

Exhibit 40

MASTER DOCKET CASE NO. 19-CV-01717

**IN RE: WATTS COORDINATED
PRETRIAL PROCEEDINGS**

**DEPONENT:
KALLATT MOHAMMED**

**DATE:
November 15, 2023**

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF
3 ILLINOIS EASTERN DIVISION
4 MASTER DOCKET CASE NO. 19-CV-01717
5 JUDGE FRANKLIN U. VALDERRAMA
6 MAGISTRATE JUDGE SHEILA M. FINNEGAN
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9 IN RE: WATTS COORDINATED
10 PRETRIAL PROCEEDINGS
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23 DEPONENT: KALLATT MOHAMMED

24 DATE: NOVEMBER 15, 2023

25 REPORTER: TALIA JACKSON

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 ON BEHALF OF THE LOEVY PLAINTIFFS:</p> <p>4 Josh Tepfer, Esquire</p> <p>5 Loevy & Loevy</p> <p>6 311 North Aberdeen Street</p> <p>7 Third Floor</p> <p>8 Chicago, Illinois 60607</p> <p>9 Telephone No.: (312) 243-5900</p> <p>10 E-mail: josh@loevy.com</p> <p>11</p> <p>12 ON BEHALF OF THE FLAXMAN PLAINTIFFS:</p> <p>13 Kenneth N. Flaxman, Esquire</p> <p>14 Kenneth N. Flaxman P.C.</p> <p>15 200 South Michigan Avenue</p> <p>16 Suite 201</p> <p>17 Chicago, Illinois 60604</p> <p>18 Telephone No.: (312) 427-3200</p> <p>19 (Appeared via videoconference)</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 4</p> <p>1 APPEARANCES (CONTINUED)</p> <p>2</p> <p>3 ON BEHALF OF THE INDIVIDUAL DEFENDANTS AS REPRESENTED</p> <p>4 BY HALE AND MONICO:</p> <p>5 William E. Bazarek, Esquire</p> <p>6 Hale & 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) 341-9646</p> <p>11 E-mail: web@halemonico.com</p> <p>12 (Appeared via videoconference)</p> <p>13</p> <p>14 ON BEHALF OF THE DEFENDANT, CALVIN RIDGELL:</p> <p>15 Steve Borkan, Esquire</p> <p>16 Borkan & Scahill, Ltd.</p> <p>17 Two First National Plaza</p> <p>18 20 South Clark Street</p> <p>19 Suite 1700</p> <p>20 Chicago, Illinois 60603</p> <p>21 Telephone No.: (312) 580-1030</p> <p>22 E-mail: sborkanscahill.com</p> <p>23 (Appeared via videoconference)</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 DEFENDANT, KALLATT MOHAMMED:</p> <p>4 Eric S. Palles, Esquire</p> <p>5 Mohan Groble Scolaro</p> <p>6 55 West Monroe</p> <p>7 Suite 1600</p> <p>8 Chicago, Illinois 60603</p> <p>9 Telephone No.: (312) 422-5534</p> <p>10 E-mail: epalles@mohangroble.com</p> <p>11</p> <p>12 ON BEHALF OF THE DEFENDANT, RONALD WATTS:</p> <p>13 Brian Gainer, Esquire</p> <p>14 Johnson & Bell, Ltd.</p> <p>15 33 West Monroe Street</p> <p>16 Suite 2700</p> <p>17 Chicago, Illinois 60603</p> <p>18 Telephone No.: (312) 984-0236</p> <p>19 E-mail: gainerb@jbld.com</p> <p>20 (Appeared via videoconference)</p> <p>21</p> <p>22</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 ON BEHALF OF THE DEFENDANTS, MICHAEL SPAARGAREN AND</p> <p>3 MATTHEW CADMAN:</p> <p>4 James V. Daffada, Esquire</p> <p>5 Leinenweber Baroni & Daffada LLC</p> <p>6 1150 Wilmette Avenue</p> <p>7 Suite D</p> <p>8 Wilmette, Illinois 60091</p> <p>9 Telephone No.: (847) 251-4091</p> <p>10 E-mail: jim@ilesq.com</p> <p>11 (Appeared via videoconference)</p> <p>12</p> <p>13 ON BEHALF OF THE DEFENDANTS, CITY OF CHICAGO</p> <p>14 SUPERVISORY OFFICERS:</p> <p>15 Dhaviella Harris, Esquire</p> <p>16 Reiter Burns LLP</p> <p>17 311 South Wacker Drive</p> <p>18 Suite 5200</p> <p>19 Chicago, Illinois, 60606</p> <p>20 Telephone No.: (312) 782-8930</p> <p>21 E-mail: dharris@reiterburns.com</p> <p>22 (Appeared via videoconference)</p> <p>23</p> <p>24</p> <p>25</p>

<p>Page 6</p> <p>1 APPEARANCES (CONTINUED)</p> <p>2</p> <p>3 Also Present:</p> <p>4 Krystal Barnes, Videographer; Lo Ramanujam, Paralegal</p> <p>5 at Hale & Monico</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</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>Page 8</p> <p>1 EXHIBITS (CONTINUED)</p> <p>2 Exhibit Page</p> <p>3 11 - Arrest Report Of Chauncey Ali DO-JOINT 031268 57</p> <p>4 12 - Mugshot OF Stefon Harrison DO-JOINT 041059 59</p> <p>5 13 - Vice Case Report Concerning Stefon Harrison</p> <p>6 DO-JOINT 037201 60</p> <p>7 14 - Vice Case Report Concerning HENRY THOMAS</p> <p>8 DO-JOINT 031259 63</p> <p>9 15 - Mugshot Of Henry Thomas DO-JOINT 007380 66</p> <p>10 16 - Arrest Report Of Henry Thomas CITY-BG-032862 67</p> <p>11 17 - Collection Of Photographs CITY-LW-000066 70</p> <p>12 18 - Vice Case Report Concerning Lionel White</p> <p>13 CITY-LW-000030 71</p> <p>14 19 - Vice Case Report Concerning George Green</p> <p>15 CITY-LW-000127 74</p> <p>16 20 - Vice Case Report Concerning Teresa Butler</p> <p>17 CITY-LW-000121 74</p> <p>18 21 - Vice Case Report Concerning John Pierce</p> <p>19 CITY-LW-000113 74</p> <p>20 22 - Vice Case Report Concerning Dale Morrow</p> <p>21 CITY-LW-000125 74</p> <p>22 23 - Vice Case Report Concerning Cleothus Morris</p> <p>23 CITY-LW-000111 75</p> <p>24 24 - Vice Case Report Concerning Lynn Howard</p> <p>25 CITY-LW-000119 75</p>
<p>Page 7</p> <p>1 INDEX</p> <p>2 Page</p> <p>3 PROCEEDINGS 11</p> <p>4 DIRECT EXAMINATION BY MR. TEPFER 12</p> <p>5 CROSS-EXAMINATION BY MR. BAZAREK 134</p> <p>6 EXAMINATION BY MS. HARRIS 144</p> <p>7 REDIRECT EXAMINATION BY MR. TEPFER 147</p> <p>8</p> <p>9 EXHIBITS</p> <p>10 Exhibit Page</p> <p>11 1 - Vice Case Report Concerning Ben Baker</p> <p>12 CITY-BG-00021-22 30</p> <p>13 2 - Supplemental Report Concerning Ben Baker</p> <p>14 CITY-BG-00019 33</p> <p>15 3 - Vice Case Report Of Clarissa Glenn</p> <p>16 CITY-BG-00029 42</p> <p>17 4 - Mugshot Of Clarissa Glenn CITY-BG-025018 48</p> <p>18 5 - Mugshot Of Ben Baker DO-JOINT 048313 48</p> <p>19 6 - Arrest Report Of Larry Pulley CITY-BG-056721 49</p> <p>20 7 - Arrest Report Of Michael Henderson</p> <p>21 CITY-BG-056716 49</p> <p>22 8 - Arrest Report Of Laurence Little</p> <p>23 CITY-BG-056711 49</p> <p>24 9 - Arrest Report Of Louis Moore CITY-BG-056706 49</p> <p>25 10 - Arret Report Of Willie Robinson CITY-BG-056701 49</p>	<p>Page 9</p> <p>1 EXHIBITS (CONTINUED)</p> <p>2 Exhibit Page</p> <p>3 25 - Vice Case Report Concerning Charles Riley</p> <p>4 CITY-LW-000123 75</p> <p>5 26 - Vice Case Report Concerning Lorener Williams</p> <p>6 CITY-LW-000117 75</p> <p>7 27 - Mugshot CITY-BG-051681 82</p> <p>8 28 - Mugshot CITY-BG-052081 100</p> <p>9 29 - Clifford Roberts Mugshot DO-JOINT 048319 101</p> <p>10 30 - Vice Case Report Concerning Bobby Coleman</p> <p>11 CITY-BG-052039 103</p> <p>12 31 - Suppression Hearing Transcript PL JOINT</p> <p>13 41368-41377 105</p> <p>14 32 - George Ollie Mugshot CITY-BG-052230 128</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 10</p> <p>1 STIPULATION</p> <p>2</p> <p>3 The VIDEO deposition of KALLATT MOHAMMED was taken at</p> <p>4 LOEVY & LOEVY, 311 NORTH ABERDEEN STREET, THIRD FLOOR,</p> <p>5 CHICAGO, ILLINOIS 60607 on WEDNESDAY the 15TH day of</p> <p>6 NOVEMBER 2023 at 10:02 a.m. CT; said deposition was</p> <p>7 taken pursuant to the UNITED STATES DISTRICT COURT FOR</p> <p>8 THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION</p> <p>9 Rules of Civil Procedure.</p> <p>10</p> <p>11 It is agreed that KRYSTAL BARNES, being a Notary Public</p> <p>12 and Digital Reporter, may swear the witness and that the</p> <p>13 reading and signing of the completed transcript by the</p> <p>14 witness is not waived.</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 12</p> <p>1 MS. HARRIS: Dhaviella Harris for the City of</p> <p>2 Chicago and Supervisory Officers.</p> <p>3 THE VIDEOGRAPHER: All right. Sir, can you</p> <p>4 raise your right hand for me, please? Do you</p> <p>5 solemnly swear or affirm that the testimony you're</p> <p>6 about to give will be the truth, the whole truth,</p> <p>7 and nothing but the truth?</p> <p>8 THE WITNESS: I do.</p> <p>9 THE VIDEOGRAPHER: You may begin.</p> <p>10 DIRECT EXAMINATION</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. Please state and spell your name.</p> <p>13 A. K-A-L-L-A-T-T. Last name is, M-O-H-A-M-M-E-D.</p> <p>14 Q. Okay. You understood that oath that she just</p> <p>15 gave you?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. You're prepared to testify truthfully</p> <p>18 today?</p> <p>19 A. Yes.</p> <p>20 Q. Nothing -- no medication or anything along</p> <p>21 those lines that would prohibit you from telling the</p> <p>22 truth?</p> <p>23 A. No.</p> <p>24 Q. When's the last time you were deposed in these</p> <p>25 matters?</p>
<p style="text-align: right;">Page 11</p> <p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: My name is Krystal Barnes.</p> <p>3 I'm the videographer for today and Talia Jackson is</p> <p>4 the court reporter. Today is the 15th day of</p> <p>5 November 2023, and the time is 10:02 a.m. Central</p> <p>6 Time. We're at the offices of Loevy & Loevy, to</p> <p>7 take the deposition of Kallatt Mohammed, in the</p> <p>8 matter of the Watts Coordinated Pretrial</p> <p>9 Proceedings, pending in the United States District</p> <p>10 Court for the Northern District of Illinois, the</p> <p>11 Eastern Division, Master Docket Case Number</p> <p>12 19-CV-01717. Will the counsel please identify</p> <p>13 themselves for the record?</p> <p>14 MR. TEPFER: My name is Josh Tepfer, I</p> <p>15 represent the Loevy plaintiffs.</p> <p>16 MR. FLAXMAN: I am Kenneth Flaxman and I</p> <p>17 represent the Flaxman plaintiffs.</p> <p>18 MR. PALLES: Eric Palles for Kallatt Mohammed.</p> <p>19 MR. GAINER: Brian Gainer for Ronald Watts.</p> <p>20 MR. BAZAREK: William E. Bazarek for the</p> <p>21 individual defendants represented by Hale & Monico.</p> <p>22 MR. DAFFADA: Jim Daffada --</p> <p>23 MR. BORKAN: Steve Borkan for Calvin Ridgell.</p> <p>24 MR. DAFFADA: Jim Daffada for Matt Cadman and</p> <p>25 Mick [sic] Spaargaren.</p>	<p style="text-align: right;">Page 13</p> <p>1 A. I -- I guess it might have been about a year</p> <p>2 ago, maybe.</p> <p>3 Q. Okay. Do you remember meeting me?</p> <p>4 A. Yeah.</p> <p>5 Q. Okay. When was that?</p> <p>6 A. I believe it was in -- in here or somewhere</p> <p>7 ELSE -- I -- I don't too much remember.</p> <p>8 Q. Do you --</p> <p>9 MR. PALLES: You got to speak up, Kallatt.</p> <p>10 THE WITNESS: Oh, I don't too much remember.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. Okay. Do you remember meeting me before you</p> <p>13 were ever a defendant in any lawsuit?</p> <p>14 A. I remember was -- if it was you and a bigger</p> <p>15 guy came by my house?</p> <p>16 Q. Okay.</p> <p>17 A. Yeah. Okay.</p> <p>18 Q. Okay. And did we talk -- you let us in?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. What did we talk about?</p> <p>21 A. I don't remember.</p> <p>22 Q. You don't remember anything --</p> <p>23 A. -- I don't --</p> <p>24 Q. -- we talked about?</p> <p>25 A. -- no. I don't -- I don't remember --</p>

<p style="text-align: right;">Page 14</p> <p>1 Q. Okay.</p> <p>2 A. -- what we talked about.</p> <p>3 Q. Did I pressure you in any way to talk to me?</p> <p>4 A. I don't -- I don't think so.</p> <p>5 Q. Okay. Did the bigger guy who was with me</p> <p>6 pressure you to talk to you -- us in any way?</p> <p>7 A. I don't believe so.</p> <p>8 Q. Okay. Do you remember talking to me about</p> <p>9 Alvin Jones?</p> <p>10 A. I believe I said something about Alvin Jones.</p> <p>11 What I said, I don't remember.</p> <p>12 Q. Okay.</p> <p>13 A. Yeah.</p> <p>14 Q. But you do remember saying something about</p> <p>15 Alvin Jones?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. Did you say that he was the one who was</p> <p>18 engaged in the misconduct with Watts, primarily?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. What do you mean by that?</p> <p>21 A. I can't -- well, whatever -- you know at the</p> <p>22 time, whatever it was that they were doing, him and</p> <p>23 Watts were always together, so...</p> <p>24 Q. Okay.</p> <p>25 A. That's all I can remember. That they was</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. I don't know what that --</p> <p>2 A. Well, that situation was me being accused of</p> <p>3 something.</p> <p>4 Q. Okay. So what was your basis for saying that</p> <p>5 Alvin Jones was engaged in misconduct with Ronald Watts?</p> <p>6 A. Because he was --</p> <p>7 MR. BAZAREK: Object to the form. Object --</p> <p>8 you got to let me make my objections. Object to the</p> <p>9 form of the question. Vague, ambiguous, lacking</p> <p>10 foundation.</p> <p>11 MR. GAINER: Now, this is Brian Gainer. I'll</p> <p>12 object because that was asked and answered just a</p> <p>13 moment ago. Go ahead.</p> <p>14 BY MR. TEPFER:</p> <p>15 Q. You can answer.</p> <p>16 A. What was the question again?</p> <p>17 MR. TEPFER: Can you repeat the question</p> <p>18 please?</p> <p>19 THE REPORTER: Of course. One moment.</p> <p>20 (REPORTER PLAYS BACK REQUESTED QUESTION)</p> <p>21 MR. BAZAREK: Object to the form of the</p> <p>22 question.</p> <p>23 BY MR. TEPFER:</p> <p>24 Q. You can answer.</p> <p>25 A. Because he was the one that was always with</p>
<p style="text-align: right;">Page 15</p> <p>1 together.</p> <p>2 Q. Okay. And they were together engaging in</p> <p>3 criminal misconduct?</p> <p>4 A. I don't know about that, but they were</p> <p>5 together.</p> <p>6 Q. Okay. But you told me that he was the one who</p> <p>7 was -- Jones was the one, not you, who were engaging in</p> <p>8 criminal misconduct with Watts, correct?</p> <p>9 A. Right, that might -- yeah, but what --</p> <p>10 MR. BAZAREK: Object to the -- object to the</p> <p>11 form of the question. Foundation, compound, vague,</p> <p>12 ambiguous.</p> <p>13 BY MR. TEPFER:</p> <p>14 Q. That's what you told me, correct?</p> <p>15 MR. BAZAREK: Objection. Same objection.</p> <p>16 BY MR. TEPFER:</p> <p>17 Q. You can answer.</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And so what was your basis for saying</p> <p>20 that?</p> <p>21 MR. BAZAREK: Object to foundation. Form of</p> <p>22 the question.</p> <p>23 BY MR. TEPFER:</p> <p>24 Q. You can answer.</p> <p>25 A. Because of my situation.</p>	<p style="text-align: right;">Page 17</p> <p>1 Alvin Jones -- I mean with Watts.</p> <p>2 Q. Okay. Did you ever see Alvin Jones engage in</p> <p>3 misconduct?</p> <p>4 A. No.</p> <p>5 Q. Did you ever see Ronald Watts engage in</p> <p>6 misconduct?</p> <p>7 A. No.</p> <p>8 Q. Is there any other basis, besides the fact</p> <p>9 that they were always together, that caused you to make</p> <p>10 that comment to me?</p> <p>11 MR. BAZAREK: Object to the form of the</p> <p>12 question. Foundation.</p> <p>13 THE WITNESS: What was the question again?</p> <p>14 MR. TEPFER: Can you repeat the question?</p> <p>15 (REPORTER PLAYS BACK REQUESTED QUESTION)</p> <p>16 THE WITNESS: None, other --</p> <p>17 MR. BAZAREK: Object to the form of the</p> <p>18 question. Vague, ambiguous, lacking foundation.</p> <p>19 THE WITNESS: None, other than they were always</p> <p>20 together.</p> <p>21 BY MR. TEPFER:</p> <p>22 Q. Okay. What do you mean they were always</p> <p>23 together?</p> <p>24 A. They were together, you know. They rode</p> <p>25 together all the time.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q. During their time at Chicago -- there --</p> <p>2 during their time as officers or sergeants with the</p> <p>3 Chicago Police Department?</p> <p>4 A. At the time that they were working in the Ida</p> <p>5 B. Wells.</p> <p>6 Q. Okay. How long were you working with Alvin</p> <p>7 Jones and Ronald Watts during the time that they were</p> <p>8 working in Ida B. Wells?</p> <p>9 A. It had to be more than two years. I'm not</p> <p>10 specific on what -- how many years.</p> <p>11 Q. Okay. Do you know what year you started</p> <p>12 working with Al Jones and Ronald Watts in the Ida B.</p> <p>13 Wells?</p> <p>14 A. No, I don't.</p> <p>15 Q. Okay. Do you know what two-year period or</p> <p>16 more we're talking about?</p> <p>17 A. Let's see. I don't have the -- I can't</p> <p>18 remember. It had to be about -- this is not a specific</p> <p>19 answer, but after '05, I believe it was.</p> <p>20 Q. Okay. So you did not -- you said it's not a</p> <p>21 specific answer, but you don't believe that you worked</p> <p>22 with Al Jones or Ronald Watts together in Ida B. Wells</p> <p>23 before 2005?</p> <p>24 A. Right. I came on the team later.</p> <p>25 Q. Okay. So regardless of the period, for the</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. Okay. So there's the two-year period you</p> <p>2 would see them at Ida B. Wells, but then you weren't</p> <p>3 there anymore, but you would still see them together. Is</p> <p>4 that what you're saying?</p> <p>5 A. No, I was there.</p> <p>6 Q. Okay.</p> <p>7 A. I didn't ride with them.</p> <p>8 Q. Okay. Did you ride with them for some period?</p> <p>9 A. I had a partner.</p> <p>10 Q. Did you ever ride with Jones and Watts?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And that was during the two-year</p> <p>13 period?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And then after that, you had a partner?</p> <p>16 A. Yes.</p> <p>17 Q. Who was that partner?</p> <p>18 A. I always had a partner.</p> <p>19 Q. Okay.</p> <p>20 A. But when a partner's not there, then you can</p> <p>21 get in the car with somebody.</p> <p>22 Q. Okay.</p> <p>23 A. Uh-huh.</p> <p>24 Q. Who was your partner?</p> <p>25 A. Darryl Edwards. I had -- let me see, Lamonica</p>
<p style="text-align: right;">Page 19</p> <p>1 two-year time period that you were working in Ida B.</p> <p>2 Wells with Kallatt Mohammed and Alvin Jones, that's the</p> <p>3 --</p> <p>4 MR. PALLES: You said he was working with</p> <p>5 Kallatt Mohammed.</p> <p>6 BY MR. TEPFER:</p> <p>7 Q. I'm sorry. Strike that. During the two-year</p> <p>8 or more period that you were working with Alvin Jones</p> <p>9 and Ronald Watts in Ida B. Wells, that's the time period</p> <p>10 you're talking about where they, meaning Alvin Jones and</p> <p>11 Ronald Watts, were always together?</p> <p>12 A. Yes, and thereafter.</p> <p>13 Q. And thereafter?</p> <p>14 A. Uh-huh.</p> <p>15 Q. Okay. So even after that two-year time</p> <p>16 period?</p> <p>17 A. Uh-huh.</p> <p>18 Q. Okay. How do you know they were always</p> <p>19 together even after that two year time period when you</p> <p>20 weren't working with them?</p> <p>21 A. I used to see them.</p> <p>22 Q. Where would you see them?</p> <p>23 A. At work together.</p> <p>24 Q. Okay. At Ida B. Wells, or a different place?</p> <p>25 A. Ida B. Wells.</p>	<p style="text-align: right;">Page 21</p> <p>1 Lewis, and sometimes me and Elsworth rode together.</p> <p>2 Q. That's Elsworth Smith?</p> <p>3 A. Yes. Elsworth Smith.</p> <p>4 Q. Okay. And during the time period when you</p> <p>5 were partners with these other three individuals, you</p> <p>6 would see Watts and Jones always be together; is that</p> <p>7 your testimony?</p> <p>8 A. Yes.</p> <p>9 MR. BAZAREK: Object to the form of the</p> <p>10 question. Foundation.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. When I asked you if you ever witnessed</p> <p>13 misconduct from Jones and Mohammed, do you remember --</p> <p>14 between Jones and Watts. Do you remember that?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. What does misconduct mean to you?</p> <p>17 A. Doing something wrong.</p> <p>18 Q. Okay. When I say misconduct, I'm meaning</p> <p>19 violating a criminal law. Did you ever witness them</p> <p>20 violate a criminal law?</p> <p>21 MR. PALLES: Objection. This is beyond the</p> <p>22 scope of what we agreed we were going to talk to</p> <p>23 today -- talk about today, Josh, which are the test</p> <p>24 cases and your interview with him.</p> <p>25 MR. TEPFER: Okay. I think it's continuous of</p>

<p style="text-align: right;">Page 22</p> <p>1 what our interview was talking about, so I think</p> <p>2 it's consistent with that.</p> <p>3 MR. PALLES: Okay. Well --</p> <p>4 THE WITNESS: On the advice of my attorney --</p> <p>5 MR. PALLES: You -- well, yes. What?</p> <p>6 THE WITNESS: Oh, I'm going to take the Fifth.</p> <p>7 BY MR. TEPFER:</p> <p>8 Q. Okay. So you're going to take the -- and</p> <p>9 you're taking the Fifth because answering that question</p> <p>10 would subject you to prosecution, potentially?</p> <p>11 MR. PALLES: Objection. Calls for attorney-</p> <p>12 client privilege. Instruct him not to answer.</p> <p>13 MR. TEPFER: You're instructing him not to</p> <p>14 answer what -- why he's taking the Fifth?</p> <p>15 MR. PALLES: Correct.</p> <p>16 BY MR. TEPFER:</p> <p>17 Q. Okay. And are you taking your attorney's</p> <p>18 advice not to answer my question?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. One more question before we get to the</p> <p>21 cases. Have you been contacted by any federal</p> <p>22 investigators?</p> <p>23 A. Yes.</p> <p>24 Q. Who?</p> <p>25 A. I don't remember their names.</p>	<p style="text-align: right;">Page 24</p> <p>1 one, but...</p> <p>2 Q. They told you, you probably would not need an</p> <p>3 attorney?</p> <p>4 A. Yeah.</p> <p>5 Q. Okay. How many people contacted you?</p> <p>6 A. Two.</p> <p>7 Q. Were they male or female?</p> <p>8 A. Male.</p> <p>9 Q. Were they FBI agents?</p> <p>10 A. No. One was a assistant -- assistant state's</p> <p>11 attorney, and the other one -- well, yeah, it was, the</p> <p>12 other one. I think he was.</p> <p>13 Q. Okay. So I asked about federal agents. An</p> <p>14 assistant state's attorney, I understand, as being a</p> <p>15 state agent. Do you believe that the people who talked</p> <p>16 to you were from Cook County State's Attorney's Office,</p> <p>17 or from the federal government?</p> <p>18 A. No, they were from the federal government.</p> <p>19 Q. Okay. So do you mean possibly it was an</p> <p>20 assistant U.S. attorney?</p> <p>21 A. U.S. attorney. Yeah.</p> <p>22 Q. Got it. And they were both male, you said?</p> <p>23 A. Yes.</p> <p>24 Q. So one was an assistant U.S. attorney and</p> <p>25 another was an FBI agent, is your understanding?</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. When?</p> <p>2 A. I think it was in -- it might have been</p> <p>3 November.</p> <p>4 Q. Of this year?</p> <p>5 A. Last -- last year, I believe it was. It was</p> <p>6 cold outside. I remember that.</p> <p>7 Q. In November of 2022 you were contacted by</p> <p>8 federal investigators?</p> <p>9 A. Yes.</p> <p>10 Q. Did you speak to them?</p> <p>11 A. None other than answering what they asked me.</p> <p>12 Q. Okay. So you had a conversation with them?</p> <p>13 A. No. They asked me if I -- they asked me -- I</p> <p>14 can't remember exactly what they asked me. It had</p> <p>15 something to do with giving -- they wanted to question</p> <p>16 me about something.</p> <p>17 Q. What did you tell them?</p> <p>18 A. Told them I needed an attorney.</p> <p>19 Q. Okay. So your attorney was not there when</p> <p>20 they approached you?</p> <p>21 A. Right. They called me on the phone.</p> <p>22 Q. And when you told them you wanted an attorney,</p> <p>23 that was the end of the conversation?</p> <p>24 A. No, they tried to say that we could get you an</p> <p>25 attorney, and they said that I probably wouldn't need</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Yes.</p> <p>2 Q. Did they ever follow up with you through your</p> <p>3 attorney?</p> <p>4 A. No.</p> <p>5 Q. Where were you when this conversation</p> <p>6 happened?</p> <p>7 A. I believe I was at home.</p> <p>8 Q. They just showed up at your door?</p> <p>9 A. No, no, no. They called me.</p> <p>10 Q. Called. I'm sorry. Okay. All right. Tell</p> <p>11 me everything you remember about this conversation.</p> <p>12 A. That's all I remember.</p> <p>13 Q. How long was the conversation?</p> <p>14 A. Brief.</p> <p>15 Q. Like, under five minutes?</p> <p>16 A. About four minutes. I know they told me that</p> <p>17 it'll take 15 minutes.</p> <p>18 Q. They told -- did they want to talk to you</p> <p>19 substantively, ask you questions over the phone, or did</p> <p>20 they want to meet with you?</p> <p>21 A. They wanted to meet with me.</p> <p>22 Q. Okay. And they told you that meeting would</p> <p>23 take 15 minutes?</p> <p>24 A. Yes.</p> <p>25 Q. And you -- did you tell them that you would</p>

