:50 hours, right?</p>

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59 (558 to 561)

<p style="text-align: right;">558</p> <p>1 A Yes.</p> <p>2 Q The date RO arrived on your vice case report is</p> <p>3 May 3rd, 2006 at 18:15 hours; is that right?</p> <p>4 A Yes.</p> <p>5 Q And does that refer to when you arrived?</p> <p>6 A I don't remember, but that's what it would have</p> <p>7 been.</p> <p>8 Q I understand. You don't remember anything from</p> <p>9 this date? You don't remember arriving, right?</p> <p>10 A Right.</p> <p>11 Q When you --</p> <p>12 A I don't remember this case at all.</p> <p>13 Q Okay. When you created vice case reports in</p> <p>14 2006, was it your practice to estimate the time that you</p> <p>15 arrived, and put that in the date RO arrived box?</p> <p>16 A Yes.</p> <p>17 Q And that was the time that you as the author</p> <p>18 arrived; it wasn't the time that other officers listed</p> <p>19 on the report arrived, correct?</p> <p>20 A I'm not sure how many officers arrived at that</p> <p>21 time, but it had to be enough based upon the way this</p> <p>22 case report was written. Because it said all the ROs</p> <p>23 arrived and then left some behind.</p> <p>24 Q Okay.</p>	<p style="text-align: right;">560</p> <p>1 Ida B. Wells extension.</p> <p>2 Q And how did you know him?</p> <p>3 A I just knew he lived there in that 527</p> <p>4 building.</p> <p>5 Q He lived at 527?</p> <p>6 A Yes.</p> <p>7 Q So then, was he not allowed to be at 575?</p> <p>8 A I don't know if he was still a resident of that</p> <p>9 location. Or on a lease.</p> <p>10 Q When did you know him to live at 527?</p> <p>11 A At some point in the time period down there,</p> <p>12 but I don't know when it was.</p> <p>13 Q Did you ever arrest Mr. Owens?</p> <p>14 A I'm not sure.</p> <p>15 Q Did you ever know him to do anything illegal?</p> <p>16 A I'm not sure.</p> <p>17 Q Is there anything else that you knew about Mr.</p> <p>18 Owens?</p> <p>19 A That would be it.</p> <p>20 Q What about did you know Karen Smith Dickerson?</p> <p>21 A I don't recall her.</p> <p>22 Q Do you recall Leonard Daniels?</p> <p>23 A No, I do not.</p> <p>24 Q Do you recall Laura Ann Love?</p>
<p style="text-align: right;">559</p> <p>1 A So all it really meant is all of them had to</p> <p>2 have arrived there at some time around 8:15 to 18:15.</p> <p>3 Q Okay. Do you know why the general offense case</p> <p>4 report states that Officers Leono and Nichols arrived at</p> <p>5 19:35?</p> <p>6 MR. BAZAREK: Objection. Calls for speculation.</p> <p>7 A Why they -- why they arrived at 19:35?</p> <p>8 Q Do you know why the report says they arrived at</p> <p>9 19:35?</p> <p>10 MR. MICHALIK: It's Exhibit 47 we're talking</p> <p>11 about, right?</p> <p>12 MR. FLAXMAN: Yes.</p> <p>13 A I don't know why it says they arrived at 19:40</p> <p>14 -- 35.</p> <p>15 Q Okay. The report of Officers Nichols and</p> <p>16 Leono, Exhibit number 47, lists that ten people who were</p> <p>17 arrested for trespassing. Did you see that?</p> <p>18 A Yes.</p> <p>19 Q Do you know who Michelle Johnson is?</p> <p>20 A No.</p> <p>21 Q Do you know who Corey Owens is?</p> <p>22 A Yes.</p> <p>23 Q Who's Corey Owens?</p> <p>24 A He was someone that lived on the other side of</p>	<p style="text-align: right;">561</p> <p>1 A No.</p> <p>2 Q Do you recall Jesse J. Lockett?</p> <p>3 A No.</p> <p>4 Q Do you recall Leroy harding?</p> <p>5 A No.</p> <p>6 Q Do you recall Denzel Owens?</p> <p>7 A No.</p> <p>8 Q Do you recall Nasa Lawrence?</p> <p>9 A No.</p> <p>10 Q Do you recall Reginald C. Orville?</p> <p>11 A No.</p> <p>12 Q Based on reviewing your report, Exhibit 44,</p> <p>13 which reports that individuals were lined up in that</p> <p>14 hallway with money in their hands, and those individuals</p> <p>15 fled down the stairs and out the building, and this</p> <p>16 general offense case report about individuals arrested</p> <p>17 for trespassing, do you think the individuals who ran</p> <p>18 down the stairs are the ones who were arrested for</p> <p>19 trespassing?</p> <p>20 A I don't know.</p> <p>21 Q Is it possible the individuals who ran down the</p> <p>22 stairs were then arrested for trespassing?</p> <p>23 A I don't know.</p> <p>24 Q If the individuals who you reported in your</p>

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60 (562 to 565)

562	<p>1 report ran down the stairs were arrested, would you have</p> <p>2 included that in your report?</p> <p>3 MR. KOSOKO: Objection. Form.</p> <p>4 A I don't think so.</p> <p>5 Q Why not?</p> <p>6 A Because I didn't witness them doing anything</p> <p>7 other than being in line with money in their hand and</p> <p>8 asked for the narcotics so I don't know, I wouldn't have</p> <p>9 included them in that report.</p> <p>10 Q Do you know if Mr. Coleman says he was falsely</p> <p>11 arrested on May 3rd, 2006?</p> <p>12 A It wasn't a false arrest. All these things in</p> <p>13 his report happened. I just don't remember.</p> <p>14 Q And why are you confident that all the things</p> <p>15 -- and when you say this report, are you referring to</p> <p>16 your report?</p> <p>17 A My report.</p> <p>18 Q Why are you confident that the things in your</p> <p>19 report happened?</p> <p>20 A Because it's a summary of what had happened. I</p> <p>21 just don't remember it happening.</p> <p>22 Q And you created a truthful report, right?</p> <p>23 A Yes, a truthful, lawful report, made lawful</p> <p>24 arrest.</p>	564	<p>1 A Yes.</p> <p>2 Q Do you know if Mr. Coleman and Mr. Stokes state</p> <p>3 they were arrested with the people arrested for</p> <p>4 trespassing and it was that the police station officers</p> <p>5 decided to charge those two with drugs and the other was</p> <p>6 trespassing?</p> <p>7 A That's a lie.</p> <p>8 Q And why is it a lie?</p> <p>9 A Because based upon this report, they were</p> <p>10 arrested on the second floor, and I made that case</p> <p>11 report up. I just don't remember the incident.</p> <p>12 Q And they were arrested with the group of people</p> <p>13 arrested for trespassing?</p> <p>14 A They are not in that report for trespassing.</p> <p>15 In this report over here for narcotics and --</p> <p>16 Q Based on that, you can tell they weren't</p> <p>17 arrested with that group of people?</p> <p>18 A Based on that, they were arrested on this vice</p> <p>19 case report over here.</p> <p>20 Q Can you tell if they were arrested with the</p> <p>21 group of people arrested for trespassing?</p> <p>22 A They weren't arrested with the group of people</p> <p>23 who were trespassing.</p> <p>24 Q And that's based on your review of the report,</p>
563	<p>1 Q And you mean the arrests of both Mr. Coleman</p> <p>2 and Mr. Stokes were lawful, right?</p> <p>3 A Yes.</p> <p>4 Q And your reports about them were all truthful,</p> <p>5 right?</p> <p>6 A Yes.</p> <p>7 Q Okay. Do you remember any of the court</p> <p>8 proceedings from Mr. Coleman or Mr. Stokes?</p> <p>9 A I do not.</p> <p>10 Q As the attesting officer and the first</p> <p>11 arresting, it would normally have been your</p> <p>12 responsibility to go to court for them?</p> <p>13 A Yes, it would have.</p> <p>14 Q And if you had done that, would you have</p> <p>15 testified truthfully?</p> <p>16 A Yes, I did testify truthfully.</p> <p>17 Q Do you remember testifying about Mr. Coleman</p> <p>18 and Mr. Stokes?</p> <p>19 A No, I do not.</p> <p>20 Q Okay. But you're confident that you testified</p> <p>21 truthfully?</p> <p>22 A Yes.</p> <p>23 Q And is that because you have always testified</p> <p>24 truthfully?</p>	565	<p>1 true?</p> <p>2 A Based on my review of this report.</p> <p>3 Q Okay. And you're relying on your -- your</p> <p>4 report might have been your team members about those</p> <p>5 trespassing arrests, right?</p> <p>6 A No, I'm relying on the vice case report that I</p> <p>7 prepared here that I just don't remember the incident,</p> <p>8 but I prepared -- prepared this report, and it has in</p> <p>9 here due to action and the things in it. I just don't</p> <p>10 remember the incident.</p> <p>11 Q Have you looked at Mr. Coleman's affidavit in</p> <p>12 this case?</p> <p>13 A I can't say that I have.</p> <p>14 Q Okay. Well, do you know that he claims that at</p> <p>15 the police station, you took out several bags of drugs</p> <p>16 from your sweatshirt?</p> <p>17 A That's a lie.</p> <p>18 Q Why is that a lie?</p> <p>19 A Because that didn't happen.</p> <p>20 Q Have you ever planted drugs on someone?</p> <p>21 A No, I have not planted drugs on anybody. I've</p> <p>22 not framed anybody. And this case report here is</p> <p>23 accurate. I just don't remember the situation.</p> <p>24 Q Based on your report, Exhibit number 44, you</p>

