

# Exhibit 31

**MASTER DOCKET CASE NO. 19-CV-01717**

**IN RE: WATTS COORDINATED  
PRETRIAL PROCEEDINGS**

**DEPONENT:  
ELSWORTH SMITH**

**DATE:  
July 21, 2023**

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF  
3 ILLINOIS EASTERN DIVISION  
4 JUDGE FRANKLIN U. VALDERRAMA  
5 MAGISTRATE JUDGE SHEILA M. FINNEGAN  
6 MASTER DOCKET CASE NO. 19-CV-01717  
7  
8  
9  
10  
11

12 IN RE: WATTS COORDINATED PRETRIAL PROCEEDINGS  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

23 DEPONENT: ELSWORTH SMITH

24 DATE: JULY 21, 2023

25 REPORTER: ESTHER HEATH

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 ON BEHALF OF THE LOEVY &amp; LOEVY PLAINTIFFS IN THE</p> <p>4 COORDINATED PROCEEDINGS, CHAUNCEY ALI, BEN BAKER,</p> <p>5 MILTON DELANEY, CLARISSA GLENN, STEFON HARRISON, TYRONE</p> <p>6 HERRON, OCTAVIA MCDONALD, HENRY THOMAS, PHILLIP THOMAS,</p> <p>7 AND ALVIN WADDY:</p> <p>8 Scott Rauscher, Esquire</p> <p>9 Loevy &amp; Loevy</p> <p>10 311 North Aberdeen Street</p> <p>11 3rd Floor</p> <p>12 Chicago, Illinois 60607</p> <p>13 Telephone No.: (312) 243-5900</p> <p>14 E-mail: scott@loevy.com</p> <p>15 (Appeared via videoconference)</p> <p>16</p> <p>17 ON BEHALF OF THE DEFENDANT, RONALD WATTS:</p> <p>18 Lisa McElroy, Esquire</p> <p>19 Johnson &amp; Bell, Ltd.</p> <p>20 33 West Monroe Street</p> <p>21 Suite 2700</p> <p>22 Chicago, Illinois 60603</p> <p>23 Telephone No.: (630) 765-7766</p> <p>24 E-mail: mcelroyl@jbltd.com</p> <p>25 (Appeared via videoconference)</p>	<p style="text-align: right;">Page 4</p> <p>1 APPEARANCES (CONTINUED)</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANTS, MATTHEW CADMAN AND MICHAEL</p> <p>4 SPAARGAREN:</p> <p>5 Megan McGrath, Esquire</p> <p>6 Leinenweber Baroni &amp; Daffada LLC</p> <p>7 120 North LaSalle Street</p> <p>8 Suite 2000</p> <p>9 Chicago, Illinois 60602</p> <p>10 Telephone No.: (866) 786-3705</p> <p>11 E-mail: mkm@ilesq.com</p> <p>12 (Appeared via videoconference)</p> <p>13</p> <p>14 ON BEHALF OF THE FLAXMAN PLAINTIFFS:</p> <p>15 Joel Flaxman, Esquire</p> <p>16 Kenneth N. Flaxman, PC</p> <p>17 200 South Michigan Avenue</p> <p>18 Suite 201</p> <p>19 Chicago, Illinois 60604</p> <p>20 Telephone No.: (312) 427-3200</p> <p>21 E-mail: jaf@kenlaw.com</p> <p>22 (Appeared via videoconference)</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES (CONTINUED)</p> <p>2</p> <p>3 ON BEHALF OF THE WITNESS, ELSWORTH SMITH AND THE OTHER</p> <p>4 DEFENDANT OFFICERS:</p> <p>5 Brian Stefanich, Esquire</p> <p>6 Hale &amp; Monico</p> <p>7 53 West Jackson Boulevard</p> <p>8 Suite 334</p> <p>9 Chicago, Illinois 60604</p> <p>10 Telephone No.: (312) 870-6908</p> <p>11 E-mail: bstefanich@halemonico.com</p> <p>12 (Appeared via videoconference)</p> <p>13</p> <p>14 ON BEHALF OF THE DEFENDANT, KALLATT MOHAMMED:</p> <p>15 Eric S. Palles, Esquire</p> <p>16 Mohan Groble Scolaro</p> <p>17 55 West Monroe</p> <p>18 Suite 1600</p> <p>19 Chicago, Illinois 60603</p> <p>20 Telephone No.: (312) 422-9999</p> <p>21 E-mail: epalles@mohangroble.com</p> <p>22 (Appeared via videoconference)</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 APPEARANCES (CONTINUED)</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANT, THE CITY OF CHICAGO:</p> <p>4 Dhaviella Harris, Esquire</p> <p>5 Reiter Burns LLP</p> <p>6 311 South Wacker Drive</p> <p>7 Suite 5200</p> <p>8 Chicago, Illinois 60606</p> <p>9 Telephone No.: (312) 982-0090</p> <p>10 E-mail: dharris@reiterburns.com</p> <p>11 (Appeared via videoconference)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</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> <p>25</p>

<p style="text-align: right;">Page 6</p> <p style="text-align: center;">INDEX</p> <p style="text-align: center;">Page</p> <p>10 PROCEEDINGS</p> <p>12 DIRECT EXAMINATION BY MR. RAUSCHER</p> <p>72 EXAMINATION BY MR. FLAXMAN</p> <p>90 REDIRECT EXAMINATION BY MR. RAUSCHER</p> <p>92 CROSS-EXAMINATION BY MR. PALLES</p> <p>101 EXAMINATION BY MS. MCELROY</p> <p>107 EXAMINATION BY MR. STEFANICH</p> <p>108 FURTHER DIRECT EXAMINATION BY MR. RAUSCHER</p> <p>82 CONFIDENTIAL PORTION REDACTED</p> <p style="text-align: center;">EXHIBITS</p> <p style="text-align: center;">Page</p> <p>14 1 - Alvin Waddy Arrest Report - AW 1-5</p> <p>19 2 - Alvin Waddy Vice Case Report - AW 41-42</p> <p>3 - Delaney Milton Arrest Report - City-BG</p> <p>25 051750-54</p> <p>4 - Delaney Milton Vice Case Report -</p> <p>25 City-BG-051763-64</p> <p>5 - Chauncey Ali Arrest Report -</p> <p>31 DO-JOINT 039147-49</p> <p>6 - Tyrone Herron Arrest Report -</p> <p>31 City-BG-056836-40</p> <p>7 - Stefon Harrison Arrest Report -</p> <p>32 DO-JOINT 041049-53</p>	<p style="text-align: right;">Page 8</p> <p style="text-align: center;">EXHIBITS (CONTINUED)</p> <p style="text-align: center;">Page</p> <p>PLAINTIFF WILLIAM CARTER EXHIBITS</p> <p>1 - William Carter Arrest Report -</p> <p>73 City-BG--031037-41</p> <p>77 2 - William Carter Mugshot - City-BG-031012</p> <p>3 - William Carter Vice Case Report -</p> <p>79 City-BG-031095-96</p> <p>4 - Sandra Berry Arrest Report -</p> <p>110 City-BG--031117-21</p> <p>5 - Property Inventory May 19, 2006 -</p> <p>City-BG-015765-68</p> <p>(Marked in Confidential Portion)</p> <p>6 - Elsworth Smith February 1, 2007</p> <p>Deposition Transcript - PL JOINT F</p> <p>84 01168-01254</p>
<p style="text-align: right;">Page 7</p> <p style="text-align: center;">EXHIBITS (CONTINUED)</p> <p style="text-align: center;">Page</p> <p>38 - Henry Thomas Arrest Report - DO-JOINT</p> <p>33 007234-38</p> <p>9 - Ali, et al. December 4, 2006 Vice Case</p> <p>34 Report - DO-JOINT 039184-85</p> <p>10 - Ali, et al. Vice December 4, 2006 Case</p> <p>39 Report - DO-JOINT 19942-43</p> <p>11 - Phillip Thomas Arrest Report -</p> <p>44 DO-JOINT 007386-90</p> <p>12 - Phillip Thomas Vice Case Report -</p> <p>49 DO-JOINT 007391-93</p> <p>13 - McDonald August 8, 2005 Arrest Report</p> <p>59 - DO-JOINT 039797-99</p> <p>14 - McDonald May 25, 2005 Vice Case Report</p> <p>67 - CITY-BG-060131-32</p> <p>15 - McDonald May 25, 2005 Arrest Report</p> <p>67 - City BG 056621-25</p> <p>70 16 - McDonald CR File - City-BG-012058-12264</p> <p>17 - McDonald Vice Case Report - COPA-WATTS</p> <p>110 045467-68</p>	<p style="text-align: right;">Page 9</p> <p style="text-align: center;">STIPULATION</p> <p>The VIDEO deposition of ELSWORTH SMITH was taken at</p> <p>KENTUCKIANA COURT REPORTERS, 730 WEST MAIN STREET, SUITE</p> <p>101, LOUISVILLE, KENTUCKY 40202, via videoconference in</p> <p>which all participants attended remotely, on FRIDAY the</p> <p>21st day of JULY 2023 at approximately 11:03 a.m. ET;</p> <p>said deposition was taken pursuant to the FEDERAL Rules</p> <p>of Civil Procedure. The oath in this matter was sworn</p> <p>remotely pursuant to FRCP 30.</p> <p>It is agreed that ESTHER HEATH, being a Notary Public</p> <p>and Court Reporter for the State of ILLINOIS, may swear</p> <p>the witness and that the reading and signing of the</p> <p>completed transcript by the witness is not waived.</p>

<p style="text-align: right;">Page 10</p> <p>1 PROCEEDINGS</p> <p>2</p> <p>3 THE REPORTER: We are now on the record.</p> <p>4 My name is Esther Heath, I'm the online video</p> <p>5 technician and court reporter today representing</p> <p>6 Kentuckiana Court Reporters located at 730 West Main</p> <p>7 Street, Suite 101, Louisville, Kentucky 40202.</p> <p>8 Today is the 21st day of July, 2023, and the current</p> <p>9 time is 11:04 a.m., Eastern Time. We are convened</p> <p>10 by video conference to take the deposition of</p> <p>11 Elsworth Smith in the matter of Watts Coordinated</p> <p>12 Pretrial Proceedings pending in the United States</p> <p>13 District Court for the Northern District of Illinois</p> <p>14 Eastern Division, Master Docket Case number</p> <p>15 19-CV-01717. Will everyone, but the witness, please</p> <p>16 state your appearance, how you're attending, and</p> <p>17 your location starting with Plaintiff's counsel?</p> <p>18 MR. RAUSCHER: Scott Rauscher, attending</p> <p>19 remotely from suburbs in Chicago, representing the</p> <p>20 Loevy &amp; Loevy plaintiffs in the coordinated</p> <p>21 proceedings, and then Alvin Waddy in his individual</p> <p>22 state court case.</p> <p>23 MR. FLAXMAN: Joel Flaxman, attending from</p> <p>24 Chicago for the Flaxman plaintiffs.</p> <p>25 MR. PALLES: Eric Palles for Kallatt Mohammed.</p>	<p style="text-align: right;">Page 12</p> <p>1 BY MR. RAUSCHER:</p> <p>2 Q. All right. We're going to go through some</p> <p>3 individual cases today. Before we start, just to put on</p> <p>4 the record, we sent around a list of cases. I talked to</p> <p>5 Brian this morning. Because we didn't identify</p> <p>6 specifically the other arrests from December 11, 2005,</p> <p>7 beyond Baker and Glenn, which would include another one</p> <p>8 of our clients who was also a 404(b) witness, we're</p> <p>9 going to postpone asking about Baker Glenn until we can</p> <p>10 do it with those other cases for efficiency purposes, so</p> <p>11 we're going to find a different day for that. So I can,</p> <p>12 with that, jump into the specific cases. I'm going to</p> <p>13 start with Alvin Waddy. Do you know who Alvin Waddy is?</p> <p>14 A. No. I only recall hearing the name.</p> <p>15 Q. You recall hearing the name?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall hearing that name in connection</p> <p>18 with these cases, the litigation, or in some other way?</p> <p>19 A. In some other way.</p> <p>20 Q. When do you recall hearing his name?</p> <p>21 A. I don't recall.</p> <p>22 Q. Do you recall who told you or who said his</p> <p>23 name?</p> <p>24 A. No, I do not.</p> <p>25 Q. Do you recall the context in which you heard</p>
<p style="text-align: right;">Page 11</p> <p>1 MR. STEFANICH: Brian Stefanich for the witness</p> <p>2 Elsworth Smith and the other defendant officers.</p> <p>3 MS. MCGRATH: Megan McGrath on behalf of</p> <p>4 defendants Cadman and Spaargaren.</p> <p>5 MS. MCELROY: Good morning. Lisa McElroy from</p> <p>6 Johnson &amp; Bell for Defendant Watts participating</p> <p>7 remotely by Zoom from Lake County.</p> <p>8 MS. HARRIS: Dhaviella Harris on behalf of the</p> <p>9 City and supervisory officers appearing remotely</p> <p>10 from Chicago.</p> <p>11 THE REPORTER: All right. Thank you.</p> <p>12 And Mr. Elsworth, would you please state your full</p> <p>13 name for the record?</p> <p>14 THE WITNESS: My name is Elsworth Smith,</p> <p>15 Junior.</p> <p>16 THE REPORTER: And do all parties agree that</p> <p>17 the witnesses, in fact, Elsworth Smith, Junior?</p> <p>18 MR. RAUSCHER: Yes.</p> <p>19 THE REPORTER: Thank you. Sir, would you raise</p> <p>20 your right hand? Do you solemnly swear or affirm</p> <p>21 the testimony you're about to give will be the</p> <p>22 truth, the whole truth, and nothing but the truth?</p> <p>23 THE WITNESS: Yes.</p> <p>24 THE REPORTER: Counsel, you may begin.</p> <p>25 DIRECT EXAMINATION</p>	<p style="text-align: right;">Page 13</p> <p>1 his name?</p> <p>2 A. No, I do not.</p> <p>3 Q. And do you know of the time period when you</p> <p>4 first heard Alvin Waddy's name?</p> <p>5 A. I do not remember the time frame.</p> <p>6 Q. Do you know -- did you hear anything about</p> <p>7 Mr. Waddy or you just remember his name?</p> <p>8 A. I just remembered hearing the name.</p> <p>9 Q. Did you have a chance to look at any records</p> <p>10 relating to Alvin Waddy before today's deposition?</p> <p>11 A. Yes, I did.</p> <p>12 Q. What did you look at?</p> <p>13 A. I believe it was the Case Report and an -- an</p> <p>14 Arrest Report.</p> <p>15 Q. Did you see an Arrest Report that had his</p> <p>16 picture on it?</p> <p>17 A. Yes.</p> <p>18 Q. And did seeing Alvin Waddy's picture on his</p> <p>19 Arrest Report refresh your recollection as to who he</p> <p>20 was?</p> <p>21 A. No, it did not.</p> <p>22 Q. All right. And just for the record, do you</p> <p>23 have the Arrest Report with you?</p> <p>24 MR. STEFANICH: I have it with me, Scott.</p> <p>25 He doesn't have it in front of him.</p>

<p style="text-align: right;">Page 14</p> <p>1 MR. RAUSCHER: Okay. Can we show him? So the  2 Arrest Report is marked INDEF-AW000001 through  3 000005.  4 MR. STEFANICH: That's the one I have, Scott.  5 MR. RAUSCHER: Okay, great. Let's call that  6 Exhibit 1.  7 (EXHIBIT 1 MARKED FOR IDENTIFICATION)  8 MR. STEFANICH: Do you want me to show it to  9 him?  10 MR. RAUSCHER: Sure. Yeah. Just the first  11 page.  12 Q. Do you see Mr. Waddy's picture on that Arrest  13 Report?  14 A. Yes, I do.  15 Q. And is that the picture you looked at to  16 prepare for your deposition today?  17 A. I don't recall this -- the same picture that  18 I looked at in preparation for this case.  19 Q. You don't know if that's the picture you  20 looked at?  21 A. No, I do not.  22 Q. All right. Well, looking at this picture,  23 does it refresh your recollection as to whether you knew  24 Mr. Waddy?  25 A. No, it does not.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. His name is listed on the report.  2 Q. But other than that, you don't know if he was  3 involved?  4 A. No, I do not.  5 Q. All right. And what about Doug Nichols?  6 A. Doug Nichols is listed as a -- an assisting  7 arresting officer.  8 Q. If you look on the third page, he's also,  9 I believe, listed as the attesting officer?  10 A. That is correct.  11 Q. What does the -- to be a attesting officer  12 mean in connection with Mr. Waddy's arrest?  13 A. Based on my recollection is the person who  14 actually typed in this report on the AR system.  15 Q. And does it mean that he was involved in the  16 arrest or just that he typed it in?  17 A. Based off of this report, he is the one that  18 typed it in.  19 Q. Does it also mean that he was involved in the  20 arrest?  21 A. As I stated, he was listed as an assisting  22 arrest -- an assisting arresting officer.  23 Q. And in your experience as someone who's listed  24 as an assisting arresting officer involved in the arrest  25 in question?</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. All right. Do you see that it lists an arrest  2 date of April 4, 2007?  3 A. Yes.  4 Q. All right. Were you involved in this arrest?  5 A. I don't recall without looking beyond the  6 first page.  7 Q. Okay. Yeah. Go ahead and look at whatever  8 you need to. But I guess -- so before you look at the  9 Arrest Report, you have no independent recollection of  10 being involved in Mr. Waddy's arrest on April 4, 2007?  11 A. Not at this present moment.  12 Q. Okay. Go ahead and look through the report.  13 And you've had a chance to look through the Arrest  14 Report?  15 A. Yes, sir.  16 Q. And having done that and looked through the  17 arrest -- through Alvin Waddy's Arrest Report, do you  18 know whether you were involved in Mr. Waddy's arrest?  19 A. I don't recall, but my name is on the report.  20 Q. All right. So other than seeing your name on  21 this report, you don't have any memory of being involved  22 in Mr. Waddy's arrest?  23 A. No, I do not.  24 Q. Do you know if Al Jones was involved in  25 Mr. Waddy's arrest?</p>	<p style="text-align: right;">Page 17</p> <p>1 MR. STEFANICH: Object to the form. You can  2 answer.  3 A. Yes.  4 BY MR. RAUSCHER:  5 Q. Did you have a chance to read the narrative  6 section of this Arrest Report, which is on page 2?  7 A. I briefly glanced over it.  8 Q. Do you have any knowledge one way or the other  9 whether the narrative section in this Arrest Report is  10 accurate?  11 A. To the best of my knowledge, yes.  12 Q. And what is the -- what is your answer that it  13 to the best of your knowledge is accurate based on?  14 A. Because I do not believe that any of the  15 officers who I used to work with assigned to the 264  16 tactical team would make a false report.  17 Q. All right. Beyond your general belief that  18 the officers you worked with were honest, do you have  19 any other reasons to think that this narrative was  20 accurate?  21 MR. STEFANICH: Objection. Form. You can  22 answer.  23 A. I don't understand the question. What was it?  24 BY MR. RAUSCHER:  25 Q. All right. So you gave the reason -- I think</p>

<p style="text-align: right;">Page 18</p> <p>1 you just testified that you believe the narrative that</p> <p>2 is accurate because the officers you worked with, in</p> <p>3 your opinion, would not create a false report; is that</p> <p>4 right?</p> <p>5 A. That's correct.</p> <p>6 Q. Are there any reasons other than that, that</p> <p>7 you have to believe that the narrative is accurate?</p> <p>8 A. No, I do not.</p> <p>9 Q. Do you have any personal knowledge as to</p> <p>10 whether this incident narrative is accurate?</p> <p>11 MR. STEFANICH: Objection. Form. You can</p> <p>12 answer.</p> <p>13 A. I have no reason to doubt the narrative of</p> <p>14 this report.</p> <p>15 BY MR. RAUSCHER:</p> <p>16 Q. Well, do you have any personal information as</p> <p>17 to whether it is accurate?</p> <p>18 MR. STEFANICH: Objection. Form.</p> <p>19 BY MR. RAUSCHER:</p> <p>20 Q. Sorry, I'm going to rephrase that. Do you</p> <p>21 have any personal knowledge as to whether the incident</p> <p>22 narrative report – the incident narrative written on</p> <p>23 this report is accurate?</p> <p>24 A. Well, like I said, I have no doubt that the</p> <p>25 information in this report is – isn't inaccurate.</p>	<p style="text-align: right;">Page 20</p> <p>1 A. No, it does not.</p> <p>2 Q. Do you know who Jermaine Mays is?</p> <p>3 A. Yes, I do.</p> <p>4 Q. Who is Jermaine Mays?</p> <p>5 A. He was a – someone that I remember being in</p> <p>6 the Ida B. Wells at the time while I was assigned to the</p> <p>7 264 tactical team.</p> <p>8 Q. What do you remember about Jermaine Mays?</p> <p>9 A. Just, I think, seen him several times.</p> <p>10 Q. And do you remember anything else other than</p> <p>11 you saw him in Ida B. Wells several times?</p> <p>12 A. No, I do not.</p> <p>13 Q. Do you remember being involved in the arrest</p> <p>14 of Jermaine Mays on April 4, 2007?</p> <p>15 A. No. As I stated, I do not recall the specific</p> <p>16 details surrounding this arrest on that date.</p> <p>17 Q. And just for the record, so we're looking at a</p> <p>18 Vice Case Report, it lists both Jermaine Mays and Alvin</p> <p>19 Waddy as being arrested on that date, correct?</p> <p>20 A. That is correct.</p> <p>21 Q. Have you ever found drugs in a glove at Ida B.</p> <p>22 Wells?</p> <p>23 A. I don't recall.</p> <p>24 Q. You don't recall finding drugs in a glove at</p> <p>25 Ida B. Wells?</p>
<p style="text-align: right;">Page 19</p> <p>1 I have no doubt to believe that.</p> <p>2 Q. I know you believe it's accurate. What I'm</p> <p>3 trying to ask I think is a different question, which is:</p> <p>4 Do you have any personal knowledge as to whether it is</p> <p>5 accurate, specific to this case?</p> <p>6 A. I don't remember this particular incident</p> <p>7 regarding the specifics of this narrative from this</p> <p>8 date.</p> <p>9 Q. And you never knew any of your colleagues on</p> <p>10 the Second District Tactical Team to frame anybody or</p> <p>11 create any false reports?</p> <p>12 MR. STEFANICH: Objection. Form. You can</p> <p>13 answer.</p> <p>14 A. No, I do not.</p> <p>15 MR. RAUSCHER: All right. Let's call the Vice</p> <p>16 Case Report for this Exhibit 2. And this ends -</p> <p>17 AW000041 to 42.</p> <p>18 (EXHIBIT 2 MARKED FOR IDENTIFICATION)</p> <p>19 MR. STEFANICH: He's got it, Scott.</p> <p>20 BY MR. RAUSCHER:</p> <p>21 Q. Okay. Great. Did you have a chance to review</p> <p>22 this Vice Case Report for today's deposition?</p> <p>23 A. I believe so.</p> <p>24 Q. Did looking at the Vice Case Report refresh</p> <p>25 your recollection about this arrest at all?</p>	<p style="text-align: right;">Page 21</p> <p>1 A. No. Could you be more specific?</p> <p>2 Q. I don't think so. I'm not sure. What</p> <p>3 would – what more specificity would you want to be able</p> <p>4 to answer that question?</p> <p>5 A. Date and time? You know, sitting here today,</p> <p>6 you're asking me if I found drugs in the glove. I do</p> <p>7 not recall.</p> <p>8 Q. All right. You don't recall finding drugs in</p> <p>9 a glove relating to the arrest of Alvin Waddy or</p> <p>10 Jermaine Mays, do you?</p> <p>11 A. As I stated, again, I do not recall the</p> <p>12 specific incident regarding the narrative of this</p> <p>13 report.</p> <p>14 Q. Whose signature is on the Vice Case</p> <p>15 Report – or whose signatures are on the Vice Case</p> <p>16 Report?</p> <p>17 A. Officer Jones and myself.</p> <p>18 Q. And do you know who signed the report?</p> <p>19 A. Based on my memory, it appears to be Officer</p> <p>20 Jones.</p> <p>21 Q. He signed for both of you?</p> <p>22 A. Yes.</p> <p>23 Q. And do you see Sergeant Watt's signature?</p> <p>24 A. Yes, that appeared to be his signature.</p> <p>25 Q. Does that appear to be signed by him, if you</p>