<p style="text-align: right;">Page 26</p> <p>1 meet with them?</p> <p>2 A. No.</p> <p>3 Q. You told them you -- to talk to your lawyer?</p> <p>4 A. Yep.</p> <p>5 Q. Did you give them your lawyer's name?</p> <p>6 A. I didn't have one at the time.</p> <p>7 Q. In November 2022, you didn't have a lawyer?</p> <p>8 A. Well, federal attorney. I couldn't --</p> <p>9 Q. Okay.</p> <p>10 A. Yeah.</p> <p>11 Q. Did you give them your civil attorney's name?</p> <p>12 A. No.</p> <p>13 Q. Okay. Did you ever -- you never heard from</p> <p>14 them again?</p> <p>15 A. No.</p> <p>16 Q. How did you leave the call? What was -- did</p> <p>17 you just say, I'm going to get an attorney and I'll give</p> <p>18 you a call back?</p> <p>19 A. I don't -- I don't remember.</p> <p>20 Q. Did you ever obtain --</p> <p>21 A. They --</p> <p>22 Q. Go ahead.</p> <p>23 A. Did I obtain an attorney? No.</p> <p>24 Q. Okay. Do you have any idea if the attorney</p> <p>25 who came and met with you was from Washington, D.C. or</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Yes.</p> <p>2 A. Yes. Yes.</p> <p>3 Q. You did?</p> <p>4 A. Yes.</p> <p>5 Q. What did you think?</p> <p>6 MR. PALLES: Objection. It's beyond the scope</p> <p>7 of what we agreed to discuss today. I'm instructing</p> <p>8 you not to answer.</p> <p>9 BY MR. TEPFER:</p> <p>10 Q. Okay. Are you taking your attorney's advice</p> <p>11 not to answer?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Did you -- what else do you remember</p> <p>14 them asking you about, besides the Watts podcast?</p> <p>15 A. That's it.</p> <p>16 Q. Anything else you remember about the</p> <p>17 conversation at all?</p> <p>18 A. No.</p> <p>19 Q. Okay. You know who Ben Baker is?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. How do you know him?</p> <p>22 A. From being in Ida B. Wells.</p> <p>23 Q. Okay. Were you involved -- are you aware that</p> <p>24 Ben Baker has sued you?</p> <p>25 A. Am I aware of it? Yes.</p>
<p style="text-align: right;">Page 27</p> <p>1 from Chicago?</p> <p>2 A. I have no idea.</p> <p>3 Q. What did he look like?</p> <p>4 A. You said, met with me?</p> <p>5 Q. I'm sorry. You're right. That doesn't make</p> <p>6 any sense. Strike that. The one who called you, did he</p> <p>7 say he was from the Department of Justice, or the U.S.</p> <p>8 Attorney's office?</p> <p>9 A. I don't -- I don't remember if he even</p> <p>10 mentioned those words.</p> <p>11 Q. Okay. If I said a name, would you remember or</p> <p>12 no?</p> <p>13 A. I don't --</p> <p>14 Q. You don't know? Was it Mark Blumberg?</p> <p>15 A. Blumberg. That -- Mark -- yeah, that sounds</p> <p>16 about right.</p> <p>17 Q. Did they tell you they wanted to talk to you</p> <p>18 about your time as a Chicago Police officer?</p> <p>19 A. No.</p> <p>20 Q. What did they tell you they wanted to talk to</p> <p>21 you about?</p> <p>22 A. It's -- I believe it was something where Watts</p> <p>23 was on a podcast or something.</p> <p>24 Q. Did you listen to that podcast with Watts?</p> <p>25 A. Did I listen to it of him?</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. Okay. And he's -- depending on how you define</p> <p>2 it, would you understand that there's sort of three</p> <p>3 arrests that are subject to the lawsuit?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Have you heard the phrase mailbox case?</p> <p>6 A. I've heard of it.</p> <p>7 Q. Okay. Were you involved in any way whatsoever</p> <p>8 in the arrest of Ben Baker on the mailbox case?</p> <p>9 A. No.</p> <p>10 Q. Do you recall the mailbox case in any way?</p> <p>11 A. No.</p> <p>12 Q. So you have no memory whatsoever of the</p> <p>13 mailbox case, so you have no -- is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And when we're talking about the</p> <p>16 mailbox case, just to make sure we're talking about the</p> <p>17 same thing, we're talking about two different incidents</p> <p>18 -- well, let me strike that. We're talking about an</p> <p>19 incident that happened in June of 2004 and then an</p> <p>20 arrest that happened in July 2004. Is that your</p> <p>21 understanding of what we're talking about with the</p> <p>22 mailbox case?</p> <p>23 MR. PALLES: I object to lack of foundation. Go</p> <p>24 ahead, if you know.</p> <p>25 THE WITNESS: I don't know.</p>

<p style="text-align: right;">Page 30</p> <p>1 BY MR. TEPFER:</p> <p>2 Q. You don't know because you had nothing to do</p> <p>3 with it?</p> <p>4 A. That is correct.</p> <p>5 Q. Okay. All right. I'm going to show you.</p> <p>6 Okay. There's another case that's subject to the</p> <p>7 lawsuit that involves a March 23, 2005 arrest of Ben</p> <p>8 Baker. Are you aware of that in any general way?</p> <p>9 A. No.</p> <p>10 Q. Okay. Here, let me back track for a second.</p> <p>11 All right. I'm going to show you what I'm marking as</p> <p>12 Exhibit 1. Oh, wrong way. Sorry. One second.</p> <p>13 (EXHIBIT 1 MARKED FOR IDENTIFICATION)</p> <p>14 MR. PALLES: Are we getting copies, or am I –</p> <p>15 MR. TEPFER: I'm sorry.</p> <p>16 MR. PALLES: -- just have the -- That's fine.</p> <p>17 I'll look with him.</p> <p>18 MR. TEPFER: I apologize. I might have</p> <p>19 another. Yeah, I do. I think I got one just for</p> <p>20 you.</p> <p>21 MR. PALLES: Thank you, sir. I can't download</p> <p>22 on my phone, the digital.</p> <p>23 MR. TEPFER: I forgot who I'm dealing with.</p> <p>24 BY MR. TEPFER:</p> <p>25 Q. This is City-BG 21 to 22. Have you ever seen</p>	<p style="text-align: right;">Page 32</p> <p>1 MR. TEPFER: Box 40.</p> <p>2 MR. PALLES: Box 40.</p> <p>3 MR. TEPFER: The narrative section, just the</p> <p>4 last little part.</p> <p>5 THE WITNESS: Okay, I see it. You said the</p> <p>6 last of it?</p> <p>7 BY MR. TEPFER:</p> <p>8 Q. So it says, Ben Baker standing at the</p> <p>9 mailboxes.</p> <p>10 A. Right. Okay. Yes.</p> <p>11 Q. Okay. So that's why we refer to it as the</p> <p>12 mailbox case, at least in part. Do you understand that?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Okay. In that same section in the narrative,</p> <p>15 it says, right, in the first part it says, also</p> <p>16 assisting P.O.'s Mohammed number 14122. Do you see</p> <p>17 that?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Is that -- was that your star number?</p> <p>20 A. Yes.</p> <p>21 Q. Why are you listed as an assisting officer if</p> <p>22 you had nothing to do with it?</p> <p>23 A. Well --</p> <p>24 MR. PALLES: Objection. Lack of foundations.</p> <p>25 THE WITNESS: I have no idea.</p>
<p style="text-align: right;">Page 31</p> <p>1 this document before?</p> <p>2 A. No.</p> <p>3 Q. Do you know -- just in a -- do you know what a</p> <p>4 vice case report is?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. So you've seen a vice case report, but</p> <p>7 you don't recall ever seeing this vice case report; is</p> <p>8 that right?</p> <p>9 A. That's correct.</p> <p>10 Q. Okay. Look in the very -- so this is on the -</p> <p>11 - Box 5, it says the date of occurrence is June 17,</p> <p>12 2004. Do you see that?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Okay. And it says -- in Box 19, it says the</p> <p>15 offender's name is Baker, Ben, correct?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And then, in Box 40 on the first page,</p> <p>18 just at the bottom, it says, male 01, known as Ben Baker</p> <p>19 standing at the mailboxes. Do you see that? We're still</p> <p>20 on the first page, just in the narrative portion.</p> <p>21 A. You said, standing at the -- so the --</p> <p>22 MR. TEPFER: Do you want to direct him through</p> <p>23 it?</p> <p>24 MR. PALLES: I'm sorry. We're talking about</p> <p>25 Box 5, did you say?</p>	<p style="text-align: right;">Page 33</p> <p>1 BY MR. TEPFER:</p> <p>2 Q. You have no idea. You didn't write this</p> <p>3 report, right?</p> <p>4 A. No.</p> <p>5 Q. Okay. Does it bother you that you're listed</p> <p>6 as an assisting officer when you had nothing to do with</p> <p>7 it?</p> <p>8 MR. PALLES: Object to the form.</p> <p>9 THE WITNESS: Yes.</p> <p>10 BY MR. TEPFER:</p> <p>11 Q. And why does it bother you?</p> <p>12 A. Well, I didn't have anything to do with it.</p> <p>13 Q. Okay. So we talked about -- one second.</p> <p>14 MR. BAZAREK: I'm just going to I have a</p> <p>15 standing objection to the questions about the</p> <p>16 mailbox case. Mr. Baker doesn't have a specific</p> <p>17 claim for that mailbox case.</p> <p>18 MR. PALLES: I'll join.</p> <p>19 MR. TEPFER: I don't see a copy of this. So</p> <p>20 I'm going to mark this as Exhibit 2. This is City-</p> <p>21 BG- 00019 to 20. You see that? That's a</p> <p>22 supplementary report. There we go. Thank you. Do</p> <p>23 you want me to flip that over with the highlighting</p> <p>24 on, or do you care?</p> <p>25 (EXHIBIT 2 MARKED FOR IDENTIFICATION)</p>

<p style="text-align: right;">Page 34</p> <p>1 MR. PALLES: I don't. Is there a highlighter?</p> <p>2 MR. TEPFER: There's like -- his name's</p> <p>3 highlighted there.</p> <p>4 MR. PALLES: Okay, good.</p> <p>5 BY MR. TEPFER:</p> <p>6 Q. Do you see that supplementary report?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And do you see this is related to a</p> <p>9 supplementary report on July 11, 2004, also relating to</p> <p>10 the same mailbox case? Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And do you see on the bottom, it says</p> <p>13 assisting, and your name and star number are listed?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Does this in any way refresh your</p> <p>16 recollection of whether you were involved in any way</p> <p>17 with the mailbox case?</p> <p>18 A. No, it doesn't.</p> <p>19 Q. Okay. Does it bother you that your name's on</p> <p>20 this report?</p> <p>21 A. I'd like to say that this -- whenever someone</p> <p>22 did a report and everybody's on it, they were listed as</p> <p>23 a team. And I wasn't -- I don't -- I wasn't there</p> <p>24 because I don't remember that.</p> <p>25 Q. So you weren't there for either the incident</p>	<p style="text-align: right;">Page 36</p> <p>1 C.K. that, man, it costs a lot of money to bond out and</p> <p>2 pay lawyers?</p> <p>3 A. Did I -- could you say that one more time?</p> <p>4 Q. Sure. Did you ever have a conversation with</p> <p>5 Ben Baker, in the presence of someone named C.K. were</p> <p>6 you told Ben Baker, "Man, it costs a lot of money to</p> <p>7 bond out and pay lawyers?"</p> <p>8 A. No, I never said that.</p> <p>9 Q. Okay. This conversation would have happened</p> <p>10 sometime between March of December -- in March and</p> <p>11 December of 2005.</p> <p>12 A. No.</p> <p>13 Q. Never happened?</p> <p>14 A. Never happened.</p> <p>15 Q. How is it that someone assists in an arrest if</p> <p>16 they weren't there?</p> <p>17 A. Well, it's the practice of the police</p> <p>18 department.</p> <p>19 Q. Okay. Is there a policy you're referring to?</p> <p>20 A. I don't know about a policy, but I said it's a</p> <p>21 practice.</p> <p>22 Q. Okay. Who instructed you or trained you to</p> <p>23 comply with this practice?</p> <p>24 A. With the practice of the team? Well, Watts</p> <p>25 was the sergeant, so...</p>
<p style="text-align: right;">Page 35</p> <p>1 of the criminal acts allegedly committed by Ben Baker in</p> <p>2 June, nor the arrest on July 11th?</p> <p>3 A. No.</p> <p>4 Q. Wait, are you testifying that it's</p> <p>5 nevertheless the practice of your team to list people</p> <p>6 who weren't present in any way for the criminal act or</p> <p>7 the arrest on police reports?</p> <p>8 MR. PALLES: Object to the form.</p> <p>9 THE WITNESS: I'm saying everybody was included</p> <p>10 as a team.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. Even if they weren't there, they would be</p> <p>13 included on police reports?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And that was the practice of the team?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And that's what you did when you wrote</p> <p>18 reports?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Did you ever have a conversation with</p> <p>21 Ben Baker personally?</p> <p>22 A. No.</p> <p>23 Q. Do you know someone named C.K. (phonetic)?</p> <p>24 A. No.</p> <p>25 Q. Did you ever tell Ben Baker in the presence of</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. Okay. So Sergeant Watts was the one who told</p> <p>2 you to put everyone's name who's on the team on the</p> <p>3 police reports --</p> <p>4 A. Yes.</p> <p>5 Q. -- even if they weren't there?</p> <p>6 MR. GAINER: Object to form. And that</p> <p>7 mischaracterizes his testimony. Go ahead.</p> <p>8 BY MR. TEPFER:</p> <p>9 Q. Can you answer the question?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. So it doesn't mischaracterize your</p> <p>12 testimony, right?</p> <p>13 MR. GAINER: Just objection to argumentative. I</p> <p>14 think you're probably arguing with me instead of</p> <p>15 him, but I object anyway.</p> <p>16 THE WITNESS: Yes.</p> <p>17 BY MR. TEPFER:</p> <p>18 Q. Oh, okay. Let me ask you, just straight up</p> <p>19 again and he can make an objection. Is Sergeant Watts</p> <p>20 the one who instructed you to put everyone's name on the</p> <p>21 arrest report who's on the team, even if they weren't</p> <p>22 involved in the arrest in any way?</p> <p>23 A. Yes.</p> <p>24 MR. GAINER: This -- objection. This is not an</p> <p>25 arrest report. This is a supplementary report. So</p>

<p style="text-align: right;">Page 38</p> <p>1 I object to the mischaracterization of the document.</p> <p>2 BY MR. TEPFER:</p> <p>3 Q. Okay. I'll ask it again. Is it Sergeant</p> <p>4 Watts's -- is it Sergeant Watts who instructed you to</p> <p>5 put any member of your team on a supplemental report or</p> <p>6 a vice case report or an arrest report if they were --</p> <p>7 even when they weren't present?</p> <p>8 MR. GAINER: Object to form.</p> <p>9 THE WITNESS: He didn't instruct me personally,</p> <p>10 but that's the way the team wrote up a report.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. Okay. So he instructed the team to do that?</p> <p>13 A. Yes.</p> <p>14 MR. GAINER: Objection. Foundation.</p> <p>15 MR. BAZAREK: Yeah. And I'm going to join in</p> <p>16 the objection. And then Mr. Tepfer, is it agreed</p> <p>17 that an objection by, you know, one party, that it</p> <p>18 will also be adopted by the other parties, so we</p> <p>19 don't have to say join and have multiple objections</p> <p>20 throughout the deposition?</p> <p>21 MR. TEPFER: Absolutely.</p> <p>22 MR. BAZAREK: Okay. Thank you.</p> <p>23 MR. TEPFER: You're welcome.</p> <p>24 BY MR. TEPFER:</p> <p>25 Q. Do you know Clarissa Glenn or Clarissa Baker?</p>	<p style="text-align: right;">Page 40</p> <p>1 just outside of the police station. She came to the</p> <p>2 police station and then you walked outside with her. Do</p> <p>3 you recall that?</p> <p>4 A. No, I don't.</p> <p>5 Q. Okay. Do you recall her telling you, your</p> <p>6 buddies, your friends, they locked Ben up on some BS?</p> <p>7 A. I don't recall.</p> <p>8 Q. Okay. Did you recall saying something, like,</p> <p>9 that you didn't know that she was in a relationship with</p> <p>10 Ben Baker?</p> <p>11 A. No.</p> <p>12 Q. Were you ever attracted to Clarissa?</p> <p>13 A. She's not my type.</p> <p>14 Q. Why?</p> <p>15 A. She's just not my type.</p> <p>16 Q. Like, physically?</p> <p>17 A. Physically, mentally, whatever. She's not my</p> <p>18 type.</p> <p>19 Q. Well, what mentally about her is not your</p> <p>20 type?</p> <p>21 A. She's just not my type.</p> <p>22 Q. What about her makes her not your type?</p> <p>23 A. I don't like -- not interested.</p> <p>24 Q. Okay. Well, you said --</p> <p>25 A. Never looked at her as being in -- never</p>
<p style="text-align: right;">Page 39</p> <p>1 A. I heard of her.</p> <p>2 Q. Have you ever met her?</p> <p>3 A. I've met her.</p> <p>4 Q. You have met her?</p> <p>5 A. I've -- I've met her. I know who she is.</p> <p>6 Q. When did you meet her?</p> <p>7 A. I couldn't tell you when I met her, but in my</p> <p>8 travels as a police officer.</p> <p>9 Q. Okay. Did you ever arrest her?</p> <p>10 A. No.</p> <p>11 Q. Okay. Can you --</p> <p>12 A. Not that I can -- no.</p> <p>13 Q. Okay. Do you recall any conversations you've</p> <p>14 ever had with her?</p> <p>15 A. Not offhand, no.</p> <p>16 Q. Okay. How is it that you remember her?</p> <p>17 A. She was always in Ida B. Wells.</p> <p>18 Q. Okay. So you would just see her and you knew</p> <p>19 her name?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Do you recall speaking to Clarissa at</p> <p>22 the police station at 51st and Wentworth on July 11,</p> <p>23 2004?</p> <p>24 A. No, I don't -- I don't -- I don't recall. No.</p> <p>25 Q. Okay. It would have been actually outside --</p>	<p style="text-align: right;">Page 41</p> <p>1 looked at her that way.</p> <p>2 Q. Okay. You said mentally, she's not your type.</p> <p>3 What do you know about her mentally that makes you say</p> <p>4 --</p> <p>5 A. I don't know anything.</p> <p>6 Q. -- she's not your type? Let me finish the</p> <p>7 question, please.</p> <p>8 A. Okay.</p> <p>9 Q. What do you know about her mentally that makes</p> <p>10 her -- that makes you say she's not your type?</p> <p>11 A. Well, I don't know anything mentally about</p> <p>12 her, but just the whole Clarissa. I don't -- she's not</p> <p>13 -- I'm not interested in her.</p> <p>14 Q. The whole Clarissa, you're not interested in</p> <p>15 her?</p> <p>16 A. Right.</p> <p>17 Q. Okay. During this conversation with Clarissa,</p> <p>18 do you ever recall telling her that Elgen Moore got</p> <p>19 locked up for drinking?</p> <p>20 A. No.</p> <p>21 Q. Do you know who Elgen Moore is?</p> <p>22 A. No, I don't. Don't remember.</p> <p>23 Q. Okay. I asked you briefly about this March</p> <p>24 23, 2005 arrest. You said -- I think you said you have</p> <p>25 no idea what I'm even talking about; is that right?</p>

<p style="text-align: right;">Page 42</p> <p>1 A. I don't remember, yes.</p> <p>2 Q. Okay. Do you recall ever hearing about Ben</p> <p>3 Baker getting arrested at 527 East Browning and running</p> <p>4 away from some of the members of your team?</p> <p>5 A. I don't -- I can't recall any arrest about Ben</p> <p>6 Baker.</p> <p>7 Q. Okay. All right. There's one more then.</p> <p>8 December 11, 2005, that's another arrest involved in</p> <p>9 this current case. Do you recall that at all?</p> <p>10 A. No.</p> <p>11 Q. Okay. Do you recall ever being involved in</p> <p>12 any arrest of Ben Baker?</p> <p>13 A. No.</p> <p>14 Q. Are you testifying you've never been involved</p> <p>15 in an arrest of Ben Baker?</p> <p>16 A. I didn't say. I just don't remember.</p> <p>17 Q. Okay. So you just don't know one way or the</p> <p>18 other?</p> <p>19 A. Right.</p> <p>20 MR. TEPFER: Okay. All right, I'm going to</p> <p>21 show you what's marked as Exhibit 3, right?</p> <p>22 THE REPORTER: Yes.</p> <p>23 MR. TEPFER: There. She's going to mark it.</p> <p>24 (EXHIBIT 3 MARKED FOR IDENTIFICATION)</p> <p>25 BY MR. TEPFER:</p>	<p style="text-align: right;">Page 44</p> <p>1 that one again? The vice case?</p> <p>2 MR. TEPFER: City-BG-29 to 30.</p> <p>3 MR. BAZAREK: No, no. Just the exhibit number.</p> <p>4 MR. PALLES: 3.</p> <p>5 MR. TEPFER: Oh, sorry.</p> <p>6 MR. BAZAREK: Thanks. Thank you.</p> <p>7 BY MR. TEPFER:</p> <p>8 Q. Are you finished?</p> <p>9 A. Uh-huh. Yes. Yes, yes, yes. I'm sorry. Yes.</p> <p>10 Q. You're better than me. Sorry, I always forget</p> <p>11 that. After reviewing this, does this in any way</p> <p>12 refresh your recollection in any way regarding this</p> <p>13 December 11, 2005 incident?</p> <p>14 A. No, it doesn't.</p> <p>15 Q. You have no recollection of being involved in</p> <p>16 any way?</p> <p>17 A. None.</p> <p>18 Q. Okay.</p> <p>19 A. No.</p> <p>20 Q. Any recollection of typing the report in this</p> <p>21 case?</p> <p>22 A. No recollection.</p> <p>23 Q. Okay. Do you have any recollection of</p> <p>24 testifying at a hearing related to the impounding of the</p> <p>25 car?</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. Okay. This is City-BG-29 to 30. This is</p> <p>2 another vice case report, okay?</p> <p>3 A. Uh-huh.</p> <p>4 MR. PALLES: You got to answer verbally, yes or</p> <p>5 no.</p> <p>6 A. Oh. Oh, yes. Yes.</p> <p>7 BY MR. TEPFER:</p> <p>8 Q. I want you to look right at the top, paragraph</p> <p>9 -- or I'm sorry, Box 5. That's the date of occurrence.</p> <p>10 It says December 11, 2005. Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And then I want you to look at Box 46,</p> <p>13 the second reporting officer. That's your name and star</p> <p>14 number, right?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. Now, I want you to spend a minute --</p> <p>17 have you looked at this document before? Have you ever</p> <p>18 seen this document?</p> <p>19 A. No.</p> <p>20 Q. Okay. I want you to take a minute and read</p> <p>21 it. The -- read the entire thing you want. Look at the</p> <p>22 Narrative 40 -- Paragraph 40 through the back. Take</p> <p>23 whatever time you need to read that, okay? Just tell me</p> <p>24 when you're done.</p> <p>25 MR. BAZAREK: Hey, Josh, what's the number on</p>	<p style="text-align: right;">Page 45</p> <p>1 A. No, I don't.</p> <p>2 Q. That would've been in January of 2006.</p> <p>3 A. I don't -- I don't remember.</p> <p>4 Q. You don't remember? Have you ever testified</p> <p>5 at Superior Street or in a car impound --</p> <p>6 A. I have.</p> <p>7 Q. Okay. Let me just finish. You have. Okay.</p> <p>8 A. Right.</p> <p>9 Q. You just don't remember ever testifying in</p> <p>10 this one?</p> <p>11 A. No.</p> <p>12 Q. How many times have you testified in those</p> <p>13 types of proceedings?</p> <p>14 A. I believe more than -- might be more than ten.</p> <p>15 Q. Okay. Do you remember seeing Clarissa and</p> <p>16 Ben, Clarissa Glenn, or Baker, and Ben Baker at the</p> <p>17 police station on December 11, 2005?</p> <p>18 A. Yes.</p> <p>19 Q. You do?</p> <p>20 A. I remember seeing them there, yes.</p> <p>21 Q. Okay. So you have some recollection of</p> <p>22 December 11, 2005?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. What do you remember?</p> <p>25 A. They was sitting there on a bench.</p>

<p style="text-align: right;">Page 46</p> <p>1 Q. Okay. What else do you remember?</p> <p>2 A. That's – that's about it.</p> <p>3 Q. Did you speak to either of them?</p> <p>4 A. I spoke to them. They spoke back.</p> <p>5 Q. What did you talk about?</p> <p>6 A. Nothing.</p> <p>7 Q. Do you remember what you talked about?</p> <p>8 A. No, I don't remember. No.</p> <p>9 Q. How long was the conversation – well, let me</p> <p>10 break it up. Did you speak to Ben Baker?</p> <p>11 A. No.</p> <p>12 Q. Did you speak to Clarissa Glenn?</p> <p>13 A. No. Nothing other than hi, and that's it.</p> <p>14 Q. Okay. So you remember saying hi?</p> <p>15 A. That's it.</p> <p>16 Q. And did you say hi to Clarissa?</p> <p>17 A. I spoke to both of them at the same time.</p> <p>18 Q. Okay. And they both said hi back?</p> <p>19 A. Yeah. And then they just stared at me.</p> <p>20 Q. Okay. So they didn't say anything to you?</p> <p>21 A. Not really, no. They just stared at me.</p> <p>22 Q. Okay. So you remember seeing them, and you</p> <p>23 remember them staring at you, and you remember you</p> <p>24 saying hi. Is there anything else? And you remember</p> <p>25 them on a bench, right?</p>	<p style="text-align: right;">Page 48</p> <p>1 taking her to chemotherapy – chemotherapy in the</p> <p>2 morning.</p> <p>3 Q. I'm sorry to hear that. This was in December</p> <p>4 of 2005?</p> <p>5 A. Yes.</p> <p>6 Q. Here we go. This is going to be Exhibit 4.</p> <p>7 It's City-BG-25018.</p> <p>8 (EXHIBIT 4 MARKED FOR IDENTIFICATION)</p> <p>9 MR. PALLES: Over here.</p> <p>10 MR. TEPFER: Sorry.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. You know, why don't we just do Exhibit 5 as</p> <p>13 well, and that'll be DO-Joint 48313. Okay. Those are</p> <p>14 pictures of Ben Baker in Exhibit 5 and Clarissa Glenn in</p> <p>15 Exhibit 4; is that right?</p> <p>16 (EXHIBIT 5 MARKED FOR IDENTIFICATION)</p> <p>17 A. Yes.</p> <p>18 BY MR. TEPFER:</p> <p>19 Q. Okay. Is that who we've been speaking about?</p> <p>20 Is that who you remember?</p> <p>21 A. Yes.</p> <p>22 Q. And you saw those two people on the bench on</p> <p>23 December 11, 2005, right?</p> <p>24 A. Yes.</p> <p>25 MR. TEPFER: Okay. It's not usually the</p>
<p style="text-align: right;">Page 47</p> <p>1 A. Yeah. Right.</p> <p>2 Q. Is there anything else that you remember?</p> <p>3 A. I don't – I don't remember anything else.</p> <p>4 Q. What were you doing at the police station when</p> <p>5 you saw them?</p> <p>6 A. Well, I had just came in to work.</p> <p>7 Q. You had just come into work?</p> <p>8 A. Yes.</p> <p>9 Q. What time was it?</p> <p>10 A. I don't remember the time.</p> <p>11 Q. Well, what shift did you work in December of</p> <p>12 2005?</p> <p>13 A. I believe it was the morning shift.</p> <p>14 Q. That would've been 7:00 a.m.?</p> <p>15 A. Yes. I believe it was the morning shift.</p> <p>16 Q. Okay. Well, this arrest time is listed as</p> <p>17 noon. Is there any shift that starts at noon?</p> <p>18 A. No.</p> <p>19 Q. Okay. So are you sure you just had arrived to</p> <p>20 work?</p> <p>21 A. Yes.</p> <p>22 Q. Do you know why you were late to work?</p> <p>23 A. Yes.</p> <p>24 Q. Why?</p> <p>25 A. My mother was sick, and she was – I was</p>	<p style="text-align: right;">Page 49</p> <p>1 practice to consult while –</p> <p>2 MR. PALLES: You know, he's my client.</p> <p>3 MR. TEPFER: Fine. All right. This – I'm</p> <p>4 going to mark this as Exhibit 6 through 10.</p> <p>5 (EXHIBIT 6 MARKED FOR IDENTIFICATION)</p> <p>6 (EXHIBIT 7 MARKED FOR IDENTIFICATION)</p> <p>7 (EXHIBIT 8 MARKED FOR IDENTIFICATION)</p> <p>8 (EXHIBIT 9 MARKED FOR IDENTIFICATION)</p> <p>9 (EXHIBIT 10 MARKED FOR IDENTIFICATION)</p> <p>10 MR. PALLES: And let me just say, first of all,</p> <p>11 that this is absolutely beyond our agreement to</p> <p>12 discuss the big – the –</p> <p>13 MR. TEPFER: This is the same date as that</p> <p>14 arrest.</p> <p>15 MR. PALLES: I don't care. It's a different</p> <p>16 arrest. It's completely beyond –</p> <p>17 MR. TEPFER: That is absolutely not true, Eric,</p> <p>18 and you know that.</p> <p>19 MR. PALLES: Well, I'm not letting him answer.</p> <p>20 MR. TEPFER: You're not going to let him answer</p> <p>21 questions about the arrest date of December 11,</p> <p>22 2005?</p> <p>23 MR. PALLES: I am not letting him answer about</p> <p>24 an arrest that took place at the 574 building on</p> <p>25 that date.</p>