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61 (566 to 569)

<p style="text-align: right;">566</p> <p>1 can say that Officer Watts was present at the scene for</p> <p>2 this arrest, right?</p> <p>3 A Yes, Sergeant Watts was there sometimes.</p> <p>4 Q But you don't know what Sergeant Watts did on</p> <p>5 that day, right?</p> <p>6 A No, I do not.</p> <p>7 Q I think you said before that for another report</p> <p>8 when Watts wasn't listed at the top of the vice case</p> <p>9 report, you remembered that he was on the scene, right?</p> <p>10 A I believe that's the case what I see there on</p> <p>11 it.</p> <p>12 Q Would it be ever be that one of your team</p> <p>13 members would be present but you wouldn't other than</p> <p>14 Watts would be present but you wouldn't list them on the</p> <p>15 report?</p> <p>16 A Excuse me?</p> <p>17 Q It was -- it was a poorly phrased question.</p> <p>18 My question is whether your placement of Watts</p> <p>19 on the report was different because he was the</p> <p>20 supervisor? Would you ever write a report that didn't</p> <p>21 list the team member who was at the scene?</p> <p>22 MR. BAZAREK: Object to the form of the</p> <p>23 question.</p> <p>24 A If the team member was there, I would put them</p>	<p style="text-align: right;">568</p> <p>1 arrest of Nefus Thomas?</p> <p>2 A No, I do not.</p> <p>3 Q Do you remember Nefus Thomas?</p> <p>4 A Yes, I do.</p> <p>5 Q What do you remember about Mr. Thomas?</p> <p>6 A He was always -- always intoxicated pretty</p> <p>7 much, and he very unsanitary.</p> <p>8 Q And where you would run into him, would that be</p> <p>9 at Ida B. Wells?</p> <p>10 A Yes.</p> <p>11 Q Did you ever encounter Mr. Thomas anywhere</p> <p>12 other than Ida B. Wells?</p> <p>13 A Not that I can being remember.</p> <p>14 Q And when you say intoxicated, do you know what</p> <p>15 he was intoxicated on?</p> <p>16 A Liquor.</p> <p>17 Q How do you know he was intoxicated on liquor?</p> <p>18 A He smelled very bad.</p> <p>19 Q Do you ever know him to use drugs?</p> <p>20 A I don't know.</p> <p>21 Q And what do you mean when you say very</p> <p>22 unsanitary?</p> <p>23 A Dirty, smelled like liquor all the time.</p> <p>24 Nasty.</p>
<p style="text-align: right;">567</p> <p>1 in the report.</p> <p>2 Q But Watts might not always be at the top of the</p> <p>3 report if he was there?</p> <p>4 A He may not always be at the top of report, no.</p> <p>5 Q And why not?</p> <p>6 A I don't know. It's just the way it was</p> <p>7 written.</p> <p>8 Q Okay. Having reviewed all this material about</p> <p>9 Mr. Stokes and Mr. Coleman, are you still unable to</p> <p>10 remember their arrest on May 3rd, 2006?</p> <p>11 A I don't remember the incident at all.</p> <p>12 Q Is there anything that could help you remember</p> <p>13 the incident?</p> <p>14 A Not that I know of.</p> <p>15 MR. FLAXMAN: I'm going to go to another case.</p> <p>16 MR. RAUSCHER: Can we take a minute?</p> <p>17 MR. FLAXMAN: Sure. Let's take --</p> <p>18 THE VIDEOGRAPHER: Off the record. 4:14.</p> <p>19 (A brief recess was taken.)</p> <p>20 THE VIDEOGRAPHER: Back on the record. 4:21.</p> <p>21 EXAMINATION BY COUNSEL FOR THE PLAINTIFFS:</p> <p>22 BY MR. RAUSCHER:</p> <p>23 Q I want to ask you next about the arrest of</p> <p>24 Nefus Thomas on March 6, 2008. Do you remember the</p>	<p style="text-align: right;">569</p> <p>1 Q Do you know if he lived at Ida B. Wells?</p> <p>2 A I don't know.</p> <p>3 Q Did you look at any documents about his arrest</p> <p>4 on March 6, 2008?</p> <p>5 A I looked at the arrest report and the case</p> <p>6 report.</p> <p>7 Q Did those remind you of the arrest?</p> <p>8 A No.</p> <p>9 Q Do you remember any other arrests of Mr.</p> <p>10 Thomas?</p> <p>11 A No.</p> <p>12 Q And do you know of anything else that would</p> <p>13 help you remember the arrest of Mr. Thomas?</p> <p>14 A No.</p> <p>15 (Exhibit 48, Arrest report, was marked for</p> <p>16 identification and is attached to the transcript.)</p> <p>17 Q I'm going to give you Exhibit 48.</p> <p>18 Let me know when you have looked at it.</p> <p>19 A All right.</p> <p>20 Q Is Exhibit 48 the arrest report of Nefus</p> <p>21 Thomas, dated March 6, 2008?</p> <p>22 A Yes.</p> <p>23 Q Did you create this report?</p> <p>24 A Yes, I did.</p>