<p style="text-align: right;">Page 22</p> <p>1 know?</p> <p>2 A. From the best of my memory, it does.</p> <p>3 Q. And when you're saying the best of your memory</p> <p>4 for signatures, are you saying to the best of your</p> <p>5 memory of what your coworker's handwriting looked like?</p> <p>6 A. Yes. I -- it's been -- based on this report,</p> <p>7 this was in 2007, that's been 16 years ago, and I</p> <p>8 haven't talked to Sergeant Watts in several years or</p> <p>9 many years.</p> <p>10 Q. Do you recall talking to prosecutors about</p> <p>11 Alvin Waddy or Jermaine Mays?</p> <p>12 A. No, I do not recall.</p> <p>13 Q. Do you recall talking to Al Jones about Alvin</p> <p>14 Waddy or Jermaine Mays?</p> <p>15 A. No, I do not.</p> <p>16 Q. Do you know if you were involved in</p> <p>17 inventorying any of the items that were listed on this</p> <p>18 Vice Case Report?</p> <p>19 A. No, I do not.</p> <p>20 Q. Did you ever ask that bags of drugs be sent</p> <p>21 off to be fingerprinted?</p> <p>22 A. I do not recall.</p> <p>23 Q. You don't recall ever doing that?</p> <p>24 A. I -- in the past, yes, I probably have done</p> <p>25 so. But I don't recall the -- on this particular date.</p>	<p style="text-align: right;">Page 24</p> <p>1 practice they request for narcotics to be fingerprinted.</p> <p>2 Q. Not narcotics to be fingerprinted -- bag --</p> <p>3 the bags that narcotics were recovered in, was that</p> <p>4 common practice to have the bags fingerprinted?</p> <p>5 A. No, I don't recall.</p> <p>6 Q. Do you recall -- oh, I'm sorry. Go ahead.</p> <p>7 Finish your answer, please.</p> <p>8 A. You go ahead. I --</p> <p>9 Q. Do you recall ever asking to have a bag that</p> <p>10 narcotics were recovered in fingerprinted?</p> <p>11 A. No, I do not recall.</p> <p>12 Q. Is there anything you can think of that would</p> <p>13 refresh your recollection about the arrest of Alvin</p> <p>14 Waddy or Jermaine Mays?</p> <p>15 A. I'm not certain.</p> <p>16 Q. Well, is there anything you can think of that</p> <p>17 you think would refresh your recollection?</p> <p>18 A. As I'm sitting here today, no.</p> <p>19 Q. All right. I think we can move to -- why</p> <p>20 don't we go to Milton Delaney? Do you know who Milton</p> <p>21 Delaney is?</p> <p>22 A. I do not recall.</p> <p>23 Q. Did you look at a picture of Milton Delaney</p> <p>24 for today's deposition?</p> <p>25 A. No, I don't believe so.</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. You think that there are -- have been</p> <p>2 occasions when you've asked to have the baggie that</p> <p>3 drugs were recovered in fingerprinted?</p> <p>4 A. If I was doing the inventory, yes.</p> <p>5 Q. All right. Would that be a common thing that</p> <p>6 you would do when you were doing inventory?</p> <p>7 A. Yes, that is common practice.</p> <p>8 Q. How would you memorialize if you wanted to</p> <p>9 have a bag of drugs fingerprinted?</p> <p>10 A. I have no control over that. From the best of</p> <p>11 my memory, once we inventoried the narcotics, the -- the</p> <p>12 narcotics was sent to the Illinois State Crime Lab.</p> <p>13 Q. Did you have any control over what sort of</p> <p>14 testing to ask for?</p> <p>15 A. No, I do not recall that.</p> <p>16 Q. Did you have any control over what types of</p> <p>17 testing could be done?</p> <p>18 A. No.</p> <p>19</p> <p>20 Q. So if you -- when you said it was common</p> <p>21 practice to have bags of drugs fingerprinted, what were</p> <p>22 you basing that answer on?</p> <p>23 A. I -- I'm -- I'm sorry. If I said it -- it was</p> <p>24 common practice, I thought you meant common practice to</p> <p>25 inventory narcotics. I did not mean that it was common</p>	<p style="text-align: right;">Page 25</p> <p>1 MR. RAUSCHER: All right. Can you pull</p> <p>2 up -- Brian, do you have the Delaney Arrest Report</p> <p>3 or should I share screen?</p> <p>4 MR. STEFANICH: Yep. Nope, I got it.</p> <p>5 MR. RAUSCHER: Let's call Exhibit 3, Milton</p> <p>6 Delaney's Arrest Report, which is City-BG-051750.</p> <p>7 (EXHIBIT 3 MARKED FOR IDENTIFICATION)</p> <p>8 MR. STEFANICH: He's got it in front of him,</p> <p>9 Scott.</p> <p>10 BY MR. RAUSCHER:</p> <p>11 Q. Great. Do you see a picture on that Arrest</p> <p>12 Report?</p> <p>13 A. Yes, I do.</p> <p>14 Q. Do you recognize the person who's pictured?</p> <p>15 A. No, I do not.</p> <p>16 MR. RAUSCHER: Do you want to -- Brian, can you</p> <p>17 also just hand him the Vice Case Report and we'll</p> <p>18 call that Exhibit 4?</p> <p>19 MR. STEFANICH: Yep.</p> <p>20 BY MR. RAUSCHER:</p> <p>21 Q. Great. So that is City-BG-051763 to 1764.</p> <p>22 Can you tell me what these two documents are that we've</p> <p>23 called Exhibit 3 and Exhibit 4?</p> <p>24 (EXHIBIT 4 MARKED FOR IDENTIFICATION)</p> <p>25 A. One is a -- an Arrest Report and the other one</p>

<p style="text-align: right;">Page 26</p> <p>1 is a Vice Case Report.</p> <p>2 Q. And what are they an Arrest Report and a Vice</p> <p>3 Case Report of?</p> <p>4 A. Of the incident, of the occurrence.</p> <p>5 Q. Of the arrest of Milton Delaney?</p> <p>6 A. Yes.</p> <p>7 Q. Do you see your name on these reports?</p> <p>8 A. May I look through the reports to see?</p> <p>9 Q. Of course. Yeah. I can tell you, to help you</p> <p>10 find it, if you look at the last page of the Arrest</p> <p>11 Report and the first case of the Vice – first page of</p> <p>12 the Vice Case Report, I think you'll see your name,</p> <p>13 but go ahead and take your time to look through.</p> <p>14 A. Yes, I found it – found my name.</p> <p>15 Q. All right. So looking at the Arrest Report,</p> <p>16 it shows that you're an assisting arresting officer and</p> <p>17 that your partners were Kallatt Mohammed and Lamonica</p> <p>18 Louis that day; is that right?</p> <p>19 A. Yes.</p> <p>20 Q. And then – I'm sorry, go ahead.</p> <p>21 A. No. I just said, based on the reports, yes.</p> <p>22 Q. And then if you look at the Vice Case Report,</p> <p>23 it lists you in the second row of box 18?</p> <p>24 A. Yes.</p> <p>25 Q. But it doesn't say specifically what you did</p>	<p style="text-align: right;">Page 28</p> <p>1 believe – you have no reason to believe the narrative</p> <p>2 is not accurate, and that answer is based on your belief</p> <p>3 that your team members would not create a false report,</p> <p>4 right?</p> <p>5 A. That's correct.</p> <p>6 Q. The answer is not based on any personal</p> <p>7 knowledge that you have about Milton Delaney's arrest?</p> <p>8 A. No, it is not.</p> <p>9 Q. Did looking at either of these two reports,</p> <p>10 your – reflect your recollection about the arrest of</p> <p>11 Milton Delaney?</p> <p>12 A. No, it does not.</p> <p>13 Q. Do you know who created the Vice Case Report?</p> <p>14 A. The names that I see on listed on the report</p> <p>15 are Officer Gonzalez and Officer Leano.</p> <p>16 Q. Do you know what their signatures looked like?</p> <p>17 A. I do not recall.</p> <p>18 Q. So do you know who signed this report?</p> <p>19 A. Based on the signature, no, I cannot determine</p> <p>20 who signed the reports.</p> <p>21 Q. Was it common in the 2007 time period for</p> <p>22 ecstasy to be sold at Ida B. Wells in your experience?</p> <p>23 A. I don't recall.</p> <p>24 Q. You don't recall one way or the other or you</p> <p>25 don't recall it being sold?</p>
<p style="text-align: right;">Page 27</p> <p>1 or what role you are being listed in, right?</p> <p>2 A. No, it does not.</p> <p>3 Q. Do you have any recollection of what</p> <p>4 involvement you had in the arrest of Milton Delaney?</p> <p>5 A. No, I do not.</p> <p>6 Q. And looking at the narrative on the Vice Case</p> <p>7 Report, do you know one way or the other, whether it's</p> <p>8 accurate?</p> <p>9 A. I have no reason not to believe that it</p> <p>10 is – that it isn't – isn't accurate.</p> <p>11 Q. And that is – again, that's based on your</p> <p>12 belief that your team members would not create a false</p> <p>13 report?</p> <p>14 A. Yes.</p> <p>15 Q. But it is not based on any memory of this</p> <p>16 event itself?</p> <p>17 A. No.</p> <p>18 Q. When you said no, you were agreeing with me,</p> <p>19 right? It's not based on your memory of this event? You</p> <p>20 said no, so on the record it might be unclear what you</p> <p>21 meant. That's why I'm asking you again.</p> <p>22 A. Okay. Can you repeat your question?</p> <p>23 Q. Sure.</p> <p>24 A. I was uncertain what you meant.</p> <p>25 Q. Yeah. So your – you've answered that you</p>	<p style="text-align: right;">Page 29</p> <p>1 A. I don't recall one way or the other.</p> <p>2 Q. Do you recall ever recovering ecstasy from</p> <p>3 anyone at Ida B. Wells?</p> <p>4 A. I don't recall.</p> <p>5 Q. You don't recall doing that?</p> <p>6 A. No, I don't recall.</p> <p>7 Q. You don't know who Milton Delaney is, right?</p> <p>8 A. Based on the photos that I've seen and looking</p> <p>9 at this report, no. I do not recall him.</p> <p>10 Q. So is it safe to say you don't recall ever</p> <p>11 talking to Milton Delaney?</p> <p>12 A. No, I do not.</p> <p>13 Q. Do you remember being involved in the arrest</p> <p>14 of Chauncey Ali, Tyrone Herron, Henry Thomas, and Stefon</p> <p>15 Harrison in December of 2006?</p> <p>16 A. I don't remember on that date.</p> <p>17 Q. Do you know who any of those people are who I</p> <p>18 just named?</p> <p>19 A. No. The names don't sound familiar.</p> <p>20 Q. Do you know if you saw pictures of them while</p> <p>21 you were preparing for your deposition today?</p> <p>22 A. I believe so.</p> <p>23 Q. You having seen pictures of them refresh your</p> <p>24 recollection as to who they were?</p> <p>25 A. I don't recall. I don't believe so.</p>

<p style="text-align: right;">Page 30</p> <p>1 Q. All right. Let's -- why don't we start --  2 let's take a look at Chauncey Ali's Arrest Report, which  3 is DO-Joint 039147 to 149?  4 MR. STEFANICH: It -- Scott, just for the  5 record, I have -- it's the same thing, but it's -- I  6 have it Bates stamped as City-BG-056831, but it's  7 the Ali Arrest Report from December 4, 2006.  8 MR. RAUSCHER: Okay. You know what? I --  9 you're -- I realized I just pulled out the final  10 approval. You might -- that's -- is that the one  11 you're looking at?  12 MR. STEFANICH: Yes.  13 BY MR. RAUSCHER:  14 Q. Okay. Okay. I just want to make sure he has  15 the picture so that's fine, whatever the Bates stamp is.  16 You have a chance to look at that picture?  17 A. Yes.  18 Q. Do you recognize the person who's pictured  19 there?  20 A. No, I do not.  21 Q. All right. Do you see that that's an Arrest  22 Report of Chauncey Ali dated December 4, 2006?  23 A. Yes.  24 Q. Does looking at that picture refresh your  25 recollection as to what your involvement was in that</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. All right. You see that's also an Arrest  2 Report dated December 4, 2006?  3 A. Yes.  4 Q. And seeing that picture doesn't refresh your  5 recollection about your involvement in that arrest?  6 A. No, it does not.  7 MR. RAUSCHER: Brian, do you have Stefan  8 Harrison Arrest Reports, or should I share that  9 also?  10 MR. STEFANICH: I got that one. I just didn't  11 have that other folder.  12 BY MR. RAUSCHER:  13 Q. So this would be the one that I circulated as  14 PL Joint 044237 to 41. You can call that Exhibit 7. Do  15 you recognize the person whose picture is on the first  16 page of the document that you were just handed?  17 (EXHIBIT 7 MARKED FOR IDENTIFICATION)  18 A. No, I do not.  19 BY MR. RAUSCHER:  20 Q. And seeing this Report doesn't refresh your  21 recollection as to be -- your involvement in his arrest  22 on December 4, 2006?  23 A. No, it does not.  24 MR. RAUSCHER: And then I want to show you  25 the -- or I want you to look at, if your counsel has</p>
<p style="text-align: right;">Page 31</p> <p>1 arrest?  2 A. No, it did not.  3 MR. RAUSCHER: All right. Let's look at  4 Tyrone Herron's Arrest Report, which I have as  5 City-BG-05836 to 056840.  6 THE REPORTER: Did you want to mark the last  7 report?  8 MR. RAUSCHER: Oh, yeah. That would be 5.  9 So this would be 6.  10 (EXHIBIT 5 MARKED FOR IDENTIFICATION)  11 MR. STEFANICH: You may need to show him that  12 one, Scott.  13 BY MR. RAUSCHER:  14 Q. Okay. Give me one sec. I'll pull it up. Hold  15 on. I got to -- sorry. I got to close my Adobe.  16 It's not working right now. All right. Do you see  17 Tyrone Herron Arrest Report with a picture on it up on  18 your screen?  19 A. Yes.  20 Q. All right. We're -- and so that's what we're  21 calling Exhibit 6. Take a look at that picture and see  22 if you recognize the person in this picture.  23 (EXHIBIT 6 MARKED FOR IDENTIFICATION)  24 A. No, I do not.  25 BY MR. RAUSCHER:</p>	<p style="text-align: right;">Page 33</p> <p>1 it, the Arrest Report of Henry Thomas from that same  2 date, which is DO Joint 007234 to 238. We'll mark  3 that Exhibit 8. I could also share it, Brian.  4 (EXHIBIT 8 MARKED FOR IDENTIFICATION)  5 MR. STEFANICH: Yeah. You might want to share  6 that one.  7 BY MR. RAUSCHER:  8 Q. All right. All right. Do you see an Arrest  9 Report for Henry Thomas on your screen now?  10 A. Yes, I do.  11 Q. Do you recognize the person in the picture on  12 the Arrest Report?  13 A. No, I do not.  14 Q. All right. Do you want me to let you scroll  15 through it and see if this narrative -- why don't you  16 take a look at the narrative if you can read it, or else  17 I can make it bigger and see if it refreshes your  18 recollection?  19 A. Yeah. Could you please make it bigger?  20 My eyesight is, I guess, getting bad.  21 Q. Tell me when to stop.  22 A. That's fine. Thank you.  23 Q. Sure.  24 A. Okay.  25 Q. Does looking at that report refresh your</p>

<p style="text-align: right;">Page 34</p> <p>1 recollection about your involvement in this arrest?</p> <p>2 A. No, it does not.</p> <p>3 Q. All right. I want to have you take a</p> <p>4 look – I'm going to take this one down. I want to have</p> <p>5 you take a look at the Vice Case Report from this</p> <p>6 arrest. And that is, at least, one version, DO Joint</p> <p>7 023633 to 634. And we can call that Exhibit 9. Do you</p> <p>8 have that document in front of you?</p> <p>9 (EXHIBIT 9 MARKED FOR IDENTIFICATION)</p> <p>10 A. Yes, I do.</p> <p>11 BY MR. RAUSCHER:</p> <p>12 Q. All right. Take your time and read through</p> <p>13 that, please and let me know when you're done.</p> <p>14 A. Okay.</p> <p>15 Q. You've had a chance to look at that?</p> <p>16 A. Yes.</p> <p>17 Q. Did looking at this Vice Case Report refresh</p> <p>18 your recollection as to your involvement in the arrest?</p> <p>19 A. No, it does not.</p> <p>20 Q. Do you see whose signature is listed – or</p> <p>21 whose signatures are listed on the Vice Case Report?</p> <p>22 A. Yes.</p> <p>23 Q. Whose signatures are listed on this – are on</p> <p>24 this Report?</p> <p>25 A. Myself and Alvin Jones.</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Yes.</p> <p>2 Q. Now, is there – what was the significance of</p> <p>3 the fact that there were pink-tinted baggies, if</p> <p>4 anything?</p> <p>5 A. Just describing the bags that the</p> <p>6 content – well, the – they had content.</p> <p>7 Q. Was it uncommon, or common, or unusual? Was</p> <p>8 there something – was there anything – well, let me</p> <p>9 rephrase that. Was there anything unusual about the</p> <p>10 fact that the baggies were pink-tinted?</p> <p>11 A. Not to my – best of my memory, no.</p> <p>12 Q. Was that a common thing to have pink-tinted</p> <p>13 baggies?</p> <p>14 A. I don't recall.</p> <p>15 Q. What would've made them pink-tinted, if you</p> <p>16 know?</p> <p>17 A. I'm not certain.</p> <p>18 Q. And do you have any personal knowledge as to</p> <p>19 whether the narrative section in this report is</p> <p>20 accurate?</p> <p>21 MR. STEFANICH: Object to the form. You can</p> <p>22 answer.</p> <p>23 A. No. I have no – I have no doubt that this is</p> <p>24 inaccurate, because if I wrote this report, then I've</p> <p>25 always made – told the truth and never falsified any of</p>
<p style="text-align: right;">Page 35</p> <p>1 Q. And do you know who actually signed the</p> <p>2 report?</p> <p>3 A. That is my hand signature.</p> <p>4 Q. Did you sign for both of you?</p> <p>5 A. Yes, I did.</p> <p>6 Q. And do you recall whether you got – whether</p> <p>7 Jones looked at this report before you signed his name?</p> <p>8 A. If I signed for Alvin Jones, then I would've</p> <p>9 gotten his permission.</p> <p>10 Q. You would've gotten his specific permission to</p> <p>11 sign this report before you put his name on it?</p> <p>12 A. Yes.</p> <p>13 Q. You see in Box 42, there's some reference to</p> <p>14 gang affiliation?</p> <p>15 A. Yes.</p> <p>16 Q. Where did that information come from?</p> <p>17 A. I don't recall.</p> <p>18 Q. You see on the narrative part, it looks like</p> <p>19 it's saying that you recovered drugs from two people,</p> <p>20 and Jones recovered drugs from two people; is that</p> <p>21 right? Am I reading that correctly?</p> <p>22 A. That is correct.</p> <p>23 Q. And for you, it says you recovered from</p> <p>24 Offender number 2, which is Stefon Harrison,</p> <p>25 64 pink-tinted Ziploc baggies. You see that?</p>	<p style="text-align: right;">Page 37</p> <p>1 my reports.</p> <p>2 BY MR. RAUSCHER:</p> <p>3 Q. Never?</p> <p>4 A. Never.</p> <p>5 Q. What would you consider a false report?</p> <p>6 A. I don't know because I've never falsified a</p> <p>7 report.</p> <p>8 Q. Can't think of a -- like, any examples of what</p> <p>9 a false report could be?</p> <p>10 A. No. I cannot tell you that.</p> <p>11 Q. What about saying that an offender or somebody</p> <p>12 you arrested said something that they didn't say? Would</p> <p>13 that be a false report?</p> <p>14 A. I – I guess so.</p> <p>15 Q. All right. So the Vice Case Report that's in</p> <p>16 front of you isn't signed by a supervisor yet. You see</p> <p>17 that?</p> <p>18 A. Yes.</p> <p>19 Q. Can you tell me what the process is for</p> <p>20 creating a Vice Case Report and then getting</p> <p>21 supervisory – or getting a supervisor sign off?</p> <p>22 A. From the best of my remembering, that</p> <p>23 it – any report was supposed to be signed and – and</p> <p>24 approved by a supervisor or another exempt ranked.</p> <p>25 Q. And when would that typically happen? Would</p>

<p style="text-align: right;">Page 38</p> <p>1 it be same day that the report is created or some other 2 time, or did it differ? 3 A. From the best of my memory, yeah, it could 4 have occurred on the same day. 5 Q. Would it typically have occurred on the same 6 day? 7 A. Typically, yes. 8 Q. What were some reasons, if there are any, that 9 it would've maybe waited and not been approved the same 10 day? 11 A. Sitting here today, I could not tell you. 12 Maybe it was in error. 13 MR. RAUSCHER: Brian, there's another version 14 of this, which I can either share, or if you have, 15 you can hand him, which is Bates stamped, DO-Joint 16 19942 to 43. 17 MR. STEFANICH: Yeah. Why don't you show it to 18 him? 19 BY MR. RAUSCHER: 20 Q. All right. I'm going to bring up another 21 document. We're going to call that Exhibit 10. Just 22 give me one sec. And so the Bates for the one I'm about 23 to bring up on the screen is DO-Joint 19942 to 43. 24 Sorry, I was muted. Do you see a Vice Case Report up on 25 the screen?</p>	<p style="text-align: right;">Page 40</p> <p>1 your responsibility? 2 A. Yes. 3 Q. And do you know why you didn't get the 4 supervisor to sign off on it right away? 5 MR. STEFANICH: Object to the form. You can 6 answer. 7 A. No, I do not. 8 BY MR. RAUSCHER: 9 Q. Are there any reasons you can think of, as we 10 sit here today, why a supervisor wouldn't have signed 11 off on this one until December 16, 2006? 12 A. I cannot explain it, no. 13 Q. Do you recall any time, over the course of 14 your career, a supervisor asking you to add information 15 or change information in a report? 16 A. No. 17 Q. Do you recall a supervisor ever saying, hey, 18 I need more -- I need to know more about this arrest 19 before I can sign off on it? 20 A. I don't remember, in particular, but it's not 21 uncommon. 22 Q. So you don't have any specific memory of that, 23 but you -- well, let me rephrase. Are you saying you 24 don't have a specific case that you can think of where 25 that happened to you, but that you know it happened, or</p>
<p style="text-align: right;">Page 39</p> <p>1 (EXHIBIT 10 MARKED FOR IDENTIFICATION) 2 A. Yes. Can you enlarge it a little bit for me? 3 BY MR. RAUSCHER: 4 Q. Of course. Is that good, or you want more? 5 A. No, that's fine. 6 Q. Does this look like it's a report of the same 7 arrest that we were just looking at? 8 A. It appears so. 9 Q. All right. And then this one has supervisory 10 -- supervisor approving, and it's signed and dated. 11 Do you see that? 12 A. Yes. 13 Q. And it looks like it's dated 12 days after the 14 arrest? 15 A. Yes. 16 Q. Do you know whose signature that is on the 17 supervisor line? 18 A. I cannot tell. 19 Q. If you see it on the next page, can you tell 20 looking there? 21 A. No, I cannot. 22 Q. Who is responsible for getting the supervisor 23 to review and sign a Vice Case Report? 24 A. The arresting officer. 25 Q. And so in that case, was this you? It was</p>	<p style="text-align: right;">Page 41</p> <p>1 are you saying, as a general matter, you understand that 2 is a thing that can happen? 3 A. It is a thing that can happen. If they -- 4 Q. Do -- 5 A. -- that -- 6 Q. Sorry. Go ahead. 7 A. It is -- it can happen if the watch commander 8 or the desk sergeant feel that you've left out something 9 related to probable cause for the arrest. 10 Q. And do you know whether that ever happened to 11 you? 12 A. I can't -- I can't -- sitting here today, no. 13 I'm certain it could have probably happened to me 14 in the -- in the past. 15 Q. So maybe, maybe not? 16 A. As I -- as I stated, I don't recall on this 17 particular arrest, but it could have happened. 18 Q. Yeah. Okay. When you say, it could have 19 happened, do you think it happened? Is it more likely 20 than not that at some point that happened to you, or you 21 just don't know at all either way? 22 MR. STEFANICH: Objection. Form. 23 A. I don't know one way or the other. 24 BY MR. RAUSCHER: 25 Q. Do you know if you ever talked to</p>