<p style="text-align: right;">Page 50</p> <p>1 MR. TEPFER: Then we're going to have to call 2 the judge. That's ridiculous. 3 MR. PALLES: I'll tell you what. You don't 4 have to call the judge. He's taken five on any 5 question having to do with this (Inaudible). 6 MR. TEPFER: All right. Then I'm going to ask 7 the questions. 8 MR. PALLES: Fine. 9 MR. TEPFER: Okay. See the Exhibit 6 is City- 10 B-- 11 MR. BORKAN: Counsel, excuse me just one 12 moment. Could we dispense with the pejoratives and 13 ad hominem attacks going forward, okay? 14 MR. TEPFER: What ad hominin attacks? 15 MR. BORKAN: Like, that's ridiculous, and 16 things like that. We don't need that, sir, okay? 17 MR. TEPFER: Who's talking? 18 MR. PALLES: That's Steve Borkan. And I'm 19 going to take a five-minute break. 20 MR. TEPFER: Okay. 21 THE VIDEOGRAPHER: All right. We are off the 22 record. The time is 10:50 a.m. 23 (OFF THE RECORD) 24 THE VIDEOGRAPHER: Back on the record. The 25 time is 10:56 a.m.</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Okay. And you're listed as the second 2 arresting officer in each of these reports? 3 A. On the advice of Counsel, I'm not going to 4 answer that. 5 Q. Are you not going to answer that question 6 because answering that question would potentially 7 subject you to criminal liability? 8 MR. PALLES: Objection. Attorney-client 9 privilege. Instruct him not to answer. 10 BY MR. TEPFER: 11 Q. Are you taking your advice -- your attorney's 12 advice and not answering that question? 13 A. Yes. 14 Q. Would you be taking the fifth at any question 15 I ask you about anything in Exhibits 6 through 10 going 16 forward? 17 A. Yes. 18 Q. And that's because answering any question at 19 all related to your arrests of these five individuals on 20 December 11, 2005, for you to answer would subject you 21 to criminal prosecution? 22 MR. PALLES: Objection. Attorney-client 23 privilege. Instruct him not to answer. 24 BY MR. TEPFER: 25 Q. Okay. And you're taking your attorney's</p>
<p style="text-align: right;">Page 51</p> <p>1 MR. PALLES: Let me simply say for the record, 2 Josh, that I seem to recall, and maybe Bill could 3 back me up on this, but during the course of the 4 deposition of Elsworth Smith concerning the Baker 5 case, at the time that this -- these events came up 6 in the deposition, it was agreed that those would 7 not be the subject because they weren't disclosed at 8 the time. I'm simply saying that. 9 BY MR. TEPFER: 10 Q. Okay. So Exhibit 6 is City-BG-56721 to 725. 11 Exhibit 7 is City-BG-56716 to 720. City-BG is 56711 to 12 715. Sorry. That was Exhibit 8, did I just say? 13 Exhibit 9 is City-BG-56706 to 710. And Exhibit 10 is 14 City-BG-56701 to 705. Go ahead and take a look at all 15 of those documents and tell me when you're finished 16 looking at them. 17 MR. PALLES: You want me to take a look at 18 them, at least one or two of them? 19 BY MR. TEPFER: 20 Q. Are you done? 21 A. Yes. 22 Q. Okay. And those are all arrest reports 23 related to an arrest on December 11, 2005, just after 24 noon; is that right? 25 A. That's what it says, yes.</p>	<p style="text-align: right;">Page 53</p> <p>1 advice? 2 A. Yes. 3 Q. All right. I want to go back to when you saw 4 Clarissa and Ben at -- on December 11, 2005, at the 5 police station, okay? 6 A. Okay. 7 Q. Did you ask one or both of them what they were 8 doing there? 9 A. I don't recall. 10 Q. Do you remember Watts calling you a dumbass 11 that day? 12 A. I don't remember that. 13 Q. Has he ever called you a dumbass? 14 A. Oh, yeah. Yeah. 15 Q. Okay. Did you type the vice case report or 16 any arrest reports on December 11, 2005? 17 A. No. 18 Q. Did you have a typewriter? Did you ever type 19 reports? 20 A. No, I didn't. 21 Q. You've never typed a police report? 22 A. Not that I can remember, because I don't know 23 how to type, so... 24 Q. Okay. So during your entire career, you would 25 have --</p>

<p style="text-align: right;">Page 54</p> <p>1 A. I wrote. Before we got into the type, I wrote 2 my -- 3 Q. Okay. So you would hand-write police reports 4 during your career, but there wasn't any time during 5 your career as Chicago Police Officer where you typed 6 reports? 7 A. I'm quite sure I did, but I didn't type those 8 reports. 9 Q. You didn't type those reports, but there were 10 reports that you typed? 11 A. Right. 12 Q. Okay. And you -- are you testifying that you 13 just weren't a quick typer, or not a good typer? 14 A. Correct. Yes. 15 Q. Did Watts ever call you a dumbass for being a 16 slow typer? 17 A. I don't -- I can't remember. 18 Q. You can't remember? 19 A. Uh-uh. 20 Q. Did you see anyone else at the police station 21 with Ben and Clarissa on 12-11-05? 22 A. I don't remember. It was -- it was just -- I 23 just remember seeing them. I don't recall. I just 24 remember seeing them there. 25 Q. Do you ever have a conversation with any of</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. Okay. Is it at Superior Street? 2 A. Yes. 3 Q. Okay. Do you know the address? 4 A. No, I can't. I don't remember. 5 Q. Have you ever been present when there was a 6 default judgment entered? 7 A. Yes. 8 Q. Yeah? Do you recall when? 9 A. No, I don't. 10 Q. Okay. Can I see the exhibits real quick? The 11 marked ones. You see -- go back to Exhibit 2 for a 12 second. Do you see that name Calvin Ridgell on the 13 report? 14 A. Yes. 15 Q. Do you know him? 16 A. Yes. 17 Q. Has he ever witnessed you engage in 18 misconduct? 19 MR. PALLES: Object. Lack of foundation. 20 BY MR. TEPFER: 21 Q. You can answer. 22 A. No. 23 Q. When's the last time you've seen Calvin 24 Ridgell? 25 A. Probably in '05.</p>
<p style="text-align: right;">Page 55</p> <p>1 the other guys and said that Ben Baker always took his 2 own weight? 3 A. No. 4 Q. Did you ever have a conversation on 12-11-05 5 with Clarissa where she complained that you were typing 6 the report? 7 A. No. 8 Q. You're sure these conversations never 9 happened, or you just don't remember? 10 A. I don't remember. 11 MR. PALLES: My objection would've been asked 12 and answered. 13 BY MR. TEPFER: 14 Q. Okay. But you're testifying you just don't 15 remember these conversations happening? 16 A. I don't remember. 17 Q. Okay. What do they call that testimony -- 18 we've talked about it a little bit. Is there a name for 19 the type of proceeding where they -- where they impound 20 the car and there -- there's a determination of whether 21 or not the individual can get their car back? 22 A. I don't -- I don't remember what -- it's been 23 a while, so I don't know. 24 Q. Okay. But you know what I'm talking about? 25 A. Yes.</p>	<p style="text-align: right;">Page 57</p> <p>1 Q. Okay. Do you know someone named Chauncey Ali? 2 A. Name doesn't ring a bell. 3 Q. It does? 4 A. It doesn't. 5 Q. It does not. Okay. All right. It's not a 6 great picture -- oh, it's not a picture at all. Sorry. 7 Right. I'm going to mark this as Exhibit 11. This is 8 DO-Joint 31268 -- you know what? Strike that for a 9 second. I might have a different picture. Okay. All 10 right. We're going to -- Exhibit 11 is DO-Joint 31268 11 to 270. Got it. Actually, sorry. 12 (EXHIBIT 11 MARKED FOR IDENTIFICATION) 13 MR. PALLES: Don't worry about it. 14 MR. TEPFER: Do you see that? Oh, I was still 15 showing him. 16 MR. PALLES: Yeah. Whatever. We'll just use 17 it. 18 BY MR. TEPFER: 19 Q. Not a great picture. It's black and white. I 20 just want you to look at the picture up top on the first 21 page, actually. 22 MR. PALLES: Yeah. 23 BY MR. TEPFER: 24 Q. Do you in any way -- does that in any way 25 refresh your recollection of who Chauncey Ali is?</p>

<p style="text-align: right;">Page 58</p> <p>1 A. No.</p> <p>2 Q. Okay. Do you recall being involved in any way</p> <p>3 whatsoever in the arrest of Chauncey Ali on December 4,</p> <p>4 2006?</p> <p>5 A. No, I don't recall.</p> <p>6 Q. Do you recall stealing money in the summer of</p> <p>7 2006 from Chauncey Ali?</p> <p>8 A. No.</p> <p>9 Q. Okay. Money that he won in a dice game, and</p> <p>10 you were with Watts, and the two of you stole it?</p> <p>11 A. No.</p> <p>12 Q. Do you recall detaining Chauncey Ali two times</p> <p>13 prior to December 4, 2006?</p> <p>14 A. Don't recall.</p> <p>15 Q. Do you recall telling Chauncey Ali on December</p> <p>16 4, 2006 that he needs to come up with some money while</p> <p>17 Watts was present with you?</p> <p>18 A. No, I don't.</p> <p>19 Q. Do you recall telling Chauncey Ali, in</p> <p>20 reference to Watts, that you know the dude want the</p> <p>21 money?</p> <p>22 A. No, I don't.</p> <p>23 Q. Do you recall taking Chauncey Ali from the</p> <p>24 lobby of the 527 building to the second floor and then</p> <p>25 again asking him for money?</p>	<p style="text-align: right;">Page 60</p> <p>1 on September 27, 2006?</p> <p>2 A. No.</p> <p>3 MR. TEPFER: Okay. I'm going to show you</p> <p>4 Exhibit 13, right?</p> <p>5 THE REPORTER: Yes.</p> <p>6 (EXHIBIT 13 MARKED FOR IDENTIFICATION)</p> <p>7 BY MR TEPFER:</p> <p>8 Q. This is DO-Joint 37201 to 202. It's a vice</p> <p>9 case report. I want you to go ahead and read that</p> <p>10 entire thing. Take as long as you need. Read the</p> <p>11 narrative. Read the date. Excuse me.</p> <p>12 MR. PALLES: Can I ask, is this a test case?</p> <p>13 MR. TEPFER: Well, he's got two cases.</p> <p>14 MR. PALLES: I'm sorry. He's got two cases,</p> <p>15 including this one?</p> <p>16 MR. TEPFER: Yeah, I think so. Doesn't he?</p> <p>17 MR. PALLES: I don't believe this is a test</p> <p>18 case.</p> <p>19 MR. TEPFER: Well, the test cases are the ones</p> <p>20 with it, and isn't -- I mean, he's sued in one</p> <p>21 lawsuit, so...</p> <p>22 MR. PALLES: He is sued in one lawsuit, but not</p> <p>23 this law -- but not involving this arrest, as far as</p> <p>24 I'm aware, okay? I mean, you -- we could check</p> <p>25 that, but, you know, I believe that Mr. Mohammed is</p>
<p style="text-align: right;">Page 59</p> <p>1 A. No, I don't.</p> <p>2 Q. Do you recall witnessing Ronald Watts slap</p> <p>3 Chauncey Ali on the second floor?</p> <p>4 A. No, I don't.</p> <p>5 Q. Do you recall, after Ali's arrest, him asking</p> <p>6 why he was being arrested and Watts told him that you'll</p> <p>7 find out?</p> <p>8 A. No, I don't.</p> <p>9 Q. Do you recall Watts at the police station</p> <p>10 later that day telling Ali that he's taking some of the</p> <p>11 bags?</p> <p>12 A. No, I don't.</p> <p>13 Q. Do you know who Stefon Harrison is?</p> <p>14 A. No recollection.</p> <p>15 MR. TEPFER: Okay. I'm going to show you</p> <p>16 Exhibit 12. Is -- we're at 12, right?</p> <p>17 THE REPORTER: Yes.</p> <p>18 MR. TEPFER: Okay. It's a DO-Joint 41059.</p> <p>19 (EXHIBIT 12 MARKED FOR IDENTIFICATION)</p> <p>20 A. I'm sorry. No -- no recollection who he is.</p> <p>21 BY MR. TEPFER:</p> <p>22 Q. You have no recollection of that person? Is</p> <p>23 that what you're saying?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Do you recall arresting Stefon Harrison</p>	<p style="text-align: right;">Page 61</p> <p>1 only sued in one case, which involves an arrest with</p> <p>2 Mr. Ali.</p> <p>3 MR. TEPFER: Can we take a quick break, so we</p> <p>4 can just check --</p> <p>5 MR. PALLES: Let's check that.</p> <p>6 MR. TEPFER: -- the complaint?</p> <p>7 MR. PALLES: Yeah, absolutely.</p> <p>8 MR. TEPFER: And I mean, I'll give you time</p> <p>9 though, to talk to him about it, if you want. I'd</p> <p>10 rather just knock it out if it's going to happen</p> <p>11 though.</p> <p>12 MR. PALLES: Okay.</p> <p>13 THE VIDEOGRAPHER: All right. We're off the</p> <p>14 record. The time is 11:14 a.m.</p> <p>15 (OFF THE RECORD)</p> <p>16 THE VIDEOGRAPHER: We're back on the record.</p> <p>17 The time is 11:17 a.m.</p> <p>18 MR. TEPFER: Eric, I think you eloquently</p> <p>19 wanted to say something.</p> <p>20 MR. PALLES: No, no, that's okay. Just proceed</p> <p>21 with the questions.</p> <p>22 BY MR. TEPFER:</p> <p>23 Q. Okay. We're going to go ahead and ask you</p> <p>24 some questions about this document. So go ahead and</p> <p>25 take, I think, what are we at? Is it Exhibit --</p>

<p style="text-align: right;">Page 62</p> <p>1 MR. PALLES: 13. 2 BY MR. TEPFER: 3 Q. -- 13? All right. Take whatever time you 4 need to review this document, okay? 5 A. Okay. 6 Q. You've now reviewed this entire exhibit. Is 7 there anything about that that refreshes your 8 recollection about who Stefon Harrison is, or your 9 involvement in this arrest? 10 A. No. 11 Q. Okay. And it does say that you're the second 12 reporting officer in this vice case report, correct? 13 A. Yes. 14 Q. And you're also listed as -- in Exhibit -- in 15 Box 18 as witnessing the event, correct? 16 A. Yes. 17 Q. Okay. But you don't recall -- 18 A. No. No. 19 Q. -- one way or the other? 20 A. No. 21 Q. Okay. Do you recall an incident where Stefon 22 Harrison was talking back to Jones when he felt that 23 Jones was harassing him? 24 A. No, I don't. 25 Q. Or Stefon Harrison was holding some barbecue</p>	<p style="text-align: right;">Page 64</p> <p>1 BY MR. TEPFER: 2 Q. Actually, this relates not just to Stefon 3 Harrison's arrest, but also Chauncey Ali, Henry Thomas, 4 and someone else named Tyrone Herron, okay? Is that 5 right? 6 A. What -- what was the question? 7 Q. It wasn't really a question. It was a -- 8 A. A statement. 9 Q. -- a fact. Sorry. Does this -- take your 10 time to review it -- 11 A. Yeah. 12 Q. -- and you're going to answer when you're 13 ready, but -- because I'm going to ask you if this Vice 14 Case Report refers to a -- an arrest on December 4, 2006 15 of Henry Thomas, Stefon Harrison, Chauncey Ali, and 16 Tyrone Herron. Does it relate to that? 17 A. Does this relate to this? 18 Q. No. I'm sorry. Let me strike it. I'm just 19 confirming -- can you just confirm for me that this vice 20 case report that you looked at, December 4, 2006 21 arrests, relates to the arrest of Henry Thomas, Stefon 22 Harrison, Chauncey Ali, and Tyrone Herron? 23 A. I don't -- I don't recall. 24 Q. Okay. You don't recall this arrest in any 25 way, correct?</p>
<p style="text-align: right;">Page 63</p> <p>1 or eating some barbecue? 2 A. No, I don't recall. 3 Q. Okay. And then Jones said to him -- and then 4 Watts approached, and Jones said to him that this guy, 5 meaning Harrison, was being a smart-ass? 6 A. No, I don't -- I don't -- 7 Q. You don't recall? 8 A. No, I don't recall that. No. 9 Q. Okay. And then Watts asked Jones if he wanted 10 any drugs to put on Harrison? 11 A. I don't -- I don't remember that. 12 Q. Okay. And then Watts pushed Harrison up 13 against the wall and cuffed him, and took him to the 14 police station? 15 A. No, I don't -- don't recall that. 16 Q. Okay. All right. You can put that one to the 17 side. This is Exhibit 14. Oh, no, this is already -- 18 did we already do this exhibit? Well, let me see. Okay. 19 All right. Exhibit 14 is DO-Joint 31258, which is non- 20 readable, but to 31259, so I assume it's 31258. It's a 21 vice case report for the 12-4-06 arrest. 22 (EXHIBIT 14 MARKED FOR IDENTIFICATION) 23 MR. PALLES: You have another one? 24 MR. TEPFER: Oh, sure. Sorry. 25 MR. PALLES: Thanks.</p>	<p style="text-align: right;">Page 65</p> <p>1 A. No. 2 Q. Okay. And your name's not on this report in 3 any place, as far as you can see, right? 4 A. No, it isn't. 5 Q. It is not, right? 6 A. It's not. 7 Q. Okay. And there's nothing upon reading this 8 report that refreshes your recollection of this matter 9 in any way whatsoever? 10 A. No. 11 Q. Okay. Do you remember putting a gun to Stefon 12 Harrison's face on December 4, 2006? 13 A. No. 14 Q. Do you remember telling Stefon Harrison to 15 freeze while he was in the stairwell on December 4, 16 2006, of the 527 building? 17 A. No. 18 Q. Do you remember Watts, in your presence, 19 saying to Stefon Harrison that since you have the money 20 to bond out, you should have money to pay him? 21 A. No. 22 Q. Did you ever see Stefon Harrison at the 23 station on December 4, 2006? 24 A. No. 25 Q. You don't recall seeing --</p>

<p style="text-align: right;">Page 66</p> <p>1 A. I don't recall. Uh-uh.</p> <p>2 MR. TEPFER: Okay. You off the -- well, can we</p> <p>3 go off the record one second?</p> <p>4 MR. PALLES: For one second, guys. We're going</p> <p>5 off the record for a second.</p> <p>6 THE VIDEOGRAPHER: We're off the record. It's</p> <p>7 11:24 a.m.</p> <p>8 (OFF THE RECORD)</p> <p>9 THE VIDEOGRAPHER: Back on the record. The</p> <p>10 time is 11:25 a.m.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. Okay. Do you know who Henry Thomas is?</p> <p>13 A. I don't recall.</p> <p>14 Q. Okay. I'm going to try to show you pictures.</p> <p>15 See if that sparks some memory, and it's going to be</p> <p>16 DO-Joint 7380.</p> <p>17 MR. TEPFER: And that's Exhibit 15?</p> <p>18 THE REPORTER: 15.</p> <p>19 (EXHIBIT 15 MARKED FOR IDENTIFICATION)</p> <p>20 MR. TEPFER: I'm crushing it on exhibits today.</p> <p>21 MR. PALLES: Yes, you are.</p> <p>22 BY MR. TEPFER:</p> <p>23 Q. Does that individual look familiar?</p> <p>24 A. No.</p> <p>25 Q. No recollection?</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. Did you get a chance -- did I ask you, did you</p> <p>2 get a chance -- did you get a chance to fully read this</p> <p>3 Exhibit 16?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Anything about that refresh your</p> <p>6 recollection of this arrest in any way?</p> <p>7 A. No. No, it doesn't.</p> <p>8 Q. Okay. And then I want you to look back at</p> <p>9 Exhibit 14 again. Okay. And that's December 4, 2006.</p> <p>10 That also involved the arrest of Henry Thomas. Do you -</p> <p>11 - that's what -- that's -- the vice case report related</p> <p>12 to that arrest, correct?</p> <p>13 A. Let me see. Henry Thomas. Okay, yeah, I see</p> <p>14 it. Yes, it has that name.</p> <p>15 Q. Okay. And now that you've seen the picture in</p> <p>16 Exhibit 15 and asked some questions about Henry Thomas,</p> <p>17 do you -- does this in any way refresh your</p> <p>18 recollection, taking all this -- these reports and</p> <p>19 exhibits regarding the arrest of Henry Thomas on</p> <p>20 December 4, 2006?</p> <p>21 A. No recollection.</p> <p>22 Q. Okay. Do you ever remember being involved in</p> <p>23 an arrest of someone where they stored drugs in a sock?</p> <p>24 A. I don't recall. I don't.</p> <p>25 Q. You ever see Watts holding, like, a sock that</p>
<p style="text-align: right;">Page 67</p> <p>1 A. No recollection.</p> <p>2 Q. No recollection of ever being involved in any</p> <p>3 arrest with Henry Thomas?</p> <p>4 A. No.</p> <p>5 Q. Okay. All right, I'm going to show you an</p> <p>6 arrest report. It's Exhibit 16. This is City-BG-32862</p> <p>7 to 863. Sorry. You see that you're listed on this</p> <p>8 arrest report as an assisting officer --</p> <p>9 (EXHIBIT 16 MARKED FOR IDENTIFICATION)</p> <p>10 A. Yes.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. -- in assisting in the arrest?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And this is an arrest dated February 5,</p> <p>15 2003, of Henry C. Thomas. Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. All right. Do you recall arresting anyone who</p> <p>18 was on crutches that day?</p> <p>19 A. No.</p> <p>20 Q. Do you recall ever arresting anyone on</p> <p>21 crutches?</p> <p>22 A. No, I don't. No.</p> <p>23 Q. Do you remember -- recall ever seeing any</p> <p>24 individual on crutches at the police station?</p> <p>25 A. No, I don't.</p>	<p style="text-align: right;">Page 69</p> <p>1 had drugs in it?</p> <p>2 A. No, I don't recall that.</p> <p>3 Q. Okay. All right. We're moving right along.</p> <p>4 MR. PALLES: Beautiful.</p> <p>5 BY MR. TEPFER:</p> <p>6 Q. You ever heard of an individual named Lionel</p> <p>7 White, or Lionel White Senior?</p> <p>8 A. Yes.</p> <p>9 Q. Oh, you do? Okay. You've heard of him. I</p> <p>10 should say, do you know him?</p> <p>11 A. I -- I don't know him. I heard of him.</p> <p>12 Q. Okay. Have you ever been involved in</p> <p>13 arresting him?</p> <p>14 A. I don't remember. Don't recall.</p> <p>15 Q. Okay. Are you aware that Lionel White Junior</p> <p>16 has filed a lawsuit in this case?</p> <p>17 MR. PALLES: Excuse me? Do you mean Lionel</p> <p>18 White Senior?</p> <p>19 MR. TEPFER: Did I say Junior?</p> <p>20 MR. PALLES: You did.</p> <p>21 MR. TEPFER: Sorry.</p> <p>22 BY MR. TEPFER:</p> <p>23 Q. Are you aware that Lionel White Junior has</p> <p>24 named you as a defendant in his lawsuit related to an</p> <p>25 April 24, 2006 arrest?</p>

<p style="text-align: right;">Page 70</p> <p>1 A. Yes, I'm aware.</p> <p>2 Q. Okay. Do you recall the arrest of Lionel</p> <p>3 White Junior – Lionel White Senior in any way on that</p> <p>4 date?</p> <p>5 A. No, I don't.</p> <p>6 Q. I'm going to show you what's marked as Exhibit</p> <p>7 17. It's City-LW-66. Actually, make it 66 to 67. We</p> <p>8 can put them together.</p> <p>9 (EXHIBIT 17 MARKED FOR IDENTIFICATION)</p> <p>10 MR. PALLES: Yeah, that's fine.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. Do you – is this the person you remember as</p> <p>13 Lionel White Senior, or do you just not recall?</p> <p>14 A. Yes. This – this is him.</p> <p>15 Q. Okay. Seeing this picture, do you recall the</p> <p>16 arrest of Lionel White?</p> <p>17 A. No, I don't – I don't recall the – the</p> <p>18 arrest of him</p> <p>19 Q. Okay. Look at that second page of that photo,</p> <p>20 City-LW-67. Do you see that scratch on the side of his</p> <p>21 – Lionel White Senior's face?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Do you recall Lionel White Senior and</p> <p>24 Alvin Jones ever getting in a physical altercation?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 72</p> <p>1 2006, sometime in March, three to four weeks earlier,</p> <p>2 going to the same – or going with Watts to Lionel</p> <p>3 White's home and threatening to break the door down, or</p> <p>4 tear the door down, if he didn't open the door?</p> <p>5 A. No.</p> <p>6 Q. No recollection of that?</p> <p>7 A. No. No recollection.</p> <p>8 MR. TEPFER: Okay. Can we go off the record</p> <p>9 for a second?</p> <p>10 MR. PALLES: Sure.</p> <p>11 THE VIDEOGRAPHER: We're off the record. The</p> <p>12 time is 11:35 a.m.</p> <p>13 (OFF THE RECORD)</p> <p>14 THE VIDEOGRAPHER: Back on the record. The</p> <p>15 time is 11:36 a.m.</p> <p>16 MR. PALLES: All right. I understand that Mr.</p> <p>17 Tepfer's going to go into a bunch of arrests that</p> <p>18 are not involved in the target cases but are</p> <p>19 contemporaneous – roughly contemporaneous to Mr.</p> <p>20 White's arrest on April 24, 2006. I object to the</p> <p>21 relevance of this line of questioning, but I'm going</p> <p>22 to allow it to proceed.</p> <p>23 MR. TEPFER: Thank you. Actually, I guess I</p> <p>24 need a minute to get this ready. Hold on.</p> <p>25 MR. BAZAREK: Eric, I think he called it the</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. Do you know Kimberly Collins (phonetic)?</p> <p>2 A. Name doesn't sound familiar.</p> <p>3 Q. Rasaan Brakes (phonetic)?</p> <p>4 A. Nope.</p> <p>5 Q. All right. I'm going to show you Exhibit 18.</p> <p>6 This is City-LW-30 to 31. I want you to take as much</p> <p>7 time as you need to read this. Okay. Does that – you</p> <p>8 – have you finished reviewing –</p> <p>9 (EXHIBIT 18 MARKED FOR IDENTIFICATION)</p> <p>10 A. Yes.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. – Exhibit 18? Does that in any way refresh</p> <p>13 your recollection of this arrest?</p> <p>14 A. No, it doesn't.</p> <p>15 Q. If you have any idea why you're named as a</p> <p>16 witnessing officer on that report in number 18 – in Box</p> <p>17 18?</p> <p>18 A. Because it's a – it was a team arrest.</p> <p>19 Q. Okay. But beyond it being a team arrest, and</p> <p>20 it being the practice of your team to list everyone on</p> <p>21 the team on the police reports, do you have any</p> <p>22 recollection of any act you took in regards to this</p> <p>23 arrest?</p> <p>24 A. No, I don't.</p> <p>25 Q. Okay. Do you recall prior to this April 24,</p>	<p style="text-align: right;">Page 73</p> <p>1 target cases, the test cases.</p> <p>2 MR. PALLES: I – you know, I always do. Why</p> <p>3 did – I did that in court the other day. Test</p> <p>4 cases. I'll never get that right.</p> <p>5 MR. TEPFER: I think someday, Eric, you may get</p> <p>6 it right. I have confidence in you.</p> <p>7 MR. PALLES: Yeah. In my closing.</p> <p>8 MR. TEPFER: I'm missing one. I've got five in</p> <p>9 this one and three in that one. Okay.</p> <p>10 MR. PALLES: Are these going to – just give</p> <p>11 them to her. Are these –</p> <p>12 MR. TEPFER: Yeah. I'm just trying to get them</p> <p>13 all in one and I already screwed up. Sorry guys, I</p> <p>14 need a minute. There's a lot of them. There's</p> <p>15 going to be one more that's added. I got to see</p> <p>16 which one I duplicated here. Sorry, I'm sorry. All</p> <p>17 right, put that one as the fourth one, maybe.</p> <p>18 MR. PALLES: Whatever.</p> <p>19 MR. TEPFER: Or you want to do this, the last</p> <p>20 one?</p> <p>21 MR. PALLES: Huh?</p> <p>22 MR. TEPFER: Nothing. Put that at the end. All</p> <p>23 right.</p> <p>24 MR. PALLES: See you.</p> <p>25 MR. TEPFER: Here we go. We're going to mark</p>

<p style="text-align: right;">Page 74</p> <p>1 as Exhibit 19, City-LW-127 to 128. And I give a 2 whole bunch. 3 (EXHIBIT 19 MARKED FOR IDENTIFICATION) 4 MR. PALLES: It would be the same, so... 5 MR. TEPFER: Okay. So that is -- that -- which 6 one? What's the name on that one? Can I just see 7 real quick? Sorry. All right. That's the George 8 Green arrest vice case report. Then Exhibit 20 is 9 City-LW-121 to 122. This is the Teresa Butler vice 10 case report. And 21, it's going to be LW-113 to 11 114. This is the John Pierce vice case report. 22 12 is going to be LW-125 to 126. This is the Dale 13 Morrow Vice Case Report. 14 (EXHIBIT 20 MARKED FOR IDENTIFICATION) 15 (EXHIBIT 21 MARKED FOR IDENTIFICATION) 16 (EXHIBIT 22 MARKED FOR IDENTIFICATION) 17 THE WITNESS: Excuse me. 18 MR. TEPFER: Okay. Then 20 -- where are we at? 19 23? 20 THE REPORTER: 23. 21 BY MR. TEPFER: 22 Q. 23 is LW-111 to 112. This is the Cleothus 23 Morris vice case report. I might want -- all right. 24 24 is LW-119 to 120. It's the Lynn Howard vice case 25 report. 25 is LW-123 to 124. It's the Charles Riley</p>	<p style="text-align: right;">Page 76</p> <p>1 these individuals? 2 A. No, I don't. I don't recall. 3 Q. Okay. And nothing in any of these vice case 4 reports, in anything that you've read, refreshes your 5 recollections? 6 A. No. 7 Q. And I just -- 8 A. No. 9 Q. I know you and your lawyer had a brief 10 conversation, saying you've read a couple of them. I 11 really -- I want to give you a chance to read as much or 12 little as you want to make sure. Because I just want to 13 make sure there's nothing in any of these reports that 14 refresh your recollection. So just whenever you're 15 ready to comfortably answer that question. 16 A. It -- 17 MR. PALLES: He's -- what you can't ask me 18 anything. He is asking you if you've read enough 19 that you feel comfortable -- 20 THE WITNESS: Oh, yeah. Yeah. 21 MR. PALLES: Well, is there any -- it -- from 22 what you've seen, will it refresh your recollection 23 if you continue to look at this right now? 24 THE WITNESS: No. The only thing that we -- is 25 the attempt possession narcotics. To -- to me,</p>
<p style="text-align: right;">Page 75</p> <p>1 vice case report. And 26 is LW-117 to 118. And that's 2 the Lorener Williams vice case report. All right. You 3 can go ahead and take as much time as you need. I want 4 you to look at all of those exhibits. They all relate 5 to arrest on April 24, 2006 during various times of that 6 day. Do you want to take a look at them, or you already 7 have them? Just take whatever time you need. 8 (EXHIBIT 23 MARKED FOR IDENTIFICATION) 9 (EXHIBIT 24 MARKED FOR IDENTIFICATION) 10 (EXHIBIT 25 MARKED FOR IDENTIFICATION) 11 (EXHIBIT 26 MARKED FOR IDENTIFICATION) 12 MR. PALLES: What are the -- 13 THE WITNESS: I don't know. 14 MR. PALLES: -- you've read what? A couple of 15 them? 16 THE WITNESS: Yeah. Yeah. 17 MR. PALLES: Okay. If you have any specifics 18 about signature lines or whatever, he'll look at 19 those separately. 20 BY MR. TEPFER: 21 Q. Okay. Your name is the reporting officer 2 on 22 the Box 45 and or Box -- I'm sorry, Box 46 on each of 23 those exhibits, correct? 24 A. Yes. 25 Q. Okay. Do you recall the arrests of any of</p>	<p style="text-align: right;">Page 77</p> <p>1 that's the only recollection is this is -- was a 2 suppress -- narcotics suppression mission. 3 BY MR. TEPFER: 4 Q. Where are you looking at? 5 MR. PALLES: The very top. 6 THE WITNESS: The very top, secondary 7 classification. 8 BY MR. TEPFER: 9 Q. The very top of which exhibit? 10 A. It's Box number 2. 11 MR. PALLES: All of them. 12 A. All of them. 13 BY MR. TEPFER: 14 Q. Box number 2. Okay. Secondary attempt 15 possession of narcotics? 16 A. Yes. 17 Q. Okay. What did you -- explain. Can you 18 repeat what you said? 19 A. I said that it is a -- a suppression mission 20 of narcotics. 21 Q. Okay. 22 A. And that's people who came down and attempted 23 to buy narcotics. 24 Q. Okay. But do you recall any of these 25 individuals, or witnessing, or being involved in the</p>