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<p>570</p> <p>1 Q And how can you tell that you did?</p> <p>2 A Because I'm the first arresting officer and I</p> <p>3 attested to it.</p> <p>4 Q And that's listed on the third page of the</p> <p>5 report?</p> <p>6 A Yes.</p> <p>7 Q Going back to the first page. It says the</p> <p>8 arrest was at 575 East Browning, correct?</p> <p>9 A Yes.</p> <p>10 Q And I think you told us before that was one of</p> <p>11 the high-rises at Ida B. Wells?</p> <p>12 A Yes.</p> <p>13 Q Do you know if Mr. Thomas lived in that</p> <p>14 building?</p> <p>15 A Not according to this report.</p> <p>16 Q Okay. And what do you mean when you say what?</p> <p>17 A Because he lists his residence as 7210 South</p> <p>18 Paulina.</p> <p>19 Q As the officer who prepared the report, is that</p> <p>20 information that you gathered from Mr. Thomas?</p> <p>21 A Yes.</p> <p>22 Q What was -- well, do you remember finding out</p> <p>23 Mr. Thomas' arrest?</p> <p>24 A No, I do not.</p>	<p>572</p> <p>1 Q Okay. Do you see there is an event number on</p> <p>2 the first page at the top right, correct?</p> <p>3 A Yes.</p> <p>4 Q And this says -- after the event number, it</p> <p>5 says, This is an arrest by TACT units 264A, B, C and D,</p> <p>6 meaning your tactical team, right?</p> <p>7 A Yes.</p> <p>8 Q It says, The above subject was observed during</p> <p>9 a narcotics mission exiting the hallway inside of 575</p> <p>10 East Browning.</p> <p>11 Do you see that?</p> <p>12 A Yes.</p> <p>13 Q What's a narcotics mission?</p> <p>14 A Pretty much any time we go down there, it's</p> <p>15 pretty much a narcotics mission because we're looking</p> <p>16 for primarily those people who are down their selling</p> <p>17 narcotics.</p> <p>18 Q And it says, Mr. Thomas was observed exiting</p> <p>19 the hallway.</p> <p>20 What does that mean?</p> <p>21 A I guess he was coming out of a hallway,</p> <p>22 according to this report.</p> <p>23 Q Okay. And you don't know where he was going</p> <p>24 from the hallway?</p>
<p>571</p> <p>1 Q Okay. And in 2008, what your practice for</p> <p>2 determining the address of an arrestee?</p> <p>3 A You would ask them for their identification.</p> <p>4 If they didn't -- if they didn't actually have</p> <p>5 identification, you'd ask them for their address.</p> <p>6 Q So either one of those things you would have</p> <p>7 obtained Mr. Thomas' address?</p> <p>8 A Yes.</p> <p>9 Q Do you know how close 7210 South Paulina Street</p> <p>10 is the Ida B. Wells Homes?</p> <p>11 A Not exactly.</p> <p>12 Q Okay. But it's always further south, right?</p> <p>13 A Yes, it is.</p> <p>14 Q Okay. And did you ever know Mr. Thomas to live</p> <p>15 in any of the building at Ida B. Wells?</p> <p>16 A I don't know.</p> <p>17 Q I'm on the section page where the narrative</p> <p>18 section is. Do you see that?</p> <p>19 A Yes.</p> <p>20 Q And it states event number, but there's no</p> <p>21 number listed. You see that?</p> <p>22 A Yes.</p> <p>23 Q Do you know why there's no event number there?</p> <p>24 A Because it was accidentally omitted.</p>	<p>573</p> <p>1 A No.</p> <p>2 Q Could he have been going into an apartment?</p> <p>3 A He was exiting the hallway. Coming out of the</p> <p>4 hallway. The hallway is where the stairs are.</p> <p>5 Q Oh. So exiting the hallway to the stairs is</p> <p>6 what you meant?</p> <p>7 A Let me see what this says, because I don't</p> <p>8 recall exactly.</p> <p>9 Q Okay.</p> <p>10 A It says he was exiting the hallway. That means</p> <p>11 at some point he was in the hallway. He came out from</p> <p>12 wherever he came out from on a floor where there'd be</p> <p>13 one, two, three or four, I'm not sure. I don't</p> <p>14 remember.</p> <p>15 Q So he was going from the hallway to somewhere</p> <p>16 else?</p> <p>17 A Yeah. Out of the hallway into the landing.</p> <p>18 Whether it would be the first, second, third floor, I'm</p> <p>19 not sure where was it.</p> <p>20 Q And the landing is where the stairwell begins?</p> <p>21 A Exiting hallway, you got to -- you got the</p> <p>22 stair, the landing, the doorway into the next.</p> <p>23 Q Okay. And it says, The subject upon being</p> <p>24 detained attempting to place an item from his hand into</p>

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63 (574 to 577)

<p style="text-align: right;">574</p> <p>1 his boot.</p> <p>2 You see that?</p> <p>3 A Yes.</p> <p>4 Q Immediately after police stopped Mr. Thomas, he</p> <p>5 attempted to place an item from his hand into his boot?</p> <p>6 A Yes, that's what it says.</p> <p>7 Q And when you wrote being detained, did you mean</p> <p>8 place in handcuffs.</p> <p>9 A No.</p> <p>10 Q What did you mean?</p> <p>11 A We stopped him.</p> <p>12 Q Do you know why you stopped him?</p> <p>13 A I don't remember.</p> <p>14 Q I know you -- at this time in March of 2008,</p> <p>15 did you know Mr. Thomas?</p> <p>16 A I knew who he was.</p> <p>17 Q I just wanted to ask if -- you had told me</p> <p>18 before that over the years, you had some encounters with</p> <p>19 him and had had some impressions of him. Were those</p> <p>20 encounters and impressions you formed before March of</p> <p>21 2008?</p> <p>22 A Yes.</p> <p>23 Q Okay. The next sentence says, AO recovered the</p> <p>24 item and found it to be a clear plastic bag with 45</p>	<p style="text-align: right;">576</p> <p>1 observed Mr. Thomas?</p> <p>2 A No.</p> <p>3 Q And then, the next page, arrest processing</p> <p>4 report, on the right top box, it says, Placed under</p> <p>5 close observation. You see that?</p> <p>6 A On the next page it says what?</p> <p>7 Q I'm sorry. I'm on page 4 of 5.</p> <p>8 A I'm on 4.</p> <p>9 Q Okay. There's like it's the arrestee process</p> <p>10 -- I'm sorry, the arrest processing report at the top?</p> <p>11 A Yes.</p> <p>12 Q On the box, first box on the right, starts with</p> <p>13 Time less fed?</p> <p>14 A Yes.</p> <p>15 Q And then, three lines down it says, Placed</p> <p>16 under close observation.</p> <p>17 A Yes.</p> <p>18 Q Do you have any idea why Mr. Thomas was placed</p> <p>19 under close observation?</p> <p>20 A No.</p> <p>21 Q And in the arresting questionnaire, the</p> <p>22 second-to-last question says, Serious medical or mental</p> <p>23 problems, question mark, and the answer is yes.</p> <p>24 Did you know anything about Mr. Thomas' serious</p>
<p style="text-align: right;">575</p> <p>1 Ziploc baggies with white powder suspect heroin.</p> <p>2 Does that mean that you were the one who</p> <p>3 recovered the item?</p> <p>4 A According to this report, I -- I would have</p> <p>5 been the one who recovered it.</p> <p>6 Q Okay. The next sentence says that, The subject</p> <p>7 was placed in custody.</p> <p>8 Can you tell who placed Mr. Thomas in custody?</p> <p>9 A According to this report, I would have.</p> <p>10 Q And next, And a custodial search revealed \$30</p> <p>11 USC suspect narcotics money.</p> <p>12 Were you the one who did the custodial search?</p> <p>13 A I would have done that also.</p> <p>14 Q And why do you think that?</p> <p>15 A Because it says here AO recovered the item.</p> <p>16 That means I would have placed him in custody, recovered</p> <p>17 the items and did the custodial search.</p> <p>18 Q And next page of this, page 3 of 5, lists</p> <p>19 officer Elsworth Smith as the second arresting officer.</p> <p>20 A Yes.</p> <p>21 Q And you list him here because he was your</p> <p>22 partner that day?</p> <p>23 A Yes.</p> <p>24 Q And can you tell if he was with you when you</p>	<p style="text-align: right;">577</p> <p>1 medical or mental problems?</p> <p>2 A No.</p> <p>3 Q And then, below, it says that, He takes</p> <p>4 medication for asthma, bronchitis and high blood</p> <p>5 pressure. You see that?</p> <p>6 A Yes.</p> <p>7 Q Do you know anything about that?</p> <p>8 A No.</p> <p>9 Q And I'm sorry, I -- not very phrased question.</p> <p>10 Do you remember anything about Mr. Thomas'</p> <p>11 medical conditions?</p> <p>12 A No.</p> <p>13 Q Based on your usual process in processing</p> <p>14 arrestees, would you have learned anything about his</p> <p>15 medical problems?</p> <p>16 A Not unless he told me.</p> <p>17 Q And would it be the usual practice that</p> <p>18 somebody in the lockup would be required to ask</p> <p>19 questions about medical problems?</p> <p>20 MR. KOSOKO: Objection. Foundation.</p> <p>21 A Based on this report here where they have to</p> <p>22 check yes or no, this is a checklist that looks like</p> <p>23 they would have list him in the lockup and received the</p> <p>24 person in the lock up, excuse me.</p>