<p style="text-align: right;">Page 42</p> <p>1 prosecutor -- any prosecutor about these arrests?</p> <p>2 A. I don't recall so.</p> <p>3 Q. And if you look at the Arrest Reports,</p> <p>4 we -- I showed you four Arrest Reports from the four</p> <p>5 people who were arrested on this Vice Case Report.</p> <p>6 On three of them, you are the attesting officer, and on</p> <p>7 the fourth one Kallatt Mohammed is the attesting</p> <p>8 officer, and that's for Henry Thomas. Do you know why</p> <p>9 that's the -- why that is the case?</p> <p>10 A. No, I do not.</p> <p>11 Q. Mr. Harrison was also arrested on September</p> <p>12 27, 2006. I don't see -- did you look at reports</p> <p>13 relating to that arrest?</p> <p>14 A. I don't recall. I may have.</p> <p>15 Q. Do you have any memory of -- your name is not</p> <p>16 on those reports, and I just want to know if you have</p> <p>17 any memory of being involved in arresting Mr. Harrison</p> <p>18 at any time?</p> <p>19 A. As I stated before, I do not recall Stefon</p> <p>20 Harrison.</p> <p>21 Q. And you have probably been asked this question</p> <p>22 before, but it'll save a little bit of time today if I</p> <p>23 can just ask you again. You went to the Second District</p> <p>24 in 2004, correct?</p> <p>25 A. I believe that's correct.</p>	<p style="text-align: right;">Page 44</p> <p>1 Candyman or anyone like that at Ida B. Wells?</p> <p>2 A. No, I do not.</p> <p>3 Q. Do you recall that people sometimes would sell</p> <p>4 candy and other goods like that at Ida B. Wells?</p> <p>5 A. Yes.</p> <p>6 Q. Did any of those people have nicknames, to</p> <p>7 your knowledge?</p> <p>8 A. If they did, I do not recall.</p> <p>9 Q. Did you look at reports relating to Phillip</p> <p>10 Thomas's arrest to prepare for your deposition today?</p> <p>11 A. I believe so.</p> <p>12 Q. All right. Why don't we call Exhibit 11 --</p> <p>13 let's make Phillip Thomas's Arrest Report with his</p> <p>14 picture Exhibit 11, and this is DO Joint 007386 through</p> <p>15 7390. Do you recognize the person in the picture on the</p> <p>16 first page of that Arrest Report?</p> <p>17 (EXHIBIT 11 MARKED FOR IDENTIFICATION)</p> <p>18 A. No, I do not.</p> <p>19 BY MR. RAUSCHER:</p> <p>20 Q. Do you recall being involved in Mr. Thomas's</p> <p>21 arrest on May 14, 2007?</p> <p>22 A. I don't recall the arrest on that date.</p> <p>23 Q. And do you recall any arrests from that date?</p> <p>24 A. No, I do not.</p> <p>25 Q. Do you know who Sandra Cartwright is?</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. Okay. And were you ever involved in any</p> <p>2 arrests in the Second District prior to -- it was</p> <p>3 July 2004 when you were assigned there?</p> <p>4 A. No.</p> <p>5 Q. You know, I think I have one more question or</p> <p>6 two about the Alvin Waddy case, which I skipped over.</p> <p>7 I'm going to stop sharing. Do you know if Alvin Waddy</p> <p>8 filed a CR relating to the arrest that we talked about</p> <p>9 earlier today?</p> <p>10 A. No, I do not.</p> <p>11 Q. Do you have any memory of being interviewed in</p> <p>12 connection with the CR that was -- I shouldn't say Alvin</p> <p>13 Waddy filed, but that was filed on behalf of Alvin</p> <p>14 Waddy?</p> <p>15 A. No, I do not.</p> <p>16 Q. Do you know who John Farrell is?</p> <p>17 A. I believe he was the captain, at one point in</p> <p>18 time, in the Second District.</p> <p>19 Q. Do you recall him ever interviewing you about</p> <p>20 any CRs?</p> <p>21 A. Not at the present moment.</p> <p>22 Q. All right. Let's go to Phillip Thomas.</p> <p>23 Do you know who Phillip Thomas is?</p> <p>24 A. No, I do not recall.</p> <p>25 Q. Do you recall anyone who had a nickname of</p>	<p style="text-align: right;">Page 45</p> <p>1 A. Yes, I do.</p> <p>2 Q. Were you involved in arresting her on May 14,</p> <p>3 2007?</p> <p>4 A. Without seeing a report, I don't recall off of</p> <p>5 my memory.</p> <p>6 Q. Do you recall being involved in arresting her,</p> <p>7 at any point?</p> <p>8 A. I remember her. I don't recall if I ever was</p> <p>9 involved in an arrest of Sandra Cartwright.</p> <p>10 Q. Do you know one way or the other whether you</p> <p>11 testified at Phillip Thomas's trial?</p> <p>12 A. I believe so. Without looking at the -- an</p> <p>13 actual report, I don't recall off the top of my -- my</p> <p>14 memory.</p> <p>15 Q. But you think you -- why do you think</p> <p>16 you -- why do you believe you testified at his trial?</p> <p>17 A. I believe I might have seen that file.</p> <p>18 Q. I got it. You don't have any independent</p> <p>19 memory of doing it, but you think you've seen a</p> <p>20 transcript?</p> <p>21 A. Yes, I believe so.</p> <p>22 Q. Do you have any memory of ever being</p> <p>23 questioned by a pro se defendant in a criminal case?</p> <p>24 A. No, I do not.</p> <p>25 Q. Do you know what I mean when I say a pro se</p>



<p style="text-align: right;">Page 46</p> <p>1 defendant?</p> <p>2 A. Yes.</p> <p>3 Q. Someone who is representing himself?</p> <p>4 A. Yes.</p> <p>5 Q. Now, are you familiar with the term, knockout,</p> <p>6 in connection with drugs?</p> <p>7 A. Yes.</p> <p>8 Q. Now, what does knockout mean?</p> <p>9 A. That was the name that they gave to some of</p> <p>10 the -- I believe, wherever the location or what building</p> <p>11 they sold drugs from, it was the description for crack</p> <p>12 cocaine.</p> <p>13 Q. Do you know which building that was for?</p> <p>14 A. No. As I stated, I do not recall which</p> <p>15 building.</p> <p>16 Q. Do you know what time period the term knockout</p> <p>17 was used to describe crack cocaine at a building?</p> <p>18 A. No, I don't recall.</p> <p>19 Q. Are you familiar with X-box, as a drug term?</p> <p>20 A. Yes, I do.</p> <p>21 Q. And what did X-box mean in that context?</p> <p>22 A. The best of my memory, I believe that was for</p> <p>23 heroin.</p> <p>24 Q. Was that something, also, you used at a</p> <p>25 specific building?</p>	<p style="text-align: right;">Page 48</p> <p>1 question over?</p> <p>2 BY MR. RAUSCHER:</p> <p>3 Q. Yeah. Do you remember the -- well, why don't</p> <p>4 you look at the Arrest Report and tell me if I -- tell -</p> <p>5 - why don't you tell us what the address is where</p> <p>6 Phillip Thomas was arrested?</p> <p>7 A. It says 574 East 36th Street.</p> <p>8 Q. All right. Was that a building in Ida B.</p> <p>9 Wells?</p> <p>10 A. Yes, it was.</p> <p>11 Q. Do you remember what that building looked</p> <p>12 like?</p> <p>13 A. As I stated before, vaguely.</p> <p>14 Q. Do you remember what the stairwells looked</p> <p>15 like in that building?</p> <p>16 A. Other than that they were made out of</p> <p>17 concrete, nothing that I can recall off the top of my</p> <p>18 head.</p> <p>19 Q. Do you remember where the stairwells were</p> <p>20 located in the building?</p> <p>21 A. No, I do not.</p> <p>22 Q. Do you know if there was more than one</p> <p>23 stairwell in the building?</p> <p>24 A. I recall that there was two stairwells.</p> <p>25 Q. And were they -- was one in the front, one in</p>
<p style="text-align: right;">Page 47</p> <p>1 A. It might have been, but I don't recall which</p> <p>2 particular building.</p> <p>3 Q. And do you recall what time period X-box was a</p> <p>4 term?</p> <p>5 A. No, I don't recall.</p> <p>6 Q. Did Sandra Cartwright sell drugs?</p> <p>7 A. I -- the best of my memory, I cannot recall</p> <p>8 one way or the other.</p> <p>9 Q. And what about Phillip Thomas?</p> <p>10 A. I do not remember Phillip Thomas.</p> <p>11 Q. Do you know if they knew each other -- if</p> <p>12 Sandra Cartwright and Philip Thomas knew each other?</p> <p>13 A. I don't know.</p> <p>14 Q. Do you remember what the 547 [sic] East</p> <p>15 35th -- 36th Street building in Ida B. Wells looked</p> <p>16 like?</p> <p>17 A. Vaguely.</p> <p>18 Q. Do you remember what the stairwells -- how the</p> <p>19 stairwells were set up?</p> <p>20 MR. STEFANICH: Sorry, Scott, can you say the</p> <p>21 address again?</p> <p>22 MR. RAUSCHER: Yeah. The address where Phillip</p> <p>23 Thomas was arrested. 5 -- oh, I might have said it</p> <p>24 wrong. 574 East 36th Street.</p> <p>25 MR. STEFANICH: All right. Can we start the</p>	<p style="text-align: right;">Page 49</p> <p>1 the back? Were they on the side? Can -- what -- can you</p> <p>2 tell us anything about the location?</p> <p>3 A. I don't recall the specific location.</p> <p>4 Q. Why don't we also mark the Vice Case Report as</p> <p>5 Exhibits 12. I think we're on. And that's DO</p> <p>6 Joint -- this includes a cover page, but the exhibit</p> <p>7 would be DO Joint 007391 to 393. Let me know when</p> <p>8 you've had a chance to look through that.</p> <p>9 (EXHIBIT 12 MARKED FOR IDENTIFICATION)</p> <p>10 A. Okay. I've read it.</p> <p>11 BY MR. RAUSCHER:</p> <p>12 Q. Does looking at this Arrest Report -- or this</p> <p>13 Vice Case Report refresh your recollection about your</p> <p>14 involvement in the arrest of Phillip Thomas?</p> <p>15 A. No, it does not.</p> <p>16 Q. Do you see where it says on the second page of</p> <p>17 the Vice Case Report that you had been watching certain</p> <p>18 activities for, at least, 20 minutes?</p> <p>19 A. Yes.</p> <p>20 Q. Do you remember where you were watching those</p> <p>21 activities from?</p> <p>22 A. I don't recall the specifics of this arrest.</p> <p>23 Q. So no, you don't remember where you were</p> <p>24 watching them from?</p> <p>25 A. No, I do not.</p>

<p style="text-align: right;">Page 50</p> <p>1 Q. Were you conducting surveillance with Al 2 Jones, together? 3 A. Based on the narrative of this report, it 4 appears so. 5 Q. But you don't know because you don't have a 6 memory of the event? 7 A. No, sir. I do not. 8 Q. Was it common for you to conduct surveillance 9 for 20 minutes or longer? 10 A. Yes. 11 Q. Where were some places you would typically 12 conduct surveillance from at Ida B. Wells? 13 A. It was so many years ago, I could not tell 14 you specifically. 15 Q. What about just generally? 16 A. I -- there again, it's been many years ago. 17 This was in 2007. I do not recall. 18 Q. Well, let's try if we can think of some 19 examples. Would you conduct surveillance from your 20 squad car? 21 A. From the best of my memory, sometimes, yes. 22 Q. Okay. 23 A. But again, I cannot not tell you specifically 24 where I was on this particular date or any other time 25 involving any arrest that I made.</p>	<p style="text-align: right;">Page 52</p> <p>1 your involvement in his arrest? 2 A. No, sir. It does not. 3 Q. Do you know how you prepared for that trial, 4 if you prepared at all? 5 A. No, I do not. 6 Q. Would you -- did you have a typical practice 7 when you were a police officer to prepare for a try -- a 8 tap? Let me start over. When you were a police 9 officer, did you have a practice that you would 10 typically follow to prepare to testify in criminal 11 cases? 12 A. No, I -- I didn't. No. I do not recall 13 having a typical practice. I -- 14 Q. Go ahead. Sorry. 15 A. I take each -- each day as it -- as it comes. 16 I don't -- I take -- even in my personal life. I don't 17 have a typical plan. I just go by -- I go by the flow 18 of the day. That's my routine. 19 Q. Got it. That was the same as a police 20 officer? 21 A. Yes. I have no set routine. 22 Q. All right. Wouldn't necessarily review the 23 police reports before you testified? 24 A. I believe I would have, but I can't -- it off 25 the top of my head, I couldn't say how I prepared for</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. Would you conduct surveillance standing 2 outside? 3 A. It could -- it could have happened. 4 And again, I -- like I said, don't specifically 5 remember. 6 Q. Would you -- 7 A. You can do surveillance based off of my 8 experience and my memory as a police officer. 9 Q. All right. Well, based on your experience and 10 memory of a police officer, what were some of the ways 11 you conducted surveillance? 12 A. I don't recall, but I say it could be done in 13 many different forms. It could be done from any -- on 14 foot. You know, it could be done inside the squad car. 15 Could be done inside a covert vehicle. 16 Q. Any other ones you can think of? 17 A. Not off the top of my head, no. 18 Q. Do you recall ever reading your testimony 19 from Phillip Thomas' trial? 20 A. Yes. 21 Q. Now, when did you last read your testimony 22 from Mr. Thomas's trial? 23 A. I believe the day before yesterday. 24 Q. Did it -- did you -- did reading that 25 testimony refresh your recollection at all as to what</p>	<p style="text-align: right;">Page 53</p> <p>1 that testimony. 2 Q. Right. Well, so you have no memory -- you 3 don't even have a memory of actually testifying, right? 4 A. No, I do not. 5 Q. So what -- when I was asking if you had a 6 typical practice, I didn't mean specifically to that 7 case. I mean, generally, how would you have prepared to 8 testify at a trial for a criminal defendant whose arrest 9 you were involved in? 10 A. I don't recall, but I'm certain if -- if 11 I -- once I appeared at the court, the facility, that 12 they might -- just like preparing for a deposition that 13 they will let me review the case reports involved -- 14 involving that particular arrest. 15 Q. Well, if you don't recall, then how are you 16 certain that that's what would happen? 17 A. As I stated, when you arrived to court before 18 the trial begin, you talk with the state's attorneys and 19 they show you documents regarding a particular incident 20 or an arrest. 21 Q. But when did you state that? 22 A. I just stated it now. 23 Q. All right. So before you would testify at a 24 trial in a criminal case, you would meet with the 25 state's attorney?</p>



<p style="text-align: right;">Page 54</p> <p>1 A. On the best of my memory, yes.</p> <p>2 Q. All right. And then you would review the</p> <p>3 relevant police reports?</p> <p>4 A. Yes. Based off of my memory, yes.</p> <p>5 Q. Would you talk to your partner if he was also</p> <p>6 going to be testifying?</p> <p>7 A. If they were in the same room with me, yes.</p> <p>8 Q. Well, would they be in the same room with you,</p> <p>9 typically?</p> <p>10 A. Typically, from the best of my memory, yes.</p> <p>11 Q. And what would you talk to the prosecutor</p> <p>12 about?</p> <p>13 A. I do not recall. It's been many years since</p> <p>14 I've testified in court.</p> <p>15 Q. You don't recall even a general topic that you</p> <p>16 would talk to a prosecutor about before testifying in a</p> <p>17 criminal case?</p> <p>18 A. No, sir. As I sit here today, no.</p> <p>19 Q. Would you talk about the case?</p> <p>20 A. I'm certain that we would have talked about</p> <p>21 the case.</p> <p>22 Q. All right. What else would you have talked</p> <p>23 about? Anything?</p> <p>24 A. Based on that, like I said, I don't recall</p> <p>25 any other conversations that we would discuss. I'm sure</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. RAUSCHER: Perfect.</p> <p>2 THE REPORTER: Okay. Going off the record. The</p> <p>3 time is 12:05 p.m. Eastern time.</p> <p>4 THE REPORTER: We're back on the record for the</p> <p>5 deposition of Elsworth Smith being conducted by</p> <p>6 video conference. My name is Esther Heath. The</p> <p>7 date is July 21, 2023 and the current time is 12:22</p> <p>8 p.m. Eastern time.</p> <p>9 BY MR. RAUSCHER:</p> <p>10 Q. All right. We're going to move on to Octavia</p> <p>11 McDonald, which is the last plaintiff that I have to</p> <p>12 cover today. And there are two arrests for this,</p> <p>13 Mr. Smith. Do you remember who Octavia McDonald is?</p> <p>14 A. Yes, I do.</p> <p>15 Q. All right. Tell me everything you remember</p> <p>16 about Octavia McDonald.</p> <p>17 A. I just remember seeing her in the Ida B.</p> <p>18 Wells.</p> <p>19 Q. And do you remember anything other than that</p> <p>20 you saw her there?</p> <p>21 A. No, I do not.</p> <p>22 Q. How do you know that that's Octavia McDonald?</p> <p>23 Did you look at a picture?</p> <p>24 A. Yes.</p> <p>25 Q. And seeing that picture refreshed your</p>
<p style="text-align: right;">Page 55</p> <p>1 we probably had other conversations, in general, but I</p> <p>2 can't say one way or the other what we specifically</p> <p>3 talked about.</p> <p>4 Q. Would the prosecutors tell you what kind of</p> <p>5 questions they were going to ask?</p> <p>6 A. I don't recall. I'm certain they probably</p> <p>7 could have, but I don't recall.</p> <p>8 Q. What do you mean you're certain they probably</p> <p>9 could have?</p> <p>10 A. If you're going to trial, they probably would</p> <p>11 ask you questions, you know, that they -- or that they</p> <p>12 may ask you or --</p> <p>13 Q. Yeah. But you're not sure one way or the</p> <p>14 other, whether that is what typically happened in your</p> <p>15 experience?</p> <p>16 A. I don't recall, sir.</p> <p>17 Q. When you read your trial testimony from</p> <p>18 Phillip Thomas' case, did it reflect your recollection</p> <p>19 about what the building in question looked like or how</p> <p>20 it was set up?</p> <p>21 A. No. It's -- no, it does not. That was many</p> <p>22 years ago, and the Ida B. Wells have been torn down.</p> <p>23 Q. Would it be all right if we take like five- or</p> <p>24 10-minute break?</p> <p>25 MR. STEFANICH: Yep. I need one anyways, so.</p>	<p style="text-align: right;">Page 57</p> <p>1 recollection as to who she was?</p> <p>2 A. Yes, it did.</p> <p>3 Q. Did you know her name when you were working at</p> <p>4 Ida B. Wells?</p> <p>5 A. Not on my initial encounter.</p> <p>6 Q. But, at some point, you knew her -- like you</p> <p>7 could look at that person at Ida B. Wells and say that's</p> <p>8 Octavia McDonald?</p> <p>9 A. Yes.</p> <p>10 Q. All right. When you said not on your initial</p> <p>11 encounter, what do you mean by that?</p> <p>12 A. When I first encountered her, no, I did not</p> <p>13 know her name.</p> <p>14 Q. All right. How many times do you recall</p> <p>15 encountering Ms. McDonald?</p> <p>16 A. I could not tell you.</p> <p>17 Q. More than once?</p> <p>18 A. Yes. It was more than once.</p> <p>19 Q. More than twice?</p> <p>20 A. I believe so.</p> <p>21 Q. What do you remember about encountering her?</p> <p>22 A. None in particular.</p> <p>23 Q. Like no particular behavior sticks out to you?</p> <p>24 A. No.</p> <p>25 MR. STEFANICH: Object to form. You can</p>

<p style="text-align: right;">Page 58</p> <p>1 answer.</p> <p>2 A. It's been many years ago. I just recall</p> <p>3 seeing her.</p> <p>4 BY MR. RAUSCHER:</p> <p>5 Q. All right. Do you recall being involved in</p> <p>6 arresting her?</p> <p>7 A. Yes.</p> <p>8 Q. All right. So how many times did you</p> <p>9 arrest -- were you involved in arresting Ms. McDonald's?</p> <p>10 A. I don't recall.</p> <p>11 Q. Do you know if it was more than once?</p> <p>12 A. I don't recall.</p> <p>13 Q. How many arrests do you recall of Ms. -- how</p> <p>14 many arrests of Ms. McDonald do you recall?</p> <p>15 A. Only one.</p> <p>16 Q. Which one do you recall? do you know?</p> <p>17 A. It was one involving a pink purse.</p> <p>18 Q. Do you have a specific memory of arresting</p> <p>19 someone with a -- let me rephrase. Do you have a</p> <p>20 specific memory of arresting Octavia McDonald with a</p> <p>21 pink purse?</p> <p>22 A. Yes, I do.</p> <p>23 Q. And was that -- did you have that memory</p> <p>24 before you looked at reports to prepare for your</p> <p>25 deposition today?</p>	<p style="text-align: right;">Page 60</p> <p>1 grams of cocaine?</p> <p>2 A. Yes.</p> <p>3 Q. All right. And we scroll down here and it</p> <p>4 says -- your name is listed as victim and complainant.</p> <p>5 You see that on page 2?</p> <p>6 A. Yes, I do.</p> <p>7 Q. All right. And then take a look at the</p> <p>8 incident narrative?</p> <p>9 A. Yes, I've read it.</p> <p>10 Q. Is this the report that refreshed your</p> <p>11 recollection about Ms. McDonald's arrest?</p> <p>12 A. Yes.</p> <p>13 Q. What is it about the report that refreshed</p> <p>14 your recollection about the -- about arresting</p> <p>15 Ms. McDonald?</p> <p>16 A. That a female was selling narcotics at that</p> <p>17 location where she was arrested, holding a pink purse.</p> <p>18 Q. Was the pink purse, was that unusual for you?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. All right. So now that you have had</p> <p>21 your memory refreshed, tell me everything you remember</p> <p>22 about this arrest.</p> <p>23 A. The only thing I can particularly remember is</p> <p>24 the pink purse and Octavia McDonald sitting at the above</p> <p>25 location where she was placed in custody, holding a pink</p>
<p style="text-align: right;">Page 59</p> <p>1 A. No, I did not.</p> <p>2 Q. And so was it seeing a report refreshed your</p> <p>3 recollection about the arrest?</p> <p>4 A. Yes.</p> <p>5 Q. And do you know which report that was?</p> <p>6 A. No, I do not.</p> <p>7 MR. RAUSCHER: I'm going to show you -- why</p> <p>8 don't we mark Exhibit 13 as DO joint 039797 through</p> <p>9 99. Brian, do you need me to pull this up?</p> <p>10 (EXHIBIT 13 MARKED FOR IDENTIFICATION)</p> <p>11 MR. STEFANICH: No, I got it. Is it the arrest</p> <p>12 or the vice case?</p> <p>13 MR. RAUSCHER: That's arrest.</p> <p>14 MR. STEFANICH: Okay. Okay, let me find it.</p> <p>15 No, Scott, you better just pull it up.</p> <p>16 BY MR. RAUSCHER:</p> <p>17 Q. Okay. All right. Are you seeing an Arrest</p> <p>18 Report?</p> <p>19 A. Yes.</p> <p>20 Q. All right. Do you see this as -- I know the</p> <p>21 picture's not great, but you see this as an Arrest</p> <p>22 Report of Octavia McDonald with an arrest date of</p> <p>23 August 8, 2005?</p> <p>24 A. Yes.</p> <p>25 Q. And arrested for possession of less than 15</p>	<p style="text-align: right;">Page 61</p> <p>1 purse.</p> <p>2 Q. Which location?</p> <p>3 A. Can you go back up or -- at the 5274 East 37th</p> <p>4 Place.</p> <p>5 Q. And was that part of Ida B. Wells?</p> <p>6 A. Yes, it was.</p> <p>7 Q. And then the location, it says, 303-sidewalk.</p> <p>8 You see that?</p> <p>9 A. Yes.</p> <p>10 Q. What does that mean?</p> <p>11 A. It says sidewalk.</p> <p>12 Q. What does 303-sidewalk mean?</p> <p>13 A. It was a code that we used for sidewalk.</p> <p>14 Q. Got it. Beat 212. You see that?</p> <p>15 A. No. If you go down to the near -- oh, I see.</p> <p>16 Yes.</p> <p>17 Q. What does beat 212 mean?</p> <p>18 A. That's the beat for that location.</p> <p>19 The address where the occurrence took place.</p> <p>20 Q. And I think you wanted to -- maybe if I was</p> <p>21 going to ask you a different question, but --</p> <p>22 A. No. I -- I thought you was asking me</p> <p>23 something else. I'm sorry. I'm jumping the gun.</p> <p>24 Q. Did you think I was asking you what beat you</p> <p>25 were on that day?</p>

