

Exhibit 57



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Transcript of Gerome Summers Jr., Volume II

Date: February 13, 2020

Case: Watts Coordinated Cases

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Transcript of Gerome Summers Jr., Volume II
February 13, 2020

1 (241 to 244)

<p style="text-align: right;">241</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE NORTHERN DISTRICT OF</p> <p>3 ILLINOIS EASTERN DIVISION</p> <p>4 -----x</p> <p>5 In re: WATTS COORDINATED : Master Docket</p> <p>6 PRETRIAL PROCEEDINGS : Case No. 19-cv-01717</p> <p>7 -----x</p> <p>8</p> <p>9</p> <p>10 Deposition of Gerome Summers Jr., Volume 2</p> <p>11 Chicago, Illinois</p> <p>12 Thursday, February 13, 2020</p> <p>13 10:07 a.m.</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 Job No. 274040</p> <p>23 Pages: 241-491</p> <p>24 Transcribed by: Megan Wunsch, AAERT CET</p>	<p style="text-align: right;">243</p> <p>1 A P P E A R A N C E S</p> <p>2 ON BEHALF OF CERTAIN PLAINTIFFS:</p> <p>3 SCOTT R. RAUSCHER, ESQUIRE</p> <p>4 LOEVY & LOEVY</p> <p>5 311 North Aberdeen Street, Third Floor</p> <p>6 Chicago, Illinois 60607</p> <p>7 (312) 243-5900</p> <p>8</p> <p>9 ON BEHALF OF CERTAIN PLAINTIFFS:</p> <p>10 JOEL FLAXMAN, ESQUIRE</p> <p>11 KENNETH N. FLAXMAN, PC</p> <p>12 200 South Michigan Avenue, Suite 201</p> <p>13 Chicago, Illinois 60604</p> <p>14 (312) 427-3200</p> <p>15</p> <p>16 ON BEHALF OF DEFENDANT RONALD WATTS:</p> <p>17 AHMED A. KOSOKO, ESQUIRE</p> <p>18 JOHNSON & BELL LTD.</p> <p>19 33 West Monroe Street, Suite 2700</p> <p>20 Chicago, Illinois 60603</p> <p>21 (312) 372-0770</p> <p>22</p> <p>23</p> <p>24 APPEARANCES CONTINUED ON FOLLOWING PAGE</p>
<p style="text-align: right;">242</p> <p>1 Deposition of Gerome Summers Jr., held at the</p> <p>2 offices of:</p> <p>3</p> <p>4 Loevy & Loevy</p> <p>5 311 North Aberdeen Street, 3rd Floor</p> <p>6 Chicago, Illinois 60607</p> <p>7 (312) 243-5900</p> <p>8</p> <p>9 Pursuant to agreement, before Ryan Grzelak,</p> <p>10 Notary Public in and for the State of Illinois.</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 style="text-align: right;">244</p> <p>1 A P P E A R A N C E S C O N T I N U E D</p> <p>2 ON BEHALF OF DEFENDANT KALLATT MOHAMMED:</p> <p>3 LAURA S. PLATT, ESQUIRE</p> <p>4 DALEY MOHAN GROBLE PC</p> <p>5 55 West Monroe, Suite 1600</p> <p>6 Chicago, Illinois 60603</p> <p>7 (312) 422-9999</p> <p>8</p> <p>9 ON BEHALF OF DEFENDANTS ALVIN JONES, ROBERT</p> <p>10 GONZALEZ, MIGUEL CABRALES, DOUGLAS NICHOLS</p> <p>11 JR., MANUEL S. LEANO, BRIAN BOLTON, KENNETH</p> <p>12 YOUNG JR., DAVID SOLTIS, ELSWORTH J. SMITH</p> <p>13 JR., JOHN RODRIGUEZ, GEROME SUMMERS, JR.,</p> <p>14 CALVIN RIDGELL JR., LAMONICA LEWIS, REBECCA</p> <p>15 BOGARD, FRANKIE LANE, and KATHERINE</p> <p>16 MOSES-HUGHES, DARRYL EDWARDS:</p> <p>17 ALLYSON L. WEST, ESQUIRE</p> <p>18 HALE & MONICO, LLC</p> <p>19 The Monadnock building</p> <p>20 53 West Jackson Boulevard, Suite 337</p> <p>21 Chicago, Illinois 60604</p> <p>22 (312) 500-2951</p> <p>23</p> <p>24 APPEARANCES CONTINUED ON FOLLOWING PAGE</p>

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<p>249</p> <p>1 MR. MICHALIK: Paul Michalik on behalf of</p> <p>2 Defendant City and certain supervisory officials.</p> <p>3 MS. WEST: Allyson West on behalf of the</p> <p>4 individual defendant officers.</p> <p>5 Whereupon,</p> <p>6 GEROME SUMMERS JR.,</p> <p>7 being first duly sworn or affirmed to testify to</p> <p>8 the truth, the whole truth, and nothing but the</p> <p>9 truth, was examined and testified as follows:</p> <p>10 EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS</p> <p>11 BY MR. RAUSCHER:</p> <p>12 Q Did you participate in the arrest of Henry</p> <p>13 Thomas on February 5th, 2003?</p> <p>14 A I do -- I do not recall. Have to look at</p> <p>15 a report.</p> <p>16 Q Do you remember Henry Thomas?</p> <p>17 A I don't.</p> <p>18 Q Okay. Did you look at reports relating to</p> <p>19 his arrest before your deposition?</p> <p>20 A Yes.</p> <p>21 Q Did you look at pictures of him before</p> <p>22 your deposition?</p> <p>23 A Yes.</p> <p>24 Q Did looking at either of those things</p>	<p>251</p> <p>1 Q Tell me when you last saw it.</p> <p>2 A When I was going over reports for this</p> <p>3 hearing.</p> <p>4 Q Since we talked on Tuesday, have you done</p> <p>5 anything else to prepare for today's deposition?</p> <p>6 A No.</p> <p>7 Q Did you review this report back in 2003,</p> <p>8 around the time it was created?</p> <p>9 MS. WEST: Objection. Foundation.</p> <p>10 A I -- I can't -- I can't remember exactly</p> <p>11 as far as date, time, or whatever, reviewing the</p> <p>12 report at that -- you know, at that time.</p> <p>13 Q If you had followed your standard practice</p> <p>14 relating to reports, would you have reviewed the</p> <p>15 report in February 2003?</p> <p>16 A Yes.</p> <p>17 Q And that's because your name is on it?</p> <p>18 A Yes.</p> <p>19 Q This is a report memorializing the arrest</p> <p>20 of Henry Thomas from February 5th, 2003; is that</p> <p>21 right?</p> <p>22 A Yes.</p> <p>23 Q Looking at this report again today, does</p> <p>24 it refresh your recollection about being involved</p>
<p>250</p> <p>1 refresh your recollection in any way about either</p> <p>2 who Henry Thomas is or whether you ever</p> <p>3 participated in arresting him?</p> <p>4 A No, it did not.</p> <p>5 MR. RAUSCHER: All right. I am going to</p> <p>6 mark Exhibit 8. We're going to continue the</p> <p>7 exhibit numbering from last time.</p> <p>8 THE WITNESS: Okay.</p> <p>9 MR. RAUSCHER: Document Bates stamped City</p> <p>10 BG 032864 to -865.</p> <p>11 MALE SPEAKER: And did you say 8?</p> <p>12 MR. RAUSCHER: 8, yeah, yeah.</p> <p>13 MALE SPEAKER: Thanks.</p> <p>14 MR. RAUSCHER: 032864.</p> <p>15 MALE SPEAKER: Thank you.</p> <p>16 MR. RAUSCHER: Two-page vice case report.</p> <p>17 (Exhibit 8 was marked for identification</p> <p>18 and is attached to the transcript.)</p> <p>19 (Pause.)</p> <p>20 Q Have you had a chance to review this</p> <p>21 report?</p> <p>22 A Yes.</p> <p>23 Q Have you seen this report before today?</p> <p>24 A Yes.</p>	<p>252</p> <p>1 in that arrest?</p> <p>2 A No. Not really, no.</p> <p>3 Q Do you see where it talks about a</p> <p>4 concerned citizen giving information to reporting</p> <p>5 officers?</p> <p>6 A Yes.</p> <p>7 Q Do you know if that is accurate?</p> <p>8 MS. WEST: Objection. Foundation.</p> <p>9 A If -- I do not -- I do not remember a</p> <p>10 concerned citizen, but it being on the report, I</p> <p>11 would say that it's accurate.</p> <p>12 Q You assume that whatever's in the report</p> <p>13 is accurate?</p> <p>14 A That is correct.</p> <p>15 Q Do you see that there's a discussion about</p> <p>16 a plan where ROs Jones, Ridgell, Summers,</p> <p>17 Mohammed, Young, and Sergeant Watts would approach</p> <p>18 the building on foot?</p> <p>19 A Yes.</p> <p>20 Q What was the plan after approaching the</p> <p>21 building?</p> <p>22 MS. WEST: Objection. Foundation.</p> <p>23 A I do not remember.</p> <p>24 Q What would a typical plan have been --</p>

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<p>253</p> <p>1 well, let me ask you this. Would it be typical 2 that after receiving information from a concerned 3 citizen about narcotics being sold that you and 4 others on your team would approach a building on 5 foot? 6 MS. WEST: Objection. 7 A Yeah. 8 MS. WEST: Sorry. Form. Go ahead. 9 A Yes. 10 Q And then what would -- typically, what 11 would you do next? 12 A Well, if we're going to approach the 13 building on foot, we already know pretty much 14 who's going to come from what direction, and 15 whatever information that we're armed with, we 16 already know who -- what we're looking for. 17 Q And then what would you do with that 18 information? 19 A We would approach the building. 20 Q Okay. And when you got to the building, 21 would you just go try to immediately arrest 22 people? 23 MS. WEST: Objection to form, foundation. 24 A It depends on the situation. If we were</p>	<p>255</p> <p>1 in this report? 2 A No. 3 Q Do you know what a reverse sting is? 4 A Yes. 5 Q Have you participated in reverse stings? 6 A Yes. 7 Q About how many reverse stings did you 8 participate in as a Chicago police officer? 9 A Multiple. 10 Q What does "multiple" mean? 11 A Well over ten. 12 Q And how many of those reverse stings did 13 you participate in while you were a member of the 14 Public Housing South team? 15 A I would say three -- 16 Q Do you -- 17 A -- four, maybe. 18 Q Do you have any specific recollection of 19 any of those three or four reverse stings? 20 A Yes. 21 Q Tell me what you remember about those -- 22 well, how many of them do you remember 23 specifically? 24 A I remember one specifically.</p>
<p>254</p> <p>1 able to catch somebody very close to where we 2 entered the building, as quickly as possible, if 3 they had narcotics, the officer would place him in 4 custody, but circumstances, depending on the 5 building, how many people are in there working, 6 and things of that nature. 7 Q If you -- if you got a tip that someone 8 was selling drugs or if you were conducting 9 surveillance and you saw someone selling drugs, 10 did you ever let them conduct a number of 11 transactions before you effectuate an arrest? 12 A In certain situations, yes. 13 Q Tell me about those situations. 14 A Well, on certain situations, depending on 15 if we were also trying to see that the person did 16 it multiple times, if we wanted to also try to 17 catch multiple offenders, who were also buying the 18 narcotics, so it would depend on circumstances 19 similar to that. 20 Q Do you know if this was one of those 21 circumstances? 22 MS. WEST: Objection. Foundation. 23 A I do not recall. 24 Q Was this a reverse sting, what's described</p>	<p>256</p> <p>1 Q Tell me which one you're talking about. 2 A I remember one where -- I -- I can't 3 remember what building. Okay? But we had set up 4 to do the reverse stings, and in the midst of 5 doing a reverse sting, one of the potential buyers 6 had a family member who was pretty high up 7 politically, and the first thing after we 8 apprehended him, after he had approached and asked 9 one of the officers to solicit narcotics and after 10 he was placed in custody, he, you know, tried to 11 name-drop and letting know that his family member 12 was such and such person in politics. 13 Q Is that the only reverse sting that you 14 have a specific recollection of from your time at 15 Public Housing South? 16 A I mean, it -- it was others, but that 17 detail just stood out about that one. 18 Q Who was the person or people that offender 19 tried to name-drop? 20 A It's okay for me to say that? 21 Q Yes. 22 A It is? Okay. They name-dropped Carol 23 Moseley Braun. 24 Q What was the relationship with Carol</p>

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<p style="text-align: right;">257</p> <p>1 Moseley Braun?</p> <p>2 A I believe he was a cousin. I believe he</p> <p>3 said cousin --</p> <p>4 Q And was --</p> <p>5 A -- nephew.</p> <p>6 Q -- he arrested?</p> <p>7 A Yes.</p> <p>8 Q Either a cousin or a nephew, you said?</p> <p>9 A Yes.</p> <p>10 Q And that -- he was arrested?</p> <p>11 A Yes.</p> <p>12 Q Did you personally arrest him?</p> <p>13 A No. He was one of the multiple arrestees.</p> <p>14 Q Do you know what his name is?</p> <p>15 A No, I don't. We don't even know if he was</p> <p>16 telling the truth, you know. We don't even know</p> <p>17 if he's telling the truth.</p> <p>18 Q You never checked whether he was telling</p> <p>19 the truth?</p> <p>20 A No.</p> <p>21 Q Do you know what time period this</p> <p>22 happened?</p> <p>23 A I don't remember.</p> <p>24 Q Do you remember anybody else arrested that</p>	<p style="text-align: right;">259</p> <p>1 once they did, they were placed in custody for</p> <p>2 solicitation of narcotics.</p> <p>3 Q Would you make any announcement so that</p> <p>4 people knew that you were supposedly selling</p> <p>5 narcotics?</p> <p>6 A Depending on where we would set up and</p> <p>7 take over, yes.</p> <p>8 Q And why does it depend on where you were?</p> <p>9 A Because some places did not call out --</p> <p>10 example, "rocks," "blows," or a certain line name</p> <p>11 -- and other places did call out to advertise.</p> <p>12 Q And did they call out at 527 Browning?</p> <p>13 A I cannot remember if they called out. Are</p> <p>14 you asking for this specific reverse sting we're</p> <p>15 talking about, or are you just talking about in</p> <p>16 general?</p> <p>17 Q Generally.</p> <p>18 A Generally, I can't -- I can't remember</p> <p>19 because sometimes, if it was somebody different in</p> <p>20 the building, they might call out because, as I</p> <p>21 mentioned before, they'd rent out the building.</p> <p>22 So somebody might be in there selling narcotics</p> <p>23 that's not familiar to the people in the area, so</p> <p>24 they might call out. But sometimes they did;</p>
<p style="text-align: right;">258</p> <p>1 day?</p> <p>2 A I don't remember.</p> <p>3 Q Do you -- and I'm sorry if I just asked,</p> <p>4 but do you remember his name?</p> <p>5 A No, I don't remember his name.</p> <p>6 Q What was your role in that reverse sting?</p> <p>7 A I was one of the officers posing as a --</p> <p>8 excuse me -- I'm sorry -- a seller, I believe.</p> <p>9 Q Could you just briefly explain what a</p> <p>10 reverse sting is.</p> <p>11 A Yes. So a reverse sting is where we -- we</p> <p>12 take over and occupy a known narcotics spot. We</p> <p>13 clear the narcotics spot out of any -- if there</p> <p>14 are any -- anybody there selling or anything</p> <p>15 before we get there. We round them up, you know,</p> <p>16 place them in custody or whatever if we catch them</p> <p>17 with narcotics. Because sometimes when we did</p> <p>18 reverse stings, we would actually catch the people</p> <p>19 who were actually selling, and we would place them</p> <p>20 in custody, get them away and everything.</p> <p>21 And then we would take over the spot and</p> <p>22 occupy it as either potential -- as sellers or</p> <p>23 security and everything, and we would wait for</p> <p>24 people to come up to solicit the narcotics. And</p>	<p style="text-align: right;">260</p> <p>1 sometimes they didn't. But I can't exactly</p> <p>2 remember.</p> <p>3 Q Then how did you all decide when you</p> <p>4 should or when you shouldn't be calling out?</p> <p>5 A Because we already had prior knowledge</p> <p>6 sometimes that this particular spot either called</p> <p>7 out the dope or rocks that they were selling or</p> <p>8 they didn't.</p> <p>9 Q I thought you said, sometimes they did and</p> <p>10 sometimes they didn't at every building?</p> <p>11 A No. I -- I said, sometimes they did and</p> <p>12 sometimes they didn't, but I said it depended on</p> <p>13 if -- sometimes there were people over there that</p> <p>14 -- as I spoke of before -- rented out to sell. So</p> <p>15 sometimes -- that was the reason why sometimes</p> <p>16 they did. Other people who were regular sellers</p> <p>17 down there or the line was known, they didn't call</p> <p>18 out because the people already knew what dope was</p> <p>19 in the building.</p> <p>20 Q You were never a regular seller; right?</p> <p>21 A No, I wasn't. Like, either I was a seller</p> <p>22 or I was a person on security or who would -- they</p> <p>23 would come up to ask me, you know, for dope or</p> <p>24 whatever, and I may direct it to another officer</p>

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<p style="text-align: right;">261</p> <p>1 who might be posing as a seller.</p> <p>2 Q But the police were never regular sellers</p> <p>3 of drugs at the building, were they?</p> <p>4 A Never.</p> <p>5 Q So why didn't you always call out to</p> <p>6 announce that you were someone different?</p> <p>7 A Okay. You're asking why wouldn't I call</p> <p>8 out to announce that I'm somebody different?</p> <p>9 Q Isn't that what you said, that that's why</p> <p>10 -- maybe I misunderstood.</p> <p>11 A Okay.</p> <p>12 Q I thought you were saying when someone</p> <p>13 rented out a building to sell drugs, they would</p> <p>14 call out so that people knew they were there</p> <p>15 because they weren't the normal people selling.</p> <p>16 A That's correct.</p> <p>17 Q All right. So why wouldn't the police,</p> <p>18 when they're doing reverse stings, not always call</p> <p>19 out?</p> <p>20 A Because we wouldn't have to. Because if</p> <p>21 somebody was in there that's not normally in</p> <p>22 there, we wouldn't have to because they already</p> <p>23 know the building is up and working. Okay? 574</p> <p>24 was a building always selling narcotics. 527 was</p>	<p style="text-align: right;">263</p> <p>1 would know that. If you did have a line that was</p> <p>2 very good and people knew that, they're going to</p> <p>3 come and buy that dope.</p> <p>4 When you had buildings that had multiple</p> <p>5 dope lines in there at one time, people knew what</p> <p>6 they were coming to look for as far as regulars.</p> <p>7 They know I'm coming to look for this specific</p> <p>8 dope at 574, 527, 559.</p> <p>9 Now, if there's somebody in there with</p> <p>10 some new dope that they don't know about but they</p> <p>11 want the people to get their dope and try it, they</p> <p>12 may call it out.</p> <p>13 Q And how did it work if people called it</p> <p>14 out?</p> <p>15 A They --</p> <p>16 Q Who would they call it out to? Was it</p> <p>17 just public? How did that work?</p> <p>18 A No. Yesterday -- remember yesterday you</p> <p>19 had -- we talked about different lines of dope.</p> <p>20 Q Mm-hmm.</p> <p>21 A So let's say they were -- let's say it was</p> <p>22 Fuck You. Okay? They would yell, "Fuck You.</p> <p>23 Fuck You. Fuck You." They would yell that out.</p> <p>24 "Air Force One," "Gatorade," they would yell that</p>
<p style="text-align: right;">262</p> <p>1 always selling narcotics. 540 was always selling</p> <p>2 narcotics. Other -- other buildings. I may not</p> <p>3 be able to remember the address, but it was</p> <p>4 buildings down there that were always selling</p> <p>5 narcotics.</p> <p>6 So the only time when it might be, like I</p> <p>7 said, called out is when somebody's in there</p> <p>8 different and they want to advertise their line of</p> <p>9 dope because if they don't say that, the people</p> <p>10 will think that they're coming to buy the regular</p> <p>11 dope that's in there. Do you understand that?</p> <p>12 Q And so then you think the people would</p> <p>13 care if they got different kind of dope?</p> <p>14 A Absolutely, they would.</p> <p>15 Q Because they're selling different kinds of</p> <p>16 drugs or just a different brand name?</p> <p>17 A No. The reason why people would care is</p> <p>18 because -- let's say they're coming to buy heroin.</p> <p>19 All heroin isn't the same -- the way it's mixed,</p> <p>20 and you might hear me referring a term called</p> <p>21 stepped on. What that means is how they mix the</p> <p>22 heroin up to achieve as much as potency as they</p> <p>23 can without it being lethal. Some people didn't</p> <p>24 step on their dope very well. Okay? And people</p>	<p style="text-align: right;">264</p> <p>1 out.</p> <p>2 So now the people know if they -- either</p> <p>3 if they never had their dope or the dope that they</p> <p>4 were coming to get -- okay, this is some new dope</p> <p>5 here. "I haven't had Fuck You." "I haven't had</p> <p>6 Gatorade." They might want to try it. They might</p> <p>7 not have a option. That might be the only dope</p> <p>8 that's up in there that day. If it's a -- if they</p> <p>9 a addict, they're going to -- they're going to</p> <p>10 take it anyway.</p> <p>11 But now, if that dope was stepped on</p> <p>12 really good, now they're going to come back asking</p> <p>13 for Gatorade or Fuck You over the dope maybe that</p> <p>14 they was already getting before.</p> <p>15 Q Did you ever have a reverse sting that</p> <p>16 wasn't successful?</p> <p>17 A Never.</p> <p>18 Q Where did you typically set up during</p> <p>19 reverse stings when you were in Public Housing</p> <p>20 South?</p> <p>21 A In the buildings.</p> <p>22 Q Inside the buildings?</p> <p>23 A Yeah, typically inside the buildings.</p> <p>24 Q Where inside the buildings?</p>

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<p style="text-align: right;">265</p> <p>1 A It would vary. Lobby area most of the 2 time. If you have to go up and stand on the 3 stairwell or something, maybe in some cases, but 4 most times in the lobby area. You wouldn't have 5 to -- you wouldn't have to do that because the 6 purpose of the reversal sting -- if we got 7 fortunate enough to catch somebody with dope, 8 that's great. But the purpose of it was to catch 9 the buyers, to catch the buyers. Okay? 10 You catch the buyers. You catch the 11 buyers. You would maybe deter them from coming 12 back over because they think, okay, the police may 13 be in here today. Okay? And I might get locked 14 up again for solicitation. 15 Q In your experience and opinion, was -- 16 were reverse stings a successful deterrent? 17 A In -- in -- in the projects, it wasn't as 18 successful as they've done where -- other places 19 where we've done, out in open-air markets, out on 20 the street, you know, and everything. In the 21 projects, because if it's a dope that they really, 22 really like, they're going to take that chance 23 again. They're going to take that chance again. 24 They know we -- like I said, we -- I can't</p>	<p style="text-align: right;">267</p> <p>1 A All the time. 2 Q So and I think you also said that they 3 didn't call out at those buildings like that other 4 than if maybe someone rented out the building and 5 was selling a different line of drugs? 6 A Exactly. 7 Q Is there any other reason why people 8 called out at those buildings? 9 MR. MICHALIK: Objection. Foundation. 10 A The only reason you call out the name of 11 the dope is to advertise it and so that people 12 know I am in here selling this particular dope. 13 Q Do you call out anything other than the 14 name of the dope, particular dope? 15 MS. WEST: Foundation. 16 A You could call out "rocks" or "blows." 17 Q And what's the difference between rocks 18 and blows? 19 A Rocks is crack cocaine. Blows is heroin. 20 Q And did people routinely call out "rocks" 21 and "blows" in the 527 building? 22 A I cannot remember. 23 Q Did people routinely call out "rocks" and 24 "blows" in other buildings where drugs were sold</p>
<p style="text-align: right;">266</p> <p>1 remember how often we did it over my time there at 2 Housing South, but it wasn't like it was every 3 week. You see what I'm saying? So they would 4 take that chance. They would take that chance 5 again to come to the buildings, you know, to try 6 to -- to try to get the dope. 7 Q All right. Other than the reason that we 8 just talked about to advertise a new line if 9 you're renting out a building, what other reasons, 10 if any, are there to -- well, no, let me ask that 11 a different way. 12 Are there any reasons that you haven't 13 talked about yet as to why someone would be 14 yelling out or calling out at a building like 527 15 where they routinely sold drugs? 16 MS. WEST: Objection to form. 17 MR. MICHALIK: And foundation. 18 A Okay. You're asking me, is there another 19 reason why they would call out their dope just 20 besides to let them know that dope is in the 21 building? 22 Q That there's -- so you've said at 527, I 23 believe, that they were routinely selling drugs; 24 is that correct?</p>	<p style="text-align: right;">268</p> <p>1 every day? 2 A There were times when "rocks" and "blows" 3 was called out in the Ida B. Wells housing 4 complex. Specific to a certain building, I cannot 5 remember. 6 Q Like, high-rises versus row houses? 7 A High-rises or row houses both at some time 8 or another may have had "rocks" or "blows" called 9 out. The reasoning for that, you might not have a 10 name for your dope. You might be over there 11 selling your dope or your -- or your rocks. 12 Everybody that came over there pretty much to 13 assume they -- they're not, like, you know, 14 familiar: I'm coming to sell; I wonder if they 15 always call out. They're not going to take that 16 chance. They're not going to take that chance. 17 So what they're going to do is they're 18 going to advertise on their own. Whether they 19 already call out in the building or not, they're 20 going to advertise on their own because they want 21 to make sure in this time that they're over there 22 they want to get their -- their dope sold. So 23 they might just say "rocks," "blows." 24 Q How frequently did it happen that people</p>

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<p style="text-align: right;">269</p> <p>1 were yelling out "rocks" or "blows" in the -- in 2 the high-rises? 3 A I -- I -- I can't remember. Not -- maybe 4 not as frequent, though, as in the row houses, but 5 I can't remember a number or anything. 6 Q Did you ever talk to anyone who sold drugs 7 there about why they would call out "rocks" or 8 "blows"? 9 A About -- no. Why they called out "rocks" 10 or "blows," no. 11 Q And did you, as -- when you all did 12 reverse stings, did you call out "rocks" and 13 "blows"? 14 A I cannot remember. I'm not saying that we 15 did or didn't. I just can't remember. 16 Q You have no memory of doing it? 17 A I -- I don't have a memory of doing it. 18 Q Looking at the report in front of you, 19 Exhibit 8, do you have any idea of why Offenders 20 2, 3, 4, and 5 began to yell "clean up"? 21 MS. WEST: Objection. Foundation. 22 A Yes. 23 Q Okay. Why did they -- why do you think 24 that they began to yell "clean up"?</p>	<p style="text-align: right;">271</p> <p>1 narcotics. At this time, Offender 2, 3, 4, and 5 2 began to yell "clean up." 3 A Okay. 4 Q Do you know why Offender 2 would've told 5 Jones where to go and then also started yelling 6 "clean up"? 7 MS. WEST: Objection. Foundation. 8 A Well -- 9 THE WITNESS: Sorry. 10 A All right. Yes, yes. Offender No. 2, 11 since he directed -- so it would be a case like 12 this. I go up. I see you first. 13 Q Who are -- let's -- when you're saying the 14 case, who are you saying you are in this -- 15 A Okay. So let's say I'm -- I'm -- I'm the 16 officer. 17 Q You're Jones and I'm Offender 2? 18 A You're Offender 2. 19 Q Okay. 20 A I approach you. You direct me to where 21 the rocks are. You send me on my way. You see 22 somebody else coming up you may recognize as the 23 police. You may recognize as the police. First 24 thing you're going to yell is, "clean up." That's</p>
<p style="text-align: right;">270</p> <p>1 A They noticed police presence. 2 Q And what do you think made them notice 3 police presence? 4 A I cannot remember specifically what -- 5 what made them notice, but it being written that 6 they started to yell "clean up" means they noticed 7 police presence. 8 Q It says that -- I believe it says that 9 someone told Officer Jones where he could go buy 10 drugs, and then those people also started yelling 11 "clean up." Is that how you read this? 12 A Let me follow. Where -- where are you at 13 when you're saying that? 14 Q So it -- Upon reaching the building, 15 RO Jones was met by Offender No. 2 who was yelling 16 "rocks." 17 A Yes. 18 Q RO responded to Offender 2 by saying, "I 19 need rocks." 20 A Yes. 21 Q Then pointed RO in the direction of 22 Offender 1. Offender 1 was standing in the lobby 23 wearing a coat that was described by the citizen 24 and holding a clear plastic bag of suspect</p>	<p style="text-align: right;">272</p> <p>1 the first thing you're going to yell is "clean up" 2 because that's your job. Your job is to not only 3 alert of police presence, stickup man if you 4 recognize somebody being the stickup man, and 5 direct the people to where the narcotics are being 6 sold. 7 Q Did you, as a police officer, try to 8 position yourself in a -- so Jones walked up and 9 talked to Offender No. 2; right? There's a bunch 10 -- 11 A As according to the report, yes. 12 Q Yes, according to the report. 13 A Yes. 14 Q And then there's a bunch of other 15 officers, including you, who are listed in this 16 report; right? 17 A Yes. 18 Q Did you and your fellow officers position 19 yourself in a way that you could be easily seen? 20 MS. WEST: Objection. Foundation. 21 A So you have to understand I can't remember 22 as far as the positioning, but it was multiple of 23 us. 24 Officer Jones, for officer safety, we're</p>

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<p style="text-align: right;">273</p> <p>1 not going to let him walk by himself. Might be 2 another officer behind him. I don't know if it 3 was me. I don't know if it was Officer Ridgell, 4 one of the other officers that was there, but it's 5 -- it's safe to say that something drew the 6 attention. He could've recognized one of us, 7 knowing us to be the police. He could've 8 recognized us, and he started yelling "clean up." 9 You know, anything could've happened. 10 A squad car could've been driving back at 11 the time that we're approaching the building. 12 They're going to yell, "clean up." They don't 13 know that squad car isn't with us, you know, but 14 they're going to yell, "clean up." 15 So there's multiple reasons why the 16 security, that person, Offender No. 2, would start 17 yelling "clean up." 18 Q Well, I know that you don't remember where 19 you were standing exactly in this situation, but 20 would you typically -- would your team try to stay 21 out of the way and not be seen if you're going to 22 try to bust a narcotics operation? 23 A No, because I might be -- myself, Officer 24 Jones, or one of the Black officers, we blend in.</p>	<p style="text-align: right;">275</p> <p>1 him. 2 Q Close enough -- 3 A You know, I could be -- I could be closer, 4 you know, if we're trying to, you know, really get 5 in. If we view -- if we view, we coming in the 6 building. And as we're walking up and, you know, 7 we're casually, you know, playing and walking up 8 and everything, but as if we could -- some of the 9 buildings, you could see into because they didn't 10 have any doors on the back of them. 11 If you -- if you see multiple individuals 12 in there, I'm going to try -- either one of us 13 might try to get up a little closer because we 14 might have to engage them when we get in there, 15 and you don't want them to be, you know, by 16 themselves and get overwhelmed. 17 Q You were -- you would be close enough so 18 that the person you're approaching would see both 19 of you; is that right? 20 A Oh, yeah. They probably -- they might see 21 both of us, mm-hmm. They might see both of us. 22 But we're not going to be right on top of each 23 other. Okay? Let me make it clear. We're not 24 going to be right on top of each other because,</p>
<p style="text-align: right;">274</p> <p>1 We might be the ones approaching -- we're 2 approaching the building. Like I said, we're not 3 going to let him go by himself. We're not going 4 to let a officer go by they self for officer 5 safety. 6 Q Understood, but are you trying to make 7 sure that they know who you are when you approach? 8 A No. We're -- we're not, but a lot of 9 people didn't -- didn't know us, and a lot -- some 10 people knew us, of course, but there was a number 11 of people that was down there, you know, working. 12 The turnover was pretty good sometimes because of 13 getting locked up or the fear of getting locked up 14 and everything. So you would have people working 15 as security and things of that nature that might 16 not -- that might not know us. 17 Q If you were going up with Jones, how close 18 would you have been to him? 19 MS. WEST: Objection. Foundation. 20 Q Typically. 21 A Typically, I'm not going to -- I'm not 22 going to be -- you know, depending on what 23 building it is or -- and everything, I'm not going 24 to be more than maybe -- maybe five feet behind</p>	<p style="text-align: right;">276</p> <p>1 once again, we're casually trying to, you know, 2 just walk up, you know, and everything, like we're 3 coming -- like we're coming to buy dope. 4 You have to understand when people are 5 coming to buy dope, they're used to multiple 6 people coming up. So it wouldn't be unreasonable 7 for three people -- and it might be three officers 8 -- approaching together. They're used to multiple 9 people coming up and trying to come in. 10 Q Should your report reflect that three 11 officers walked up to someone if that's what 12 happened? 13 A No, it doesn't have to. 14 Q Why not? 15 A Because us -- us -- because unless 16 anything had to do with happening with us three 17 approaching at the same time, it's just all of us 18 approaching the building. 19 Q This one seems to be pretty specific to 20 RO Jones walking up; right? 21 A Yes. 22 MS. WEST: Objection. Foundation. 23 Q If there were other people with Jones 24 there, should that have been reflected here?</p>