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64 (578 to 581)

<p style="text-align: right;">578</p> <p>1 Q Okay. And I understand the -- you've never</p> <p>2 worked as a lockup keeper, right?</p> <p>3 A No.</p> <p>4 Q When you were processing an arrestee, are you</p> <p>5 required to ask questions about their medical</p> <p>6 conditions?</p> <p>7 A Not to my knowledge.</p> <p>8 Q Is that because you rely on the lockup keepers</p> <p>9 to do that?</p> <p>10 A No.</p> <p>11 Q Why not?</p> <p>12 A I'm looking at the person. They tell me</p> <p>13 they're sick, then it's my duty to try to get them aid.</p> <p>14 But if they don't tell me that something is wrong, then</p> <p>15 it's not my job, I believe, to inquire what their mental</p> <p>16 illnesses are or what their physical illnesses are.</p> <p>17 Q Is it somebody's job in the police station to</p> <p>18 ask those questions?</p> <p>19 MR. KOSOKO: Object to form. Foundation.</p> <p>20 A That's why they have this checklist for them</p> <p>21 before they put them in the lockups.</p> <p>22 Q So you would rely on the lockup keepers to ask</p> <p>23 those questions?</p> <p>24 A That's where it usually happens at, yes.</p>	<p style="text-align: right;">580</p> <p>1 A My name is in box one, and I signed.</p> <p>2 Q And by box one, you mean the box that's</p> <p>3 numbered 45?</p> <p>4 A Box number 45.</p> <p>5 Q Next to that is another box for another</p> <p>6 reporting officer. Who's listed there?</p> <p>7 A Elsworth Smith.</p> <p>8 Q And did you list Elsworth Smith because he was</p> <p>9 your partner that day?</p> <p>10 A Yes.</p> <p>11 Q Who signed below Elsworth Smith's name?</p> <p>12 A I did.</p> <p>13 Q And do you know why there is no signature for</p> <p>14 your supervisor?</p> <p>15 A No, I do not.</p> <p>16 Q Up in boxes 12 and 18 -- well, let's start with</p> <p>17 box 12 at the top. Do you see where that says</p> <p>18 Victim/complainant's name?</p> <p>19 A Yes.</p> <p>20 Q And why did you put your name in that box?</p> <p>21 A According to this report, because I was the one</p> <p>22 who recovered the narcotics from Mr. Thomas.</p> <p>23 Q And below that, you listed other officers,</p> <p>24 correct?</p>
<p style="text-align: right;">579</p> <p>1 Q The fifth page, that's one, two, three, four,</p> <p>2 five, six, assisting arresting officers, you see that?</p> <p>3 A Yes.</p> <p>4 Q Do you know what those officers did in relation</p> <p>5 to the arrest of Mr. Thomas on March 6, 2008?</p> <p>6 A No, I do not.</p> <p>7 Q And that's because you don't -- well, you don't</p> <p>8 remember what they did, right?</p> <p>9 A No, I do not.</p> <p>10 Q And looking at the arrest report, you can't</p> <p>11 tell what they did, right?</p> <p>12 A No.</p> <p>13 MR. RAUSCHER: All right. Let me mark this as</p> <p>14 49.</p> <p>15 (Exhibit 49, Vice case report, was marked for</p> <p>16 identification and is attached to the transcript.)</p> <p>17 Q Let me know when you have looked through that.</p> <p>18 A I'm ready.</p> <p>19 Q Do you recognize Exhibit 49 as a vice case</p> <p>20 report for the arrest of Nefus Thomas on March 6, 2008?</p> <p>21 A Yes.</p> <p>22 Q Did you create this report?</p> <p>23 A Yes.</p> <p>24 Q How can you tell that you created the report?</p>	<p style="text-align: right;">581</p> <p>1 A Yes.</p> <p>2 Q Is it right that those officers are listed in</p> <p>3 box 18?</p> <p>4 A Yes.</p> <p>5 Q And did you check Two witnessed for all those</p> <p>6 officers?</p> <p>7 A Yes.</p> <p>8 Q And that's because those officers witnessed</p> <p>9 something?</p> <p>10 A Yes.</p> <p>11 Q Are the officers you put in the box who were</p> <p>12 witnesses the same officers you list as assisting</p> <p>13 arresting officers on the arrest report?</p> <p>14 A It appears I left one off.</p> <p>15 Q Which one did you leave off?</p> <p>16 A It appears that I left Lewis off the case</p> <p>17 report.</p> <p>18 Q Is that a mistake?</p> <p>19 A Probably was.</p> <p>20 Q But she should be listed on the case report?</p> <p>21 A Yes.</p> <p>22 Q So it's your understanding that the officers</p> <p>23 you listed as witnessed on the vice case report should</p> <p>24 be the same as the officers that are listed as the</p>

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65 (582 to 585)