<p style="text-align: right;">Page 62</p> <p>1 A. No. I thought you was going to ask a  2 different question. I'm sorry.  3 Q. That's all right. What question did you think  4 I was going to ask?  5 A. No. I -- I didn't know. I just, you  6 know --  7 Q. Okay. All right. Were you tactical unit  8 264C on August 8, 2005?  9 A. That's what it state's in the report, yes.  10 Q. Do you know who was working with you that day?  11 Let me rephrase that. Do you know who your partner or  12 partners were that day?  13 A. Can you go down, then I can see? According to  14 this report, it states Robert Gonzalez.  15 Q. And is -- that's because he's got the same  16 beat as you?  17 A. For that particular day, that might been.  18 That wasn't my normal beat.  19 Q. But I -- what I'm saying is you're basing the  20 fact -- you're basing your statement that he was your  21 partner that day on the fact that this report lists you  22 as both having the same beat, right?  23 A. Yes. That particular day, on that date and  24 time at that arrest, if I was listed as 264 Charlie,  25 then that's the beat that we was assigned to. But at</p>	<p style="text-align: right;">Page 64</p> <p>1 arrest?  2 A. No, sir.  3 Q. All right. Can you tell me specifically what  4 you did to arrest Octavia McDonald on August 8, 2008?  5 A. Like I said, I --  6 Q. Sorry, I said that year wrong. Can you tell  7 me specifically what you did to arrest Octavia McDonald  8 on August 8, 2005?  9 A. I don't recall specifically, other than as I  10 stated previously, that I recall the -- a pink purse.  11 Q. Did you take the custody of the pink purse?  12 A. I don't recall at the present moment.  13 Q. Did you say anything to Octavia McDonald?  14 A. Being so long ago, I don't recall what exactly  15 I may have said to her.  16 Q. All right. If you said anything, would you  17 have put that in the report?  18 MR. STEFANICH: Objection. Form. You can  19 answer.  20 A. I may or may not have. I can't --  21 Q. What --  22 A. -- recall.  23 Q. Go ahead. What would some reasons be for not  24 putting in things you said to her in a report?  25 A. I can't tell you, sir.</p>
<p style="text-align: right;">Page 63</p> <p>1 that -- as I was -- stated before, my normal beat at  2 that time was 264 David.  3 Q. All right. And who were your normal partners  4 at the time? Was it Kallatt Mohammed and Lamonica  5 Louis?  6 A. I believe in 2005, that would've been before  7 mon -- Lamonica Louis was assigned to the second  8 district. And in 2005, I don't recall who my partner  9 was at that time. May have or may not have been Kallatt  10 Mohammed.  11 Q. Do you know who else was involved in this  12 arrest?  13 A. Not off the top of my head, no.  14 Q. Okay. Looking at this report, can -- does it  15 tell you anything about who else was involved in the  16 arrest?  17 A. No, it does not.  18 Q. Have you seen any other reports that tell you  19 who else was involved in the arrest?  20 A. I don't recall.  21 Q. You don't recall seeing any other reports  22 that showed you who else was involved in the arrest?  23 A. Not off the top of my head, no.  24 Q. You didn't see anything that refreshed your  25 recollection about anybody else being involved in the</p>	<p style="text-align: right;">Page 65</p> <p>1 Q. Did she say anything to you?  2 A. I'm sure she did, but I do not recall the  3 conversations that we had going back in 2005.  4 Q. Why are you sure she said anything to you?  5 A. I'm certain that when -- anytime you place  6 someone in custody that there is a conversation between  7 you and the other person, but I could not tell you one  8 way or another what was said.  9 Q. You see here it says, "ROs received  10 information from an anonymous citizen who's concerned  11 about drug selling taking place on their block."  12 You see that?  13 A. Yes, I do.  14 Q. Do you know who that anonymous citizen was?  15 A. No, I do not.  16 Q. Do you know how that information was given to  17 you?  18 A. No, I do not.  19 Q. Like if it was in person or on the phone?  20 A. I do not recall.  21 Q. All right. And then it also says the next  22 sentence, "This concerned citizen gave ROs a description  23 of female black who was sitting in the front of the  24 building at above location and selling drugs from a pink  25 purse." You see that?</p>

<p style="text-align: right;">Page 66</p> <p>1 A. Yes, I do.</p> <p>2 Q. Okay. Is the concerned citizen the same</p> <p>3 person as the anonymous citizen in this report?</p> <p>4 A. I cannot determine one way or the other.</p> <p>5 Q. Do you recall recovering a medicine bottle</p> <p>6 from the pink purse?</p> <p>7 A. That's stated in the report, but that does not</p> <p>8 specify who made the actual recovery.</p> <p>9 Q. Do you recall a medicine bottle being</p> <p>10 recovered, whether you were the one who did it or not?</p> <p>11 A. No, I do not.</p> <p>12 Q. Did you witness Ms. McDonald selling drugs?</p> <p>13 A. I do not recall.</p> <p>14 Q. Anything you can think of that would refresh</p> <p>15 your recollection?</p> <p>16 A. No, sir.</p> <p>17 Q. Do you know who read Octavia McDonald her</p> <p>18 Miranda warnings?</p> <p>19 A. No, I do not.</p> <p>20 Q. Do you know if Ronald Watts was on scene?</p> <p>21 A. I don't recall.</p> <p>22 Q. Do you know who Pamela Nooner (phonetic) is?</p> <p>23 A. No, I do not.</p> <p>24 Q. Do you recall a CR being filed over Octavia</p> <p>25 McDonald's arrest?</p>	<p style="text-align: right;">Page 68</p> <p>1 BY MR. RAUSCHER:</p> <p>2 Q. Okay. All right. You see the Arrest Report</p> <p>3 on your screen?</p> <p>4 A. Yes, I do.</p> <p>5 Q. Now, the woman pictured there, is that Octavia</p> <p>6 McDonald?</p> <p>7 A. Yes.</p> <p>8 Q. That's the person you remember arresting with</p> <p>9 the pink purse?</p> <p>10 A. Yes.</p> <p>11 Q. All right. And this is a report from an</p> <p>12 arrest of her a few months before the first one we</p> <p>13 looked at, so this is May 25, 2005. You see that?</p> <p>14 A. Yes, I do.</p> <p>15 Q. Location is 527 East 37th Place?</p> <p>16 A. That's correct.</p> <p>17 Q. All right. I'm going to go ahead and scroll</p> <p>18 to page 5. And you see your name as listed as a</p> <p>19 assisting arresting officer for this arrest?</p> <p>20 A. Yes, I do.</p> <p>21 Q. Do you have any memory of being involved in</p> <p>22 this arrest of May 25, 2005?</p> <p>23 A. No, I do not.</p> <p>24 Q. All right. Take a look at the narrative,</p> <p>25 which is on page 2 and which I've brought onto the</p>
<p style="text-align: right;">Page 67</p> <p>1 MR. STEFANICH: Object to form. You can</p> <p>2 answer.</p> <p>3 A. I believe I saw a report concerning the CR</p> <p>4 number that she filed.</p> <p>5 MR. RAUSCHER:</p> <p>6 Q. Okay. And do you recall seeing your name on</p> <p>7 Arrest Reports from a different arrest of Octavia</p> <p>8 McDonald?</p> <p>9 A. No, I do not recall.</p> <p>10 Q. All right. Why don't we mark it Exhibit 14 as</p> <p>11 the Vice Case Report from a May 25, 2005 arrest, which</p> <p>12 is CDBG 060131 to 32. Have you had a chance to look at</p> <p>13 that?</p> <p>14 (EXHIBIT 14 MARKED FOR IDENTIFICATION)</p> <p>15 A. Yes, I have.</p> <p>16 BY MR. RAUSCHER:</p> <p>17 Q. Do you recall whether you were involved in</p> <p>18 arresting Octavia McDonald on May 20 – May 25, 2005?</p> <p>19 A. No, I do not.</p> <p>20 MR. RAUSCHER: All right. Let's make Exhibit 15</p> <p>21 the Arrest Report from that arrest. And that one,</p> <p>22 I have a CDBG 056621 to 6625.</p> <p>23 (EXHIBIT 15 MARKED FOR IDENTIFICATION)</p> <p>24 MR. STEFANICH: Yes, Scott, you're going to</p> <p>25 pull – have to pull that one up, actually.</p>	<p style="text-align: right;">Page 69</p> <p>1 screen. Too big. Let me know when you finished doing</p> <p>2 that.</p> <p>3 A. I've read it.</p> <p>4 Q. All right. Does looking at that narrative</p> <p>5 refresh your recollection about whether you were</p> <p>6 involved in arresting Octavia McDonald in May, 2005?</p> <p>7 A. No, it does not.</p> <p>8 Q. Do you recall ever arresting someone who was</p> <p>9 complaining that her sister was being arrested?</p> <p>10 A. No, I do not.</p> <p>11 MR. RAUSCHER: And Brian, the CR is obviously a</p> <p>12 really big file. If I have questions about that</p> <p>13 one, you want me to bring it up?</p> <p>14 MR. STEFANICH: Yep.</p> <p>15 BY MR. RAUSCHER:</p> <p>16 Q. All right. All right. You see a – scroll to</p> <p>17 the top. You see a CR file here? I'll scroll through.</p> <p>18 I just want to make sure you're seeing the file.</p> <p>19 A. Yes.</p> <p>20 Q. And it's a – does that look like the CR file</p> <p>21 to you?</p> <p>22 A. It's been so long ago since I've seen one,</p> <p>23 but that's what it says at the top there.</p> <p>24 Q. Complaint Register Investigation?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 70</p> <p>1 Q. That's CR?</p> <p>2 A. Yes.</p> <p>3 Q. And you've said -- I think you've already</p> <p>4 testified you don't recall a CR being filed about an</p> <p>5 arrest of Octavia McDonald?</p> <p>6 A. I don't recall.</p> <p>7 Q. All right. This is a to/from. It looks like</p> <p>8 it's from you and I want you to read it over. Let me</p> <p>9 know if you need me to change the size.</p> <p>10 MR. STEFANICH: We have a copy here.</p> <p>11 MR. RAUSCHER: Oh, okay. Then I'll take it</p> <p>12 down.</p> <p>13 MR. PALLES: What page, Scott.</p> <p>14 MR. RAUSCHER: Oh, it's page 95 of the PDF on</p> <p>15 your computer or City BG 012154. Why don't we just</p> <p>16 mark that whole CR file as Exhibit 16?</p> <p>17 (EXHIBIT 16 MARKED FOR IDENTIFICATION)</p> <p>18 A. Yes, I've read it.</p> <p>19 BY MR. RAUSCHER:</p> <p>20 Q. Does reading this to/from refresh your</p> <p>21 recollection at all about Octavia McDonald?</p> <p>22 A. No, it does not.</p> <p>23 Q. Do you know who Octavia McDonald is?</p> <p>24 A. No, I do not.</p> <p>25 Q. All right. Did you prepare this to/from</p>	<p style="text-align: right;">Page 72</p> <p>1 A. No, sir.</p> <p>2 Q. Any other documents you can think of that</p> <p>3 could refresh your recollection about Ms. McDonald or</p> <p>4 her arrests?</p> <p>5 A. No, sir.</p> <p>6 Q. All right. I think I can turn it over to Joel</p> <p>7 now for his case.</p> <p>8 MR. STEFANICH: Okay.</p> <p>9 MR. FLAXMAN: One second. Hi, this is Joel</p> <p>10 Flaxman. Can you hear me?</p> <p>11 THE WITNESS: Yes.</p> <p>12 EXAMINATION</p> <p>13 BY MR. FLAXMAN:</p> <p>14 Q. Okay. I have a few questions for you about an</p> <p>15 arrest of somebody named William Carter. Do you</p> <p>16 remember William Carter?</p> <p>17 A. No, I do not.</p> <p>18 Q. Did you look at any documents about William</p> <p>19 Carter before today's deposition?</p> <p>20 A. Yes, I did.</p> <p>21 Q. Okay. And did looking at those refresh your</p> <p>22 recollection about Mr. Carter?</p> <p>23 A. No, sir. They do not.</p> <p>24 Q. Okay. Was one of the documents an Arrest</p> <p>25 Report?</p>
<p style="text-align: right;">Page 71</p> <p>1 statement yourself?</p> <p>2 A. Yes, I did.</p> <p>3 Q. Is that your signature on the to/from</p> <p>4 statement?</p> <p>5 A. Yes, it is.</p> <p>6 Q. And when I say your signature, I mean,</p> <p>7 did you sign it?</p> <p>8 A. That's my actual handwritten signature.</p> <p>9 Q. Okay. And do you know whether you've -- your</p> <p>10 answers in this to/from statement are -- or the</p> <p>11 statements you made in this to/from statement are</p> <p>12 accurate?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know that they are?</p> <p>15 A. Yes.</p> <p>16 Q. Now, how do you know that everything you've</p> <p>17 written in here is accurate?</p> <p>18 A. Because I would not have lied on a to/from</p> <p>19 report.</p> <p>20 Q. Did you talk to any of the other officers</p> <p>21 about their to/from reports related to the CR?</p> <p>22 A. I don't recall.</p> <p>23 Q. Is there anything else that you remember about</p> <p>24 Octavia McDonald or any of her arrests that we haven't</p> <p>25 talked about yet today?</p>	<p style="text-align: right;">Page 73</p> <p>1 A. Yes, sir.</p> <p>2 Q. Okay. Could I ask you to look at that Arrest</p> <p>3 Report? We marked it at the top as Plaintiff Carter</p> <p>4 Exhibit 1. Are you looking at the Arrest Report of</p> <p>5 William Carter dated May 19, 2006?</p> <p>6 (PLAINTIFF'S EXHIBIT 1 MARKED FOR</p> <p>7 IDENTIFICATION)</p> <p>8 A. Yes, I am.</p> <p>9 Q. Okay. And do you know who wrote the narrative</p> <p>10 section of this Arrest Report?</p> <p>11 A. Well, on page 3 of the report, it says I'm the</p> <p>12 attesting officer, but the first arresting officer was</p> <p>13 Alvin Jones. So according to this, I would've been the</p> <p>14 person who did the narrative.</p> <p>15 Q. So it's your understanding that the attesting</p> <p>16 officer is the one who wrote the narrative?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Is it your understanding that the first</p> <p>19 arresting officer should not also be the attesting</p> <p>20 officer?</p> <p>21 A. No. I did not say that.</p> <p>22 MR. STEFANICH: Objection. Form. You can</p> <p>23 answer.</p> <p>24 A. No. I -- I did not state that. I just said</p> <p>25 based on page 3 of this particular Arrest Report, I was</p>

<p style="text-align: right;">Page 74</p> <p>1 the attesting officer, but the first arresting officer  2 listed was Alvin Jones.  3 BY MR. FLAXMAN:  4 Q. Okay. And my question was: Would you expect  5 to see on every Arrest report a different officer as the  6 first arresting and the attesting?  7 A. Based on my knowledge and experience, no,  8 this is --  9 Q. Okay. So sometimes the first arresting  10 officer could also be the attesting officer?  11 A. Yes.  12 Q. Do you know why on this one you're the  13 attesting, but Officer Jones is the first arresting?  14 A. Since we were partners, to save time, usually  15 on an arrest, we would -- you know, one person would do  16 one step. He might have been writing a case report and  17 he might have asked me to do the arrest report.  18 Q. Is case report the same thing as a vice case  19 report?  20 A. It's slightly different.  21 Q. Oh, okay. What's the difference?  22 A. One is an arrest report and one is a vice case  23 report. Usually, the vice -- vice case report --  24 MR. STEFANICH: I just -- he -- he's -- he  25 asked you a different question.</p>	<p style="text-align: right;">Page 76</p> <p>1 Q. Okay. Can you tell from the report what  2 officers were assigned to Units 264 A on that day?  3 A. For the report, 264 Adam was myself and Alvin  4 Jones.  5 Q. Okay. And could you tell from the report who  6 was assigned to 264 D on that day?  7 A. According to the -- page 5, 264 David was  8 Kenny Young.  9 Q. Okay. And does page 5 also list Kallatt  10 Mohammed as 264 A?  11 A. Yes, it does.  12 Q. And does that mean on that day, you were  13 partnered with Officer Smith and -- I'm sorry. Does  14 that mean on that day you were partnered with Officer  15 Jones and Officer Mohammed?  16 A. Based on this report, yes.  17 Q. Would you expect Officer Young to have a  18 partner?  19 A. I'm -- I'm certain, but I don't recall on this  20 particular day.  21 Q. Okay. The narrative describes a drug  22 transaction between Mr. Carter and Sandra Berry. Do you  23 see that?  24 A. Yes, I do.  25 Q. Okay. Do you have any memory of Sandra Berry?</p>
<p style="text-align: right;">Page 75</p> <p>1 MR. FLAXMAN: Yes.  2 THE WITNESS: I'm sorry.  3 MR. FLAXMAN:  4 Q. Sure. You said you and your partner, one of  5 you might be working on the arrest report, one of you  6 might be working on the case report, correct?  7 A. Sometimes that would happen.  8 Q. And when you said case report, that's just the  9 same thing as a vice case report, right?  10 A. It could be any report.  11 Q. But when you say case report for a drug  12 arrest, do you mean the vice case report?  13 A. Yes. It'd be -- if it was a narcotics arrest,  14 we do a vice case report.  15 Q. Okay. And that's what you meant when you said  16 case report, right?  17 A. Yes. But, in general, it could be any report.  18 It could have been a general offense case report or  19 another -- or -- or the -- meet the appropriate  20 situation or circumstances for a particular arrest.  21 Q. Okay. The -- let me ask you to look at the  22 narrative section of this Arrest Report, and it begins  23 by saying, this is an arrest by TAC Units 264 A and D.  24 Do you see that?  25 A. Yes, I do.</p>	<p style="text-align: right;">Page 77</p> <p>1 A. No, I do not.  2 Q. Let me show -- let me ask you to look at  3 what's marked Plaintiff Carter Exhibit 2. Do you have  4 that in front of you?  5 (PLAINTIFF'S EXHIBIT 2 MARKED FOR  6 IDENTIFICATION)  7 A. Yes, I do.  8 BY MR. FLAXMAN:  9 Q. Okay. Is that a mugshot that says the top  10 name Carter William F?  11 A. Well, we called it a iCam photo or --  12 Q. -- okay.  13 A. -- mugshot, yes.  14 Q. And does seeing that picture refresh your  15 recollection of the person shown on that page?  16 A. No, sir. It does not.  17 Q. Okay. You can put that to the side. The next  18 exhibit marked is the Vice Case Report but let me ask  19 you to look at Exhibit 4 first, which is the Arrest  20 Report of Sandra Berry. You have the Arrest Report of  21 Sandra Berry dated May 19, 2006 in front of you?  22 A. Yes, I do.  23 BY MR. FLAXMAN:  24 Q. Okay. And on page 3, you're listed as the  25 attesting officer, correct?</p>



<p style="text-align: right;">Page 78</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And do you take that to me that you</p> <p>3 were the one who wrote the narrative of this Arrest</p> <p>4 Report?</p> <p>5 A. Based on this report, yes.</p> <p>6 Q. Just looking at the Arrest Report of Ms. Berry</p> <p>7 refresh your recollection about her arrest on June --</p> <p>8 excuse me -- on May 19, 2006.</p> <p>9 A. No, it does not.</p> <p>10 Q. All right. And the -- just going back quickly</p> <p>11 to Exhibit 1, the Arrest Report from Mr. Carter, can I</p> <p>12 ask you to take a look at that? Okay. And the first</p> <p>13 page lists the location of the arrest as 527 East</p> <p>14 Browning. Do you see that?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Okay. That's a building at the Ida B. Wells</p> <p>17 Housing; is that right?</p> <p>18 A. To be best -- best of my memory, yes.</p> <p>19 Q. Okay. And the -- underneath Chicago, it has a</p> <p>20 location code of 122. Do you see that?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And is that -- and after that, it lists CHA</p> <p>23 hallway/stairwell/elevator. Do you see that?</p> <p>24 A. Yes, I do.</p> <p>25 Q. Okay. Would you have been the one who put in</p>	<p style="text-align: right;">Page 80</p> <p>1 arresting officer?</p> <p>2 A. In box 46, yes. In box -- eight --</p> <p>3 Q. And -- I'm sorry. What was the second thing</p> <p>4 you said?</p> <p>5 A. But as I'm looking at box 18, it has me in</p> <p>6 position three.</p> <p>7 Q. Okay. And what do you take that to mean?</p> <p>8 A. According to this report, in position three,</p> <p>9 that would mean I would've been the assisting officer</p> <p>10 and down at the bottom in box 46, it has me listed as</p> <p>11 the second arresting officer.</p> <p>12 Q. And could you tell me anything about what that</p> <p>13 means?</p> <p>14 A. I don't know. It could have been a mistake.</p> <p>15 Q. Okay. And you also said the signature.</p> <p>16 Do you recognize your signature under your name?</p> <p>17 A. That's a signature, but it's not my signature.</p> <p>18 Q. Okay. Do you know who signed it?</p> <p>19 A. It appears to be Alvin Jones and right from</p> <p>20 the best of my memory.</p> <p>21 Q. Okay. And do you know why Alvin Jones signed</p> <p>22 under your name?</p> <p>23 A. Because I might have given him permission to</p> <p>24 sign for me.</p> <p>25 Q. Was that the regular practice?</p>
<p style="text-align: right;">Page 79</p> <p>1 that information to the Arrest Report?</p> <p>2 A. If I prepared -- according to the report,</p> <p>3 my name is listed as the attesting officer, yes.</p> <p>4 Q. Okay. And if Mr. Carter had been arrested</p> <p>5 inside of an apartment at that building, you wouldn't</p> <p>6 have put in that location, right?</p> <p>7 A. No, I would not.</p> <p>8 Q. All right. Could you take a look at Plaintiff</p> <p>9 Carter Exhibit 3? That is the Vice Case Report, please.</p> <p>10 And are you looking now at the Vice Case Report for</p> <p>11 Mr. Carter and Ms. Berry dated May 19, 2006?</p> <p>12 (PLAINTIFF'S EXHIBIT 3 MARKED FOR</p> <p>13 IDENTIFICATION)</p> <p>14 A. Yes, I am.</p> <p>15 BY MR. FLAXMAN:</p> <p>16 Q. Okay. Could you tell from this Report who</p> <p>17 drafted the narrative section?</p> <p>18 A. Well, based on the signature and the</p> <p>19 positioning of our names on the Report, it looks like</p> <p>20 Alvin Jones.</p> <p>21 Q. Okay. What do you mean by the positioning of</p> <p>22 the names?</p> <p>23 A. Because he's listed as the -- on the report as</p> <p>24 the first arresting officer.</p> <p>25 Q. Okay. And are you listed as the second</p>	<p style="text-align: right;">Page 81</p> <p>1 A. Yes.</p> <p>2 Q. You said -- you mentioned that you were the</p> <p>3 third officer in box 12. Do you see that?</p> <p>4 A. That's box 18.</p> <p>5 Q. Okay. I'm sorry. Thank you. And after your</p> <p>6 name in box 18 are Officers Muhammad and Sergeant Watts?</p> <p>7 A. Yes.</p> <p>8 Q. And what do you take it to mean that their</p> <p>9 names are listed in box 18?</p> <p>10 A. That they may have somehow assisted in this</p> <p>11 arrest on this particular date.</p> <p>12 Q. Okay. And I take it you don't recall how they</p> <p>13 may have assisted, correct?</p> <p>14 A. No, I do not.</p> <p>15 Q. Okay. And if you look at the Report, are you</p> <p>16 able to tell how they may have assisted?</p> <p>17 A. Based on the narrative, this Report, no,</p> <p>18 I cannot tell.</p> <p>19 Q. Okay. In a situation where you were filling</p> <p>20 out an arrest report and Officer Jones was doing a case</p> <p>21 report, would you talk to each other about what to put</p> <p>22 in the narrative section?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Is it possible that you wrote the</p> <p>25 arrest and he copied it or vice versa?</p>