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<p>277</p> <p>1 MS. WEST: Objection. Foundation.</p> <p>2 A Once again, it's -- it's not -- it's not</p> <p>3 necessary because, as you see, it has Officer</p> <p>4 Jones is specifically narrated in the report</p> <p>5 because of the actions that took place leading him</p> <p>6 going into the building and apprehending the</p> <p>7 person with the narcotics.</p> <p>8 Q Should it -- if someone else was with</p> <p>9 Jones when he went up and apprehended Offender</p> <p>10 No. 1 and searched him, should it say that in the</p> <p>11 report?</p> <p>12 MS. WEST: Objection. Foundation.</p> <p>13 A No. No, not necessarily. RO is -- RO is</p> <p>14 still a well enough term where you don't have to</p> <p>15 be specific. Let's say if I just walked up with</p> <p>16 Officer Jones. Officer Jones, as you can see, he</p> <p>17 was able to -- he grabbed Offender No. 1 and</p> <p>18 recovered the suspect narcotics from his hand.</p> <p>19 That's what's specific because it was him. If I</p> <p>20 was standing right next to him, you don't have to</p> <p>21 say, Officer Jones with Officer Summers standing</p> <p>22 next to him. You see what I'm saying?</p> <p>23 If there's a RO term there, that's good --</p> <p>24 that's good enough.</p>	<p>279</p> <p>1 Q Okay. What training did you receive on</p> <p>2 arrest reports versus vice case reports?</p> <p>3 A Well, not just vice case reports but the</p> <p>4 training we received in the academy on report</p> <p>5 taking. Arrest report is a summary. General</p> <p>6 offense or the vice case report -- case report,</p> <p>7 period, is more in depth, more detail.</p> <p>8 Q Should they both be accurate, though?</p> <p>9 A Yes, they both should be accurate.</p> <p>10 Q Did you receive any training on how much</p> <p>11 detail an arrest report should have or how much</p> <p>12 detail a vice case report should have?</p> <p>13 A Not as -- as -- not as far as how much.</p> <p>14 Just the pertinent information, depending on the</p> <p>15 arrest.</p> <p>16 Q And what's the pertinent information,</p> <p>17 generally, in an arrest report from your time in</p> <p>18 Public Housing South?</p> <p>19 A Pertinent information is name of the</p> <p>20 offender, what the offender was doing, if he was</p> <p>21 caught with anything, what he was caught with --</p> <p>22 since we're talking about narcotics in this case,</p> <p>23 what he was caught with -- might have any</p> <p>24 co-defendants written down, you know, who also</p>
<p>278</p> <p>1 Q Well, if you saw him recover the drugs,</p> <p>2 should it say Officer Summers witnessed this as</p> <p>3 well?</p> <p>4 A I mean, if it -- if it had to, for</p> <p>5 whatever specific reason, it would. It would.</p> <p>6 But if it was just general, officers in there</p> <p>7 while you was recovering the narcotics, there was</p> <p>8 no need to -- to specific -- be specific like</p> <p>9 that.</p> <p>10 Q Well, yeah. And I'm not -- you said "if</p> <p>11 it had to." I'm just asking, should the --</p> <p>12 A Mm-hmm.</p> <p>13 Q -- if -- if someone else would've seen</p> <p>14 Jones recover the drugs, should it have said,</p> <p>15 Officer X also saw Jones recover the drugs?</p> <p>16 A No, that's not necessary.</p> <p>17 Q Is there a different purpose -- are vice</p> <p>18 report -- vice case reports and arrest reports</p> <p>19 supposed to cover different things?</p> <p>20 MR. MICHALIK: Objection. Foundation.</p> <p>21 A So arrest report is a quick summary. Vice</p> <p>22 case report goes into more detail.</p> <p>23 Q And did someone train you on that?</p> <p>24 A Yes.</p>	<p>280</p> <p>1 were there and everything, officer -- you know,</p> <p>2 officer information.</p> <p>3 Q Did you say it might have co-defendants?</p> <p>4 A If there's -- if there's somebody else</p> <p>5 getting locked up.</p> <p>6 Q Then it should list those people?</p> <p>7 A Yeah, it's going to list those people.</p> <p>8 Q Why should it list the co-defendants?</p> <p>9 MR. MICHALIK: Objection. Foundation.</p> <p>10 A Because they're going to go in -- they're</p> <p>11 all -- they're going to be in the case report too</p> <p>12 as far as if they were all locked up at the same</p> <p>13 time.</p> <p>14 Q Is there a reason, though, that they</p> <p>15 should all be listed? Just to make sure it's</p> <p>16 accurate or --</p> <p>17 A Yeah, accurate for the arrest.</p> <p>18 Q And you said it should list the officers</p> <p>19 who were involved?</p> <p>20 A Yes, it's going to have the officers that</p> <p>21 were involved.</p> <p>22 Q Should the arrest report list all the</p> <p>23 officers that were involved?</p> <p>24 A Now, that, I think it -- I believe it</p>

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<p style="text-align: right;">281</p> <p>1 should, you know, but every -- I'm not going to 2 say that every officer practices putting every -- 3 everybody down. It's like -- you know, it's 4 discretion. Just -- just the main -- the main 5 officers. 6 Q Were you trained that it was a -- that was 7 a discretionary decision, or did that -- well -- 8 A Well, what we were trained were if you did 9 something to assist the arrest in some capacity, 10 then it was trained and common practice that you 11 put down that the officer was assisting, outside 12 of Box 1 and Box 2 reporting officers. 13 Q And were you trained that it should list 14 what the officer did to assist? 15 A No. 16 Q How did you keep track then? How did you 17 ever remember what you did to assist an arrest, 18 given all the, I think you said, hundreds and 19 hundreds of arrests you participated in? If you 20 weren't listed on a report as doing a specific 21 thing, how'd you remember? 22 A How did I remember for what? 23 Q What you did. How would you ever have 24 remembered, if anyone wanted to ask you?</p>	<p style="text-align: right;">283</p> <p>1 Q Do you know how Ridgell or Jones decided 2 what time to put in? 3 MS. WEST: Objection. Foundation. 4 A I -- I do not know besides looking at some 5 type of time device. 6 Q And do you know why this lists Ridgell and 7 Jones instead of you and Ridgell? 8 MS. WEST: Objection. Foundation. 9 A I have no idea. 10 Q And then it says -- in Box 2, it's checked 11 -- it looks to me that it's checked -- I'm sorry, 12 Box 18 is; the witness box is checked by your 13 name. Do you see that? 14 A I do see it. 15 Q Does that suggest to you that you 16 witnessed the events described in the complaint? 17 I mean, described in the report? 18 A I witnessed -- I witnessed something 19 during the course of this report. 20 Q Do you know Stanley Becker or Lester Boyd? 21 A I do not. 22 MR. RAUSCHER: Okay. Can we take a really 23 quick break? 24 MR. MICHALIK: Sure.</p>
<p style="text-align: right;">282</p> <p>1 A I might not be able to. But for the 2 report purposes, assisting was -- was good enough. 3 Q Did you receive written materials on how 4 to write reports when you were in the academy? 5 A Yes. 6 Q Do you still have them? 7 A No. 8 Q Do you remember anything they said? 9 A Well, what they were, the written 10 materials were examples of reports. 11 Q I got it. Did you have to take any sort 12 of test on report writing? 13 A Not a specific test that I remember in the 14 academy. Just was -- it wasn't a pass or fail, 15 but what we would do is we would have to write -- 16 we would get -- we would have scenarios, and then 17 after scenario, we would have to create an arrest 18 report or a general offense case report or a vice 19 case report. 20 Q And the vice case report that we've marked 21 as Exhibit 8, how'd you determine the time to -- 22 how'd you decide -- well, I guess you didn't write 23 this report, did you? 24 A No.</p>	<p style="text-align: right;">284</p> <p>1 MS. WEST: Sure. 2 MR. RAUSCHER: Thanks. 3 VIDEOGRAPHER: Off the record, 10:43. 4 (A recess was taken.) 5 VIDEOGRAPHER: Back on the record, 10:46. 6 MR. RAUSCHER: Let's mark this as 7 Exhibit 9. This is City BG 032862 to -863. 8 (Exhibit 9 was marked for identification 9 and is attached to the transcript.) 10 (Pause.) 11 BY MR. RAUSCHER: 12 Q You had a chance to look at this? 13 A Yes, sir. 14 Q Does this -- does the description in this 15 report meet your standard for what an arrest 16 report should -- what information arrest reports 17 should include? 18 MR. MICHALIK: Objection. Form, 19 foundation, relevance. 20 A Yes. 21 Q How come this -- this report -- well, do 22 you know why this report doesn't say anything 23 about a concerned citizen or Jones -- like, that 24 Jones approached or anything like that?</p>

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<p style="text-align: right;">285</p> <p>1 MS. WEST: Objection. Foundation.</p> <p>2 A Yes, I can speculate, if you would like.</p> <p>3 Q Well, sure. Tell me why you think.</p> <p>4 A Yes. Because this is -- like I said, this</p> <p>5 is a summary. So to space constraints, you leave</p> <p>6 the details, like I said before, for the case</p> <p>7 report. So the arrest report is just a quick</p> <p>8 summary to the gist of what the person is arrested</p> <p>9 for.</p> <p>10 Q Well, you said space constraints, but you</p> <p>11 could've -- there's space for the information</p> <p>12 about a concerned citizen; right?</p> <p>13 MS. WEST: Objection. Relevance.</p> <p>14 A Sure, there is space for -- you know, for</p> <p>15 a concerned citizen, but in an officer's mind,</p> <p>16 they definitely can, you know, think that as one</p> <p>17 of the more finer details. So they know they're</p> <p>18 going to probably leave that for the case report,</p> <p>19 so they probably won't put it in the summary of</p> <p>20 the arrest report.</p> <p>21 Q So the -- is the point just that someone</p> <p>22 was seen with drugs?</p> <p>23 A The point is to get to the -- get to the</p> <p>24 crux of the matter of why this person was</p>	<p style="text-align: right;">287</p> <p>1 Q Was -- what's the -- what's Officer Akins'</p> <p>2 first name?</p> <p>3 A I believe that's Mark.</p> <p>4 Q And was he on the gang team?</p> <p>5 A No.</p> <p>6 Q Was he a uniform officer?</p> <p>7 A I believe Officer Akins was also a uniform</p> <p>8 officer that worked in the housing -- Housing</p> <p>9 South.</p> <p>10 Q Would he have a similar role as Heard</p> <p>11 then?</p> <p>12 A Possibly, yes.</p> <p>13 Q Was he frequent -- was Akins frequently</p> <p>14 with the Watts team?</p> <p>15 A No.</p> <p>16 Q Why does it have name check and gang</p> <p>17 affiliation listed?</p> <p>18 MS. WEST: Objection. Foundation.</p> <p>19 A Well, why -- who wrote the report, that's</p> <p>20 another -- a detail that's at the discretion of a</p> <p>21 officer, you know, to put in -- to put in there.</p> <p>22 Q Is that a pertinent detail about the</p> <p>23 arrest?</p> <p>24 A Well, it could be because if he had some</p>
<p style="text-align: right;">286</p> <p>1 arrested.</p> <p>2 Q The -- there are some names listed as</p> <p>3 assisting arrest on here. You see that?</p> <p>4 A Yes.</p> <p>5 Q And one of them is Heard.</p> <p>6 A Yes.</p> <p>7 Q Do you know who that is?</p> <p>8 A Yes.</p> <p>9 Q And who is that?</p> <p>10 A That's Officer Ron Heard.</p> <p>11 Q Was he -- was he frequently with your --</p> <p>12 was he on the gang team that you were on?</p> <p>13 A No.</p> <p>14 Q Was he -- did he frequently go out with</p> <p>15 your team?</p> <p>16 A No.</p> <p>17 Q Do you know why he was there that day?</p> <p>18 A He was -- he was in housing, so he must've</p> <p>19 assisted in some type of way because, if I</p> <p>20 remember correctly, he was one of the uniform</p> <p>21 officers that worked in Housing South.</p> <p>22 Q What about Akins? Do you know who that</p> <p>23 is?</p> <p>24 A Yes.</p>	<p style="text-align: right;">288</p> <p>1 gang -- if he had some gang affiliation and we</p> <p>2 could tie whatever narcotics activity that was</p> <p>3 going on, if we could tie that to that gang, that</p> <p>4 could have some relevance, you know, down the line</p> <p>5 as far as anything that might come about the GDs</p> <p>6 selling drugs in Public Housing South and</p> <p>7 something like that.</p> <p>8 Q And was it pertinent if someone didn't</p> <p>9 have a gang affiliation?</p> <p>10 A No, it wasn't -- no, it wasn't -- it</p> <p>11 wasn't pertinent. So but since you -- but that --</p> <p>12 by -- for a officer, some officers would put down</p> <p>13 "gang affiliation: none," or gang affiliation</p> <p>14 whatever they were, you know, in their arrest</p> <p>15 reports.</p> <p>16 Q Did you do that in your reports?</p> <p>17 A I do not recall. I do not recall if I did</p> <p>18 that or not.</p> <p>19 Q Do you know why some officers would, as a</p> <p>20 matter of course, say "gang affiliation: none" if</p> <p>21 there was none?</p> <p>22 MS. WEST: Objection. Foundation.</p> <p>23 A It can go back to their training. It</p> <p>24 could go back to their training when they came on</p>

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<p style="text-align: right;">289</p> <p>1 the job with their training officer. Some people 2 -- officers write reports in different ways. They 3 include information that doesn't have to be 4 included across the board, in every report, in a 5 officer's report, but some people put like this -- 6 name check, clear; gang affiliation -- you know, 7 at the -- at the -- at the bottom, after the 8 narrative. 9 Q So possibly they were trained to do it; 10 that's one reason why someone, an officer, might 11 do it? 12 A That is a possible reason. 13 Q Do you have any other reasons you know of? 14 A Officer just likes to do it. Maybe -- 15 maybe developed that in his own report writing 16 over the years. 17 Q Do you know of any training that told 18 officers they should put gang affiliation down on 19 arrest reports when there was no gang affiliation? 20 A I know of no specific training. 21 Q Have you heard people say that they got 22 trained to write reports that way? 23 A I do not recall hearing anybody saying 24 they got trained to write reports that way.</p>	<p style="text-align: right;">291</p> <p>1 Q What -- 2 A DNA. 3 Q What does "DNA" stand for then? 4 A Does not apply. 5 Q So no weapons recovered? 6 A Correct. 7 Q Do you know Derrick Lewis? 8 A I don't. 9 Q Do you remember being involved in the 10 arrest of Derrick Lewis on July 3rd, 2004? 11 A I don't. 12 Q And, you know, just for -- just really 13 quickly, getting back to Henry Thomas -- 14 A Yes. 15 Q -- is it safe to say you don't remember 16 being involved in transporting him back to any 17 police station? 18 A I don't remember. 19 Q Or in anything that may have happened back 20 at a police station? 21 A I don't recall. 22 Q All right. So to Derrick Lewis, you don't 23 remember one way or the other whether you were 24 involved in his arrest on July 3, 2004?</p>
<p style="text-align: right;">290</p> <p>1 Q Are there any reasons you can think of why 2 an arrest report should say "gang affiliation: 3 none"? 4 A Well, one of the reasons is, like I said, 5 if the officer is just used to putting gang 6 affiliation, whether it is none or not, in his 7 reports, it's -- it's just like on a report where 8 they have -- some reports have -- and you might 9 have to even look -- they might ask a question 10 like that, gang affiliation, yes or no. And it's 11 on -- on every report that you, you know, 12 generate, yes or no. 13 Some officers either will go behind that 14 and will put it down just like that box is, yes or 15 no. 16 Q Just give me one second. 17 A Take your time. 18 Q And -- and Row 32 on the arrest report -- 19 A Yes. 20 Q -- do you read that as -- it looks like 21 there's an N somewhere in the -- 22 A DNA. 23 Q D -- okay. 24 A Yeah.</p>	<p style="text-align: right;">292</p> <p>1 A I don't remember. 2 Q Did you see any pictures of Mr. Lewis 3 preparing for your deposition today? 4 A Yes. 5 Q And did that refresh your recollection at 6 all? 7 A It did not. 8 Q And do you know who he is at all? 9 A I can't recall who he is. 10 Q Did you testify at a bench trial involving 11 Mr. Lewis? 12 A I don't remember. Do -- do you have any 13 testimony? 14 MR. RAUSCHER: Can mark this as Exhibit 15 10. 16 (Exhibit 10 was marked for identification 17 and is attached to the transcript.) 18 THE WITNESS: Do you have a picture? 19 MR. RAUSCHER: I don't have a picture 20 printed out. I can try to find one. 21 I just wrote the exhibit number on there. 22 I don't have -- I only have three copies of that. 23 MALE SPEAKER: Did you mark that as 10? 24 MR. RAUSCHER: Yeah.</p>

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<p style="text-align: right;">293</p> <p>1 MALE SPEAKER: And what's Bates?</p> <p>2 MR. RAUSCHER: Yeah, the Bates number are</p> <p>3 PL Joint 042018 through 042047.</p> <p>4 MALE SPEAKER: Can I just see? Okay.</p> <p>5 MR. RAUSCHER: You know? I do have a</p> <p>6 picture. I was wrong. You want me to mark -- you</p> <p>7 want to see a picture now?</p> <p>8 THE WITNESS: Yeah. Can I, please. Yeah.</p> <p>9 MR. RAUSCHER: I'm going to mark Exhibit</p> <p>10 11, City BG 05344 -- 05348.</p> <p>11 THE WITNESS: And do you have -- you have</p> <p>12 a case report too?</p> <p>13 MR. RAUSCHER: I have reports.</p> <p>14 THE WITNESS: Yeah.</p> <p>15 MR. KOSOKO: Scott, is 10 the entire</p> <p>16 transcript of the bench trial?</p> <p>17 MR. RAUSCHER: Yeah. Well, I think it is.</p> <p>18 Yeah.</p> <p>19 MR. KOSOKO: Okay.</p> <p>20 THE REPORTER: That's 11.</p> <p>21 (Exhibit 11 was marked for identification</p> <p>22 and is attached to the transcript.)</p> <p>23 (Sotto voce speaking; pause.)</p> <p>24 THE WITNESS: Okay.</p>	<p style="text-align: right;">295</p> <p>1 we got information. And I remember when the</p> <p>2 attorney, whatever, asked the information we got</p> <p>3 about who it was and the fact that he wasn't a big</p> <p>4 guy, like -- like Derrick was, but Derrick was the</p> <p>5 one that I testified that I saw at the top -- at</p> <p>6 the top of the -- at the top of the stairwell,</p> <p>7 which I don't remember his face, but I do vaguely</p> <p>8 remember a incident where the guy was up -- you</p> <p>9 know, we came to the building and quickly -- it</p> <p>10 was almost like -- almost like he got -- it was a</p> <p>11 surprise, you know, which -- that we -- that we</p> <p>12 were in there and when he dropped the bag and ran.</p> <p>13 But, yeah, I absolutely had definitely</p> <p>14 forgot about -- about this -- about this case.</p> <p>15 I'm sorry. His face still isn't ringing --</p> <p>16 ringing -- ringing a bell, but some of the facts</p> <p>17 in here I do vaguely remember --</p> <p>18 Q You said --</p> <p>19 A -- that this -- yeah, this testimony and</p> <p>20 everything was truthful.</p> <p>21 Q It was truthful testimony?</p> <p>22 A Yes.</p> <p>23 Q You said you do vaguely -- I think you</p> <p>24 said you do vaguely remember one time you got to a</p>
<p style="text-align: right;">294</p> <p>1 BY MR. RAUSCHER:</p> <p>2 Q Does -- did you have a chance to look at</p> <p>3 that picture?</p> <p>4 A Yes</p> <p>5 Q Does that refresh your recollection about</p> <p>6 Derrick Lewis?</p> <p>7 A It -- it -- it -- it -- it -- it really</p> <p>8 doesn't. It doesn't.</p> <p>9 Q Does the testimony you just reviewed --</p> <p>10 well, let's -- so you also looked at Exhibit 10;</p> <p>11 right?</p> <p>12 A Yes.</p> <p>13 Q Is that -- does that include your</p> <p>14 testimony in a bench trial for Derrick Lewis?</p> <p>15 A Yes, it does.</p> <p>16 Q Does reading that refresh your</p> <p>17 recollection about him at all?</p> <p>18 A It -- it -- it does -- it does vaguely.</p> <p>19 It does vaguely.</p> <p>20 Q All right. What does -- how does that</p> <p>21 refresh your recollection?</p> <p>22 A It refreshed my recollection because I</p> <p>23 remember -- I -- I -- I remember in here -- I</p> <p>24 remember when they was asking about -- you know,</p>	<p style="text-align: right;">296</p> <p>1 building and it was almost like a surprise and the</p> <p>2 guy just dropped the drugs right away; is that</p> <p>3 right?</p> <p>4 A Right, the description of what happened</p> <p>5 and how he saw me and everything and -- and he</p> <p>6 ran. It was like he was surprised.</p> <p>7 Q Did that happen to you more than once?</p> <p>8 A I don't -- I -- it didn't -- it didn't --</p> <p>9 it didn't happen often, but I don't know on more</p> <p>10 than once. I'm going to say that somebody else</p> <p>11 could've been surprised that I'm in the building</p> <p>12 because I was good at sneaking in the building.</p> <p>13 Q But do you remember if the incident that</p> <p>14 you vaguely remember is about Derrick Lewis?</p> <p>15 A All I can -- I -- I -- I don't -- I don't</p> <p>16 remember, but since this testimony is talking</p> <p>17 about it, that I would say that this is one of the</p> <p>18 incidents of a person seeming surprised when they</p> <p>19 -- when -- when they saw me.</p> <p>20 Q In the -- in the testimony, you talk about</p> <p>21 where you are in the building, where Mr. Lewis</p> <p>22 was, and where your partners were; is that --</p> <p>23 A Correct.</p> <p>24 Q -- right?</p>

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<p>297</p> <p>1 A Yes.</p> <p>2 Q How did you remember that when you were</p> <p>3 testifying?</p> <p>4 A Back then?</p> <p>5 Q Yeah.</p> <p>6 MR. KOSOKO: Objection.</p> <p>7 A Oh.</p> <p>8 MR. KOSOKO: Object to the form of the</p> <p>9 question, vague, ambiguous. Go ahead.</p> <p>10 A Oh, I -- I -- I would remember back then</p> <p>11 because this -- this did happen. You know, it's</p> <p>12 still fresh in my memory that -- you know, the</p> <p>13 details and everything. It's not 15, 16 years</p> <p>14 later. You know?</p> <p>15 Q It was one year later about; right?</p> <p>16 A Oh, yeah. If it was one year later, yeah,</p> <p>17 that's still in my recollection, absolutely.</p> <p>18 Q How -- how many arrests do you think you</p> <p>19 participated in between July 2004 and July 2005?</p> <p>20 A Quite a -- quite a few.</p> <p>21 Q And would you have remembered all of them</p> <p>22 and where you were standing for all of them?</p> <p>23 A Depending on the role that I played in it</p> <p>24 would definitely -- I would have more memory than</p>	<p>299</p> <p>1 Q Yeah.</p> <p>2 A Do you have a vice case report I could</p> <p>3 look at?</p> <p>4 Q Yeah, but I just want to know if you</p> <p>5 remember why you -- whether you would've written</p> <p>6 that down and why you might not have.</p> <p>7 A Oh, I don't -- I don't remember. I don't</p> <p>8 remember. That's why -- if I could refresh my</p> <p>9 memory with the vice case report, I can maybe give</p> <p>10 you some more information.</p> <p>11 Q What was the lighting like in the</p> <p>12 building, if you remember?</p> <p>13 A Well, I would go off my -- are you asking</p> <p>14 me to go off my testimony --</p> <p>15 Q I wanted --</p> <p>16 A -- or generally?</p> <p>17 Q Do you remember generally what the</p> <p>18 lighting was like in the building?</p> <p>19 A Most of the time, the lighting, it wasn't</p> <p>20 very, very bright in the -- in the buildings.</p> <p>21 Standard lighting, but some of them more dimmer</p> <p>22 than others. Sometimes the lighting wasn't very</p> <p>23 good at all because they would -- either the</p> <p>24 lightbulbs would be out and haven't been replaced</p>
<p>298</p> <p>1 -- than others.</p> <p>2 Q And which are -- what roles would you have</p> <p>3 more memory of?</p> <p>4 A Maybe if I -- like, I -- like if I saw</p> <p>5 somebody firsthand with the narcotics, you know,</p> <p>6 in their hand or, you know, if they had the</p> <p>7 narcotics and tried to run, you know, from me or,</p> <p>8 you know, something like that.</p> <p>9 Q Would you have tried to typically put in</p> <p>10 vice case reports at least where you were standing</p> <p>11 when certain things happened? So, like, if you</p> <p>12 were in a building, where you were in the building</p> <p>13 or where your partners were?</p> <p>14 MS. WEST: Objection. Form.</p> <p>15 A Excuse me. Not necessarily. The way I</p> <p>16 would write, depending on -- on how things</p> <p>17 happened, so I can't say, like, a typical, that</p> <p>18 every time it's going to be, you know, the same.</p> <p>19 Q So for -- let's take this case as an</p> <p>20 example. Is there a reason why you wouldn't have</p> <p>21 written you were standing in a certain location,</p> <p>22 your other officers were coming from behind or</p> <p>23 came from behind?</p> <p>24 A In a vice case report?</p>	<p>300</p> <p>1 or they would, you know, mess with some type of</p> <p>2 lighting so that it would be a little bit darker.</p> <p>3 Q Was it generally not very good?</p> <p>4 A It was generally on the medium side. I</p> <p>5 mean, you could see, but some buildings were just</p> <p>6 darker than others for whatever reason.</p> <p>7 MR. RAUSCHER: All right. We can mark the</p> <p>8 vice case report as Exhibit 12.</p> <p>9 (Exhibit 12 was marked for identification</p> <p>10 and is attached to the transcript.)</p> <p>11 Q Do you see in this -- did you look at this</p> <p>12 report before your deposition?</p> <p>13 A I believe -- yeah, I -- I believe I did.</p> <p>14 Q Is that your signature on it as reporting</p> <p>15 officer?</p> <p>16 A Yes.</p> <p>17 Q Did you draft this report?</p> <p>18 A Yes, I believe I drafted this report.</p> <p>19 Yes.</p> <p>20 Q Do you remember doing it, or are you</p> <p>21 saying it because your signature's on it and</p> <p>22 you're the first in the first box of officers?</p> <p>23 A I believe I -- I'm Box 1, but I believe I</p> <p>24 drafted it. I'm not a hundred percent sure, but I</p>

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<p style="text-align: right;">301</p> <p>1 believe -- yeah, I believe I drafted -- I drafted 2 this one. 3 Q Why do you think you drafted it? 4 A Because after reading the -- after reading 5 the testimony and with, you know, that -- what we 6 talked about in the questioning with the big guy 7 and telling you how this guy was surprised when we 8 was in there, I do -- I vaguely do remember 9 writing this report. 10 Q Do you remember anyone from your days in 11 Public Housing South with the nickname Dookie? 12 A No, I do not remember that nickname, 13 Dookie. 14 Q What about the nickname Bear? 15 A I don't remember the nickname Bear. 16 Q Do you remember someone named Rasaan 17 Shannon or Shannon Rasaan? 18 A No, I don't. 19 Q So do you see anywhere on here where it 20 describes where your partners were during this 21 time? 22 A No. 23 Q Does it suggest that you walked in and you 24 viewed the offenders with you partners from the</p>	<p style="text-align: right;">303</p> <p>1 going on. 2 Q So take a look at page 12. 3 A Yeah, okay. Okay. 4 Q And look at specifically lines 8 through 5 24. 6 A Yep. Okay. 7 Q All right. Do you read that to say that 8 you walked in the front and separated from all the 9 people with you? 10 A No, no. 11 Q Okay. 12 A My "other partners" -- 13 Q Yep. 14 A -- my "other partners" doesn't mean 15 everybody. Officer Ridgell most likely was still 16 with me, and then the "other partners" refer to 17 the other partners that were also on scene. 18 Q Why do you think that's the case? 19 A Well, because I stated before we tried not 20 to go anywhere without at least two for officer 21 safety. 22 Q Why didn't you say that then when you were 23 asked, So you entered through both of the 24 available stairwells and you were separate from</p>
<p style="text-align: right;">302</p> <p>1 same view? 2 A It suggests that I walked in and I viewed 3 the offenders with my partner, Ridgell. 4 Q And is that what happened? 5 A Yes. 6 Q Was there any -- were there any officers 7 in the back of the building, the back entrance? 8 A I don't know if they -- I'd say, like, a 9 back entrance, but I believe I testified that 10 there was officers in another positioning in the 11 building, which was normal, when multiple officers 12 were hitting the building. 13 Q Which officers did you radio to indicating 14 that he was coming in their direction? 15 A I -- I don't remember. Can I -- do you 16 see if I made it specific in the testimony? 17 Q I'm not sure that you do. I think the 18 prosecutor says something about it. 19 A Yeah. I can't remember me specifically. 20 Yeah. I see right here it says, I immediately 21 radioed my officers as I recovered the plastic 22 bag. So I don't think -- I didn't give a 23 specific. I just radioed for all -- you know, all 24 backup officers, the officers there, what was</p>	<p style="text-align: right;">304</p> <p>1 your partners? You said, Correct. 2 A That's right. 3 Q Why didn't you say, well, Ridgell was with 4 me? 5 A Well, at the time, I mean, I didn't think 6 to, you know, specify, and I was assuming that 7 after reading the reports and everything that the 8 person -- the attorney was also under the 9 impression from "other partners," meaning, you 10 know, the other people there. Because right 11 before, they said -- they said, I went in the 12 front, and I entered -- it says something about 13 some people went in front and some people went in 14 the back. 15 Yeah, right. Right. I entered the front 16 stairwell, as well as my other partners that were 17 with me went to the back -- went to the back 18 stairwell. 19 Q Right. It says your other partners went 20 to the back stairwell? 21 A Mm-hmm. 22 Q Not that any of them were with you? 23 A Right. My other -- that was -- no, it 24 says -- it says, My other partners that was with</p>

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<p>305</p> <p>1 me, they went to the back stairwell. So right</p> <p>2 there, that's saying I came with other people. I</p> <p>3 -- I -- I said where I went, and I was saying the</p> <p>4 others went to the other stairwell.</p> <p>5 At the time of testimony, I didn't think I</p> <p>6 -- you know, I had to specify, hey, Calvin Ridgell</p> <p>7 was still -- you know, still with me, you know,</p> <p>8 because I know in reporting -- as far as, you</p> <p>9 know, reporting and everything, those details like</p> <p>10 that, sometimes you just don't say, "Oh, well,</p> <p>11 this partner, he was still walking with me."</p> <p>12 Q And you know what? It looks like in a</p> <p>13 different place you talk about Ridgell coming with</p> <p>14 you, and it is a little unclear to me --</p> <p>15 A Oh, okay. With -- you saying --</p> <p>16 Q -- just with keeping going through it</p> <p>17 again.</p> <p>18 A Yeah.</p> <p>19 Q Turn -- page 20 to 21.</p> <p>20 A Okay. Okay.</p> <p>21 (Pause to review document.)</p> <p>22 A Okay.</p> <p>23 Q So I guess what I want to make sure that I</p> <p>24 understand is, are you saying that the testimony</p>	<p>307</p> <p>1 possession of the narcotics that they had.</p> <p>2 Q How did you typically prepare to testify</p> <p>3 in a criminal case?</p> <p>4 A Go -- go over my reports.</p> <p>5 Q Did you meet with a prosecutor normally?</p> <p>6 A Oh, yeah. You know, you go to court. You</p> <p>7 sit down. You get there. You go over reports, go</p> <p>8 over with the prosecutor and stuff and go over</p> <p>9 different points.</p> <p>10 Q And then would you fill in details that</p> <p>11 weren't in your reports with the prosecutor?</p> <p>12 A I might -- I can't specifically remember.</p> <p>13 But when you go into court, you just -- they know</p> <p>14 -- you have to -- you're going off of what your</p> <p>15 report says because you're going to have to refer</p> <p>16 -- excuse me. I'm sorry. I'm sorry. I've got a</p> <p>17 little heartburn.</p> <p>18 You're going to have to refer -- you know,</p> <p>19 refer back to your reports. That's what you have,</p> <p>20 you know, to help you remember.</p> <p>21 Q And do you think in this case, even though</p> <p>22 it was -- well, not even though -- do you think in</p> <p>23 this case, when you testified a year after the</p> <p>24 arrest, you had to look back at your reports to</p>
<p>306</p> <p>1 we just looked at before, you were sort of</p> <p>2 assuming that people knew it was Ridgell, and then</p> <p>3 later in the testimony --</p> <p>4 A No, no. I wasn't assuming that they</p> <p>5 assumed it. I just assumed they knew that it was</p> <p>6 partners in the front and me going in the back</p> <p>7 with some partners. This got specific because</p> <p>8 they asked specifically, you know, who it was.</p> <p>9 Q Would you agree that the record would be</p> <p>10 more clear if you had written in your reports</p> <p>11 where everybody was?</p> <p>12 MS. WEST: Objection to form.</p> <p>13 MR. MICHALIK: Calls for speculation.</p> <p>14 A If I thought this lawful arrest that did</p> <p>15 happen, truthful arrest, would come under</p> <p>16 scrutiny, I guess for your all purposes and</p> <p>17 purposes of us going through all of this, it would</p> <p>18 -- it would be easier, you know, to do, but at the</p> <p>19 time, what I wrote and how I described it was just</p> <p>20 how it happened.</p> <p>21 I didn't go that depth into, you know,</p> <p>22 thinking about that detail, you know, and</p> <p>23 everything because I didn't think the person would</p> <p>24 try to come up and try to say that they weren't in</p>	<p>308</p> <p>1 remember any of the details?</p> <p>2 A Even if I had a good memory, you still</p> <p>3 review your reports just, you know, to make sure</p> <p>4 that everything, you know, is -- you know, like --</p> <p>5 like it is on here. And still -- you can still</p> <p>6 remember it, but we're human. We always -- you</p> <p>7 know, really trained to always look at your</p> <p>8 report.</p> <p>9 Q Do you know whether Sergeant Watts brought</p> <p>10 Derrick Lewis to the building where he was</p> <p>11 arrested that day?</p> <p>12 MS. WEST: Objection. Foundation.</p> <p>13 A I have no idea.</p> <p>14 Q Did you ever know Sergeant Watts to</p> <p>15 transport people between buildings at Ida B.</p> <p>16 Wells?</p> <p>17 MS. WEST: Objection. Foundation.</p> <p>18 A I have no knowledge of him transporting</p> <p>19 people between buildings. No.</p> <p>20 MR. RAUSCHER: Let's mark this as Exhibit</p> <p>21 13. This is City BG 5 -- 053499 to 053500.</p> <p>22 (Exhibit 13 was marked for identification</p> <p>23 and is attached to the transcript.)</p> <p>24 Q Do you recognize this report?</p>

