

EXHIBIT 100

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION		Page 1	Page 3
1	CHICAGO POLICE OFFICERS)	1	(Whereupon, the witness was duly
2	SHANNON SPALDING and)	2	sworn.)
3	DANIEL ECHEVERRIA,)	3	DANIEL ECHEVERRIA,
4)	4	having been first duly sworn, was examined and
5)	5	testified as follows:
6	Plaintiffs,)	6	EXAMINATION
7	vs.) No. 12 C 8777	7	BY MR. KING:
8)	8	Q. Let the record reflect that this is the
9	CITY OF CHICAGO, Chicago)	9	deposition of one of the Plaintiffs, Daniel
10	Police Chief JUAN)	10	Echeverria, being taken pursuant to notice and
11	RIVERA, Chicago Police)	11	in agreement of the parties and pursuant to
12	Chief DEBRA KIRBY,)	12	applicable provisions of the Federal Rules of
13	Chicago Police Commander)	13	Civil Procedure and Federal Rules of Evidence.
14	JAMES O'GRADY, Chicago)	14	Mr. Echeverria, can you state your full
15	Police Chief NICHOLAS)	15	name and spell your last name for the record.
16	ROTI, Chicago Police Lt.)	16	A. Daniel M. Echeverria,
17	KEVIN SADOWSKI, Chicago)	17	E-C-H-E-V-E-R-R-I-A.
18	Police Lt. DEBORAH)	18	Q. And have you ever given a deposition
19	PASCUA, Chicago Police)	19	before?
20	Commander ADRIENNE)	20	A. No.
21	STANLEY, Chicago Police)	21	Q. Okay. I know you were here for your
22	Sergeant MAURICE BARNES,)	22	partner's deposition.
23	Chicago Police Lt.)	23	A. Yes.
24	ROBERT CESARIO, Chicago)	24	Q. I'm sure you've got a general sense of
	Police Commander JOSEPH)		
	SALEMME, Chicago Police)		
	Sergeant THOMAS MILLS,)		
	Defendants.)		
	The deposition of DANIEL ECHEVERRIA, called for examination, taken pursuant to the provisions of the Code of Civil Procedure and the Rules of the Supreme Court of the State of Illinois pertaining to the taking of depositions for the purpose of discovery taken before SUSAN HASELKAMP, CSR No. 084-004022, Certified Shorthand Reporter of said state, on December 2, 2014, at the hour of 9:20 a.m. at 191 North Wacker Drive, Suite 3700, Chicago, Illinois, pursuant to notice.		
	APPEARANCES:	Page 2	Page 4
	CHRISTOPHER SMITH TRIAL GROUP, MR. CHRISTOPHER R. SMITH, One North LaSalle Street Suite 3040 Chicago, Illinois 60602 (312) 432-0400 office@crstrialgroup.com		
	Representing the Plaintiffs;		
	DRINKER, BIDDLE & REATH LLP, by MR. ALAN S. KING and MS. NOREEN H. CULL, 191 North Wacker Drive Suite 3700 Chicago, Illinois 60606-1698 (312) 569-1334 alan.king@dbr.com noreen.cull@dbr.com		
	Representing the Defendants.		
	ALSO PRESENT: MS. SHANNON SPALDING		