582	<p>1 assisting arresting officers on the arrest report?</p> <p>2 A Yes.</p> <p>3 Q Based on this vice case report, can you tell</p> <p>4 what any of the officers listed did in relation to this</p> <p>5 arrest?</p> <p>6 A No.</p> <p>7 Q Looking at the let narrative on the vice case</p> <p>8 report, Exhibit 49, after listing items inventory that</p> <p>9 begins in summary. You see that?</p> <p>10 A Yes.</p> <p>11 Q And it says that ROs were conducting a</p> <p>12 narcotics mission at the above location?</p> <p>13 A Yes.</p> <p>14 Q It says, As RO entered the building.</p> <p>15 RO meaning you?</p> <p>16 A That would have meant me based upon the way</p> <p>17 this report is reading.</p> <p>18 Q The above subject was observed exiting the</p> <p>19 stairwell.</p> <p>20 Does that mean that Mr. Thomas was coming out</p> <p>21 of the stairwell in the lobby of the building?</p> <p>22 A Yes.</p> <p>23 Q Is that the same as what you meant in your</p> <p>24 arrest report when you said he was existing the hallway?</p>	584	<p>1 Meaning detained by you?</p> <p>2 A That's what it would have meant.</p> <p>3 Q And it says, The subject then attempted to</p> <p>4 place an object from his hand down into his boot.</p> <p>5 A Yes, that's what it says.</p> <p>6 Q What did it mean that you detained Mr. Thomas?</p> <p>7 A As I said, based upon this report reading this</p> <p>8 report, don't remember the incident, but based on</p> <p>9 incidents like this, we came down here again on a</p> <p>10 mission and observed him. He was trying to run past me,</p> <p>11 based upon this report, and I would have stopped him.</p> <p>12 Q Would you have grabbed him?</p> <p>13 A I don't know.</p> <p>14 Q Well, if you had used any force, you would have</p> <p>15 created a separate report about that, right?</p> <p>16 A Yes.</p> <p>17 Q And you would have included that in your arrest</p> <p>18 report, in your case report, correct?</p> <p>19 A Yes.</p> <p>20 Q Box number 34 on this vice case report says,</p> <p>21 Type of arrest. Do you see that?</p> <p>22 A Yes.</p> <p>23 Q Okay. What's an on view arrest?</p> <p>24 MR. KOSOKO: Objection. Asked and answered.</p>
583	<p>1 A Yes.</p> <p>2 Q So which hallway was he exiting?</p> <p>3 A I don't remember which one it was.</p> <p>4 Q Well, was he exiting the hallway or was he</p> <p>5 exiting the stairwell?</p> <p>6 A The hallway and the stairwell go in conjunction</p> <p>7 with each other.</p> <p>8 Q What do you mean by that?</p> <p>9 A The stairwell is in the hallway.</p> <p>10 Q Okay. Is the -- do you consider the hallway to</p> <p>11 be separate from the lobby?</p> <p>12 A Yes.</p> <p>13 Q So he was coming out of the stairwell and</p> <p>14 coming out of the hallway?</p> <p>15 A They would be the same.</p> <p>16 Q Okay. And he was coming into the lobby?</p> <p>17 A Apparently, yes, based on this report.</p> <p>18 Q All right. And the next sentence says, The</p> <p>19 subject tried to run past -- does that say RO?</p> <p>20 A Yes.</p> <p>21 Q Meaning he tried to run past you?</p> <p>22 A That's what it says there, yes. What it would</p> <p>23 have meant.</p> <p>24 Q It says, Was detained by RO.</p>	585	<p>1 A It's when you observe the actions that</p> <p>2 occurred.</p> <p>3 Q And what's a warning arrest?</p> <p>4 A When you stop the person and you run their name</p> <p>5 and find out that they have a warrant for their arrest.</p> <p>6 Q And those are the only two types of arrests?</p> <p>7 MR. BAZAREK: Object to form.</p> <p>8 A That can be checked for those box number 34.</p> <p>9 Q But as cop, have you ever made an arrest that</p> <p>10 didn't fall into one of those categories?</p> <p>11 A Yes.</p> <p>12 Q And what kind arrest was that?</p> <p>13 A An arrest were made by a person who gave me</p> <p>14 information inside complaint.</p> <p>15 Q And what would you fill out when you made an</p> <p>16 arrest like that in box 34?</p> <p>17 A This is a vice case report. They -- they</p> <p>18 wouldn't be filling out a complaint for vice case, for</p> <p>19 vice complaint.</p> <p>20 Q Okay. So that for a vice case reports, the</p> <p>21 only types are on view ones?</p> <p>22 A Yes.</p> <p>23 MR. RAUSCHER: Let's mark this as 50.</p> <p>24 (Exhibit 50, Inventory sheets, was marked for</p>

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66 (586 to 589)

<p style="text-align: right;">586</p> <p>1 identification and is attached to the transcript.)</p> <p>2 A Yes.</p> <p>3 Q Do you recognize Exhibit 50 as inventory sheets</p> <p>4 related to the arrest of Nefus Thomas on March 6, 2008?</p> <p>5 A Yes.</p> <p>6 Q Did you create these?</p> <p>7 A No.</p> <p>8 Q And how do you know that?</p> <p>9 A Because I can't say that. I don't know who</p> <p>10 created them, made these out.</p> <p>11 Oh, created by. PC number is over in the left</p> <p>12 lower.</p> <p>13 Q Can you read what that says?</p> <p>14 A PC0U037.</p> <p>15 Q IS that your PC number?</p> <p>16 A No, it is not.</p> <p>17 Q What's your PC number?</p> <p>18 A PC0I503.</p> <p>19 Q Do you know whose PC number is listed on</p> <p>20 Exhibit 50?</p> <p>21 A No.</p> <p>22 Q It would have been one of your team members who</p> <p>23 did the inventory sheets, right?</p> <p>24 A Yes.</p>	<p style="text-align: right;">588</p> <p>1 Q Based on the Created by box, you are not the</p> <p>2 one who made this inventory sheet, right?</p> <p>3 A No.</p> <p>4 Q The next page is inventory number 11239147.</p> <p>5 Are you looking at that?</p> <p>6 A Yes.</p> <p>7 Q This report says \$30 was recovered from Mr.</p> <p>8 Thomas during his arrest?</p> <p>9 A Yes.</p> <p>10 Q And do you remember when your vice case report</p> <p>11 says the \$30 was suspect narcotics money?</p> <p>12 A Yes.</p> <p>13 Q Why was that?</p> <p>14 A Because I found a large bundle of narcotics on</p> <p>15 him, so I don't know if he was selling narcotics or not,</p> <p>16 but it was suspect narcotics money to me.</p> <p>17 Q You suspected that Mr. Thomas got that money by</p> <p>18 selling drugs?</p> <p>19 A Yes.</p> <p>20 Q Okay. And you are the one who recovered the</p> <p>21 \$30 from Mr. Thomas, right?</p> <p>22 A Yes.</p> <p>23 Q Do you know if there's any record of what bills</p> <p>24 were taken from Mr. Thomas?</p>
<p style="text-align: right;">587</p> <p>1 Q And this inventory sheet that's on the first</p> <p>2 page lists three items of personal -- person or personal</p> <p>3 property, right?</p> <p>4 A Yes.</p> <p>5 Q And it states that you were the one who found</p> <p>6 them, right?</p> <p>7 A Yes.</p> <p>8 Q Was it your practice to recover things like a</p> <p>9 CD player, radio and headphones before or while somebody</p> <p>10 is being processed after an arrest?</p> <p>11 A Yes.</p> <p>12 Q And it's because they couldn't have those items</p> <p>13 when they were in lockup?</p> <p>14 A That is correct.</p> <p>15 Q The next page, and this one -- let me make sure</p> <p>16 we are on the same page -- has inventory number</p> <p>17 11239144?</p> <p>18 A Yes.</p> <p>19 Q And these are reports narcotics/drugs that were</p> <p>20 recovered from Mr. Thomas?</p> <p>21 A Yes.</p> <p>22 Q And states that you were the officer who found</p> <p>23 them?</p> <p>24 A Yes.</p>	<p style="text-align: right;">589</p> <p>1 A No, I do not.</p> <p>2 MR. RAUSCHER: All right. Let's take a break</p> <p>3 to make sure the exhibits are right. We can go off for</p> <p>4 a second.</p> <p>5 THE VIDEOGRAPHER: Off the record. 4:48.</p> <p>6 (A discussion was held off the record.)</p> <p>7 THE VIDEOGRAPHER: Back on the record. 4:48.</p> <p>8 MR. RAUSCHER: I just have a question about the</p> <p>9 exhibits. Somebody, some of the lawyers may not have</p> <p>10 gotten the right set. So I'm just going to read off the</p> <p>11 page numbers of the Exhibit number 50.</p> <p>12 Page 1 is City BG 052367, page 2 is 052369, and</p> <p>13 page 3 is 052371.</p> <p>14 BY MR. RAUSCHER:</p> <p>15 Q You've experienced inventory currency recovered</p> <p>16 from arrestees, right?</p> <p>17 A Yes.</p> <p>18 Q When you inventory it, do you write down the</p> <p>19 denominations of the bills?</p> <p>20 A Not necessarily.</p> <p>21 Q What do you do with currency after you</p> <p>22 inventory it?</p> <p>23 A After you inventory it, you have what they call</p> <p>24 the money bag, and it's placed in the money bag. It's</p>