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<p>309</p> <p>1 A Recognize arrest report pertaining to this 2 -- to -- with the Derrick Lewis arrest. 3 Q Is another report of that same arrest 4 we've been talking about? 5 A Correct. 6 Q It says in here, PO Summers recovered bag 7 and found it to contain 25 small green Ziplocs 8 with white, rock-like substance inside, suspect 9 crack cocaine. 10 A Yes. 11 Q Do you see that? 12 A Yes. 13 Q Did you count out the 25 small green 14 Ziplocs? 15 MS. WEST: Objection. Foundation. 16 A Are you saying as soon as I recovered it? 17 Q At any point. Did you count them out to 18 write this report up? 19 MS. WEST: Same objection. 20 A Yes. 21 Q And where would you have done that? 22 A At the station. 23 Q Okay. And so when you recovered the 24 drugs, what did you do with them?</p>	<p>311</p> <p>1 A I -- I don't remember Larry Lomax. 2 Q Do you -- did you know someone named 3 Lonnie Lomax? 4 A I can't recall a Lonnie Lomax. 5 MR. RAUSCHER: All right. We're going to 6 mark as Exhibit 14 the arrest report that is City 7 BG 052037 to -38. 8 MALE SPEAKER: What number is that? 9 MR. RAUSCHER: 14. 10 (Sotto voce speaking.) 11 MR. RAUSCHER: Oh, didn't -- oh, I'm 12 sorry. I thought I gave one to him. Thank you. 13 (Exhibit 14 was marked for identification 14 and is attached to the transcript.) 15 (Sotto voce speaking; pause.) 16 THE WITNESS: Okay. 17 BY MR. RAUSCHER: 18 Q Did you play any role in creating this 19 report? 20 MS. WEST: Objection. Foundation. 21 A I -- I don't -- I don't remember. 22 Q Is your signature on it anywhere? 23 A Yes. 24 Q And where is your signature?</p>
<p>310</p> <p>1 MS. WEST: Same objection. 2 A I can't remember exactly, but I secured 3 them. 4 Q Okay. Was 25 bags a standard amount? Was 5 there any such thing as a standard amount of bags 6 of drugs for people to have at that time at Ida B. 7 Wells? 8 A Well, you know, with rocks -- 9 MR. KOSOKO: Objection. Foundation. Go 10 ahead. 11 THE WITNESS: I'm sorry. 12 A With -- with rocks, 25 falls into the 13 amount that you -- was commonly -- commonly seen 14 because the rocks are small, so they're packaged 15 smaller. So you can get, you know, more in a jab. 16 Q Is it safe to say you don't remember 17 seeing Derrick Lewis at a police station the day 18 he was arrested? 19 A I don't remember. 20 Q You don't remember him seeing -- seeing 21 him with Sergeant Watts that day? 22 A I don't remember seeing him with Sergeant 23 Watts or anywhere else that day. 24 Q Do you remember Larry Lomax?</p>	<p>312</p> <p>1 A Well, it looks like it's -- like a 2 G. Summers in Box No. 45. 3 Q Okay. And is that your handwriting? 4 A I -- I -- I can't -- G. Summers -- yeah, 5 this is -- I believe this report -- this report 6 was written by my partner. 7 Q Calvin Ridgell? 8 A Yes. 9 Q And do you think he put your name in 10 there? 11 A Yes. 12 Q Why do you think he put your name in 13 there? 14 A For whatever reason, I told him he had to 15 put my name in there if I was, you know, doing 16 something or everything. He has -- "I need you to 17 put" -- "put me in Box 2." 18 Q But you gave him permission to do that? 19 A I gave him permission, yes. 20 Q Yeah. After you read the report? 21 A Oh, yeah. After -- after the report and 22 the -- and probably -- probably the case report 23 too. 24 Q The vice case report?</p>

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<p>313</p> <p>1 A Mm-hmm.</p> <p>2 Q You see it says Larry Lomax is from Zion?</p> <p>3 A Yes.</p> <p>4 Q Was it common for people from Zion to go</p> <p>5 up to Ida B. Wells to buy drugs?</p> <p>6 A I --</p> <p>7 MR. MICHALIK: Objection. Foundation.</p> <p>8 A I can't speak commonly for people from</p> <p>9 Zion, but people would come from all over -- far</p> <p>10 suburbs, near suburbs, within the city -- to buy</p> <p>11 narcotics down there at Ida B. Wells.</p> <p>12 Q All kinds of -- like, any -- all kinds of</p> <p>13 people or any specific demographics of people?</p> <p>14 A White, Black, occasionally Hispanics.</p> <p>15 Q What about ages? Any -- what's -- what</p> <p>16 was the age range for people who'd come from the</p> <p>17 suburbs?</p> <p>18 MR. KOSOKO: Objection. Foundation.</p> <p>19 A I can't speak specifically to the age</p> <p>20 range from the suburbs, but as far as the age</p> <p>21 range of people, it could range anywhere from 25</p> <p>22 years old all the way up into -- into the 60s or</p> <p>23 above.</p> <p>24 Q Was it common for people to come from the</p>	<p>315</p> <p>1 A Through a hand-to-hand transaction.</p> <p>2 That's correct.</p> <p>3 Q And so that is basically saying that Lomax</p> <p>4 bought one bag of drugs from someone named</p> <p>5 Robinson?</p> <p>6 A That is correct.</p> <p>7 Q And he was arrested for buying drugs?</p> <p>8 A He was arrested for being in -- buying and</p> <p>9 being in possession of the drugs.</p> <p>10 Q And it says, Robinson also placed in</p> <p>11 custody. Both read rights.</p> <p>12 A Correct.</p> <p>13 Q So are those the only two people who were</p> <p>14 arrested together here?</p> <p>15 A As far as reporting purposes, it looks</p> <p>16 like it is.</p> <p>17 Q What do you mean, "As far as reporting</p> <p>18 purposes"?</p> <p>19 A As far as them being named on the report.</p> <p>20 There's only two people named. So I don't know of</p> <p>21 anybody else being arrested because they're not</p> <p>22 named on the report.</p> <p>23 Q When it says "AOs" here, is that saying</p> <p>24 you and Ridgell?</p>
<p>314</p> <p>1 far suburbs and help sell drugs --</p> <p>2 MS. WEST: Objection.</p> <p>3 Q -- at Ida B. Wells?</p> <p>4 MS. WEST: I'm sorry. Foundation.</p> <p>5 MR. MICHALIK: And form.</p> <p>6 A I can't speak to the commonality of people</p> <p>7 being in far suburbs and coming down there to --</p> <p>8 you know, to sell narcotics. I -- I -- I don't</p> <p>9 know.</p> <p>10 Q Did you know of anybody who came in from</p> <p>11 the far suburbs to help sell drugs at Ida B.</p> <p>12 Wells?</p> <p>13 A I don't remember.</p> <p>14 Q Is the narrative report -- narrative</p> <p>15 description in this arrest report accurate?</p> <p>16 A Yes.</p> <p>17 Q So he was -- Larry Lomax was viewed by</p> <p>18 arresting officers engaged in brief conversation</p> <p>19 with Offender Robinson?</p> <p>20 A That's correct.</p> <p>21 Q And then he received one clear baggie from</p> <p>22 Robinson in a hand-to-hand transaction?</p> <p>23 A Through a hand-to-hand.</p> <p>24 Q I'm sorry. Through a hand-to-hand.</p>	<p>316</p> <p>1 A Yes, arresting officers.</p> <p>2 Q Can you tell if anybody else observed any</p> <p>3 of the actions alleged here?</p> <p>4 A Not -- not from the arrest report.</p> <p>5 Q Is there any other way you could determine</p> <p>6 whether anybody else witnessed the events -- any</p> <p>7 other officers witnessed these events?</p> <p>8 A I'm not sure. Do you have a vice case</p> <p>9 report I could look at?</p> <p>10 Q Okay. I'm just asking --</p> <p>11 A Oh.</p> <p>12 Q -- if you had sources.</p> <p>13 A Oh, oh, no. No, I don't -- I don't have a</p> <p>14 recollection. No.</p> <p>15 Q Other -- so but you could potentially, you</p> <p>16 think, in a vice case report could say if other</p> <p>17 officers were involved or had witnessed it?</p> <p>18 A It could be. It could be. It could be.</p> <p>19 Other officer might be put down assisting on a</p> <p>20 vice case report but not mentioned immediately</p> <p>21 right here on the arrest report being a summary,</p> <p>22 but I'm not sure. I don't remember.</p> <p>23 Q Do you know of any reasons why Larry Lomax</p> <p>24 was at Ida B. Wells the day he was arrested?</p>

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<p>317</p> <p>1 MS. WEST: Objection. Foundation.</p> <p>2 A I have no idea.</p> <p>3 Q And just to be clear for the record, this</p> <p>4 report is talking about an arrest that happened on</p> <p>5 January 4th, 2003.</p> <p>6 A Okay.</p> <p>7 Q Is that right?</p> <p>8 A Yes, 04 January 2003.</p> <p>9 Q And it says, time, 7:50 on here.</p> <p>10 A Yes, that looks like it's -- it looks like</p> <p>11 it's 7:50. It looks like a zero. That's 7:50 or</p> <p>12 7:53.</p> <p>13 Q Oh, okay. That last one, you can't --</p> <p>14 A Yeah.</p> <p>15 Q -- quite tell?</p> <p>16 A Yeah.</p> <p>17 Q It was around --</p> <p>18 A It was around.</p> <p>19 Q -- 7:50?</p> <p>20 A Yes, around 7:50.</p> <p>21 Q What is that time on this report supposed</p> <p>22 to mean?</p> <p>23 A That means the date of the arrest and the</p> <p>24 time was around 7:50.</p>	<p>319</p> <p>1 arrest report, the hand-to-hand transaction and</p> <p>2 receipt of the dope.</p> <p>3 Q And why would it be that he could do other</p> <p>4 illegal things that you wouldn't list in the</p> <p>5 arrest report?</p> <p>6 MR. MICHALIK: Object to form. Calls for</p> <p>7 speculation, incomplete hypothetical.</p> <p>8 A Right. I don't want to speculate why</p> <p>9 different officers had, you know, a different</p> <p>10 writing style. So might've had a reason. I don't</p> <p>11 want to speak to why, though. I don't know.</p> <p>12 Q But you reviewed this one and signed off</p> <p>13 on it; right?</p> <p>14 A Yeah, it's okay with me. There's -- if --</p> <p>15 if there's anything else to -- the arrest report</p> <p>16 is fine for me because it speaks about, you know,</p> <p>17 him buying the dope.</p> <p>18 Q And that was the illegal thing that he</p> <p>19 did?</p> <p>20 A As far as this report, it's right here.</p> <p>21 It's talking about him buying some dope.</p> <p>22 Q If he was trying to help sell drugs that</p> <p>23 day, should it have been listed in the arrest</p> <p>24 report?</p>
<p>318</p> <p>1 Q When he was cuffed basically, is that</p> <p>2 right? Or --</p> <p>3 A It doesn't -- I mean, when he was placed</p> <p>4 in custody. Whether cuffs was on him or not, he</p> <p>5 was caught.</p> <p>6 Q Understood. When -- when he was under</p> <p>7 police control?</p> <p>8 A Correct.</p> <p>9 Q Okay. Is the arrest report supposed to</p> <p>10 provide a complete description of Larry Lomax's</p> <p>11 alleged illegal activity that day?</p> <p>12 MR. MICHALIK: Object to form.</p> <p>13 Foundation.</p> <p>14 A It does not have to. That's what --</p> <p>15 that's what you leave for the vice case report.</p> <p>16 Q So there -- if -- if Larry Lomax did other</p> <p>17 things that were illegal in the same -- on this</p> <p>18 same day in Ida B. Wells in that same transaction,</p> <p>19 it doesn't necessarily all have to be listed in</p> <p>20 the arrest report?</p> <p>21 MR. MICHALIK: Object to form.</p> <p>22 A Not -- not necessarily. It might just be</p> <p>23 -- it might be put in the vice case report. The</p> <p>24 most pertinent thing might just be put in the</p>	<p>320</p> <p>1 MS. WEST: Objection. Foundation.</p> <p>2 A I'm not -- no, not necessarily so. If for</p> <p>3 some reason -- let's say they just -- he just got</p> <p>4 charged with the -- with possession of the</p> <p>5 controlled substance.</p> <p>6 Q So it shouldn't even list that he was</p> <p>7 selling if he just got charged with possession?</p> <p>8 MR. MICHALIK: Object to form.</p> <p>9 MS. WEST: Asked and answered.</p> <p>10 A Officer's discretion at that point, yeah.</p> <p>11 It's -- it's up to a officer's discretion if they</p> <p>12 want to list that. Are you saying list it in the</p> <p>13 arrest report?</p> <p>14 Q Yeah.</p> <p>15 A Oh, yeah. It's officer's discretion if he</p> <p>16 wants to list it in the arrest report.</p> <p>17 Q And why -- why would that be up to the</p> <p>18 officer?</p> <p>19 A Because he's the one writing the report.</p> <p>20 Q And what -- what factors would you as an</p> <p>21 officer take into consideration in deciding</p> <p>22 whether to include in an arrest report that</p> <p>23 someone was involved in trying to sell drugs?</p> <p>24 A Oh, I might just want to leave it to the</p>

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<p>321</p> <p>1 vice case report.</p> <p>2 Q Why would you want to leave it to the vice</p> <p>3 report?</p> <p>4 A Because I know I can go on more detail in</p> <p>5 vice case report.</p> <p>6 Q What do you mean by that, though? Why --</p> <p>7 why couldn't you do it in the arrest report?</p> <p>8 MS. WEST: Objection to form.</p> <p>9 A I'm not saying that I couldn't. I'm just</p> <p>10 saying it's officer discretion. They might not do</p> <p>11 it here because, you know, like I said, we think</p> <p>12 of this as a summary, and they want to put the</p> <p>13 most detail in the vice case report.</p> <p>14 MR. RAUSCHER: All right. We're going to</p> <p>15 mark Exhibit 15. This is City BG 056108 to -109.</p> <p>16 (Exhibit 15 was marked for identification</p> <p>17 and is attached to the transcript.)</p> <p>18 THE WITNESS: Thank you.</p> <p>19 Q Do you know who George Ollie is?</p> <p>20 A I -- I do know from recollection of</p> <p>21 reading over reports. I remember -- if I remember</p> <p>22 correctly -- George Ollie is, yes.</p> <p>23 Q And was his nickname G-Dawg?</p> <p>24 A Yes, I do remember his nickname being</p>	<p>323</p> <p>1 capacity, they would get paid in narcotics.</p> <p>2 Q Was -- this is an arrest -- this report is</p> <p>3 also talking about an arrest on January 4, 2003;</p> <p>4 right?</p> <p>5 A Correct.</p> <p>6 Q Same time as the Larry Lomax one we just</p> <p>7 looked at?</p> <p>8 A Correct.</p> <p>9 Q Do you know if they were arrested</p> <p>10 together?</p> <p>11 A I do not know from the arrest report that</p> <p>12 -- if they were arrested together.</p> <p>13 Q Do you see that this also says that Ollie</p> <p>14 got drugs from Offender Robinson? Robinson was</p> <p>15 placed in custody, and both were read rights?</p> <p>16 A Yes.</p> <p>17 Q That's the same thing it says for Larry</p> <p>18 Lomax's report?</p> <p>19 A Mm-hmm.</p> <p>20 Q Does that suggest that Larry Lomax and</p> <p>21 George Ollie were also arrested together?</p> <p>22 MS. WEST: Objection. Foundation. Form.</p> <p>23 A I'm not saying as far as being, you know,</p> <p>24 arrested together. They're both arrested for</p>
<p>322</p> <p>1 G-Dawg.</p> <p>2 Q And what do you remember about George</p> <p>3 Ollie?</p> <p>4 A He was one of the people that was involved</p> <p>5 in the drug trade down at Ida B. Wells.</p> <p>6 Q How was he involved in the drug trade?</p> <p>7 A He would be --</p> <p>8 Q You can keep going.</p> <p>9 A Okay. He would be -- he would either be</p> <p>10 security, on lookout, or sometimes he may --</p> <p>11 people who are out there working security or</p> <p>12 selling or whatever, he would be out there with</p> <p>13 them, keeping an eye on them.</p> <p>14 Q Did he work at any particular building?</p> <p>15 A I don't remember him just being at a</p> <p>16 particular building.</p> <p>17 Q Was he also a drug user?</p> <p>18 A I do remember him being a drug user, yes.</p> <p>19 Q Do you know if he got paid for being a</p> <p>20 lookout or helping with the drug trade?</p> <p>21 MS. WEST: Objection. Foundation.</p> <p>22 A So he -- they would -- a way he would get</p> <p>23 paid for working, because I know for him to be one</p> <p>24 of the workers down there in some -- some</p>	<p>324</p> <p>1 buying dope or receiving dope --</p> <p>2 Q Why does --</p> <p>3 A -- narcotics.</p> <p>4 Q Oh, I'm sorry. Go ahead. Why does it</p> <p>5 list Robinson in both the reports?</p> <p>6 MS. WEST: Objection. Foundation.</p> <p>7 A Because he was -- he was a seller or a</p> <p>8 provider.</p> <p>9 Q Do you know why your name is on Larry</p> <p>10 Lomax's arrest report and is not on George Ollie's</p> <p>11 arrest report?</p> <p>12 MS. WEST: Same objection.</p> <p>13 A It could be because I involved in</p> <p>14 apprehending Lomax in some capacity and Officer</p> <p>15 Jones may have been involved in apprehending</p> <p>16 George Ollie in some capacity. That could be a</p> <p>17 reason.</p> <p>18 Q Do you know if you and Jones and Ridgell</p> <p>19 were all involved in the same narcotics</p> <p>20 surveillance that day?</p> <p>21 A I cannot remember. I cannot remember if</p> <p>22 all were involved. I cannot remember.</p> <p>23 Q You see there's a reference to narcotic</p> <p>24 surveillance being conducted in the George Ollie</p>

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<p>325</p> <p>1 report?</p> <p>2 A Yes.</p> <p>3 Q And do you know what that reference is</p> <p>4 talking about?</p> <p>5 A Narcotic surveillance, watching -- in this</p> <p>6 case, these subjects are the ones involved for</p> <p>7 narcotic activity, or anybody else indulging in</p> <p>8 narcotic activity.</p> <p>9 Q Do you remember hearing any conversations</p> <p>10 involving Lomax or George Ollie the morning of</p> <p>11 January 4, 2003?</p> <p>12 A I don't remember.</p> <p>13 Q Do you know who Robinson is?</p> <p>14 A I do not.</p> <p>15 MS. WEST: Scott, do you care if we take a</p> <p>16 quick break?</p> <p>17 MR. RAUSCHER: No, of course.</p> <p>18 MS. WEST: Thank you.</p> <p>19 VIDEOGRAPHER: Off the record, 11:37.</p> <p>20 (A recess was taken.)</p> <p>21 VIDEOGRAPHER: Back on the record, 11:45</p> <p>22 BY MR. RAUSCHER:</p> <p>23 Q Do you remember being involved in</p> <p>24 arresting Leonard Gipson on January 4, 2003?</p>	<p>327</p> <p>1 remember correctly, Bobby and Toke were GD. And</p> <p>2 the thing about Fuzz, Fuzz was a Vice Lord. He</p> <p>3 was a Vice Lord or a Four Corner Hustler.</p> <p>4 Whatever it was, he was under the 5-point star,</p> <p>5 and he was, you know -- that was probably one of</p> <p>6 the only Vice Lords around there because that</p> <p>7 territory down there was GD -- GD, Gangster</p> <p>8 Disciple -- territory.</p> <p>9 That's generally some things about him.</p> <p>10 Q And I think you said he called it for the</p> <p>11 building?</p> <p>12 A Well, he -- they were together, though.</p> <p>13 You know, it was -- they were different from Big</p> <p>14 Shorty. Big Shorty called it by hisself, from my</p> <p>15 recollection. They were together. It was, like,</p> <p>16 a partnership with -- with Bobby, Fuzz, and Toke.</p> <p>17 Q And that was in 527 Browning?</p> <p>18 A I believe it was. I believe it was.</p> <p>19 Q Okay. Were you involved in more than one</p> <p>20 arrest with Mr. Gipson?</p> <p>21 A Yes.</p> <p>22 Q Okay. How many times did you arrest</p> <p>23 Mr. Gipson?</p> <p>24 A Twice.</p>
<p>326</p> <p>1 A Yes.</p> <p>2 Q Do you have an independent recollection of</p> <p>3 that arrest?</p> <p>4 A Yes.</p> <p>5 Q Meaning separate from looking at reports,</p> <p>6 you remember the -- okay.</p> <p>7 A I remember that arrest, yes.</p> <p>8 Q And you had mentioned the other day that</p> <p>9 you remember Leonard Gipson generally; right?</p> <p>10 A Yes.</p> <p>11 Q What was his nickname?</p> <p>12 A Fuzz.</p> <p>13 Q Tell me what you remember about</p> <p>14 Mr. Gipson.</p> <p>15 A I remember that he was with Bobby, I</p> <p>16 believe, Coleman -- correct? Bobby Coleman?</p> <p>17 Q I'm just -- whatever you can remember.</p> <p>18 A Bobby -- I mean, I'm sorry. Bobby -- if</p> <p>19 I'm saying the last name wrong -- but Bobby and</p> <p>20 Toke, Tallorn Funbanks, you know, when he was</p> <p>21 alive. That's -- that's who he ran with. He was</p> <p>22 involved in the narcotics trade down there with</p> <p>23 those individuals.</p> <p>24 He was actually -- they were, if I</p>	<p>328</p> <p>1 Q So one of them was January 4, 2003?</p> <p>2 A Yes.</p> <p>3 Q What was the other one?</p> <p>4 A I would have to refer to a report, if you</p> <p>5 have it. I don't remember the exact date.</p> <p>6 Q What do you remember about the other -- so</p> <p>7 we'll come back to the January 4 --</p> <p>8 A Sure.</p> <p>9 Q -- what do you remember about the other</p> <p>10 one?</p> <p>11 A The other one, our information was</p> <p>12 received concerning narcotics and happened to be</p> <p>13 dealing -- happened to be dealing with Fuzz. And</p> <p>14 what he had on that occasion, he had -- the</p> <p>15 information, he had a black backpack, and inside</p> <p>16 of it, he had all of the material -- dope, plus</p> <p>17 the materials, I believe. He definitely had</p> <p>18 materials to make -- to mix up the narcotics.</p> <p>19 Q Who else was involved in that arrest?</p> <p>20 A I cannot remember off the top of my head.</p> <p>21 I would have to refer to a report.</p> <p>22 Q Did you look at those reports to help</p> <p>23 prepare for today's deposition?</p> <p>24 A Yes.</p>

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<p>329</p> <p>1 Q Do you know if anyone else was arrested 2 with him on that other occasion?</p> <p>3 A I don't remember. I would need to refrain 4 back -- I mean, look back at my report.</p> <p>5 Q And then would you also need to look back 6 at the reports and see which other officers were 7 involved?</p> <p>8 A Yes, I would.</p> <p>9 Q Do you have an independent recollection of 10 that arrest?</p> <p>11 A With the details that I just told you, I 12 think I remember, I think, he might've tried to 13 throw it out the window once we, you know, caught 14 up with him, I believe, trying to get into the 15 apartment. But I definitely could tell you, you 16 know, if I look back at the report.</p> <p>17 Q What do you remember about arresting or 18 being involved in the arrest of Mr. Gipson on 19 January 4, 2003?</p> <p>20 A I remember we had gained information 21 pertaining to Mr. Gipson and Bobby, pertaining to 22 the vehicles that they would be driving and that 23 they were going to be bringing the narcotics to 24 the building -- I believe 527 -- I believe 520- --</p>	<p>331</p> <p>1 information. It was very good information, 2 though.</p> <p>3 Q What do you mean, "It was very good 4 information"?</p> <p>5 A It was -- it was down -- it was -- as far 6 as the description, vehicles, how early they were 7 going to be getting to the building, it was -- it 8 was on point.</p> <p>9 Q And so when -- did you get the information 10 before that day?</p> <p>11 A Oh, yeah, it -- definitely got information 12 before that day because we got there so early in 13 the morning. We had to get there so early in the 14 morning, you know, to try to set up surveillance.</p> <p>15 Q What time did you get there?</p> <p>16 A Definitely -- I don't remember how early 17 in the morning, but it was -- if it took place -- 18 I believe whatever happened took place between 19 6:00, 7:00, or whatever, whatever early in the 20 A.M. We was there definitely at least a hour 21 before -- before that, before all of the events 22 that took place, whatever timing is on the arrest 23 report.</p> <p>24 Q And what was your normal shift around that</p>
<p>330</p> <p>1 527; it was 527 East Browning -- early in the 2 morning.</p> <p>3 Q Who did -- did you receive information, or 4 was it your partners?</p> <p>5 A No, I do not remember I received 6 information. One of my partners.</p> <p>7 Q You know it was not you, or you don't 8 remember either way?</p> <p>9 A I'm pretty sure -- well, I don't remember 10 receiving the information for this particular 11 case.</p> <p>12 Q Were you the one who received the 13 information for the other arrest of Mr. Gipson 14 that you were talking about?</p> <p>15 A No, I don't remember receiving information 16 myself on that one either.</p> <p>17 Q Do you remember -- so back to the January 18 2003 arrest -- do you remember who provided the 19 information?</p> <p>20 A I don't remember which one of my teammates 21 provided the information.</p> <p>22 Q And do you remember, or did you know, who 23 gave them the information?</p> <p>24 A I do not know, do not recall who gave the</p>	<p>332</p> <p>1 time?</p> <p>2 A We worked days.</p> <p>3 Q Okay. And what time did the day shift 4 start?</p> <p>5 A We normally started -- sometimes we 6 started 8:00 a.m.</p> <p>7 THE WITNESS: Bless you.</p> <p>8 MR. RAUSCHER: Bless you.</p> <p>9 MS. WEST: Excuse me. Thank you.</p> <p>10 A And sometimes we started at 10:00 a.m., 11 but daytime.</p> <p>12 Q And so were you starting early this day?</p> <p>13 A Yeah, we were starting -- we were starting 14 early that day. I don't remember how early, you 15 know what I'm saying, as far as if -- on the A&As, 16 if I was early, but we got in there early.</p> <p>17 Q And did you get in there early 18 specifically because of the information you 19 received?</p> <p>20 A We got in there early specifically because 21 of the information we received, and we had to get 22 in the building to be able to set up without 23 anybody knowing that we were there.</p> <p>24 Q And so the A&A should say when you started</p>

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<p>333</p> <p>1 that day?</p> <p>2 A It's going to say when we started, yes.</p> <p>3 Q Did you need to get any sort of permission</p> <p>4 to start early?</p> <p>5 A Yes, we got permission from our sergeant</p> <p>6 to start early.</p> <p>7 Q Sergeant Watts?</p> <p>8 A Yes.</p> <p>9 Q Did he need to get permission from anyone</p> <p>10 for your team to start early?</p> <p>11 MR. KOSOKO: Objection. Foundation.</p> <p>12 A I'm -- I'm -- I'm not sure.</p> <p>13 Q Was there any sort of debrief before you</p> <p>14 started on January 3rd, 2004?</p> <p>15 MS. WEST: Objection. Foundation.</p> <p>16 A Whenever we received that information, we</p> <p>17 got debriefed on what was -- what we were looking</p> <p>18 for and things of that nature.</p> <p>19 Q Do you have any memory of that debrief, or</p> <p>20 are you just saying generally that's how it</p> <p>21 would've happened?</p> <p>22 A No, no. We got debriefed. I -- I do not</p> <p>23 remember when, but we did.</p> <p>24 Q And do you remember -- where did the</p>	<p>335</p> <p>1 sort would normally have lasted?</p> <p>2 A Depending on how -- on how well the</p> <p>3 information, it's not going to last too, too long</p> <p>4 because we got concise, you know, information and</p> <p>5 plug in who's going to be where or what on how to</p> <p>6 go.</p> <p>7 Q And do you remember discussing who was</p> <p>8 going to go where and do what at the debriefing?</p> <p>9 A I mean, I know we did, but I don't</p> <p>10 remember.</p> <p>11 Q When you say you know you did, is that</p> <p>12 because that's how it normally happened?</p> <p>13 A Yes, yes. Before -- before we go out on</p> <p>14 whatever surveillance mission or whatever, we</p> <p>15 would have in place, you know, who's going to be</p> <p>16 where or what, pertaining the information that we</p> <p>17 receive.</p> <p>18 Q Who led the debriefing?</p> <p>19 A I don't remember.</p> <p>20 Q Who would normally lead that sort of</p> <p>21 debriefing?</p> <p>22 MR. MICHALIK: Object to the form.</p> <p>23 A Whoever got the information.</p> <p>24 Q Do you know if Sergeant Watts was at this</p>
<p>334</p> <p>1 debriefing take place?</p> <p>2 A I don't remember. I don't remember.</p> <p>3 Q Where would that -- where would a</p> <p>4 debriefing of that sort normally take place?</p> <p>5 A At the station, or, you know, around the</p> <p>6 station.</p> <p>7 Q What would -- what do you mean "around the</p> <p>8 station"?</p> <p>9 A Because we -- we -- we might've been -- it</p> <p>10 could've been something that -- you know, we had</p> <p>11 other teams in there. So if they was in the room</p> <p>12 or somewhere where we'd be talking, we might stand</p> <p>13 outside in front of the station and talk about</p> <p>14 what we was going to do.</p> <p>15 Q And does the fact that it's in January</p> <p>16 have any impact on whether you might do it outside</p> <p>17 or not?</p> <p>18 A Oh, if it was in January, it's probably</p> <p>19 safe to say we was inside the station.</p> <p>20 Q Do you remember who was at the debriefing?</p> <p>21 A I don't.</p> <p>22 Q Do you remember how long it lasted?</p> <p>23 A I don't.</p> <p>24 Q Can you say how long a debriefing of that</p>	<p>336</p> <p>1 briefing?</p> <p>2 MS. WEST: Objection. Foundation.</p> <p>3 A I don't remember.</p> <p>4 Q Would he have typically been at a</p> <p>5 debriefing of this sort, where you got information</p> <p>6 about upcoming suspected drug dealing?</p> <p>7 A Of this sort, yes.</p> <p>8 Q Tell me what you remember about -- well,</p> <p>9 was there some sort of operation, then, on January</p> <p>10 4, 2003?</p> <p>11 A Well, we set up -- we set up surveillance.</p> <p>12 Q And where'd you set up surveillance?</p> <p>13 A Inside the building of 527. We had a</p> <p>14 vacant -- I believe -- I believe -- I can't</p> <p>15 remember if it was vacant or not, but we had an</p> <p>16 apartment. We had an apartment that -- I believe</p> <p>17 it was vacant for 527. When I look at my report,</p> <p>18 absolutely sure, but I believe it was vacant.</p> <p>19 We were -- we were -- my vantage point was</p> <p>20 at the rear of the building, above the first floor</p> <p>21 level at the back door, where I could see the</p> <p>22 people -- anybody at the back door and see, look</p> <p>23 down. I could look straight into the rear of the</p> <p>24 building, straight into the parking lot and see</p>