<p>1 A. That's accurate.</p> <p>2 Q. Okay. And you joined the force in</p> <p>3 1999?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. What's your current home</p> <p>6 address?</p> <p>7 A. 5621 North Mulligan Avenue, Chicago,</p> <p>8 Illinois 60646.</p> <p>9 Q. And how long have you lived at that</p> <p>10 address?</p> <p>11 A. About ten years.</p> <p>12 Q. Okay. And are you married?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Does your wife live with you at</p> <p>15 that address?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. Any kids?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And they live with you at that</p> <p>20 address?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And since 1999, have you had any</p> <p>23 employment other than with the City of Chicago?</p> <p>24 A. No.</p>	Page 5	<p>1 Q. Okay. Any other college?</p> <p>2 A. No.</p> <p>3 Q. Okay. Can you tell me starting in 1999</p> <p>4 when you joined the force as best as you can</p> <p>5 recall, kind of taking me chronologically</p> <p>6 through the positions that you had and, to the</p> <p>7 extent you can remember, who your supervisors or</p> <p>8 sergeants were up until the time you were</p> <p>9 detailed to Detached Services?</p> <p>10 A. Sure.</p> <p>11 Q. Thanks.</p> <p>12 A. I started obviously at the academy,</p> <p>13 graduated the academy in February, 2000. I was</p> <p>14 assigned or detailed to the 1st District. I</p> <p>15 worked all watches there, days, afternoons,</p> <p>16 midnights. Supervisors rotate. At that time I</p> <p>17 want to say I completed my PPO status there, as</p> <p>18 well. And then I worked primarily midnights and</p> <p>19 eventually moved to days.</p> <p>20 Q. Okay.</p> <p>21 A. Then I worked a gang and tactical unit</p> <p>22 as well as a housing unit. And I also did</p> <p>23 saturation prior to going to gang and tactical.</p> <p>24 Q. Okay.</p>	Page 7
<p>1 Q. Okay.</p> <p>2 A. Let me rephrase that. Some part-times</p> <p>3 or something like that.</p> <p>4 Q. Okay.</p> <p>5 A. Side part-times.</p> <p>6 Q. Okay. Doing like security?</p> <p>7 A. No.</p> <p>8 Q. Okay.</p> <p>9 A. I used to -- I have a degree in medical</p> <p>10 imaging --</p> <p>11 Q. Okay.</p> <p>12 A. -- so I did some medical imaging work</p> <p>13 for -- at some hospitals.</p> <p>14 Q. Okay. And you mentioned your degree.</p> <p>15 Why don't you tell me about your educational</p> <p>16 background. Where did you attend college or get</p> <p>17 your degree?</p> <p>18 A. I'm sorry?</p> <p>19 Q. Where did you attend college or get</p> <p>20 your degree?</p> <p>21 A. It's a two-year degree, Triton College.</p> <p>22 Q. And was that before you entered the</p> <p>23 police force?</p> <p>24 A. Correct.</p>	Page 6	<p>1 A. And then I went to Narcotics. Well, we</p> <p>2 got borrowed out to Narcotics, then eventually</p> <p>3 assigned to Narcotics and then detailed to 543.</p> <p>4 Q. Okay.</p> <p>5 A. The 045 Academy, the -- or 044, the</p> <p>6 retread thing.</p> <p>7 Q. Okay.</p> <p>8 A. And then the --</p> <p>9 Q. We can stop.</p> <p>10 A. Okay.</p> <p>11 Q. You've gotten to when you were detailed</p> <p>12 to Detached Services, right?</p> <p>13 A. Yeah.</p> <p>14 Q. The 543?</p> <p>15 A. Correct.</p> <p>16 Q. Yeah, we'll get into that in a little</p> <p>17 more detail.</p> <p>18 A. All right.</p> <p>19 Q. Thank you. And when did Officer</p> <p>20 Spalding become your partner?</p> <p>21 A. In the 1st District during the housing</p> <p>22 tactical team.</p> <p>23 Q. Okay. And has she remained your</p> <p>24 partner ever since then at least up until the</p>	Page 8

<p>1 time she went on medical leave?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. So consistently since then?</p> <p>4 A. Well, when we went to Narcotics, she</p> <p>5 went to work Narcotics West, I went to work</p> <p>6 Narcotics South or Central, whatever you want to</p> <p>7 call it, Area 1.</p> <p>8 Q. So you and Officer Spalding were</p> <p>9 partners for some period of time --</p> <p>10 A. Yes.</p> <p>11 Q. -- before you got to Narcotics and then</p> <p>12 you were split up for a period of time --</p> <p>13 A. Right.</p> <p>14 Q. -- and then you came back together as</p> <p>15 partners; is that correct?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Do you recall how long you were</p> <p>18 in Narcotics when you were not Officer</p> <p>19 Spalding's partner?</p> <p>20 A. I cannot give you an exact. I went to</p> <p>21 work on one team, she went to work on a</p> <p>22 different team. I can't even approximate.</p> <p>23 Q. Okay.</p> <p>24 A. I would just like to give you an</p>	Page 9	<p>1 evidence of illegal activity being committed by</p> <p>2 various Chicago Police Officers. In the next</p> <p>3 paragraph it indicates that one of those</p> <p>4 officers was Sergeant Ronald Watts.</p> <p>5 A. That's in Paragraph 21?</p> <p>6 Q. Yes.</p> <p>7 A. So 20 and 21?</p> <p>8 Q. Yes.</p> <p>9 A. Okay.</p> <p>10 Q. Were you personally involved in</p> <p>11 uncovering any illegal activity of Sergeant</p> <p>12 Watts?</p> <p>13 A. Yes.</p> <p>14 Q. What illegal activity did you or your</p> <p>15 partner uncover?</p> <p>16 A. What didn't I uncover, is more like the</p> <p>17 question.</p> <p>18 Q. Tell me what you uncovered.</p> <p>19 A. I uncovered that Ronald Watts was</p> <p>20 extorting money from drug dealers, stealing</p> <p>21 narcotics themselves, selling narcotics to rival</p> <p>22 gangs or rival buildings.</p> <p>23 Q. Okay.</p> <p>24 A. Basically he was facilitating the</p>	Page 11
<p>1 accurate answer, so I'd rather just...</p> <p>2 Q. Okay. And you're currently in the</p> <p>3 Fugitive Apprehension Unit, correct?</p> <p>4 A. Correct.</p> <p>5 Q. And are you on Sergeant Stack's team?</p> <p>6 A. That is correct.</p> <p>7 Q. And that's on the second watch --</p> <p>8 A. That's days.</p> <p>9 Q. -- over on days?</p> <p>10 A. That's correct.</p> <p>11 (Whereupon, Echeverria</p> <p>12 Deposition Exhibit No. 1 was</p> <p>13 marked for identification.)</p> <p>14 BY MR. KING:</p> <p>15 Q. Officer Echeverria, I'm showing you</p> <p>16 what's been marked as Echeverria Deposition</p> <p>17 Exhibit No. 1.</p> <p>18 It's your Amended Complaint in the</p> <p>19 litigation. Have you seen this document before?</p> <p>20 A. Yes.</p> <p>21 Q. And if I could direct your attention to</p> <p>22 Paragraph 20 of the Amended Complaint, which</p> <p>23 indicates, in 2007 while working an undercover</p> <p>24 Narcotics investigation, Plaintiffs uncovered</p>	Page 10	<p>1 narcotics trade.</p> <p>2 Q. Okay. And --</p> <p>3 A. And participating in a criminal</p> <p>4 enterprise, if you ask me.</p> <p>5 Q. Okay. And did you discover this</p> <p>6 activity when you were working for CHA -- or in</p> <p>7 the CHA?</p> <p>8 A. I discovered that during debriefings of</p> <p>9 arrestees.</p> <p>10 Q. Okay.</p> <p>11 A. Who had already committed a controlled</p> <p>12 sale or buy, so undercover.</p> <p>13 Q. Okay. So the arrestees would talk</p> <p>14 about things that Sergeant Watts was engaged in?</p> <p>15 A. Yes.</p> <p>16 Q. And that's how you learned of that?</p> <p>17 A. Correct.</p> <p>18 Q. And at some point did you or your</p> <p>19 partner, Officer Spalding, report anything that</p> <p>20 you had learned about Sergeant Watts to anyone</p> <p>21 within the Chicago Police Department?</p> <p>22 A. Yes.</p> <p>23 Q. And who did you report it to?</p> <p>24 A. Well, I brought it -- well, what I did</p>	Page 12