<p style="text-align: right;">Page 78</p> <p>1 arrest in any way of any, of these individuals --</p> <p>2 A. No.</p> <p>3 Q. -- attempting to buy narcotics that day?</p> <p>4 A. No, I don't recall.</p> <p>5 Q. Oh, okay. So you're just saying that point --</p> <p>6 correct me if I'm wrong, but noting that it was a</p> <p>7 secondary classification as attempt possession of</p> <p>8 narcotics, why is that significant to you, I guess, is</p> <p>9 my question?</p> <p>10 A. Because all these -- they read the same, just</p> <p>11 about. And it -- they come in at every 15 minutes --</p> <p>12 every five minutes, I think.</p> <p>13 Q. Okay. So is that different than some of the</p> <p>14 other vice case reports we looked, where it was actual</p> <p>15 non-attempts, but they were, like, actual possession of</p> <p>16 narcotics?</p> <p>17 A. Right.</p> <p>18 Q. Is that of some significance to you?</p> <p>19 A. Yes.</p> <p>20 Q. But that doesn't in any way refresh your</p> <p>21 recollection of this actual attempt, as opposed --</p> <p>22 A. No.</p> <p>23 Q. Okay. I got it. I think that's all on that</p> <p>24 one. You don't recall one way or the other -- actually,</p> <p>25 it's not one, whether you were at 575 East Browning on</p>	<p style="text-align: right;">Page 80</p> <p>1 that?</p> <p>2 A. He was involved with narcotics.</p> <p>3 Q. Okay. Did you ever witness him being involved</p> <p>4 in narcotics?</p> <p>5 A. On one arrest.</p> <p>6 Q. Okay. So you were involved in one arrest?</p> <p>7 A. The arrest of -- yeah, one. Yeah.</p> <p>8 Q. Okay. What arrest?</p> <p>9 A. It was the -- well, we were hiding in a</p> <p>10 building.</p> <p>11 Q. Okay. Do you remember what year?</p> <p>12 A. I don't remember what year it was.</p> <p>13 Q. Do you remember if anyone else was arrested?</p> <p>14 A. There was a Fuzz (phonetic). I think -- I</p> <p>15 just remember Fuzz and Bob Coleman.</p> <p>16 Q. Okay. So is this about referring to the</p> <p>17 January 4, 2003 arrest of Leonard Gipson and Bobby</p> <p>18 Coleman and others?</p> <p>19 A. That's correct.</p> <p>20 Q. Okay. Tell me everything you remember about</p> <p>21 that arrest.</p> <p>22 A. The day that we came in at, believe it was --</p> <p>23 I want to, say 2:00 in the morning. We was sitting in</p> <p>24 an apartment full of roaches and rats and stuff like</p> <p>25 that, and waited until they came. And Fuzz was</p>
<p style="text-align: right;">Page 79</p> <p>1 April 24, 2006?</p> <p>2 A. No.</p> <p>3 Q. Okay.</p> <p>4 A. No.</p> <p>5 Q. Okay. We're going to get lunch today.</p> <p>6 MR. PALLES: Great.</p> <p>7 BY MR. TEPFER:</p> <p>8 Q. Okay. Okay. Do you know who Bobby Coleman</p> <p>9 is?</p> <p>10 A. Yes.</p> <p>11 Q. You do?</p> <p>12 A. Yes, sir.</p> <p>13 Q. What do you recall about Bobby Coleman?</p> <p>14 A. That he was always in Ida B. Wells.</p> <p>15 Q. Okay. Could you recognize him if you saw him?</p> <p>16 A. Yes.</p> <p>17 Q. Have you ever arrested Bobby Coleman?</p> <p>18 A. I can't remember.</p> <p>19 Q. Is there anything else you remember about him,</p> <p>20 besides that he was always in Ida B. Wells?</p> <p>21 A. None other than that. And he was -- yeah.</p> <p>22 Narcotics.</p> <p>23 Q. He wasn't -- he was narcotics?</p> <p>24 A. Yeah.</p> <p>25 Q. You mean he was involved? What do you mean by</p>	<p style="text-align: right;">Page 81</p> <p>1 directing traffic, and he was waiting for Bob. And when</p> <p>2 Bob came around, they exchange -- from what I could see,</p> <p>3 exchanged something. And Fuzz, Leonard Gipson, was</p> <p>4 telling people to get their ass in -- in line, in order.</p> <p>5 And did you-all walk the building down.</p> <p>6 Q. Okay. Let's back up there for a second. You</p> <p>7 said you were sitting in an apartment with -- what</p> <p>8 building were you in?</p> <p>9 A. I believe it was 574 or 527. I'm -- one of</p> <p>10 the two. I don't know.</p> <p>11 Q. And who were you with?</p> <p>12 A. Sergeant Watts, Al Jones. Darryl Edwards. I</p> <p>13 think Gerome -- let me see.</p> <p>14 Q. Gerome Summers?</p> <p>15 A. Yeah. Gerome Summers. It was more than that.</p> <p>16 That's -- those are all the people I can remember.</p> <p>17 Q. There were more officers that were with you in</p> <p>18 this rat-infested -- filled apartment, but you just</p> <p>19 don't remember who else?</p> <p>20 A. Yeah.</p> <p>21 Q. Were there any white-skinned officers with</p> <p>22 you?</p> <p>23 A. Gonzalez. Gonzalez and Bolton. Did I mention</p> <p>24 them?</p> <p>25 Q. I don't think so.</p>

<p style="text-align: right;">Page 82</p> <p>1 A. Okay. Gonzalez and Bolton. Yeah.</p> <p>2 Q. Okay.</p> <p>3 A. Leano.</p> <p>4 Q. Leano was there as well?</p> <p>5 A. Yeah, I believe Doug (phonetic).</p> <p>6 Q. Okay. And you said, if I – what I heard you</p> <p>7 say was you were waiting until they come. Is that what</p> <p>8 you said?</p> <p>9 A. Yes. We were waiting until they got set up.</p> <p>10 Q. And who were you talking – who were you</p> <p>11 waiting for? Who's they?</p> <p>12 A. Fuzz. Leonard Gipson.</p> <p>13 Q. And anyone else?</p> <p>14 A. And Bob.</p> <p>15 Q. Meaning Bobby Coleman?</p> <p>16 A. Bobby Coleman, yeah.</p> <p>17 MR. TEPFER: All right. This is city – what</p> <p>18 number are we on? 27?</p> <p>19 THE REPORTER: 27.</p> <p>20 (EXHIBIT 27 MARKED FOR IDENTIFICATION)</p> <p>21 BY MR. TEPFER:</p> <p>22 Q. This is City BD-51-681. Is that Bobby</p> <p>23 Coleman?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. So why were you waiting for them to set</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Do you know who that citizen, who you don't</p> <p>2 remember, who gave that information to?</p> <p>3 A. No.</p> <p>4 Q. Was it Watts?</p> <p>5 A. I don't – I don't – probably was, but I</p> <p>6 don't know.</p> <p>7 Q. Okay. So if I understand, you were informed</p> <p>8 by one of your teammates that a citizen had given them</p> <p>9 information that Leonard Gipson and Bobby Coleman were</p> <p>10 going to start their drug sales at 6:00 a.m. that</p> <p>11 morning at that building where you were at?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And so you set up some sort of, is it</p> <p>14 correct –</p> <p>15 A. Surveillance.</p> <p>16 Q. Surveillance? Okay. And so you were</p> <p>17 surveilling Bobby Coleman and Leonard Gipson. They were</p> <p>18 the targets of your surveillance?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And all of you were in the same rat-</p> <p>21 infested building or apartment?</p> <p>22 A. Yeah. Yes.</p> <p>23 Q. Okay. What did you see?</p> <p>24 A. Well, we saw – saw and heard Leonard Gipson</p> <p>25 come out, yelling, search the building, do a walk-down,</p>
<p style="text-align: right;">Page 83</p> <p>1 up?</p> <p>2 A. Because we had information that they were</p> <p>3 selling drugs. And –</p> <p>4 Q. Did – go ahead. Sorry.</p> <p>5 A. I don't recall who gave us the information,</p> <p>6 but we had the information that they were setting up</p> <p>7 drugs and it usually started at 6:00. Bob brought the</p> <p>8 drugs in and Fuzz gave it to the workers.</p> <p>9 Q. Okay. So some –</p> <p>10 A. That was the information.</p> <p>11 Q. Okay. And you – wherever you were set up,</p> <p>12 you had information that they were going to start their</p> <p>13 day's drug sales on 6:00 a.m. in or around that</p> <p>14 building?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And you don't recall who gave you the</p> <p>17 information?</p> <p>18 A. No.</p> <p>19 Q. Do you recall if it was a citizen or a police</p> <p>20 officer that gave you the information?</p> <p>21 A. It was a citizen.</p> <p>22 Q. Okay. And do you recall whether that citizen</p> <p>23 gave the information directly to you, or did it give it</p> <p>24 to one of your police officer teammates?</p> <p>25 A. Teammates. Didn't give it directly to me.</p>	<p style="text-align: right;">Page 85</p> <p>1 and get you-all wake up.</p> <p>2 Q. Okay. So let me back up. What time did you</p> <p>3 first see Leonard Gipson?</p> <p>4 A. I don't recall the time.</p> <p>5 Q. Okay. Was Leonard Gipson alone when you saw</p> <p>6 him?</p> <p>7 A. He appeared by himself, yes.</p> <p>8 Q. How did he appear? Like, how did he get</p> <p>9 there?</p> <p>10 A. That, I don't know. He just – he walking –</p> <p>11 I guess he walked because he didn't drive a car. So he</p> <p>12 walked through and came up the – I think it's called</p> <p>13 the fire lane.</p> <p>14 Q. Okay. And you could see the fire lane from</p> <p>15 the apartment that you were surveilling from?</p> <p>16 A. Right.</p> <p>17 Q. Okay. So you saw Leonard Gipson in the fire</p> <p>18 lane and was he alone?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Had you seen Bobby Coleman prior to</p> <p>21 sustain Leonard Gipson?</p> <p>22 A. No.</p> <p>23 Q. Okay. And what happened when you saw</p> <p>24 interview with someone?</p> <p>25 A. He was yelling, walk the building down, get</p>

<p style="text-align: right;">Page 86</p> <p>1 you-all ass in the -- in -- in order, and told them</p> <p>2 where to set up at, the lookouts and the workers. And</p> <p>3 then I guess he gave them they work -- work -- wake-up.</p> <p>4 That's what it's called. He gave them the drugs.</p> <p>5 Q. Okay. So he when you say he gave them the</p> <p>6 wake-up, you're -- you say the wake-up is the drugs?</p> <p>7 A. Uh-huh.</p> <p>8 Q. And he would -- who did he --</p> <p>9 THE REPORTER: Is that a yes?</p> <p>10 THE WITNESS: Yes. Oh, yes. I'm sorry.</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. That's okay.</p> <p>13 A. Yes.</p> <p>14 Q. And who was he giving the drugs?</p> <p>15 A. Whoever was arrested. I don't remember their</p> <p>16 names, but --</p> <p>17 Q. Okay. So what you're saying is he wasn't</p> <p>18 giving drugs to people who were purchasing drugs, he was</p> <p>19 giving people drugs who were --</p> <p>20 A. Guys who working for him.</p> <p>21 Q. Who were working for him. Just try to let me</p> <p>22 finish the question, but I know you know where I'm</p> <p>23 going. It's just for her. So let me just make sure</p> <p>24 it's clear. Leonard Gipson started announcing that he</p> <p>25 was giving the drugs to individuals who were working for</p>	<p style="text-align: right;">Page 88</p> <p>1 Q. Oh, the arrestees. Did you witness this?</p> <p>2 A. No.</p> <p>3 Q. Okay. Did you hear him say, here's your wake-</p> <p>4 up?</p> <p>5 A. Yep.</p> <p>6 Q. Okay. You could hear that from where you</p> <p>7 were?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Did you see anyone else when Leonard</p> <p>10 was talking from your vantage point?</p> <p>11 A. No.</p> <p>12 Q. Did you ever see any of the individuals that</p> <p>13 he gave the wakeups to?</p> <p>14 A. Yes. They was in the building.</p> <p>15 Q. They were in the building?</p> <p>16 A. Right.</p> <p>17 Q. Okay. Could you see them in the building?</p> <p>18 A. Not from my -- where I was.</p> <p>19 Q. Okay. Was there anyone else surveilling from</p> <p>20 other apartments or other places while you were</p> <p>21 surveilling?</p> <p>22 A. No, we only had that surveillance and I</p> <p>23 believe there was some marked cars out there on the</p> <p>24 street.</p> <p>25 Q. Were those marked cars working with you on</p>
<p style="text-align: right;">Page 87</p> <p>1 him. And by working for him, you mean that they were</p> <p>2 going to sell the drugs that he provided to them?</p> <p>3 A. No.</p> <p>4 Q. No. Okay.</p> <p>5 A. No.</p> <p>6 Q. Go ahead. Then what did I get wrong?</p> <p>7 A. What -- what you got wrong was he had -- the</p> <p>8 people that was outside, he gave them what they call a</p> <p>9 wake-up, that being they gave him the -- I think it was</p> <p>10 heroin, to do in the morning, in the evening, and in the</p> <p>11 afternoon. They gave them three of them. That was for</p> <p>12 their personal use.</p> <p>13 Q. Okay.</p> <p>14 A. Then, Bob showed up.</p> <p>15 Q. Okay. Let's stop there before Bob shows up.</p> <p>16 When you say he gave individuals the wake-up and I</p> <p>17 believe you mean like -- did he give him each three</p> <p>18 baggy -- bags --</p> <p>19 A. Yeah.</p> <p>20 Q. -- of heroin?</p> <p>21 MR. PALLES: Wait until he finishes.</p> <p>22 A. Yes. That's what they told us. Yes.</p> <p>23 BY MR. TEPFER:</p> <p>24 Q. Who told you that?</p> <p>25 A. The arrestees.</p>	<p style="text-align: right;">Page 89</p> <p>1 this surveillance?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Do you remember who was in the marked</p> <p>4 cars?</p> <p>5 A. No, I don't -- I don't remember.</p> <p>6 Q. When you say marked cars, do you mean blue and</p> <p>7 white cars?</p> <p>8 A. Blue and white. Yes, sir.</p> <p>9 Q. Okay. Were the blue and white cars that were</p> <p>10 participating in the surveillance, were they, like,</p> <p>11 normal -- were they part of Watts's supervising team?</p> <p>12 A. No.</p> <p>13 Q. Okay. They were just people who came in to</p> <p>14 help with this surveillance?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Okay. So was Cadman there?</p> <p>17 A. I don't -- don't remember.</p> <p>18 Q. Was Spaargaren there?</p> <p>19 A. Don't remember.</p> <p>20 Q. Do you know who those people are?</p> <p>21 A. I know who they are, yeah.</p> <p>22 Q. Just don't remember? Okay. Do you review any</p> <p>23 reports prior -- did you review any reports related to</p> <p>24 this arrest prior to this deposition?</p> <p>25 A. No.</p>

<p style="text-align: right;">Page 90</p> <p>1 Q. Okay. So you just have an independent memory 2 of this incident on January 4, 2003? 3 A. Yes. 4 Q. Okay. All right. So you -- we left off 5 Leonard -- you hear Leonard Gipson. What did he say 6 again? What were -- what did you hear him say? 7 A. He said -- want me start over? 8 Q. Sure. 9 A. Okay. He said, walk the building down and get 10 you-all ass in gear. And then he -- he said, I got your 11 wake-up. And he went toward -- inside the building. 12 That's where everybody was. 13 Q. Okay. 14 A. And then they, before they can get out good, I 15 believe that's when we came down. Because they -- we 16 had a radio and they told us Bob was coming. 17 Q. Okay. So somebody -- did somebody radio from 18 one of the blue and white cars? 19 A. Yes. 20 Q. Okay. And someone said Bob was coming and 21 that was the other target? 22 A. Yep. 23 Q. Okay. And did you see Bob arrive? 24 A. Yeah, I saw him coming. 25 Q. Okay. Was he on foot or in a car?</p>	<p style="text-align: right;">Page 92</p> <p>1 over the radios, everybody said go. We came down the 2 stairs, and the blue and whites pulled up where they 3 couldn't get out and they tried to run in the building, 4 but we had all the exits closed off so they couldn't get 5 up. 6 Q. Okay. I'm going to have to back up here a 7 little bit. All right. So Bobby Coleman pulled up. Did 8 you hear him say anything? 9 A. No. 10 Q. Did he -- did you see him get out of the car? 11 A. No, he didn't get out. 12 Q. Okay. Was he -- did he pull up near where 13 Leonard Gipson was? 14 A. Yep. Right up to him. 15 Q. How far? 16 A. Like, if this was the car, like I am to him. 17 MR. PALLES: Okay. For the record, pointing to 18 his attorney about approximately two -- 19 THE WITNESS: Two feet. 20 MR. PALLES: -- feet away. 21 BY MR. TEPFER: 22 Q. Okay. So Bobby Coleman's car was two feet 23 away from where Leonard Gipson was standing? 24 A. Right. 25 Q. And you could still see Leonard Gipson from</p>
<p style="text-align: right;">Page 91</p> <p>1 A. No, he was in a car. 2 Q. Okay. What kind of car? 3 A. I can't remember his car. 4 Q. Okay. 5 A. But he drove the same car. 6 Q. Do you remember the color? 7 A. No, I don't remember the color of it. 8 Q. Big car, small car, anything? 9 A. Big car. 10 Q. Okay. And could you see him coming up, like, 11 Bobby Coleman actually in the car, or could you just -- 12 did you just recognize his car? 13 A. I seen him come up the lane. 14 Q. Okay. 15 A. In his car. 16 Q. Okay. 17 A. I recognized it. 18 Q. Okay. And you could see through the 19 windshield or the window that it was him driving the 20 car? 21 A. Yes. 22 Q. Okay. And he was coming up the lane? 23 A. Uh-huh. 24 Q. And then what happened? 25 A. Then, once they said that, it was -- it --</p>	<p style="text-align: right;">Page 93</p> <p>1 where you were surveilling? 2 A. Right. 3 Q. Okay. And some point while he was -- when you 4 got the radio announcement to break, you -- did you get 5 a radio announcement to break your surveillance? 6 A. Yep. 7 Q. Okay. 8 A. Yes. 9 Q. And was that while he was -- Bobby Coleman's 10 car was still driving, or was it when it was stopped? 11 A. It was -- it was stopped. 12 Q. It was stopped. And then you got a call to 13 break the surveillance? 14 A. Yes. 15 Q. And it was from one of the blue and white 16 cars? 17 A. Yes. 18 Q. Okay. And you said something about, at the 19 time that all the -- did you say entrances or exits were 20 closed off to the buildings? 21 A. The stairways. 22 Q. Stairways. Okay. 23 A. We -- there's two stairways. You go in the 24 back, you come in the front. So we had those closed off 25 where they couldn't run up through the building.</p>

<p style="text-align: right;">Page 94</p> <p>1 Q. When you say those were closed off, do you 2 mean there was police presence there? 3 A. Yes. 4 Q. Okay. Who were the police officers who were 5 guarding the stairways? 6 A. The ones on the team. 7 Q. Do you remember who? 8 A. I don't remember who was in what stairway, but 9 we came down the stairwells. The police officers that I 10 named. 11 Q. Okay. 12 A. Yeah. We came down the stairways and one -- a 13 couple went to the back and a couple went to the front. 14 Q. Oh, I see. So is it the same officers who 15 closed off the stairways who were in that build -- in 16 the apartment -- or rat-infested apartment -- 17 A. Yes. 18 Q. -- that you were surveilling? 19 A. Yes. 20 Q. Okay. I see. So as soon as you got the radio 21 notification, you -- what floor were you surveilling 22 from? 23 A. The fourth floor, I think it was. I believe 24 it was the fourth floor. 25 Q. Okay. Did you witness any drug transaction?</p>	<p style="text-align: right;">Page 96</p> <p>1 Q. Okay. So what were you arresting him for? 2 A. Arresting who? The -- Bobby Coleman and them? 3 Q. Yes. 4 A. Because they was setting up to sell narcotics. 5 Q. Okay. And what was the basis that they were 6 setting up to sell narcotics from -- that caused you to 7 make the arrest? 8 A. Because it's an illegal activity. 9 Q. Okay. Did you see them selling any narcotics? 10 A. No, I didn't. 11 Q. Okay. Did you -- what -- beyond the -- you 12 got some information through a different officer that 13 they were going to be selling narcotics that day, right? 14 A. Yes. 15 Q. And that's why you set up a surveillance? 16 A. Yes. 17 Q. So I'm asking you, what did you witness that 18 caused you to break surveillance and actually effectuate 19 the arrests? 20 A. Well, I said that when Bob Coleman, he was the 21 one that was delivering the drugs to Fuzz. When the 22 other officers, because we gave them a description of 23 the car and the -- and when they saw him coming, they 24 radioed to us that he was coming and that's when we saw 25 him coming, so we broke surveillance.</p>
<p style="text-align: right;">Page 95</p> <p>1 A. They didn't have any. Nobody got a chance to 2 do that. 3 Q. Okay. 4 A. Yeah. 5 Q. So why did -- you know why you broke -- 6 A. Because we -- when we came down, that's when 7 we -- we had got everybody. So the people that was 8 coming went away once they saw the police come. 9 Q. Okay. And you're talking -- the people you're 10 talking about -- 11 A. The -- the -- the drug -- people that was 12 buying drugs. 13 Q. Okay. 14 A. Yeah. 15 Q. Right. So that's what I meant. So you're 16 anticipating that they were about to begin some sales of 17 drugs, but you'd never witnessed it because people left 18 after you broke surveillance -- 19 A. Right. 20 Q. -- correct? 21 A. Uh-huh. 22 Q. Okay. So my question is, did you see any drug 23 transactions at all that day before you broke 24 surveillance? 25 A. No.</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. Okay. Did you see Bobby Coleman while he was 2 in the car with drugs? 3 A. No, I didn't. 4 Q. Okay. Did you see him provide Leonard Gipson 5 with drugs before you broke surveillance? 6 A. We saw Fuzz walk over to the car. 7 Q. Did you see them make any sort of exchange? 8 A. Yes. 9 Q. What did you see? 10 A. I didn't get to see it, but I saw Fuzz at the 11 car. And once we got down there, I don't know who 12 recovered the drugs or -- or whatever, but they had 13 drugs on them. 14 Q. Okay. Did you see Coleman hand Fuzz drugs? 15 A. No, I didn't. 16 Q. Did any officer tell you that they saw Coleman 17 hand -- 18 A. No, they didn't. 19 Q. Let me finish the question. Did any officer 20 tell you that they saw Coleman hand Fuzz or Leonard 21 Gipson Drugs? 22 A. I don't recall. 23 Q. Okay. 24 A. I said I don't recall. 25 Q. And you got the radio to break surveillance,</p>

<p style="text-align: right;">Page 98</p> <p>1 what did you testify, while he was driving or while it 2 was stopped? I can't remember. 3 A. Did I testify? 4 Q. Yeah. Just five minutes ago, when I asked you 5 was the car stopped when you got the radio surveillance, 6 or was it still driving? 7 A. It was stopped. 8 Q. It was stopped. Okay. And it was two feet 9 away from Leonard Gipson at the time? 10 A. Yes. 11 Q. But Bobby Coleman was still in the car? 12 A. Yes. 13 Q. Was Bobby Coleman's window open? 14 A. Yes, it was. 15 Q. Okay. This was January 2003? 16 A. Yes. 17 Q. Okay. Was it open the entire time he was 18 driving, or did it open -- 19 A. I don't -- 20 Q. -- after that? 21 A. I don't know. 22 Q. How long were you on surveillance before you 23 saw Leonard Gipson? 24 A. I can't recall. It just seemed like forever. 25 So it could've been four hours to -- I think we got</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. Okay. Did you arrest George Ollie that day? 2 A. I don't remember who was arrested that day. 3 Q. Okay. Did you arrest anyone that day? 4 A. I can't recall. 5 Q. But did you arrest Leonard Gipson? 6 A. I remember -- I can't remember, unless -- I 7 have to see the case report. 8 Q. Okay. Did you arrest Bobby Coleman? 9 A. No, I remember, I didn't arrest him. 10 Q. You remember you did not arrest him? 11 A. I did not arrest him. 12 Q. Was he arrested? 13 A. Yes. 14 Q. Do you know who arrested him? 15 A. I -- I can't recall. 16 Q. Okay. Do you know Clifford Roberts? 17 A. I don't remember the name. 18 Q. Do you know Marc Giles? 19 A. Don't remember the name. 20 Q. We're on 28. All right. This is Exhibit 28. 21 It's City-BG-52-081. Oops. 22 (EXHIBIT 28 MARKED FOR IDENTIFICATION) 23 THE WITNESS: Oh, okay. 24 MR. PALLES: Whatever. 25 THE WITNESS: Oh, okay.</p>
<p style="text-align: right;">Page 99</p> <p>1 there about 2:00. Not for sure, but... 2 Q. Did you ever see Leonard Gipson in a car that 3 day? 4 A. No. 5 Q. Do you remember testifying in any proceeding 6 relating to this arrest? 7 A. I don't remember. 8 Q. Do you know who George Ollie is? 9 A. I heard of him. 10 Q. What do you remember about him? 11 A. He was -- he was a worker. 12 Q. Okay. 13 A. Selling drugs. Yeah. 14 Q. Was -- did you see him that day? 15 A. I don't recall. 16 Q. Do you know who Larry Lomax is? 17 A. Larry. I heard that name before. 18 Q. Do you recall how you heard it? 19 A. No, I don't. In Ida B. Wells, I heard his 20 name, but that's it. 21 Q. Okay. Do you recall if you saw Larry Lomax 22 that day? 23 A. I -- I can't remember. 24 Q. You can't recall? 25 A. No, I can't recall.</p>	<p style="text-align: right;">Page 101</p> <p>1 BY MR. TEPFER: 2 Q. Do you know who that person is? 3 A. No. 4 Q. Did you arrest that person that day? 5 A. I can't remember. 6 Q. Was that person arrested that day? 7 A. He could've been. I don't remember. 8 Q. You just don't remember? 9 A. Right. 10 Q. All right. Exhibit 29, DO-Joint-48319. Do 11 you recognize this person? 12 (EXHIBIT 29 MARKED FOR IDENTIFICATION) 13 THE WITNESS: No. Uh-huh. 14 BY MR. TEPFER: 15 Q. Do you know if that person was arrested on 16 January 4, 2003? 17 A. He could've been. I don't -- I don't 18 remember. 19 Q. You just don't recall one way or the other? 20 A. No. 21 Q. Okay. What do you remember about after 22 breaking surveillance? 23 A. Just that we were running down the stairs. 24 Q. Where did you go? 25 A. I can't remember where I went.</p>