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<p style="text-align: right;">337</p> <p>1 when any vehicles pull up and everything and all 2 of this. We had a window -- had a window cracked, 3 so I could see and hear everything that was going 4 on or anything that was being said. 5 Q And did you -- you testified at a criminal 6 proceeding in connection with the arrest of 7 Mr. Gipson from this day; right? 8 A Yes. 9 Q And did you review that testimony before 10 today? 11 A Yes. 12 Q And did that help refresh your 13 recollection in any way about the events? 14 A Yes. In some areas, it did, yes. But I 15 remembered it. 16 Q You testified about having a cracked 17 window in that proceeding; right? 18 A Yes. 19 Q And did you remember -- do you remember 20 that independently, or was that something you 21 remembered after looking at your testimony? 22 A No, I remember that independently that the 23 window was cracked. 24 Q And just generally -- well, I'm going to</p>	<p style="text-align: right;">339</p> <p>1 Q You have any -- any explanation for why he 2 would've given false testimony? 3 MR. MICHALIK: Object to the form. 4 A I have -- I have several opinions, if you 5 would like to hear them. 6 Q I would, yeah. 7 A Okay. Number one, he could be -- he 8 could've been in with the drug trade as -- not 9 only in Ida B. Wells, but other employees in that 10 capacity were in on the drug trade that was going 11 on in some of the buildings. 12 You know, other than that, speculation, if 13 he was friends with Fuzz or Bobby or anything like 14 that. 15 Speculation, he might just, you know -- 16 some people don't like the police, plain and 17 simple. I'm not saying that he did or didn't, you 18 know, but these are just some reasons why, you 19 know, his testimony would've been what it was. 20 Or he could've -- and he could've got 21 paid. He definitely could've got paid. You know, 22 "Hey, I'm going to court." "You know, I need your 23 testimony," blah, blah, blah. "I need you to say 24 this. I need you to say this," you know, and</p>
<p style="text-align: right;">338</p> <p>1 strike that. 2 Did you testify truthfully at that 3 proceeding? 4 A Absolutely. 5 Q Okay. Do you remember a janitor -- did 6 you hear a janitor testify during that proceeding? 7 A I do know of a janitor testifying at the 8 proceeding, yes. 9 Q Were you here -- were you there, were you 10 present in the courtroom when the janitor 11 testified? 12 A No, I don't believe I was. I can't 13 remember, but I don't think I was. 14 Q You don't remember hearing the testimony 15 -- 16 A I don't remember, though. I don't 17 remember. 18 Q Did you read his testimony? 19 A Yes, I read his testimony. 20 Q Is his testimony false? 21 A Yes. 22 Q And do you know him? 23 A I don't remember him. I do not remember 24 him.</p>	<p style="text-align: right;">340</p> <p>1 everything. That's definitely in the realm of 2 possibility. 3 Q And so I did ask you to give me any reason 4 you could think of, but I'd like to make sure, do 5 you have any information suggesting any of those 6 reasons are true or -- 7 A I do not. 8 Q Okay. 9 A Those was -- like I said, those were my 10 opinions. You asked -- 11 Q I did. 12 A Right, yeah. Those are my opinions. 13 Q I just want understood. 14 A No, no, no. I do not have any hard facts 15 that those were the case. Those are just some 16 reasons possibly that I could speculate on. 17 Q Are there any janitors you remember 18 specifically from your time working in Ida B. 19 Wells who were involved in the drug trade? 20 A I can't remember, no. Not specifically. 21 Q Generally, though, you believe that to be 22 true? 23 A Some were, but I can't remember 24 specifically.</p>

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<p>341</p> <p>1 Q And when you say "some were," how do you 2 know that some were?</p> <p>3 A We would have information that would, you 4 know, come -- come around from different people, 5 like, yeah, so-and-so, he's in with them.</p> <p>6 Q Do you remember anybody who gave you that 7 type of information?</p> <p>8 A No, I don't.</p> <p>9 Q Do you ever remember any janitors being 10 arrested when you were working at Ida B. Wells?</p> <p>11 A I can't remember any janitors being 12 arrested. I don't remember.</p> <p>13 Q What would you do with the information if 14 you learned that a janitor -- or you had been told 15 that a janitor -- was involved in the drug trade? 16 Would you do anything with that?</p> <p>17 A Well, we wouldn't do anything immediately 18 at first because we have to find out if that's 19 true. You know, people say anything, you know. I 20 can't remember finding or catching somebody. I 21 can't remember. So if something comes up and it 22 does, it's like, okay, it did, but just right now, 23 I can't remember.</p> <p>24 Q And the janitor basically testified that</p>	<p>343</p> <p>1 A I don't remember personally doing it. 2 Anyone from the team, you know, could -- you know, 3 could -- might've -- might've done it, you know, 4 but I don't remember doing it personally, and I -- 5 and I -- and I believe we did. I'm not saying for 6 sure. I know we've done that for other vacants, 7 but I'm not saying we definitely reported it for 8 this one, but it was not -- it was a vacant. We 9 was able to gain access to it. It was not VP -- 10 VPS with the steel on it. There was no board up 11 on the door or the windows or any of that.</p> <p>12 Q But you don't remember how you got in, 13 though?</p> <p>14 A I don't remember if we -- we gained access 15 through management giving us access, you know, or 16 anything like that or -- or how we got in.</p> <p>17 Q How else would you have gotten in if you 18 didn't get a key from Ms. Osborne?</p> <p>19 A It could've been a vacant that was 20 unlocked, but it was still vacant. We knew it to 21 be -- we knew it to be unlocked. We might've 22 talked to them. I don't know how far ahead -- you 23 know, we'll get a day or four -- but sometimes we 24 might talk to them and tell them, "Hey, don't" --</p>
<p>342</p> <p>1 the door to the apartment where you said you were 2 was secured and it couldn't have been accessed; is 3 that right?</p> <p>4 A That's what he testified to.</p> <p>5 Q Okay. That -- you're saying that is 6 false?</p> <p>7 A Absolutely, that's false.</p> <p>8 Q Do you remember how you got into the 9 apartment that day?</p> <p>10 A I don't remember exactly how. I know one 11 of the ways -- Ms. Osborne, she could've gave us 12 the key. I do believe that it was a secure 13 vacant, if I remember correctly. There was no 14 board up, no VPS on it or the windows, you know, 15 or anything like that. We had access.</p> <p>16 And if I remember correctly, if I remember 17 correctly, once we were done with the operation, I 18 believe we alerted CHA officers that the -- it's 19 -- it's still a vacant, you know, or whatever, to 20 go on ahead if they was in the process of boarding 21 it up or putting a VPS on there, that they could 22 do so.</p> <p>23 Q How -- how -- did you personally report 24 that to CHA officers?</p>	<p>344</p> <p>1 "don't lock that up yet. We might need to use it, 2 okay" --</p> <p>3 Q Who's that --</p> <p>4 A -- "and everything."</p> <p>5 Q -- I'm sorry. Who's the --</p> <p>6 A I'm sorry. Management.</p> <p>7 Q Okay.</p> <p>8 A Management. "Don't" -- "don't lock that 9 one up yet. We might need to use it for 10 surveillance."</p> <p>11 Q If there was a report to CHA officers that 12 they could go ahead and put the VPS up or board up 13 the door, how would that report have been made?</p> <p>14 A Oh, by mouth.</p> <p>15 Q Okay.</p> <p>16 A Yeah.</p> <p>17 Q You just would've told them?</p> <p>18 A Yeah, just would've told them. Mm-hmm.</p> <p>19 Q Do you know how you picked which apartment 20 to be in?</p> <p>21 A So, depending on -- with specific 22 information like this, we would've -- we -- we 23 needed an apartment, if it was vacant, you know, 24 to give a good vantage point.</p>

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<p style="text-align: right;">345</p> <p>1 Sometimes -- like, when we would do our</p> <p>2 premise [sic] checks -- we talked about the</p> <p>3 premise checks. When we would do our premise</p> <p>4 checks, you know, sometimes when we come across</p> <p>5 vacants, some of them would be good ones to do</p> <p>6 surveillance in. So we was, like, okay, maybe if</p> <p>7 we get the chance, we could use this one.</p> <p>8 You know, other ones wouldn't either</p> <p>9 because they was -- they was so nasty and so</p> <p>10 filthy or -- or just because they weren't good for</p> <p>11 -- for that. But that's how, some ways we would</p> <p>12 pick them.</p> <p>13 Q And do you remember how you picked this</p> <p>14 specific apartment for January 4th, 2003?</p> <p>15 A I do not remember.</p> <p>16 Q Who would be the person to make the</p> <p>17 decision? Who would decide which apartment you</p> <p>18 would use on an operation like this one?</p> <p>19 A Any one of the officers could if they came</p> <p>20 across knowledge of it being, you know, a vacant.</p> <p>21 Q And would the decision about which</p> <p>22 apartment to be used be made in advance of getting</p> <p>23 to the building?</p> <p>24 A If we were able to know or find out that</p>	<p style="text-align: right;">347</p> <p>1 apartments -- and I'm just saying I don't want</p> <p>2 what I'm saying to get back out to anybody outside</p> <p>3 because there's people that still have</p> <p>4 affiliations with people from the projects.</p> <p>5 You know, it's like Fuzz. Over the years,</p> <p>6 I ran into Fuzz just out and about. You know? I</p> <p>7 ran into him. "How you doing?" you know, and</p> <p>8 everything. "You stop hustling?" You know, I</p> <p>9 would ask him questions like this.</p> <p>10 So what I'm saying is, I don't want this,</p> <p>11 like -- you know, I know you all have plaintiffs,</p> <p>12 but I don't want any information that I'm sharing</p> <p>13 about somebody that helped us down there, that</p> <p>14 they did not know was helping us, for them to find</p> <p>15 out at this later date, "Oh, you all was helping</p> <p>16 them." You see what I'm saying? So that's what</p> <p>17 I'm --</p> <p>18 Q And were you about to give me names of</p> <p>19 people who were helping?</p> <p>20 A I wasn't going to give you names, but I</p> <p>21 was about to say -- I was just about to say that</p> <p>22 there -- there are -- there are people that would</p> <p>23 help us by allowing us to be in their apartments</p> <p>24 that they occupied and let us be in there for the</p>
<p style="text-align: right;">346</p> <p>1 it's a vacant, that it's going to help us out with</p> <p>2 surveillance, with what the operation entails,</p> <p>3 yeah.</p> <p>4 Q And what if you didn't know that there was</p> <p>5 a vacant in advance?</p> <p>6 A We would have to get lucky. Sometimes we</p> <p>7 would have to try and get -- you know, try and get</p> <p>8 lucky because sometimes we'd just be in the</p> <p>9 building -- well, for the surveillance, if we</p> <p>10 didn't have -- if we couldn't find a vacant, if we</p> <p>11 couldn't find a vacant, you know, sometimes we</p> <p>12 knew -- like I said, this is -- this -- this all</p> <p>13 stays here; right? What we talk about?</p> <p>14 Q What do you mean?</p> <p>15 A I mean, does it get out -- anyway, well,</p> <p>16 we knew sometimes -- there were people down there</p> <p>17 that we knew, lived in the buildings. Okay?</p> <p>18 Q Let me pause you for one second because I</p> <p>19 -- just to be clear, I can't promise that anything</p> <p>20 stays here. If you have a -- are you saying</p> <p>21 there's some sort of security concern?</p> <p>22 A So what I'm saying is that people that</p> <p>23 helped us down there -- that lived in the</p> <p>24 buildings, that let us gain access to the</p>	<p style="text-align: right;">348</p> <p>1 purpose of surveillance.</p> <p>2 Q Okay.</p> <p>3 A So I don't want it to be that even though</p> <p>4 I'm not giving -- giving the names -- and I can't</p> <p>5 really -- I can't remember any names -- but I</p> <p>6 don't want it to be where somebody has suspicions;</p> <p>7 "Man, I wonder if so-and-so has been helping</p> <p>8 them."</p> <p>9 And then, you know, you talking to your</p> <p>10 clients or whatever, you know, say, "Well, Officer</p> <p>11 Summers said there was people that helped him."</p> <p>12 And then they'll go -- they go, "Wow, I</p> <p>13 bet you it was so-and-so."</p> <p>14 So that's -- that's all I'm saying when I</p> <p>15 say that.</p> <p>16 Q I can discuss that with your counsel. I'm</p> <p>17 not prepared today to --</p> <p>18 A Okay.</p> <p>19 Q -- agree that I think that should be</p> <p>20 confidential in a way that shouldn't be shared</p> <p>21 with clients, but I -- thank you for sharing what</p> <p>22 your concern was.</p> <p>23 A But -- but -- but you -- but you do see --</p> <p>24 but you -- but you do see why that -- why that's</p>

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<p>349</p> <p>1 important?</p> <p>2 Q I -- I don't know that we need to talk</p> <p>3 about it. I appreciate you raising the concern.</p> <p>4 A Okay.</p> <p>5 Q That's something I can address with the</p> <p>6 lawyers.</p> <p>7 A Okay. All right. All right.</p> <p>8 Q I interrupted you because I wanted to make</p> <p>9 sure I understood that. Do you remember where you</p> <p>10 were going with your answer?</p> <p>11 A Oh, yeah. You asked us when it -- if it</p> <p>12 was a vacant. You --</p> <p>13 Q Yeah.</p> <p>14 A -- yeah. That's what I was saying --</p> <p>15 Q Okay.</p> <p>16 A -- that sometimes some people would let us</p> <p>17 occupy their apartment, you know, for</p> <p>18 surveillance, depending on the information that we</p> <p>19 had, if we, you know, didn't have a vacant, you</p> <p>20 know, or something like that.</p> <p>21 Q Do you remember -- and if this is what</p> <p>22 you've -- well, let me first ask, do you remember</p> <p>23 any specific people who let you use their</p> <p>24 apartments?</p>	<p>351</p> <p>1 A Yes, yes. One of those, yes.</p> <p>2 Q Do you have, like, a specific recollect-</p> <p>3 -- even if you don't know their names, do you have</p> <p>4 anything specific you --</p> <p>5 A Female.</p> <p>6 Q Female?</p> <p>7 A They were female.</p> <p>8 Q Multiple people?</p> <p>9 A The ones that I remember, a couple were</p> <p>10 female.</p> <p>11 Q How old about were they?</p> <p>12 A They were -- some were -- a little -- some</p> <p>13 were over 40. Some were younger, middle age, you</p> <p>14 know. Middle age, I would say.</p> <p>15 Q How many --</p> <p>16 A Probably, yes.</p> <p>17 Q How many operations did you run out of</p> <p>18 their apartments?</p> <p>19 A No, I don't remember -- it wasn't, like,</p> <p>20 multiple, you know, and everything because, you</p> <p>21 know, it's -- it's -- it's kind of risky. It's</p> <p>22 just -- I just remember on a couple that we --</p> <p>23 that we did.</p> <p>24 Q So tell me, what do you remember -- just</p>
<p>350</p> <p>1 A I don't remember their names, no.</p> <p>2 Q Okay. Do you remember the apartment</p> <p>3 numbers?</p> <p>4 A I don't remember the apartment numbers,</p> <p>5 no.</p> <p>6 Q Do you remember the floors that they lived</p> <p>7 on?</p> <p>8 A It -- it was different ones. Some of them</p> <p>9 lived on the third, fourth, fifth. It was -- it</p> <p>10 was -- it was different floors.</p> <p>11 Q Which buildings did this occur in?</p> <p>12 A A couple of them.</p> <p>13 Q Which buildings specifically?</p> <p>14 A I can't remember specifically what</p> <p>15 buildings. Definitely 5 -- 527, 540, 574 --</p> <p>16 Q You remember that?</p> <p>17 A Yeah, there was some people that lived in</p> <p>18 there -- that lived in -- now, which building, I</p> <p>19 do not remember.</p> <p>20 Q It was --</p> <p>21 A They definitely lived in one of them --</p> <p>22 Q At least --</p> <p>23 A -- that we -- that we would use, yes.</p> <p>24 Q At least one building?</p>	<p>352</p> <p>1 tell me what you remember about using those</p> <p>2 people's apartments.</p> <p>3 A That they -- that they -- they trusted us.</p> <p>4 We had a good rapport with them and everything.</p> <p>5 The reason they would let us use the apartment is</p> <p>6 because, man, there's a lot of dope being sold</p> <p>7 down here and everything. They -- some people</p> <p>8 didn't want that down there.</p> <p>9 I'm not saying -- you know, the people</p> <p>10 that lived there, there were some, you know,</p> <p>11 hardworking people that lived in projects.</p> <p>12 Everybody that lived in the projects did not do --</p> <p>13 do dope, sell dope, commit crimes. There was</p> <p>14 hardworking people there that lived there and</p> <p>15 didn't want that, you know, stuff around there.</p> <p>16 Some of them, you know, felt in a way like</p> <p>17 it was -- it was almost like they -- you know,</p> <p>18 they're hostage. They walk out the building and</p> <p>19 they walk down the floor; people are selling dope.</p> <p>20 Walk out the lobby, people are selling dope.</p> <p>21 They've got little kids. They're trying to get</p> <p>22 them to school and stuff; people selling dope.</p> <p>23 You know, so some people wanted to do</p> <p>24 something about it.</p>

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<p>353</p> <p>1 Q Well, I just want to get back to the</p> <p>2 question --</p> <p>3 A Oh, sorry.</p> <p>4 Q -- which is, what do you remember doing in</p> <p>5 those people's apartments?</p> <p>6 A Oh, just -- just surveillance.</p> <p>7 Q Do you remember any specific incidents of</p> <p>8 surveillance from those apartments that you're</p> <p>9 talking about?</p> <p>10 A Well, yeah.</p> <p>11 Q Okay. What do you remember?</p> <p>12 A You -- for another case? Are you talking</p> <p>13 about -- are you talking about another case?</p> <p>14 Q I just want to know -- so you've talked</p> <p>15 about having --</p> <p>16 A I just remember being on surveillance and</p> <p>17 -- and catching somebody in the act of, you know,</p> <p>18 selling narcotics.</p> <p>19 Q And do you remember -- and you're talking</p> <p>20 about using someone's apartment who was a resident</p> <p>21 who let you use it?</p> <p>22 A Right. It's happened before, yes, that</p> <p>23 we've used somebody's apartment that was a</p> <p>24 resident.</p>	<p>355</p> <p>1 counselor --</p> <p>2 A I'm sorry.</p> <p>3 MS. WEST: Correct.</p> <p>4 A Okay.</p> <p>5 Q So I'm not going to ask you more about</p> <p>6 Jamar Lewis.</p> <p>7 A Okay, okay. That's fine.</p> <p>8 Q Are there any other incidents you remember</p> <p>9 of -- or you think you remember of using someone's</p> <p>10 apartment who let you in there to conduct</p> <p>11 surveillance other than Jamar Lewis potentially?</p> <p>12 A Yes, but we didn't catch anybody.</p> <p>13 Q Okay. Do you remember how often that</p> <p>14 happened?</p> <p>15 A Not -- not often.</p> <p>16 Q Okay.</p> <p>17 A Not often.</p> <p>18 Q Like, a couple times, two or three?</p> <p>19 A Maybe two or three. Not -- not -- not</p> <p>20 often.</p> <p>21 Q You said you've seen Leonard Gipson over</p> <p>22 the years?</p> <p>23 A Yes.</p> <p>24 Q About how many times have you seen him?</p>
<p>354</p> <p>1 Q And you remember that that happened --</p> <p>2 okay, right.</p> <p>3 A Yeah.</p> <p>4 Q And you remember catching someone during</p> <p>5 at least one of those times? You caught someone</p> <p>6 selling drugs?</p> <p>7 A Yes.</p> <p>8 Q Do you remember who that person was?</p> <p>9 A I do. I can't remember if that was from</p> <p>10 it being unoccupied or it might -- or that</p> <p>11 somebody let us -- let us use it, but it could've</p> <p>12 been a case where somebody let us use the</p> <p>13 apartment.</p> <p>14 Q What -- do you know the person's name?</p> <p>15 A That let us use the apartment or the</p> <p>16 offender?</p> <p>17 Q The offender.</p> <p>18 A Oh, Jamar Lewis.</p> <p>19 Q Okay. And we're going -- you're doing</p> <p>20 that a different day.</p> <p>21 A Oh, yeah.</p> <p>22 Q Okay.</p> <p>23 A Yes.</p> <p>24 Q No, I -- sorry, I was letting your</p>	<p>356</p> <p>1 A Since I've been away from Ida B. Wells, I</p> <p>2 think I've seen him -- I've seen him -- I've ran</p> <p>3 into him twice. I ran into him twice, and I ran</p> <p>4 into him with his -- with -- then she was his</p> <p>5 girlfriend, Nicole -- Nicole Arganow [ph] -- if</p> <p>6 they still married -- I know they had gotten</p> <p>7 married. But I would run into -- I would run into</p> <p>8 both of them.</p> <p>9 Q And when was the last time that you saw</p> <p>10 them?</p> <p>11 A Oh, it's been a long time.</p> <p>12 Q What was --</p> <p>13 A It's -- it's --</p> <p>14 Q I'm sorry. Go ahead.</p> <p>15 A -- it's been a long time. It's definitely</p> <p>16 -- it's been, yeah, over five, six, seven years, I</p> <p>17 believe. It's been a long time.</p> <p>18 Q What were your interactions like with him</p> <p>19 when you saw him over the years?</p> <p>20 A They were -- they were -- they were</p> <p>21 cordial. They were cordial, even when he was down</p> <p>22 there, he -- when Fuzz was down there.</p> <p>23 And, you know, after we caught him after</p> <p>24 that arrest, after the other arrest, I used to</p>

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<p>357</p> <p>1 talk to Fuzz. I used to tell Fuzz, "You know, you 2 hustling backwards." I would say things like that 3 to him. "When you going to get out?" "When are 4 you going to get out?" You know, Fuzz was a -- he 5 was -- you know, he was -- he was a hustler, but 6 he was, you know, a likeable guy, you know, and 7 everything, even when I would run into him. 8 You know, "Hey, J Boog, you know, and 9 everything. How you all doing? You know, how are 10 the kids, you know, and everything?" 11 And I would say to him, I'd say, "You can 12 get" -- "you know, you stop hustling, you know, 13 and everything?" this, that, and the other. And 14 he would smile a little bit, you know, whatever. 15 It's like, hey, okay. You know, we didn't take 16 any of this personal. We used to have talks with 17 those guys, you know. 18 A I'd say -- I, myself, I didn't take any of 19 that personal. They were selling -- they were 20 selling narcotics. We was the police. I was to 21 try to catch them, and their job was to try to get 22 away and sell narcotics. 23 Q You said you would tell him he was 24 hustling backwards?</p>	<p>359</p> <p>1 sign it? 2 A Yeah, I believe I authorized Ridgell to 3 sign. 4 Q Okay. But you reviewed it before you 5 authorized him to sign this? 6 A Yes. 7 Q And you believe it's accurate? 8 A Yes, true and accurate. 9 Q And this is a report memorializing an 10 arrest of Leonard Gipson January 4, 2003? 11 A Yes. 12 Q Time, 7:53? 13 A Yes. 14 Q Is everything in this report accurate? 15 A To my knowledge, yes. 16 Q And so this -- tell me where you were -- 17 well, tell me what you observed that's described 18 in this. 19 A Offender walked -- 20 Q I'm sorry. And I just want to make clear. 21 When I say, "tell me what you observed that's 22 described in this" report, I mean you personally. 23 A Yeah. I -- so I observed Offender Fuzz 24 walk towards Bobby -- Bobby Coleman. And when it</p>
<p>358</p> <p>1 A Yes. 2 Q What do you mean by that? 3 A Because you're in the dope game, like he 4 was for those years that I was down there and as 5 much dope as they were selling -- you know, when I 6 say hustling backwards, it was like, what you 7 doing with your money? You not putting it away so 8 you could stop selling narcotics? You're going to 9 sell narcotics the rest of your life? You know? 10 MR. RAUSCHER: All right. We're going to 11 mark 16, DO Joint 05731 to 57- -- I'm sorry -- 12 5371 to 5372. 13 (Exhibit 16 was marked for identification 14 and is attached to the transcript.) 15 (Pause.) 16 Q Have you had a chance to look at this? 17 A Yes. 18 Q Did you review this report to prepare for 19 your deposition? 20 A Yes. 21 Q And you see your name on it? 22 A Yes. 23 Q Do you know if you signed that name or if 24 you had Ridgell -- or you authorized Ridgell to</p>	<p>360</p> <p>1 states he reached inside of his front pants pocket 2 and -- Bobby Coleman -- Mr. Coleman did, reach 3 inside of his front pants pocket and handed clear 4 plastic bag, containing suspect narcotics, to 5 Offender Gipson. 6 Q Okay. Is that the only part that you 7 observed? 8 A No. I just -- I thought -- 9 Q Oh, okay. 10 A -- you needed to question. I'm sorry. 11 Q No, no. Yeah, no. 12 A And then at which time Offender Gipson 13 walked away and approached the co-defendant Robert 14 Clifford and Mark Giles in front of the above 15 location and handed out bundles of suspect 16 narcotics. 17 Q And you saw -- you saw all of that happen? 18 A Right. We was -- from my surveillance 19 point, we was looking down at them and could see 20 them because we was at a heightened level. We was 21 on the next floor above the lobby. I believe it 22 was the -- you know, which would be the second 23 floor. I believe it was. 24 Q I'm sorry. What level? You said a height</p>

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<p>361</p> <p>1 to level?</p> <p>2 A A heightened, heightened.</p> <p>3 Q Oh, heightened. I'm sorry.</p> <p>4 A Yes, heightened.</p> <p>5 Q You were higher than him?</p> <p>6 A Yes, yes.</p> <p>7 Q Got it. All right. And then it says,</p> <p>8 Arresting officers broke surveillance as the</p> <p>9 offender tried to flee inside of his vehicle.</p> <p>10 A Right.</p> <p>11 Q Did you observe that happen?</p> <p>12 A Yeah. By the time we broke surveillance</p> <p>13 and we got down there, Fuzz had already handed --</p> <p>14 you know, we saw him hand off the dope and</p> <p>15 everything. So by the time we got down there, he</p> <p>16 was getting back to his vehicle and attempting to</p> <p>17 leave.</p> <p>18 Q So you saw Fuzz, Leonard Gipson, hand off</p> <p>19 dope to people, and then you broke surveillance?</p> <p>20 A Right.</p> <p>21 Q Okay. And then did you announce who you</p> <p>22 were? Did you tell them --</p> <p>23 A When we got down there.</p> <p>24 Q Okay.</p>	<p>363</p> <p>1 just talked about what happened and what was going</p> <p>2 to go in the report.</p> <p>3 Q And do you remember talking about what</p> <p>4 happened, or do you just assume that happened</p> <p>5 because that would be your standard practice?</p> <p>6 A No, yeah, we definitely talked about what</p> <p>7 happened. I just can't remember specifically, you</p> <p>8 know, about a should or shouldn't or about what</p> <p>9 you're asking about, about why -- why they're</p> <p>10 right there.</p> <p>11 Q Well, I guess what I'm trying to say is,</p> <p>12 when you say you remember -- I'm sorry. When you</p> <p>13 say you definitely talked to Ridgell about the</p> <p>14 report --</p> <p>15 A Yes.</p> <p>16 Q -- do you have a memory of doing that, or</p> <p>17 is that --</p> <p>18 A Well --</p> <p>19 Q -- just what you would always do?</p> <p>20 A Well, we do, but I know -- I know from</p> <p>21 practice, we would talk about, "Okay. What</p> <p>22 happened?" you know, blah, blah, blah, you know,</p> <p>23 and go over before we would write in the report.</p> <p>24 Q So is it fair to say that your standard</p>
<p>362</p> <p>1 A Yeah. Once we got down on the level where</p> <p>2 everybody was, yes.</p> <p>3 Q And did you run down? Did you walk down?</p> <p>4 A Oh, ran. Ran down.</p> <p>5 Q Were there any doors in between where you</p> <p>6 were -- where you were when you saw this stuff</p> <p>7 happening?</p> <p>8 A If I remember correctly, for the 527</p> <p>9 Browning building, some had doors, some didn't. I</p> <p>10 -- if I remember correctly, they didn't have doors</p> <p>11 at certain points when you came down out the</p> <p>12 stairs, but some of them did have doors. So but I</p> <p>13 can't remember exactly. I can't.</p> <p>14 Q Was there -- other than -- why does it say</p> <p>15 -- why does it mention Clifford and Giles in this</p> <p>16 report?</p> <p>17 MS. WEST: Objection. Foundation.</p> <p>18 A It looks like because that was who was</p> <p>19 seeing him approaching.</p> <p>20 Q Do you -- did you talk to Ridgell about</p> <p>21 what should or shouldn't be in this report?</p> <p>22 A What should and shouldn't be? I mean, we</p> <p>23 talked about the report. I don't remember</p> <p>24 specifically, you know, a should or shouldn't. We</p>	<p>364</p> <p>1 practice was to talk about it? You don't have any</p> <p>2 specific memory of doing that here?</p> <p>3 A I -- I don't.</p> <p>4 Q Okay. Is the -- is Gipson's arrest that's</p> <p>5 reflected here connected to Larry Lomax and George</p> <p>6 Ollie's arrest?</p> <p>7 A Yes. Now that you gave -- you know, and</p> <p>8 everything -- it is.</p> <p>9 Q And how is it --</p> <p>10 A It is.</p> <p>11 Q -- how is it connected to their arrests?</p> <p>12 A So they -- the description in the arrest</p> <p>13 report is a summary of them being -- having the</p> <p>14 drugs passed -- passed off after Fuzz received</p> <p>15 them from Coleman. Those drugs -- those are the</p> <p>16 dope -- those are the drugs that are being</p> <p>17 distributed in these other two arrest reports --</p> <p>18 the drugs that was received by Fuzz from Offender</p> <p>19 Coleman.</p> <p>20 Q So there was a -- was there a period of</p> <p>21 time after Fuzz got the drugs before you broke</p> <p>22 surveillance?</p> <p>23 A No. So, yeah, when he came back, he --</p> <p>24 when Fuzz came back, he, you know, said whatever</p>

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<p style="text-align: right;">365</p> <p>1 he said or whatever, and he handed the narcotics 2 off to the individuals, these individuals who are 3 all standing right down there at the back. 4 Q So he handed it to Clifford, Giles, and 5 Lomax and Ollie? 6 A No, no, no. No, no. It was -- so he 7 handed it to Clifford and then Giles. Whoever the 8 -- whoever -- wherever it went after that, it's 9 not there, like I said, in the -- in the arrest 10 report, as you can see. That's what I'm saying, 11 is it was a summary because you don't have all of 12 that space. So probably if I look at the vice 13 case report, I can give you more info on what else 14 happened. 15 Q Well, the -- the arrest report says that 16 you saw Fuzz approach Robert Clifford and Mark -- 17 is it Giles, you're saying? -- and then handed out 18 bundles of suspect narcotics. Then you broke 19 surveillance. You said you ran downstairs. As he 20 tried to flee, you arrested him. So where -- 21 where does -- 22 A Why -- well -- 23 Q -- where do Lomax and Ollie fall in here? 24 A They fall in, you know -- you know,</p>	<p style="text-align: right;">367</p> <p>1 Q Okay. 2 A We did. But -- we did. That's why I was 3 saying we didn't want them to get away. We saw 4 them all the way up to the point he came and he 5 handed off the drugs -- Fuzz did. 6 Q Okay. 7 A Now, these individuals, you know, whatever 8 -- that's what's Calvin is saying here -- passed 9 it off to these -- these individuals. Okay? And 10 everything. Seeing Ollie -- like I said, they 11 were all down there, and they was all down there 12 together. They hand out, getting distributed, you 13 know, narcotics. 14 When we broke surveillance, yes, we lost 15 view of all of them. They still had the narcotics 16 -- these individuals. The only person who didn't 17 have any narcotics anymore was Fuzz didn't have 18 any more and Bobby because they had gave them -- 19 gave it up. 20 Q So when did you see Lomax get drugs? 21 A Lomax -- 22 MR. KOSOKO: I'm going to object. That 23 misstates the prior testimony. 24 Q It's a question. When did you see Lomax</p>
<p style="text-align: right;">366</p> <p>1 afterwards, after -- you know, when you came down 2 and everybody's gone, they would've already had 3 their narcotics. They were in the hallways. They 4 was in the hallways. Remember they about to set 5 up. So -- so people who had their narcotics -- 6 like I said, some that they get paid with the -- 7 with the wake-ups -- I'm sorry -- with the heroin. 8 So they had that in possession. 9 But as on the arrest report, you know, 10 that's why I said it's arresting officers because 11 I remember Calvin and I was on -- was on the 12 surveillance. So we're both seeing, you know, 13 things that are going -- are going on. So when 14 I'm observing -- I -- I -- like I said, what I 15 observed, as far as paying attention to Fuzz, when 16 he started moving, Calvin, it was like he was 17 paying more attention to Robert Clifford and Mark 18 Giles. Because once Fuzz handed off that dope, we 19 don't want him to get away -- him or Bobby, him or 20 Bobby. 21 Q So are you telling me that when you broke 22 surveillance, you were -- when you left the 23 apartment, you never lost view of -- 24 A We did.</p>	<p style="text-align: right;">368</p> <p>1 get drugs? 2 A Either I had -- if I remember -- I don't 3 remember if it -- I saw him get them when -- when 4 we was up -- up top and even then or when we came 5 down they were in the act of these conversations 6 and -- and handing out the narcotics. That was 7 going on in both times. I can't -- as far as 8 which individuals, but it was going on. We was up 9 when he handed off the dope -- because Fuzz was 10 still talking to him, you know, and directing him 11 and stuff, and they was handing out the dope -- 12 like I said, the wake-ups and stuff like that. 13 When we came down and broke surveillance, 14 there was still -- some of that was still going 15 on. 16 Q Fuzz was handing out drugs to sell or -- 17 what was Fuzz handing out drugs for? 18 A For them to be sold. 19 Q To who? Who was Fuzz handing -- 20 A To Bobby -- 21 Q -- I'm sorry. Who was Fuzz handing them 22 out to? 23 A Fuzz handed -- handed the narcotics off to 24 -- and Offender 1 -- yes. So right here, he</p>