<p>1 is at that time, I had a sergeant -- let me 2 think of his name. Give me a second. Roderick 3 Watson.</p> <p>4 Q. Okay.</p> <p>5 A. Was the immediate supervisor.</p> <p>6 Q. And are you saying you reported it to 7 Sergeant Watson?</p> <p>8 A. I had Sergeant Watson come upstairs 9 where the arrestee was being processed for his 10 debriefing by myself.</p> <p>11 Q. Okay.</p> <p>12 A. Where he had shared some information 13 regarding Ronald Watts. The arrestee asked for 14 a supervisor.</p> <p>15 Q. Okay.</p> <p>16 A. So at that time, it was Sergeant 17 Roderick Watson. I told Sergeant Watson if he 18 could come upstairs with me, the arrestee is 19 asking to speak to a supervisor. And he's ready 20 to come downstairs since my processing was 21 pretty much complete. And the arrestee repeated 22 to me, to Sergeant Watson. So at that point, 23 yes, it was reported to him.</p> <p>24 Q. Okay. So Sergeant Watts comes to the</p>	<p>Page 13</p> <p>1 He brings dope in for us, everything.</p> <p>2 Q. Okay.</p> <p>3 A. And it just went ignored.</p> <p>4 Q. Okay.</p> <p>5 A. And then we just took him downstairs to 6 be processed.</p> <p>7 Q. Okay. Was that the only occasion where 8 you -- strike that.</p> <p>9 Was that the only occasion where 10 Sergeant Watson was present where an arrestee 11 was disclosing some criminal activity of 12 Sergeant Watts?</p> <p>13 A. Yes.</p> <p>14 Q. Were there any other occasions where 15 any other supervisors or white shirts were 16 present when an arrestee was disclosing alleged 17 criminal activity by Sergeant Watts?</p> <p>18 A. No.</p> <p>19 Q. No?</p> <p>20 A. No.</p> <p>21 Q. Okay. And separate and apart from 22 Sergeant Watson being present in the meeting 23 with the arrestee you just discussed --</p> <p>24 A. Yes.</p>
<p>1 room --</p> <p>2 A. Watson.</p> <p>3 Q. Watson, I'm sorry, comes to the room 4 and it's just you, Sergeant Watson and the 5 arrestee; is that correct?</p> <p>6 A. Correct.</p> <p>7 Q. Tell me what the arrestee explains at 8 that time.</p> <p>9 A. At that time the arrestee asked if he 10 was a white shirt. Sergeant Watson replied, 11 yes. Then he said, I'm not going to go down for 12 this petty shit, is what he said, when they have 13 white shirts, and he named Ronald Watts, 14 stealing and doing his own dope line in the Ida 15 B. Wells complex.</p> <p>16 Q. Okay. Do you recall anything else 17 being said in that meeting?</p> <p>18 A. Yes. Then Sergeant Watson said, I'm 19 not trying to hear your shit.</p> <p>20 Q. Okay. Do you recall anything else said 21 in that meeting?</p> <p>22 A. And then he just -- the arrestee kept 23 repeating it and told him, man, this guy 24 really -- I mean, he steals, he does everything.</p>	<p>Page 14</p> <p>1 Q. -- did you otherwise report Sergeant 2 Watts' alleged criminal activity to anyone else 3 within the Chicago Police Department?</p> <p>4 A. Later on when we did meet with Tina 5 Skahill.</p> <p>6 Q. Okay. And do you recall when 7 approximately that meeting was?</p> <p>8 A. I can't give you the definite date. I 9 know it was in August, I don't know.</p> <p>10 Q. Okay.</p> <p>11 A. If you let me refer to the Complaint, 12 I'll tell you what year.</p> <p>13 Q. That's fine.</p> <p>14 A. It's in the Complaint.</p> <p>15 Q. Okay. We'll talk about that later.</p> <p>16 A. All right.</p> <p>17 Q. But the meeting you're talking about 18 with Tina Skahill --</p> <p>19 A. That's forward.</p> <p>20 Q. -- what you were reporting to her is 21 after you have already been working on the Watts 22 investigation with the FBI, correct?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. If I could direct your attention</p>