<p style="text-align: right;">Page 82</p> <p>1 A. I don't recall.</p> <p>2 Q. Okay. Would that be a normal thing to do</p> <p>3 that, to copy one narrative from one report onto another</p> <p>4 report?</p> <p>5 MR. STEFANICH: Objection. Form.</p> <p>6 A. No. The vice case report is more descriptive.</p> <p>7 Generally, that's what I recall based on my training,</p> <p>8 that they wanted you -- more description in the case</p> <p>9 reports than the arrest report. The arrest report is</p> <p>10 basically a summary and they wanted -- from my -- based</p> <p>11 on my experience and memory of what I was taught in the</p> <p>12 academy, they wanted just the probable cause in the</p> <p>13 arrest report.</p> <p>14 Q. And was it your practice to draft one of those</p> <p>15 reports before the other?</p> <p>16 A. I don't recall.</p> <p>17 Q. When Officer Jones would sign your name, would</p> <p>18 he do that after letting you review the report?</p> <p>19 A. Yes.</p> <p>20 Q. All right. And does reviewing the Vice Case</p> <p>21 Report, Exhibit number 3, refresh your recollection</p> <p>22 about these arrests?</p> <p>23 A. No, sir, it does not.</p> <p>24</p> <p>25 (CONFIDENTIAL PORTION REDACTED)</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Okay. Let me ask you to look at Plaintiff</p> <p>2 Carter Exhibit 6, please. Do you have a transcript? The</p> <p>3 first page says People v. William Carter?</p> <p>4 (PLAINTIFF'S EXHIBIT 6 MARKED FOR</p> <p>5 IDENTIFICATION)</p> <p>6 A. Yes.</p> <p>7 BY MR. FLAXMAN:</p> <p>8 Q. Case number 06-13571.</p> <p>9 A. Yes.</p> <p>10 Q. And it's dated February 1, 2007?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Okay. If you look at the second page of this</p> <p>13 exhibit, at the top, it says, Ellis Smith, E-L-L-I-S,</p> <p>14 called as a witness. Do you see that?</p> <p>15 A. Yes, I do.</p> <p>16 Q. Okay. And if you go down to the first</p> <p>17 question, it says, "Officer Smith, in a loud clear</p> <p>18 voice, please state your name, star number, and unit of</p> <p>19 assignment." Do you see that?</p> <p>20 A. Yes, I do.</p> <p>21 Q. And the next line says, my name is Officer</p> <p>22 Ellis Smith, E-L-L-I-S. I'm assigned to the Second</p> <p>23 District. My star number is 11737. Do you see that?</p> <p>24 A. Yes, I do.</p> <p>25 Q. Okay. And is -- was your star number 11737?</p>
<p style="text-align: right;">Page 83</p> <p>1</p> <p>2 Q. Okay. I'm going to -- we can go off the</p> <p>3 confidential because I'm not going to -- I just have a</p> <p>4 general question about inventory sheets. The -- you</p> <p>5 didn't prepare the inventory sheets we just looked at,</p> <p>6 but you as a police officer, you had experience</p> <p>7 preparing inventory sheets, correct?</p> <p>8 A. Yes, sir.</p> <p>9 Q. And what was your understanding of which</p> <p>10 officer should be listed in the found by section?</p> <p>11 A. Based on my experience and my memory, usually</p> <p>12 the recovering officer.</p> <p>13 Q. Meaning whichever officer recovered the item</p> <p>14 listed on the inventory sheet?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Do you have a recollection of testifying at a</p> <p>17 trial for William Carter?</p> <p>18 A. No, I do not.</p> <p>19 Q. Okay. Was it a routine part of your job as a</p> <p>20 police officer in the 2000's to testify in court?</p> <p>21 A. Based on my memory, yes.</p> <p>22 Q. Right. And was it your regular practice</p> <p>23 to -- strike that. Did you testify in court more than</p> <p>24 once a month in the 2000's?</p> <p>25 A. I don't recall.</p>	<p style="text-align: right;">Page 85</p> <p>1 A. Yes, it was.</p> <p>2 Q. Okay. Did you ever go by the name Ellis</p> <p>3 Smith?</p> <p>4 A. No, I do -- never did.</p> <p>5 Q. Okay. Okay. You would've given your name as</p> <p>6 Elsworth Smith; is that right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Okay.</p> <p>9 A. I'm certain this was an error by the court</p> <p>10 reporter.</p> <p>11 Q. Sure. Was -- in 2007, had you been a police</p> <p>12 officer for seven years?</p> <p>13 A. 2007, I believe so. I came on in 1999.</p> <p>14 Q. Okay. And was it was part of your assignment</p> <p>15 to patrol the Ida Wells Housing Complex?</p> <p>16 A. Not when I first came on the job.</p> <p>17 Q. Right. In 2007, was that part of your job?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. The -- I don't need to ask you about</p> <p>20 every single part of this, but the -- if you go to the</p> <p>21 next page of the transcript, the attorney questioning</p> <p>22 you says -- begins by directing your attention to</p> <p>23 May 19, 2006 at approximately 7:15 p.m. Do you see</p> <p>24 that?</p> <p>25 A. Yes.</p>



<p style="text-align: right;">Page 86</p> <p>1 Q. And that was the time that was in the Arrest  2 Reports for – that was close to the time in the Arrest  3 Report for Mr. Carter and Ms. Berry; is that right?  4 A. I believe so.  5 Q. Okay. And I should have said the date, so I  6 mean that's 15 minutes – forget it. I don't need to  7 ask that. Okay. And at the time you were giving this  8 testimony in 2007, did you have a recollection of the  9 arrest that you were testifying to?  10 A. I don't recall.  11 Q. Okay. Would you have testified to the things  12 you testified to if you didn't remember them?  13 MR. STEFANICH: Objection. Form. You can  14 answer.  15 A. No. I would not have testified if I – at  16 that time, if I did not have a memory.  17 BY MR. FLAXMAN:  18 Q. Would you expect within a year of the arrest  19 that you would remember the events that happened?  20 A. I couldn't say at this particular point in  21 time.  22 Q. Okay. The – at the bottom of this – the  23 third page we were looking at, the lawyer asked you if  24 you were in uniform or plain clothes. Do you see that?  25 A. Yes, sir.</p>	<p style="text-align: right;">Page 88</p> <p>1 Q. You did look at it before the deposition?  2 A. I believe I did.  3 Q. Okay. And did looking at it refresh your  4 recollection about the arrest of Mr. Carter in 2004?  5 A. No, sir, it did not.  6 MR. STEFANICH: Just – 2006.  7 MR. FLAXMAN:  8 Q. Yeah. I'm sorry. Did reviewing the  9 transcript that we marked as Exhibit 6 refresh your  10 recollection of the arrest of William Carter on May 19,  11 2006?  12 A. No, it did not.  13 Q. Okay. And did looking at any of the other  14 documents that I showed you as exhibits refresh your  15 recollection of the arrest of William Carter on May 19,  16 2006?  17 A. No, it did not.  18 Q. Are you aware of anything that might help you  19 refresh your recollection of that arrest?  20 A. Not that I'm aware of.  21 Q. Okay. Let me – give me one second and I'll  22 wrap up. We don't need to go off the record.  23 MR. RAUSCHER Hey, Brian, while Joel is looking  24 at his, would you mind if I show one more exhibit for  25 Octavia McDonald and ask very small number of questions</p>
<p style="text-align: right;">Page 87</p> <p>1 Q. Okay. And you answered plain clothes?  2 A. Yes.  3 Q. Okay. Do you recall that it was your usual  4 practice to be in plain clothes when you were at Ida B.  5 Wells?  6 A. Yes.  7 Q. Okay. But this says, in your answer at the  8 bottom of the page, was, "I probably had on a jacket, a  9 regular shirt, and a pair of jeans." Does that match  10 your recollection today of what you would've worn as  11 plain clothes?  12 A. If that's what it states in the report, yes.  13 Q. And is that what you remember as we sit here  14 today about what you might wear as – in plain clothes?  15 A. I'm sure in my uniform or my clothing changed  16 from day to day. I'm just giving – based off of this,  17 I just probably was giving a general description of what  18 – what type of clothing we might have worn.  19 Q. Okay.  20 A. It would change on the season.  21 Q. I don't have specific questions about the  22 testimony, but I do need to make sure that looking at it  23 doesn't help you remember the events. So I – have you  24 looked at the testimony before?  25 A. Yes.</p>	<p style="text-align: right;">Page 89</p> <p>1 about it?  2 MR. STEFANICH: Yeah, go ahead.  3 MR. RAUSCHER Oh, we can wait for – I'll wait  4 for Joel to say he's done, but I just wanted to  5 preview that. I realized I didn't show the Vice  6 case.  7 MR. STEFANICH: Okay.  8 THE WITNESS: Is it okay if I get a sip of  9 water?  10 MR. STEFANICH: Yes. You know what? I'm going  11 to – I need a three-minute break anyways for – so  12 let's just take a five-minute break.  13 MR. FLAXMAN: You just want to go off the  14 record for five, that's fine.  15 THE REPORTER: Going off the record at 1:09  16 p.m. Eastern time.  17 (OFF THE RECORD)  18 THE REPORTER: We're back on the record for the  19 deposition of Elsworth Smith being conducted by  20 video conference. My name's Esther Heath. Today is  21 July 21, 2023, and the time is 1:15 p.m. Eastern  22 Time.  23 MR. FLAXMAN: I don't have any other questions.  24 Thanks for your time.  25 REDIRECT EXAMINATION</p>

<p style="text-align: right;">Page 90</p> <p>1 BY MR. RAUSCHER:</p> <p>2 Q. All right. I'm going to just -- I'm going to</p> <p>3 bring up on one more document. I'm going to just share</p> <p>4 it. All right. Do you see a Vice Case Report?</p> <p>5 A. Can you enlarge it a little bit for me?</p> <p>6 Q. Yeah, of course.</p> <p>7 A. Thank you. That's fine.</p> <p>8 Q. All right. Do you see that this is a Vice</p> <p>9 Case Report of the arrest of Octavia McDonald of August</p> <p>10 8, 2005?</p> <p>11 A. Yes.</p> <p>12 Q. All right. Did you look at this report to</p> <p>13 prepare for your deposition?</p> <p>14 A. I believe so.</p> <p>15 Q. And do you know if you prepare -- if you were</p> <p>16 the one who created this report?</p> <p>17 A. Can you scroll down to the bottom?</p> <p>18 Q. Yeah. I'll go back to the first page.</p> <p>19 A. Based on the positioning of where my name is</p> <p>20 listed at, I think that's box 12, and then down at there</p> <p>21 in the lower left-hand corner, yes.</p> <p>22 Q. And to see any other names of officers in box</p> <p>23 12 refresh your recollection as to what anybody else may</p> <p>24 have done in relation to the arrest of Octavia McDonald</p> <p>25 in August 2005?</p>	<p style="text-align: right;">Page 92</p> <p>1 think we needed state's attorney's approval. There</p> <p>2 again, like I said, it's been many years though since</p> <p>3 I've done any case reports, so I don't remember all the</p> <p>4 specific details.</p> <p>5 Q. Okay. And do you know if you got -- if you</p> <p>6 put that court date in before or -- before you got the</p> <p>7 supervisor signature or after?</p> <p>8 A. I don't recall.</p> <p>9 Q. Okay. Do you recall if you had a general</p> <p>10 practice of putting the Court date in before you'd get</p> <p>11 the supervisor's signature?</p> <p>12 A. I don't recall.</p> <p>13 MR. RAUSCHER Okay. I don't have any other</p> <p>14 questions.</p> <p>15 MR. STEFANICH: Okay. Any of the defense</p> <p>16 counsel have any questions?</p> <p>17 CROSS-EXAMINATION</p> <p>18 BY MR. PALLES:</p> <p>19 Q. Yeah. I'm going to have a few. Good</p> <p>20 afternoon, Mr. Smith.</p> <p>21 A. Good afternoon.</p> <p>22 Q. I'm Eric Palles and I represent Kallatt</p> <p>23 Mohammed. You may not recall, we met several years ago</p> <p>24 at a previous deposition, but in any event, I just have</p> <p>25 several questions. And first of all, they relate to the</p>
<p style="text-align: right;">Page 91</p> <p>1 A. No, it does not.</p> <p>2 Q. And you also -- do you see that there's a</p> <p>3 court date listed in box 28 and a court branch in box</p> <p>4 27?</p> <p>5 A. Yes.</p> <p>6 Q. What's the significance of that court date</p> <p>7 listed in August 28th?</p> <p>8 A. Based on my memory and the experience, that</p> <p>9 would be the preliminary date for the probable cause</p> <p>10 hearing.</p> <p>11 Q. All right. Is that court date something you</p> <p>12 choose?</p> <p>13 A. Usually, but based off my memory, when we</p> <p>14 scheduled the court appearances for felony arrest, it</p> <p>15 had to be between seven to 14 days. And I'm not -- I</p> <p>16 don't recall specifically because it's been many years</p> <p>17 ago since I've actually done any reports.</p> <p>18 Q. But you didn't need -- well, I shouldn't --</p> <p>19 let me ask it a different way. Did you need approval</p> <p>20 from a prosecutor or anyone else to schedule that court</p> <p>21 date or was that something you just did when you filled</p> <p>22 out the arrest in vice case reports?</p> <p>23 A. Based on my memory, what -- what I recall, as</p> <p>24 I said, we tried to -- well, from what I remember, we</p> <p>25 scheduled the dates from seven to 14 days, and I don't</p>	<p style="text-align: right;">Page 93</p> <p>1 arrest reports and the case reports that we viewed in</p> <p>2 connection with the arrests of Henry Thomas, Chauncey</p> <p>3 Ali, Stefon Harrison, and Tyrone Herron, okay? Now, and</p> <p>4 in each of those reports, they listed you and Jones as</p> <p>5 the first and second arresting officers, correct?</p> <p>6 A. Uh-uh -- On the --</p> <p>7 Q. Yeah, I'm sorry. Yeah -- please. You know,</p> <p>8 I apologize. I wanted to cut to the chase. I know</p> <p>9 Brian's got them all there.</p> <p>10 MR. STEFANICH: He's looking at the Vice Case</p> <p>11 Report for that arrest.</p> <p>12 A. Yes. Based on the report in front of me, yes.</p> <p>13 BY MR. PALLES:</p> <p>14 Q. Okay. And the arresting officer -- I'm mean,</p> <p>15 sorry. The assisting officers are who?</p> <p>16 A. According to the first page, it states myself</p> <p>17 is the first arresting officer, then Jones, Bolton, and</p> <p>18 Gonzalez.</p> <p>19 Q. Okay. Now, understanding that you don't</p> <p>20 remember -- you don't have an independent recollection</p> <p>21 of this incident, am I correct that in the event there</p> <p>22 were other team members assisting you in the arrest,</p> <p>23 their presence and participation would've been included</p> <p>24 in the Vice Case Report?</p> <p>25 MR. RAUSCHER: Object to the form.</p>

<p style="text-align: right;">Page 94</p> <p>1 MR. STEFANICH: You can answer.</p> <p>2 A. Generally, yes, but according to this report,</p> <p>3 it doesn't appear that I see Mohammad's name was</p> <p>4 the --</p> <p>5 BY MR. PALLES:</p> <p>6 Q. Well, that's the point. You don't see</p> <p>7 Mohammed's name listed. You don't see Lamonica Louis.</p> <p>8 You don't see Doug Nichols. You don't see Manny Leano;</p> <p>9 am I correct?</p> <p>10 A. That's correct.</p> <p>11 Q. Okay. So may we infer from that fairly that</p> <p>12 in those circumstances those individuals were not at the</p> <p>13 scene during the course of the arrest?</p> <p>14 MR. RAUSCHER: Object to foundation.</p> <p>15 MR. STEFANICH: Object to the form. You can</p> <p>16 answer.</p> <p>17 A. Based on the report, it doesn't list them, but</p> <p>18 I don't know at the present time.</p> <p>19 MR. PALLES:</p> <p>20 Q. Okay. And when we looked at the Arrest</p> <p>21 Reports for each of the arrestees that day, you recall</p> <p>22 Mr. Rauscher noted that only -- Kallatt Mohammed's name</p> <p>23 was only included as the attesting officer for the</p> <p>24 Stefon Harrison arrest. Do you recall that?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 96</p> <p>1 THE WITNESS: Yeah. I'm looking at that report</p> <p>2 for Stefon Harrison. I'm listed as the attesting</p> <p>3 officer.</p> <p>4 MR. PALLES: And is it the -- is it the Henry</p> <p>5 Thomas arrest, then, that Kallatt Mohammed</p> <p>6 listing -- listed as the attesting officer? If you</p> <p>7 don't mind my checking? If you don't mind checking?</p> <p>8 MR. STEFANICH: I don't -- I don't have -- I</p> <p>9 don't have that report.</p> <p>10 MR. PALLES: All right. Let me call it up.</p> <p>11 Scott, you know, I closed -- Scott, I closed off</p> <p>12 yours. Is it possible for you to --</p> <p>13 MR. RAUSCHER: I'll do it.</p> <p>14 MR. PALLES: Thank you.</p> <p>15 MR. RAUSCHER: Yeah, give me a sec. All right.</p> <p>16 It's taking me a sec to find the right -- oh, here</p> <p>17 it. All right. My computer's looking a little</p> <p>18 wonky. What's everyone seeing right now?</p> <p>19 MR. PALLES: The -- Henry Thomas.</p> <p>20 MR. RAUSCHER: Just that?</p> <p>21 MR. PALLES: Yeah. If you could just -- it's</p> <p>22 fairly big. If you could shrink it and move it to</p> <p>23 the attesting page, was is that, page 3, generally?</p> <p>24 MR. RAUSCHER: Yeah.</p> <p>25 BY MR. PALLES:</p>
<p style="text-align: right;">Page 95</p> <p>1 Q. Okay. And --</p> <p>2 MR. RAUSCHER: If I said that I was -- that was</p> <p>3 not right. Sorry. Did I say that? It was Henry</p> <p>4 Thomas. He's listed as Henry Thomas.</p> <p>5 MR. PALLES: I'm sorry. And Henry Thomas.</p> <p>6 I thought it was Stefon Harrison.</p> <p>7 MR. RAUSCHER: I might have misspoke if I said</p> <p>8 it like that, or maybe -- I can double check if it</p> <p>9 was both, but I'm looking at Henry Thomas right now.</p> <p>10 MR. PALLES: And he -- is he a -- and Kallatt</p> <p>11 Mohammed, is he attesting officer?</p> <p>12 MR. RAUSCHER: Yeah. Sorry. I didn't mean to</p> <p>13 interrupt your --</p> <p>14 MR. STEFANICH: So he's looking at the Stefon</p> <p>15 Harris --</p> <p>16 MR. PALLES: Yeah.</p> <p>17 MR. STEFANICH: -- report.</p> <p>18 MR. PALLES: Yeah, let's get it straight.</p> <p>19 I just want to understand. And then you know,</p> <p>20 I'd have to go back on my screen behind me to get</p> <p>21 them.</p> <p>22 MR. RAUSCHER: I have Harrison, too. I can</p> <p>23 double check. But I think Brian just said</p> <p>24 he's -- yeah, sorry. Smith is attesting for</p> <p>25 Harrison.</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. Okay. Here we go. Okay. All right.</p> <p>2 So let me ask you, Mr. Smith, first of all, so it</p> <p>3 indicates here that Kallatt Mohammed was the attesting</p> <p>4 officer, and I believe you indicated that the attesting</p> <p>5 officer would've been involved in the completion of this</p> <p>6 particular report?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And in this case, it appears that Mr.</p> <p>9 Mohammed did that at 19:29 on December 4th. If I could</p> <p>10 direct your attention to the first page, that's</p> <p>11 approximately some four hours after the arrest. He's</p> <p>12 got his finger on it for me. I believe the arrest took</p> <p>13 place in the 15:00 -- yeah, 15:20. So Kallatt performed</p> <p>14 this function as a testing officer approximately four</p> <p>15 hours after this arrest, correct?</p> <p>16 A. It appears so, based on the reports, yes.</p> <p>17 Q. Okay. All right. And that would've been</p> <p>18 something that would've been done back at the station,</p> <p>19 correct?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. And in performing the functions as</p> <p>22 attesting officer, Mr. Mohammed would not have had to</p> <p>23 have been at the scene of the arrest or participated in</p> <p>24 it, correct?</p> <p>25 A. I'm not -- I don't recall.</p>

<p style="text-align: right;">Page 98</p> <p>1 Q. Okay.</p> <p>2 A. It's possible.</p> <p>3 Q. Okay. Let me now switch to the Alvin Waddy</p> <p>4 case for just a minute, and because of the</p> <p>5 particularized types of complaints that are made there,</p> <p>6 let me -- let me ask you this: Do you have an</p> <p>7 independent recollection -- I know we have -- you don't</p> <p>8 remember the Waddy arrest. Do you remember testifying</p> <p>9 at a preliminary hearing where probable cause was found</p> <p>10 against Alvin Waddy?</p> <p>11 A. I don't recall.</p> <p>12 Q. In the normal course of events, would you</p> <p>13 expect that the officer who -- I'm sorry. Strike that.</p> <p>14 Would -- in the normal course of events, would you</p> <p>15 expect that the officer who testified at the preliminary</p> <p>16 hearing would be -- either be Jones or you as the</p> <p>17 arresting officer?</p> <p>18 A. I believe so.</p> <p>19 Q. Okay. And did -- well, let me ask you this:</p> <p>20 Did you and Jones enter into any agreement to falsely</p> <p>21 prosecute Alvin Waddy?</p> <p>22 A. No.</p> <p>23 Q. Okay. And I take it -- well, would</p> <p>24 you -- would your answer be the same if I asked you the</p> <p>25 question concerning whether or not you had an agreement</p>	<p style="text-align: right;">Page 100</p> <p>1 I need to go back for just one moment to Stefan</p> <p>2 Harrison, okay? Acknowledging that you don't have an</p> <p>3 independent recollection of this particular arrest,</p> <p>4 according to the report, it was only you and Jones who</p> <p>5 confronted these four individuals on the stairwell;</p> <p>6 am I correct?</p> <p>7 MR. RAUSCHER: Object to form.</p> <p>8 MR. STEFANICH: Eric, can you -- can we have</p> <p>9 him look at the report?</p> <p>10 MR. PALLES: Yeah. Vice Report -- Vice Case</p> <p>11 Report. Yeah, okay, fine.</p> <p>12 A. Yeah, based on this report, yes.</p> <p>13 BY MR. PALLES:</p> <p>14 Q. Okay. All right. There is -- it's alleged</p> <p>15 that during this confrontation, Kallatt Mohammed pointed</p> <p>16 a gun at Stefan Harrison's face. Do you remember that</p> <p>17 happening?</p> <p>18 A. No, I do not.</p> <p>19 Q. Do you recall Mohammed sticking a gun in</p> <p>20 anybody's face at any time?</p> <p>21 A. I don't recall him specifically doing that.</p> <p>22 MR. PALLES: Those are all the questions I</p> <p>23 have. Thank you.</p> <p>24 MR. STEFANICH: Anybody else?</p> <p>25 MS. MCELROY: I have a few questions.</p>
<p style="text-align: right;">Page 99</p> <p>1 with Kallatt Mohammed? Maybe I should phrase that</p> <p>2 differently. Did you ever enter into an agreement with</p> <p>3 Kallatt Mohammed to falsely prosecute Alvin Waddy?</p> <p>4 A. No, I did not.</p> <p>5 Q. Okay. And that would be true as well as any</p> <p>6 of the other officers who were out on that scene that</p> <p>7 day; am I correct?</p> <p>8 MR. RAUSCHER: Object to form.</p> <p>9 MR. STEFANICH: You can answer, sir.</p> <p>10 THE WITNESS: Oh.</p> <p>11 MR. PALLES: You can answer.</p> <p>12 A. That would be true for any arrest that I made</p> <p>13 as a --</p> <p>14 BY MR. PALLES:</p> <p>15 Q. Of course.</p> <p>16 A. -- police officer.</p> <p>17 Q. Of course. Of course, and that's because you</p> <p>18 never agreed with anybody to falsely pin a case on</p> <p>19 anybody, correct?</p> <p>20 A. That's correct.</p> <p>21 Q. Okay. And by the same token, you'd never</p> <p>22 entered into agreement -- any agreement to protect</p> <p>23 anybody who you -- who -- let me strike that. In fact,</p> <p>24 I'm going to strike the whole line of question. I just</p> <p>25 want to go -- that's the end of my questioning on Waddy.</p>	<p style="text-align: right;">Page 101</p> <p>1 MR. PALLES: Okay.</p> <p>2 EXAMINATION</p> <p>3 BY MS. MCELROY:</p> <p>4 Q. Hello, Mr. Smith. My name is Lisa McElroy and</p> <p>5 I represent Defendant Watts in the Alvin Waddy case and</p> <p>6 the consolidated cases that we have been discussing</p> <p>7 today. I have just a few questions for you. Not much</p> <p>8 longer. So earlier in this deposition, Mr. Rauscher</p> <p>9 showed you Exhibit 1, which I believe is Bates-labeled</p> <p>10 Individual Defendant AW 1 through 5. Do you have that</p> <p>11 in front of you? If not, if you're -- thank you.</p> <p>12 A. Yes, I have it now.</p> <p>13 Q. Okay. So Exhibit 1 is Alvin Waddy's Arrest</p> <p>14 Report from April 4, 2007. Do you recall reviewing that</p> <p>15 Arrest Report earlier in this deposition?</p> <p>16 A. No. As I had stated before, I do not recall.</p> <p>17 Q. Oh, no, my question's a little different.</p> <p>18 Do you recall looking and reviewing Exhibit 1 earlier in</p> <p>19 this deposition?</p> <p>20 A. Yes, I do.</p> <p>21 Q. Perfect. Okay. So I would like to direct</p> <p>22 your attention to the Bates-labeled page 3, Individual</p> <p>23 Defendants AW 3, and I want you to focus on the</p> <p>24 reporting personnel section of Mr. Waddy's Arrest</p> <p>25 Reports. Let me know when you're there, and after you</p>