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<p style="text-align: right;">369</p> <p>1 handed to multiple individuals. He handed them --</p> <p>2 he handed it to Robert -- says Robert Clifford and</p> <p>3 Mark Giles. Ollie and them, I know they were all</p> <p>4 right there, close, you know, right there.</p> <p>5 But Fuzz's intent was to hand it -- hand</p> <p>6 it out. Like I said, he said whatever he was</p> <p>7 saying and everything. His intent was for the</p> <p>8 people who was going to be working to get their</p> <p>9 wake-ups or -- you know, some of them get wake-ups</p> <p>10 for working and everything -- and then after all</p> <p>11 of that was done, for them to open up and start</p> <p>12 selling to people coming to buy dope.</p> <p>13 Q What's a wake-up?</p> <p>14 A So what a wake-up is, in the morning time,</p> <p>15 when you start your shift, if you working in the</p> <p>16 drug trade, either doing security or you might be</p> <p>17 -- might be the seller, if you're a addict, they</p> <p>18 pay you by giving you a bag of dope free. And</p> <p>19 it's called a wake-up because it's in the morning</p> <p>20 at the beginning of the shift.</p> <p>21 At the end of the shift, after the day is</p> <p>22 over, this, that, and the other, you could -- you</p> <p>23 could get another free bag of dope that you don't</p> <p>24 have to pay for, and it's called a take-home.</p>	<p style="text-align: right;">371</p> <p>1 would be -- it could -- you could charge them with</p> <p>2 delivery.</p> <p>3 Q Charge who with delivery?</p> <p>4 A Somebody. You could charge somebody with</p> <p>5 delivery if they're saying, "Hey, I paid for this.</p> <p>6 You give me this." The person who -- who got the</p> <p>7 money for it could be charged with delivery. And</p> <p>8 the proof of it is if we got the person who</p> <p>9 tendered him the money in exchange for the</p> <p>10 narcotics along with the person.</p> <p>11 Q But it wouldn't be relevant to his arrest;</p> <p>12 right?</p> <p>13 A No, no. I believe this is a wake-up.</p> <p>14 Q And who's Robinson?</p> <p>15 A I -- I -- I -- I don't -- I don't know.</p> <p>16 Q Did you see Robinson hand off drugs to</p> <p>17 Larry Lomax?</p> <p>18 A I'm -- I'm -- you know, I'm not sure. I'm</p> <p>19 not sure. Like I said, both of us was looking. I</p> <p>20 could've, you know, turned. I could've focused on</p> <p>21 Fuzz or something like that while Calvin was</p> <p>22 looking, you know, and -- you know, and</p> <p>23 everything. But I'm not -- I'm not sure who</p> <p>24 Robinson is.</p>
<p style="text-align: right;">370</p> <p>1 Q What's a hand-to-hand transaction mean?</p> <p>2 A Just that, from one hand to another. I'm</p> <p>3 handing you this dope, and I'm handing it off in</p> <p>4 my hands to another person.</p> <p>5 Q It doesn't necessarily mean money was</p> <p>6 exchanged?</p> <p>7 A Doesn't necessarily mean money is</p> <p>8 exchanged, right.</p> <p>9 Q And was Larry Lomax getting a wake-up?</p> <p>10 A Larry Lomax, for -- from what -- how it</p> <p>11 went down and everything, I would have to assume</p> <p>12 that that's a wake-up.</p> <p>13 Q And why do you have to assume that?</p> <p>14 A There was no money tendered.</p> <p>15 Q How do you know there was no money</p> <p>16 tendered?</p> <p>17 A It doesn't say anything about any money</p> <p>18 tendered in the arrest report.</p> <p>19 Q And would that be pertinent information</p> <p>20 that would be in the arrest report?</p> <p>21 A Yeah. If money was tendered, it should</p> <p>22 probably be in the arrest report.</p> <p>23 Q Why would that be in the arrest report?</p> <p>24 A Because now it's a -- it's delivery. It</p>	<p style="text-align: right;">372</p> <p>1 Is there -- is there -- can I ask you, is</p> <p>2 there an arrest report for Robinson?</p> <p>3 Q I'm not -- I don't know who Robinson is</p> <p>4 either.</p> <p>5 A Yeah, yeah. You --</p> <p>6 Q Do you know who Robinson is?</p> <p>7 A -- know, okay. I don't know.</p> <p>8 Q Yeah.</p> <p>9 A Speculation -- not sure, not sure --</p> <p>10 Robinson -- Robinson could be somebody that was</p> <p>11 our informant. Could be. I'm not sure.</p> <p>12 Q Do you remember an informant named</p> <p>13 Robinson?</p> <p>14 A I don't. I don't. But he's -- not</p> <p>15 necessarily saying he was mine, though.</p> <p>16 Q I'm sorry. Say that again.</p> <p>17 A I'm not saying -- I'm not saying he -- I'm</p> <p>18 not saying that he was my informant that I knew.</p> <p>19 You know, other people on the team knew people</p> <p>20 that would give them information too.</p> <p>21 MR. RAUSCHER: Let's take a really quick</p> <p>22 break.</p> <p>23 THE WITNESS: Okay.</p> <p>24 MR. RAUSCHER: Just want to talk for a</p>

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<p>373</p> <p>1 second.</p> <p>2 MS. WEST: Yeah.</p> <p>3 THE WITNESS: Okay.</p> <p>4 VIDEOGRAPHER: Off the record, 12:28.</p> <p>5 (A recess was taken.)</p> <p>6 VIDEOGRAPHER: Back on the record, 12:29.</p> <p>7 THE WITNESS: Can I -- can I ask a</p> <p>8 question?</p> <p>9 MR. RAUSCHER: I can't really answer your</p> <p>10 questions.</p> <p>11 MS. WEST: Yeah.</p> <p>12 THE WITNESS: Oh, okay. I'm sorry. Okay.</p> <p>13 BY MR. RAUSCHER:</p> <p>14 Q You see George Ollie's report, which was</p> <p>15 15?</p> <p>16 A Yes.</p> <p>17 Q Offender Robinson held brief conversation</p> <p>18 with above offender, George Ollie.</p> <p>19 A Correct.</p> <p>20 Q Did you hear that conversation?</p> <p>21 MS. WEST: Objection. Foundation.</p> <p>22 A I don't remember.</p> <p>23 Q How many times did you announce your</p> <p>24 office that morning?</p>	<p>375</p> <p>1 -- they didn't know we was in there. So they were</p> <p>2 in the -- in the -- in the -- in the -- you know,</p> <p>3 in the process of doing the hand -- in the</p> <p>4 hand-to-hand transaction. Okay? That's -- that's</p> <p>5 what I'm saying.</p> <p>6 Q Where do you think you were when you</p> <p>7 witnessed this?</p> <p>8 A I don't -- I don't know. I don't</p> <p>9 remember. Yeah, I don't -- I don't -- I don't</p> <p>10 remember.</p> <p>11 Q And then you -- oh, I'm sorry. Go ahead.</p> <p>12 A Yeah, I don't remember if I saw them, if</p> <p>13 they did some other -- I saw them doing something</p> <p>14 while I was up or it was when I got down to the</p> <p>15 ground level.</p> <p>16 Q You -- then you -- then did you stop while</p> <p>17 -- you announced your office, and then you stopped</p> <p>18 and you arrested them?</p> <p>19 A No, no, no. I kept going because I was</p> <p>20 trying to get to Fuzz.</p> <p>21 Q Okay.</p> <p>22 A I didn't want him to get away, didn't want</p> <p>23 Bobby to get away. And by that time, we had</p> <p>24 radioed. So once we're down, I announced my</p>
<p>374</p> <p>1 A If I remember correctly, one time. I</p> <p>2 mean, I didn't -- my regular practice, I wouldn't</p> <p>3 have announced more than one time.</p> <p>4 Q So you think that while you were running</p> <p>5 downstairs and running out of the building, you</p> <p>6 may have witnessed Lomax take drugs while you were</p> <p>7 chasing after Fuzz; is that right?</p> <p>8 MS. WEST: Objection. Misstates prior</p> <p>9 testimony.</p> <p>10 A No. When I came out, it could've been</p> <p>11 that they were already -- as I came out, wherever</p> <p>12 I came out, they were engaging in the hand-to-hand</p> <p>13 transaction before I got -- got up or before I got</p> <p>14 a chance to announce my office.</p> <p>15 Q Right. But what I'm asking is, does that</p> <p>16 mean that while you were running out of the</p> <p>17 building, you think you saw Robinson give drugs to</p> <p>18 Lomax?</p> <p>19 A No, no, no, no. What I'm saying is, not</p> <p>20 out of the building. Before I came out of the</p> <p>21 building, I had to come through the building.</p> <p>22 Q Okay.</p> <p>23 A So when I came out -- it's possible when</p> <p>24 I'm about to come through the building, they were</p>	<p>376</p> <p>1 office, whatever else. I went past them because I</p> <p>2 had partners with me to secure them, you know, and</p> <p>3 everything. And I went out and apprehended Fuzz.</p> <p>4 Q So who announced their office? When it</p> <p>5 says, AOs approached, announcing office, on</p> <p>6 Exhibit 14?</p> <p>7 MS. WEST: Objection. Foundation.</p> <p>8 A It could be any one of us at that time</p> <p>9 that announced -- announced the office.</p> <p>10 Q Any one of you or Ridgell?</p> <p>11 A Yeah, me or Ridgell.</p> <p>12 Q But definitely one of the two of you?</p> <p>13 A Or one of the two of us. I don't know if</p> <p>14 -- if somebody else might've been -- you know,</p> <p>15 came and by that time was with us too and</p> <p>16 announced it.</p> <p>17 Q So it could be someone who isn't even</p> <p>18 listed on the report?</p> <p>19 MS. WEST: Objection. Foundation.</p> <p>20 A Well, no. Because Al Jones is listed.</p> <p>21 Q On Exhibit 14?</p> <p>22 A Oh, you talking about on 14. I'm sorry.</p> <p>23 I thought you was talking any of them.</p> <p>24 Q Oh, sorry. No, no. Just 14.</p>

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<p>377</p> <p>1 A I'm sorry. I'm sorry. Yeah, yeah. 2 Pardon. Yes, exactly. When talking about as far 3 as 14, yes. 4 Q So 14 was either you or Ridgell; that's 5 Larry Lomax. And then for George Ollie, 15, 6 that's either Jones or Ridgell or -- 7 A Yeah. 8 Q -- maybe -- maybe you? 9 A It could be -- yeah, it could -- right. 10 But it could've been Ridgell for all those. 11 MR. RAUSCHER: All right. Let's mark 12 Exhibit -- are we on -- 13 THE WITNESS: We at -- 14 MR. RAUSCHER: -- 17. 15 THE WITNESS: Yeah, yeah. 16 MR. RAUSCHER: This is a vice case report, 17 City BG 051643 to -644. 18 (Exhibit 17 was marked for identification 19 and is attached to the transcript.) 20 (Sotto voce speaking; pause.) 21 Q Have you had a chance to look at this? 22 A Yes. 23 Q And do you recognize this document? 24 A Yes.</p>	<p>379</p> <p>1 Eastwood? 2 A Don't remember anything, any specific. I 3 just remember hearing the name Eastwood. 4 Q Is it accurate that you arrived at 6:15 in 5 the morning that morning? 6 A That's what's down there, yes. 7 Q Well, I mean, is that accurate? 8 A That's accurate. That's what I have to go 9 by, you know, on the -- on the -- on the report. 10 I don't have an independent absolute recollection 11 of what time we got there, you know, but so 6:15 12 is down there. That's the time we got -- that's 13 the time we got there. 14 Q And I should say, also, it does list 15 Offender 7, George Scroggins, on the second page. 16 A Yes, at the top. 17 Q Do you remember George Scroggins? 18 A No. 19 Q I don't know if you already told me this, 20 but who was in the vacant apartment with you that 21 morning? 22 A I remember Calvin was. I can't remember 23 -- I can't remember exactly who else was in there. 24 Q Calvin Ridgell?</p>
<p>378</p> <p>1 Q Can you tell me what it is? 2 A Vice case report for this January 4th, 3 2003, incident. 4 Q And it lists Bobby Coleman, Leonard 5 Gipson, Clifford Roberts, Mark Giles or Giles, 6 Larry Lomax, George Ollie? 7 A Yes. 8 Q Do you see any -- do you see anyone named 9 Robinson on here? 10 A No. 11 Q Do you know who Mark Giles is? 12 A I don't -- I don't -- I -- I don't know 13 who Mark Giles is. I vaguely remember the 14 nickname Eastwood, but I couldn't -- if you showed 15 me a picture, I couldn't say that was him, but -- 16 so -- you know, not -- I don't remember him like 17 that. I just remember -- I do remember a nickname 18 Eastwood, though. 19 Q What do you remember about the person 20 nicknamed Eastwood? 21 A I know -- I just remember a nickname 22 Eastwood from a person down -- down there, hearing 23 the name Eastwood. 24 Q What do you remember hearing about</p>	<p>380</p> <p>1 A Calvin Ridgell, yes. 2 Q Do you know that anyone else was in there? 3 A I'm not sure. I think so, but I'm not 4 sure. I can't remember. 5 Q Did you ever see Sergeant Watts or Kallatt 6 Mohammed have any interactions with Fuzz over the 7 years? 8 A No, not, I mean, outside of just -- if 9 something like this was going on. No. 10 Q Other than, like, him being arrested? 11 A Right, no. 12 Q Generally, you didn't see them talking or 13 anything like that? 14 A Well, I'm not going to say that because I 15 told you sometimes we all would stand around and 16 have conversations with -- with them, just 17 standing out there in front of the vehicle -- I 18 mean, vehicles -- buildings. So I'm not going to 19 say that Sarge just -- you know, out -- but it 20 was, you know, out in the open, just having a 21 conversation. 22 Q Do you -- do you know if Watts ever shook 23 Gipson down, Fuzz down for money? 24 A No, never heard, knew of, or seen anything</p>

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<p style="text-align: right;">381</p> <p>1 like that happen.</p> <p>2 Q After looking at the vice case report, do</p> <p>3 you still think that the arrest reports for Larry</p> <p>4 Lomax and George Ollie are accurate?</p> <p>5 A At this -- for what they had? Yes.</p> <p>6 Q And what about who they got drugs from?</p> <p>7 A Well, like I said, the thing about -- it's</p> <p>8 really standing out to me now why, if you're</p> <p>9 referring to -- to that -- to that Robinson, why</p> <p>10 there's -- I don't -- I don't know if there's</p> <p>11 nothing on him or, you know, he caught -- you</p> <p>12 know, he was -- he's the one that gave us some,</p> <p>13 you know, information. If he -- if he -- if he</p> <p>14 did, we would have to place him in custody like he</p> <p>15 was going, you know what I'm saying, so his cover</p> <p>16 won't be blown. I don't know. Maybe he just</p> <p>17 didn't -- maybe he just didn't falsify anything or</p> <p>18 just tried to say, you know, anything, you know,</p> <p>19 in this lawsuit capacity. I'm not sure.</p> <p>20 Q Well, the vice case report is supposed to</p> <p>21 be a complete report of what happened; right?</p> <p>22 A Well, yeah, a detailed report.</p> <p>23 Q And it should include all the people who</p> <p>24 were involved?</p>	<p style="text-align: right;">383</p> <p>1 back. Is that what you're referring to?</p> <p>2 Q What did --</p> <p>3 A Offenders No. 3 and 4 --</p> <p>4 Q No.</p> <p>5 A Number 3 and 4 --</p> <p>6 Q I want to know --</p> <p>7 A -- Mark Giles and Robert -- and Clifford</p> <p>8 -- Clifford Roberts --</p> <p>9 Q No. I'm not trying to trick you --</p> <p>10 A No, I know you're not.</p> <p>11 Q -- on the report. I'm just asking --</p> <p>12 A No, no, no.</p> <p>13 Q -- I want to know what you remember --</p> <p>14 A Oh.</p> <p>15 Q -- Gipson saying. Do you remember Gipson</p> <p>16 telling Larry Lomax and George Ollie, You all</p> <p>17 going to work security right back here?</p> <p>18 A Off -- you know, off the top of my head,</p> <p>19 what was said as of today I didn't remember.</p> <p>20 Okay? I knew he said something to them.</p> <p>21 Referring back to my report refreshes my memory to</p> <p>22 what was said.</p> <p>23 Q You believe your report is accurate?</p> <p>24 A Yes, yes.</p>
<p style="text-align: right;">382</p> <p>1 A It -- it should. I do not know. I cannot</p> <p>2 speak to why it doesn't include him, and I can't</p> <p>3 remember. I can't remember why.</p> <p>4 Q Would you agree that one of the two</p> <p>5 reports are false -- the vice case report or the</p> <p>6 arrest report?</p> <p>7 A No.</p> <p>8 MS. WEST: Objection.</p> <p>9 MR. KOSOKO: Object to the form.</p> <p>10 MS. WEST: Yeah.</p> <p>11 MR. KOSOKO: To form.</p> <p>12 A No. Just because a name is left off does</p> <p>13 not -- does not, you know, falsify, you know, a --</p> <p>14 a -- a report.</p> <p>15 Q Did you hear Fuzz tell George Ollie and</p> <p>16 Larry Lomax that they -- that, You all going to</p> <p>17 work security right back here?</p> <p>18 A Yes. I told you I heard him say some</p> <p>19 things, yes.</p> <p>20 Q Well, I know you -- but I want to know</p> <p>21 specifically.</p> <p>22 A Yes. You two -- you two are going to work</p> <p>23 the back. Oh, you said security. I'm sorry. I</p> <p>24 read what he said. You two are going to work the</p>	<p style="text-align: right;">384</p> <p>1 Q But you don't remember specifically</p> <p>2 exactly what he said or who he said it to today?</p> <p>3 A Before looking in my report, I didn't</p> <p>4 remember, no.</p> <p>5 Q You don't -- you don't remember Larry</p> <p>6 Lomax at all?</p> <p>7 A No, I don't remember Larry. No, I didn't</p> <p>8 remember Larry Lomax. No.</p> <p>9 Q Do you have any recollection of Fuzz</p> <p>10 telling Clifford Roberts to give a wake-up to</p> <p>11 anyone that morning?</p> <p>12 A I do -- I do remember after, you know,</p> <p>13 looking that one of the things that he stated was,</p> <p>14 you know, give the wake-up.</p> <p>15 Q You remember that you heard Fuzz say that?</p> <p>16 A Mm-hmm.</p> <p>17 Q And it says in here a wake-up is one small</p> <p>18 Ziploc bag of narcotics?</p> <p>19 A Yes, that's what it normally is, one small</p> <p>20 Ziploc baggie of narcotics.</p> <p>21 Q And then Ollie, it says in Exhibit 15, he</p> <p>22 was found with three small baggies?</p> <p>23 A Mm-hmm.</p> <p>24 Q Is that accurate?</p>

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<p>385</p> <p>1 A That he was found with three small 2 baggies? 3 Q Yeah. 4 A Yes. 5 Q And does it describe in here how he got 6 three bags? 7 A It doesn't. You -- you want me -- 8 Q Yeah. Tell me -- 9 A Oh, okay. I was waiting for you. 10 Q No, no. I didn't -- 11 A I'm sorry. I was waiting for you to ask, 12 "Do you know why?" 13 Q You did answer the question, and you 14 appropriately waited for me to say, do you know 15 why -- 16 A Right. 17 Q -- it doesn't say that? 18 A Okay. Yeah. One of the reasons could be 19 they either owed -- they either owed him -- they 20 might've owed him some extra baggies. One of the 21 other individuals, somebody, could've owed him. 22 But most likely, they probably either owed -- 23 either owed him or depending, you know, what Ollie 24 was going to do that day, he got a couple of extra</p>	<p>387</p> <p>1 A Yeah, raises from the bottom. 2 Q Did it raise up -- was it possible to 3 raise it up the whole way? 4 A No. No, no. The CHA windows, they went 5 -- they would go only, like, half -- some of them 6 -- some of them would go only, like, halfway, so 7 nobody could, you know, fall out or anything like 8 that. But it wasn't -- you know, it was -- it 9 wasn't up, like I said, too, too high to notice -- 10 where it could be noticed, bring suspicion, you 11 know, from anybody outside, you know, and 12 everything, but it was up high enough where, you 13 know, we can hear clearly. 14 Q Do you remember how this window opened? 15 Like, did you pull something? Did you just -- 16 A No. I think -- I don't remember, but I 17 think you just -- you know, would just lift it. I 18 don't remember if there was, like, a little latch 19 on the top. I can't remember, but I know -- I 20 believe -- want to say that one, I believe -- I 21 believe it -- it -- it lifted from the bottom. 22 Some of the buildings had the windows -- 23 but I can't remember if it was Ida B. Wells -- but 24 some of the project buildings had the windows that</p>
<p>386</p> <p>1 bags. 2 Q Those are just general reasons you could 3 think of? 4 A Yeah, those are just general reasons in -- 5 in the drug trade why somebody, you know -- you 6 know, might have -- typically, a wake-up is one 7 bag, but somebody's wake-up might be three, you 8 know, for whatever reason that -- you know, for 9 something -- another reason concerning the drug 10 trade. 11 Q How much time elapsed between when you 12 heard the discussion about a wake-up and security 13 and then when you went down? 14 A Man, I don't -- man -- 15 MS. WEST: Objection to foundation. 16 A I -- I don't -- I don't know. 17 Q How far was the window cracked? 18 A It was -- I mean, it wasn't, you know, up 19 like this. It was -- because it was, you know, in 20 the wintertime -- but it was -- it was up, raised 21 up enough where we could hear clearly but it 22 wouldn't draw attention that the window was up. 23 Q Is that a window that raises from the 24 bottom?</p>	<p>388</p> <p>1 lean like this, in, you know. I can't remember 2 527. I just know how it was cracked, how we had 3 it. We -- it wasn't just, like, open, like you 4 just could look up and just see, oh, the window's 5 wide open. 6 Q Do you remember any incidents where you 7 had a CI sell drugs? 8 A No. Sell -- selling drugs? 9 Q Yeah. 10 A No. 11 Q Or allowed a CI to sell drugs? 12 A No, uh-uh. 13 MR. RAUSCHER: All right. We're going to 14 mark as 18 -- is it 18? -- 18 City -- 15 THE WITNESS: Yes. 16 MR. RAUSCHER: -- BG 051634 to -635. 17 (Exhibit 18 was marked for identification 18 and is attached to the transcript.) 19 MS. WEST: Thank you. 20 THE WITNESS: Thank you. 21 Q You know, actually, before you spend time 22 looking at that one, I don't know that I asked 23 you, is that your signature on Exhibit 17, the 24 vice case report?</p>

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<p>389</p> <p>1 A Calvin might've -- might've signed that</p> <p>2 one. I'm not sure.</p> <p>3 Q If he signed it --</p> <p>4 A If he signed it, he had permission.</p> <p>5 Q Okay. And you reviewed the report at the</p> <p>6 time?</p> <p>7 A I reviewed the report, yes.</p> <p>8 Q You're not sure -- well, are you -- do you</p> <p>9 know who drafted, typed up this report?</p> <p>10 A I think Calvin typed -- typed up this one.</p> <p>11 Q And why -- why do you think Calvin typed</p> <p>12 up this one?</p> <p>13 A I'm -- I don't -- I said I believe. I'm</p> <p>14 -- I'm not really -- I'm sorry. I'm not really</p> <p>15 sure, but I'm just trying to just recollect with</p> <p>16 the -- with the Fuzz one. Did Calvin type -- I'm</p> <p>17 -- I can't exactly remember, but it was reviewed,</p> <p>18 though, by myself.</p> <p>19 Q Do you know how it came to be that you</p> <p>20 were the one who testified at the criminal</p> <p>21 proceeding for Fuzz's case?</p> <p>22 A Yeah, probably because I was the one that</p> <p>23 saw Fuzz doing so much and everything and I went</p> <p>24 and I apprehended him.</p>	<p>391</p> <p>1 A Yes.</p> <p>2 Q Did Kenny Young see it happen?</p> <p>3 MS. WEST: Objection. Foundation.</p> <p>4 A I'm not -- I can't remember. I'm not</p> <p>5 sure.</p> <p>6 Q Is there any reason you can think of why</p> <p>7 his name would be on this report if he didn't see</p> <p>8 it happen?</p> <p>9 MS. WEST: Same objection.</p> <p>10 MR. MICHALIK: Object to form.</p> <p>11 A He could've put -- he could've placed</p> <p>12 Bobby Coleman in custody --</p> <p>13 Q Okay.</p> <p>14 A -- as well as -- as well as seeing it, but</p> <p>15 he could've also placed Bobby Coleman in -- in</p> <p>16 custody.</p> <p>17 Q But you're saying it could be a reason</p> <p>18 that -- it could be possible that he didn't see</p> <p>19 it, but it still would be legit to have him on</p> <p>20 this report if he placed Coleman in custody?</p> <p>21 MS. WEST: Objection. Misstates prior</p> <p>22 testimony.</p> <p>23 A Yes, that would be okay. Yes.</p> <p>24 Q Did that question misstate your testimony?</p>
<p>390</p> <p>1 Q Okay. You can go ahead and take a look at</p> <p>2 18.</p> <p>3 A Okay.</p> <p>4 (Pause.)</p> <p>5 MALE SPEAKER: Oh, sorry. Excuse me.</p> <p>6 Q You had a chance to look at this?</p> <p>7 A Yes.</p> <p>8 Q Have you seen this report before?</p> <p>9 A Yes.</p> <p>10 Q Did you play any role in creating it?</p> <p>11 A No, no. Would be Calvin who wrote this</p> <p>12 one. Officer Ridgell.</p> <p>13 Q And then Kenny Young was the second one on</p> <p>14 there?</p> <p>15 A Yeah, Kenny Young is in Box 2.</p> <p>16 Q Do you know why Kenny Young's in Box 2?</p> <p>17 MS. WEST: Objection. Foundation.</p> <p>18 A I cannot remember why.</p> <p>19 Q Is -- what is this report describing?</p> <p>20 A It is describing Bobby Coleman handing to</p> <p>21 Leonard Fuzz Gipson a clear plastic -- plastic</p> <p>22 baggie, found with several clear Ziploc baggies</p> <p>23 with white powder, suspect heroin, inside.</p> <p>24 Q And did you witness that happen?</p>	<p>392</p> <p>1 A Did it what?</p> <p>2 Q Did I misstate your testimony? I don't</p> <p>3 want to do that. I want to make sure --</p> <p>4 A No, no. I don't -- no, I don't -- I don't</p> <p>5 know. I was just giving a reason why.</p> <p>6 Q I know.</p> <p>7 A Yeah, he could -- he could've seen it. I</p> <p>8 can't remember if he did. But he also could've</p> <p>9 put Bobby in custody and -- and gone, you know, in</p> <p>10 Box 2.</p> <p>11 Q Is this report accurate?</p> <p>12 A Yes, and truthful.</p> <p>13 Q And going back to Exhibit 17 for a moment</p> <p>14 --</p> <p>15 A Yes.</p> <p>16 Q -- there are a bunch of people checked off</p> <p>17 as witnessing the events described in the vice</p> <p>18 case report.</p> <p>19 A Right.</p> <p>20 Q Mohammed, you, Edwards, Watts, Jones,</p> <p>21 Young, Cadman, Bolton, Spaargaren?</p> <p>22 A Yes.</p> <p>23 Q We've already talked about you.</p> <p>24 A Yes.</p>

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<p>393</p> <p>1 Q Do you remember what any of those other</p> <p>2 people were doing on this operation?</p> <p>3 A I -- I can't -- I cannot remember exactly</p> <p>4 what the other people were doing.</p> <p>5 Q And looking at this list, does it refresh</p> <p>6 your recollection about who else was in the</p> <p>7 apartment with you other than Ridgell?</p> <p>8 A No. No, it doesn't -- I mean, it doesn't</p> <p>9 refresh me about anybody being in the apartment</p> <p>10 with me.</p> <p>11 MR. RAUSCHER: All right. We're going to</p> <p>12 mark Exhibit 19, City BG 51645 through -649.</p> <p>13 (Exhibit 19 was marked for identification</p> <p>14 and is attached to the transcript.)</p> <p>15 THE WITNESS: Thank you.</p> <p>16 (Pause.)</p> <p>17 Q Have you had a chance to look at that</p> <p>18 report?</p> <p>19 A Yes.</p> <p>20 Q And tell me what it is.</p> <p>21 A Case incident report.</p> <p>22 Q And what's a case incident report?</p> <p>23 A It's a -- well, it's a -- it's a incident</p> <p>24 report. It just doesn't say vice case report, but</p>	<p>395</p> <p>1 Q Okay. Do you know how it is that you're</p> <p>2 the person listed as person reporting offense?</p> <p>3 MS. WEST: Objection. Foundation.</p> <p>4 A I don't -- with this, I don't -- I do not</p> <p>5 know.</p> <p>6 Q Do you know how this report was created?</p> <p>7 A I don't know how -- well, it would -- I</p> <p>8 don't know. The only way I know this report</p> <p>9 created would have to be a transfer from what was</p> <p>10 on -- what's on, you know, these reports that we</p> <p>11 have here, the vice case report -- can I have the</p> <p>12 vice case report?</p> <p>13 Q That was 17 if you're looking for it.</p> <p>14 A Yeah. Yeah. I don't know how this -- I</p> <p>15 don't -- yeah, that's the only way I know that it</p> <p>16 would be created. You have to take the</p> <p>17 information and somebody else plugged -- you know,</p> <p>18 plugs it -- plugs it in.</p> <p>19 Q Have you ever created an incident report</p> <p>20 like this one that you're looking at, a</p> <p>21 computer-generated report?</p> <p>22 A I have.</p> <p>23 Q And how -- how do you -- tell me the</p> <p>24 process for doing that.</p>
<p>394</p> <p>1 it's a case report.</p> <p>2 Q Are you -- and I don't mean to -- if you</p> <p>3 were trying to check something -- were you trying</p> <p>4 to compare something, or what were you looking</p> <p>5 for?</p> <p>6 A No, I'm -- I'm -- it's -- what's throwing</p> <p>7 me off is because you got -- remember, back then,</p> <p>8 we didn't -- we didn't -- we didn't do this. We</p> <p>9 -- we did all typed, you know, or like this.</p> <p>10 That's what's -- it's kind of -- that's what is</p> <p>11 kind of throwing me off. This didn't come -- this</p> <p>12 didn't come -- automated didn't come along until</p> <p>13 years later, but this is how it has to be printed</p> <p>14 out when you all request it, when you request it.</p> <p>15 Q I see. You did --</p> <p>16 A Yeah.</p> <p>17 Q -- not -- it says on the top, though,</p> <p>18 right, it's a computerized version of data entered</p> <p>19 from an original case report?</p> <p>20 A Correct.</p> <p>21 Q You didn't create this?</p> <p>22 A No.</p> <p>23 Q Have you seen it before today?</p> <p>24 A I do not remember, no, seeing this, no.</p>	<p>396</p> <p>1 A Well, when you do it -- when it went to</p> <p>2 automated, it was not longer --</p> <p>3 Q Let me -- okay. So let me rephrase.</p> <p>4 A Okay.</p> <p>5 Q What I meant was, have you ever generated</p> <p>6 -- this appears -- I think what you're saying is</p> <p>7 it appears as though this is generated from</p> <p>8 information on an old report?</p> <p>9 A Right.</p> <p>10 Q Have you ever done --</p> <p>11 MR. MICHALIK: Objection, foundation, as</p> <p>12 to this entire document.</p> <p>13 MR. KOSOKO: Yeah.</p> <p>14 Q Have you ever done that before, generated</p> <p>15 a report from -- generated an incident report on</p> <p>16 the computer from an old report that was made</p> <p>17 before this type of report existed?</p> <p>18 A No.</p> <p>19 MR. MICHALIK: To the form of the</p> <p>20 question. I'm sorry.</p> <p>21 Q Did you understand the question?</p> <p>22 A I did.</p> <p>23 Q Okay. Do you see on the top box it says,</p> <p>24 RO arrival date, 4 January 2003, 7:50?</p>