<p style="text-align: right;">Page 17</p> <p>1 now to Paragraph 23 of the Amended Complaint. 2 It indicates that in 2007 while off duty, the 3 Plaintiffs reported to FBI Special Agent PS the 4 illegal activity by Sergeant Watts and others 5 who worked with him. [REDACTED] is [REDACTED], 6 correct? 7 A. Correct. 8 Q. Okay. And do you recall how that 9 information was reported to [REDACTED]? Was 10 there a meeting or a telephone call? 11 A. There was multiple conversations. I 12 couldn't tell you if it was over the phone or 13 was it in person where that Watts topic came up. 14 Q. Do you recall the first such 15 conversation? 16 A. It's so far back. I mean, there's so 17 many conversations that transpired. 18 Q. Okay. Well, initially you or your 19 partner makes the decision to contact the FBI. 20 Do you recall if you made that contact or 21 Officer Spalding did or both of you together? 22 A. It may have been both of us. 23 Q. Okay. And you don't recall whether 24 that initial contact was a phone call or a</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. Yes. 2 A. -- he responded what he responded and 3 then we took him down to be processed. 4 Q. Yes. 5 A. And I needed to complete my debriefing 6 form, a document for it. And I asked Sergeant 7 Watson, I said, Sarge, how do you want to make 8 this debriefing? Do you want to make it a 9 negative or a positive, you know, with what he 10 said. He said, make that shit a negative. 11 So at that point, my understanding was 12 maybe, you know, he was going to do a 13 confidential investigation or something and he 14 didn't want to reflect that in the report, then 15 it would take away from the confidential matter 16 that I would assume it would turn into. 17 Q. Okay. 18 A. So that's what I wanted to elaborate on 19 that. 20 Q. Okay. So when that was all 21 processed -- 22 A. Right. 23 Q. -- you were under the impression that 24 Sergeant Watson might initiate a confidential</p>
<p style="text-align: right;">Page 18</p> <p>1 meeting? 2 A. It's hard to say. 3 Q. Okay. Do you know how long after the 4 situation you testified to with Sergeant Watson 5 being present when the arrestee provided 6 information about Sergeant Watts, how long after 7 that did you or your partner reach out to the 8 FBI? 9 A. It can't be much time lapse. 10 Q. Okay. Are we talking days? 11 A. Like I said, it's a short period of 12 time. It was definitely not months or years or 13 anything like that. 14 Q. Okay. What's your best estimate of how 15 much time past, a few days? 16 A. Well, can we backtrack it a little bit 17 to the Watson situation? I'd like to elaborate 18 on that, too, and maybe that will make sense 19 with this one. Or do you want to continue 20 forward? It's up to you. 21 Q. What more do you have to say about the 22 Watson situation? 23 A. Well, when the arrestee communicated 24 the information to Sergeant Watson --</p>	<p style="text-align: right;">Page 20</p> <p>1 investigation? 2 A. Correct. 3 Q. Okay. Does that help you recall how 4 much time past between -- 5 A. It was a short period -- 6 Q. -- of when you contacted the FBI? 7 A. It was a short period of time. I know 8 that when we did make contact with the agent, it 9 was on our personal time, our off time. It was 10 never during duty time. 11 Q. Okay. 12 A. Like I said, it may have been a very 13 short period of time. I can't tell you that 14 months went by or anything like that. 15 Q. Okay. 16 A. Because I assumed everything was going 17 to be handled, but other incidents kept coming 18 up. And I just said, well, I don't think it's 19 being handled. 20 Q. Okay. And in Paragraph 24 you say that 21 you and Officer Spalding continued meeting with 22 [REDACTED] intermittently through 2008; is 23 that correct? 24 A. Yes.</p>