<p style="text-align: right;">Page 102</p> <p>1 looked at it, and then I can continue with my  2 questioning.  3 A. You said page 3?  4 Q. Yes. I believe it is Individual Defendant's  5 AW 3, and on the bottom right-hand corner of each page,  6 there are what are called Bates numbers, so if you need  7 some assistance from your attorney, he can show you.  8 A. Yes, I see it.  9 Q. Okay. Thank you so much. So can you tell me,  10 on that page, who is the attesting officer of this  11 Arrest Report?  12 A. It says Douglas Nichols.  13 Q. And who is the first arresting officer on this  14 report?  15 A. Alvin Jones.  16 Q. And who is the second arresting officer on  17 this report?  18 A. Myself.  19 Q. And who is the approving supervisor on this  20 Arrest Report?  21 A. It says Barrel (phonetic).  22 Q. Do you see Sergeant Watts's name listed under  23 the reporting personnel section of Mr. Waddy's Arrest  24 Report?  25 A. No, I do not.</p>	<p style="text-align: right;">Page 104</p> <p>1 this report.  2 Q. Okay. Thank you. Now, would you expect that  3 Sergeant Watts's name what would appear on Mr. Waddy's  4 Arrest Report if Sergeant Watts had played a role in  5 arresting Mr. Waddy on April 4, 2007?  6 MR. RAUSCHER: Object to foundation.  7 A. Based on my –  8 BY MS. MCELROY:  9 Q. And that's based – go ahead, sir. Sorry.  10 A. Based on my experience, years on the job, if  11 he was a – played a part in the arrest or some –  12 listed in some fashion, he would have been listed on the  13 report.  14 Q. Okay. Now, based on your experience with the  15 Chicago Police Department, would that be also true for  16 other arrest reports?  17 MR. RAUSCHER: Object to form.  18 MS. MCELROY: I'm so sorry.  19 MR. RAUSCHER: Yeah, sorry. Go ahead.  20 BY MS. MCELROY:  21 Q. Yeah, and I'm just speaking generally, in your  22 experience, would that be true for other arrest reports?  23 A. Based on my experience and my knowledge, yes.  24 Q. Now, Mr. Rauscher also showed you Exhibit 2,  25 which is a Vice Case Report. Sir, would you</p>
<p style="text-align: right;">Page 103</p> <p>1 Q. Okay. So now I want you to go to Individual  2 Defendant AW 5, which is the last page of the exhibits  3 you have in your hand, and it's still Mr. Waddy's April  4 4, 2007 Arrest Report. Let me know when you're there.  5 A. I'm there.  6 Q. And can you tell me who the arrestee  7 processing personnel were for Mr. Waddy's arrest on  8 records?  9 A. The assisting officers listed are Gonzalez,  10 Nichols, Mohammed, Bolton, Louis, and Leano.  11 Q. And the final approval of charges were  12 approved by who?  13 A. Barrel.  14 Q. Okay. So do you see Sergeant Watts's name  15 listed under any of the processing personnel on  16 Individual Defendant AW 5?  17 A. No, I do not.  18 Q. Do you see Sergeant Watts's name appear  19 anywhere in Mr. Waddy's Arrest Report? And that's  20 Exhibit 1 that you're currently looking at. Feel free  21 to review the Arrest Report in its entirety to you again  22 if that will help you refresh your recollection on the  23 contents of the Arrest Report. Just let me know when  24 you're done.  25 A. No, I do not see his name listed anywhere on</p>	<p style="text-align: right;">Page 105</p> <p>1 please – I'm just trying – and I believe it's – is  2 Bates-labeled Individual Defendant AW 41 through 42. And  3 just for the record, it is Vice Case Supplement Report  4 for Alvin Waddy's Arrest on April 4, 2007. Mr. Smith,  5 do you recall reviewing this report earlier today in  6 your deposition?  7 A. Yes, I do. Yes.  8 Q. Thank you. Just give me one moment. I want  9 to make sure – all right, so let's look at the first  10 page, and it seems as though there is a box indicating a  11 list of complainants, and I'm looking at the first page,  12 Individual Defendants AW 41. Do you see the box that  13 lists the names of the complainants on this Vice Case  14 Report?  15 A. Yes, I do.  16 Q. And can you tell me the names of the  17 individuals who are listed as the complainants on this  18 Vice Case Report?  19 THE WITNESS: Jones, myself, Bolton, Gonzalez,  20 Leano, Nichols, Louis, and Mohammed.  21 Q. So again, does Sergeant Watts's name appear as  22 a complainant on this Vice Case Report?  23 A. No, it does not.  24 Q. And would you expect that Sergeant Watts' name  25 would appear on the Vice Case Report if Sergeant Watts</p>

<p style="text-align: right;">Page 106</p> <p>1 had played a role in Mr. Waddy's arrest on April 4, 2 2007?</p> <p>3 MR. RAUSCHER: Object to the form and misstates 4 the document.</p> <p>5 MR. FLAXMAN: Foundation.</p> <p>6 MR. STEFANICH: You can answer.</p> <p>7 A. Yes.</p> <p>8 BY MS. MCELROY:</p> <p>9 Q. Does Sergeant Watts' name appear anywhere on 10 this Vice Case Report?</p> <p>11 A. Yes, it does.</p> <p>12 Q. And where does it appear?</p> <p>13 A. On page 1, it is listed in box 48 and in box 14 50. And then on the second page, his name is listed on 15 the supervisor's signature with the date and time box 16 next to his signature.</p> <p>17 Q. Okay. So it appears that Sergeant Watts 18 approved this Vice Case Report, correct?</p> <p>19 A. It appears so, yes.</p> <p>20 Q. Okay. Do you recognize Sergeant Watts' 21 signature?</p> <p>22 A. Based on my memory, it does appear to be his 23 hand, his signature.</p> <p>24 Q. Okay. In your experience as a Chicago police 25 officer, if an officer played a role in an individual's</p>	<p style="text-align: right;">Page 108</p> <p>1 goes?</p> <p>2 A. From my memory --</p> <p>3 Q. The victim complainant's name?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Who's in box 12 of the Waddy Vice Case 6 Report?</p> <p>7 A. Jones.</p> <p>8 Q. Okay. And then box 18 is a list of -- strike 9 that. What's in box 18, then?</p> <p>10 A. The other officers listed.</p> <p>11 Q. Okay. And those other officers listed in box 12 18, are those complainants?</p> <p>13 A. They could be assisting officers or witnessing 14 officers.</p> <p>15 MR. STEFANICH: Okay, that's all I have, Scott.</p> <p>16 FURTHER DIRECT EXAMINATION</p> <p>17 BY MR. RAUSCHER:</p> <p>18 Q. Officer Smith, in your experience as a 19 longtime Chicago police officer, when another officer 20 with the department steals money from someone they think 21 is a drug dealer, what report do they write that down 22 on?</p> <p>23 MR. STEFANICH: Objection. Form. It's outside 24 the scope. You can answer if you can.</p> <p>25 A. I don't know because I've never known any</p>
<p style="text-align: right;">Page 107</p> <p>1 arrest, would that officer's name be documented as 2 either an arresting officer or an assisting arresting 3 officer on a case report?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And in your experience as a Chicago 6 police officer, if an officer was involved in an 7 individual's arrest, would that officer's name also be 8 documented as a complainant in a vice case report?</p> <p>9 MR. STEFANICH: Objection to form. You can 10 answer.</p> <p>11 A. Generally, yes.</p> <p>12 MS. MCELROY: I think those are all my 13 questions. Thank you so much, Mr. Smith, for your 14 time.</p> <p>15 MR. STEFANICH: Scott, I just want to clean 16 that up.</p> <p>17 MR. RAUSCHER: Okay. I got a couple 18 follow-ups, but you can go ahead if you want.</p> <p>19 EXAMINATION</p> <p>20 BY MR. STEFANICH:</p> <p>21 Q. So I want to -- officer Smith, I want to have 22 you keep on looking at the Alvin Waddy Vice Case Report, 23 first page, box 12. Do you see box 12?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Is box 12 where the complainant's name</p>	<p style="text-align: right;">Page 109</p> <p>1 officer to steal any money.</p> <p>2 BY MR. RAUSCHER:</p> <p>3 Q. What about Watts or Mohammed when they got 4 convicted of doing that?</p> <p>5 A. When Watts and Mohammed were convicted, 6 I wasn't assigned to the tactical unit. I was no longer 7 working for -- with either one of them.</p> <p>8 Q. All right. Well, do you agree that things 9 happen in the Chicago Police Department that aren't 10 supposed to happen, like officers stealing money?</p> <p>11 MR. STEFANICH: Objection. Form, foundation, 12 outside the scope.</p> <p>13 MS. MCELROY: Join.</p> <p>14 MR. STEFANICH: You can answer.</p> <p>15 A. I've heard stories, even when I was in the 16 academy.</p> <p>17 MR. RAUSCHER: All right. I don't have any 18 other questions.</p> <p>19 MR. STEFANICH: Okay. Everybody else done?</p> <p>20 MS. MCELROY: I have no further question.</p> <p>21 Thank you, Mr. Smith.</p> <p>22 THE WITNESS: You're welcome.</p> <p>23 MR. FLAXMAN: Thanks. Thanks for your time 24 today.</p> <p>25 THE REPORTER: Okay. And then do we want to</p>



Page 110

1 address read and sign?  
2 MR. STEFANICH: Yeah, we'll reserve, and I'll  
3 order a copy.  
4 THE REPORTER: Okay. And then would anyone  
5 else like a copy of the transcript or the video at  
6 this time?  
7 MR. RAUSCHER: I don't need it yet.  
8 THE REPORTER: Okay.  
9 MR. STEFANICH: I just --  
10 MR. FLAXMAN: Me neither.  
11 MR. STEFANICH: I just want to order the  
12 transcript, not the video.  
13 THE REPORTER: Oh, okay.  
14 MS. MCELROY: No thank you.  
15 THE REPORTER: Okay, perfect. Then I can get  
16 us off the record. Standby. The time is 1:44 p.m.  
17 We're going off the record.  
18 (PLAINTIFF'S EXHIBIT 4 MARKED FOR IDENTIFICATION)  
19 (EXHIBIT 17 MARKED FOR IDENTIFICATION)  
20 (DEPOSITION CONCLUDED AT 1:45 P.M. ET)  
21  
22  
23  
24  
25

Page 111

1 CERTIFICATE OF REPORTER  
2 STATE OF ILLINOIS  
3  
4 I do hereby certify that the witness in the foregoing  
5 transcript was taken on the date, and at the time and  
6 place set out on the Title page hereof, by me after  
7 first being duly sworn to testify the truth, the whole  
8 truth, and nothing but the truth; and that the said  
9 matter was recorded digitally by me and then reduced to  
10 typewritten form under my direction, and constitutes a  
11 true record of the transcript as taken, all to the best  
12 of my skill and ability. I certify that I am not a  
13 relative or employee of either counsel and that I am in  
14 no way interested financially, directly or indirectly,  
15 in this action.  
16  
17  
18  
19  
20  
21  
22 ESTHER HEATH,  
23 COURT REPORTER/NOTARY  
24 MY COMMISSION EXPIRES ON: 01/09/2024  
25 SUBMITTED ON: 08/29/2023

<b>Exhibits</b>	<b>CarterExhibit2</b> _Smith 77:5,6	107:23,25 108:5	<b>2000's</b> 83:20, 24	96:23 101:22, 23 102:3,5
<b>Exhibit1</b> <b>Smith</b> 14:6,7 73:4	<b>CarterExhibit3</b> _Smith 79:12, 13	<b>122</b> 78:20 <b>12:05</b> 56:3 <b>12:22</b> 56:7	<b>2004</b> 42:24 43:3 88:4 <b>2005</b> 12:6 59:23 62:8 63:6,8 64:8 65:3 67:11,18 68:13,22 69:6 90:10,25 <b>2006</b> 29:15 30:7,22 32:2,22 40:11 42:12 73:5 77:21 78:8 79:11 85:23 88:6,11,16 <b>2007</b> 15:2,10 20:14 22:7 28:21 44:21 45:3 50:17 84:10 85:11,13, 17 86:8 101:14 103:4 104:5 105:4 106:2 <b>2008</b> 64:4 <b>2023</b> 10:8 56:7 89:21 <b>21</b> 56:7 89:21 <b>212</b> 61:14,17 <b>21st</b> 10:8 <b>238</b> 33:2 <b>25</b> 67:11,18 68:13,22 <b>264</b> 17:15 20:7 62:24 63:2 75:23 76:2,3,6, 7,10 <b>264C</b> 62:8 <b>27</b> 42:12 91:4 <b>28</b> 91:3 <b>28th</b> 91:7  <b>3</b>  <b>3</b> 25:5,7,23 73:11,25 77:24 79:9,12 82:21	<b>303-sidewalk</b> 61:7,12 <b>32</b> 67:12 <b>35th</b> 47:15 <b>36th</b> 47:15,24 48:7 <b>37th</b> 61:3 68:15 <b>393</b> 49:7  <b>4</b>  <b>4</b> 15:2,10 20:14 25:18,23,24 30:7,22 32:2,22 77:19 101:14 103:4 104:5 105:4 106:1 110:18 <b>40202</b> 10:7 <b>404(b)</b> 12:8 <b>41</b> 32:14 105:2, 12 <b>42</b> 19:17 35:13 105:2 <b>43</b> 38:16,23 <b>46</b> 80:2,10 <b>48</b> 106:13 <b>4th</b> 97:9  <b>5</b>  <b>5</b> 31:8,10 47:23 68:18 76:7,9 101:10 103:2, 16 <b>50</b> 106:14 <b>527</b> 68:15 78:13 <b>5274</b> 61:3 <b>547</b> 47:14 <b>574</b> 47:24 48:7
<b>Exhibit2</b> <b>Smith</b> 19:16,18	<b>CarterExhibit4</b> _Smith 110:18	<b>13</b> 59:8,10 <b>14</b> 44:21 45:2 67:10,14 91:15, 25 <b>149</b> 30:3 <b>15</b> 59:25 67:20, 23 86:6 <b>15:00</b> 97:13 <b>15:20</b> 97:13 <b>16</b> 22:7 40:11 70:16,17 <b>17</b> 110:19 <b>1764</b> 25:21 <b>18</b> 26:23 80:5 81:4,6,9 108:8, 9,12 <b>19</b> 73:5 77:21 78:8 79:11 85:23 88:10,15 <b>19-CV-01717</b> 10:15 <b>19942</b> 38:16,23 <b>1999</b> 85:13 <b>19:29</b> 97:9 <b>1:09</b> 89:15 <b>1:15</b> 89:21 <b>1:44</b> 110:16 <b>1:45</b> 110:20  <b>2</b>  <b>2</b> 17:6 19:16,18 35:24 60:5 68:25 77:3,5 104:24 <b>20</b> 49:18 50:9 67:18		
<b>Exhibit3</b> <b>Smith</b> 25:5,7, 23	<b>CarterExhibit6</b> _Smith 84:4,5			
<b>Exhibit4</b> <b>Smith</b> 25:18, 23,24 77:19	<b>0</b>  <b>000005</b> 14:3 <b>007234</b> 33:2 <b>007386</b> 44:14 <b>007391</b> 49:7 <b>012154</b> 70:15 <b>023633</b> 34:7 <b>039147</b> 30:3 <b>039797</b> 59:8 <b>044237</b> 32:14 <b>056621</b> 67:22 <b>056840</b> 31:5 <b>06-13571</b> 84:8 <b>060131</b> 67:12			
<b>Exhibit5</b> <b>Smith</b> 31:10				
<b>Exhibit6</b> <b>Smith</b> 31:21,23 84:2,4 88:9				
<b>Exhibit7</b> <b>Smith</b> 32:14,17				
<b>Exhibit8</b> <b>Smith</b> 33:3,4				
<b>Exhibit9</b> <b>Smith</b> 34:7,9				
<b>Exhibit10</b> <b>Smith</b> 38:21 39:1				
<b>Exhibit11</b> <b>Smith</b> 44:12, 14,17	<b>1</b>  <b>1</b> 14:6,7 73:4,6 78:11 84:10 101:9,10,13,18 103:20 106:13 <b>10</b> 38:21 39:1 <b>10-minute</b> 55:24 <b>101</b> 10:7 <b>11</b> 12:6 44:12, 14,17 <b>11737</b> 84:23,25 <b>11:04</b> 10:9 <b>12</b> 39:13 49:5,9 81:3 90:20,23			
<b>Exhibit12</b> <b>Smith</b> 49:9				
<b>Exhibit13</b> <b>Smith</b> 59:8,10				
<b>Exhibit14</b> <b>Smith</b> 67:10,14				
<b>Exhibit15</b> <b>Smith</b> 67:20,23				
<b>Exhibit16</b> <b>Smith</b> 70:16,17				
<b>Exhibit17</b> <b>Smith</b> 110:19				
<b>CarterExhibit1</b> _Smith 73:6,7				



<b>6</b>	<b>Adam</b> 76:3	100:20	17 42:3,4,13	<b>arrests</b> 12:6
<b>6</b> 31:9,21,23	<b>add</b> 40:14	<b>anytime</b> 65:5	43:8 44:10,13,	42:1 43:2 44:23
84:2,4 88:9	<b>address</b> 47:21,	<b>apartment</b>	16,21,22 45:9	56:12 58:13,14
<b>634</b> 34:7	22 48:5 61:19	79:5	48:4 49:12,14,	71:24 72:4
<b>64</b> 35:25	110:1	<b>apologize</b> 93:8	22 50:25 52:1	82:22 93:2
<b>6625</b> 67:22	<b>Adobe</b> 31:15	<b>appearance</b>	53:8,14,20 58:9	<b>arrived</b> 53:17
	<b>affiliation</b>	10:16	59:3,11,13,17,	<b>assigned</b>
	35:14	<b>appearances</b>	21,22 60:11,22	17:15 20:6 43:3
	<b>affirm</b> 11:20	91:14	62:24 63:12,16,	62:25 63:7
<b>7</b>	<b>afternoon</b>	<b>appeared</b>	19,22 64:1,4,7	76:2,6 84:22
<b>7</b> 32:14,17	92:20,21	21:24 53:11	66:25 67:7,11,	109:6
<b>730</b> 10:6	<b>agree</b> 11:16	<b>appearing</b>	21 68:2,12,19,	<b>assignment</b>
<b>7390</b> 44:15	109:8	11:9	22 70:5 72:15,	84:19 85:14
<b>7:15</b> 85:23	<b>agreed</b> 99:18	<b>appears</b> 21:19	24 73:2,4,10,25	<b>assistance</b>
	<b>agreeing</b>	39:8 50:4 80:19	74:5,15,17,22	102:7
	27:18	97:8,16 106:17,	75:5,12,13,20,	<b>assisted</b>
<b>8</b>	<b>agreement</b>	19	22,23 77:19,20	81:10,13,16
<b>8</b> 33:3,4 59:23	98:20,25 99:2,	<b>approval</b>	78:3,6,7,11,13	<b>assisting</b> 16:6,
62:8 64:4,8	22	30:10 91:19	79:1 81:11,20,	21,22,24 26:16
90:10	<b>ahead</b> 15:7,12	92:1 103:11	25 82:9,13	68:19 80:9
<b>9</b>	24:6,8 26:13,20	<b>approved</b>	86:1,2,9,18	93:15,22 103:9
<b>9</b> 34:7,9	41:6 52:14	37:24 38:9	88:4,10,15,19	107:2 108:13
<b>95</b> 70:14	64:23 68:17	103:12 106:18	90:9,24 91:14,	<b>attending</b>
<b>99</b> 59:9	89:2 104:9,19	<b>approving</b>	22 93:1,11,22	10:16,18,23
	107:18	39:10 102:19	94:13,20,24	<b>attention</b>
<b>A</b>	<b>Ali</b> 29:14 30:7,	<b>approximately</b>	96:5 97:11,12,	85:22 97:10
	22 93:3	85:23 97:11,14	15,23 98:8	101:22
	<b>Ali's</b> 30:2	<b>April</b> 15:2,10	99:12 100:3	<b>attesting</b> 16:9,
	<b>alleged</b> 100:14	20:14 101:14	101:13,15,24	11 42:6,7
<b>a.m.</b> 10:9	<b>Alvin</b> 10:21	103:3 104:5	102:11,20,23	73:12,15,19
<b>academy</b>	12:13 13:4,10,	105:4 106:1	103:4,7,19,21,	74:1,6,10,13
82:12 109:16	18 15:17 20:18	<b>AR</b> 16:14	23 104:4,11,16,	77:25 79:3
<b>accurate</b>	21:9 22:11,13	<b>arrest</b> 13:14,	22 105:4 106:1	94:23 95:11,24
17:10,13,20	24:13 34:25	15,19,23 14:2,	107:1,7	96:2,6,23 97:3,
18:2,7,10,17,23	35:8 43:6,7,12,	12 15:1,4,9,10,	<b>arrested</b> 20:19	4,22 102:10
19:2,5 27:8,10	13 73:13 74:2	13,17,18,22,25	37:12 42:5,11	<b>attorney</b> 53:25
28:2 36:20	76:3 79:20	16:12,16,20,22,	47:23 48:6	85:21 102:7
71:12,17	80:19,21 98:3,	24 17:6,9 19:25	59:25 60:17	<b>attorney's</b>
<b>Acknowledgin</b>	10,21 99:3	20:13,16 21:9	69:9 79:4	92:1
<b>g</b> 100:2	101:5,13	24:13 25:2,6,	<b>arrestee</b> 103:6	<b>attorneys</b>
<b>activities</b>	102:15 105:4	11,25 26:2,5,	<b>arrestees</b>	53:18
49:18,21	107:22	10,15 27:4	94:21	
<b>actual</b> 45:13	<b>anonymous</b>	28:7,10 29:13	<b>arresting</b> 16:7,	<b>August</b> 59:23
66:8 71:8	65:10,14 66:3	30:2,7,21 31:1,	22,24 26:16	62:8 64:4,8
	<b>answers</b> 71:10	4,17 32:1,5,8,	39:24 42:17	90:9,25 91:7
	<b>anybody's</b>	21 33:1,8,12	45:2,6 58:6,9,	<b>AW</b> 101:10,23
		34:1,6,18 39:7,	18,20 60:14	102:5 103:2,16
		14 40:18 41:9,	67:18 68:8,19	105:2,12
			69:6,8 73:12,19	
			74:1,6,9,13	
			79:24 80:1,11	
			93:5,14,17	
			98:17 102:13,	
			16 104:5 107:2	

<b>AW000041</b> 19:17 <b>aware</b> 88:18,20  <hr/> <b>B</b> <hr/>	22,25 63:1 <b>begin</b> 11:24 53:18 <b>begins</b> 75:22 85:22 <b>behalf</b> 11:3,8 43:13 <b>behavior</b> 57:23 <b>belief</b> 17:17 27:12 28:2 <b>Bell</b> 11:6 <b>Berry</b> 76:22,25 77:20,21 78:6 79:11 86:3 <b>BG</b> 70:15 <b>big</b> 69:1,12 96:22 <b>bigger</b> 33:17, 19 <b>bit</b> 39:2 42:22 90:5 <b>black</b> 65:23 <b>block</b> 65:11 <b>Bolton</b> 93:17 103:10 105:19 <b>bottle</b> 66:5,9 <b>bottom</b> 80:10 86:22 87:8 90:17 102:5 <b>box</b> 26:23 35:13 80:2,5,10 81:3,4,6,9 90:20,22 91:3 105:10,12 106:13,15 107:23,25 108:5,8,9,11 <b>branch</b> 91:3 <b>break</b> 55:24 89:11,12 <b>Brian</b> 11:1 12:5 25:2,16 32:7 33:3 38:13 59:9 69:11 88:23	95:23 <b>Brian's</b> 93:9 <b>briefly</b> 17:7 <b>bring</b> 38:20,23 69:13 90:3 <b>brought</b> 68:25 <b>Browning</b> 78:14 <b>building</b> 46:10, 13,15,17,25 47:2,15 48:8, 11,15,20,23 55:19 65:24 78:16 79:5  <hr/> <b>C</b> <hr/>	26:1,3,11,12,22 27:6 28:13 34:5,17,21 37:15,20 38:24 39:23,25 40:24 42:5,9 43:6 45:23 49:4,13, 17 53:7,13,24 54:17,19,21 55:18 59:12 67:11 72:7 74:16,18,22,23 75:6,8,9,11,12, 14,16,18 77:18 79:9,10 81:20 82:6,8,20 84:8 89:6 90:4,9 91:22 92:3 93:1,10,24 97:8 98:4 99:18 100:10 101:5 104:25 105:3, 13,18,22,25 106:10,18 107:3,8,22 108:5 <b>cases</b> 12:3,4, 10,12,18 52:11 101:6 <b>CDBG</b> 67:12, 22 <b>CHA</b> 78:22 <b>chance</b> 13:9 15:13 17:5 19:21 30:16 34:15 49:8 67:12 <b>change</b> 40:15 70:9 87:20 <b>changed</b> 87:15 <b>charges</b> 103:11 <b>Charlie</b> 62:24 <b>chase</b> 93:8 <b>Chauncey</b> 29:14 30:2,22 93:2 <b>check</b> 95:8,23 <b>checking</b> 96:7	<b>Chicago</b> 10:19,24 11:10 78:19 104:15 106:24 107:5 108:19 109:9 <b>choose</b> 91:12 <b>circulated</b> 32:13 <b>circumstance</b> s 75:20 94:12 <b>citizen</b> 65:10, 14,22 66:2,3 <b>City</b> 11:9 70:15 <b>City-bg-</b> <b>051750</b> 25:6 <b>City-bg-</b> <b>051763</b> 25:21 <b>City-bg-</b> <b>056831</b> 30:6 <b>City-bg-05836</b> 31:5 <b>clean</b> 107:15 <b>clear</b> 84:17 <b>clients</b> 12:8 <b>close</b> 31:15 86:2 <b>closed</b> 96:11 <b>clothes</b> 86:24 87:1,4,11,14 <b>clothing</b> 87:15, 18 <b>cocaine</b> 46:12, 17 60:1 <b>code</b> 61:13 78:20 <b>colleagues</b> 19:9 <b>commander</b> 41:7 <b>common</b> 23:5, 7,20,24,25 24:4 28:21 36:7,12 50:8
---	---	--	--	---