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67 (590 to 593)

590	<p>1 given an approval and heat sealed, and it's then sent to</p> <p>2 ERPS.</p> <p>3 Q Okay. I think you may have said ERPS today or</p> <p>4 the other day. What does ERPS mean?</p> <p>5 A Evidentiary Property Storage.</p> <p>6 Q So is it Evidence?</p> <p>7 A Evidentiary Prop -- Evidence -- Evidence</p> <p>8 Recovery Property Storage.</p> <p>9 Q Okay. And that's a location where property</p> <p>10 goes to be stored?</p> <p>11 A Yes.</p> <p>12 (Exhibit 51, Complaint, was marked for</p> <p>13 identification and is attached to the transcript.)</p> <p>14 Q All right. Do you recognize Exhibit 51?</p> <p>15 A Yes, I do.</p> <p>16 Q What is it?</p> <p>17 A It's a complaint.</p> <p>18 Q And is it a complaint that you prepared?</p> <p>19 A Filed, yes.</p> <p>20 Q And does it charge Mr. Thomas with unauthorized</p> <p>21 manufacture or delivery of a controlled substance?</p> <p>22 A Yes.</p> <p>23 Q Is that your signature on the two lines that</p> <p>24 say complainant signature?</p>	592	<p>1 Q Okay. And you filled in the statute down here</p> <p>2 on these violation section?</p> <p>3 A Yes.</p> <p>4 Q How did you get those numbers?</p> <p>5 A Which numbers?</p> <p>6 Q Well, underneath --</p> <p>7 A Illinois violation number?</p> <p>8 Q Violation of 720 ILCS.</p> <p>9 A Out of the complaint book.</p> <p>10 Q So that's a book that you have as a police</p> <p>11 officer?</p> <p>12 A It's a complaint we have that as a police</p> <p>13 officer, and it could be generated off a report on the</p> <p>14 computer.</p> <p>15 Q Is that on the arrest report? Exhibit 48?</p> <p>16 A Yes.</p> <p>17 Q So when you're doing the arrest report on the</p> <p>18 computer, you can select --</p> <p>19 A Yes.</p> <p>20 Q -- the offense?</p> <p>21 A Yes.</p> <p>22 Q What's your understanding of why you fill out a</p> <p>23 complaint like Exhibit 51?</p> <p>24 A It's one of the pieces of paper that as the</p>
591	<p>1 A Yes, it is.</p> <p>2 Q Do you know whose signature is on the line that</p> <p>3 says judge or clerk?</p> <p>4 A No.</p> <p>5 Q In 2008, were you responsible for getting</p> <p>6 somebody to sign on that one?</p> <p>7 A That line would have been signed and approved</p> <p>8 by a desk sergeant.</p> <p>9 Q You don't know who?</p> <p>10 A I don't know who was that was.</p> <p>11 Q It looked like you were comparing Exhibit</p> <p>12 number 51 to your vice case report?</p> <p>13 A Yes, I was trying to make sure the dates for</p> <p>14 court were accurate.</p> <p>15 Q Okay. And were they?</p> <p>16 A Yes.</p> <p>17 Q Did you compare anything else?</p> <p>18 A The court branch.</p> <p>19 Q Well, did you compare the charge with what was</p> <p>20 listed on the vice case report?</p> <p>21 A The charge numbers?</p> <p>22 Q No, is there anything that you see that doesn't</p> <p>23 match?</p> <p>24 A No.</p>	593	<p>1 complaint as to what his crime was.</p> <p>2 Q Is it your understanding it's used in the</p> <p>3 criminal case?</p> <p>4 A Yes.</p> <p>5 Q And is your understanding that it starts the</p> <p>6 criminal case?</p> <p>7 A Along with the reports, other reports that are</p> <p>8 filled out here also.</p> <p>9 Q Right. So all the reports we've been looking</p> <p>10 at are things that start the criminal case against the</p> <p>11 arrestee, right?</p> <p>12 A Yes.</p> <p>13 Q Do you remember if you testified at the grand</p> <p>14 jury for Mr. Thomas?</p> <p>15 A I don't remember.</p> <p>16 MR. RAUSCHER: I'll mark an exhibit.</p> <p>17 (Exhibit 52, Grand just indictment, was marked</p> <p>18 for identification and is attached to the transcript.)</p> <p>19 Q Do you recognize Exhibit 52 as a grand jury</p> <p>20 indictment for Nefus Thomas?</p> <p>21 A Yes.</p> <p>22 Q Does reviewing it refresh your recollection of</p> <p>23 whether you testified for this grand jury?</p> <p>24 A No.</p>

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68 (594 to 597)