<p style="text-align: right;">Page 102</p> <p>1 Q. Did you go to one of the stairwells?</p> <p>2 A. Yeah. I went to one of the stairwells and I</p> <p>3 grabbed somebody. I can't remember who it was, that</p> <p>4 they was trying to go up the stairs and I grabbed</p> <p>5 somebody. I can't remember who.</p> <p>6 Q. Okay. But the person you grabbed, is that the</p> <p>7 person you arrested?</p> <p>8 MR. PALLES: You know what, I'm going to object</p> <p>9 to the form. I think it calls for a legal</p> <p>10 conclusion. But if you --</p> <p>11 BY MR. TEPFER:</p> <p>12 Q. Well, let me ask you. Sure. Okay. The</p> <p>13 person that you grabbed, did that person end up getting</p> <p>14 arrested?</p> <p>15 A. Yes.</p> <p>16 Q. Did you cuff that person?</p> <p>17 A. I could have, yes.</p> <p>18 Q. Okay. What was that person arrested for?</p> <p>19 A. Attempt narcotics.</p> <p>20 Q. Attempt narcotics?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Okay. Meaning attempt --</p> <p>23 A. That would -- not to cut you off, but that</p> <p>24 would be the reason.</p> <p>25 Q. For attempting to sell narcotics?</p>	<p style="text-align: right;">Page 104</p> <p>1 MR. PALLES: Yeah, I'll use the redacted one.</p> <p>2 MR. TEPFER: No, here. I got one for you.</p> <p>3 MR. PALLES: Okay.</p> <p>4 BY MR. TEPFER:</p> <p>5 Q. I'm not sure it's the same -- yeah, it is.</p> <p>6 We're just going to throw this one out. Okay. Sure. So</p> <p>7 this is the vice case report and I believe where we were</p> <p>8 was you were going to --</p> <p>9 MR. PALLES: Read it.</p> <p>10 BY MR. TEPFER:</p> <p>11 Q. Okay. Read it and tell me if this refreshed</p> <p>12 your recollection of what you arrested the individual</p> <p>13 you detained for exactly. To be honest, it's a</p> <p>14 complicated read, so take your time.</p> <p>15 A. Okay.</p> <p>16 Q. Okay. So why did you arrest the individual at</p> <p>17 the stairwell?</p> <p>18 A. Oh, it just doesn't tell why I did it, but he</p> <p>19 was -- it just tells -- from me reading this, he was</p> <p>20 part of the individuals that was attempting to sell</p> <p>21 drugs.</p> <p>22 Q. Okay.</p> <p>23 A. And it wasn't a individual arrest. I grabbed</p> <p>24 him, put the cuffs on him. And --</p> <p>25 Q. What do you mean it wasn't an individual</p>
<p style="text-align: right;">Page 103</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And what was the facts or the evidence</p> <p>3 that you saw that person attempted to sell narcotics?</p> <p>4 A. That they were out there selling narcotics.</p> <p>5 Well, attempting to sell narcotics. Setting up. I</p> <p>6 would have to read the case report of how it was</p> <p>7 written.</p> <p>8 Q. Okay. When you say case report, do you mean</p> <p>9 the vice case report?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. I will show to you, this is Exhibit 30.</p> <p>12 This is Plaintiff's Joint 827 -- 82-107 to 82-108. I</p> <p>13 have a redacted one but it should be fine. You know</p> <p>14 what? Let's do a better one. Here's one that's not</p> <p>15 redacted. Sorry.</p> <p>16 MR. PALLES: Okay.</p> <p>17 MR. TEPFER: Can we strike that?</p> <p>18 MR. PALLES: Yeah. Here, I'll take to use.</p> <p>19 THE WITNESS: Okay.</p> <p>20 MR. TEPFER: This is City-BG-52039 to 040.</p> <p>21 Still Exhibit 30, right?</p> <p>22 THE REPORTER: Uh-huh.</p> <p>23 (EXHIBIT 30 MARKED FOR IDENTIFICATION)</p> <p>24 MR. TEPFER: Do you need one? I'm sorry. Do</p> <p>25 you need one, Eric?</p>	<p style="text-align: right;">Page 105</p> <p>1 arrest?</p> <p>2 A. Well, it doesn't state that I individually</p> <p>3 arrest him for -- for certain.</p> <p>4 Q. Okay. Is there any document that would state</p> <p>5 which person you individually arrested?</p> <p>6 A. No, I don't think it would be.</p> <p>7 Q. Would an arrest report indicate that you</p> <p>8 personally were the one that arrested the individual?</p> <p>9 A. I don't know. I'd have to see it. But it was</p> <p>10 just a group effort where --</p> <p>11 Q. Okay. Wait, what was the last thing you said?</p> <p>12 I'm sorry.</p> <p>13 A. No, I was just saying it was a group effort.</p> <p>14 Q. Oh, it was a group effort. Okay.</p> <p>15 A. Yes.</p> <p>16 Q. But there was one individual that you</p> <p>17 particularly detained and cuffed, right?</p> <p>18 A. Yes. I do remember that. I don't remember</p> <p>19 who, but yes. 2003. January 4, 2003.</p> <p>20 MR. TEPFER: All right. What are we on?</p> <p>21 THE REPORTER: This'll be 31.</p> <p>22 BY MR. TEPFER:</p> <p>23 Q. I'm going to mark as Exhibit 31 plaintiffs</p> <p>24 joint 41353 through 41469.</p> <p>25 (EXHIBIT 31 MARKED FOR IDENTIFICATION)</p>

<p style="text-align: right;">Page 106</p> <p>1 MR. PALLES: What is that, the suppression 2 hearing? 3 MR. TEPFER: Yeah. 4 BY MR. TEPFER: 5 Q. And I'm going to direct you particularly to 6 41368 through 4137 -- 4 -- through 41372, okay? 7 MR. PALLES: Why don't you put on, like, a 8 mark. Here, take a look. This is what-you-call-it 9 here. Look. I'm sorry. Did you give us the last 10 page or -- I'm looking at -- 11 MR. TEPFER: Want the whole exhibit or just 12 that? It's -- 13 MR. PALLES: What pages are you -- are we 14 supposed to be looking at? 15 MR. TEPFER: His testimony, 368 to 372. 16 MR. PALLES: 368. Okay. Here you go. There 17 you go. 18 BY MR. TEPFER: 19 Q. When you're done through your testimony, okay? 20 A. Is that -- you just wanted me to read my 21 testimony? 22 Q. Yeah. Not the rest. 23 A. Oh. 24 Q. And then you can look at the very first page 25 too, which just shows what date this was and what</p>	<p style="text-align: right;">Page 108</p> <p>1 A. No, it doesn't. 2 Q. Okay. It doesn't -- it -- the fact that you 3 took -- on Plaintiff joint 41372, you testified that you 4 arrested Ollie. Do you see that right on top? 5 A. On -- 6 Q. Page 20, Plaintiff joint 41372, right at the 7 bottom. 8 MR. PALLES: 20. 9 BY MR. TEPFER: 10 Q. So the very top of the page. The Court asked, 11 who did you arrest? And the witness is you, it says, I 12 arrested Ollie. Do you see that? 13 A. Yes. 14 Q. Okay. Does that in any way indicate to you 15 that that's the person that you detained at the 16 stairway? 17 A. Yes. 18 Q. Okay. 19 A. If it's on here, yes. 20 Q. Okay. So you don't -- if I'm understanding 21 correctly, and these are always complicated questions, 22 it's not that you independently really remember that 23 it's George Ollie, but you're making some sort of 24 conclusion in your mind that -- that's the person in the 25 stairway that you -- based on this testimony --</p>
<p style="text-align: right;">Page 107</p> <p>1 proceeding. 2 A. Okay. 3 Q. Okay. So if you go to the very first page -- 4 MR. PALLES: Oops. Okay. Here. To where he 5 was at. 6 MR. TEPFER: The very -- 7 MR. PALLES: Okay. Yeah. 8 MR. TEPFER: The very first page of the exhibit 9 -- 10 MR. PALLES: Oh. 11 BY MR. TEPFER: 12 Q. -- not the testimony. That's proceeding 13 related to people the -- Bobby Coleman, Leonard Gipson, 14 and George Ollie. Do you see that? 15 A. Yes. 16 Q. Okay. And you reviewed your testimony at 17 these proceedings, which was, I don't know what you 18 reviewed says it, but it was a pretrial motion hearing, 19 correct? 20 A. Uh-huh. 21 Q. Okay. 22 A. Yes. 23 Q. And after reviewing that, does that in any way 24 refresh your recollection of who is the individual that 25 you detained at the stairway?</p>	<p style="text-align: right;">Page 109</p> <p>1 A. Yes. 2 Q. -- is that right? 3 A. Yes. 4 Q. Okay. Because you didn't cuff or detain 5 anyone else that day, right? 6 A. No. I can't remember. 7 Q. Okay. And then the next sentence after that, 8 right below that, you were asked the question, did you 9 see any criminal activity before you arrested Mr. Ollie 10 or had simply responded to an order to arrest? And you 11 answered, I wasn't in a position to do that. I can't 12 testify to that. I wasn't in a position to do that. 13 Question, you were not? Answer, no; is that right? 14 A. Yes. 15 Q. So does that mean that you didn't witness 16 George Ollie engaged in any criminal activity? 17 A. No, not -- no. 18 Q. It doesn't mean that, or it does mean that? 19 A. It does mean that, yes. 20 Q. Okay. So you didn't actually arrest him? You 21 didn't actually witness George Ollie engaged in any 22 criminal activity, right? 23 A. No. 24 Q. Okay. And you didn't actually witness Leonard 25 Gipson pass any drugs to Bobby Coleman, right?</p>

<p style="text-align: right;">Page 110</p> <p>1 A. Correct.</p> <p>2 Q. And you don't remember any of the other guys I</p> <p>3 mentioned, Marc Giles, Larry Lomax, or Clifford Roberts,</p> <p>4 right?</p> <p>5 A. No.</p> <p>6 Q. Okay. And you don't remember George Ollie?</p> <p>7 A. No.</p> <p>8 Q. Okay. Is there anything else you remember</p> <p>9 about this incident?</p> <p>10 A. No.</p> <p>11 Q. Okay. I want you to go back now and look at -</p> <p>12 - I think it's Exhibit 30. It's this one here. It's</p> <p>13 the vice case report, okay?</p> <p>14 A. Okay.</p> <p>15 Q. I think you started to review that, maybe</p> <p>16 finished, and I maybe I didn't ask you enough questions</p> <p>17 about it.</p> <p>18 MR. PALLES: He did look at it before.</p> <p>19 MR. TEPFER: He did look at, right?</p> <p>20 MR. PALLES: Right. We've looked at this?</p> <p>21 THE WITNESS: Yes. I looked at it.</p> <p>22 BY MR. TEPFER:</p> <p>23 Q. Okay. So the narrative portion in 40, up</p> <p>24 until the next page, it talks about an Offender number</p> <p>25 1, correct?</p>	<p style="text-align: right;">Page 112</p> <p>1 in the car, you only saw him walking, right?</p> <p>2 A. Right. That's correct.</p> <p>3 Q. Okay. Who wrote this? Do you know who wrote</p> <p>4 this report?</p> <p>5 A. No, I don't know.</p> <p>6 Q. Do you assume it's their first reporting</p> <p>7 officer, or could it be somebody else?</p> <p>8 A. I - I don't know.</p> <p>9 Q. You don't know one way or the other?</p> <p>10 A. Yeah. I'm not -</p> <p>11 Q. When you wrote the - when you wrote like just</p> <p>12 case reports, whether you hand wrote them or typed them,</p> <p>13 would you put yourself - generally put yourself as the</p> <p>14 first reporting officer?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. So is it the practice of the team and</p> <p>17 the police department to have the first reporting</p> <p>18 officer write the report?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And that first reporting officer on</p> <p>21 this vice case report is C. Ridgell, right?</p> <p>22 A. Yes.</p> <p>23 Q. And that's Calvin Ridgell?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Do you ever recall talking to him about</p>
<p style="text-align: right;">Page 111</p> <p>1 A. One minute.</p> <p>2 Q. And it talks about it both in Offender number</p> <p>3 1 and an Offender number 2, correct?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And if I'm reading this report</p> <p>6 correctly - well, tell me if I am, does Offender number</p> <p>7 1 refer to Bobby Coleman and Offender number 2 refer to</p> <p>8 Leonard Gipson?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. All right. I want to go to the one,</p> <p>11 two, three, four, fifth line of the narrative on this -</p> <p>12 - on the second page, on BG-5204, so the back, and it</p> <p>13 says - I'm going to start reading. It says, the driver</p> <p>14 of the silver, now known as Offender number 2, parked</p> <p>15 that vehicle in the rear of 527 East Browning and</p> <p>16 approached the rear door. Do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. So Offender number 2 is Leonard Gipson.</p> <p>19 So that means he was in a car, correct?</p> <p>20 A. I - I don't know. I just seen - I told you</p> <p>21 I'd seen him walking up.</p> <p>22 Q. You saw him walking? That's what I was going</p> <p>23 to ask.</p> <p>24 A. Yeah.</p> <p>25 Q. So you didn't actually ever see Leonard Gipson</p>	<p style="text-align: right;">Page 113</p> <p>1 whether he observed Leonard Gipson in a vehicle?</p> <p>2 A. No, I don't.</p> <p>3 Q. Okay. And right at - okay. The vehicle</p> <p>4 number - Vehicle number 2 is described on the top of</p> <p>5 page - of the second page of the vice case report. It</p> <p>6 says, '93 Chevy, four door, silver, and then it gives a</p> <p>7 long VIN number. Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. Is that Bobby Coleman's car that you remember?</p> <p>10 A. I - I don't know. I - I don't know.</p> <p>11 Q. Is there anywhere on this report that lists</p> <p>12 Vehicle number 1? Take your time to review the report.</p> <p>13 A. What was your question again?</p> <p>14 Q. Is there anywhere on this report that</p> <p>15 references a Vehicle number 1?</p> <p>16 MR. PALLES: You know, I'm going to object. The</p> <p>17 document is clear on its face.</p> <p>18 MR. TEPFER: I'm just asking. I don't -</p> <p>19 there's no -</p> <p>20 BY MR. TEPFER:</p> <p>21 Q. Let's just frame it this way. Does any - do</p> <p>22 you see anywhere on this report that lists a Vehicle</p> <p>23 number 1? And then I'll ask another question.</p> <p>24 A. I don't see that, but I see a '99 Chrysler,</p> <p>25 green.</p>

<p style="text-align: right;">Page 114</p> <p>1 Q. Right. Okay. That's what I was going to ask 2 about. 3 A. Okay. 4 Q. So where do you see -- wait, sorry. Where do 5 you see the '99 Chrysler? 6 A. On Page 1. 7 MR. PALLES: Box 36. 8 A. Yeah. 36. 9 BY MR. TEPFER: 10 Q. Terrific. All right. That's very helpful. 11 Thank you. All right. Is that green Chrysler the car 12 you associated with Bobby Coleman? 13 A. I don't -- I don't remember. 14 Q. You don't recall? 15 A. No. 16 Q. Okay. But on Page -- 17 A. But I know he drove -- is this a -- Chrysler. 18 I don't remember. 19 Q. You don't recall one way or the other? 20 A. No. 21 Q. Okay. On Page 2, back to the next page, in 22 the second -- there's a narrative that starts, in 23 summary, and I want to go to the second sentence of 24 that. It says, the CI -- well, let's just read the 25 whole thing. In summary, R/Os received information from</p>	<p style="text-align: right;">Page 116</p> <p>1 A. Right. And I never asked because everybody -- 2 you got different information from -- some was credible 3 and some was not. 4 Q. And that's why you didn't ask? 5 A. No, I didn't ask. It wasn't my CI because 6 they -- nobody is going to tell who is the CI. 7 Q. You're -- you generally didn't share the 8 identities of CIs with your partners on the team? 9 A. Well, they did, but I didn't ask who it was. 10 Q. In this case, you didn't ask? 11 A. Right. 12 Q. Okay. Okay. And then it says, the CI stated 13 that Bob would be driving a green car and that Fuzz 14 would be in a silver car similar to an unmarked police 15 vehicle. Do you see that? 16 A. Yes. 17 Q. Okay. And you just said you're -- we 18 referenced a green Chrysler earlier. Do you recall now 19 that Bobby Coleman's car was green, or does this not 20 refresh your recollection? 21 A. No, it doesn't. No. 22 Q. Okay. And the next sentence says, R/Os and 23 their sergeant then set up surveillance points within 24 the building and outside the perimeter. Do you see 25 that? It's just the next sentence.</p>
<p style="text-align: right;">Page 115</p> <p>1 a CI that two male Blacks known as Bob and Fuzz would be 2 delivering narcotics to 527 East Browning," correct? 3 A. Correct. 4 Q. Right. Does that refresh your recollection of 5 whether or not you were setting up surveillance at 527 6 East Browning, because I think you said you didn't 7 remember? 8 A. Yeah, it was 527. Yes. 9 Q. It was 527? 10 A. Yes. 11 Q. Okay. All right. Seeing this sentence and 12 the fact that there was a CI, does that in any way 13 refresh your recollection of who the CI was? 14 A. No. 15 Q. Okay. 16 A. No. 17 Q. Do you think you ever knew who the CI was? 18 A. No. 19 Q. So no -- 20 A. I don't -- no. 21 Q. So the police just told you that a -- one of 22 your partners, who you're don't -- one of your pro- 23 police officers involved in this surveillance and arrest 24 just told you that they got information from a CI, but 25 you don't think they ever told you who the CI was?</p>	<p style="text-align: right;">Page 117</p> <p>1 A. Yeah, I see it. 2 Q. It. Okay. What does outside the perimeter 3 mean, if you know? 4 A. That would be the building. 5 Q. Okay. So the surveillance points within the 6 building, you said there was just one that was the rat- 7 infested apartment you were all in, right? 8 A. Yes. 9 Q. And then you said there were some blue and 10 whites in the parking lot, I think? 11 A. No. They were on their patrol. 12 Q. On their patrol? 13 A. Right. 14 Q. Okay. But they were part of this 15 surveillance, right? 16 A. Right. 17 Q. Okay. Is that the -- 18 A. Well, I -- I don't mean to cut you off. We 19 asked them to do it, you know? 20 Q. All right. 21 A. To let us know. 22 Q. Did you ask them that day? 23 A. Yes. 24 Q. Were you the one who asked? 25 A. No, I wasn't.</p>

<p style="text-align: right;">Page 118</p> <p>1 Q. Who was the one that asked?</p> <p>2 A. I believe Sergeant asked.</p> <p>3 Q. Sergeant Watts?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. But you don't recall who they were?</p> <p>6 A. No.</p> <p>7 Q. Were you there when Sergeant Watts asked them?</p> <p>8 A. No.</p> <p>9 Q. Did he -- did Sergeant Watts -- did he tell</p> <p>10 you if he briefed them on the mission, so to speak?</p> <p>11 A. Yes.</p> <p>12 Q. And he did --</p> <p>13 A. That's what he told us, that he briefed them</p> <p>14 on it.</p> <p>15 Q. Okay. So they -- he told them what cars they</p> <p>16 should look for?</p> <p>17 A. Right. Correct.</p> <p>18 Q. And a general description of who these --</p> <p>19 A. Yes.</p> <p>20 Q. -- individuals were?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Yes?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. If you know, is this -- are they -- are</p> <p>25 those blue and white cars, are those the ones that are</p>	<p style="text-align: right;">Page 120</p> <p>1 A. I think -- two, three, I believe it was three</p> <p>2 -- three or four.</p> <p>3 Q. Okay. Were they all facing the same</p> <p>4 direction, or a different direction?</p> <p>5 A. Same direction.</p> <p>6 Q. Okay. So were you-all looking out the same</p> <p>7 three or four windows?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. You never saw Bobby Coleman exit the</p> <p>10 vehicle, right?</p> <p>11 A. No, I -- I didn't see him.</p> <p>12 Q. Did you see him arrested?</p> <p>13 A. I -- I don't believe I saw his arrest.</p> <p>14 Q. Did you see Gipson's arrest?</p> <p>15 A. Yes.</p> <p>16 Q. Who arrested Gipson?</p> <p>17 A. I don't recall who arrested --</p> <p>18 Q. Where were you when you saw him arrested?</p> <p>19 A. In -- standing outside the building.</p> <p>20 Q. Like were you -- had you already arrested the</p> <p>21 individual we believe is probably Ollie?</p> <p>22 A. Right.</p> <p>23 Q. Okay. Was it -- how long after you arrested</p> <p>24 Ollie did you see Gipson get arrested?</p> <p>25 A. Maybe two or three minutes.</p>
<p style="text-align: right;">Page 119</p> <p>1 referenced as surveilling from outside the perimeter, or</p> <p>2 is outside -- are the -- or is that something else?</p> <p>3 MR. PALLES: Objection. Lack of foundation.</p> <p>4 THE WITNESS: I'm -- I'm not for sure.</p> <p>5 BY MR. TEPFER:</p> <p>6 Q. You're not for sure? Okay. Okay. Do you</p> <p>7 recall seeing Bobby Coleman circling the area in his</p> <p>8 car?</p> <p>9 A. No.</p> <p>10 Q. Okay. You just recall --</p> <p>11 A. Seeing him pull up.</p> <p>12 Q. -- seeing him pull up and right next to where</p> <p>13 Leonard Gipson was standing, right?</p> <p>14 A. That's right. That's correct.</p> <p>15 Q. Okay.</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And then you never saw the individuals</p> <p>18 Leonard Gipson was talking to, or handed three bags of</p> <p>19 heroin for their wake-up, correct?</p> <p>20 A. No, I never saw that.</p> <p>21 Q. All right. Was Ridgell in the apartment with</p> <p>22 you?</p> <p>23 A. Yes.</p> <p>24 Q. How many windows were the -- in the apartment</p> <p>25 that you were surveilling on?</p>	<p style="text-align: right;">Page 121</p> <p>1 Q. Okay.</p> <p>2 A. He was being walked down the fire lane.</p> <p>3 Q. Oh, so you saw him in custody, is that right?</p> <p>4 A. Yes.</p> <p>5 Q. But you didn't actually see him --</p> <p>6 A. Him get --</p> <p>7 Q. -- detained, correct?</p> <p>8 A. No. Uh-uh.</p> <p>9 Q. Yeah. We're talking over each other again, so</p> <p>10 --</p> <p>11 MR. PALLES: It's okay. Calm down.</p> <p>12 THE WITNESS: Got it. Yeah. Yeah. Okay.</p> <p>13 MR. TEPFER: It probably is just as much my</p> <p>14 bad, but just so the record -- did you get that</p> <p>15 pretty clear?</p> <p>16 THE REPORTER: Yeah.</p> <p>17 BY MR. TEPFER:</p> <p>18 Q. I think I already asked you this, but you</p> <p>19 didn't see who had detained Leonard Gipson, which of</p> <p>20 your officers, teammates, right?</p> <p>21 MR. PALLES: Objection. Asked and answered.</p> <p>22 BY MR. TEPFER:</p> <p>23 Q. You can answer again.</p> <p>24 A. No, I didn't.</p> <p>25 Q. Well, you just said no, I didn't. You don't</p>

<p style="text-align: right;">Page 122</p> <p>1 recall who it was?</p> <p>2 A. I don't recall, no.</p> <p>3 Q. Okay. And you never saw Bobby Coleman reach</p> <p>4 into his front pants pocket and hand a clear plastic bag</p> <p>5 to Leonard Gipson, right?</p> <p>6 A. Right. No, I didn't see that.</p> <p>7 Q. You never saw Leonard -- oh, let me ask you</p> <p>8 this. I know you don't remember who they were, but this</p> <p>9 report reflects that there's -- besides Leonard Gipson</p> <p>10 and Bobby Coleman, five other individuals arrested,</p> <p>11 right?</p> <p>12 A. Yes.</p> <p>13 Q. And I never -- I haven't even mentioned this</p> <p>14 name yet. Do you remember George Scroggins?</p> <p>15 A. No, I don't remember that name.</p> <p>16 Q. Okay. Besides Leonard -- I already asked you</p> <p>17 about Bobby Coleman and Leonard Gipson, and we already</p> <p>18 know about what we think is George Ollie, the one you</p> <p>19 detained. Did you see any of the other individuals who</p> <p>20 were arrested actually getting arrested, like being</p> <p>21 detained by the officer?</p> <p>22 A. No, I -- I -- I didn't.</p> <p>23 Q. Okay. And you never saw Gipson give Clifford</p> <p>24 Roberts or Mark Giles a bundle of suspect narcotics,</p> <p>25 right?</p>	<p style="text-align: right;">Page 124</p> <p>1 Q. Okay. So that's what I was asking. So</p> <p>2 basically --</p> <p>3 A. Yes.</p> <p>4 Q. -- you heard him say wake-up, and then you</p> <p>5 understood that from your experience as a police officer</p> <p>6 in January of 2003, that a wake-up was three servings,</p> <p>7 so to speak, of drugs?</p> <p>8 A. Yes.</p> <p>9 MR. PALLES: Blows.</p> <p>10 MR. TEPFER: Is it -- what?</p> <p>11 MR. PALLES: Blows.</p> <p>12 MR. TEPFER: Blows. Okay. You're a lot hipper</p> <p>13 than me.</p> <p>14 BY MR. TEPFER:</p> <p>15 Q. Okay. Did you ever see Clifford Roberts and</p> <p>16 just to direct you where I'm on the report, it's like -</p> <p>17 - well, it's very hard to describe. It's like, the very</p> <p>18 middle of the second page, in the first floor hallway.</p> <p>19 Did you ever see -- oh, sorry, I'm doing this one.</p> <p>20 Sorry. Strike that. Did you ever see anyone recover 22</p> <p>21 small, clear plastic baggies with a white powder,</p> <p>22 suspect heroin, from Clifford Roberts?</p> <p>23 A. No, I -- I didn't see that.</p> <p>24 Q. Did you ever see them --</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 123</p> <p>1 A. No, I didn't.</p> <p>2 Q. No, you did not?</p> <p>3 A. No, I didn't see that. No.</p> <p>4 Q. Okay. And you never heard Leonard Gipson tell</p> <p>5 Clifford Roberts to give Larry Lomax, George Ollie, or</p> <p>6 George Scroggins their wake-up, right?</p> <p>7 A. Yeah. You could hear that.</p> <p>8 Q. Oh, okay. So you did hear that?</p> <p>9 A. Yeah. That's what I told you he was going</p> <p>10 toward the building.</p> <p>11 Q. Okay. Okay. You heard him -- you heard</p> <p>12 Leonard Gipson talk about wake-up and giving individuals</p> <p>13 their wake-up, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. But you didn't see him hand it?</p> <p>16 A. No.</p> <p>17 Q. If you didn't see him hand it, how do you know</p> <p>18 that he gave them each three bags?</p> <p>19 A. If he said it, that's what happened.</p> <p>20 Q. Okay. So you heard him say wake-up?</p> <p>21 A. Yes.</p> <p>22 Q. Did you hear him say three bags?</p> <p>23 A. No, but for me working out there, I know what</p> <p>24 it is because they -- when we catch them, they tell us</p> <p>25 what it is.</p>	<p style="text-align: right;">Page 125</p> <p>1 Q. -- take any officer take \$129 from Clifford</p> <p>2 Roberts' hand?</p> <p>3 A. I don't recall any of that.</p> <p>4 Q. Okay. When you arrested the individual you</p> <p>5 were arrested at the stairway, did he have any narcotics</p> <p>6 on him?</p> <p>7 A. I don't remember. Can't remember.</p> <p>8 Q. Did you search him?</p> <p>9 A. No, I didn't.</p> <p>10 Q. Okay. Who searched him? Did anyone search</p> <p>11 him?</p> <p>12 A. Yeah, he was searched --</p> <p>13 Q. Okay.</p> <p>14 A. -- when they -- once he got to the station.</p> <p>15 Q. So he wasn't searched upon his arrest?</p> <p>16 A. No.</p> <p>17 Q. You weren't concerned that he had a weapon or</p> <p>18 anything?</p> <p>19 A. No.</p> <p>20 Q. Why not?</p> <p>21 A. Well, in my practice, they didn't carry guns -</p> <p>22 -</p> <p>23 Q. Okay.</p> <p>24 A. -- or knives.</p> <p>25 Q. Okay. So you arrested them and they weren't</p>