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<p>397</p> <p>1 A Yes.</p> <p>2 Q Do you know where it's saying -- do you</p> <p>3 know what that means?</p> <p>4 MS. WEST: Objection. Foundation.</p> <p>5 A So they are going off of any -- if it said</p> <p>6 -- I believe somewhere it says time of arrest,</p> <p>7 7:50. I think we went over that; was that a 3 --</p> <p>8 7:50 or 7:53. So they're -- they're putting the</p> <p>9 time of the arrest. Whoever generated this,</p> <p>10 they're putting the time of arrest down as RO</p> <p>11 arrival date --</p> <p>12 Q But it --</p> <p>13 A -- for the -- for the -- for the offense</p> <p>14 of putting somebody in -- making the arrest.</p> <p>15 Q It's not saying that you arrived at 7:50?</p> <p>16 A At --</p> <p>17 MR. MICHALIK: Objection. Foundation.</p> <p>18 A It does say --</p> <p>19 Q Okay.</p> <p>20 A -- that I arrived at 7:50.</p> <p>21 Q But you arrived at 6:15 or so?</p> <p>22 A At 6:15, yes.</p> <p>23 Q So it's wrong?</p> <p>24 MR. MICHALIK: Objection. Foundation.</p>	<p>399</p> <p>1 it was more condensed. So I'm -- I can't remember</p> <p>2 if that was -- you know, you couldn't put two</p> <p>3 times because they asked for one thing. So that's</p> <p>4 why I said, most likely, this person went with the</p> <p>5 arrest time of 07:50 as the arrival date.</p> <p>6 Q And then if you were the one writing it up</p> <p>7 today with this system, are you saying you're not</p> <p>8 sure if you would've used --</p> <p>9 A Yeah, I'm not sure -- I'm not sure --</p> <p>10 MR. MICHALIK: Objection to form and</p> <p>11 foundation.</p> <p>12 A Yeah.</p> <p>13 MR. MICHALIK: Foundation, speculation.</p> <p>14 A Right. Because I can't -- I think -- I</p> <p>15 can't remember. I can't -- you can't</p> <p>16 differentiate as well as you could, like, when we</p> <p>17 could handwrite it or type things up.</p> <p>18 Q Just can you take a look at personnel on</p> <p>19 the last page, the last box.</p> <p>20 A Yes.</p> <p>21 Q All right. So do you know -- it's got</p> <p>22 some numbers. It's got your name and Calvin</p> <p>23 Ridgell's name.</p> <p>24 A Yes.</p>
<p>398</p> <p>1 A For -- well -- if you -- if you're trying</p> <p>2 to interpret arrival -- if you're interpreting</p> <p>3 arrival date as when we got there to set up</p> <p>4 surveillance, 6:15. I'm saying it's possible</p> <p>5 person interpreted arrival -- arrival date as from</p> <p>6 the time of the arrest.</p> <p>7 Q When you create incident reports, the</p> <p>8 computer-generated type of -- like this one, what</p> <p>9 do you use to be arrival date?</p> <p>10 MR. MICHALIK: Objection.</p> <p>11 Q I'm sorry. What do you use for arrival</p> <p>12 time?</p> <p>13 MR. MICHALIK: Objection. Foundation and</p> <p>14 form.</p> <p>15 A I use for arrival -- arrival time from</p> <p>16 when the occurrence, you know, or anything like</p> <p>17 that was beginning.</p> <p>18 Q So, in this case, you would've written</p> <p>19 6:15 if you were the one who wrote this report up?</p> <p>20 MS. WEST: Objection. Form.</p> <p>21 A Well, let me just say this. That was one</p> <p>22 of the -- this is one of the issues we had with</p> <p>23 automated -- when you write stuff, you can -- you</p> <p>24 can differentiate that. When it got to automated,</p>	<p>400</p> <p>1 Q PC02 -- PC0T292 next to Ridgell.</p> <p>2 A Yes.</p> <p>3 Q Do you know what that is?</p> <p>4 MS. WEST: Objection. Foundation.</p> <p>5 A That is our PC number, where we -- you</p> <p>6 know, that -- that goes on -- that would go into</p> <p>7 computers or things like --</p> <p>8 Q And yours is PC --</p> <p>9 A 0S903.</p> <p>10 Q And you -- do you use that to log in to a</p> <p>11 computer?</p> <p>12 A Right.</p> <p>13 Q What are the numbers to the left of your</p> <p>14 names, if you know?</p> <p>15 A Oh, the 51761?</p> <p>16 Q Is that --</p> <p>17 A Those are employee numbers.</p> <p>18 Q And then one to the left is star number?</p> <p>19 A And then star number, yes.</p> <p>20 Q Do you know what the January 24, 2003,</p> <p>21 means here?</p> <p>22 A I don't know what -- I have no -- I don't</p> <p>23 know what that -- I don't know what that 10:55 is.</p> <p>24 I mean, they could be -- I don't know if they</p>

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<p style="text-align: right;">401</p> <p>1 referencing by the time when we ended. Let me 2 see. Does it -- anywhere there's -- 3 Q I think it says January 24, 2003. 4 A Oh, it says January 24. I have no idea 5 what that -- I don't -- I don't know what -- I 6 don't know -- I don't know what that is. 7 Q Do you know what 606 -- 8 A Okay. January 24, 2003. What did you 9 ask, the 606? Is that what you just asked me? 10 Q Yeah. It sounds like you're -- you don't 11 know what the January 24 -- 12 A No, I don't. 13 Q -- 10:55 means. 14 A No. 15 Q Do you know what 606 for Ridgell and 701 16 for you means? 17 A 701 for me is my unit, and 606 was -- was 18 Calvin's unit, and that's -- that's also -- you 19 know, that's -- this is throwing me off. I don't 20 know what that -- I don't know what this is. 21 Q What those units are reflecting, or when, 22 or -- 23 A Right. Because it's got January 24th, 24 2003, and it's got me in 701, you know, and I</p>	<p style="text-align: right;">403</p> <p>1 mean you were never interviewed by anyone in 2 connection with a CR? 3 A Nope. 4 Q Okay. You have relatively recently talked 5 to COPA; is that correct? About Jamar Lewis at 6 least? 7 A I'm sorry. I was reading it. 8 Q No, that's okay. 9 A It says, this document here, this document 10 is not an official copy. Yeah, like -- yeah. 11 Q I know. I think we already did that one. 12 A Yeah. I'm sorry. I just noticed it. I 13 just noticed it. 14 Q Okay. 15 A I just noticed it. I just noticed it at 16 the top there. But go ahead, sir. 17 Q No, that's okay. I just want to confirm. 18 You have relatively recently talked to COPA about 19 Jamar Lewis at least? 20 A Yes. 21 Q Okay. Have you -- we've talked about you 22 being on desk duty now. 23 A Yes. 24 Q Have you -- do you consider that to be</p>
<p style="text-align: right;">402</p> <p>1 didn't get -- I didn't get to 701 -- then it has 2 45-12, which is, you know, our beat call back in 3 housing, but I didn't get to 701 until, you know, 4 2016. 5 Q Were you in 701 in May 2019? 6 A Yes. 7 Q All right. Do you know if Ridgell was in 8 606 in May 2019? 9 A I believe he was. I'm not sure. I 10 believe he was. 11 Q All right. 12 A I'm not sure. 13 Q Do you know if there was a CR filed after 14 Bobby Coleman's arrest or in connection with his 15 arrest on January 4, 2003? 16 A I -- since these proceedings have started, 17 I have found out that a CR number was found -- 18 filed. 19 Q Back in the day? 20 A Back then, no, I didn't know of anything, 21 no. 22 Q No one came to talk to you about it? 23 A No. 24 Q And by "no one came to talk to you," I</p>	<p style="text-align: right;">404</p> <p>1 discipline? 2 MS. WEST: Objection. Asked and answered. 3 A No. 4 Q You did say no the other day, didn't you? 5 A Right. No, no. 6 Q Do you remember ever being disciplined as 7 a Chicago police officer? 8 A I -- I think -- I think I might've took 9 one day for missing court, a court deviation, I 10 think. I think I took -- I might've took one day. 11 Q When you say took a day, you mean got 12 suspended for a day? 13 A Yeah. I think -- right. And when you get 14 suspended, you could either -- I don't have to 15 miss work. I don't -- I can't remember if I let 16 them take some time off the books for me so I 17 wouldn't miss work, but I think that's the only 18 time that something like that happened with me. I 19 missed court, and you get -- you know, you get a 20 court deviation. 21 MR. RAUSCHER: Okay. We're going to mark 22 as the next exhibit -- we're on 20 -- DO Joint 50 23 -- sorry, DO Joint 005080 to -81. 24 (Exhibit 20 was marked for identification</p>

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<p style="text-align: right;">405</p> <p>1 and is attached to the transcript.) 2 (Pause.) 3 MR. RAUSCHER: You know, I'm going to go 4 ahead and mark 21 at the same time, which is DO 5 Joint 005088. 6 MALE SPEAKER: This is 21? 7 MR. RAUSCHER: That's 21. The most recent 8 one is 21. 9 (Exhibit 21 was marked for identification 10 and is attached to the transcript.) 11 (Pause.) 12 BY MR. RAUSCHER: 13 Q So the first question is -- 14 A Yeah. 15 Q -- have you had a chance to look at both 16 of these two exhibits? 17 A I did. 18 Q Do you -- do you recognize these 19 documents? 20 A No, this is my first time ever seeing 21 these documents in this form. 22 Q Okay. Are you familiar with any of the 23 incidents described on these two documents? 24 A Some of them, I am.</p>	<p style="text-align: right;">407</p> <p>1 never happened, not even -- not even the traffic 2 stop or anything. 3 This next one, I remember CR number about 4 this one was false, saying -- 5 Q You know what? Actually -- 6 A Oh. 7 Q -- I think that's Bynum, in which -- so 8 that -- we have -- we've agreed to ask you about 9 that particular one on a different day. 10 A Okay. Well -- 11 Q So it's a -- 12 MS. WEST: Yeah. It's -- 13 Q We've agreed to postpone questioning on 14 that particular CR until a different day, so -- 15 A Oh, oh. Oh, that second one. 16 Q -- I just didn't want to have you do it 17 twice because -- 18 A Okay. Okay. That's fine. That's fine. 19 Okay. 20 Q Do you remember anything about the next 21 one? 22 A I have no idea about, Grabbed and threw 23 her against the wall. And I have no recollection 24 of -- of that at all or even having physical with</p>
<p style="text-align: right;">406</p> <p>1 Q Tell me which ones you remember. 2 A Okay. I believe -- so the January 8th -- 3 28th, 2000 -- 4 Q Mm-hmm. You're on Exhibit 20 now? 5 A I'm sorry. I'm on Exhibit 20, yes. This 6 12:00 a.m., I don't -- you know, these times, I 7 don't -- I don't know what that -- what that is 8 because, you know, I worked -- I worked days. But 9 that first one was a false allegation against me 10 that when I found out about it, saying that I was 11 doing, like I said -- it says, searched his 12 vehicle on a traffic stop -- 13 Q Mm-hmm. 14 A -- and -- and took \$110. That -- that -- 15 that never happened. 16 And if I remember correctly, that was in 17 '99 -- that was in 2000. So that -- I should've 18 been in the 2nd District. I should've been in -- 19 I should've been in the 2nd District then, I 20 think. I believe I was still in the 2nd District 21 then, January 28th, yeah. In '99 -- yeah, 2000. 22 Yeah, so that's when I was in 2nd 23 District, you know, and they did the investigation 24 and everything and found out that was false. That</p>	<p style="text-align: right;">408</p> <p>1 a -- with a -- with a female like -- like that at 2 -- at all. 3 Q You know, on that -- why don't we just 4 pause -- 5 A When is -- 6 Q -- on this? I'm going to -- I have some 7 -- a few documents on that one, so why don't we -- 8 A Yeah. Okay. 9 Q -- keep going on the list. 10 MR. RAUSCHER: I'm going to mark as 11 Exhibit 22 City BG 054629 through -33. 12 (Exhibit 22 was marked for identification 13 and is attached to the transcript.) 14 (Sotto voce speaking; pause.) 15 Q Does seeing this document refresh your 16 recollection about this incident? 17 A Yes. 18 Q All right. Tell me what you remember 19 about it. 20 A Yes. Like I say, we -- it was -- it was a 21 domestic battery call. We heard the screaming and 22 arguing inside. And once we -- once we gained 23 entry, the -- the offender -- or, no, sorry, the 24 victim was on the floor, crying, and the offender</p>

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<p style="text-align: right;">409</p> <p>1 was standing over her yelling, you know, and 2 everything. She -- she was bleeding from her hand 3 and everything. 4 We locked him up, and she -- you know, she 5 refused medical treatment, and I remember she -- 6 that's why she became upset. So even though he 7 had jumped on her, you know, and everything, he 8 didn't -- she didn't want us to take him to jail. 9 She didn't want us to take him to jail. Okay? 10 Which we've got to do because we saw the physical 11 signs, you know, and everything, so we took him to 12 jail. 13 And I do remember, I do remember -- I long 14 forgot about this because we didn't do anything to 15 her -- I'm sorry -- I, myself, never threw her 16 into the wall, grabbed her, anything like that. 17 And I remember when the CR number came down, the 18 CR number came down, and we had known that since 19 then she had got back with the individual. And 20 she was still mad at us for taking him to jail, 21 even though he whooped her ass. Excuse me. I'm 22 sorry. Put -- physical -- physical with her. 23 Yes. Yeah, I remember that. I remember 24 that CR. Now -- I mean, I remember the CR number,</p>	<p style="text-align: right;">411</p> <p>1 Q Okay. Do you know Donnell Cohn? 2 A No. Didn't know either one of them before 3 we got that call. 4 MR. RAUSCHER: All right. We're going to 5 mark Exhibit 23, City BG 054684. 6 (Exhibit 23 was marked for identification 7 and is attached to the transcript.) 8 MS. WEST: Thank you. 9 Q Do you know PO DiLuigi? 10 A DiLuigi, yes. He -- 11 Q DiLuigi. 12 A Yeah. Yeah, he worked in housing -- 13 housing. That was -- this is Housing West, which 14 is part of Cabrini. Housing West. 15 Q Okay. Is his report -- do you read his 16 report as saying that she came out before forced 17 entry was made into the apartment? 18 A I -- I see that. I don't -- I don't 19 remember. Like I said, I don't remember forced 20 entry when -- I remember her opening the door and 21 -- and everything and seeing her hand bleeding. I 22 can't remember if she stepped out to the -- you 23 know, into the hallway or not, like he's saying, 24 but I don't remember forced entry because she</p>
<p style="text-align: right;">410</p> <p>1 but no, I didn't -- didn't do anything to touch 2 her, like I said, anywhere. I told you. Like she 3 said -- she was upset that we was taking him to 4 jail. 5 Q Was she -- did anyone have to restrain her 6 or hold her back or anything? 7 A I don't remember. No, I don't remember. 8 I don't remember anybody having to restrain her or 9 hold her back or anything like that. 10 Q Do you remember if the door was pushed in, 11 kicked in, opened voluntarily? 12 A I can't remember if after banging on -- we 13 was trying -- you know, because we heard them, you 14 know, and everything -- once the door -- and then 15 it got opened. Yeah, she was there when she 16 opened it because she was right there. That's how 17 we saw her hand bleeding. 18 Q Do you think she opened it, or do you 19 remember how you got in? 20 A No, I don't remember. I believe she 21 opened it. 22 Q Did you know this woman before you went 23 out for that call? 24 A No.</p>	<p style="text-align: right;">412</p> <p>1 opened the door. 2 MR. RAUSCHER: All right. Let's -- we're 3 going to mark 24 as City BG 054670. 4 (Exhibit 24 was marked for identification 5 and is attached to the transcript.) 6 (Pause.) 7 Q This is -- is this a statement from you? 8 A Yes. 9 Q Did you type this up? 10 A Yes. 11 Q And did you sign it? 12 A Yes. 13 Q Do you see in here that the door opened 14 from you pounding on it? 15 A Mm-hmm. 16 Q Is that accurate? 17 A Yeah, because I think it said in a 18 statement that we was, you know, pounding on the 19 door because we heard the -- you know, the screams 20 inside. 21 Q And then you saw her inside laying on the 22 floor with a male standing over her, yelling? 23 A Correct. 24 Q And then he ran into the bathroom, and you</p>

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<p style="text-align: right;">413</p> <p>1 could see that she had an injury; is that right?</p> <p>2 A Right. We seen she had stuff -- we saw</p> <p>3 the injury to her hand because her hand was</p> <p>4 bleeding.</p> <p>5 Q Does that -- does that mean that DiLuigi</p> <p>6 got it wrong when he described the way he</p> <p>7 described it?</p> <p>8 MR. MICHALIK: Objection. Foundation.</p> <p>9 A I can only speak to what I saw and what I</p> <p>10 -- what I remember.</p> <p>11 Q Would you agree they can't both be right?</p> <p>12 MR. MICHALIK: Object to form.</p> <p>13 A I am not sure at which point DiLuigi, you</p> <p>14 know, saw her. I cannot remember. Maybe she got</p> <p>15 up and stepped out into the hallway once we made</p> <p>16 entry to go apprehend, and that's where, you know,</p> <p>17 he's coming from. I don't know. I don't want to</p> <p>18 speculate to what he saw. I know what I -- I know</p> <p>19 what I saw, and I know what I did, and I did not</p> <p>20 harm this woman in any way whatsoever.</p> <p>21 Q Did you ever talk to DiLuigi about this?</p> <p>22 A No.</p> <p>23 Q Did anybody kick the door open that day?</p> <p>24 A I don't remember. Like I said, I don't</p>	<p style="text-align: right;">415</p> <p>1 or because he thought somebody -- because of the</p> <p>2 force at the same time or pounding on the door,</p> <p>3 the door went in, he thought it was kicked, but I</p> <p>4 don't remember the door being kicked in.</p> <p>5 Q He is wrong when he writes the door was</p> <p>6 kicked in?</p> <p>7 MS. WEST: Objection. Form.</p> <p>8 A From what I remember, I don't remember the</p> <p>9 door being kicked in.</p> <p>10 Q But you're --</p> <p>11 A And I --</p> <p>12 Q -- yeah, go ahead.</p> <p>13 A And I didn't kick the door in.</p> <p>14 Q And you're the one who opened the door, so</p> <p>15 that would suggest nobody kicked the door in?</p> <p>16 A Right. I'm saying, I was the one pounding</p> <p>17 on the door.</p> <p>18 Q He notes that she was restrained.</p> <p>19 A Mm-hmm, I see that.</p> <p>20 Q And but that didn't happen?</p> <p>21 A Oh, I'm not saying either way. I know she</p> <p>22 -- like I said, she was upset about us taking him</p> <p>23 away.</p> <p>24 Q So you don't know if she was restrained?</p>
<p style="text-align: right;">414</p> <p>1 remember -- like I said, as far as, you know, with</p> <p>2 the pounding, because we was just trying to tell</p> <p>3 them let it in, and, you know, open up and</p> <p>4 everything, but no kicks.</p> <p>5 Q You -- you remember there were no kicks,</p> <p>6 or you just don't remember if there were one way</p> <p>7 or the other?</p> <p>8 A No, no, no. No kicks. I don't remember</p> <p>9 any kicks.</p> <p>10 MR. RAUSCHER: We're going to mark Exhibit</p> <p>11 25, City BG 054699 to -70.</p> <p>12 (Exhibit 25 was marked for identification</p> <p>13 and is attached to the transcript.)</p> <p>14 (Pause.)</p> <p>15 Q Have you had a chance to look at this?</p> <p>16 A Mm-hmm.</p> <p>17 Q Do you know who PO Willie Crowder is?</p> <p>18 A Yes.</p> <p>19 Q And you see in the bottom he says that the</p> <p>20 door was kicked in?</p> <p>21 A I see that.</p> <p>22 Q Is he wrong?</p> <p>23 A Yeah, I don't remember the door being</p> <p>24 kicked in. I don't know if because of the force</p>	<p style="text-align: right;">416</p> <p>1 A I -- I don't remember. I don't remember.</p> <p>2 Q Is -- could some of the events have</p> <p>3 happened but you just didn't see them?</p> <p>4 A It could have. It could have because</p> <p>5 while we're trying to apprehend her, some of the</p> <p>6 other ROs could've been trying to restrain her,</p> <p>7 and I didn't have any knowledge of it.</p> <p>8 Q You just said "apprehend her." Did you</p> <p>9 mean --</p> <p>10 A I mean --</p> <p>11 Q -- him?</p> <p>12 A -- I'm sorry. Apprehend the offender,</p> <p>13 Cohn. I'm sorry.</p> <p>14 Q All right. So back to Exhibit 20 and</p> <p>15 Exhibit 21, are there any other incidents listed</p> <p>16 on here that you remember?</p> <p>17 A Okay. So we -- okay. Yes. I remember I</p> <p>18 forgot to qualify.</p> <p>19 Q Okay. For the weapons?</p> <p>20 A Yeah, I --</p> <p>21 Q What did --</p> <p>22 A -- yeah, I forgot to qualify.</p> <p>23 Q What do you have to do to qualify?</p> <p>24 A You have to go shoot, but you're supposed</p>

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<p style="text-align: right;">417</p> <p>1 to do it in a certain time period.</p> <p>2 Q And you just didn't do it?</p> <p>3 A And I -- yeah, I forgot to do it. I</p> <p>4 didn't do it.</p> <p>5 Q And then did you eventually do it?</p> <p>6 A Oh, yeah. Oh, yeah. I went and</p> <p>7 qualified. Yeah, you have to go qualify. I don't</p> <p>8 know what that -- that violation note --</p> <p>9 Q You don't know what violation note means?</p> <p>10 A I have no idea, no. I -- I don't know --</p> <p>11 I don't know about, Planted drugs on him.</p> <p>12 Q You do not know that one?</p> <p>13 A No, I don't. I don't.</p> <p>14 Q Let me just show you -- I'm going to --</p> <p>15 A Okay.</p> <p>16 Q -- just quickly -- I have something on</p> <p>17 that one.</p> <p>18 A Okay.</p> <p>19 MS. WEST: After you do that one, Scott,</p> <p>20 can we take a quick break?</p> <p>21 MR. RAUSCHER: Yeah, of course.</p> <p>22 MS. WEST: Thanks.</p> <p>23 MR. RAUSCHER: We can take a break before</p> <p>24 if you want.</p>	<p style="text-align: right;">419</p> <p>1 MR. RAUSCHER: 10957 --</p> <p>2 MALE SPEAKER: Oh, I see.</p> <p>3 MR. RAUSCHER: -- 10958 and 10959. The</p> <p>4 first page is -- because it's double-sided, I</p> <p>5 couldn't just tear them off without missing</p> <p>6 something.</p> <p>7 BY MR. RAUSCHER:</p> <p>8 Q All right. You've had a chance to look at</p> <p>9 this?</p> <p>10 A Yeah.</p> <p>11 Q Do you remember this incident now?</p> <p>12 A I -- I do remember. I don't remember.</p> <p>13 Q Is it accurate that somebody outside CPD</p> <p>14 arrested this person and you just processed the</p> <p>15 arrest?</p> <p>16 A Yes, yes. We -- I didn't have anything to</p> <p>17 do with entering bedroom, any -- any of that. It</p> <p>18 was the outside room. All we did was process.</p> <p>19 Q And at the time, were you still in Public</p> <p>20 Housing South?</p> <p>21 A Yeah. What's the date? What's the date?</p> <p>22 Yeah, yep. May 31st, May 2004, yes.</p> <p>23 Q And that would -- that's why you and Jones</p> <p>24 would've been there together?</p>
<p style="text-align: right;">418</p> <p>1 MS. WEST: No.</p> <p>2 THE WITNESS: No, no, no.</p> <p>3 MR. RAUSCHER: This will be really quick.</p> <p>4 MS. WEST: You're fine.</p> <p>5 MR. RAUSCHER: All right. I'm going to</p> <p>6 just mark as Exhibit 26 page ranges City BG 01957</p> <p>7 to -59. There are a few other pages in front, but</p> <p>8 they're not related at all. They're going to</p> <p>9 complaint or something.</p> <p>10 (Exhibit 26 was marked for identification</p> <p>11 and is attached to the transcript.)</p> <p>12 (Sotto voce speaking.)</p> <p>13 THE WITNESS: Which -- which part am I</p> <p>14 reading?</p> <p>15 MR. RAUSCHER: So, sorry, start at this</p> <p>16 one. There's a description, and I believe it's</p> <p>17 describing the thing --</p> <p>18 THE WITNESS: Okay.</p> <p>19 MR. RAUSCHER: -- that --</p> <p>20 MALE SPEAKER: Do you know what those</p> <p>21 pages are?</p> <p>22 MR. RAUSCHER: Because it's double-sided</p> <p>23 --</p> <p>24 MS. WEST: At 10957.</p>	<p style="text-align: right;">420</p> <p>1 A Yeah. I mean, we both were still in</p> <p>2 Public Housing South, yeah.</p> <p>3 Q Did you have any interaction with</p> <p>4 Mr. Alfonso Coleman other than processing the</p> <p>5 arrest?</p> <p>6 A None.</p> <p>7 Q You did not plant drugs on him?</p> <p>8 A No, sir. No, sir, and not anybody else.</p> <p>9 MR. RAUSCHER: You want to take a break?</p> <p>10 MS. WEST: Yes.</p> <p>11 MR. RAUSCHER: Sure.</p> <p>12 VIDEOGRAPHER: Off the record, 1:28.</p> <p>13 (A recess was taken.)</p> <p>14 VIDEOGRAPHER: Back on the record, 1:37.</p> <p>15 MR. RAUSCHER: All right. We're going to</p> <p>16 mark Exhibit 27.</p> <p>17 (Exhibit 27 was marked for identification</p> <p>18 and is attached to the transcript.)</p> <p>19 MS. WEST: Thank you.</p> <p>20 MR. RAUSCHER: Sure.</p> <p>21 (Pause.)</p> <p>22 THE WITNESS: Okay.</p> <p>23 BY MR. RAUSCHER:</p> <p>24 Q All right. Do you have any knowledge of</p>

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<p>421</p> <p>1 the incident described in this?</p> <p>2 A I have no knowledge of this incident.</p> <p>3 Q Do you see it says Officer No. 2? So it</p> <p>4 says Officer No. 1, and it identifies Ronald</p> <p>5 Watts.</p> <p>6 A Correct.</p> <p>7 Q Officer No. 2 was a Black male, 5-7, brown</p> <p>8 skin, medium build, with a small Afro and looked</p> <p>9 to be in his 30s, and this is from August 2004.</p> <p>10 A Yeah.</p> <p>11 Q Do you see that?</p> <p>12 A Yes.</p> <p>13 Q Is there anyone on your team who you think</p> <p>14 of who meets that description?</p> <p>15 A Outside of probably, maybe -- maybe</p> <p>16 Calvin, maybe. Small Afro. Darryl. Well, I</p> <p>17 mean, Darryl's hair wouldn't -- Darryl Edwards'</p> <p>18 hair wouldn't -- it would -- it would be -- he'd</p> <p>19 had hair -- you know, he had waves, but those the</p> <p>20 only two that I would think make -- making that --</p> <p>21 meeting that description.</p> <p>22 Q How old were you in your -- in 2004?</p> <p>23 A How old was I in 2004?</p> <p>24 Q Or how old are you now, like, just so we</p>	<p>423</p> <p>1 Q Cordial?</p> <p>2 A Cordial, yes.</p> <p>3 Q When was the last time you've seen him or</p> <p>4 saw him?</p> <p>5 A I haven't seen -- I haven't seen Bobby</p> <p>6 since Ida B. Wells.</p> <p>7 Q All right. Back to Exhibits 20 and 21,</p> <p>8 are there any other incidents that you -- or any</p> <p>9 of the other things on here that you remember?</p> <p>10 A Hold on one second. Okay. So I left off</p> <p>11 at --</p> <p>12 Q You said "planted drugs," and then we --</p> <p>13 we looked at that one. That was the guy who said</p> <p>14 you --</p> <p>15 A Oh, yeah, yeah. The outside unit. Right,</p> <p>16 right. The outside unit. Yeah, yeah. No, I</p> <p>17 didn't -- nothing to do with that. I didn't see</p> <p>18 anything.</p> <p>19 I don't know what that -- that suspicion</p> <p>20 might be a court deviation.</p> <p>21 Q When you missed court? Is that what --</p> <p>22 A Yeah.</p> <p>23 Q -- you said?</p> <p>24 A That could be that.</p>
<p>422</p> <p>1 can --</p> <p>2 A I'm 50.</p> <p>3 Q All right.</p> <p>4 A I'm 50. But I believe in 2004, you know,</p> <p>5 I used to have braids.</p> <p>6 Q Okay.</p> <p>7 A Yeah, yeah.</p> <p>8 Q You had braids in August 2004?</p> <p>9 A Yeah, I believe I still had my braids.</p> <p>10 Q Okay. And in any event, you don't</p> <p>11 remember anything about this?</p> <p>12 A No, I don't remember this at all. No</p> <p>13 knowledge of this at all.</p> <p>14 Q All right.</p> <p>15 A I don't even -- I don't even know who Faye</p> <p>16 Wilson is.</p> <p>17 Q Okay. Do you -- did you have interactions</p> <p>18 with Bobby Coleman over the years other than the</p> <p>19 January 2004 arrest that we talked about?</p> <p>20 A Just seeing him around Ida B. Wells.</p> <p>21 Q Was it the same kind of interactions that</p> <p>22 you described with Fuzz?</p> <p>23 A General, general. Yeah, general</p> <p>24 conversation.</p>	<p>424</p> <p>1 Q What happened there? Do you know what</p> <p>2 happened when you missed court?</p> <p>3 A You know, I -- let me see. Is that -- I</p> <p>4 could tell you exactly what happened. I'll tell</p> <p>5 you exactly what happened, I believe, if this is</p> <p>6 the one for court. So I got over to the 12th</p> <p>7 District in '06, and I remember I was on -- I was</p> <p>8 on days for a short period. I was on midnights,</p> <p>9 and then I went to the day shift.</p> <p>10 So I remember the -- the -- the desk --</p> <p>11 the people at the desk needed to write a ticket</p> <p>12 because two people had came in for a accident</p> <p>13 report. They didn't have a ticket book. I was in</p> <p>14 the station, I believe, whatever. I had my ticket</p> <p>15 book with me. Let them write the ticket, but it</p> <p>16 was a -- you know, the witness, the person</p> <p>17 involved in the accident who was going down as a</p> <p>18 witness happened to go to court.</p> <p>19 I got notified -- notified for court</p> <p>20 anyway. I hadn't been -- last time I had been to</p> <p>21 traffic court, it was at 321 North LaSalle, and</p> <p>22 that was back in '99, maybe 2000. So I hadn't</p> <p>23 been to traffic court in -- in good -- good six,</p> <p>24 seven years. So now the traffic court was now</p>

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<p style="text-align: right;">425</p> <p>1 down at the -- at Daley Center, where it is now. 2 So I go to the traffic court. I was on 3 duty. I was on duty, so I was working at the 4 time. I went down there, saying whole -- whatever 5 my beat was, 12 so-and-so, headed to traffic 6 court, went down to traffic court. 7 I walked in the courtroom, and there was a 8 -- there was a couple of officers sitting. And I 9 asked them, "Hey, where do you sign in at?" 10 They said, "You sign in right up there, 11 you know, on the bench where the state's attorneys 12 are." 13 I had been used to signing in like that 14 when you go to Branch 57 narcotics court and 15 everything. And I saw the other officers' names, 16 so I signed in there. Little did I know or didn't 17 know, that wasn't -- that was now not the 18 procedure, and that's not the official sign-in 19 room. So I just signed in there. I didn't go 20 down the hallway, didn't know where it was, and 21 they didn't say, "No, you go down the hallway." 22 They said, "No, you sign in right there." 23 I didn't go down the hallway to sign in 24 with the court sergeant or whoever is the official</p>	<p style="text-align: right;">427</p> <p>1 A I was -- I was -- I was directed -- I 2 probably was directed to do, like, a to-from or 3 something like that, some capacity, something like 4 that. 5 Q Did you receive any -- well, so I guess it 6 says -- 7 A No, no. 8 Q -- you got a reprimand. 9 A Reprimand. 10 Q What is a reprimand? 11 A Oh, reprimand, you get counseled by your 12 sergeant. Then you know what you did wrong. 13 Okay. You're not going to get suspended for this, 14 but in the future, you know, you can't do that. 15 Q Is that in writing or is there -- 16 A Yeah. 17 Q -- yeah? 18 A Yeah, it should be. Yeah, reprimand, it's 19 on the computer. Yeah, you go in for discipline 20 -- disciplinary reprimand, and you accept it and 21 -- or not accept it -- and then you check -- check 22 it -- accept it or not accept it. 23 Q Did you accept this one? 24 A Yeah, I accepted it. Mm-hmm.</p>
<p style="text-align: right;">426</p> <p>1 where you sign in at. 2 So later came -- if that's what that is, 3 later it came down that I missed court. And I 4 told my lieutenant, I said, "No, I went to court. 5 You could pull it up. I went down there and 6 everything. I just signed in in the wrong spot." 7 So since I didn't sign in, of course, they 8 got me down as missing court. So I believe that's 9 what that one is. 10 Next, let me see -- 11 Q Traffic accident. 12 A Yes, that's the traffic accident. 13 Q That's the one you're talking about that 14 there's a lawsuit about? 15 A Yes, mm-hmm. 16 Q And then so what -- did the police 17 department or did someone find you responsible or 18 -- 19 A Yeah, yeah. So what happened with the 20 traffic accident, the police department, you know, 21 they found it preventable. I mean, they found it 22 preventable. 23 Q It says, And was directed to. Do you know 24 what the rest of that says?</p>	<p style="text-align: right;">428</p> <p>1 Q Are there any -- did you not accept or 2 disagree with any of the reprimands listed on this 3 sheet? 4 A No, especially that one he did catch me 5 asleep. 6 (Laughter.) 7 Q All right. 8 A He did, but no, everything -- now, this 9 one here -- 10 Q Which one? 11 A -- stated, I should hit you in the lips 12 and make your lips bigger, and, Shut the fuck up. 13 I have no idea what that is. 14 Q You deny doing that -- 15 A Yes. 16 Q -- ever to anybody? 17 A Yes. 18 Q What is BR-57 if you go back a couple -- 19 A Oh, Branch 57. 20 Q I got it. 21 A Another court. So I must've -- I must've 22 missed court, but I got a reprimand, so that means 23 I had a good reason. 24 Q Okay.</p>