594	<p>1 Q Do you see your name on the last page?</p> <p>2 A Yes, I do.</p> <p>3 Q And you see that you're listed as the only</p> <p>4 witness for the grand jury, right?</p> <p>5 A Yes.</p> <p>6 Q You don't have any recollection of testifying?</p> <p>7 A I don't remember it, no.</p> <p>8 Q Have you ever testified falsely for a grand</p> <p>9 jury?</p> <p>10 A No.</p> <p>11 Q How many times have you testified for a grand</p> <p>12 jury?</p> <p>13 A I don't know.</p> <p>14 Q More than 50?</p> <p>15 A I don't think so.</p> <p>16 Q More than 20?</p> <p>17 A Maybe.</p> <p>18 Q More than five?</p> <p>19 A More than five.</p> <p>20 Q Let me give you Exhibit 53.</p> <p>21 (Exhibit 53, General offense case report, was</p> <p>22 marked for identification and is attached to the</p> <p>23 transcript.)</p> <p>24 A Okay.</p>	596	<p>1 Officer L. Smith?</p> <p>2 A That should have been probably Elsworth Smith.</p> <p>3 Q Do you see that E. Smith is listed as the last</p> <p>4 officer in the witness section?</p> <p>5 A No. Yes.</p> <p>6 Q Is that --</p> <p>7 A I don't know -- I don't know who that was then.</p> <p>8 Q Okay. Did you ever -- did you ever know an</p> <p>9 Officer with a first name starting with L, last name</p> <p>10 Smith, who was on your team?</p> <p>11 A No.</p> <p>12 Q You ever know an officer with that first</p> <p>13 initial, last name, who worked with your team?</p> <p>14 A No.</p> <p>15 Q This report has a date of occurrence of March</p> <p>16 6th, 2008, at 18:50 hours. You see that?</p> <p>17 A Yes.</p> <p>18 Q And that's about -- well, I'm sorry. That's 20</p> <p>19 minutes after the date of occurrence for your report</p> <p>20 about Mr. Thomas, right?</p> <p>21 A Yes.</p> <p>22 Q You think you were still at the location 20</p> <p>23 minutes later?</p> <p>24 A I could have been.</p>
595	<p>1 Q Do you recognize Exhibit 53 to be a general</p> <p>2 offense case report reporting criminal trespass arrests</p> <p>3 on March 6, 2008?</p> <p>4 A Yes.</p> <p>5 Q And have you ever looked at Exhibit 53 before?</p> <p>6 A Excuse me?</p> <p>7 Q Have you reviewed Exhibit 53 before today?</p> <p>8 A No.</p> <p>9 Q Did you see that your name is listed as one of</p> <p>10 the officers who witnessed?</p> <p>11 A Yes.</p> <p>12 Q But you're not listed as a recording officer,</p> <p>13 right?</p> <p>14 A I don't see myself as there.</p> <p>15 Q Who's listed as the recording officers?</p> <p>16 A Gonzalez and Bolton.</p> <p>17 Q Those are members of your team, right?</p> <p>18 A Yes.</p> <p>19 Q In the witness section, the first officer</p> <p>20 listed is Bolton, right?</p> <p>21 A Yes.</p> <p>22 Q And the next one is M. Leono, right?</p> <p>23 A Right.</p> <p>24 Q The next one is L. Smith. Do you know an</p>	597	<p>1 Q This report also says that -- has the arrival</p> <p>2 time of 18:50 hours. Do you see that?</p> <p>3 A Yes.</p> <p>4 Q And your report has the arrival time of 18:30</p> <p>5 hours?</p> <p>6 A Yes.</p> <p>7 Q Do you think that Officers Gonzalez and Bolton</p> <p>8 arrived 20 minutes after you?</p> <p>9 A I don't remember.</p> <p>10 Q Based on the reports, did Officers Gonzalez and</p> <p>11 Bolton arrive 20 minutes after you did?</p> <p>12 A Based on the reports, they did.</p> <p>13 Q Okay. Exhibit number 53 lists four people</p> <p>14 arrested for trespassing, right?</p> <p>15 MR. KOSOKO: It's five.</p> <p>16 MR. RAUSCHER: Is it five? Okay.</p> <p>17 A Yes.</p> <p>18 Q All right. The first one is Terrence Moy</p> <p>19 (phonetic). Do you remember Terrence Moy?</p> <p>20 A No.</p> <p>21 Q Okay. What -- do you remember Donald Sanders?</p> <p>22 A No.</p> <p>23 Q Do you remember Jordan Key?</p> <p>24 A No.</p>

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69 (598 to 601)

598	<p>1 Q Do you remember Jimmy Bell?</p> <p>2 A No.</p> <p>3 Q Do you remember Milton Patterson?</p> <p>4 A No.</p> <p>5 Q The narrative here says, This is a Pod related</p> <p>6 mission conducted under Pod number 75.</p> <p>7 Do you know what that is?</p> <p>8 A Excuse me?</p> <p>9 Q After the names of the people arrested, the</p> <p>10 narrative begins, This is a Pod related mission.</p> <p>11 Do you see that?</p> <p>12 A Yes.</p> <p>13 Q And then, it says, Conducted under Pod number</p> <p>14 75.</p> <p>15 Do you know what a Pod related mission</p> <p>16 conducted under Pod number 57 means?</p> <p>17 A That means prior to going down there, they had</p> <p>18 actually looked at the Pod 57 that would be in that</p> <p>19 location to see that, that area.</p> <p>20 Q So a Pod is a video camera?</p> <p>21 A Yes. It's a camera -- it's a camera that's on</p> <p>22 a corner that you see on the corners.</p> <p>23 Q It's like a flashing blue light?</p> <p>24 A Yes.</p>	600
599	<p>1 Q And at this time in 2008, were you and your</p> <p>2 team members able to see footage from those Pod cameras</p> <p>3 back at the station?</p> <p>4 A Yes.</p> <p>5 Q Could you look at it from your cars?</p> <p>6 A I don't think so.</p> <p>7 Q And did you have experience monitoring Pod</p> <p>8 cameras?</p> <p>9 A Yes.</p> <p>10 Q Why would you monitor Pod cameras?</p> <p>11 A To get a look at the activity going on before</p> <p>12 you went to that location.</p> <p>13 Q And this says, While monitoring Pod number 57,</p> <p>14 ROs observed a large amount of foot traffic at the</p> <p>15 above-listed CHA location known for narcotics activity.</p> <p>16 Do you remember -- do you remember that?</p> <p>17 A No.</p> <p>18 Q Okay. In your experience in -- in your</p> <p>19 experience monitoring Pod camera, what would you believe</p> <p>20 a large amount foot track at a location know for</p> <p>21 narcotic activity to mean?</p> <p>22 MR. KOSOKO: Objection. Foundation.</p> <p>23 A That narcotics were probably being sold at that</p> <p>24 time at that location.</p>	601

1 Q And if you and your team members believed

2 narcotics was being sold at a location, would you

3 conduct a premise check?

4 A **That's one of the things we do.**

5 Q What else do you do?

6 A **Based on my report, we conduct a narcotics**

7 **mission.**

8 Q Do you believe your narcotic mission was

9 conducted based on the observation of the Pod camera?

10 A **It could have been.**

11 Q Why didn't you put that in your report?

12 MR. KOSOKO: Objection. Form.

13 A **It's just the wording, the wording of what it's**

14 **called. They then chose the Pod, this Pod, because they**

15 **use the Pod to look at the activity. I probably would**

16 **have used narcotics mission in this because narcotics**

17 **were recovered.**

18 Q So the fact that you didn't mention the Pod

19 doesn't mean that you didn't know about it?

20 A **I would have known about it, yeah, if we went**

21 **down there, yes.**

22 Q You have known about it -- why would you have

23 known about it?

24 A **Because it lists me in this -- in this**

1 **operation here.**

2 Q But you wouldn't have included it because it

3 wasn't necessary detail for your report?

4 MR. KOSOKO: Objection. Form.

5 A **I don't believe it was necessary to put it in**

6 **that report.**

7 Q Okay. And what's a premise check?

8 A **Again, when you --**

9 MR. BAZAREK: Objection. Asked and answered.

10 A **When you go to that location, and you check to**

11 **see what's going on, if there is illegal activity of any**

12 **type going on at that location.**

13 Q All right. So the next page of this vice case,

14 Exhibit 53. All right. I'm on the third line. It

15 says, While entering the front of the location, ROs

16 observed the above-listed offenders loitering in the

17 lobby.

18 Do you see that?

19 A **Yes.**

20 Q And this is the same lobby where you arrested

21 Mr. Thomas, right?

22 A **Yes.**

23 Q Did you see Mr. Thomas at the same time

24 officers saw these individuals loitering?