<p style="text-align: right;">Page 126</p> <p>1 searched until they got back to the station?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Did you witness Marc Giles in</p> <p>4 possession of 20 small, clear Ziploc baggies with white</p> <p>5 powder, suspect heroin, in his hand?</p> <p>6 A. Don't recall.</p> <p>7 Q. Okay. Do you witness or, in fact, recover</p> <p>8 from George Ollie, three small Ziploc baggies with white</p> <p>9 powder, suspect heroin?</p> <p>10 A. Don't recall.</p> <p>11 Q. That was in his hand?</p> <p>12 A. Don't recall.</p> <p>13 Q. Okay. Well, when you arrested him, whoever</p> <p>14 you arrested, did they have any drugs in their hands?</p> <p>15 A. I don't recall. He could have, but I didn't -</p> <p>16 - don't recall.</p> <p>17 Q. Just don't recall? Okay. Did you witness</p> <p>18 either Larry Lomax or George Scroggins with one clear --</p> <p>19 let's just do one at a time. Strike it. Did you</p> <p>20 witness Larry Lomax in possession of one clear plastic</p> <p>21 baggy with white powder, suspect heroin?</p> <p>22 A. Don't recall.</p> <p>23 Q. Did you witness George Scroggins with one</p> <p>24 clear plastic baggy, white powder, suspect heroin?</p> <p>25 A. Don't recall.</p>	<p style="text-align: right;">Page 128</p> <p>1 A. No, I don't.</p> <p>2 MR. TEPFER: Did I show him -- you're -- did we</p> <p>3 do this one?</p> <p>4 THE REPORTER: No, not yet.</p> <p>5 MR. TEPFER: okay.</p> <p>6 THE REPORTER: This will be 32.</p> <p>7 MR. TEPFER: Sure.</p> <p>8 MR. BAZAREK: Is there going to be a break at</p> <p>9 some point?</p> <p>10 MR. TEPFER: I think I'm pretty close to done,</p> <p>11 but we can take a break whenever you want. I</p> <p>12 should've asked. Sorry, I should've warned you.</p> <p>13 MR. BAZAREK: No, that's okay. If you're</p> <p>14 almost done. There might be some follow-ups, so</p> <p>15 that's fine.</p> <p>16 BY MR. TEPFER:</p> <p>17 Q. Oh, okay. City-BG 52230 is Exhibit 32. Sorry,</p> <p>18 I missed this. All right. Do you recognize that</p> <p>19 individual?</p> <p>20 (EXHIBIT 32 MARKED FOR IDENTIFICATION)</p> <p>21 A. I don't recognize him, but I -- his name is</p> <p>22 George Ollie.</p> <p>23 BY MR. TEPFER:</p> <p>24 Q. Yeah. Okay. Well, that's what it says on the</p> <p>25 exhibit, right?</p>
<p style="text-align: right;">Page 127</p> <p>1 Q. Did you ever witness Bobby Coleman or Leonard</p> <p>2 Gipson attempt to flee?</p> <p>3 A. No.</p> <p>4 Q. Did you ever witness Leonard Gipson holding or</p> <p>5 possessing 53 small, Ziploc baggies with white powder,</p> <p>6 suspect heroin, in his -- period, did you?</p> <p>7 MR. BAZAREK: Objection. Foundation.</p> <p>8 THE WITNESS: Don't recall.</p> <p>9 BY MR. TEPFER:</p> <p>10 Q. Did you ever search Leonard Gipson's jacket?</p> <p>11 A. Don't recall.</p> <p>12 Q. Do you recall witnessing anyone search his</p> <p>13 jacket and recover 53 small Ziploc baggie with white</p> <p>14 powder, suspect heroin?</p> <p>15 A. Don't recall.</p> <p>16 Q. Do you recall any interaction -- do you recall</p> <p>17 driving any of the individuals to the police station?</p> <p>18 A. No.</p> <p>19 Q. Do you recall any of them being in a car that</p> <p>20 you were in, whether you drove or not?</p> <p>21 A. No.</p> <p>22 Q. Do you recall any interactions at the police</p> <p>23 station with any of these individuals?</p> <p>24 A. No. I don't remember. I don't --</p> <p>25 Q. Do you recall anything else about this arrest?</p>	<p style="text-align: right;">Page 129</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And you're just trusting that that's</p> <p>3 George Ollie because that's the name that it's on the</p> <p>4 exhibit, right?</p> <p>5 A. That's correct.</p> <p>6 Q. And you don't know if that's the person that</p> <p>7 you arrested at the stairwell on January 4, 2003?</p> <p>8 A. No. No.</p> <p>9 MR. TEPFER: All right. Good idea, Bill. Why</p> <p>10 don't we take a break and I probably have some more</p> <p>11 questions, but it's not --</p> <p>12 THE VIDEOGRAPHER: All right. We're off the</p> <p>13 record. The time is 12:46 p.m.</p> <p>14 (OFF THE RECORD)</p> <p>15 THE VIDEOGRAPHER: We're back on the record.</p> <p>16 The time is 12:59 p.m.</p> <p>17 MR. PALLES: All right. As I indicated,</p> <p>18 Mr. Mohammed has been looking at the vice case</p> <p>19 report and wanted to make it a statement about</p> <p>20 something of his prior testimony.</p> <p>21 BY MR. TEPFER:</p> <p>22 Q. All right. Let me just make the record clear.</p> <p>23 You're looking at Exhibit 30. Is that what you're</p> <p>24 talking about?</p> <p>25 A. Oh, yes, yes. All right.</p>

<p style="text-align: right;">Page 130</p> <p>1 Q. And if that's the vice case report for the 2 January 4, 2003, arrest?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And on the break, you were reviewing 5 that and your Counsel is telling us that you want to 6 change one of your answers or something?</p> <p>7 A. Yes.</p> <p>8 Q. All right. What do you want to tell me?</p> <p>9 A. With -- as the officers that was listed was 10 Spaargaren, Cadman, and Young, instead of -- and it 11 wasn't Doug, Manny (phonetic), or Gonzalez.</p> <p>12 Q. Okay. Can I see that?</p> <p>13 A. Sure.</p> <p>14 Q. All right. So now -- so what does that mean 15 to you? Does that mean you're -- are you saying now 16 that the individuals that you named who are not listed 17 on this report, you're now are testifying, they were not 18 with you in that rat-infested apartment?</p> <p>19 A. Right. Correct.</p> <p>20 Q. And that -- and that they weren't involved in 21 this arrest in any way?</p> <p>22 A. Correct.</p> <p>23 Q. Okay. And are you now saying that Cadman was 24 with you in that rat-infested apartment?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 132</p> <p>1 Q. And as you sit here today, you remember Calvin 2 Ridgell being with you?</p> <p>3 A. Yes.</p> <p>4 Q. And those weren't super precise questions. 5 When I say with you, what I mean is you remember each of 6 those individuals we just talked about being with you, 7 in that rat-infested apartment, conducting the 8 surveillance?</p> <p>9 A. Yes.</p> <p>10 Q. And that's how you understood my questions?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. You -- is there anything else, any 13 other testimony, you wanted to change after you reviewed 14 this report?</p> <p>15 A. No, that's -- that's it.</p> <p>16 Q. Okay. Is there anyone else that you remember 17 in that rat-infested apartment, as you sit here today, 18 conducting surveillance on January 4, 2003? Horrible 19 question. Let me strike that. As you sit here today, 20 is there anyone else, besides the ones we just 21 mentioned, and the individuals who are on this report, 22 that you also remember being in that -- with you on 23 January 4, 2003?</p> <p>24 A. That's it.</p> <p>25 Q. Okay.</p>
<p style="text-align: right;">Page 131</p> <p>1 Q. All right. But -- do you -- as you sit here 2 today, do you specifically remember Cadman being there?</p> <p>3 A. I remember Cadman there, yeah.</p> <p>4 Q. Okay. Same question for Spaargaren. As you 5 sit here today, do you remember Spaargaren being with 6 you?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. As you sit here today, you remember 9 Bolton being with you?</p> <p>10 A. Yes.</p> <p>11 Q. As you sit here today, you remember Kenny 12 Young being with you?</p> <p>13 A. Yes.</p> <p>14 Q. As you sit here today, you remember Al Jones 15 being with you?</p> <p>16 A. Yes.</p> <p>17 Q. And you -- as you sit here today, you remember 18 Gerome Summers being with you?</p> <p>19 A. Yes.</p> <p>20 Q. As you sit here today, you remember Darryl 21 Edwards being with you?</p> <p>22 A. Yes.</p> <p>23 Q. As you sit here today, you remember Sergeant 24 Watts being there with you?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 133</p> <p>1 A. Yep. Yes.</p> <p>2 Q. And nothing in the -- nothing in this report 3 refreshes your recollection of who the blue and white -- 4 who was in the blue and white cards that were assisting 5 you with the surveillance?</p> <p>6 A. No, nothing.</p> <p>7 Q. Okay. And is there any report that you can 8 think of that may document who those individuals were?</p> <p>9 A. No.</p> <p>10 Q. Okay. Okay. Did I already ask you this? Is 11 there anything else that you want to correct after 12 reviewing this report?</p> <p>13 A. Yes, you asked me that. Answer is no.</p> <p>14 Q. No, right?</p> <p>15 A. Yes.</p> <p>16 Q. The answer -- the question -- the answer is, 17 you have nothing else that you want to correct from your 18 prior testimony, correct?</p> <p>19 A. That's correct.</p> <p>20 Q. Okay, thanks. All right. Prior to this 21 January 4, 2003 arrest, I think the only individual you 22 say you remember is Coleman, correct?</p> <p>23 A. Yes.</p> <p>24 Q. Do you recall any interactions with him prior 25 to January 4, 2003?</p>

<p style="text-align: right;">Page 134</p> <p>1 A. None, other than I would see him driving 2 around. 3 Q. Okay. Did you ever solicit a bribe from him? 4 A. No. 5 Q. Did you ever witness Watts solicit a bribe 6 from him? 7 A. No. 8 Q. And I guess I'm asking prior to January 4, 9 2003, on January 4, 2003, or after January 4, 2003, did 10 you ever solicit a bribe from Bobby Coleman? 11 A. No. 12 Q. Did you ever witness Watts solicit a bribe 13 from Bobby Coleman during any time in your life? 14 A. No. 15 MR. TEPFER: I think that's all the questions I 16 have for you today on these topics. 17 THE WITNESS: Okay. 18 MR. PALLES: Important caveat. Okay, 19 gentlemen, it looks like Bill, you're ready to roll 20 here with some questions? 21 MR. BAZAREK: Yes. Yes. 22 MR. TEPFER: Okay. Let her go. 23 CROSS-EXAMINATION 24 BY MR. BAZAREK: 25 Q. Good afternoon, Mr. Mohammed.</p>	<p style="text-align: right;">Page 136</p> <p>1 remember him. 2 Q. Do you recall the race of him? 3 A. Oh, he was -- I guess he was -- could've been 4 a white guy. I don't -- I don't know. 5 Q. Did you invite Mr. Tepfer and the big guy into 6 your home? 7 A. Yes. 8 Q. Did Mr. Tepfer tell you that he was an 9 attorney? 10 A. I don't remember. I don't -- no, I don't 11 think so. I don't -- I don't -- no. 12 Q. Did Mr. Tepfer tell you that he was 13 representing any individuals that would have adverse 14 interest to you? 15 MR. TEPFER: Objection to form. Go ahead. 16 THE WITNESS: No. 17 BY MR. BAZAREK: 18 Q. What did Mr. Tepfer say to you? 19 A. He's -- he mentioned that he needed to know 20 some information about what had happened in -- in my 21 case. Well, if I -- 22 Q. Did he -- 23 A. -- I wanted to talk about it. 24 Q. Did you tell him that you were represented by 25 a criminal defense attorney in your case?</p>
<p style="text-align: right;">Page 135</p> <p>1 A. Good afternoon. 2 Q. Nice to see you again. 3 A. Yes. 4 Q. I have a question. Earlier in the deposition, 5 you talked about this meeting that you had with 6 Mr. Tepfer; do you recall that? 7 A. Yes. 8 Q. And what year was that? 9 A. I don't -- I don't remember what year it was. 10 Q. Was it after -- 11 A. Might have been -- 12 Q. Go ahead. 13 A. It might've been 2011 or '12. I'm -- I'm not 14 for sure. 15 Q. Okay. Where were you at when you had this 16 interview with Mr. Tepfer and this other individual he 17 was with? 18 MR. PALLES: Objection. Asked and answered, 19 Bill. 20 BY MR. BAZAREK: 21 Q. Go ahead. 22 A. At my house. 23 Q. Who was the other person Mr. Tepfer was with? 24 A. I don't -- I don't remember. It was just big 25 guy that was with him. He was a big guy. I don't</p>	<p style="text-align: right;">Page 137</p> <p>1 A. No. 2 Q. At the time, did you have an attorney during 3 the time you spoke with Mr. Tepfer? 4 A. No. 5 Q. Was Mr. Tepfer taking notes when you spoke 6 with him? 7 A. I don't -- I don't recall. 8 Q. What about the other individual he was with? 9 Was he taking notes, if you could tell? 10 A. I -- I couldn't tell. 11 Q. Were you being recorded, if you know? 12 A. No, I -- I wouldn't know. No, I didn't know. 13 Q. Did Mr. Tepfer ever tell you that he was using 14 a recording device to record what you were saying? 15 A. No, he didn't. 16 Q. What else did Mr. Tepfer say during this 17 interview? 18 A. That's all that I remember. 19 Q. How long was Mr. Tepfer and this other 20 individual inside your house? 21 A. Maybe ten minutes. 22 Q. Other than Mr. Tepfer and this unknown man, 23 was -- and yourself, was anyone else inside your 24 residence? 25 A. No.</p>

<p style="text-align: right;">Page 138</p> <p>1 Q. Did Mr. Tepfer, during this time, tell you 2 that he was representing Ben Baker?</p> <p>3 A. No.</p> <p>4 Q. Did Mr. Tepfer tell you that if he was able to 5 vacate Ben Baker's convictions, that he would be able to 6 bring a lawsuit against you and other members of the 7 Chicago Police Department?</p> <p>8 A. I can't remember, but I -- I remember him 9 saying that it was -- some other people were done wrong, 10 to that effect.</p> <p>11 Q. Mr. Tepfer said some other people had done 12 wrong?</p> <p>13 A. Had been done wrong by, you know, the police 14 department, or Watts. I'm not for sure the exact 15 wording.</p> <p>16 Q. So what -- what's your understanding of what 17 Mr. Tepfer wanted you to do --</p> <p>18 A. Well --</p> <p>19 Q. -- when he met with you?</p> <p>20 A. At --</p> <p>21 MR. TEPFER: Objection. Calls for speculation. 22 Go ahead.</p> <p>23 THE WITNESS: At that point, once I thought 24 about it, you know, I thought about, anything I say 25 can will be used against you, that's what I thought</p>	<p style="text-align: right;">Page 140</p> <p>1 Q. So you had -- they were unannounced visitors, 2 right?</p> <p>3 A. Yes.</p> <p>4 Q. You had no idea that they were going to come 5 to your home?</p> <p>6 A. No idea.</p> <p>7 Q. Did Mr. Tepfer say that he had in -- any 8 information about other members of the team that Ronald 9 Watts supervised?</p> <p>10 A. I don't remember -- I don't remember that 11 whole conversation at that first point.</p> <p>12 Q. Did Mr. Tepfer mention Shannon Spalding to you 13 during this home visit that he made to you?</p> <p>14 A. No.</p> <p>15 Q. How about Daniel Echeverria?</p> <p>16 A. No.</p> <p>17 Q. Did Mr. Tepfer -- did he have a laptop or a 18 computer with him when he was inside your home?</p> <p>19 A. I don't -- I don't remember.</p> <p>20 Q. So this -- the big fellow who was with Mr. 21 Tepfer, what was he doing during this whole home visit, 22 so to speak?</p> <p>23 A. He was just standing there. He might've said 24 something. I'm -- I'm not for sure.</p> <p>25 Q. Did -- do you recall, did he have a pad of</p>
<p style="text-align: right;">Page 139</p> <p>1 about myself. And I didn't want to get too much 2 into it, so I cut off the conversation -- that it 3 wouldn't have been good for me.</p> <p>4 BY MR. BAZAREK:</p> <p>5 Q. So at that point you knew you'd -- you know, I 6 should consult with an attorney on this, right?</p> <p>7 A. Correct.</p> <p>8 Q. Did Mr. Tepfer ask you if you had an attorney 9 when he was inside your house?</p> <p>10 A. I -- I don't remember that. I don't remember.</p> <p>11 Q. You think if he did, you would've remembered 12 that?</p> <p>13 A. Yeah.</p> <p>14 MR. TEPFER: Objection. Calls for speculation. 15 THE WITNESS: Yes.</p> <p>16 BY MR. BAZAREK:</p> <p>17 Q. How was it -- how was it arranged that Mr. 18 Tepfer was going to come inside your house?</p> <p>19 A. Well, I don't -- I don't know how they got 20 there in the first place. I'm not for sure about that, 21 but because of everything going on, I invited them in 22 because they said they wanted to talk to me.</p> <p>23 Q. But were -- did they phone you first, or just 24 you had some people show up in your doorstep?</p> <p>25 A. Showed up at my doorstep.</p>	<p style="text-align: right;">Page 141</p> <p>1 paper, or a pen?</p> <p>2 A. When I first saw him, he didn't have nothing 3 in his hand.</p> <p>4 Q. This is on your, what? Front porch?</p> <p>5 A. Yeah, on my front door. Yeah.</p> <p>6 Q. Okay. By the way, was it -- was, like, a 7 single-family residence, or were you in an apartment 8 building?</p> <p>9 A. No. Single-family residence.</p> <p>10 Q. Did you ask Mr. Tepfer how he learned where 11 you lived?</p> <p>12 A. No, I didn't. But my assumption is that when 13 this first happened -- not my assumption, what I know 14 the -- the -- when this happened, they put my address, 15 my license plates, and everything else out there in the 16 -- on -- what was it? In the news. I do remember that.</p> <p>17 Q. Okay. What other things do you remember Mr. 18 Tepfer saying to you while inside your home?</p> <p>19 A. That's -- that's all I can remember. That's 20 all I can remember.</p> <p>21 Q. So how did the -- how did the conversation end 22 with Mr. Tepfer and the big fellow he was with?</p> <p>23 A. I don't -- I don't remember how it ended. You 24 know, that's all I remember, those little bits and 25 pieces right there.</p>

<p style="text-align: right;">Page 142</p> <p>1 Q. Did Mr. Tepfer ever make any further attempts 2 to, you know, contact you? 3 A. No. 4 Q. So the -- so he never showed up again, no 5 phone calls, nothing like that? 6 A. No. Uh-uh. No. 7 Q. Did you mention to him when you were meeting 8 with him that you wanted to consult with an attorney? 9 A. I don't know if I was thinking that or I said 10 it to him, but I -- I think -- I don't -- I don't know 11 if I said it to him or I was just thinking that, and I 12 just cut it off. 13 Q. Did Mr. Tepfer mention Ben Baker by name to 14 you while he was inside your home? 15 A. No, not that I remember. No. 16 Q. If you know, did he mention any of the -- any 17 of the plaintiffs in these lawsuits involving, you know, 18 your former team? 19 A. No. 20 Q. Did Mr. Tepfer make any promises to you while 21 he was inside your home? 22 A. No, not that I can remember. 23 Q. Let me ask you, that -- when Mr. Tepfer made 24 this unannounced visit to your house, how long of a time 25 period had it been since you were released from federal</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. How long was that phone call with Mr. 2 Bloomberg and the FBI agent? 3 A. No more than ten to 15 minutes. 4 MR. BAZAREK: That's all I have. 5 MR. TEPFER: Does anyone else have questions? 6 MR. GAINER: No questions here. 7 MR. TEPFER: Okay. 8 MR. DAFFADA: No questions. 9 MR. TEPFER: Okay. I have a couple follow-up. 10 MR. PALLES: Wait, wait, let's make sure. 11 Everybody weigh in on the defense? 12 MR. DAFFADA: No questions. 13 MR. PALLES: Okay. It looks like it -- 14 MS. HARRIS: I have a -- just a few questions. 15 Very short questions. 16 MR. PALLES: Dhaviella. 17 MR. TEPFER: Okay. 18 MR. PALLES: Go ahead, Dhavi. 19 EXAMINATION 20 BY MS. HARRIS: 21 Q. Hi, Kallatt. I represent the City of Chicago. 22 Just a -- like I said, just a few short questions. But 23 earlier in the day, you testified that it was a practice 24 of the tactical team with Watts to -- on report writes 25 to include all the members of the team, regardless if</p>
<p style="text-align: right;">Page 143</p> <p>1 prison? 2 A. I'm not for sure. I don't -- I don't 3 remember. I can't remember when it happened, because 4 everything was a blur to me, so I really wasn't paying 5 attention. 6 Q. Okay. Did Mr. Tepfer ever e-mail you, or 7 write you letters, anything like that? 8 A. No. No. Uh-uh. 9 Q. Did any other attorneys, you know, show up -- 10 or strike that. Not talking about federal prosecutors, 11 FBI agents, but did any other criminal defense attorneys 12 or plaintiff's attorneys ever show up at your home 13 unannounced before? 14 A. No. 15 Q. I want to make sure I understand. I want to 16 go to the -- do you recall getting a -- was it a phone 17 call from Mr. Bloomberg and another individual who 18 identified himself as an FBI agent; is that right? 19 A. Yes, that's correct. 20 Q. That was just over the phone? 21 A. Over the phone, yes. 22 Q. Okay. Did Mr. Bloomberg or the FBI agent tell 23 you that they were investigating Ben Baker for 24 falsifying his interrogatory answers in his case? 25 A. No.</p>	<p style="text-align: right;">Page 145</p> <p>1 they were present, correct? 2 A. Yes. 3 Q. And this was not a policy that you learned 4 from CPD, correct? 5 A. No. 6 Q. Do you recall when you were instructed to 7 report -- complete your reports like this? 8 A. When I first got on the tact team. 9 Q. And what year was that? 10 A. Let me see. 11 Q. Or around what year? 12 A. Let me see. I -- it might've been after two 13 years that I was on the job. So I came on in '96, so it 14 might've been in '98. 15 Q. And that's when -- this is when Watts 16 instructed you to complete your reports this way? 17 A. Yes. 18 Q. And how many times throughout your career 19 working with Watts on the tactical team did he instruct 20 you or the team personally to complete reports this way? 21 A. Well, it was -- after you made an arrest and 22 if you wanted credit for everybody getting credit, 23 whether you was there or not, or you just came up and 24 surrounded some people, or caught somebody, yeah, that's 25 -- that's the only time.</p>

<p style="text-align: right;">Page 146</p> <p>1 Q. Okay. So when you say that everyone on the</p> <p>2 team was listed on the reports, it was everyone that was</p> <p>3 in attendance that day that was listed on the report?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. So if you were not working that day,</p> <p>6 you were not listed on the report?</p> <p>7 A. If you weren't working, you weren't on that.</p> <p>8 Q. Okay. Understand. And you said that he never</p> <p>9 personally instructed you to complete a report this way?</p> <p>10 MR. TEPFER: Objection. Misstates the</p> <p>11 evidence.</p> <p>12 THE WITNESS: No, it was just -- made</p> <p>13 understand, put everybody on the report so that they</p> <p>14 get credit for the arrest.</p> <p>15 BY MS. HARRIS:</p> <p>16 Q. Okay.</p> <p>17 A. For helping.</p> <p>18 Q. And was this ever memorialized in a Post-It,</p> <p>19 an e-mail, a text message?</p> <p>20 A. No.</p> <p>21 Q. Okay. And did this occur before narcotic</p> <p>22 missions or other missions?</p> <p>23 A. It was just something that was -- that was</p> <p>24 done. It wouldn't be -- you know, if you were -- if we</p> <p>25 went on a narcotics mission, or -- or however, that's</p>	<p style="text-align: right;">Page 148</p> <p>1 A. It's -- yeah, it's probably after because it -</p> <p>2 - I think everything happened in 2011.</p> <p>3 MR. PALLES: Yep. Let's stipulate --</p> <p>4 THE WITNESS: Okay.</p> <p>5 MR. PALLES: -- that he wasn't arrested until</p> <p>6 February of 2012.</p> <p>7 BY MR. TEPFER:</p> <p>8 Q. Okay. So you probably got out of prison in</p> <p>9 2013 sometime?</p> <p>10 A. Right, right.</p> <p>11 Q. Okay. And it was after that, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And it was a garden apartment, correct?</p> <p>14 A. My house?</p> <p>15 Q. Yeah.</p> <p>16 A. No.</p> <p>17 Q. It was like a garden house. Like, it was a --</p> <p>18 you know, bottom floor, correct?</p> <p>19 A. No, it was the basement.</p> <p>20 Q. Basement.</p> <p>21 A. Yeah, basement. Uh-huh.</p> <p>22 Q. Okay. And you opened the door?</p> <p>23 A. Uh-huh.</p> <p>24 Q. Okay. And I told you who I was?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 147</p> <p>1 how it would be understood.</p> <p>2 Q. Okay.</p> <p>3 A. To do -- to put everybody on it.</p> <p>4 Q. And where did this conversation or instructing</p> <p>5 -- instruction usually occur?</p> <p>6 A. In the office. In the tact office.</p> <p>7 Q. Where --</p> <p>8 A. To -- in the station.</p> <p>9 Q. Which station is that? I know there was two</p> <p>10 of them.</p> <p>11 A. Second district.</p> <p>12 MS. HARRIS: Okay. Okay. Those are all my</p> <p>13 questions. Thank you.</p> <p>14 THE WITNESS: You're welcome.</p> <p>15 REDIRECT EXAMINATION</p> <p>16 BY MR. TEPFER:</p> <p>17 Q. And a couple more follow-up, based on Bill's</p> <p>18 line of questioning. Just for context, I'm not asking</p> <p>19 about this, but what year did you get out of prison?</p> <p>20 A. It was 2012, I believe it was.</p> <p>21 Q. Okay. And I didn't come and see you before</p> <p>22 you went to prison, right?</p> <p>23 A. No.</p> <p>24 Q. So when you testified it was 2011, 2012,</p> <p>25 that's probably not right, correct?</p>	<p style="text-align: right;">Page 149</p> <p>1 Q. Okay.</p> <p>2 A. You gave your name. Yes.</p> <p>3 Q. Okay. And I gave you a business card, right?</p> <p>4 A. Yeah, yeah. I remember your business card.</p> <p>5 Q. Okay.</p> <p>6 A. Uh-huh.</p> <p>7 Q. And that business card said Exoneration</p> <p>8 Project on it, correct?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And do you know whether or not I</p> <p>11 started working at the Exoneration Project in May of</p> <p>12 2015?</p> <p>13 A. No. I don't know.</p> <p>14 Q. You don't know one way or the other, right?</p> <p>15 A. No.</p> <p>16 Q. Okay. And I told you that I represented</p> <p>17 someone named Ben Baker, correct?</p> <p>18 A. I don't remember if you said that or not.</p> <p>19 Q. You don't remember one way or the other?</p> <p>20 A. No. Uh-huh.</p> <p>21 Q. Okay. And the big man that we're referring</p> <p>22 to, he introduced himself, or I introduced him, correct?</p> <p>23 A. Yeah.</p> <p>24 Q. Okay. And his name was Eladio Valdez. Do you</p> <p>25 remember that?</p>

<p style="text-align: right;">Page 150</p> <p>1 A. I don't remember.</p> <p>2 Q. You don't remember. Okay. All right. And I</p> <p>3 told you that I wanted to talk to you about Watts</p> <p>4 related case, correct?</p> <p>5 A. Yes.</p> <p>6 Q. And you invited me in?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And we talked for, I think you said ten</p> <p>9 minutes?</p> <p>10 A. About ten minutes.</p> <p>11 Q. Okay.</p> <p>12 A. Ten, 15 minutes.</p> <p>13 Q. Okay. And then at some point, you indicated</p> <p>14 that you wanted to consult an attorney, right?</p> <p>15 A. Yes.</p> <p>16 Q. And then I left, right?</p> <p>17 A. Yes.</p> <p>18 MR. TEPFER: Okay. That's it.</p> <p>19 MR. PALLES: Okay. Boy, let me think. All</p> <p>20 right. For now, I'm going to reserve signature if</p> <p>21 it's printed.</p> <p>22 THE REPORTER: Okay.</p> <p>23 MR. PALLES: Okay. Thank you, everybody.</p> <p>24 MR. TEPFER: Thank you.</p> <p>25 THE REPORTER: We're now off the record. It is</p>	<p style="text-align: right;">Page 152</p> <p>1 CERTIFICATE OF DIGITAL REPORTER</p> <p>2 STATE OF ILLINOIS</p> <p>3</p> <p>4 I do hereby certify that the witness in the foregoing</p> <p>5 transcript was taken on the date, and at the time and</p> <p>6 place set out on the Title page hereof, after first</p> <p>7 being duly sworn to testify the truth, the whole truth,</p> <p>8 and nothing but the truth by KRYSTAL BARNES; and that</p> <p>9 the said matter was recorded digitally by TALIA JACKSON</p> <p>10 and then reduced to typewritten form under my direction,</p> <p>11 and constitutes a true record of the transcript as</p> <p>12 taken, all to the best of my skill and ability. I</p> <p>13 certify that I am not a relative or employee of either</p> <p>14 counsel and that I am in no way interested financially,</p> <p>15 directly or indirectly, in this action.</p> <p>16</p> <p>17</p> <p>18 KRYSTAL BARNES,</p> <p>19 NOTARY</p> <p>20 MY COMMISSION EXPIRES: 02/18/2026</p> <p>21</p> <p>22</p> <p>23 TALIA JACKSON,</p> <p>24 DIGITAL REPORTER</p> <p>25 SUBMITTED ON: 11/21/2023</p>
<p style="text-align: right;">Page 151</p> <p>1 1:24.</p> <p>2 (DEPOSITION CONCLUDED AT 1:24 P.M. CT)</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</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>	

Exhibits	Exhibit 15_ Mohammed 66:17,19 68:16	Exhibit 30_ Mohammed 103:11,21,23 110:12 129:23	11:24 66:7	20 33:21 74:8, 14,18 108:6,8 126:4
Exhibit 1_ Mohammed 30:12,13	Exhibit 16_ Mohammed 67:6,9 68:3	Exhibit 31_ Mohammed 105:23,25	11:25 66:10	2003 67:15 80:17 90:2 98:15 101:16 105:19 124:6 129:7 130:2 132:18,23 133:21,25 134:9
Exhibit 2_ Mohammed 33:20,25 56:11	Exhibit 17_ Mohammed 70:6,7,9	Exhibit 32_ Mohammed 128:17,20	11:35 72:12	2004 29:19,20 31:12 34:9 39:23
Exhibit 3_ Mohammed 42:21,24	Exhibit 18_ Mohammed 71:5,9,12	\$	11:36 72:15	2005 18:23 30:7 36:11 41:24 42:8 43:10 44:13 45:17,22 47:12 48:4,23 49:22 51:23 52:20 53:4,16
Exhibit 4_ Mohammed 48:6,8,15	Exhibit 19_ Mohammed 74:1,3	\$129 125:1	11th 35:2	2006 45:2 58:4, 7,13,16 60:1 64:14,20 65:12, 16,23 68:9,20 69:25 72:1,20 75:5 79:1
Exhibit 5_ Mohammed 48:12,14,16	Exhibit 20_ Mohammed 74:8,14	0	12 59:16,19 135:13	2011 135:13 147:24 148:2
Exhibit 6_ Mohammed 49:4,5 50:9 51:10	Exhibit 21_ Mohammed 74:15	00019 33:21	12-11-05 54:21 55:4	2012 147:20,24 148:6
Exhibit 7_ Mohammed 49:6 51:11	Exhibit 22_ Mohammed 74:16	01 31:18	12-4-06 63:21	2013 148:9
Exhibit 8_ Mohammed 49:7 51:12	Exhibit 23_ Mohammed 75:8	040 103:20	120 74:24	2015 149:12
Exhibit 9_ Mohammed 49:8 51:13	Exhibit 24_ Mohammed 75:9	05 18:19 56:25	122 74:9	202 60:8
Exhibit 10_ Mohammed 49:9 51:13	Exhibit 25_ Mohammed 75:10	1	124 74:25	2022 23:7 26:7
Exhibit 11_ Mohammed 57:7,10,12	Exhibit 26_ Mohammed 75:11	1 30:12,13 110:25 111:3,7 113:12,15,23 114:6	126 74:12	2023 11:5
Exhibit 12_ Mohammed 59:16,19	Exhibit 27_ Mohammed 82:20	10 49:4,9 51:13 52:15	128 74:1	21 30:25 74:10, 15
Exhibit 13_ Mohammed 60:4,6	Exhibit 28_ Mohammed 100:20,22	10:02 11:5	12:46 129:13	22 30:25 74:11, 16 124:20
Exhibit 14_ Mohammed 63:17,19,22 68:9	Exhibit 29_ Mohammed 101:10,12	10:50 50:22	12:59 129:16	23 30:7 41:24 74:19,20,22 75:8
		10:56 50:25	13 60:4,6 62:1,3	24 69:25 71:25 72:20 74:23 75:5,9 79:1
		11 34:9 39:22 42:8 43:10 44:13 45:17,22 48:23 49:21 51:23 52:20 53:4,16 57:7, 10,12	14 63:17,19,22 68:9	
		112 74:22	14122 32:16	
		114 74:11	15 25:17,23 66:17,18,19 68:16 78:11 144:3 150:12	
		118 75:1	15th 11:4	
		11:14 61:14	16 67:6,9 68:3	
		11:17 61:17	17 31:11 70:7,9	
			18 62:15 71:5,9, 12,16,17	
			19 31:14 74:1,3	
			19-CV-01717 11:12	
			1:24 151:1,2	
			2	
			2 33:20,25 56:11 75:21 77:10,14 111:3, 7,14,18 113:4 114:21	