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<p style="text-align: right;">429</p> <p>1 A I had a good reason probably why I missed.</p> <p>2 Q And then what was the suspension for</p> <p>3 failing to register for a state sticker?</p> <p>4 A Oh, my -- my car.</p> <p>5 Q Police car or --</p> <p>6 A When you -- when you live -- my -- no, my</p> <p>7 personal car. Yeah. When you're late, you get</p> <p>8 dinged for that.</p> <p>9 Q How long did you get suspended for?</p> <p>10 A A day.</p> <p>11 Q And then you did fall asleep in your car</p> <p>12 in 2005?</p> <p>13 A Yeah. What does it say? For</p> <p>14 approximately five minutes. Yeah, that's five</p> <p>15 minutes. Let me see. 13 September 2005 and five</p> <p>16 -- oh, yeah. I had to be working overtime.</p> <p>17 Q Okay.</p> <p>18 A In '05. Oh, no, no, no. No, yeah, I had</p> <p>19 to be working overtime. I must've been working</p> <p>20 overtime, and I fell asleep.</p> <p>21 Q Just tired?</p> <p>22 A Yeah, yeah. I hadn't moved to midnights</p> <p>23 yet. I didn't get to midnights until '06, so</p> <p>24 after -- I didn't get acclimated until -- until</p>	<p style="text-align: right;">431</p> <p>1 A -- so I didn't have to miss a day.</p> <p>2 Q You, like, lose a vacation day?</p> <p>3 A Yeah, yeah, yeah. I could use my vacation</p> <p>4 day or my comp time, so I don't -- I don't</p> <p>5 physically have to miss a day.</p> <p>6 Q And that's what you did for each</p> <p>7 suspension you got?</p> <p>8 A Yeah, because I -- I think -- I think --</p> <p>9 like I said, I think I remember -- I remember</p> <p>10 maybe one time doing -- maybe doing -- doing a</p> <p>11 day. It might've been -- I might've did -- I</p> <p>12 don't -- I don't remember if I did a day for that</p> <p>13 failure to register, but it's only been, like, one</p> <p>14 time, if I -- I really can't remember. I'm sorry</p> <p>15 I keep saying that. Okay. I don't remember.</p> <p>16 Q So when you say you did a day, you mean</p> <p>17 you had an unpaid day --</p> <p>18 A Right.</p> <p>19 Q -- as opposed to using a vacation day?</p> <p>20 A Yes.</p> <p>21 Q And each of the other times you used a</p> <p>22 vacation day?</p> <p>23 A Yes.</p> <p>24 Q Got it. And then there's a reprimand</p>
<p style="text-align: right;">430</p> <p>1 '06, so but what we could do -- we -- sometimes we</p> <p>2 would do overtime, and it would be on the midnight</p> <p>3 shift.</p> <p>4 THE WITNESS: Bless you.</p> <p>5 MALE SPEAKER: Thank you.</p> <p>6 Q Okay.</p> <p>7 A Oh.</p> <p>8 Q Now we're on the back page, complaint date</p> <p>9 6/3/2005, but narrative 25 May 05.</p> <p>10 A That -- that is a -- that date is -- that</p> <p>11 date is not right.</p> <p>12 Q Yeah. So tell me, what's -- what is this?</p> <p>13 A 29 -- oh, oh, oh, I'm sorry. I'm sorry.</p> <p>14 That -- that must -- that had to do with -- my</p> <p>15 plate must've been expired. Oh, yes, my plate had</p> <p>16 expired because that was when my truck -- I was</p> <p>17 driving my other car, and I had to put my -- my</p> <p>18 truck was parked, but I had to -- I had to put it</p> <p>19 in the shop, and, yeah, my plate expired.</p> <p>20 Q And so you got suspended for having an</p> <p>21 expired license plate?</p> <p>22 A Yeah. But see when it says suspension, I</p> <p>23 didn't -- I -- you could give them your time --</p> <p>24 Q You --</p>	<p style="text-align: right;">432</p> <p>1 below that, 2010. It looks like a -- maybe a</p> <p>2 traffic accident?</p> <p>3 A Oh, yes.</p> <p>4 Q Do you remember anything about that?</p> <p>5 A Yes.</p> <p>6 Q Tell me what you remember about that.</p> <p>7 A I damaged the squad car, the top of it.</p> <p>8 Q And you got a reprimand?</p> <p>9 A Yes.</p> <p>10 Q Just told you to be more careful?</p> <p>11 A Mm-hmm, yeah.</p> <p>12 Q Do you remember either of the two</p> <p>13 incidents listed on 21, Exhibit 21?</p> <p>14 A I believe that first one goes back to that</p> <p>15 very first CR number, along -- along -- along with</p> <p>16 that because I had a -- I can't remember --</p> <p>17 Q Okay.</p> <p>18 A -- you know, if he was a drug dealer over</p> <p>19 there at the 2nd District, and he had made some</p> <p>20 false complaints against me because his dope area</p> <p>21 was on my territory -- I mean, not territory -- my</p> <p>22 -- my beat --</p> <p>23 Q Okay.</p> <p>24 A -- his territory, his territory. And he</p>

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<p>433</p> <p>1 had made false allegations against me, you know, I 2 guess hoping that I would either get in trouble or 3 get pulled off the beat or whatever. 4 Q Have you ever conducted an illegal search 5 without a warrant? 6 A No. 7 Q Do you remember anything about the next 8 one, neglect of duty? That's the complaint 9 category, neglect of duty, conduct unbecoming on 10 duty. 11 A I have no idea what that is. 12 MR. RAUSCHER: I think I'm out of 13 questions. 14 EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS 15 BY MR. FLAXMAN: 16 Q Officer Summers, my name's Joel Flaxman. 17 I represent some other plaintiffs in these cases. 18 I'm going to ask you a few questions. 19 A Okay. 20 MR. FLAXMAN: Before we begin, I just want 21 to put on the record that I've agreed with your 22 counsel that we're going to postpone questioning 23 on three sets of cases. 24 The first one is an arrest of Vandell</p>	<p>435</p> <p>1 Mr. Ollie's name was G-Dawg? 2 A Yes. 3 Q How did you learn that Mr. Ollie's 4 nickname was G-Dawg? 5 A Oh, I just remembered it when I saw the -- 6 saw the reports. It brought back my memory that 7 he -- he would be called G-Dawg. 8 Q Before the arrest that we had talked about 9 in January of 2003, had you come into contact with 10 Mr. Ollie? 11 A I can't -- I can't remember exactly when, 12 but I came into contact with Mr. Ollie at 13 different -- several times during the course of 14 being over there, but I can't pinpoint exactly 15 when. 16 Q And I think you said you learned that he 17 sometimes worked security for the drug dealers? 18 A Yes. 19 Q Okay. And did you learn about him doing 20 anything else for -- as part of the narcotics 21 trade at the Ida B. Wells homes? 22 A I can't remember right now of him doing 23 any -- I do remember him being -- doing security. 24 Q Okay. And so security was -- was one</p>
<p>434</p> <p>1 Wilborn [ph] on July 27th, 2004. We're also going 2 to postpone questioning about Jamar Lewis' case 3 and also about arrest of Jerome Bynum -- Jerome 4 Bynum, B-Y-N-U-M, and other men on October 10th, 5 2004. That was the subject of a CR file with 6 number 301221. Is that -- did I say those 7 correctly? 8 MS. WEST: Yes, you did. 9 Q Okay. So you understand that we're going 10 to come back and question on those another time? 11 A Sure. 12 Q Okay. 13 A Yes. 14 Q All right. Well, today, let me return to 15 one of the cases you talked about with George 16 Ollie. 17 A Okay. 18 Q Do you remember that case? 19 A Yes. 20 Q And if you want to take a look at the 21 report again, that's fine. I don't think I have 22 any questions about the paperwork. 23 A Okay. 24 Q I think you said you remembered that</p>	<p>436</p> <p>1 thing that people did around drug dealing; right? 2 A Correct, yes. 3 Q Did you ever hear of somebody pitching 4 drugs? 5 A That is a term -- that is a term for 6 selling narcotics. 7 Q Okay. And was that used when you were 8 patrolling the Ida B. Wells homes? 9 A I'm not going to say that it wasn't. I 10 can't remember a certain time that it was, but I'm 11 not going to say that it -- it wasn't used at some 12 point in time down there. 13 Q Were there any slang terms that you were 14 familiar with for selling narcotics? 15 A Working. 16 Q Okay. And besides working, security, were 17 there any other roles that were taken on a 18 day-to-day basis in the drug trade? 19 MR. MICHALIK: Object to the extent this 20 has been asked and answered. 21 A By individuals? 22 Q Yes. 23 A Sure. Besides they also could, like, 24 oversee the people that are there working security</p>

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<p style="text-align: right;">437</p> <p>1 or selling. I would -- I would -- I would liken 2 them to like a foreman. 3 Q Okay. 4 A Okay? They're not -- they're not selling. 5 They're not working security, but they're there to 6 oversee that things are -- are going or probably 7 nobody's trying to steal from them or, you know, 8 stuff like that. 9 Q Okay. And was there any special term for 10 the person taking that role? 11 A No, no, I do not remember a special term. 12 That's why I just used the example like a foreman. 13 Q Were you ever aware of drugs being sold 14 where the person would take money in one location 15 and the drugs were being stored in a separate 16 location? 17 A Yes, there were incidents of that in Ida 18 B. Wells. 19 Q Was there a term used for that type of 20 selling drugs? 21 A No, I do not know of a term used for that 22 type of transaction. 23 Q The -- just going back to Mr. Ollie, are 24 you aware that Mr. Ollie says he was falsely</p>	<p style="text-align: right;">439</p> <p>1 A Right. It was just arresting officers on 2 the scene. One of them placed him in custody. 3 Q Okay. Before one of your partners placed 4 Mr. Ollie in custody, did you see Mr. Ollie with 5 drugs? 6 MS. WEST: Objection. Foundation. 7 A When I came out, I believe -- let me refer 8 back because I believe Ollie was one involved when 9 we came -- when I came out -- 10 Q Okay. And if -- 11 A -- down -- 12 Q -- and if you're going to rely on a 13 report, just let me know which exhibit you're 14 looking at. 15 A Okay. All right. Just look back. Okay. 16 There it is. I got it. 17 Q Are you looking -- is it -- 18 A So I'm referring back to Exhibit 17 -- 19 Q Okay. 20 A -- where Ollie is listed as -- George 21 Ollie is listed as Offender No. 5. Yeah. So he 22 was one of the offenders that were in the hallway, 23 but I can't remember if I -- when I went past him, 24 like, he had, like -- he had it in his -- in his</p>
<p style="text-align: right;">438</p> <p>1 arrested on January 4th, 2003? 2 A I don't remember -- I don't know. I'm not 3 aware of that. I don't -- I don't believe -- I 4 can't -- I can't remember did I -- did I see 5 something from him saying that he was falsely 6 arrested, no. 7 Q Do you believe Mr. Ollie was lawfully 8 arrested on January 4th, 2003? 9 A Yes, he was. 10 Q Why do you believe that? 11 A Because he was in the -- he was caught 12 with narcotics in that narcotic operation that was 13 going on that we was on surveillance for that day. 14 Q Okay. And you, yourself, caught him with 15 narcotics; is that right? 16 A No, I -- I can't remember. I can't 17 remember exactly, like I said, of catching Ollie 18 because I came out to catch Fuzz. 19 Q Okay. 20 A I came out to catch Fuzz, and I know 21 partners of mine placed other people in custody. 22 Q Okay. So based on the documents you've 23 reviewed today, you can't say which partner it was 24 who placed Mr. Ollie --</p>	<p style="text-align: right;">440</p> <p>1 hand as I was trying to go get Fuzz, but he was 2 apprehended and found in possession of narcotics. 3 Q But -- and that's based on the report; 4 correct? 5 A Yes, mm-hmm. 6 Q And based on the report, you're not able 7 to say if you, yourself, witnessed him with the 8 narcotics? 9 A Right. I can't remember exactly. 10 Q Other than the reports we've looked at, 11 are you aware of any other material that would 12 help you remember about the arrest of George Ollie 13 on January 4th, 2003? 14 A Other than reports we -- testimony? 15 Q If there was some testimony, that might 16 help you? 17 A That may help, yes, if you have some 18 testimony. 19 Q I don't. 20 A Oh, okay. 21 Q If there was, though -- 22 A Yeah. Okay. 23 Q We'll keep that in mind. 24 A Right.</p>

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<p>441</p> <p>1 Q Since that arrest in 2003, have you had</p> <p>2 any interaction with Mr. Ollie?</p> <p>3 A No.</p> <p>4 Q Okay. One thing you mentioned was a</p> <p>5 reverse sting you remembered because one of the</p> <p>6 people arrested asked for some leniency based on</p> <p>7 his relationship to a politician. Do you remember</p> <p>8 that?</p> <p>9 A Yes.</p> <p>10 Q Okay. Have you ever given somebody</p> <p>11 leniency based on their relationship to an</p> <p>12 important person?</p> <p>13 A No. That was the only -- that was -- that</p> <p>14 was the only one that was important that I've come</p> <p>15 across.</p> <p>16 Q That's the only time anyone even requested</p> <p>17 it?</p> <p>18 A Yeah. I mean, as far as, you know,</p> <p>19 throwing out a name like that, somebody -- big</p> <p>20 name like that.</p> <p>21 Q So no one's ever made that request any</p> <p>22 other time is what you're saying?</p> <p>23 A Oh, they -- I mean, people have asked --</p> <p>24 Q Oh.</p>	<p>443</p> <p>1 A Not -- not offers.</p> <p>2 Q What does "Give me a play" mean?</p> <p>3 A Let me go. Have mercy.</p> <p>4 Q Okay.</p> <p>5 A Have mercy on me.</p> <p>6 Q And when people being arrested have made</p> <p>7 those requests, what have you done?</p> <p>8 A Well, usually it's a person that either</p> <p>9 has gotten caught and either with dope, you know</p> <p>10 what I'm saying, or something like that, and they</p> <p>11 know they got a bad background and, you know --</p> <p>12 and everything, and I tell them, "Man, you know,</p> <p>13 nothing" -- "you know, nothing I could do for</p> <p>14 you."</p> <p>15 Q Have you ever been involved in an arrest</p> <p>16 where an arrestee was not charged because they</p> <p>17 provided useful information to police officers?</p> <p>18 A I can't recall.</p> <p>19 Q You can't recall that happening?</p> <p>20 A No.</p> <p>21 Q Would that be appropriate to not charge an</p> <p>22 arrestee if they provided information about other</p> <p>23 crimes to the arresting officers?</p> <p>24 A It's at the discretion of a officer if</p>
<p>442</p> <p>1 A -- you know, "Can I" -- you know -- you</p> <p>2 know, "Man, you know, give mea " -- "you know,</p> <p>3 give me a play," or something like that, but I was</p> <p>4 talking about -- you was talking about in terms of</p> <p>5 --</p> <p>6 Q Okay.</p> <p>7 A -- somebody of known -- their name is</p> <p>8 known, because of their name.</p> <p>9 Q And that's the only time you -- it has</p> <p>10 happened where you were involved that somebody</p> <p>11 asked for a favor based on their relationship to</p> <p>12 somebody important; is that right?</p> <p>13 A Right.</p> <p>14 Q Okay. But there have been other times</p> <p>15 where people have made other offers to the -- to</p> <p>16 police in exchange for letting them go or</p> <p>17 something like that?</p> <p>18 A No, not offers, not offers. Just, you</p> <p>19 know, asking, you know -- you know, "Give me" --</p> <p>20 "you know, give me a play," or, "You know" -- "you</p> <p>21 know, I won't" -- "I won't be back over here</p> <p>22 anymore," you know, or anything, this, that, and</p> <p>23 the other, "I can't go back," or stuff like that.</p> <p>24 Q Okay.</p>	<p>444</p> <p>1 person provides that and it outweighs or is more</p> <p>2 important for what they -- the importance of the</p> <p>3 information --</p> <p>4 Q Sure.</p> <p>5 A -- that they're providing to provide them</p> <p>6 with leniency.</p> <p>7 Q Okay. But you can't recall if you've ever</p> <p>8 been involved in something like that?</p> <p>9 A The only time I -- as far as recalling</p> <p>10 things like that is really with traffic stops.</p> <p>11 Somebody is running a stop sign. "You know, I'm</p> <p>12 sorry, Officer. You know, I'm on my way to work</p> <p>13 or late," you know, this, that, and the other. I</p> <p>14 give them a reprimand, a warning --</p> <p>15 Q Okay.</p> <p>16 A -- you know, and then -- examples like</p> <p>17 that. Yeah. That -- I have done that.</p> <p>18 Q Outside of traffic stops, it's never been</p> <p>19 part of your experience as a police officer?</p> <p>20 A For me to do it?</p> <p>21 Q For you to do it or be involved in a</p> <p>22 arrest that involved it.</p> <p>23 A No, I can't recall. But I'm not saying</p> <p>24 that it doesn't happen, that officers don't do it.</p>

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<p style="text-align: right;">445</p> <p>1 I just don't recall.</p> <p>2 Q Okay. I'm going to ask you about the</p> <p>3 arrest of William Carter on June 18th, 2004. Do</p> <p>4 you have any recollection about the arrest of</p> <p>5 William Carter on June 18th, 2004?</p> <p>6 A I don't.</p> <p>7 Q Okay. Did you look at any documents about</p> <p>8 that arrest?</p> <p>9 A Yes.</p> <p>10 Q Okay. And those didn't refresh your</p> <p>11 recollection?</p> <p>12 A They didn't.</p> <p>13 Q Okay. Did you look at an arrest report?</p> <p>14 A If -- let me look at it and see if I did.</p> <p>15 I believe I did.</p> <p>16 THE WITNESS: Thank you.</p> <p>17 MR. FLAXMAN: And I'm sorry. Are we at</p> <p>18 28?</p> <p>19 MALE SPEAKER: Yeah.</p> <p>20 (Exhibit 28 was marked for identification</p> <p>21 and is attached to the transcript.)</p> <p>22 THE WITNESS: Okay. Yeah, I did -- I did</p> <p>23 look over this, but it didn't refresh my memory at</p> <p>24 all.</p>	<p style="text-align: right;">447</p> <p>1 prepare for today's deposition?</p> <p>2 A Yes.</p> <p>3 Q And having reviewed it, does it help you</p> <p>4 remember this arrest?</p> <p>5 A It doesn't.</p> <p>6 Q You're listed in -- well, which box number</p> <p>7 are you listed in?</p> <p>8 A I'm on the line with 18.</p> <p>9 Q Okay. And what do you take the listing of</p> <p>10 your name there to mean?</p> <p>11 A Under where it's checked witness.</p> <p>12 Q So you're listed as a witness?</p> <p>13 A It says witness, so I witnessed something.</p> <p>14 Q Okay. So the -- it was your practice to</p> <p>15 list somebody as a witness on a vice case report</p> <p>16 if they had witnessed something about the</p> <p>17 incident; is that right?</p> <p>18 A Yes.</p> <p>19 Q But based on reviewing the report and</p> <p>20 based on your own recollection, you don't know</p> <p>21 what exactly you witnessed about this incident; is</p> <p>22 that right?</p> <p>23 A I do not know, and I -- you know, I don't</p> <p>24 remember, no.</p>
<p style="text-align: right;">446</p> <p>1 Q Okay. You did review Exhibit 28?</p> <p>2 A Yes.</p> <p>3 Q Okay. And you recognize that to be the</p> <p>4 arrest report for William Carter on June 18th,</p> <p>5 2004?</p> <p>6 A Yes.</p> <p>7 Q Okay. But you're not one of the -- you're</p> <p>8 not the first or second arresting officer on this</p> <p>9 report; right?</p> <p>10 A No.</p> <p>11 MR. FLAXMAN: Let's mark this next one.</p> <p>12 MS. WEST: Thank you.</p> <p>13 MR. FLAXMAN: This is Exhibit 29.</p> <p>14 (Exhibit 29 was marked for identification</p> <p>15 and is attached to the transcript.)</p> <p>16 Q Do you recognize Exhibit 29 to be a vice</p> <p>17 case report for the arrest of William Carter and</p> <p>18 two other people on June 18th, 2004?</p> <p>19 A Yes. One second.</p> <p>20 Q Oh, please.</p> <p>21 A Okay. Yes, I -- yes, I do -- I recognize.</p> <p>22 Q Okay.</p> <p>23 A I see it.</p> <p>24 Q And is this a document you reviewed to</p>	<p style="text-align: right;">448</p> <p>1 Q And the -- did you take a look at the</p> <p>2 narrative of this report?</p> <p>3 A I did.</p> <p>4 Q Okay. And a few times it lists statements</p> <p>5 about reporting officers; right?</p> <p>6 A Correct.</p> <p>7 Q Would you be included in -- is it possible</p> <p>8 that you were included in one of those groups of</p> <p>9 ROs?</p> <p>10 MS. WEST: Objection. Foundation.</p> <p>11 A It is -- I don't remember, but it's both</p> <p>12 possible and not possible because reporting</p> <p>13 officers could refer to just officers Al Jones and</p> <p>14 Darryl Edwards.</p> <p>15 Q Could it also refer to other officers?</p> <p>16 A It --</p> <p>17 MR. MICHALIK: Objection to foundation and</p> <p>18 form.</p> <p>19 A It could.</p> <p>20 Q This vice case report, in addition to</p> <p>21 Mr. Carter, also lists J-A-M-O-N -- I'll say Jamon</p> <p>22 -- Walker as the second offender. Do you see</p> <p>23 that?</p> <p>24 A I see that.</p>

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<p>449</p> <p>1 Q Do you have any recollection of</p> <p>2 Mr. Walker?</p> <p>3 A I don't.</p> <p>4 Q Okay. And then under Mr. Walker's name,</p> <p>5 it lists another offender, Roy C. Tate Jr. Do you</p> <p>6 see that?</p> <p>7 A Yes.</p> <p>8 Q Do you have any recollection of Mr. Tate?</p> <p>9 A I don't.</p> <p>10 Q Aside from these -- excuse me -- aside</p> <p>11 from this vice case report that we marked as</p> <p>12 Exhibit 29, have you looked at any documents about</p> <p>13 Mr. Walker or Mr. Tate?</p> <p>14 A No.</p> <p>15 MR. FLAXMAN: I'll mark another exhibit.</p> <p>16 (Exhibit 30 was marked for identification</p> <p>17 and is attached to the transcript.)</p> <p>18 Q We marked this as Exhibit 30. For the</p> <p>19 record, the witness has a color copy; everyone</p> <p>20 else has black and white. Exhibit 30, do you</p> <p>21 recognize that this states that it's a mug shot of</p> <p>22 William F. Carter?</p> <p>23 A Yes.</p> <p>24 Q Okay. Having reviewed this picture, do</p>	<p>451</p> <p>1 the vice case report, Ziploc bag with 22 smaller</p> <p>2 Ziploc baggies.</p> <p>3 Q So you're relying on the report over</p> <p>4 Mr. Carter's statement; is that right?</p> <p>5 A Yes.</p> <p>6 Q Why are you relying on the report?</p> <p>7 A Because I believe the report to be</p> <p>8 accurate and truthful, besides with me being on</p> <p>9 the report, that what transpired here and that</p> <p>10 detail was transpired really did take place.</p> <p>11 Q Is it your belief that any police report</p> <p>12 that lists you on it is a truthful report?</p> <p>13 A Yes, it's truthful report. I have no --</p> <p>14 no reason to make up anything against anybody.</p> <p>15 I've never tried to frame anybody or anything like</p> <p>16 that, so I don't have any reason to lie about any</p> <p>17 arrest that I made.</p> <p>18 Q Was it your practice in June 2004 to</p> <p>19 review any report that listed your name on it?</p> <p>20 MS. WEST: Objection. Asked and answered.</p> <p>21 A Yes. Yes. Yes.</p> <p>22 Q And what would you have done if you had</p> <p>23 reviewed a report that had false information on</p> <p>24 it?</p>
<p>450</p> <p>1 you have any recollection of Mr. Carter?</p> <p>2 A I don't.</p> <p>3 Q Is there anything else that could help you</p> <p>4 remember the arrest of William Carter on June</p> <p>5 18th, 2004?</p> <p>6 A Honestly, I don't believe it is. I -- I</p> <p>7 do not remember this.</p> <p>8 Q Did you know that Mr. Carter made a formal</p> <p>9 complaint to the Chicago Police Department about</p> <p>10 his arrest in 2004?</p> <p>11 A No, I did not.</p> <p>12 Q Were you ever interviewed about that</p> <p>13 arrest?</p> <p>14 A I don't believe so.</p> <p>15 Q Okay. Do you know that Mr. Carter said</p> <p>16 then and says now that he was falsely arrested on</p> <p>17 June 18th of 2004?</p> <p>18 A I know that -- I know that's what he's</p> <p>19 alleging.</p> <p>20 Q Do you agree with that?</p> <p>21 A No.</p> <p>22 Q Why not?</p> <p>23 A Because he was placed under arrest on this</p> <p>24 report lawfully, in possession, what was stated in</p>	<p>452</p> <p>1 A If I recognized something was false, if</p> <p>2 they would be corrected or -- it would be talked</p> <p>3 about.</p> <p>4 Q So you wouldn't have let a report with</p> <p>5 your name on it contain false or inaccurate</p> <p>6 information?</p> <p>7 A No. A report with my name on it believed</p> <p>8 to be -- I would believe to be accurate and not to</p> <p>9 be false, to be truthful and lawful.</p> <p>10 Q When you were creating reports around this</p> <p>11 time in 2004, one kind of report you would make</p> <p>12 would be the vice case report; right?</p> <p>13 A Yes.</p> <p>14 Q And was it your practice to show that</p> <p>15 report to everybody whose name was listed on it?</p> <p>16 A At some point in time or another, they</p> <p>17 would see it.</p> <p>18 Q Is there a rule at the Chicago Police</p> <p>19 Department that required you to do that?</p> <p>20 A Well, I mean, it was -- when we was in the</p> <p>21 academy and as you was learning on the job, if</p> <p>22 your name is on something, review it.</p> <p>23 Q Okay. All right. Next I want to ask you</p> <p>24 about an arrest of Rickie Henderson on August</p>

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<p style="text-align: right;">453</p> <p>1 27th, 2003. Do you have any recollection of 2 Mr. Henderson? 3 A I don't. 4 Q Did you look at documents about him before 5 today's deposition? 6 A Yes. 7 Q Okay. I'm going to give you a exhibit 8 that we're marking as Exhibit 31. 9 (Exhibit 31 was marked for identification 10 and is attached to the transcript.) 11 Q Do you recognize Exhibit 31 as the arrest 12 report of Rickie Henderson dated August 27th, 13 2003? 14 A I recognize it. I'm just finishing. 15 Q Oh, I'm sorry. 16 A Let me finish. 17 Q Please let me know when you're finished. 18 A All right. 19 (Pause.) 20 A Okay. Yes. 21 Q Yes, you recognize this? 22 A I recognize it to be a arrest report for 23 Rickie O'Brien [ph] Henderson. 24 Q And the date on this is August 27th, 2003;</p>	<p style="text-align: right;">455</p> <p>1 A Yes, I don't -- I'm sorry. No, I do not 2 remember the arrest of Rickie Henderson in August 3 -- 4 Q All right. Let me hand you -- 5 A -- 27th, 2003. 6 Q -- two more exhibits, and we'll do them at 7 the same time. 8 (Sotto voce speaking.) 9 (Exhibit 32 and Exhibit 33 were marked for 10 identification and are attached to the 11 transcript.) 12 Q Could you take a look at Exhibit 31 first. 13 A Sure. Oh, look at -- 14 Q That's -- that's the picture. 15 A I mean, 32? 16 MS. WEST: 32. 17 A 32 is the picture. 18 Q Okay. Yes. Thank you. 19 A Mm-hmm. 20 Q Sorry about that. Looking at Exhibit 32, 21 you see a photograph of a man there? 22 A Yes, I do. 23 Q Okay. Do you have any recollection of -- 24 of that gentleman pictured in Exhibit 32?</p>
<p style="text-align: right;">454</p> <p>1 right? 2 A August 27, 2003, yes. 3 Q Okay. And you are listed on this as one 4 of the assisting officers; right? 5 A Yes. 6 Q But the -- and the first arresting officer 7 is Officer Jones; is that right? 8 A Yes. 9 Q Do you know why there's two names in the 10 box for second arresting officer? 11 MS. WEST: Objection. Foundation. 12 A I do not know. 13 Q Did you ever fill out an arrest report in 14 the format that you're looking at, Exhibit 31, 15 that had more than one officer listed as second 16 arresting officer? 17 A I haven't, but I have seen other officers 18 do this before. 19 Q Okay. And do you know why those officers 20 did that? 21 A I am not sure why. 22 Q Okay. Having reviewed Exhibit 31, are you 23 still unable to remember the arrest of Rickie 24 Henderson on August 27th, 2003?</p>	<p style="text-align: right;">456</p> <p>1 A I don't. 2 Q Okay. Exhibit 33, that's a vice case 3 report. If you want to take a minute to look at 4 that, go ahead and then -- 5 A Thank you. 6 Q -- I'll ask about it. 7 (Pause.) 8 A Okay. 9 Q All right. Do you recognize Exhibit 33 to 10 be a vice case report for the arrest of Rickie 11 Henderson of August 27th, 2003? 12 A Yes. 13 Q Okay. And are you listed on this one as a 14 witness as well? 15 A Yes. 16 Q Okay. But you didn't prepare Exhibit 33; 17 right? 18 A No. 19 Q And did you review Exhibit 33 in 2003? 20 A Yes, I definitely believe I would have. 21 Q And that's -- and you believe that because 22 your name is on it; right? 23 A That's correct. 24 Q Did you read the narrative of this vice</p>

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<p>457</p> <p>1 case report?</p> <p>2 A I did.</p> <p>3 Q Okay. And did it explain your role in the</p> <p>4 arrest of Mr. Henderson?</p> <p>5 A It did not specifically, no.</p> <p>6 Q And did it suggest to you what your role</p> <p>7 would have been?</p> <p>8 A I -- while conducting a narcotics</p> <p>9 investigation, I could have been enforcement</p> <p>10 because it states that he attempted to flee.</p> <p>11 Since that's in here, about a short foot chase,</p> <p>12 just to give you a possible --</p> <p>13 Q Okay.</p> <p>14 A -- reason for assisting or -- or as far as</p> <p>15 witnessed, I might've seen him run.</p> <p>16 Q What does it mean to work enforcement?</p> <p>17 A Oh, enforcement means -- if we're on</p> <p>18 surveillance and I'm not -- let's say I'm not</p> <p>19 right there, upfront, watching whatever going --</p> <p>20 going on, and I might -- I could be on the</p> <p>21 outskirts or on the outside of the building or</p> <p>22 another floor. And where we think they might run</p> <p>23 to or whatever, if they run, my job is to -- to</p> <p>24 apprehend them.</p>	<p>459</p> <p>1 an arrestee would be taken to Unit 715 and then</p> <p>2 taken to the 2nd District?</p> <p>3 A Most of the time we go into our station to</p> <p>4 process them, do the reports, and then take them</p> <p>5 to the 2nd District because that's where lockup</p> <p>6 was. Excuse me.</p> <p>7 Q Was there a lockup at 715?</p> <p>8 A No.</p> <p>9 Q So anyone going to lockup would have to go</p> <p>10 to the 2nd District?</p> <p>11 A They have to go to the 2nd District. But</p> <p>12 sometimes we would go straight to the 2nd District</p> <p>13 depending on what's going on.</p> <p>14 Q Why -- why would you go straight to the</p> <p>15 2nd District?</p> <p>16 A It -- it might be -- maybe we got -- it</p> <p>17 could be we got a lot of people, and you want to</p> <p>18 process something; let's take something straight</p> <p>19 to the 2nd District for whatever reason -- person</p> <p>20 -- we want to get them back in lockup really</p> <p>21 quick, time of the day -- time of the day because</p> <p>22 between lockup changes, you can get held up</p> <p>23 sitting, waiting with your -- with your prisoner</p> <p>24 before getting them to get in and get processed.</p>
<p>458</p> <p>1 Q So second page of this, near the end of</p> <p>2 the narrative, it states, The subject was then</p> <p>3 transported to Unit 715. Do you see that?</p> <p>4 A Yes.</p> <p>5 Q Okay. And that was your headquarters for</p> <p>6 Public Housing South; right?</p> <p>7 A Yes.</p> <p>8 Q Do you remember the address of that?</p> <p>9 A I don't. I think I saw it in one of the</p> <p>10 reports.</p> <p>11 Q Was that in another -- okay. Well, it was</p> <p>12 -- was it in the Ida B. Wells homes?</p> <p>13 A Yeah, this is -- yeah, it's in</p> <p>14 Ida B. Wells. Like I said, all the officers --</p> <p>15 Q Right.</p> <p>16 A -- were inside one of Ida B. Wells</p> <p>17 property.</p> <p>18 Q And then the next, it states, And then --</p> <p>19 A CHA property.</p> <p>20 Q After stating that the subject was</p> <p>21 transported to Unit 715, it states, And then 002</p> <p>22 District for processing. Do you see that?</p> <p>23 A Yes.</p> <p>24 Q Okay. Was that the regular practice, that</p>	<p>460</p> <p>1 So sometimes to cut out the middle man and</p> <p>2 going first to the station, doing all the typing</p> <p>3 and everything, then going to take him to the</p> <p>4 lockup, we just go -- you just go straight to the</p> <p>5 2nd District and do all the paperwork there.</p> <p>6 Q And the arrest report we looked at is</p> <p>7 Exhibit 31.</p> <p>8 A Yes.</p> <p>9 Q There's a Box 47 that says, Initial</p> <p>10 approval of probable cause. Do you see that?</p> <p>11 A Yes.</p> <p>12 Q Okay. And at this time in 2003, were you</p> <p>13 familiar with how the procedure worked for getting</p> <p>14 initial approval of probable cause?</p> <p>15 A Yes.</p> <p>16 Q What would you do to get that approval?</p> <p>17 A You would get that after everything was</p> <p>18 done. You would go to the watch commander to get</p> <p>19 that signed.</p> <p>20 Q And would the watch commander review the</p> <p>21 paperwork that you had created?</p> <p>22 A Yes.</p> <p>23 Q Okay. Was the watch commander at 715 or</p> <p>24 the 2nd District?</p>