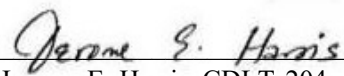

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70 (602 to 605)

602	<p>1 MR. BAZAREK: Object to the foundation.</p> <p>2 A I don't know because I don't remember this.</p> <p>3 Q All right. If the two events had happened at</p> <p>4 the same time, would your report reflect that?</p> <p>5 A Possibly.</p> <p>6 Q But it wouldn't have to?</p> <p>7 MR. BAZAREK: Object to the form of question.</p> <p>8 A I don't think so.</p> <p>9 Q This report says that -- well, have you read</p> <p>10 this narrative of this report?</p> <p>11 A Yes.</p> <p>12 Q And it includes two contacts between the</p> <p>13 individuals arrested and the arresting officers, right?</p> <p>14 A That's what it says.</p> <p>15 Q Did you ever write a report where you included</p> <p>16 two different contacts with somebody you warned about</p> <p>17 trespassing and then you came back and made the arrest</p> <p>18 for trespassing?</p> <p>19 A Yes.</p> <p>20 Q And when you did that, what time did you pick</p> <p>21 for the occurrence time of that arrest.</p> <p>22 A The occurrence time of the arrest?</p> <p>23 Q Yes.</p> <p>24 A If that's the case, I'm writing a report, a</p>	604	<p>1 accurate and true. I just don't remember it.</p> <p>2 Q So your report is accurate and truthful, right?</p> <p>3 A Yes.</p> <p>4 Q Okay.</p> <p>5 A Those are false statements that are being made</p> <p>6 my someone who probably plead guilty to that charge.</p> <p>7 Q Okay. Why do you say that he probably plead</p> <p>8 guilty to that charge?</p> <p>9 A That he either plead guilty or if found</p> <p>10 convicted of all these charges.</p> <p>11 Q And do you know that his conviction was</p> <p>12 vacated?</p> <p>13 A It was vacated because he -- did he plead</p> <p>14 guilty or was he found guilty by a jury?</p> <p>15 Q Well --</p> <p>16 A If he did -- if he was -- if he was framed, why</p> <p>17 would he plead guilty?</p> <p>18 Q Sir, do you know that Mr. Thomas' conviction</p> <p>19 was vacated?</p> <p>20 A Yes, I do.</p> <p>21 Q Okay. Is that a mistake?</p> <p>22 A Yes, it was.</p> <p>23 Q And why was that a mistake?</p> <p>24 A Because he was lawfully arrested for having</p>
603	<p>1 arrest report for that, it would be the second time I</p> <p>2 encountered it.</p> <p>3 Q And what would you put for the date RO arrived?</p> <p>4 A It more than likely would be first time I</p> <p>5 encountered them.</p> <p>6 Q Having looked at these reports related to these</p> <p>7 arrests on March 6th, 2008, do you have any memory of</p> <p>8 arresting Nefus Thomas or the arrest of any of these</p> <p>9 other individuals on that date?</p> <p>10 A No, sir.</p> <p>11 Q Are you aware of anything else that would help</p> <p>12 you remember the arrest of Mr. Thomas?</p> <p>13 A No.</p> <p>14 Q Are you aware of anything that would help you</p> <p>15 remember the arrest of the other individuals arrested</p> <p>16 for trespassing?</p> <p>17 A No.</p> <p>18 Q Do you know that Nefus Thomas says he was</p> <p>19 falsely arrested on March 6, 2008?</p> <p>20 A Not according to this report he wasn't falsely</p> <p>21 arrested.</p> <p>22 Q And why do you believe he was not falsely</p> <p>23 arrested?</p> <p>24 A Because what I wrote in this report would be</p>	605	<p>1 narcotics on this date and time, according to this</p> <p>2 report.</p> <p>3 Q What about the other people who were arrested</p> <p>4 for trespassing, were they lawfully arrested?</p> <p>5 A I'm quite sure they were.</p> <p>6 Q Why are you quite sure of that?</p> <p>7 A Because the case report that was made by these</p> <p>8 officers, I will stand by to say it was 100 percent</p> <p>9 accurately true. They may have made some mistakes in</p> <p>10 the time, but the information put in there for what</p> <p>11 these individuals did, had done, accurately reflects</p> <p>12 this report.</p> <p>13 Q And that's something that you would stand by</p> <p>14 any report created by one of your team members, right?</p> <p>15 A Standing by one of these reports, yes, I would.</p> <p>16 I was there to see. And I'm listed as being there at</p> <p>17 some point in time.</p> <p>18 Q If you were listed on a report created by one</p> <p>19 of your teammates, would you stand by it?</p> <p>20 A Then I couldn't accurately say that because I</p> <p>21 wasn't there.</p> <p>22 Q Was your practice to review reports state you</p> <p>23 were listed on once they were completed?</p> <p>24 A Sometimes I did.</p>

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71 (606 to 609)

<p>606</p> <p>1 Q Did you do that every time?</p> <p>2 A No, I said sometimes I did.</p> <p>3 Q Sorry?</p> <p>4 A Sometimes I would.</p> <p>5 Q Sometimes you would?</p> <p>6 A And sometime I wouldn't.</p> <p>7 Q How would you decide?</p> <p>8 A I don't know.</p> <p>9 Q Okay. I don't have any other questions.</p> <p>10 Since we're after 5:00, we agreed to leave the</p> <p>11 other cases we've listed to other days.</p> <p>12 You understand that there's --</p> <p>13 A Yes, sir.</p> <p>14 Q -- a few more cases we're going to ask you</p> <p>15 about?</p> <p>16 A Yes, sir.</p> <p>17 MR. BAZAREK: So we're concluding. Next</p> <p>18 plaintiffs. Meaning we're done with this --</p> <p>19 MR. RAUSCHER: We're giving dates here.</p> <p>20 MR. BAZAREK: -- plaintiff, and the other</p> <p>21 plaintiffs.</p> <p>22 (Off the record at 5:18 p.m.)</p> <p>23</p> <p>24</p>	<p>608</p> <p>1 CERTIFICATE OF TRANSCRIBER</p> <p>2</p> <p>3 I, Jerome E. Harris, do hereby certify that</p> <p>4 the foregoing transcript is a true and correct record</p> <p>5 of the recorded proceedings; that said proceedings were</p> <p>6 transcribed to the best of my ability from the audio</p> <p>7 recording and supporting information; and that I am</p> <p>8 neither counsel for, related to, nor employed by any</p> <p>9 of the parties to this case and have no interest,</p> <p>10 financial or otherwise, in its outcome.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 </p> <p>16 Jerome E. Harris, CDLT-204</p> <p>17 March 17, 2020</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p>607</p> <p>1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC</p> <p>2</p> <p>3 I, RYAN GRZELAK, the officer before whom the</p> <p>4 foregoing proceedings were taken, do hereby certify that</p> <p>5 said proceedings were electronically recorded by me; and</p> <p>6 that I am neither counsel for, related to, nor employed</p> <p>7 by any of the parties to this case and have no interest,</p> <p>8 financial or otherwise, in its outcome.</p> <p>9</p> <p>10 IN WITNESS WHEREOF, I have hereunto set my hand</p> <p>11 and affixed my notarial seal this 27th day of February,</p> <p>12 2020.</p> <p>13</p> <p>14</p> <p>15 </p> <p>16</p> <p>17 RYAN GRZELAK, Notary Public</p> <p>18 for the State of Illinois</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	

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