<b>complainant</b> 60:4 105:22 107:8	12:17 16:12 43:12 46:6 93:2	54:14 83:20,23 85:9 91:3,6,11, 14,20 92:6,10	73:5 77:21 79:11 84:10	92:24 101:8,15, 19 105:6 110:20
<b>complainant's</b> 107:25 108:3	<b>consolidated</b> 101:6	<b>cover</b> 49:6 56:12	<b>dates</b> 91:25 <b>David</b> 63:2 76:7	<b>describe</b> 46:17
<b>complainants</b> 105:11,13,17 108:12	<b>content</b> 36:6 <b>contents</b> 103:23	<b>covert</b> 51:15 <b>coworker's</b> 22:5	<b>day</b> 10:8 12:11 26:18 38:1,4,6, 10 51:23 52:15, 18 61:25 62:10, 12,17,21,23 76:2,6,12,14,20 87:16 94:21 99:7	<b>describes</b> 76:21 <b>describing</b> 36:5
<b>complaining</b> 69:9	<b>context</b> 12:25 46:21	<b>CR</b> 43:8,12 66:24 67:3 69:11,17,20 70:1,4,16 71:21	<b>days</b> 39:13 91:15,25	<b>description</b> 46:11 65:22 82:8 87:17
<b>Complaint</b> 69:24	<b>continue</b> 102:1	<b>crack</b> 46:11,17	<b>dealer</b> 108:21	<b>descriptive</b> 82:6
<b>complaints</b> 98:5	<b>control</b> 23:10, 13,16	<b>create</b> 18:3 19:11 27:12 28:3	<b>December</b> 12:6 29:15 30:7,22 32:2,22 40:11 97:9	<b>desk</b> 41:8
<b>completion</b> 97:5	<b>convened</b> 10:9	<b>creating</b> 37:20	<b>defendant</b> 11:2,6 45:23 46:1 53:8 101:5,10 103:2, 16 105:2	<b>details</b> 20:16 92:4
<b>Complex</b> 85:15	<b>conversation</b> 65:6	<b>created</b> 28:13 38:1 90:16	<b>Defendant's</b> 102:4	<b>determine</b> 28:19 66:4
<b>computer</b> 70:15	<b>conversations</b> 54:25 55:1 65:3	<b>crime</b> 23:12	<b>defendants</b> 11:4 101:23 105:12	<b>Dhaviella</b> 11:8
<b>computer's</b> 96:17	<b>convicted</b> 109:4,5	<b>criminal</b> 45:23 52:10 53:8,24 54:17	<b>defense</b> 92:15	<b>differ</b> 38:2
<b>concerned</b> 65:10,22 66:2	<b>coordinated</b> 10:11,20	<b>CROSS- EXAMINATIO N</b> 92:17	<b>Delaney</b> 24:20, 21,23 25:2 26:5 27:4 28:11 29:7,11	<b>difference</b> 74:21
<b>CONCLUDED</b> 110:20	<b>copied</b> 81:25	<b>CRS</b> 43:20	<b>Delaney's</b> 25:6 28:7	<b>differently</b> 99:2
<b>concrete</b> 48:17	<b>copy</b> 70:10 82:3 110:3,5	<b>current</b> 10:8 56:7	<b>department</b> 104:15 108:20 109:9	<b>direct</b> 11:25 97:10 101:21 108:16
<b>conduct</b> 50:8, 12,19 51:1	<b>corner</b> 90:21 102:5	<b>custody</b> 60:25 64:11 65:6	<b>deposition</b> 10:10 13:10 14:16 19:22 24:24 29:21 44:10 53:12 56:5 58:25 72:19 88:1 89:19 90:13	<b>directing</b> 85:22
<b>conducted</b> 51:11 56:5 89:19	<b>correct</b> 16:10 18:5 20:19,20 28:5 35:22 42:24,25 68:16 75:6 77:25 81:13 83:7 93:5,21 94:9,10 97:15,19,20,24 99:7,19,20 100:6 106:18	<b>cut</b> 93:8		<b>discuss</b> 54:25
<b>conducting</b> 50:1	<b>correctly</b> 35:21	<b>date</b> 15:2 19:8 20:16,19 21:5 22:25 29:16 33:2 44:22,23 50:24 56:7 59:22 62:23 81:11 86:5 91:3,6,9,11,21 92:6,10 106:15		<b>discussing</b> 101:6
<b>conference</b> 10:10 56:6 89:20	<b>counsel</b> 10:17 11:24 32:25 92:16	<b>dated</b> 30:22 32:2 39:10,13		<b>district</b> 10:13 19:10 42:23 43:2,18 63:8 84:23
<b>confidential</b> 82:25 83:3	<b>County</b> 11:7			<b>Division</b> 10:14
<b>confrontation</b> 100:15	<b>couple</b> 107:17			<b>DO-JOINT</b> 30:3 38:15,23
<b>confronted</b> 100:5	<b>court</b> 10:5,6, 13,22 53:11,17			<b>Docket</b> 10:14
<b>connection</b>				<b>document</b> 32:16 34:8 38:21 90:3 106:4

<b>documented</b> 107:1,8	89:19	79:9,12 82:21 84:2,4,13 88:9, 24 101:9,13,18 103:20 104:24 110:18,19	<b>felony</b> 91:14	<b>foot</b> 51:14
<b>documents</b> 25:22 53:19 72:2,18,24 88:14	<b>encounter</b> 57:5,11	<b>exhibits</b> 49:5 88:14 103:2	<b>female</b> 60:16 65:23	<b>forget</b> 86:6
<b>double</b> 95:8,23	<b>encountered</b> 57:12	<b>expect</b> 74:4 76:17 86:18 98:13,15 104:2 105:24	<b>file</b> 45:17 69:12,17,18,20 70:16	<b>form</b> 17:1,21 18:11,18 19:12 36:21 40:5 41:22 57:25 64:18 67:1 73:22 82:5 86:13 93:25 94:15 99:8 100:7 104:17 106:3 107:9 108:23 109:11
<b>doubt</b> 18:13,24 19:1 36:23	<b>encountering</b> 57:15,21	<b>experience</b> 16:23 28:22 51:8,9 55:15 74:7 82:11 83:6,11 91:8 104:10,14,22, 23 106:24 107:5 108:18	<b>filed</b> 43:8,13 66:24 67:4 70:4	<b>forms</b> 51:13
<b>Doug</b> 16:5,6 94:8	<b>end</b> 99:25	<b>explain</b> 40:12	<b>filled</b> 91:21	<b>found</b> 20:21 21:6 26:14 83:10 98:9
<b>Douglas</b> 102:12	<b>ends</b> 19:16	<b>eyesight</b> 33:20	<b>filling</b> 81:19	<b>foundation</b> 94:14 104:6 106:5 109:11
<b>draft</b> 82:14	<b>enlarge</b> 39:2 90:5	<hr/> <b>F</b> <hr/>	<b>final</b> 30:9 103:11	<b>fourth</b> 42:7
<b>drafted</b> 79:17	<b>enter</b> 98:20 99:2	<b>face</b> 100:16,20	<b>find</b> 12:11 26:10 59:14 96:16	<b>frame</b> 13:5 19:10
<b>drug</b> 46:19 65:11 75:11 76:21 108:21	<b>entered</b> 99:22	<b>facility</b> 53:11	<b>finding</b> 20:24 21:8	<b>free</b> 103:20
<b>drugs</b> 20:21,24 21:6,8 22:20 23:3,9,21 35:19,20 46:6, 11 47:6 65:24 66:12	<b>entirety</b> 103:21	<b>fact</b> 11:17 36:3, 10 62:20,21 99:23	<b>fine</b> 30:15 33:22 39:5 89:14 90:7 100:11	<b>front</b> 13:25 25:8 34:8 37:16 48:25 65:23 77:4,21 93:12 101:11
<hr/> <b>E</b> <hr/>	<b>Eric</b> 10:25 92:22 100:8	<b>fairly</b> 94:11 96:22	<b>finger</b> 97:12	<b>full</b> 11:12
<b>E-L-L-I-S</b> 84:13,22	<b>error</b> 38:12 85:9	<b>false</b> 17:16 18:3 19:11 27:12 28:3 37:5,9,13	<b>fingerprinted</b> 22:21 23:3,9,21 24:1,2,4,10	<b>function</b> 97:14
<b>earlier</b> 43:9 101:8,15,18 105:5	<b>Esther</b> 10:4 56:6 89:20	<b>falsely</b> 98:20 99:3,18	<b>Finish</b> 24:7	<b>functions</b> 97:21
<b>East</b> 47:14,24 48:7 61:3 68:15 78:13	<b>event</b> 27:16,19 50:6 92:24 93:21	<b>familiar</b> 29:19 46:5,19	<b>finished</b> 69:1	<hr/> <b>G</b> <hr/>
<b>Eastern</b> 10:9, 14 56:3,8 89:16,21	<b>events</b> 86:19 87:23 98:12,14	<b>fashion</b> 104:12	<b>five-</b> 55:23	<b>gang</b> 35:14
<b>ecstasy</b> 28:22 29:2	<b>EXAMINATIO</b> <b>N</b> 11:25 72:12 89:25 101:2 107:19 108:16	<b>February</b> 84:10	<b>five-minute</b> 89:12	<b>gave</b> 17:25 46:9 65:22
<b>efficiency</b> 12:10	<b>examples</b> 37:8 50:19	<b>feel</b> 41:8 103:20	<b>Flaxman</b> 10:23,24 72:9, 10,13 74:3 75:1,3 77:8,23 79:15 84:7 86:17 88:7 89:13,23 106:5 109:23 110:10	<b>general</b> 17:17 41:1 54:15 55:1 75:17,18 83:4 87:17 92:9
<b>Ellis</b> 84:13,22 85:2	<b>excuse</b> 78:8		<b>flow</b> 52:17	<b>generally</b> 50:15 53:7 82:7 94:2 96:23 104:21 107:11
<b>Elsworth</b> 10:11 11:2,12, 14,17 56:5 85:6	<b>exempt</b> 37:24		<b>focus</b> 101:23	
	<b>exhibit</b> 14:6,7 19:16,18 25:5, 7,18,23,24 31:10,21,23 32:14,17 33:3,4 34:7,9 38:21 39:1 44:12,14, 17 49:6,9 59:8, 10 67:10,14,20, 23 70:16,17 73:4,6 77:3,5, 18,19 78:11		<b>folder</b> 32:11	
			<b>follow</b> 52:10	
			<b>follow-ups</b> 107:18	

<b>give</b> 11:21 31:14 38:22 88:21 96:15 105:8	55:14 86:19		105:2,12	<b>item</b> 83:13
<b>giving</b> 86:7 87:16,17	<b>happening</b> 100:17	<b>I</b>	<b>individual's</b> 106:25 107:7	<b>items</b> 22:17
<b>glanced</b> 17:7	<b>Harris</b> 11:8 95:15	<b>icam</b> 77:11	<b>individuals</b> 94:12 100:5 105:17	<b>J</b>
<b>Glenn</b> 12:7,9	<b>Harrison</b> 29:15 32:8 35:24 42:11,17,20 93:3 94:24 95:6,22,25 96:2 100:2	<b>Ida</b> 20:6,11,21, 25 28:22 29:3 44:1,4 47:15 48:8 50:12 55:22 56:17 57:4,7 61:5 78:16 85:15 87:4	<b>infer</b> 94:11	<b>jacket</b> 87:8
<b>glove</b> 20:21,24 21:6,9	<b>Harrison's</b> 100:16	<b>IDENTIFICATI</b>	<b>information</b> 18:16,25 35:16 40:14,15 65:10, 16 79:1	<b>jeans</b> 87:9
<b>Gonzalez</b> 28:15 62:14 93:18 103:9 105:19	<b>he'</b> 89:4	<b>ON</b> 14:7 19:18 25:7,24 31:10, 23 32:17 33:4 34:9 39:1 44:17 49:9 59:10 67:14,23 70:17 73:7 77:6 79:13 84:5 110:18,19	<b>initial</b> 57:5,10	<b>Jermaine</b> 20:2, 4,8,14,18 21:10 22:11,14 24:14
<b>good</b> 11:5 39:4 92:19,21	<b>head</b> 48:18 51:17 52:25 63:13,23	<b>identify</b> 12:5	<b>inside</b> 51:14,15 79:5	<b>job</b> 83:19 85:16,17 104:10
<b>goods</b> 44:4	<b>hear</b> 13:6 72:10	<b>Illinois</b> 10:13 23:12	<b>interrupt</b> 95:13	<b>Joel</b> 10:23 72:6,9 88:23 89:4
<b>grams</b> 60:1	<b>heard</b> 12:25 13:4 109:15	<b>inaccurate</b> 18:25 36:24	<b>interviewed</b> 43:11	<b>John</b> 43:16
<b>great</b> 14:5 19:21 25:11,21 59:21	<b>hearing</b> 12:14, 15,17,20 13:8 91:10 98:9,16	<b>incident</b> 18:10, 21,22 19:6 21:12 26:4 53:19 60:8 93:21	<b>interviewing</b> 43:19	<b>Johnson</b> 11:6
<b>guess</b> 15:8 33:20 37:14	<b>Heath</b> 10:4 56:6 89:20	<b>include</b> 12:7	<b>inventoried</b> 23:11	<b>Join</b> 109:13
<b>gun</b> 61:23 100:16,19	<b>Henry</b> 29:14 33:1,9 42:8 93:2 95:3,4,5,9 96:4,19	<b>included</b> 93:23 94:23	<b>inventory</b> 23:4,6,25 83:4, 5,7,14	<b>joint</b> 32:14 33:2 34:6 44:14 49:6,7 59:8
<b>H</b>	<b>Herron</b> 29:14 31:17 93:3	<b>includes</b> 49:6	<b>inventorying</b> 22:17	<b>Jones</b> 15:24 21:17,20 22:13 34:25 35:7,8,20 50:2 73:13 74:2,13 76:4,15 79:20 80:19,21 81:20 82:17 93:4,17 98:16, 20 100:4 102:15 105:19 108:7
<b>hallway/ stairwell/ elevator</b> 78:23	<b>heroin</b> 46:23	<b>INDEF-</b>	<b>Investigation</b> 69:24	<b>July</b> 10:8 43:3 56:7 89:21
<b>hand</b> 11:20 25:17 35:3 38:15 103:3 106:23	<b>Herron's</b> 31:4	<b>AW000001</b> 14:2	<b>involved</b> 15:4, 10,18,21,24 16:3,15,19,24 20:13 22:16 29:13 42:17 43:1 44:20 45:2,6,9 53:9, 13 58:5,9 63:11,15,19,22, 25 67:17 68:21 69:6 97:5 107:6	<b>jump</b> 12:12
<b>handed</b> 32:16	<b>hey</b> 40:17 88:23	<b>independent</b> 15:9 45:18 93:20 98:7 100:3	<b>involvement</b> 27:4 30:25 32:5,21 34:1,18 49:14 52:1	<b>jumping</b> 61:23
<b>handwriting</b> 22:5	<b>Hold</b> 31:14	<b>indicating</b> 105:10	<b>involving</b> 50:25 53:14 58:17	<b>June</b> 78:7
<b>handwritten</b> 71:8	<b>holding</b> 60:17, 25	<b>individual</b> 10:21 12:3 101:10,22 102:4 103:1,16		<b>Junior</b> 11:15, 17
<b>happen</b> 37:25 41:2,3,7 53:16 75:7 109:9,10	<b>honest</b> 17:18		<b>K</b>	
<b>happened</b> 40:25 41:10,13, 17,19,20 51:3	<b>hours</b> 97:11,15			<b>Kallatt</b> 10:25 26:17 42:7 63:4,9 76:9
	<b>Housing</b> 78:17 85:15			



92:22 94:22 95:10 96:5 97:3,13 99:1,3 100:15 <b>Kenny</b> 76:8 <b>Kentuckiana</b> 10:6 <b>Kentucky</b> 10:7 <b>kind</b> 55:4 <b>knew</b> 14:23 19:9 47:11,12 57:6 <b>knockout</b> 46:5,8,16 <b>knowledge</b> 17:8,11,13 18:9,21 19:4 28:7 36:18 44:7 74:7 104:23	60:4 62:24 68:18 74:2 77:24 79:3,23, 25 80:10 81:9 83:10,14 90:20 91:3,7 93:4 94:7 95:4 96:2, 6 102:22 103:9, 15,25 104:12 105:17 106:13, 14 108:10,11 <b>listing</b> 96:6 <b>lists</b> 15:1 20:18 26:23 62:21 78:13,22 105:13 <b>litigation</b> 12:18 <b>located</b> 10:6 48:20 <b>location</b> 10:17 46:10 49:2,3 60:17,25 61:2, 7,18 65:24 68:15 78:13,20 79:6 <b>Loevy</b> 10:20 <b>long</b> 64:14 69:22 <b>longer</b> 50:9 101:8 109:6 <b>longtime</b> 108:19 <b>looked</b> 14:15, 18,20 15:16 22:5 28:16 35:7 47:15 48:11,14 55:19 58:24 68:13 83:5 87:24 94:20 102:1 <b>loud</b> 84:17 <b>Louis</b> 26:18 63:5,7 94:7 103:10 105:20 <b>Louisville</b> 10:7 <b>lower</b> 90:21	<hr/> <b>M</b> <hr/> <b>made</b> 36:15,25 48:16 50:25 66:8 71:11 98:5 99:12 <b>Main</b> 10:6 <b>make</b> 17:16 30:14 33:17,19 44:13 67:20 69:18 87:22 105:9 <b>Manny</b> 94:8 <b>mark</b> 31:6 33:2 49:4 59:8 67:10 70:16 <b>marked</b> 14:2,7 19:18 25:7,24 31:10,23 32:17 33:4 34:9 39:1 44:17 49:9 59:10 67:14,23 70:17 73:3,6 77:3,5,18 79:12 84:4 88:9 110:18,19 <b>Master</b> 10:14 <b>match</b> 87:9 <b>matter</b> 10:11 41:1 <b>Mays</b> 20:2,4,8, 14,18 21:10 22:11,14 24:14 <b>Mcdonald</b> 56:11,13,16,22 57:8,15 58:14, 20 59:22 60:15, 24 64:4,7,13 66:12,17 67:8, 18 68:6 69:6 70:5,21,23 71:24 72:3 88:25 90:9,24 <b>Mcdonald's</b> 58:9 60:11 66:25 <b>Mcelroy</b> 11:5 100:25 101:3,4	104:8,18,20 106:8 109:13, 20 110:14 <b>MCELRY</b> 107:12 <b>Mcgrath</b> 11:3 <b>Meaning</b> 83:13 <b>means</b> 80:13 <b>meant</b> 23:24 27:21,24 75:15 <b>medicine</b> 66:5, 9 <b>meet</b> 53:24 75:19 <b>Megan</b> 11:3 <b>members</b> 27:12 28:3 93:22 <b>memorialize</b> 23:8 <b>memory</b> 15:21 21:19 22:2,3,5 23:11 27:15,19 36:11 38:3 40:22 42:15,17 43:11 45:5,14, 19,22 46:22 47:7 50:6,21 51:8,10 53:2,3 54:1,4,10 58:18,20,23 60:21 68:21 76:25 78:18 80:20 82:11 83:11,21 86:16 91:8,13,23 106:22 108:2 <b>mentioned</b> 81:2 <b>met</b> 92:23 <b>Milton</b> 24:20, 23 25:5 26:5 27:4 28:7,11 29:7,11 <b>mind</b> 88:24 96:7 <b>minute</b> 98:4	<b>minutes</b> 49:18 50:9 86:6 <b>Miranda</b> 66:18 <b>misspoke</b> 95:7 <b>misstates</b> 106:3 <b>mistake</b> 80:14 <b>Mohammad's</b> 94:3 <b>Mohammed</b> 10:25 26:17 42:7 63:4,10 76:10,15 92:23 95:11 96:5 97:3,9,22 99:1, 3 100:15,19 103:10 105:20 109:3,5 <b>Mohammed's</b> 94:7,22 <b>moment</b> 15:11 43:21 64:12 100:1 105:8 <b>mon</b> 63:7 <b>money</b> 108:20 109:1,10 <b>month</b> 83:24 <b>months</b> 68:12 <b>morning</b> 11:5 12:5 <b>move</b> 24:19 56:10 96:22 <b>mugshot</b> 77:9, 13 <b>Muhammad</b> 81:6 <b>muted</b> 38:24
<hr/> <b>L</b> <hr/> <b>Lab</b> 23:12 <b>Lake</b> 11:7 <b>Lamonica</b> 26:17 63:4,7 94:7 <b>lawyer</b> 86:23 <b>Leano</b> 28:15 94:8 103:10 105:20 <b>left</b> 41:8 <b>left-hand</b> 90:21 <b>letting</b> 82:18 <b>lied</b> 71:18 <b>life</b> 52:16 <b>Lisa</b> 11:5 101:4 <b>list</b> 12:4 76:9 94:17 105:11 108:8 <b>listed</b> 16:1,6,9, 21,23 22:17 27:1 28:14 34:20,21,23				<hr/> <b>N</b> <hr/> <b>name's</b> 89:20 <b>named</b> 29:18 72:15 <b>names</b> 28:14 29:19 79:19,22

81:9 90:22 105:13,16 <b>narcotics</b> 23:11,12,25 24:1,2,3,10 60:16 75:13 <b>narrative</b> 17:5, 9,19 18:1,7,10, 13,22 19:7 21:12 27:6 28:1 33:15,16 35:18 36:19 50:3 60:8 68:24 69:4 73:9,14,16 75:22 76:21 78:3 79:17 81:17,22 82:3 <b>necessarily</b> 52:22 <b>needed</b> 92:1 <b>Nichols</b> 16:5,6 94:8 102:12 103:10 105:20 <b>nickname</b> 43:25 <b>nicknames</b> 44:6 <b>Nooner</b> 66:22 <b>normal</b> 62:18 63:1,3 82:2 98:12,14 <b>Northern</b> 10:13 <b>noted</b> 94:22 <b>number</b> 10:14 35:24 67:4 82:21 84:8,18, 23,25 88:25 <b>numbers</b> 102:6 <hr/> <b>O</b> <hr/> <b>Object</b> 17:1 36:21 40:5 57:25 67:1 93:25 94:14,15 99:8 100:7	104:6,17 106:3 <b>Objection</b> 17:21 18:11,18 19:12 41:22 64:18 73:22 82:5 86:13 107:9 108:23 109:11 <b>occasions</b> 23:2 <b>occurred</b> 38:4, 5 <b>occurrence</b> 26:4 61:19 <b>Octavia</b> 56:10, 13,16,22 57:8 58:20 59:22 60:24 64:4,7,13 66:17,24 67:7, 18 68:5 69:6 70:5,21,23 71:24 88:25 90:9,24 <b>offender</b> 35:24 37:11 <b>offense</b> 75:18 <b>officer</b> 16:7,9, 11,22,24 21:17, 19 26:16 28:15 39:24 42:6,8 51:8,10 52:7,9, 20 68:19 73:12, 16,19,20 74:1, 5,10,13 76:13, 14,15,17 77:25 79:3,24 80:1,9, 11 81:3,20 82:17 83:6,10, 12,13,20 84:17, 21 85:12 93:14, 17 94:23 95:11 96:3,6 97:4,5, 14,22 98:13,15, 17 99:16 102:10,13,16 106:25 107:2,3, 6,21 108:18,19 109:1 <b>officer's</b> 107:1, 7	<b>officers</b> 11:2,9 17:15,18 18:2 71:20 76:2 81:6 90:22 93:5,15 99:6 103:9 108:10,11,13, 14 109:10 <b>online</b> 10:4 <b>opinion</b> 18:3 <b>order</b> 110:3,11 <hr/> <b>P</b> <hr/> <b>p.m.</b> 56:3,8 85:23 89:16,21 110:16,20 <b>pair</b> 87:9 <b>Palles</b> 10:25 70:13 92:18,22 93:13 94:5,19 95:5,10,16,18 96:4,10,14,19, 21,25 99:11,14 100:10,13,22 101:1 <b>Pamela</b> 66:22 <b>part</b> 35:18 61:5 83:19 85:14,17, 20 104:11 <b>participated</b> 97:23 <b>participating</b> 11:6 <b>participation</b> 93:23 <b>particularized</b> 98:5 <b>parties</b> 11:16 <b>partner</b> 54:5 62:11,21 63:8 75:4 76:18 <b>partnered</b> 76:13,14 <b>partners</b> 26:17 62:12 63:3 74:14	<b>past</b> 22:24 41:14 <b>patrol</b> 85:15 <b>PDF</b> 70:14 <b>pending</b> 10:12 <b>people</b> 29:17 35:19,20 42:5 44:3,6 84:3 <b>perfect</b> 56:1 101:21 110:15 <b>performed</b> 97:13 <b>performing</b> 97:21 <b>period</b> 13:3 28:21 46:16 47:3 <b>permission</b> 35:9,10 80:23 <b>person</b> 16:13 25:14 30:18 31:22 32:15 33:11 44:15 57:7 65:7,19 66:3 68:8 73:14 74:15 77:15 <b>personal</b> 18:9, 16,21 19:4 28:6 36:18 52:16 <b>personnel</b> 101:24 102:23 103:7,15 <b>Philip</b> 47:12 <b>Phillip</b> 43:22, 23 44:9,13 45:11 47:9,10, 22 48:6 49:14 51:19 55:18 <b>phone</b> 65:19 <b>phonetic</b> 66:22 102:21 <b>photo</b> 77:11 <b>photos</b> 29:8 <b>phrase</b> 99:1 <b>picture</b> 13:16,	18 14:12,15,17, 19,22 24:23 25:11 30:15,16, 24 31:17,21,22 32:4,15 33:11 44:14,15 56:23, 25 77:14 <b>picture's</b> 59:21 <b>pictured</b> 25:14 30:18 68:5 <b>pictures</b> 29:20, 23 <b>pin</b> 99:18 <b>pink</b> 58:17,21 60:17,18,24,25 64:10,11 65:24 66:6 68:9 <b>pink-tinted</b> 35:25 36:3,10, 12,15 <b>PL</b> 32:14 <b>place</b> 61:4,19 65:5,11 68:15 97:13 <b>places</b> 50:11 <b>plain</b> 86:24 87:1,4,11,14 <b>plaintiff</b> 56:11 73:3 77:3 79:8 84:1 <b>plaintiff's</b> 10:17 73:6 77:5 79:12 84:4 110:18 <b>plaintiffs</b> 10:20,24 <b>plan</b> 52:17 <b>played</b> 104:4, 11 106:1,25 <b>point</b> 41:20 43:17 45:7 57:6 86:20 94:6 <b>pointed</b> 100:15 <b>police</b> 51:8,10 52:7,8,19,23
--	--	--	--	--