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<p>461</p> <p>1 A 2nd District.</p> <p>2 Q The -- to the right of that Box No. 49</p> <p>3 refers -- states, Approval of charges. See that?</p> <p>4 A Yes.</p> <p>5 Q Okay. Were you familiar with how</p> <p>6 arresting officer would get approval of charges?</p> <p>7 A How do you know that, you know, I'm not</p> <p>8 sure because that -- that would -- that could come</p> <p>9 later on after a officer's gone because that's</p> <p>10 when he's in lockup --</p> <p>11 Q Okay.</p> <p>12 A -- and after his prints clear and stuff</p> <p>13 like that.</p> <p>14 Q So the -- tell me if I have this right.</p> <p>15 As an arresting officer, you would typically take</p> <p>16 the arrestee to 715 and do your paperwork; right?</p> <p>17 A Yes.</p> <p>18 Q And then the arrestee and the paperwork</p> <p>19 would go to the 2nd District; right?</p> <p>20 A That's correct.</p> <p>21 Q And so the arrestee would go into lockup,</p> <p>22 and then a supervisor would approve probable</p> <p>23 cause; right?</p> <p>24 A Initial approval of probable cause, yes,</p>	<p>463</p> <p>1 A Yes.</p> <p>2 Q And the location given is 574 East 36th</p> <p>3 Street. Do you see that?</p> <p>4 A Yes.</p> <p>5 Q Was that one of the -- well, what kind of</p> <p>6 building was 574 East 36th?</p> <p>7 A I believe, if I remember correctly, it's a</p> <p>8 row house.</p> <p>9 Q That was a row house?</p> <p>10 A Yeah, that's row houses.</p> <p>11 Q And the report says -- oh, I'm sorry.</p> <p>12 A Yeah, I believe that's row because I'm</p> <p>13 trying to -- I'm just trying to remember the</p> <p>14 address for the other -- 574 East Browning. Yeah,</p> <p>15 it was the other one. Yeah, I believe that's the</p> <p>16 row houses.</p> <p>17 Q Okay. The report also says that the</p> <p>18 reporting officers were conducting a narcotics</p> <p>19 investigation.</p> <p>20 A Yes.</p> <p>21 Q Are you familiar with conducting narcotics</p> <p>22 investigations?</p> <p>23 A Am I familiar with conducting narcotics --</p> <p>24 Q Yes.</p>
<p>462</p> <p>1 to get -- that's -- that's how he gets into the</p> <p>2 lockup.</p> <p>3 Q Oh, so he doesn't go into lockup until</p> <p>4 probable cause?</p> <p>5 A No, no. You can't go into lockup until</p> <p>6 watch commander approves that he can go into the</p> <p>7 lockup, approved the paperwork.</p> <p>8 Q And where does the arrestee go while the</p> <p>9 watch commander is reviewing that?</p> <p>10 A Oh, he's sitting in the room -- in the</p> <p>11 holding room with -- with a -- with a officer</p> <p>12 while a officer goes and gets the watch commander</p> <p>13 to approve the paperwork.</p> <p>14 Q Okay. And then once he's -- once it's</p> <p>15 been approved, once the suspect goes into the</p> <p>16 lockup, would you then be done with your work on</p> <p>17 the case?</p> <p>18 A Correct. Once you put him in lockup,</p> <p>19 you're -- you're -- you're done. You're released.</p> <p>20 Q Okay. This vice case report, Exhibit 33</p> <p>21 --</p> <p>22 A Mm-hmm.</p> <p>23 Q -- reports that Mr. Henderson was observed</p> <p>24 at the rear of the above location. You see that?</p>	<p>464</p> <p>1 A -- investigations? Yes.</p> <p>2 Q Okay. Was a narcotics investigation</p> <p>3 usually based on some information that an officer</p> <p>4 had received?</p> <p>5 A Not always.</p> <p>6 Q It could just be regular patrol?</p> <p>7 A Yes.</p> <p>8 Q Having reviewed these reports and the</p> <p>9 pictures of Mr. Henderson, are you still unable to</p> <p>10 remember his arrest on August 27th, 2003?</p> <p>11 A Yeah, I still don't remember his arrest.</p> <p>12 Q Okay. Is there anything else that you're</p> <p>13 aware that could help you remember the arrest of</p> <p>14 Mr. Henderson on August 27th, 2003?</p> <p>15 A No, nothing else that I'm aware of.</p> <p>16 Q Do you know that Mr. Henderson says he was</p> <p>17 falsely arrested that day?</p> <p>18 A I knew now that you -- you know, these</p> <p>19 proceedings that that's what he said.</p> <p>20 Q And do you disagree with that?</p> <p>21 A Yes, I do.</p> <p>22 Q Why do you disagree with it?</p> <p>23 A Because due to the facts on this lawful</p> <p>24 and -- vice report and arrest report that my name</p>

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<p style="text-align: right;">465</p> <p>1 is on with the facts that are detailed in here, I</p> <p>2 believe that the actions that are stated is what</p> <p>3 was committed by Mr. Henderson.</p> <p>4 Q So you trust the reports?</p> <p>5 A I do trust it.</p> <p>6 Q Okay. How many times did you meet with</p> <p>7 your attorney to prepare for today's deposition?</p> <p>8 MS. WEST: Objection. Asked and answered.</p> <p>9 A Approximately three meetings --</p> <p>10 Q Okay.</p> <p>11 A -- with them before these depositions.</p> <p>12 Q Okay. And who was present at those</p> <p>13 meetings?</p> <p>14 A My -- my attorneys.</p> <p>15 Q Okay.</p> <p>16 A Specifically?</p> <p>17 Q Well, was Ms. West present at --</p> <p>18 A Yes.</p> <p>19 Q -- all three meetings?</p> <p>20 A Yes.</p> <p>21 Q Okay. Were any other attorneys present?</p> <p>22 A Attorney Brian --</p> <p>23 Q Mr. Stefanich?</p> <p>24 A Yes.</p>	<p style="text-align: right;">467</p> <p>1 A Did you talk to any of them to prepare for</p> <p>2 your deposition?</p> <p>3 Q No.</p> <p>4 A Okay. You mentioned that you were --</p> <p>5 well, you mentioned that you had a meeting with</p> <p>6 some representatives from the Cook County State's</p> <p>7 Attorney's Office.</p> <p>8 Q Yes.</p> <p>9 A Was that last week?</p> <p>10 Q Yes.</p> <p>11 A Where was that meeting?</p> <p>12 Q It was at the offices of Hale & Monico.</p> <p>13 A Okay. How long was the meeting?</p> <p>14 MS. WEST: Asked and answered.</p> <p>15 MR. MICHALIK: Object. It's been asked</p> <p>16 and answered.</p> <p>17 A Yeah. I -- I guess about -- so I don't</p> <p>18 want to contradict -- it was definitely about two</p> <p>19 hours. I think I -- I think I said around that</p> <p>20 the other day.</p> <p>21 Q Okay. And did you say that there were two</p> <p>22 attorneys and two investigators from the state's</p> <p>23 attorney's office?</p> <p>24 A Yes.</p>
<p style="text-align: right;">466</p> <p>1 Q Okay. Anybody else?</p> <p>2 A I don't know Bill's last name.</p> <p>3 Q Mr. Bazarek?</p> <p>4 A Yes. Thank you.</p> <p>5 Q Okay. I -- he's not here.</p> <p>6 A I mean, the guy that --</p> <p>7 Q I won't tell them.</p> <p>8 A Right.</p> <p>9 Q I was trying to think of his last name. I</p> <p>10 couldn't remember.</p> <p>11 A Were any non-attorneys present for any of</p> <p>12 those meetings?</p> <p>13 Q Any what?</p> <p>14 A Any non-attorneys present for any of those</p> <p>15 meetings?</p> <p>16 Q No.</p> <p>17 A Okay. So you know that the -- are you --</p> <p>18 well, excuse me. Are you aware that Ms. West's</p> <p>19 office represents other officers who have been</p> <p>20 sued in these cases?</p> <p>21 Q Oh, yes.</p> <p>22 A Okay. Did you meet with any of those</p> <p>23 other officers in preparation for your deposition?</p> <p>24 Q No.</p>	<p style="text-align: right;">468</p> <p>1 Q And who was present from the law office?</p> <p>2 A I'm sorry.</p> <p>3 Q We can go through the names again. Was</p> <p>4 Ms. West present?</p> <p>5 A Who was sitting in there? Oh, my -- my</p> <p>6 attorney was present, FOP attorney was present,</p> <p>7 Jim McKay.</p> <p>8 Q Jim --</p> <p>9 A Jim McKay.</p> <p>10 Q Last name, M-C-K-A-Y?</p> <p>11 A M-C-K-A-Y, yes.</p> <p>12 Q Okay. Has Mr. McKay represented you at</p> <p>13 interviews with the Civilian Office of Police</p> <p>14 Accountability?</p> <p>15 A Yes.</p> <p>16 Q Okay. And besides Mr. McKay, was any</p> <p>17 attorney from Hale & Monico present?</p> <p>18 A I'm -- I'm really sorry that it's -- this</p> <p>19 was last Wednesday. I'm sorry. A lot has been on</p> <p>20 my mind with all this stuff and trying to remember</p> <p>21 and not remembering stuff. I'm just going -- I'm</p> <p>22 just going around the room who was sitting in</p> <p>23 there. I believe -- I'm sorry. I'm really -- I</p> <p>24 can't remember. I really -- I can't remember.</p>

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<p style="text-align: right;">469</p> <p>1 I'm trying. I'm sorry. I know that was just last 2 week. 3 Q Okay. 4 A I got a lot on -- like I said, I got a lot 5 on my mind these last weeks because I'm just 6 trying to just remember and everything. I can go 7 all the way around the room. I can't remember if 8 -- who was sitting, so, right there. I apologize. 9 I apologize if I'm wrong. I'm sorry. 10 Q So -- so -- was there a lawyer from Hale & 11 Monico? You just can't remember who it was? 12 A I can't -- I can't remember for sure. I 13 can't remember for sure. 14 Q You can't remember if a lawyer from Hale & 15 Monico was there or not? 16 A I'm sitting here, and I'm telling you I -- 17 I can't -- I remember Jim McKay sitting there, and 18 I want to say that the attorney was there -- and 19 I'm sorry I can't -- I really -- I can't remember. 20 I apologize. 21 Q Besides the four people from the state's 22 attorney and Mr. McKay, can you remember anyone 23 else who was present at the meeting? 24 A And that possible -- one of my possible</p>	<p style="text-align: right;">471</p> <p>1 THE REPORTER: I can't. It's not 2 starting. 3 BY MR. FLAXMAN: 4 Q Did you request to have the meeting? 5 MR. MICHALIK: Same objection. 6 MS. WEST: Same. As far as it calls for 7 attorney-client privilege, I'll instruct him not 8 to answer. 9 Q Are you going to take your attorney's 10 instruction? 11 A Yes. 12 Q Okay. Did you want to have the meeting 13 with the representatives of the state's attorney's 14 office? 15 A Once I found out we was having a meeting? 16 Once I found out we was having a meeting, I -- I 17 did want to talk to them. 18 Q Why did you want to talk to them? 19 A Because they wanted to talk to me and 20 wanted to basically get my side of things or how 21 things went in Ida B. Wells, just -- just 22 information, information, you know, from my -- not 23 only just point of view but the facts of -- that 24 -- in question at hand.</p>
<p style="text-align: right;">470</p> <p>1 attorneys. 2 Q And possibly an attorney -- 3 A Possibly my attorney. No, nobody else. 4 Q Okay. How was the meeting with the 5 representatives from the state's attorney 6 arranged? 7 A Through my attorneys. That I have 8 knowledge of, through my attorneys. 9 Q Okay. Mr. McKay or your attorneys at Hale 10 & Monico? 11 A Oh, I'm sorry. My attorneys at Hale & 12 Monico. 13 Q Okay. Did you ask to have a meeting? 14 MR. MICHALIK: Objection. 15 MS. WEST: Foundation. 16 MR. MICHALIK: And -- 17 MS. WEST: Attorney-client. 18 MR. MICHALIK: -- it's attorney-client. 19 MS. WEST: Yeah. Can you ask it one more 20 time just so -- 21 MR. FLAXMAN: Sure. 22 MS. WEST: -- I am hearing it again. 23 MR. FLAXMAN: Can you -- can you read back 24 the question?</p>	<p style="text-align: right;">472</p> <p>1 So I was very happy to talk to them 2 because in the sense it was -- you know, I know 3 you all are doing a job, but it was -- it was the 4 sense that somebody, you know -- from our side, my 5 attorneys are talking to me but not coming from an 6 accusatory stance as a defense. You know, and 7 just saying, listen, tell me, you know, what's -- 8 you know, what's going on, having talked to you, 9 having talked to the officer. 10 I assume they find me credible because I'm 11 sure they've looked over reports or something 12 about me to say, okay, I would like to talk to 13 that officer for some reason. So, yes, I was -- I 14 was happy to talk to them. 15 Q Did you talk to them about specific cases? 16 A No, no. We talked about general -- 17 similar to what we talked yesterday, how we 18 started this off yesterday, general information, 19 general stuff about what goes -- you know, went on 20 in Ida B. Wells and things like that, nothing 21 specific about somebody, you know, personal things 22 about myself that they wanted -- you know, that 23 they were -- inquired about. 24 Q So you had no discussion about any</p>

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<p style="text-align: right;">473</p> <p>1 specific arrests?</p> <p>2 A No, not specific, specific arrests. No.</p> <p>3 Just --</p> <p>4 Q Did you talk about report writing?</p> <p>5 A It was asked, you know, were you --</p> <p>6 training. Through your training, did you do</p> <p>7 report writing and everything, like, with the</p> <p>8 academy and everything, just like we talked about</p> <p>9 yesterday -- I mean, not yesterday -- Tuesday.</p> <p>10 Q Okay. And did you talk with the</p> <p>11 representatives of the state's attorney about</p> <p>12 Ronald Watts?</p> <p>13 A There were questions about Sergeant Ronald</p> <p>14 Watts.</p> <p>15 Q What did they want to know about Sergeant</p> <p>16 Ronald Watts?</p> <p>17 A Just questions like, would he be around,</p> <p>18 like we talked about on Tuesday, engaging in</p> <p>19 conversation with different individuals, did you</p> <p>20 see it, you know, things like that, anything</p> <p>21 nefarious or anything like that. I said no. It</p> <p>22 was just, you know, basic general conversation</p> <p>23 about whatever going on, you know, down there or</p> <p>24 doing routine patrol, you know, that he would</p>	<p style="text-align: right;">475</p> <p>1 A Yes.</p> <p>2 Q Okay. What was the purpose of that?</p> <p>3 A Well, the purpose was that what we talked</p> <p>4 about stayed between the state's attorney's office</p> <p>5 and any -- the people engaged in these legal</p> <p>6 actions with me and not to be used against me in</p> <p>7 any way with any outside agencies, whether federal</p> <p>8 or any other law enforcement agencies, to</p> <p>9 whatever, you know, I talk about to not coming</p> <p>10 back and to be used against me.</p> <p>11 Q What did you tell them that could be used</p> <p>12 against you?</p> <p>13 A Oh, I didn't tell them anything that could</p> <p>14 be used against me.</p> <p>15 Q Why did -- then why did you want to sign</p> <p>16 the proffer agreement?</p> <p>17 MR. KOSOKO: Objection.</p> <p>18 MS. WEST: Yeah.</p> <p>19 A I -- I signed the proffer agreement just,</p> <p>20 you know, to cover myself.</p> <p>21 MR. FLAXMAN: And I -- I don't know what</p> <p>22 number we're on. 34?</p> <p>23 MR. RAUSCHER: 34.</p> <p>24 (Exhibit 34 was marked for identification</p>
<p style="text-align: right;">474</p> <p>1 engage individuals.</p> <p>2 Q Did you talk to the representatives of the</p> <p>3 state's attorneys about Ricky Henderson?</p> <p>4 A No.</p> <p>5 Q Did you talk to them about William Carter?</p> <p>6 A No.</p> <p>7 Q What about George Ollie?</p> <p>8 A No.</p> <p>9 Q Okay. And, you know, Mr. Rauscher asked</p> <p>10 you about a lot of specific cases. Did you talk</p> <p>11 about any of those cases with the representatives</p> <p>12 of the state's attorney?</p> <p>13 A No.</p> <p>14 Q Do you have any plans to talk to the</p> <p>15 representatives of the state's attorneys again?</p> <p>16 A If they reach out to me. They might want</p> <p>17 to reach out to me to talk to me again.</p> <p>18 Q But as far as you know, they have not?</p> <p>19 A No.</p> <p>20 Q For the meeting with the state's</p> <p>21 attorneys, did you sign an immunity form?</p> <p>22 A Proffer?</p> <p>23 Q I'm sorry. Did you sign a proffer</p> <p>24 agreement with the state's attorney's office?</p>	<p style="text-align: right;">476</p> <p>1 and is attached to the transcript.)</p> <p>2 Q Do you recognize Exhibit 34 as a copy of</p> <p>3 the proffer agreement that you signed?</p> <p>4 A Yes.</p> <p>5 Q And is -- the top of this, it lists the</p> <p>6 date of February 5th, 2020. Do you see that?</p> <p>7 A Oh, yes.</p> <p>8 Q Underneath proffer agreement, it says your</p> <p>9 name.</p> <p>10 A Yes, and then it says -- I'm sorry. I'm</p> <p>11 used to looking --</p> <p>12 Q Okay.</p> <p>13 A -- at the top.</p> <p>14 Q Is that the date that the interview was</p> <p>15 held?</p> <p>16 A Yes.</p> <p>17 Q And then on the second page, so, it looks</p> <p>18 like somebody signed above assistant state's</p> <p>19 attorney. Do you see that?</p> <p>20 A Yes.</p> <p>21 Q Do you know whose signature that is?</p> <p>22 A No.</p> <p>23 Q Okay. Somebody signed on the next line,</p> <p>24 an attorney for interview lead. Do you know whose</p>

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<p style="text-align: right;">477</p> <p>1 signature that is?</p> <p>2 A Jim McKay's.</p> <p>3 Q And then underneath that, is that your</p> <p>4 signature on the line for witness?</p> <p>5 A Yes.</p> <p>6 Q Did you ask the state's attorney's office</p> <p>7 to enter into this proffer agreement?</p> <p>8 A No. It was --</p> <p>9 MR. KOSOKO: Object for attorney-client</p> <p>10 privilege.</p> <p>11 A Oh, I can -- I can say? Oh, no, no. I'm</p> <p>12 sorry. I thought I wasn't supposed to say</p> <p>13 anything. No, I didn't -- I didn't offer -- it</p> <p>14 was explained and brought to me.</p> <p>15 Q By the state's attorney?</p> <p>16 A Right. It's about what it -- the proffer</p> <p>17 is. My attorneys informed me what --</p> <p>18 MR. MICHALIK: Let me stop you there --</p> <p>19 MS. WEST: Yeah. Let's not --</p> <p>20 MR. MICHALIK: -- because you don't want</p> <p>21 to talk about --</p> <p>22 MS. WEST: -- talk about any</p> <p>23 communications that are --</p> <p>24 MR. MICHALIK: -- any conversations with</p>	<p style="text-align: right;">479</p> <p>1 BY MR. RAUSCHER:</p> <p>2 Q A few times when Mr. Flaxman was asking</p> <p>3 you questions, you referenced things you said</p> <p>4 yesterday. I just want to clarify. I believe you</p> <p>5 meant Tuesday.</p> <p>6 A I did. Thank you.</p> <p>7 Q We didn't talk yesterday.</p> <p>8 A Right, we didn't talk yesterday. And then</p> <p>9 a couple times I said Tuesday. I'm sorry. Yes.</p> <p>10 I meant Tuesday, yes. Thank you.</p> <p>11 MR. RAUSCHER: That's all.</p> <p>12 MR. FLAXMAN: And I don't have any further</p> <p>13 questions. Thank you.</p> <p>14 THE WITNESS: Okay. Thank you.</p> <p>15 MS. WEST: Can we take a quick break?</p> <p>16 MR. RAUSCHER: Sure.</p> <p>17 MR. FLAXMAN: Sure.</p> <p>18 (A recess was taken.)</p> <p>19 VIDEOGRAPHER: Back on the record, 2:44.</p> <p>20 EXAMINATION BY COUNSEL FOR DEFENDANTS CITY OF</p> <p>21 CHICAGO, PHILIP CLINE, DEBRA KIRBY, KAREN ROWAN,</p> <p>22 JOSE LOPEZ, JEROME A. FLUDER, MIKE RYLE,</p> <p>23 EDWARD W. GRIFFIN, and JERROLD BOSAK</p> <p>24 BY MR. MICHALIK:</p>
<p style="text-align: right;">478</p> <p>1 your attorneys.</p> <p>2 THE WITNESS: I'm sorry. I'm sorry.</p> <p>3 BY MR. FLAXMAN:</p> <p>4 Q Did you keep a copy of this proffer</p> <p>5 agreement?</p> <p>6 A I have a copy of the proffer agreement. I</p> <p>7 can't remember if I left it there or I took it</p> <p>8 with me. I -- but, yeah, I believe I -- yeah, I</p> <p>9 have a copy of it.</p> <p>10 Q Did you take any notes during the meeting</p> <p>11 we've been talking about?</p> <p>12 A No.</p> <p>13 Q And was the meeting recorded on video or</p> <p>14 audio?</p> <p>15 MS. WEST: Asked and answered.</p> <p>16 A No.</p> <p>17 MR. RAUSCHER: If you're done --</p> <p>18 MR. FLAXMAN: Yes.</p> <p>19 MR. RAUSCHER: -- I have one</p> <p>20 non-substantive clarification, question.</p> <p>21 (Sotto voce speaking.)</p> <p>22 MR. RAUSCHER: I promise this is</p> <p>23 non-substantive.</p> <p>24 EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS</p>	<p style="text-align: right;">480</p> <p>1 Q Officer, I just want to ask a couple of</p> <p>2 follow-up questions about some of these exhibits</p> <p>3 that we looked at. If you could, first, find</p> <p>4 Exhibit 19, the original case incident report.</p> <p>5 A Yes.</p> <p>6 Q I just want to clarify something that you</p> <p>7 started to allude to at the end of your</p> <p>8 questioning. Right at the top of the document in</p> <p>9 the first page --</p> <p>10 A Yes.</p> <p>11 Q -- there's some small print there. Do you</p> <p>12 see that?</p> <p>13 A Yes.</p> <p>14 Q And could you read that, please.</p> <p>15 A This document is not an official copy. It</p> <p>16 is a computerized version of data entered from an</p> <p>17 original case report. A copy of the original case</p> <p>18 report can be obtained from the Records Division.</p> <p>19 Q All right. So do you know who it was that</p> <p>20 entered this data from the original case report in</p> <p>21 to create the computerized version?</p> <p>22 A I do not.</p> <p>23 Q You did not do that, did you?</p> <p>24 A I did not.</p>

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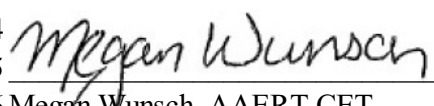

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<p>481</p> <p>1 Q Next, if you could take a look at Exhibit 2 17. That was the vice case report regarding the 3 incident on January 4, 2003. 4 A Yes. 5 Q If you could go through this narrative 6 portion with me in a little bit of detail, just so 7 that we can all be clear. First off, the 8 narrative refers to an Offender No. 5. Who is 9 that? 10 A George Ollie. 11 Q All right. Who is Offender No. 6? 12 A Larry Lomax. 13 Q Who is Offender No. 3? 14 A Clifford Roberts. 15 Q All right. And who is Offender No. 2? 16 A Leonard Gipson. 17 Q Okay. So if we turn to the narrative, the 18 narrative refers to most of these offenders by 19 number; correct? 20 A Yes. 21 Q So if we go to the middle portion, it 22 says, Offender No. 2 -- and that was Leonard 23 Gipson? 24 A Yes.</p>	<p>483</p> <p>1 BY MR. MICHALIK: 2 Q Okay. My question was, When Offender No. 3 2, Gipson, walked up, he walked up to Offender 3 4 -- that was Roberts -- Offender 5 -- that was 5 Ollie -- and Offender 6 -- that was Lomax. That's 6 what the report says; correct? 7 A Yes. 8 Q All right. And the report then continues 9 that Gipson gave Offender No. 3, who's Roberts, a 10 bundle of suspect narcotics; correct? 11 A I'm just -- yes. 12 Q All right. 13 A Yes. 14 Q And then Gipson told Offender 3 -- that's 15 Roberts -- to give No. 5, Ollie, and No. 6, Lomax, 16 their wake-up; correct? 17 MR. RAUSCHER: I just object. You are 18 leaving parts of it off. I'm not saying that 19 you're misstating what's in there, but -- 20 MR. MICHALIK: Okay. 21 MR. RAUSCHER: -- just you're summarizing 22 and leaving certain -- 23 MR. FLAXMAN: I am. 24 MR. RAUSCHER: -- things off.</p>
<p>482</p> <p>1 Q Returned to where Offenders 3, 4, 5, 6, 2 and 7 were. Do you see that in the narrative? 3 A Yes. 4 Q And so we know that Offender No. 3 was 5 Roberts. 6 MR. FLAXMAN: Objection. Foundation. 7 Q Correct? 8 A Yes. 9 Q And you told us that Offender 3, Roberts, 10 was listed on the front of the report? 11 A Yes. 12 Q All right. And, also, Gipson walked up to 13 where Offender No. 5 was? 14 MR. FLAXMAN: I just -- object to 15 foundation. Are you asking him what's in the 16 report or what happened? 17 MR. MICHALIK: I'm asking him what the 18 report says. 19 MR. FLAXMAN: Well, why are we going to do 20 that? 21 MR. MICHALIK: Because -- 22 MR. FLAXMAN: We can all read it. 23 MR. MICHALIK: Let's figure it out when 24 I'm done.</p>	<p>484</p> <p>1 MR. FLAXMAN: You are misstating. You 2 said Offender 3. It says Offender 3 and 4. 3 MR. MICHALIK: All right. Let me -- I was 4 just trying to go quickly. Let's just go through 5 it in detail. Okay? 6 BY MR. MICHALIK: 7 Q So it says, Gave Offenders 3 and 4 a 8 bundle of suspect narcotics; correct? 9 A Yes. 10 Q And Offender 3 was Roberts? 11 A Yes. 12 Q All right. Gipson then told Offender 3 to 13 give Offenders 5, 6, and 7 their wake-up. 14 A Yes. 15 Q And Offenders 5 and 6 were Ollie and 16 Lomax; correct? 17 A Yes. 18 Q All right. Then a couple lines down, it 19 says, Reporting officers then stopped Offenders 3, 20 4, 5, 6, and 7 in the first floor hallway; 21 correct? 22 A Yes. 23 Q And Offender 3 was Roberts; Offender 5 was 24 Ollie; and Offender 6 was Lomax. Correct?</p>

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<p>485</p> <p>1 A Yes.</p> <p>2 Q On this vice case report, does it indicate</p> <p>3 that Roberts, Ollie, and Lomax were taken into</p> <p>4 custody by the police as a result of this</p> <p>5 incident?</p> <p>6 A Yes.</p> <p>7 Q How does this vice case report describe</p> <p>8 Clifford Roberts?</p> <p>9 A Male, 1, 18 --</p> <p>10 Q What does the 1 represent?</p> <p>11 A Male, Black. I'm sorry. Male, Black.</p> <p>12 Q And the 18 represents what?</p> <p>13 A His age, 18 years of age.</p> <p>14 Q All right. If you could now take a look</p> <p>15 at Exhibit 15. That's the arrest report for</p> <p>16 Mr. Ollie.</p> <p>17 A Yes.</p> <p>18 Q Does this arrest report indicate whether</p> <p>19 anyone was arrested with Mr. Ollie?</p> <p>20 A It does.</p> <p>21 Q And who was that?</p> <p>22 A Robinson.</p> <p>23 Q How is Robinson described in this arrest</p> <p>24 report?</p>	<p>487</p> <p>1 Q The only one was Clifford Roberts?</p> <p>2 MR. FLAXMAN: Objection. Foundation. If</p> <p>3 you're asking about the report, please put that in</p> <p>4 your question.</p> <p>5 Q According to the report, the only person</p> <p>6 arrested on January 4, 2003, who was male, Black,</p> <p>7 and age 18, was Clifford Roberts?</p> <p>8 A Yes.</p> <p>9 Q One last question that I have. You talked</p> <p>10 a little bit about the training regarding</p> <p>11 preparing reports.</p> <p>12 A Yes.</p> <p>13 Q And you had received some training in</p> <p>14 report writing at the academy?</p> <p>15 A Yes.</p> <p>16 Q Did that training continue on when you</p> <p>17 were a probationary officer working with a field</p> <p>18 training officer?</p> <p>19 A It could, yes.</p> <p>20 Q Did that happen in your case?</p> <p>21 A Yes.</p> <p>22 MR. MICHALIK: Thank you. That's all I</p> <p>23 have.</p> <p>24 EXAMINATION BY COUNSEL FOR THE DEFENDANT RONALD WATTS</p>
<p>486</p> <p>1 A Male, Black, 18 years of age.</p> <p>2 Q That's the same way that Clifford Roberts</p> <p>3 was described in Exhibit 17?</p> <p>4 A That is correct.</p> <p>5 Q All right. And if you could take a look</p> <p>6 now at Exhibit 14. That's the Larry Lomax arrest</p> <p>7 report.</p> <p>8 A Oh, there. Okay. Yes.</p> <p>9 Q All right. Does the arrest report</p> <p>10 indicate whether anyone else was arrested with</p> <p>11 Mr. Lomax?</p> <p>12 A Yes.</p> <p>13 Q Who was that?</p> <p>14 A Robinson.</p> <p>15 Q All right. That's the same name as the</p> <p>16 person that was arrested with Mr. Ollie?</p> <p>17 A Yes.</p> <p>18 Q And going back to Exhibit 17, are there</p> <p>19 any other individuals who were arrested on January</p> <p>20 4, 2003, who were indicated to be male, Black, and</p> <p>21 age 18?</p> <p>22 MR. FLAXMAN: Objection. Asked and</p> <p>23 answered.</p> <p>24 A No.</p>	<p>488</p> <p>1 BY MR. KOSOKO:</p> <p>2 Q Just one question for me. In your time</p> <p>3 with the 45-12 team -- in your time with the 45-12</p> <p>4 team, has Sergeant Watts ever instructed you to</p> <p>5 arrest anyone without probable cause?</p> <p>6 A No.</p> <p>7 MR. KOSOKO: No further questions.</p> <p>8 MS. WEST: Nothing for me.</p> <p>9 MR. SCHALKA: No further questions --</p> <p>10 yeah, no -- no questions.</p> <p>11 MS. PLATT: No questions.</p> <p>12 MR. RAUSCHER: Can you give us just a</p> <p>13 minute. Do you want to just go? If you want a</p> <p>14 minute? Are you done?</p> <p>15 MR. FLAXMAN: Just very quick.</p> <p>16 VIDEOGRAPHER: Off the record, 2:55.</p> <p>17 (A recess was taken.)</p> <p>18 VIDEOGRAPHER: Back on the record, 2:55.</p> <p>19 EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS</p> <p>20 BY MR. FLAXMAN:</p> <p>21 Q What would you have done if Sergeant Watts</p> <p>22 had instructed you to arrest somebody without</p> <p>23 probable cause?</p> <p>24 A I wouldn't have done it.</p>

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<p style="text-align: right;">489</p> <p>1 Q Would you have made a report about that?</p> <p>2 A Yes.</p> <p>3 Q You would've -- who would you have made</p> <p>4 that report to?</p> <p>5 A Would have to go to probably my lieutenant</p> <p>6 at the -- at the time because I was in Housing</p> <p>7 South.</p> <p>8 Q Okay. As a police officer, do you have an</p> <p>9 obligation to report misconduct by other officers?</p> <p>10 A Yes.</p> <p>11 Q And how many times in your career have you</p> <p>12 done that?</p> <p>13 A None. I haven't had to.</p> <p>14 MR. FLAXMAN: Okay. Thank you.</p> <p>15 MR. RAUSCHER: I have nothing else.</p> <p>16 MS. WEST: Okay.</p> <p>17 VIDEOGRAPHER: This concludes Gerome</p> <p>18 Summers.</p> <p>19 MALE SPEAKER: Thank you for your time.</p> <p>20 THE WITNESS: Okay. Thank you.</p> <p>21 VIDEOGRAPHER: Time is 2:56.</p> <p>22 (Off the record at 2:56 p.m.)</p> <p>23</p> <p>24</p>	<p style="text-align: right;">491</p> <p>1 CERTIFICATE OF TRANSCRIBER</p> <p>2 I, Megan Wunsch, do hereby certify that</p> <p>3 the foregoing transcript is a true and correct</p> <p>4 record of the recorded proceedings; that said</p> <p>5 proceedings were transcribed to the best of my</p> <p>6 ability from the audio recording and supporting</p> <p>7 information; and that I am neither counsel for,</p> <p>8 related to, nor employed by any of the parties to</p> <p>9 this case and have no interest, financial or</p> <p>10 otherwise, in its outcome.</p> <p>11</p> <p>12</p> <p>13</p> <p>14 </p> <p>15 <u>Megan Wunsch, AAERT CET</u></p> <p>16</p> <p>17 October 25, 2022</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p style="text-align: right;">490</p> <p>1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC</p> <p>2 I, Ryan Grzelak, the officer before whom the</p> <p>3 foregoing deposition was taken, do hereby certify</p> <p>4 that said proceedings were electronically recorded</p> <p>5 by me; and that I am neither counsel for, related</p> <p>6 to, nor employed by any of the parties to this</p> <p>7 case and have no interest, financial or otherwise,</p> <p>8 in its outcome.</p> <p>9 IN WITNESS WHEREOF, I have hereunto set</p> <p>10 my hand and affixed my notarial seal this 25th day</p> <p>11 of October, 2022.</p> <p>12</p> <p>13 </p> <p>14 <u>Ryan Grzelak, Notary Public</u></p> <p>15</p> <p>16 for the State of Illinois</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	

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