1 Q. Okay. And is it your testimony that at
 2 that time you never had a meeting or a phone
 3 conversation with [REDACTED] about the Watts
 4 matter during your regular work hours, is that
 5 your testimony?
 6 A. Well, he would try and reach out, but
 7 I -- during work time and it was not the right
 8 thing to address at that time while we were
 9 working, or at least when I was working.
 10 Q. Okay.
 11 A. So I tried to do everything in my
 12 personal time.
 13 Q. Okay. I understand you're trying to do
 14 that. But did you also do some work with the
 15 FBI on the Watts investigation during your work
 16 hours?
 17 A. Once we got assigned to Brass Tax, yes.
 18 Q. Now, the work that you and Officer
 19 Spalding did on Operation Brass Tax --
 20 A. Yes.
 21 Q. -- would it be fair to say it consisted
 22 of you managing and getting information from the
 23 confidential informant?
 24 A. Absolutely, yes.

1 Q. Okay. And that was your role in the
 2 investigation, correct?
 3 A. Yeah, to acquire information,
 4 intelligence, develop the CI, which we had
 5 developed, set up scenarios in conjunction with
 6 the FBI and IAD Confidentials.
 7 Q. And the CI was a confidential
 8 informant, correct?
 9 A. Yes.
 10 Q. And then at some point in time -- well,
 11 strike that.
 12 Let's look at Paragraph 25, which
 13 indicates that after approximately a year or so
 14 of speaking with the FBI in your personal
 15 capacities, the FBI agents were -- began to
 16 request more time and that you and/or Officer
 17 Spalding responded that you -- if they wanted
 18 more of your time, it would have to be conducted
 19 through the Chicago Police Department; is that
 20 correct?
 21 A. Yes.
 22 Q. Okay. And there was a meeting that's
 23 alleged in the next paragraph in August of 2008.
 24 A. Okay.

1 Q. Do you recall was it August, 2008?
 2 A. That sounds right.
 3 Q. Okay. And prior to that August, 2008
 4 meeting, were you aware of any CPD officers at
 5 any level that were aware of your and Officer
 6 Spalding's involvement in the Watts
 7 investigation?
 8 A. Not at that time.
 9 Q. Okay. So during that time -- strike
 10 that.
 11 Paragraph 26 talks about an August,
 12 2008 meeting. Were you present at that
 13 meeting?
 14 A. Yes.
 15 Q. Okay. Can you tell me who all was
 16 present at the August, 2008 meeting?
 17 A. It was Chief Skahill, her
 18 administrative staff, which consisted of -- give
 19 me a second to think of the lady's name.
 20 Barbara West was a lieutenant I believe at that
 21 time.
 22 Q. Okay.
 23 A. There was a Sergeant Tom Chester, who
 24 was an FBI confidential liaison, my partner,

1 Q. Okay. And that was your role in the
 2 investigation, correct?
 3 A. Yeah, to acquire information,
 4 intelligence, develop the CI, which we had
 5 developed, set up scenarios in conjunction with
 6 the FBI and IAD Confidentials.
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 17 Spalding responded that you -- if they wanted
 18 more of your time, it would have to be conducted
 19 through the Chicago Police Department; is that
 20 correct?
 21 A. Yes.
 22 Q. Okay. And there was a meeting that's
 23 alleged in the next paragraph in August of 2008.
 24 A. Okay.

1 myself and [REDACTED]
 2 Q. Okay. And your partner is Officer
 3 Spalding?
 4 A. That is correct.
 5 Q. And as best as you can recall, what do
 6 you recall being discussed in that meeting or
 7 said by any of the participants in the meeting?
 8 A. Well, when we entered the room, we had
 9 seen [REDACTED] in there already and we were
 10 surprised to see him there.
 11 Q. Okay.
 12 A. We were asked to have a seat. Tina
 13 Skahill, Chief Skahill commended us for coming
 14 forward. She said it was a very important
 15 investigation to the department as well as the
 16 agency; however, it's pretty much going to be
 17 governed by the outside agency, the federal
 18 agency. And she introduced her staff, which was
 19 Tom Chester.
 20 Q. Did Chief Skahill indicate in the
 21 meeting that there was already an ongoing
 22 investigation of Sergeant Watts that she was
 23 aware of?
 24 A. Yes.