25 74:25 75:10	4137 106:6	7:00 47:14	advice 22:4,18 28:10 52:3,11, 12 53:1	answers 130:6 143:24
26 75:1,11	41372 106:6 108:3,6	<hr/> 8 <hr/>	affirm 12:5	anticipating 95:16
27 60:1 82:18, 19,20	41469 105:24	8 49:7 51:12	afternoon 87:11 134:25 135:1	anymore 20:3
270 57:11	45 75:22	82-107 103:12	agent 24:15,25 143:18,22 144:2	apartment 80:24 81:7,18 84:21 85:15 94:16 117:7 119:21,24 130:18,24 132:7,17 141:7 148:13
28 100:20,22	46 43:12 75:22	82-108 103:12	agents 24:9,13 143:11	apartments 88:20
29 101:10,12	48313 48:13	827 103:12	agreed 21:22 28:7 38:16 51:6	apologize 30:18
2:00 80:23 99:1	<hr/> 5 <hr/>	863 67:7	agreement 49:11	appeared 85:7
<hr/> 3 <hr/>	5 31:11,25 43:9 48:12,14,16 67:14	<hr/> 9 <hr/>	ahead 16:13 26:22 29:24 37:7 51:14 60:9 61:23,24 75:3 83:4 87:6 135:12,21 136:15 138:22 144:18	approached 23:20 63:4 111:16
3 42:21,24 44:4	51st 39:22	9 49:8 51:13	Ali 57:1,25 58:3,7,12,15, 19,23 59:3,10 61:2 64:3,15,22	approximately 92:18
30 43:1 44:2 103:11,21,23 110:12 129:23	52230 128:17	93 113:6	Ali's 59:5	April 69:25 71:25 72:20 75:5 79:1
31 71:6 105:21, 23,25	527 42:3 58:24 65:16 81:9 111:15 115:2,5, 8,9	96 145:13	allegedly 35:1	area 119:7
31258 63:19,20	53 127:5,13	98 145:14	altercation 70:24	arguing 37:14
31259 63:20	56711 51:11	99 113:24 114:5	Alvin 14:9,10, 15 16:5 17:1,2 18:6 19:2,8,10 70:24	argumentative 37:13
31268 57:8,10	574 49:24 81:9	<hr/> A <hr/>	ambiguous 15:12 16:9 17:18	arranged 139:17
32 128:6,17,20	575 78:25	a.m. 11:5 47:14 50:22,25 61:14, 17 66:7,10 72:12,15 83:13 84:10	announcemen t 93:4,5	arrest 29:8,20 30:7 35:2,7 36:15 37:21,22, 25 38:6 39:9 41:24 42:5,8, 12,15 47:16 49:14,16,21,24 51:22,23 53:16 58:3 59:5 60:23 61:1 62:9 63:21 64:3,14,21,24 67:3,6,8,12,14 68:6,10,12,19, 23 69:25 70:2, 16,18 71:13,18, 19,23 72:20
36 114:7,8	<hr/> 6 <hr/>	absolutely 38:21 49:11,17 61:7	announcing 86:24	
368 106:15,16	6 49:4,5 50:9 51:10 52:15	accused 16:2	answering 22:9 23:11 52:6,12,18	
372 106:15	66 70:7	act 35:6 71:22		
37201 60:8	67 70:7	activity 96:8 109:9,16,22		
<hr/> 4 <hr/>	6:00 83:7,13 84:10	acts 35:1		
4 48:6,8,15 58:3,13,16 64:14,20 65:12, 15,23 68:9,20 80:17 90:2 101:16 105:19 106:6 129:7 130:2 132:18, 23 133:21,25 134:8,9	<hr/> 7 <hr/>	actual 78:14, 15,21		
40 31:17 32:1,2 43:22 110:23	7 49:6 51:11	ad 50:13,14		
41059 59:18	705 51:14	added 73:15		
41353 105:24	710 51:13	address 56:3 141:14		
41368 106:6	715 51:12	adopted 38:18		
	720 51:11	adverse 136:13		
	725 51:10			
	7380 66:16			

74:8 75:5 78:1 80:5,6,7,8,17, 21 89:24 96:7 99:6 100:1,3,5, 8,9,10,11 101:4 104:16,23 105:1,3,7 108:11 109:10, 20 115:23 120:13,14 125:15 127:25 130:2,21 133:21 145:21 146:14	assumption 141:12,13 attacks 50:13, 14 attempt 76:25 77:14 78:7,21 102:19,20,22 127:2 attempted 77:22 103:3 attempting 78:3 102:25 103:5 104:20 attempts 142:1 attendance 146:3 attention 143:5 attorney 22:4 23:18,19,22,25 24:3,11,14,20, 21,24 25:3 26:8,17,23,24 92:18 136:9,25 137:2 139:6,8 142:8 150:14 attorney's 22:17 24:16 26:11 27:8 28:10 52:11,25 attorney- 22:11 Attorney- client 52:8,22 attorneys 143:9,11,12 attracted 40:12 aware 28:23,25 30:8 60:24 69:15,23 70:1	51:3 53:3 55:21 56:11 61:16 62:22 66:9 68:8 72:14 81:6 85:2 92:6 93:24 94:13 110:11 111:12 114:21 126:1 129:15 bad 121:14 bag 122:4 baggie 127:13 baggies 124:21 126:4,8 127:5 baggy 87:18 126:21,24 bags 59:11 87:18 119:18 123:18,22 Baker 28:19,24 29:8 30:8 31:15,18 32:8 33:16 35:1,21, 25 36:5,6 38:25 40:10 42:3,6, 12,15 45:16 46:10 48:14 51:4 55:1 138:2 142:13 143:23 149:17 Baker's 138:5 barbecue 62:25 63:1 Barnes 11:2 based 108:25 147:17 basement 148:19,20,21 basically 124:2 basis 15:19 16:4 17:8 96:5 Bazarek 11:20 15:10,15,21 16:7,21 17:11, 17 21:9 33:14 38:15,22 43:25 44:3,6 72:25	127:7 128:8,13 134:21,24 135:20 136:17 139:4,16 144:4 BD-51-681 82:22 Beautiful 69:4 begin 12:9 95:16 bell 57:2 Ben 28:19,24 29:8 30:7 31:15,18 32:8 35:1,21,25 36:5,6 40:6,10 42:2,5,12,15 45:16 46:10 48:14 53:4 54:21 55:1 138:2,5 142:13 143:23 149:17 bench 45:25 46:25 48:22 BG- 33:21 BG-5204 111:12 big 49:12 91:8, 9 135:24,25 136:5 140:20 141:22 149:21 bigger 13:14 14:5 Bill 51:2 129:9 134:19 135:19 Bill's 147:17 bit 55:18 92:7 bits 141:24 black 57:19 Blacks 115:1 Bloomberg 143:17,22 144:2 Blows 124:9, 11,12 blue 89:6,8,9 90:18 92:2	93:15 117:9 118:25 133:3,4 Blumberg 27:14,15 blur 143:4 Bob 80:15 81:1,2 82:14 83:7 87:14,15 90:16,20,23 96:20 115:1 116:13 Bobby 79:8,13, 17 80:17 82:15, 16,22 84:9,17 85:20 91:11 92:7,22 93:9 96:2 97:1 98:11,13 100:8 107:13 109:25 111:7 113:9 114:12 116:19 119:7 120:9 122:3,10,17 127:1 134:10, 13 Bolton 81:23 82:1 131:9 bond 36:1,7 65:20 Borkan 11:23 50:11,15,18 bother 33:5,11 34:19 bottom 31:18 34:12 108:7 148:18 Box 31:11,14, 17,25 32:1,2 43:9,12 62:15 71:16 75:22 77:10,14 114:7 Boy 150:19 Brakes 71:3 break 46:10 50:19 61:3 72:3 93:4,5,13 96:18 97:25 128:8,11 129:10 130:4
---	--	---	--	--

B

breaking 101:22	Cadman 11:24 89:16 130:10, 23 131:2,3	33:16,17 34:10, 17 38:6 42:9 43:2 44:1,21 51:5 53:15 60:9,12,18 61:1 62:12 63:21 64:14,20 68:11 69:16 74:8,10, 11,13,23,24 75:1,2 76:3 78:14 100:7 103:6,8,9 104:7 110:13 112:12, 21 113:5 116:10 129:18 130:1 136:21, 25 143:24 150:4	CI 114:24 115:1,12,13,17, 24,25 116:5,6, 12	Clarissa 38:25 39:21 40:12 41:12,14,17 45:15,16 46:12, 16 48:14 53:4 54:21 55:5
Brian 11:19 16:11	call 26:16,18 50:1,4 54:15 55:17 87:8 93:12 143:17 144:1		circling 119:7	classification 77:7 78:7
bribe 134:3,5, 10,12	called 23:21 25:9,10 27:6 53:13 72:25 85:12 86:4		CIS 116:8	clear 86:24 113:17 121:15 122:4 124:21 126:4,18,20,24 129:22
briefed 118:10, 13	calling 53:10		citizen 83:19, 21,22 84:1,8	Cleothus 74:22
briefly 41:23	calls 22:11 102:9 138:21 139:14 142:5		city 12:1 82:17, 22 144:21	client 22:12 49:2
bring 138:6	Calm 121:11	cases 21:24 22:21 60:13,14, 19 72:18 73:1,4	City- 33:20 50:9	Clifford 100:16 110:3 122:23 123:5 124:15, 22 125:1
broke 95:5,18, 23 96:25 97:5	Calvin 11:23 56:12,23 112:23 132:1	catch 123:24	City-bg 30:25 51:11 128:17	close 128:10
brought 83:7	car 20:21 44:25 45:5 55:20,21 85:11 90:25 91:1,2,3,5,8,9, 11,12,15,20 92:10,16,22 93:10 96:23 97:2,6,11 98:5, 11 99:2 111:19 112:1 113:9 114:11 116:13, 14,19 119:8 127:19	caught 145:24	City-bg-25018 48:7	closed 92:4 93:20,24 94:1, 15
Browning 42:3 78:25 111:15 115:2,6	card 149:3,4,7	caused 17:9 96:6,18	City-bg-29 43:1 44:2	closing 73:7
BS 40:6	cards 133:4	caveat 134:18	City-bg-32862 67:6	cold 23:6
buddies 40:6	care 33:24 49:15	Central 11:5	City-bg-52-081 100:21	Coleman 79:8, 13,17 80:15,18 82:15,16,23 84:9,17 85:20 91:11 92:7 96:2,20 97:1, 14,16,20 98:11 100:8 107:13 109:25 111:7 114:12 119:7 120:9 122:3,10, 17 127:1 133:22 134:10, 13
build 94:15	career 53:24 54:4,5 145:18	chance 68:1,2 76:11 95:1	City-bg-52039 103:20	comfortable
building 49:24 58:24 65:16 80:10 81:5,8 83:14 84:11,21, 25 85:25 88:14, 15,17 90:9,11 92:3 93:25 116:24 117:4,6 120:19 123:10 141:8	carry 125:21	change 130:6 132:13	City-bg-56701 51:14	
buildings 93:20	cars 88:23,25 89:4,6,7,9 90:18 93:16 118:15,25	Charles 74:25	City-bg-56706 51:13	
bunch 72:17 74:2	case 11:11 29:5,8,10,13, 16,22 30:6 31:4,6,7 32:12	Chauncey 57:1,25 58:3,7, 12,15,19,23 59:3 64:3,15,22	City-bg-56716 51:11	
bundle 122:24		check 60:24 61:4,5	City-bg-56721 51:10	
business 149:3,4,7		chemotherapy 48:1	City-lw-121 74:9	
Butler 74:9		Cheryl 113:6	City-lw-127 74:1	
buy 77:23 78:3		Chicago 12:2 18:1,3 27:1,18 54:5 138:7 144:21	City-lw-30 71:6	
buying 95:12		Chrysler 113:24 114:5, 11,17 116:18	City-lw-66 70:7	
<hr/> C <hr/>			City-lw-67 70:20	
C.K. 35:23 36:1,5			civil 26:11	
			claim 33:17	

76:19	contemporane	could've 98:25	Dale 74:12	deposed 12:24
comfortably	ous 72:19	101:7,17 136:3	Daniel 140:15	deposition
76:15	context 147:18	counsel 11:12	Darryl 20:25	11:7 38:20
comment	continue 76:23	50:11 52:3	81:12 131:20	51:4,6 89:24
17:10	continuous	130:5	date 31:11 43:9	135:4 151:2
committed	21:25	County 24:16	49:13,21,25	describe
35:1	conversation	couple 75:14	60:11 70:4	124:17
complained	23:12,23 25:5,	76:10 94:13	106:25	description
55:5	11,13 28:17	144:9 147:17	dated 67:14	96:22 118:18
complaint	35:20 36:4,9	court 11:4,10	day 11:4 53:11	detain 109:4
61:6	41:17 46:9	73:3 108:10	59:10 67:18	detained
complete	54:25 55:4	CPD 145:4	73:3 75:6 78:3	104:13 105:17
145:7,16,20	76:10 139:2	credible 116:2	80:22 95:23	107:25 108:15
146:9	140:11 141:21	credit 145:22	96:13 99:3,14,	121:7,19
completely	147:4	146:14	22 100:1,2,3	122:19,21
49:16	conversations	criminal 15:3,8	101:4,6 109:5	detaining
complicated	39:13 55:8,15	21:19,20 35:1,6	117:22 144:23	58:12
104:14 108:21	convictions	52:7,21 109:9,	146:3,5	determination
comply 36:23	138:5	16,22 136:25	day's 83:13	55:20
compound	Cook 24:16	143:11	dealing 30:23	device 137:14
15:11	Coordinated	CROSS-	December	Dhavi 144:18
computer	11:8	EXAMINATIO	36:10,11 42:8	Dhaviella 12:1
140:18	copies 30:14	N 134:23	43:10 44:13	144:16
concerned	copy 33:19	crushing	45:17,22 47:11	dice 58:9
125:17	correct 15:8,14	66:20	48:3,23 49:21	digital 30:22
CONCLUDED	22:15 29:13	crutches	51:23 52:20	direct 12:10
151:2	30:4 31:9,15	67:18,21,24	53:4,16 58:3,	31:22 106:5
conclusion	43:15 54:14	CT 151:2	13,15 64:14,20	124:16
102:10 108:24	62:12,15 64:25	cuff 102:16	65:12,15,23	directing 81:1
conducting	68:12 75:23	109:4	68:9,20	direction
132:7,18	78:6 80:19	cuffed 63:13	default 56:6	120:4,5
confidence	84:14 95:20	105:17	defendant	directly 83:23,
73:6	107:19 110:1,	cuffs 104:24	13:13 69:24	25
confirm 64:19	25 111:3,19	current 42:9	defendants	disclosed 51:7
confirming	112:2 115:2,3	custody 121:3	11:21	discuss 28:7
64:19	118:17 119:14,	cut 102:23	defense	49:12
consistent	19 121:7	117:18 139:2	136:25 143:11	dispense
22:2	123:13 129:5	142:12	144:11	50:12
consult 49:1	130:19,22	D	define 29:1	district 11:9,10
139:6 142:8	133:11,17,18,	D.C. 26:25	delivering	147:11
150:14	19,22 139:7	Daffada 11:22,	96:21 115:2	Division 11:11
contact 142:2	143:19 145:1,4	24 144:8,12	department	DO-JOINT
contacted	147:25 148:11,		18:3 27:7 36:18	48:13 57:8,10
22:21 23:7 24:5	13,18 149:8,17,		112:17 138:7,	59:18 60:8
	22 150:4		14	
	correctly		depending	
	108:21 111:6		29:1	
	costs 36:1,6			

63:19 66:16	duplicated 73:16	entrances 93:19	110:12 128:17, 20,25 129:4,23	filled 81:18
DO-JOINT-48319 101:10	<hr/> E <hr/>	Eric 11:18 49:17 61:18 72:25 73:5 103:25	exhibits 52:15 56:10 66:20 68:19 75:4,23	find 59:7
Docket 11:11		evening 87:10	exit 120:9	fine 30:16 49:3 50:8 70:10 103:13 128:15
document 31:1 38:1 43:17,18 61:24 62:4 105:4 113:17 133:8	e-mail 143:6 146:19	event 62:15	exits 92:4 93:19	finish 41:6 45:7 86:22 97:19
documents 51:15	earlier 72:1 116:18 135:4 144:23	events 51:5	Exoneration 149:7,11	finished 44:8 51:15 71:8 110:16
door 25:8 72:3, 4 111:16 113:6 141:5 148:22	East 42:3 78:25 111:15 115:2,6	everybody's 34:22	experience 124:5	finishes 87:21
doorstep 139:24,25	Eastern 11:11	everyone's 37:2,20	explain 77:17	fire 85:13,14,17 121:2
Doug 82:5 130:11	eating 63:1	evidence 103:2 146:11	<hr/> F <hr/>	five-minute 50:19
download 30:21	Echeverria 140:15	exact 138:14	face 65:12 70:21 113:17	Flaxman 11:16,17
drinking 41:19	Edwards 20:25 81:12 131:21	EXAMINATIO N 12:10 144:19 147:15	facing 120:3	flee 127:2
drive 85:11	effect 138:10	exchange 81:2 97:7	fact 17:8 64:9 108:2 115:12 126:7	flip 33:23
driver 111:13	effectuate 96:18	exchanged 81:3	facts 103:2	floor 58:24 59:3 94:21,23, 24 124:18 148:18
driving 91:19 93:10 98:1,6,18 116:13 127:17 134:1	effort 105:10, 13,14	excuse 50:11 60:11 69:17 74:17	falsifying 143:24	follow 25:2
drove 91:5 127:20	Eladio 149:24	exhibit 30:12, 13 33:20,25 42:21,24 44:3 48:6,8,12,14, 15,16 49:4,5,6, 7,8,9 50:9 51:10,11,12,13 56:11 57:7,10, 12 59:16,19 60:4,6 61:25 62:6,14 63:17, 18,19,22 66:17, 19 67:6,9 68:3, 9,16 70:6,9 71:5,9,12 74:1, 3,8,14,15,16 75:8,9,10,11 77:9 82:20 100:20,22 101:10,12 103:11,21,23 105:23,25 106:11 107:8	familiar 66:23 71:2	follow-up 144:9 147:17
droves 114:17	eloquently 61:18		FBI 24:9,25 143:11,18,22 144:2	follow-ups 128:14
drug 83:13 84:10 94:25 95:11,22	Elsworth 21:1, 2,3 51:4		February 67:14 148:6	foot 90:25
drugs 63:10 68:23 69:1 83:3,7,8 86:4,6, 14,18,19,25 87:2 95:12,17 96:21 97:2,5, 12,13,14,21 99:13 104:21 109:25 124:7 126:14	end 23:23 73:22 102:13 141:21		federal 22:21 23:8 24:13,17, 18 26:8 142:25 143:10	forever 98:24
dude 58:20	ended 141:23		feel 76:19	forget 44:10
dumbass 53:10,13 54:15	engage 17:2,5 56:17		feet 92:19,20, 22 98:8	forgot 30:23
	engaged 14:18 16:5 109:16,21		fellow 140:20 141:22	form 15:11,21 16:7,9,21 17:11,17 21:9 33:8 35:8 37:6 38:8 102:9 136:15
	engaging 15:2,7		felt 62:22	forward 50:13 52:16
	entered 56:6		female 24:7	foundation 15:11,21 16:10 17:12,18 21:10 29:23 38:14
	entire 43:21 53:24 60:10 62:6 98:17		filed 69:16	

56:19 119:3 127:7 foundations 32:24 fourth 73:17 94:23,24 frame 113:21 freeze 65:15 friends 40:6 front 93:24 94:13 122:4 141:4,5 full 80:24 fully 68:2 Fuzz 80:14,15, 25 81:3 82:12 83:8 96:21 97:6,10,14,20 115:1 116:13	110:6 122:14, 18 123:5,6 126:8,18,23 128:22 129:3 Gerome 81:13, 14,15 131:18 Giles 100:18 110:3 122:24 126:3 Gipson 80:17 81:3 82:12 84:9,17,24 85:3,5,17,21 86:24 90:5 92:13,23,25 97:4,21 98:9,23 99:2 100:5 107:13 109:25 111:8,18,25 113:1 119:13, 18 120:16,24 121:19 122:5,9, 17,23 123:4,12 127:2,4 Gipson's 120:14 127:10 give 12:6 26:5, 11,17 61:8 73:10 74:1 76:11 83:23,25 87:17 106:9 122:23 123:5 giving 23:15 86:14,18,19,25 123:12 Glenn 38:25 45:16 46:12 48:14 Gonzalez 81:23 82:1 130:11 good 34:4 54:13 90:14 129:9 134:25 135:1 139:3 government 24:17,18 grabbed 102:3,4,6,13 104:23	great 57:6,19 79:6 green 74:8 113:25 114:11 116:13,18,19 group 105:10, 13,14 guarding 94:5 guess 13:1 72:23 78:8 85:11 86:3 134:8 136:3 gun 65:11 guns 125:21 guy 13:15 14:5 63:4 135:25 136:4,5 guys 55:1 66:4 73:13 86:20 110:2	62:23 hard 124:17 Harris 12:1 144:14,20 146:15 147:12 Harrison 59:13,25 62:8, 22,25 63:5,10, 12 64:15,22 65:14,19,22 Harrison's 64:3 65:12 he'll 75:18 hear 48:3 88:3, 6 90:5,6 92:8 123:7,8,22 heard 26:13 29:5,6 39:1 69:6,9,11 82:6 84:24 99:9,17, 18,19 123:4,11, 20 124:4 hearing 42:2 44:24 106:2 107:18 helpful 114:10 helping 146:17 Henry 64:3,15, 21 66:12 67:3, 15 68:10,13,16, 19 heroin 87:10, 20 119:19 124:22 126:5,9, 21,24 127:6,14 Herron 64:4, 16,22 Hey 43:25 hiding 80:9 highlighted 34:3 highlighter 34:1 highlighting 33:23	hipper 124:12 Hold 72:24 holding 62:25 68:25 127:4 home 25:7 72:3 136:6 140:5,13,18,21 141:18 142:14, 21 143:12 hominem 50:13 hominin 50:14 honest 104:13 Horrible 132:18 hours 98:25 house 13:15 135:22 137:20 139:9,18 142:24 148:14, 17 Howard 74:24
<hr/> G <hr/>		<hr/> H <hr/>		<hr/> I <hr/>
Gainer 11:19 16:11 37:6,13, 24 38:8,14 144:6 game 58:9 garden 148:13, 17 gave 12:15 83:5,8,16,20,23 84:2 86:3,4,5 87:8,9,11,16 88:13 96:22 123:18 149:2,3 gear 90:10 general 30:8 118:18 generally 112:13 116:7 gentlemen 134:19 George 74:7 99:8 100:1 107:14 108:23 109:16,21		hand 12:4 97:14,17,20 112:12 122:4 123:15,17 125:2 126:5,11 141:3 hand-write 54:3 handed 119:18 hands 126:14 happen 61:10 happened 25:6 29:19,20 36:9,13,14 55:9 85:23 91:24 123:19 136:20 141:13,14 143:3 148:2 happening 55:15 harassing	idea 26:24 27:2 32:25 33:2 41:25 71:15 129:9 140:4,6 IDENTIFICATI ON 30:13 33:25 42:24 48:8,16 49:5,6,7,8,9 57:12 59:19 60:6 63:22 66:19 67:9 70:9 71:9 74:3,14, 15,16 75:8,9, 10,11 82:20 100:22 101:12 103:23 105:25 128:20 identified	

143:18	122:10,19	143:23	14 62:22,23	121:2
identify 11:12	123:12 127:17, 23 130:16	investigators 22:22 23:8	63:3,4,9 70:24 81:12 131:14	laptop 140:17
identities 116:8	132:6,21 133:8 136:13	invite 136:5	Josh 11:14 21:23 43:25 51:2	Larry 99:16,17, 21 110:3 123:5 126:18,20
illegal 96:8	infested 84:21 117:7	invited 139:21 150:6	judge 50:2,4	late 47:22
Illinois 11:10	information 83:2,5,6,10,12, 17,20,23 84:2,9 96:12 114:25 115:24 116:2 136:20 140:8	involved 28:23 29:7 34:16 37:22 42:8,11, 14 44:15 58:2 67:2 68:10,22 69:12 72:18 77:25 79:25 80:2,3,6 115:23 130:20	judgment 56:6 July 29:20 34:9 35:2 39:22 June 29:19 31:11 35:2 Junior 69:15, 19,23 70:3 Justice 27:7	law 21:19,20 60:23 lawsuit 13:13 29:3 30:7 60:21,22 69:16, 24 138:6 lawsuits 142:17 lawyer 26:3,7 76:9 lawyer's 26:5 lawyers 36:2,7 Leano 82:3,4 learned 141:10 145:3 leave 26:16 left 90:4 95:17 150:16 legal 102:9 Leonard 80:17 81:3 82:12 84:9,17,24 85:3,5,17,21 86:24 88:9 90:5 92:13,23,25 97:4,20 98:9,23 99:2 100:5 107:13 109:24 111:8,18,25 113:1 119:13, 18 121:19 122:5,7,9,16,17 123:4,12 127:1, 4,10 letters 143:7 letting 49:19, 23 Lewis 21:1 liability 52:7
important 134:18	informed 84:7	involvement 62:9	involved 28:23 29:7 34:16 37:22 42:8,11, 14 44:15 58:2 67:2 68:10,22 69:12 72:18 77:25 79:25 80:2,3,6 115:23 130:20	
impound 45:5 55:19	inside 90:11 137:20,23 139:9,18 140:18 141:18 142:14,21	involves 30:7 61:1	K	
impounding 44:24	instruct 22:12 38:9 52:9,23 145:19	involving 60:23 142:17	K-A-L-L-A-T-T 12:13	
Inaudible 50:5	instructed 36:22 37:20 38:4,12 145:6, 16 146:9	J	Kallatt 11:7,18 13:9 19:2,5 144:21	
incident 29:19 34:25 44:13 62:21 90:2 110:9	instructing 22:13 28:7 147:4	jacket 127:10, 13	Kenneth 11:16 Kenny 131:11 Kimberly 71:1 kind 91:2 knew 39:18 115:17 139:5 knives 125:24 knock 61:10 Krystal 11:2	
incidents 29:17	instruction 147:5	Jackson 11:3 January 45:2 80:17 90:2 98:15 101:16 105:19 124:6 129:7 130:2 132:18,23 133:21,25 134:8,9	L	
include 144:25	interaction 127:16	Jim 11:22,24	lack 29:23 32:24 56:19 119:3 lacking 16:9 17:18 Lamonica 20:25 lane 85:13,14, 18 91:13,22	
included 35:9, 13	interactions 127:22 133:24	job 145:13		
including 60:15	interest 136:14	John 74:11		
independent 90:1	interested 40:23 41:13,14	join 33:18 38:15,19		
independently 108:22	interrogatory 143:24	joint 103:12 105:24 108:3,6		
individual 11:21 55:21 66:23 67:24 69:6 104:12,16, 23,25 105:8,16 107:24 120:21 125:4 128:19 133:21 135:16 137:8,20 143:17	interview 21:24 22:1 85:24 135:16 137:17	Jones 14:9,10, 15 15:7 16:5 17:1,2 18:7,12, 22 19:2,8,10 20:10 21:6,13,		
individually 105:2,5	introduced 149:22			
individuals 21:5 52:19 76:1 77:25 78:1 86:25 87:16 88:12 104:20 118:20 119:17	investigating			