54:3 83:6,20 85:11 99:16 104:15 106:24 107:6 108:19 109:9	<b>probable</b> 41:9 82:12 91:9 98:9	102:2	89:5	15:9 16:13 19:25 24:13,17 27:3 28:10 29:24 30:25 32:5,21 33:18 34:1,18 49:13 51:25 55:18 57:1 59:3 60:11,14 63:25 66:15 69:5 70:21 72:3,22 77:15 78:7 82:21 83:16 86:8 87:10 88:4,10,15,19 90:23 93:20 98:7 100:3 103:22
<b>PORTION</b> 82:25	<b>proceedings</b> 10:1,12,21	<b>questions</b> 55:5,11 69:12 72:14 87:21 88:25 89:23 92:14,16,25 100:22,25 101:7 107:13 109:18	<b>reason</b> 17:25 18:13 27:9 28:1	
<b>position</b> 80:6,8	<b>process</b> 37:19		<b>reasons</b> 17:19 18:6 38:8 40:9 64:23	
<b>positioning</b> 79:19,21 90:19	<b>processing</b> 103:7,15	<b>quickly</b> 78:10	<b>recall</b> 12:14,15, 17,20,21,22,25 14:17 15:5,19 20:15,23,24 21:7,8,11 22:10,12,13,22, 23,25 23:15 24:5,6,9,11,22 28:17,23,24,25 29:1,2,4,5,6,9, 10,25 35:6,17 36:14 40:13,17 41:16 42:2,14, 19 43:19,24,25 44:3,8,20,22,23 45:4,6,8,13 46:14,18 47:1, 3,5,7 48:17,24 49:3,22 50:17 51:12,18 52:12 53:10,15 54:13, 15,24 55:6,7,16 57:14 58:2,5, 10,12,13,14,16 63:8,20,21 64:9,10,12,14, 22 65:2,20 66:5,9,13,21,24 67:6,9,17 69:8 70:4,6 71:22 76:19 81:12 82:1,7,16 83:25 86:10 87:3 91:16,23 92:8, 9,12,23 94:21, 24 97:25 98:11 100:19,21 101:14,16,18 105:5	
<b>possession</b> 59:25	<b>prosecute</b> 98:21 99:3	<b>R</b>		
<b>postpone</b> 12:9	<b>prosecutor</b> 42:1 54:11,16 91:20	<b>raise</b> 11:19		
<b>practice</b> 23:7, 21,24 24:1,4 52:6,9,13 53:6 80:25 82:14 83:22 87:4 92:10	<b>prosecutors</b> 22:10 55:4	<b>ranked</b> 37:24		
<b>preliminary</b> 91:9 98:9,15	<b>protect</b> 99:22	<b>Rauscher</b> 10:18 11:18 12:1 14:1,5,10 17:4,24 18:15, 19 19:15,20 25:1,5,10,16,20 30:8,13 31:3,8, 13,25 32:7,12, 19,24 33:7 34:11 37:2 38:13,19 39:3 40:8 41:24 44:19 47:22 48:2 49:11 56:1,9 58:4 59:7,13,16 67:5,16,20 68:1 69:11,15 70:11, 14,19 88:23 89:3 90:1 92:13 93:25 94:14,22 95:2,7,12,22 96:13,15,20,24 99:8 100:7 101:8 104:6,17, 19,24 106:3 107:17 108:17 109:2,17 110:7		
<b>preparation</b> 14:18	<b>pull</b> 25:1 31:14 59:9,15 67:25			<b>record</b> 10:3 11:13 12:4 13:22 20:17 27:20 30:5 56:2,4 88:22 89:14,15,17,18 105:3 110:16, 17
<b>prepare</b> 14:16 44:10 52:7,10 58:24 70:25 83:5 90:13,15	<b>pulled</b> 30:9			<b>records</b> 13:9 103:8
<b>prepared</b> 52:3, 4,25 53:7 79:2	<b>purposes</b> 12:10			<b>recovered</b> 23:3 24:3,10 35:19,20,23 66:10 83:13
<b>preparing</b> 29:21 53:12 83:7	<b>purse</b> 58:17,21 60:17,18,24 61:1 64:10,11 65:25 66:6 68:9			<b>recovering</b> 29:2 66:5 83:12
<b>presence</b> 93:23	<b>put</b> 12:3 35:11 64:17 77:17 78:25 79:6 81:21 92:6			<b>recovery</b> 66:8
<b>present</b> 15:11 43:21 64:12 94:18	<b>putting</b> 64:24 92:10			<b>REDACTED</b> 82:25
<b>Pretrial</b> 10:12	<b>Q</b>			<b>REDIRECT</b> 89:25
<b>preview</b> 89:5	<b>question</b> 16:25 17:23 19:3 21:4 27:22 42:21 43:5 48:1 55:19 61:21 62:2,3 74:4,25 83:4 84:17 98:25 99:24 109:20	<b>read</b> 17:5 33:16 34:12 49:10 51:21 55:17 60:9 66:17 69:3 70:8,18 110:1		<b>reference</b> 35:13
<b>previous</b> 92:24	<b>question's</b> 101:17	<b>reading</b> 35:21 51:18,24 70:20	<b>received</b> 65:9	<b>reflect</b> 28:10 55:18
<b>previously</b> 64:10	<b>questioned</b> 45:23	<b>realized</b> 30:9	<b>recognize</b> 25:14 30:18 31:22 32:15 33:11 44:15 80:16 106:20	<b>refresh</b> 13:19 14:23 19:24 24:13,17 29:23 30:24 32:4,20 33:25 34:17 49:13 51:25 66:14 69:5
<b>prior</b> 43:2	<b>questioning</b> 85:21 99:25		<b>recollection</b> 13:19 14:23	
<b>pro</b> 45:23,25				



70:20 72:3,21 77:14 78:7 82:21 88:3,9, 14,19 90:23 103:22 <b>refreshed</b> 56:25 59:2 60:10,13,21 63:24 <b>refreshes</b> 33:17 <b>Register</b> 69:24 <b>regular</b> 80:25 83:22 87:9 <b>relate</b> 92:25 <b>related</b> 41:9 71:21 <b>relating</b> 13:10 21:9 42:13 43:8 44:9 <b>relation</b> 90:24 <b>relevant</b> 54:3 <b>remember</b> 13:5,7 19:6 20:5,8,10,13 29:13,16 40:20 45:8 47:10,14, 18 48:3,11,14, 19 49:20,23 51:5 56:13,15, 17,19 57:21 60:21,23 68:8 71:23 72:16 86:12,19 87:13, 23 91:24 92:3 93:20 98:8 100:16 <b>remembered</b> 13:8 <b>remembering</b> 37:22 <b>remotely</b> 10:19 11:7,9 <b>repeat</b> 27:22 <b>rephrase</b> 18:20 36:9 40:23 58:19 62:11	<b>report</b> 13:13, 14,15,19,23 14:2,13 15:9, 12,14,17,19,21 16:1,14,17 17:6,9,16 18:3, 14,22,23,25 19:16,22,24 20:18 21:13,15, 16,18 22:6,18 25:2,6,12,17,25 26:1,2,3,11,12, 15,22 27:7,13 28:3,13,14,18 29:9 30:2,7,22 31:4,7,17 32:2, 20 33:1,9,12,25 34:5,17,21,24 35:2,7,11 36:19,24 37:5, 7,9,13,15,20,23 38:1,24 39:6,23 40:15 42:5 44:13,16 45:4, 13 48:4 49:4, 12,13,17 50:3 59:2,5,18,22 60:10,13 62:9, 14,21 63:14 64:17,24 66:3,7 67:3,11,21 68:2,11 71:19 72:25 73:3,4, 10,11,25 74:5, 16,17,18,19,22, 23 75:5,6,8,9, 10,11,12,14,16, 17,18,22 76:1, 3,5,16 77:18,20 78:4,5,6,11 79:1,2,9,10,16, 19,23 80:8 81:15,17,20,21 82:3,4,6,9,13, 18,21 86:3 87:12 90:4,9, 12,16 93:11,12, 24 94:2,17 95:17 96:1,9 97:6 100:4,9, 10,11,12 101:14,15 102:11,14,17, 20,24 103:4,19, 21,23 104:1,4, 13,25 105:3,5,	14,18,22,25 106:10,18 107:3,8,22 108:6,21 <b>reporter</b> 10:3,5 11:11,16,19,24 31:6 56:2,4 85:10 89:15,18 109:25 110:4,8, 13,15 <b>Reporters</b> 10:6 <b>reporting</b> 101:24 102:23 <b>reports</b> 19:11 26:7,8,21 28:9, 20 32:8 37:1 42:3,4,12,16 44:9 52:23 53:13 54:3 58:24 63:18,21 67:7 71:21 82:9,15 86:2 91:17,22 92:3 93:1,4 94:21 97:16 101:25 104:16,22 <b>represent</b> 92:22 101:5 <b>representing</b> 10:5,19 46:3 <b>request</b> 24:1 <b>reserve</b> 110:2 <b>responsibility</b> 40:1 <b>responsible</b> 39:22 <b>review</b> 19:21 39:23 52:22 53:13 54:2 82:18 103:21 <b>reviewing</b> 82:20 88:8 101:14,18 105:5 <b>right-hand</b> 102:5 <b>Robert</b> 62:14	<b>role</b> 27:1 104:4 106:1,25 <b>Ronald</b> 66:20 <b>room</b> 54:7,8 <b>ROS</b> 65:9,22 <b>routine</b> 52:18, 21 83:19 <b>row</b> 26:23 <hr/> <b>S</b> <hr/> <b>safe</b> 29:10 <b>Sandra</b> 44:25 45:9 47:6,12 76:22,25 77:20, 21 <b>save</b> 42:22 74:14 <b>scene</b> 66:20 94:13 97:23 99:6 <b>schedule</b> 91:20 <b>scheduled</b> 91:14,25 <b>scope</b> 108:24 109:12 <b>Scott</b> 10:18 13:24 14:4 19:19 25:9 30:4 31:12 47:20 59:15 67:24 70:13 96:11 107:15 108:15 <b>screen</b> 25:3 31:18 33:9 38:23,25 68:3 69:1 95:20 <b>scroll</b> 33:14 60:3 68:17 69:16,17 90:17 <b>season</b> 87:20 <b>sec</b> 31:14 38:22 96:15,16 <b>section</b> 17:6,9 36:19 73:10	75:22 79:17 81:22 83:10 101:24 102:23 <b>sell</b> 44:3 47:6 <b>selling</b> 60:16 65:11,24 66:12 <b>sentence</b> 65:22 <b>September</b> 42:11 <b>sergeant</b> 21:23 22:8 41:8 81:6 102:22 103:14,18 104:3,4 105:21, 24,25 106:9,17, 20 <b>set</b> 47:19 52:21 55:20 <b>share</b> 25:3 32:8 33:3,5 38:14 90:3 <b>sharing</b> 43:7 <b>sheet</b> 83:14 <b>sheets</b> 83:4,5, 7 <b>shirt</b> 87:9 <b>show</b> 14:1,8 31:11 32:24 38:17 53:19 59:7 77:2 88:24 89:5 102:7 <b>showed</b> 42:4 63:22 88:14 101:9 104:24 <b>shown</b> 77:15 <b>shows</b> 26:16 <b>shrink</b> 96:22 <b>sic</b> 47:14 <b>side</b> 49:1 77:17 <b>sidewalk</b> 61:11,13 <b>sign</b> 35:4,11 37:21 39:23 40:4,19 71:7
--	--	---	--	--

80:24 82:17 110:1	84:13,17,22 85:3,6 89:19 92:20 95:24 97:2 101:4 105:4 107:13, 21 108:18 109:21	<b>star</b> 84:18,23, 25	99:9 100:8,24 106:6 107:9,15, 20 108:15,23 109:11,14,19 110:2,9,11	<b>switch</b> 98:3
<b>signature</b> 21:14,23,24 28:19 34:20 35:3 39:16 71:3,6,8 79:18 80:15,16,17 92:7,11 106:15, 16,21,23	<b>sold</b> 28:22,25 46:11	<b>start</b> 12:3,13 30:1 47:25 52:8		<b>system</b> 16:14
<b>signatures</b> 21:15 22:4 28:16 34:21,23	<b>solemnly</b> 11:20	<b>starting</b> 10:17	<b>Stefon</b> 29:14 32:7 35:24 42:19 93:3 94:24 95:6,14 96:2 100:1,16	<hr/> <b>T</b> <hr/>
<b>signed</b> 21:18, 21,25 28:18,20 35:1,7,8 37:16, 23 39:10 40:10 80:18,21	<b>sort</b> 23:13	<b>state</b> 10:16,22 11:12 23:12 53:21 73:24 84:18		<b>TAC</b> 75:23
<b>significance</b> 36:2 91:6	<b>sound</b> 29:19	<b>state's</b> 53:18, 25 62:9 92:1	<b>step</b> 74:16	<b>tactical</b> 17:16 19:10 20:7 62:7 109:6
<b>single</b> 85:20	<b>Spaargaren</b> 11:4	<b>stated</b> 16:21 20:15 21:11 41:16 42:19 46:14 48:13 53:17,22 63:1 64:10 66:7 101:16	<b>sticking</b> 100:19	<b>taking</b> 65:11 96:16
<b>sip</b> 89:8	<b>speaking</b> 104:21	<b>statement</b> 62:20 71:1,4, 10,11	<b>sticks</b> 57:23	<b>talk</b> 53:18 54:5, 11,16,19 71:20 81:21
<b>sir</b> 11:19 15:15 50:7 52:2 54:18 55:16 64:2,25 66:16 72:1,5,23 73:1,17 77:16 78:15,21 82:23 83:8,15 84:11 85:7 86:25 88:5 99:9 104:9,25	<b>specific</b> 12:12 19:5 20:15 21:1,12 35:10 40:22,24 46:25 49:3 58:18,20 87:21 92:4	<b>statements</b> 71:11	<b>stop</b> 33:21 43:7	<b>talked</b> 12:4 22:8 41:25 43:8 54:20,22 55:3 71:25
<b>sister</b> 69:9	<b>specifically</b> 12:6 26:25 50:14,23 51:4 53:6 55:2 64:3, 7,9 91:16 100:21	<b>states</b> 10:12 62:14 87:12 93:16	<b>stories</b> 109:15	<b>talking</b> 22:10, 13 29:11
<b>sit</b> 40:10 54:18 87:13	<b>specificity</b> 21:3	<b>station</b> 97:18	<b>straight</b> 95:18	<b>tap</b> 52:8
<b>sitting</b> 21:5 24:18 38:11 41:12 60:24 65:23	<b>specifics</b> 19:7 49:22	<b>steal</b> 109:1	<b>Street</b> 10:7 47:15,24 48:7	<b>taught</b> 82:11
<b>situation</b> 75:20 81:19	<b>squad</b> 50:20 51:14	<b>stealing</b> 109:10	<b>strike</b> 83:23 98:13 99:23,24 108:8	<b>team</b> 17:16 19:10 20:7 27:12 28:3 93:22
<b>size</b> 70:9	<b>stairwell</b> 48:23 100:5	<b>steals</b> 108:20	<b>suburbs</b> 10:19	<b>technician</b> 10:5
<b>skipped</b> 43:6	<b>stairwells</b> 47:18,19 48:14, 19,24	<b>Stefanich</b> 11:1 13:24 14:4,8 17:1,21 18:11, 18 19:12,19 25:4,8,19 30:4, 12 31:11 32:10 33:5 36:21 38:17 40:5 41:22 47:20,25 55:25 57:25 59:11,14 64:18 67:1,24 69:14 70:10 72:8 73:22 74:24 82:5 86:13 88:6 89:2,7,10 92:15 93:10 94:1,15 95:14,17 96:8	<b>Suite</b> 10:7	<b>term</b> 46:5,16, 19 47:4
<b>slightly</b> 74:20	<b>stamp</b> 30:15		<b>summary</b> 82:10	<b>testified</b> 18:1 45:11,16 52:23 54:14 70:4 86:11,12,15 98:15
<b>small</b> 88:25	<b>stamped</b> 30:6 38:15		<b>supervisor</b> 37:16,21,24 39:10,17,22 40:4,10,14,17 92:7 102:19	<b>testify</b> 52:10 53:8,23 83:20, 23
<b>Smith</b> 10:11 11:2,14,17 56:5,13 76:13	<b>Standby</b> 110:16		<b>supervisor's</b> 92:11 106:15	<b>testifying</b> 53:3 54:6,16 83:16 86:9 98:8
	<b>standing</b> 51:1		<b>supervisory</b> 11:9 37:21 39:9	<b>testimony</b> 11:21 51:18,21, 25 53:1 55:17 86:8 87:22,24
			<b>Supplement</b> 105:3	<b>testing</b> 23:14, 17 97:14
			<b>supposed</b> 37:23 109:10	
			<b>surrounding</b> 20:16	
			<b>surveillance</b> 50:1,8,12,19 51:1,7,11	
			<b>swear</b> 11:20	

<b>thing</b> 23:5 30:5 36:12 41:2,3 60:23 74:18 75:9 80:3 82:2	87:10,14 89:20 101:7 105:5 109:24	<hr/> <b>U</b> <hr/>	74:18,22,23 75:9,12,14 77:18 79:9,10 81:25 82:6,20 89:5 90:4,8 91:22 93:10,24 100:10 104:25 105:3,13,18,22, 25 106:10,18 107:8,22 108:5	<b>Watt's</b> 21:23
<b>things</b> 64:24 86:11 109:8	<b>today's</b> 13:10 19:22 24:24 72:19	<b>Uh-uh</b> 93:6		<b>Watts</b> 10:11 11:6 22:8 66:20 81:6 101:5 104:4 105:25 106:17 109:3,5
<b>Thomas</b> 29:14 33:1,9 42:8 43:22,23 47:9, 10,12,23 48:6 49:14 93:2 95:4,5,9 96:5, 19	<b>token</b> 99:21	<b>uncertain</b> 27:24		<b>Watts'</b> 105:24 106:9,20
<b>Thomas'</b> 51:19 55:18	<b>told</b> 12:22 36:25	<b>unclear</b> 27:20		<b>Watts's</b> 102:22 103:14,18 104:3 105:21
<b>Thomas's</b> 44:10,13,20 45:11 51:22	<b>top</b> 45:13 48:17 51:17 52:25 63:13,23 69:17, 23 73:3 77:9 84:13	<b>uncommon</b> 36:7 40:21	<b>victim</b> 60:4 108:3	<b>ways</b> 51:10
<b>thought</b> 23:24 61:22 62:1 95:6	<b>topic</b> 54:15	<b>underneath</b> 78:19	<b>video</b> 10:4,10 56:6 89:20 110:5,12	<b>wear</b> 87:14
<b>three-minute</b> 89:11	<b>torn</b> 55:22	<b>understand</b> 17:23 41:1 95:19	<b>viewed</b> 93:1	<b>Wells</b> 20:6,11, 22,25 28:22 29:3 44:1,4 47:15 48:9 50:12 55:22 56:18 57:4,7 61:5 78:16 85:15 87:5
<b>time</b> 10:9 13:3, 5 20:6 21:5 26:13 28:21 34:12 38:2 40:13 42:18,22 43:18 46:16 47:3 50:24 56:3,7,8 62:24 63:2,4,9 74:14 86:1,2,7,16,21 89:16,21,22,24 94:18 100:20 106:15 107:14 109:23 110:6, 16	<b>training</b> 82:7	<b>understanding</b> 73:15,18 83:9 93:19	<b>voice</b> 84:18	<b>West</b> 10:6
<b>times</b> 20:9,11 57:14 58:8	<b>transaction</b> 76:22	<b>uniform</b> 86:24 87:15	<hr/> <b>W</b> <hr/>	<b>whichever</b> 83:13
<b>to/from</b> 70:7, 20,25 71:3,10, 11,18,21	<b>transcript</b> 45:20 84:2 85:21 88:9 110:5,12	<b>unit</b> 62:7 84:18 109:6	<b>Waddy</b> 10:21 12:13 13:7,10 14:24 20:19 21:9 22:11,14 24:14 43:6,7, 13,14 98:3,8, 10,21 99:3,25 101:5 104:5 107:22 108:5	<b>William</b> 72:15, 16,18 73:5 77:10 83:17 84:3 88:10,15
<b>today</b> 10:5,8 12:3 14:16 21:5 24:18 29:21 38:11 40:10 41:12 42:22 43:9 44:10 54:18 56:12 58:25 71:25	<b>trial</b> 45:11,16 51:19,22 52:3 53:8,18,24 55:10,17 83:17	<b>United</b> 10:12	<b>Waddy's</b> 13:4, 18 14:12 15:10, 17,18,22,25 16:12 101:13, 24 102:23 103:3,7,19 104:3 105:4 106:1	<b>witnesses</b> 11:17
	<b>true</b> 99:5,12 104:15,22	<b>Units</b> 75:23 76:2		<b>witnessing</b> 108:13
	<b>truth</b> 11:22 36:25	<b>unusual</b> 36:7,9 60:18	<b>wait</b> 89:3	<b>woman</b> 68:5
	<b>turn</b> 72:6	<b>usual</b> 87:3	<b>waited</b> 38:9	<b>wonky</b> 96:18
	<b>type</b> 87:18	<hr/> <b>V</b> <hr/>	<b>wanted</b> 23:8 61:20 82:8,10, 12 89:4 93:8	<b>work</b> 17:15
	<b>typed</b> 16:14, 16,18	<b>vaguely</b> 47:17 48:13	<b>warnings</b> 66:18	<b>worked</b> 17:18 18:2
	<b>types</b> 23:16 98:5	<b>vehicle</b> 51:15	<b>watch</b> 41:7	<b>working</b> 31:16 57:3 62:10 75:5,6 109:7
	<b>typical</b> 52:6, 13,17 53:6	<b>versa</b> 81:25	<b>watching</b> 49:17,20,24	<b>worn</b> 87:10,18
	<b>typically</b> 37:25 38:5,7 50:11 52:10 54:9,10 55:14	<b>version</b> 34:6 38:13	<b>water</b> 89:9	<b>would've</b> 35:8, 10 36:15 38:9 63:6 73:13 80:9 85:5 87:10 93:23 97:5,17,
	<b>Tyrone</b> 29:14 31:4,17 93:3	<b>vice</b> 19:15,22, 24 20:18 21:14, 15 22:18 25:17 26:1,2,11,12,22 27:6 28:13 34:5,17,21 37:15,20 38:24 39:23 42:5 49:4,13,17 59:12 67:11		

18

**wrap** 88:22

**write** 108:21

**writing** 74:16

**written** 18:22

71:17

**wrong** 47:24

64:6

**wrote** 36:24

73:9,16 78:3

81:24

---

**X**

---

**X-BOX** 46:19,

21 47:3

---

**Y**

---

**year** 64:6 86:18

**years** 22:7,8,9

50:13,16 54:13

55:22 58:2

85:12 91:16

92:2,23 104:10

**yesterday**

51:23

**Young** 76:8,17

---

**Z**

---

**Ziploc** 35:25

**Zoom** 11:7