<p>1 Q. Okay. And did she indicate how long 2 that investigation had been going on? 3 A. No, she did not. 4 Q. Okay. I'm sorry, continue. What else 5 do you recall being said in the meeting? 6 A. She kind of briefly asked us the nature 7 of how we came about with Watts, we just gave 8 her a quick synopsis of it, we discussed our 9 safety, we discussed many topics, our concerns 10 regarding our identity, she discussed as well 11 as -- she assured us that, you know, it would be 12 a very confidential matter and that nobody 13 outside this room knows about it. And we went 14 on and emphasized about if our identity was 15 compromised, what that would do to us. And she 16 said, we wouldn't do that to you, especially if 17 you're coming forward in a serious matter as 18 this one. 19 Q. Okay. 20 A. Because we were concerned of this code 21 of silence. 22 Q. Did Chief Skahill say that nobody 23 outside of that room knew about it at that point 24 in time?</p>	<p>Page 25</p> <p>1 Q. Okay. 2 A. We discussed assignment of cars and 3 radios. We weren't aware of who we were to 4 report to. That's when she said, you will 5 report directly, and pointed to Tom Chester. 6 He's going to be your immediate supervisor. 7 Q. Okay. 8 A. And also you will work, of course, with 9 Agent [REDACTED] 10 Q. Okay. And was she telling you you were 11 to report to FBI headquarters? 12 A. Yes, 2111 West Roosevelt. 13 Q. Okay. Do you remember the phrase need 14 to know, something about need to know coming up 15 in that meeting? 16 A. Like I said, it's so long ago, I 17 just -- 18 Q. You don't recall? 19 A. -- I don't recall at this time. 20 Q. Okay. But you understood by the end of 21 that meeting, if you didn't know it already, 22 that there had been an ongoing investigation of 23 Sergeant Watts even before you and Officer 24 Spalding got involved, correct?</p>
<p>Page 26</p> <p>1 A. She said that basically the people in 2 this room know about it. I want to also say she 3 mentioned the name of Brust. 4 Q. Okay. 5 A. And possibly Kirby. 6 Q. She may have mentioned Brust and Kirby? 7 A. Yes. And the reason I say Brust for 8 sure, because when she went along in discussing 9 the nature of the assignment, she said it would 10 have to go through Kirby or Brust for approval 11 of how we were going to manage the detail to 12 keep it as confidential as possible. 13 Q. Okay. 14 A. And of course the supe. 15 Q. Okay. 16 A. Which I took that as the 17 superintendent. 18 Q. Okay. And was there some discussion 19 about a need to know, that only people with a 20 need to know would have knowledge? 21 A. We were ordered to keep this quiet as 22 possible, not to discuss this with anyone. 23 Q. Okay. 24 A. Which we did not.</p>	<p>Page 28</p> <p>1 A. Yes. 2 Q. Okay. Did you learn that in that 3 meeting or had you already known that? 4 A. No. I learned that coming out of that 5 meeting. 6 Q. Okay. 7 A. And then once we were in the FBI, we 8 knew for sure that the department was well aware 9 of what Ronald Watts was doing, along with 10 others. 11 Q. Sure. And others including Officer 12 Mohammed? 13 A. Mohammed and others. 14 Q. Okay. Did you come to learn how long 15 the FBI and CPD had been investigating -- 16 A. Damn near a decade. 17 Q. Okay. 18 A. Sorry, my language. I'm just -- 19 Q. That's okay. So you understood the FBI 20 and CPD had been investigating officers, 21 including Ronald Watts and Officer Mohammed, for 22 nearly a decade before 2008; is that fair? 23 A. Yes. 24 Q. Okay. And after the August -- strike</p>