license 141:15	LW-123 74:25	57:12 59:19	message	money 36:1,6
life 134:13	LW-125 74:12	60:6 63:22	146:19	58:6,9,16,21,25
lines 12:21	Lynn 74:24	66:19 67:9	met 26:25 27:4	65:19,20
75:18	<hr/> M <hr/>	70:6,9 71:9	39:2,3,4,5,7	Monico 11:21
Lionel 69:6,7,	M-O-H-A-M-M-	74:3,14,15,16	138:19	Moore 41:18,
15,17,23 70:2,	E-D 12:13	75:8,9,10,11	Mick 11:25	21
3,13,16,21,23	made 140:13	82:20 88:23,25	middle 124:18	morning
72:2	142:23 145:21	89:3,6 100:22	might've	47:13,15 48:2
list 35:5 71:20	146:12	101:12 103:23	135:13 140:23	80:23 84:11
listed 32:21	mailbox 29:5,	105:25 128:20	145:12,14	87:10
33:5 34:13,22	8,10,13,16,22	marking 30:11	mind 108:24	Morris 74:23
47:16 52:1	32:12 33:16,17	Master 11:11	minute 43:16,	Morrow 74:13
62:14 67:7	34:10,17	Matt 11:24	20 72:24 73:14	mother 47:25
130:9,16 146:2,	mailboxes	matter 11:8	111:1	motion 107:18
3,6	31:19 32:9	65:8	minutes 25:15,	moving 69:3
listen 27:24,25	make 16:8 17:9	matters 12:25	16,17,23 78:11,	multiple 38:19
lists 113:11,22	27:5 29:16	meaning 19:10	12 98:4 120:25	<hr/> N <hr/>
lived 141:11	37:19 70:7	21:18 63:5	137:21 144:3	name's 34:2,
lobby 58:24	76:12,13 86:23	82:15 102:22	150:9,10,12	19 65:2
locked 40:6	96:7 97:7	means 111:19	mischaracteri	named 35:23
41:19	129:19,22	meant 95:15	zation 38:1	36:5 57:1 64:4
Loevy 11:6,15	142:1,20	medication	mischaracteri	69:6,24 71:15
Lomax 99:16,	143:15 144:10	12:20	ze 37:11	94:10 130:16
21 110:3 123:5	makes 40:22	meet 25:20,21	mischaracteri	149:17
126:18,20	41:3,9,10	26:1 39:6	zes 37:7	names 22:25
long 18:6 25:13	making 108:23	meeting 13:3,	misconduct	86:16
46:9 60:10	male 24:7,8,22	12 25:22 135:5	14:18 15:3,8	narcotic
98:22 113:7	31:18 115:1	142:7	16:5 17:3,6	146:21
120:23 137:19	man 36:1,6	member 38:5	21:13,16,18	narcotics
142:24 144:1	137:22 149:21	members 42:4	56:18	76:25 77:2,15,
looked 40:25	Manny 130:11	138:6 140:8	missed 128:18	20,23 78:3,8,16
41:1 43:17	Marc 100:18	144:25	missing 73:8	79:22,23 80:2,4
64:20 78:14	110:3 126:3	memorialized	mission 77:2,	96:4,6,9,13
110:20,21	March 30:7	146:18	19 118:10	102:19,20,25
lookouts 86:2	72:1	memory 29:12	146:25	103:3,4,5 115:2
Lorener 75:2	mark 27:14,15	66:15 90:1	missions	122:24 125:5
lot 36:1,6 73:14	33:20 42:23	mentally	146:22	146:25
117:10 124:12	49:4 57:7 73:25	40:17,19 41:2,	Misstates	narrative
lunch 79:5	105:23 106:8	3,9,11	146:10	31:20 32:3,14
LW-111 74:22	122:24	mention 81:23	Mohammed	43:22 60:11
LW-113 74:10	marked 30:13	140:12 142:7,	11:7,18 19:2,5	110:23 111:11
LW-117 75:1	33:25 42:21,24	13,16	21:13 32:16	114:22
LW-119 74:24	48:8,16 49:5,6,	mentioned	60:25 129:18	needed 23:18
	7,8,9 56:11	27:10 110:3	134:25	136:19
		122:13 132:21	moment 16:13,	
		136:19	19 50:12	

news 141:16	objections 16:8 38:19	opposed 78:21	paragraph 43:8,22	6,11,15 102:6, 7,13,16,18 103:3 105:5 108:15,24 129:6 135:23
Nice 135:2	observed 113:1	order 81:4 86:1 109:10	parked 111:14	personal 87:12
non- 63:19	obtain 26:20, 23	<hr/> P <hr/>	parking 117:10	personally 35:21 38:9 105:8 145:20 146:9
non-attempts 78:15	occur 146:21 147:5	p.m. 129:13,16 151:2	part 32:4,12,15 89:11 104:20 117:14	phonetic 35:23 71:1,3 80:14 82:5 130:11
noon 47:17 51:24	occurrence 31:11 43:9	P.o.'s 32:16	participating 89:10	photo 70:19
normal 89:11	Offender 110:24 111:2,3, 6,7,14,18	pad 140:25	parties 38:18	phrase 29:5
Northern 11:10	offender's 31:15	pages 106:13	partner 20:9, 15,17,18,24	physical 70:24
notes 137:5,9	offhand 39:15	Palles 11:18 13:9 19:4 21:21 22:3,5,11,15 28:6 29:23 30:14,16,21 31:24 32:2,24 33:8,18 34:1,4 35:8 43:4 44:4 48:9 49:2,10, 15,19,23 50:3, 8,18 51:1,17 52:8,22 55:11 56:19 57:13,16, 22 60:12,14,17, 22 61:5,7,12,20 62:1 63:23,25 66:4,21 69:4, 17,20 70:10 72:10,16 73:2, 7,10,18,21,24 74:4 75:12,14, 17 76:17,21 77:5,11 79:6 87:21 92:17,20 100:24 102:8 103:16,18 104:1,3,9 106:1,7,13,16 107:4,7,10 108:8 110:18, 20 113:16 114:7 119:3 121:11,21 124:9,11 129:17 134:18 135:18 144:10, 13,16,18 148:3, 5 150:19,23	partner's 20:20	physically 40:16,17
notification 94:21	office 24:16 27:8 147:6		partners 21:5 115:22 116:8	picture 57:6,9, 19,20 68:15 70:15
noting 78:6	officer 27:18 32:21 33:6 39:8 43:13 52:2 54:5 62:12 67:8 71:16 75:21 83:20,24 96:12 97:16,19 112:7, 14,18,20 122:21 124:5 125:1		party 38:17	pictures 48:14 66:14
November 11:5 23:3,7 26:7	officers 12:2 18:2 81:17,21 94:4,9,14 96:22 115:23 121:20 130:9		pass 109:25	pieces 141:25
number 11:11 32:16,19 34:13 43:14,25 44:3 71:16 77:10,14 82:18 110:24 111:2,3,6,7,14, 18 113:4,7,12, 15,23	offices 11:6		patrol 117:11, 12	Pierce 74:11
<hr/> O <hr/>	Ollie 99:8 100:1 107:14 108:4,12,23 109:9,16,21 110:6 120:21, 24 122:18 123:5 126:8 128:22 129:3		pay 36:2,7 65:20	place 19:24 49:24 65:3 139:20
oath 12:14	Oops 100:21 107:4		paying 143:4	places 88:20
object 15:10, 21 16:7,8,12,21 17:11,17 21:9 29:23 33:8 35:8 37:6,15 38:1,8 56:19 72:20 102:8 113:16	open 72:4 98:13,17,18	pants 122:4	pejoratives 50:12	Plaintiff 108:3, 6
objection 15:15 21:21 22:11 28:6 32:24 33:15 37:13,19,24 38:14,16,17 52:8,22 55:11 119:3 121:21 127:7 135:18 136:15 138:21 139:14 146:10	opened 148:22	paper 141:1	pen 141:1	plaintiff's 103:12 105:23 143:12
			pending 11:9	plaintiffs 11:15,17 142:17
			people 24:5,15 35:5 48:22 77:22 81:4,16 86:18,19 87:8 89:13,20 95:7, 9,11,17 107:13 138:9,11 139:24 145:24	plastic 122:4 124:21 126:20, 24
			perimeter 116:24 117:2 119:1	
			period 18:15, 25 19:1,8,9,16, 19 20:1,8,13 21:4 127:6 142:25	
			person 59:22 70:12 101:2,4,	

plates 141:15	127:5,14	promises 142:20	14,15,22 147:13	11 51:2 53:9 54:23 56:8
PLAYS 16:20 17:15	practice 35:5, 15 36:17,21,23, 24 49:1 71:20 112:16 125:21 144:23	prosecution 22:10 52:21	quick 54:13 56:10 61:3 74:7	58:2,5,6,12,14, 15,19,23 59:2, 5,9,25 62:17,21 63:2,7,8,15 64:23,24 65:25 66:1,13 67:17, 20,23 68:24 69:2,14 70:2, 13,15,17,23 71:25 75:25 76:2 77:24 78:4,24 79:13 83:5,16,19,22 85:4 97:22,24 98:24 99:15,18, 21,24,25 100:4, 15 101:19 112:25 114:14, 19 116:18 118:5 119:7,10 120:17 122:1,2 125:3 126:6,10, 12,15,16,17,22, 25 127:8,11,12, 15,16,19,22,25 133:24 135:6 136:2 137:7 140:25 143:16 145:6
pocket 122:4	precise 132:4	prosecutors 143:10	R	received 114:25
podcast 27:23, 24 28:14	prepared 12:17	provide 97:4	R/os 114:25 116:22	recognize 79:15 91:12 101:11 128:18, 21
point 78:5 88:10 93:3 128:9 138:23 139:5 140:11 150:13	presence 35:25 36:5 65:18 94:2	provided 87:2	race 136:2	recognized 91:17
pointing 92:17	present 35:6 38:7 56:5 58:17 145:1	pull 92:12 119:11,12	radio 90:16,17 93:4,5 94:20 97:25 98:5	recollection 34:16 44:12,15, 20,22,23 45:21 57:25 59:14,20, 22 62:8 65:8 66:25 67:1,2 68:6,18,21 71:13,22 72:6,7 76:14,22 77:1 78:21 104:12 107:24 115:4, 13 116:20 133:3
points 116:23 117:5	pressure 14:3, 6	pulled 92:2,7	radioed 96:24	recollections
police 18:3 27:18 35:7,13 36:17 37:3 39:8,22 40:1,2 45:17 47:4 53:5,21 54:3,5, 20 59:9 63:14 67:24 71:21 83:19,24 94:2, 4,9 95:8 112:17 115:21,23 116:14 124:5 127:17,22 138:7,13	pretrial 11:8 107:18	purchasing 86:18	radios 92:1	
policy 36:19,20 145:3	pretty 121:15 128:10	pushed 63:12	raise 12:4	
porch 141:4	primarily 14:18	put 37:2,20 38:5 63:10,16 70:8 73:17,22 104:24 106:7 112:13 141:14 146:13 147:3	Rasaan 71:3	
portion 31:20 110:23	printed 150:21	putting 65:11	rat- 84:20 117:6	
position 109:11,12	prior 58:13 71:25 85:20 89:23,24 129:20 133:18, 20,24 134:8	Q	rat-infested 81:18 94:16 130:18,24 132:7,17	
possessing 127:5	prison 143:1 147:19,22 148:8	question 15:11,22 16:9, 16,17,20,22 17:12,13,14,15, 18 21:10 22:9, 18,20 23:15 37:9 41:7 50:5 52:5,6,12,14,18 64:6,7 76:15 78:9 86:22 95:22 97:19 109:8,13 113:13,23 131:4 132:19 133:16 135:4	reach 122:3	
possession 76:25 77:15 78:7,15 126:4, 20	privilege 22:12 52:9,23	questioning 72:21 147:18	read 43:20,21, 23 60:9,10,11 68:2 71:7 75:14 76:4,10,11,18 78:10 103:6 104:9,11,14 106:20 114:24	
possibly 24:19	pro- 115:22	questions 25:19 33:15 49:21 50:7 61:21,24 68:16 108:21 110:16 129:11 132:4, 10 134:15,20 144:5,6,8,12,	readable 63:20	
Post-it 146:18	proceed 61:20 72:22		reading 65:7 104:19 111:5, 13	
potentially 22:10 52:6	proceeding 55:19 99:5 107:1,12		ready 64:13 72:24 76:15 134:19	
powder 124:21 126:5,9,21,24	proceedings 11:1,9 45:13 107:17		real 56:10 74:7	
	prohibit 12:21		rear 111:15,16	
	Project 149:8, 11		reason 102:24	
			recall 29:10 31:7 39:13,21, 24 40:3,5,7,8 41:18 42:2,5,9,	

76:5	75:4	127:24 131:2,3, 5,8,11,14,17, 20,23 132:1,5, 16,22 133:22 135:9,24 136:1, 10 137:18 138:8 139:10 140:10,19 141:16,17,19, 20,23,24 142:15,22 143:3 149:4,18, 19,25 150:1,2	reports 35:7, 13,18 37:3 51:22 52:2 53:16,19 54:3, 6,8,9,10 68:18 71:21 76:4,13 78:14 89:23 112:12 145:7, 16,20 146:2	100:16 110:3 122:24 123:5 124:15,22
record 11:13 50:22,23,24 51:1 61:14,15, 16 66:3,5,6,8,9 72:8,11,13,14 92:17 121:14 129:13,14,15, 22 137:14 150:25	related 34:8 44:24 51:23 52:19 68:11 69:24 89:23 107:13 150:4			Roberts' 125:2
recorded 137:11	relates 64:2,21			rode 17:24 21:1
recording 137:14	relating 34:9 99:6			roll 134:19
recover 124:20 126:7 127:13	relationship 40:9			Ronald 11:19 16:5 17:5 18:7, 12,22 19:9,11 59:2 140:8
recovered 97:12	released 142:25	remembered 139:11	represent 11:15,17 144:21	roughly 72:19
redacted 103:13,15 104:1	relevance 72:21	repeat 16:17 17:14 77:18	represented 11:21 136:24 149:16	run 92:3 93:25
REDIRECT 147:15	remember 13:3,7,10,12, 14,21,22,25 14:8,11,14,25 18:18 21:13,14 22:25 23:6,14 25:11,12 26:19 27:9,11 28:13, 16 34:24 39:16 41:22 42:1,16 45:3,4,9,15,20, 24 46:1,7,8,14, 22,23,24 47:2, 3,10 48:20 53:10,12,22 54:17,18,22,23, 24 55:9,10,15, 16,22 56:4 63:11 65:11,14, 18 67:23 68:22 69:14 70:12 79:18,19 80:11, 12,13,15,20 81:16,19 84:2 86:15 89:3,5, 17,19,22 91:3, 6,7 94:7,8 98:2 99:5,7,10,23 100:2,6,9,10, 17,19 101:5,7, 8,18,21,25 102:3,5 105:18 108:22 109:6 110:2,6,8 113:9 114:13,18 115:7 122:8,14, 15 125:7	report 31:4,6,7 33:3,22 34:6,9, 20,22 37:21,25 38:5,6,10 43:2 44:20 53:15,21 55:6 56:13 60:9 62:12 63:21 64:14,20 65:2,8 67:6,8 68:11 71:16 74:8,10, 11,13,23,25 75:1,2 100:7 103:6,8,9 104:7 105:7 110:13 111:5 112:4,18, 21 113:5,11,12, 14,22 122:9 124:16 129:19 130:1,17 132:14,21 133:2,7,12 144:24 145:7 146:3,6,9,13	representing 136:13 138:2	running 42:3 101:23
recovered 97:12			REQUESTED 16:20 17:15	<hr/> S <hr/>
redacted 103:13,15 104:1			reserve 150:20	sales 83:13 84:10 95:16
REDIRECT 147:15			residence 137:24 141:7,9	scope 21:22 28:6
refer 32:11 111:7			responded 109:10	scratch 70:20
reference 58:20			rest 106:22	screwed 73:13
referenced 116:18 119:1			review 62:4 64:10 89:22,23 110:15 113:12	Scroggins 122:14 123:6 126:18,23
references 113:15			reviewed 62:6 107:16,18 132:13	search 84:25 125:8,10 127:10,12
referring 36:19 80:16 149:21			reviewing 44:11 71:8 107:23 130:4 133:12	searched 125:10,12,15 126:1
refers 64:14			ride 20:7,8,10	secondary 77:6,14 78:7
reflects 122:9		reporter 11:4 16:19,20 17:15 42:22 59:17 60:5 66:18 74:20 82:19 86:9 103:22 105:21 121:16 128:4,6 150:22, 25	Ridgell 11:23 56:12,24 112:21,23 119:21 132:2	section 32:3, 14
refresh 34:15 44:12 57:25 68:5,17 71:12 76:14,22 78:20 107:24 115:4, 13 116:20			ridiculous 50:2,15	sell 87:2 96:4,6 102:25 103:3,5 104:20
refreshed 104:11			Riley 74:25	selling 83:3 96:9,13 99:13 103:4
refreshes 62:7 65:8 76:4 133:3		reporting 43:13 62:12 75:21 112:6,14, 17,20	ring 57:2	Senior 69:7,18 70:3,13,23
relate 64:16,17			roaches 80:24	
			Roberts	

Senior's 70:21	106:25	97:7 108:23	star 32:19	street 45:5
sense 27:6	sic 11:25	sound 71:2	34:13 43:13	56:1 88:24
sentence 109:7 114:23 115:11 116:22, 25	sick 47:25	sounds 27:15	stared 46:19, 21	strike 19:7 27:6 29:18 57:8 64:18 103:17 124:20 126:19 132:19 143:10
separately 75:19	side 63:17 70:20	Spaargaren 11:25 89:18 130:10 131:4,5	staring 46:23	stuff 80:24
September 60:1	signature 75:18 150:20	Spalding 140:12	start 83:12 84:10 90:7 111:13	subject 22:10 29:3 30:6 51:7 52:7,20
sergeant 36:25 37:1,19 38:3,4 81:12 116:23 118:2,3, 7,9 131:23	significance 78:18	sparks 66:15	started 18:11 83:7 86:24 110:15 149:11	substantively 25:19
sergeants 18:2	significant 78:8	speak 13:9 23:10 46:3,10, 12 118:10 124:7 140:22	starts 47:17 114:22	sued 28:24 60:20,22 61:1
servings 124:6	silver 111:14 113:6 116:14	speaking 39:21 48:19	state 12:12 24:15 105:2,4	summary 114:23,25
set 82:9,25 83:11 84:13 86:2 96:15 116:23	similar 116:14	specific 18:10, 18,21 33:16	state's 24:10, 14,16	summer 58:6
setting 83:6 96:4,6 103:5 115:5	simply 51:1,8 109:10	specifically 131:2	stated 116:12	Summers 81:14,15 131:18
Shannon 140:12	single-family 141:7,9	specification 138:21 139:14	statement 64:8 129:19	super 132:4
share 116:7	sir 12:3 30:21 50:16 79:12 89:8	specifics 75:17	States 11:9	Superior 45:5 56:1
shift 47:11,13, 15,17	sit 131:1,5,8, 11,14,17,20,23 132:1,17,19	speculation 138:21 139:14	station 39:22 40:1,2 45:17 47:4 53:5 54:20 59:9 63:14 65:23 67:24 125:14 126:1 127:17,23 147:8,9	supervised 140:9
short 144:15, 22	sitting 45:25 80:23 81:7	spell 12:12	stealing 58:6	supervising 89:11
should've 128:12	situation 15:25 16:2	spend 43:16	Stefon 59:13, 25 62:8,21,25 64:2,15,21 65:11,14,19,22	Supervisory 12:2
show 30:5,11 42:21 59:15 60:3 66:14 67:5 70:6 71:5 103:11 128:2 139:24 143:9, 12	slap 59:2	spoke 46:4,17 137:3,5	stole 58:10	supplemental 38:5
showed 25:8 87:14 139:25 142:4	slow 54:16	stairs 92:2 101:23 102:4	stop 87:15	supplementar y 33:22 34:6,9 37:25
showing 57:15	small 91:8 124:21 126:4,8 127:5,13	stairway 94:8 107:25 108:16, 25 125:5	stopped 93:10, 11,12 98:2,5,7, 8	supposed 106:14
shows 87:15	smart-ass 63:5	stairways 93:21,22,23 94:5,12,15	stored 68:23	suppress 77:2
	Smith 21:2,3 51:4	stairwell 65:15 104:17 129:7	straight 37:18	suppression 77:2,19 106:1
	sock 68:23,25	stairwells 94:9 102:1,2		surrounded 145:24
	solemnly 12:5	standing 31:19,21 32:8 33:15 92:23 119:13 120:19 140:23		surveillance 84:15,16,18 88:22 89:1,10,
	solicit 134:3,5, 10,12			
	someday 73:5			
	sort 29:2 84:13			

14 93:5,13 95:18,24 96:15, 18,25 97:5,25 98:5,22 101:22 115:5,23 116:23 117:5, 15 132:8,18 133:5 surveilling 84:17 85:15 88:19,21 93:1 94:18,21 119:1, 25 suspect 122:24 124:22 126:5,9,21,24 127:6,14 sustain 85:21 swear 12:5 <hr/> T <hr/> tact 145:8 147:6 tactical 144:24 145:19 taking 22:9,14, 17 28:10 48:1 52:11,14,25 58:23 59:10 68:18 137:5,9 Talia 11:3 talk 13:18,20 14:3,6 21:22,23 25:18 26:3 27:17,20 46:5 61:9 123:12 136:23 139:22 150:3 talked 13:24 14:2 24:15 33:13 46:7 55:18 132:6 135:5 150:8 talking 14:8 18:16 19:10 22:1 29:15,16, 17,18,21 31:24 41:25 50:17 55:24 62:22	82:10 88:10 95:9,10 112:25 119:18 121:9 129:24 143:10 talks 110:24 111:2 target 72:18 73:1 90:21 targets 84:18 team 18:24 34:23 35:5,10, 15 36:24 37:2, 21 38:5,10,12 42:4 71:18,19, 20,21 89:11 94:6 112:16 116:8 140:8 142:18 144:24, 25 145:8,19,20 146:2 teammates 83:24,25 84:8 121:20 tear 72:4 telling 12:21 40:5 41:18 58:15,19 59:10 65:14 81:4 130:5 tells 104:19 ten 45:14 137:21 144:3 150:8,10,12 Tepfer 11:14 12:11 13:11 15:13,16,23 16:14,17,23 17:14,21 19:6 21:11,25 22:7, 13,16 28:9 30:1,15,18,23, 24 31:22 32:1, 3,7 33:1,10,19 34:2,5 35:11 37:8,17 38:2, 11,16,21,23,24 42:20,23,25 43:7 44:2,5,7 48:10,11,18,25 49:3,13,17,20	50:1,6,9,14,17, 20 51:9,19 52:10,24 55:13 56:20 57:14,18, 23 59:15,18,21 60:3,7,13,16,19 61:3,6,8,18,22 62:2 63:24 64:1 66:2,11,17,20, 22 67:11 69:5, 19,21,22 70:11 71:11 72:8,23 73:5,8,12,19, 22,25 74:5,18, 21 75:20 77:3, 8,13 79:7 82:17,21 86:11 87:23 92:21 101:1,14 102:11 103:17, 20,24 104:2,4, 10 105:20,22 106:3,4,11,15, 18 107:6,8,11 108:9 110:19, 22 113:18,20 114:9 119:5 121:13,17,22 124:10,12,14 127:9 128:2,5, 7,10,16,23 129:9,21 134:15,22 135:6,16,23 136:5,8,12,15, 18 137:3,5,13, 16,19,22 138:1, 4,11,17,21 139:8,14,18 140:7,12,17,21 141:10,18,22 142:1,13,20,23 143:6 144:5,7, 9,17 146:10 147:16 148:7 150:18,24 Tepfer's 72:17 Teresa 74:9 Terrific 114:10 test 21:23 60:12,17,19 73:1,3 testified 45:4,	12 108:3 144:23 147:24 testify 12:17 98:1,3 109:12 testifying 35:4 42:14 44:24 45:9 54:12 55:14 99:5 130:17 testimony 12:5 21:7 37:7, 12 55:17 106:15,19,21 107:12,16 108:25 129:20 132:13 133:18 text 146:19 that'll 48:13 thing 29:17 43:21 60:10 76:24 105:11 114:25 things 50:16 141:17 thinking 142:9, 11 This'll 105:21 Thomas 64:3, 15,21 66:12 67:3,15 68:10, 13,16,19 thought 138:23,24,25 threatening 72:3 throw 104:6 time 11:5,6 12:24 14:22 17:25 18:1,2,4, 7 19:1,9,15,19 21:4 26:6 27:18 36:3 43:23 46:17 47:9,10, 16 50:22,25 51:5,8 54:4 56:23 61:8,14, 17 62:3 64:10 66:10 71:7	72:12,15 75:3,7 85:2,4 93:19 98:9,17 104:14 113:12 126:19 129:13,16 134:13 137:2,3 138:1 142:24 145:25 times 45:12 58:12 75:5 145:18 today 11:3,4 12:18 21:23 28:7 66:20 79:5 131:2,5,8,11, 14,17,20,23 132:1,17,19 134:16 told 15:6,14 23:18,22 24:2 25:16,18,22 26:3 36:6 37:1 59:6 86:1 87:22,24 90:16 111:20 115:21, 24,25 118:13, 15 123:9 148:24 149:16 150:3 top 43:8 57:20 77:5,6,9 108:4, 10 113:4 topics 134:16 track 30:10 traffic 81:1 trained 36:22 transaction 94:25 transactions 95:23 travels 39:8 true 49:17 trusting 129:2 truth 12:6,7,22 truthfully 12:17 two-year 18:15
--	--	--	--	--

19:1,7,15 20:1, 12	132:10 147:1	wake 85:1	Watts's 38:4 89:11	95:17
type 40:13,15, 18,20,21,22 41:2,6,10 53:15,18,23 54:1,7,9 55:19	United 11:9	wake- 88:3	weapon 125:17	witnessing 59:2 62:15 71:16 77:25 127:12
typed 53:21 54:5,10 112:12	unknown 137:22	wake-up 86:3, 6 87:9,16 90:11 119:19 123:6, 12,13,20 124:4, 6	weeks 72:1	won 58:9
typer 54:13,16	unmarked 116:14	wakeups 88:13	weigh 144:11	wording 138:15
types 45:13	<hr/> V <hr/>	walk 81:5 85:25 90:9 97:6	weight 55:2	words 27:10
typewriter 53:18	vacate 138:5	walk-down 84:25	Wells 18:5,8, 13,22 19:2,9, 24,25 20:2 28:22 39:17 79:14,20 99:19	work 19:23 47:6,7,11,20,22 86:3
typing 44:20 55:5	vague 15:11 16:9 17:18	walked 40:2 85:11,12 121:2	Wentworth 39:22	worked 18:21
Tyrone 64:4, 16,22	Valdez 149:24	walking 85:10 111:21,22 112:1	what-you-call- it 106:8	worker 99:11
<hr/> U <hr/>	vantage 88:10	wall 63:13	whatsoever 29:7,12 58:3 65:9	workers 83:8 86:2
U.S. 24:20,21, 24 27:7	vehicle 111:15 113:1,3,4,12, 15,22 116:15 120:10	wanted 23:15, 22 25:21 27:17, 20 61:19 63:9 106:20 129:19 132:13 136:23 138:17 139:22 142:8 145:22 150:3,14	When's 12:24 56:23	working 18:4, 6,8,12 19:1,4,8, 20 86:20,21,25 87:1 88:25 123:23 145:19 146:5,7 149:11
Uh-huh 19:14, 17 20:23 31:13 32:13 43:3 44:9 86:7 91:23 95:21 101:13 102:21 103:22 107:20 118:21 148:21,23 149:6	verbally 43:4	warned 128:12	white 57:19 69:7,15,18,23 70:3,13,16,21, 23 89:7,8,9 90:18 93:15 118:25 124:21 126:4,8,21,24 127:5,13 133:3, 4 136:4	worry 57:13
Uh-uh 54:19 66:1 121:8 142:6 143:8 149:20	vice 31:4,6,7 38:6 43:2 44:1 53:15 60:8 62:12 63:21 64:13,19 68:11 74:8,9,11,13, 23,24 75:1,2 76:3 78:14 103:9 104:7 110:13 112:21 113:5 129:18 130:1	Washington 26:25	White's 72:3, 20	would've 45:2 47:14 55:11 139:11
unannounced 140:1 142:24 143:13	VIN 113:7	Watts 11:8,19 14:18,23 15:8 16:5 17:1,5 18:7,12,22 19:9,11 20:10 21:6,14 27:22, 24 28:14 36:24 37:1,19 38:4 53:10 54:15 58:10,17,20 59:2,6,9 63:4,9, 12 65:18 68:25 72:2 81:12 84:4 118:3,7,9 131:24 134:5, 12 138:14 140:9 144:24 145:15,19 150:3	white-skinned 81:21	write 33:2 112:18 143:7
understand 24:14 29:2 32:12 72:16 84:7 143:15 146:8,13	violating 21:19	warned 128:12	whites 92:2 117:10	writes 144:24
understanding 24:25 29:21 108:20 138:16	visit 140:13,21 142:24	Washington 26:25	William 11:20	written 103:7
understood 12:14 124:5	visitors 140:1	Watts 11:8,19 14:18,23 15:8 16:5 17:1,5 18:7,12,22 19:9,11 20:10 21:6,14 27:22, 24 28:14 36:24 37:1,19 38:4 53:10 54:15 58:10,17,20 59:2,6,9 63:4,9, 12 65:18 68:25 72:2 81:12 84:4 118:3,7,9 131:24 134:5, 12 138:14 140:9 144:24 145:15,19 150:3	Williams 75:2	wrong 21:17 30:12 78:6 87:6,7 138:9, 12,13
	<hr/> W <hr/>		window 91:19 98:13	wrote 35:17 38:10 54:1 112:3,11,12
	wait 35:4 87:21 105:11 114:4 144:10		windows 119:24 120:7	<hr/> Y <hr/>
	waited 80:25		windshield 91:19	year 13:1 18:11 19:19 23:4,5 80:11,12 135:8, 9 145:9,11 147:19
	waiting 81:1 82:7,9,11,25		witnessed 21:12 56:17	years 18:9,10

145:13

yelling 84:25

85:25

you-all 81:5

85:1 86:1 90:10

120:6

Young 130:10

131:12

Z

Ziploc 126:4,8

127:5,13