<p>1 that.</p> <p>2 Other than what you've testified to, do</p> <p>3 you recall anything else said in that August,</p> <p>4 2008 meeting?</p> <p>5 A. We just strongly emphasized our</p> <p>6 concerns about officer safety.</p> <p>7 Q. Sure.</p> <p>8 A. And she just reiterated that, you know,</p> <p>9 at no time will we be compromised and she</p> <p>10 commended us for coming forward.</p> <p>11 Q. Okay.</p> <p>12 A. We asked, well, what happens next. And</p> <p>13 she said, well, what happens next is you're</p> <p>14 going to work with these people.</p> <p>15 Q. Okay.</p> <p>16 A. So what do you say, no?</p> <p>17 Q. I mean --</p> <p>18 A. I mean, what are you asking me?</p> <p>19 Q. Was your work with the FBI on Operation</p> <p>20 Brass Tax after that meeting, are you saying it</p> <p>21 wasn't something that you and your partner</p> <p>22 voluntarily agreed to and decided to do or were</p> <p>23 you forced to do it?</p> <p>24 A. I think it was pretty much ordered to</p>	<p>Page 29</p> <p>1 A. Okay.</p> <p>2 Q. Paragraph 30 indicates that over the</p> <p>3 next several years you and your partner continue</p> <p>4 to work on Operation Brass Tax. And it says</p> <p>5 that during that time, you were also encouraged</p> <p>6 by CPD command staff to develop other Narcotics</p> <p>7 related cases; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. What CPD command staff encouraged you</p> <p>10 to develop other Narcotics cases during this</p> <p>11 period of time?</p> <p>12 A. Chief Rivera.</p> <p>13 Q. Anyone other than Chief Rivera?</p> <p>14 A. I want to say that's it primarily.</p> <p>15 Q. Okay. And during this period of time,</p> <p>16 did you --</p> <p>17 A. Develop information?</p> <p>18 Q. -- work on other Narcotics cases or</p> <p>19 develop information for Narcotics cases?</p> <p>20 A. Yes.</p> <p>21 Q. And you and your partner did that</p> <p>22 working with Sergeant Padar, correct?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. Did you do any other Narcotics</p>
<p>Page 30</p> <p>1 do so at that point. And I mean, do you say no</p> <p>2 to a chief?</p> <p>3 Q. I mean, was it something you wanted to</p> <p>4 say no to and you felt you were being forced to</p> <p>5 do?</p> <p>6 A. It's kind of hard to say what I felt at</p> <p>7 that time. I felt everything.</p> <p>8 Q. Okay.</p> <p>9 A. I felt I was ordered, I felt I needed</p> <p>10 to do it, I felt it was the right thing, I felt</p> <p>11 I was going to feel some consequences, I feared</p> <p>12 the code of silence, I feared retaliation, I</p> <p>13 felt everything.</p> <p>14 Q. Okay.</p> <p>15 A. Stress, everything.</p> <p>16 Q. I understand. You start working on the</p> <p>17 Watts investigation and reporting to the FBI.</p> <p>18 And my question to you is was that something</p> <p>19 that you agreed to do or you were compelled to</p> <p>20 do against your wishes?</p> <p>21 A. I agreed to follow an order.</p> <p>22 Q. Okay.</p> <p>23 A. Does that answer it?</p> <p>24 Q. Yes.</p>	<p>Page 32</p> <p>1 work or develop any other Narcotics leads</p> <p>2 separate and apart from working with Sergeant</p> <p>3 Padar?</p> <p>4 A. Yes, we did. We had to gather as much</p> <p>5 intelligence as possible in the event that</p> <p>6 Ronald Watts was to be engaged so that he would</p> <p>7 have something positive, because the man knows</p> <p>8 what he's doing.</p> <p>9 Q. Okay. Other than working I guess under</p> <p>10 the direction of Sergeant Padar during this</p> <p>11 period, was there any other sergeants who were</p> <p>12 directing your work in developing Narcotics</p> <p>13 information?</p> <p>14 A. No.</p> <p>15 Q. Okay. By the way, as of the time of</p> <p>16 the August, 2008 meeting that you testified to,</p> <p>17 do you have any personal knowledge as to whether</p> <p>18 Nick Roti knew at that time that you and your</p> <p>19 partner had been working with the FBI on</p> <p>20 Operation Brass Tax?</p> <p>21 A. To the best of my knowledge, no.</p> <p>22 Q. You don't know?</p> <p>23 A. (Nodding.)</p> <p>24 Q. You don't know?</p>

<p>1 A. No, no.</p> <p>2 Q. Okay. Was there ever a time that you 3 reported to or were working with a Lieutenant 4 Cervanka?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. What period of time was that?</p> <p>7 A. That was my immediate lieutenant when I 8 got assigned to and borrowed to Narcotics.</p> <p>9 Q. Okay. At any time after you started 10 working on the Watts investigation, either with 11 the FBI or later with the FBI and CPD, did you 12 work with or report to Lieutenant Cervanka?</p> <p>13 A. No.</p> <p>14 Q. Okay.</p> <p>15 A. Our direct order from Chief Skahill was 16 to report to Tom Chester and the agent at that 17 building on Roosevelt.</p> <p>18 Q. Okay. Did you ever have occasion to 19 work for or report to a Lieutenant Navarro?</p> <p>20 A. No.</p> <p>21 Q. During the time that you were reporting 22 to the FBI but also developing Narcotics leads 23 under the direction of Sergeant Padar, was there 24 anyone else besides Sergeant Chester that you</p>	Page 33	<p>1 A. Days, a week.</p> <p>2 Q. Okay.</p> <p>3 A. Roughly.</p> <p>4 Q. Okay. So that was the plan coming out 5 of that meeting. So I assume the fact that 6 the -- the detail to Detached Services you're 7 not claiming was retaliation, are you?</p> <p>8 A. No.</p> <p>9 Q. Okay.</p> <p>10 A. That was the way to go because they had 11 many units come out of Detached. They had the 12 Mayor's detail.</p> <p>13 Q. Sure.</p> <p>14 A. I think a court section, you had a City 15 Hall detail.</p> <p>16 Q. Sure.</p> <p>17 A. I want to say DEA, Chicago Park 18 District. I mean, there were many, many units 19 that would come out of there. And I guess that 20 was the best way in the event Watts was to look 21 something up --</p> <p>22 Q. Sure.</p> <p>23 A. -- it wouldn't be very specific.</p> <p>24 Q. Sure. That was the best place they</p>	Page 35
<p>1 were reporting to at that time?</p> <p>2 A. No.</p> <p>3 Q. So did you tell the FBI you were 4 working on non-Watts Narcotics cases, as well?</p> <p>5 A. Everything was Watts. Even the non -- 6 even what you say is non or Padar, that was 7 information that you needed to know. So in the 8 event Watts was to become a scenario, you have a 9 positive lead to give Watts, because he would 10 know if something was false or not.</p> <p>11 Q. Okay. So all of the Narcotics leads 12 and work you did while you were reporting to the 13 FBI and working with Sergeant Padar, you felt 14 was related to the Watts investigation?</p> <p>15 A. Absolutely.</p> <p>16 Q. Okay.</p> <p>17 A. Watts was a big Narcotics person.</p> <p>18 Q. Okay. I'm assuming the decision 19 itself -- well, strike that.</p> <p>20 You were detailed to Detached Services 21 shortly -- was it shortly after the August, 2008 22 meeting?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Do you remember how soon after?</p>	Page 34	<p>1 thought to put you to allow you to work on this 2 confidential investigation?</p> <p>3 A. Yes.</p> <p>4 MR. SMITH: Objection, foundation.</p> <p>5 BY MR. KING:</p> <p>6 Q. Okay. And in Paragraph 31, it says, on 7 an unknown date, information that Plaintiffs had 8 reported criminal misconduct by a sworn officer 9 and were working with an outside investigation 10 was leaked within the department and became 11 known to Defendant Commander O'Grady. Is that 12 your understanding?</p> <p>13 A. Yes.</p> <p>14 Q. What's the basis of that allegation, 15 that this became leaked and known to Commander 16 O'Grady?</p> <p>17 A. Chief Rivera stated that to us.</p> <p>18 Q. Okay. And I know here it says, on an 19 unknown date. Do you have any recollection of 20 approximately when this was?</p> <p>21 A. I wish I did.</p> <p>22 Q. Okay. And you said Chief Rivera 23 related this to you. Was this in a meeting or a 24 phone conversation?</p>	Page 36

<p>1 A. It was in a meeting.</p> <p>2 Q. And was it you and Officer Spalding</p> <p>3 both present?</p> <p>4 A. Yes.</p> <p>5 Q. And where did this meeting take place?</p> <p>6 A. It could have been in his office or in</p> <p>7 the hallway at headquarters.</p> <p>8 Q. Okay.</p> <p>9 A. He stated --</p> <p>10 Q. Was anybody else present in the</p> <p>11 meeting?</p> <p>12 A. No.</p> <p>13 Q. Okay. What's your best recollection of</p> <p>14 everything that was said in that conversation?</p> <p>15 A. I'm going to keep it sweet and short.</p> <p>16 He said, I may have fucked up.</p> <p>17 Q. Okay.</p> <p>18 A. I told Ernie Brown about you and what</p> <p>19 you guys are doing.</p> <p>20 Q. Okay. Do you remember Chief Rivera</p> <p>21 saying anything else?</p> <p>22 A. I said, why would you do that.</p> <p>23 Q. Who said that?</p> <p>24 A. We did, Shannon and myself.</p>	Page 37	<p>1 harassment. And then the next paragraph talks</p> <p>2 about an incident on approximately August 17,</p> <p>3 2010 where O'Grady allegedly refused to approve</p> <p>4 a confidential informant.</p> <p>5 The August 17, 2010 incident where</p> <p>6 O'Grady allegedly refused to approve a</p> <p>7 confidential informant, that was the first</p> <p>8 incident of alleged retaliation that you're</p> <p>9 change in this lawsuit, correct?</p> <p>10 A. That's what made it very apparent.</p> <p>11 Q. That was the first incident of</p> <p>12 retaliation that you're claiming in this</p> <p>13 lawsuit, correct?</p> <p>14 MR. SMITH: Objection, form of the</p> <p>15 question, asked and answered.</p> <p>16 THE WITNESS: Let me stop and think. I</p> <p>17 mean, there were so many incidents over the</p> <p>18 course of time. I don't recall if that was the</p> <p>19 first or not.</p> <p>20 BY MR. KING:</p> <p>21 Q. Okay. Well, you're alleging that it</p> <p>22 was in that month of August, 2010 when this</p> <p>23 information got leaked to O'Grady, correct?</p> <p>24 A. Okay.</p>	Page 39
<p>1 Q. Okay.</p> <p>2 A. He said, I just fucked up.</p> <p>3 Q. Okay. Do you recall --</p> <p>4 A. Ernie Brown at that time I think was</p> <p>5 Chief of Patrol or Chief of Organized Crime or</p> <p>6 something. Not Organized Crime, but he was</p> <p>7 chief, as well. And --</p> <p>8 Q. Okay. Let me just --</p> <p>9 A. Okay.</p> <p>10 Q. -- stop you.</p> <p>11 A. That's fine.</p> <p>12 Q. I just want to hear about the</p> <p>13 conversation.</p> <p>14 A. All right.</p> <p>15 Q. Other than what you testified to, do</p> <p>16 you recall anything else that you, Officer</p> <p>17 Spalding or Chief Rivera, said in that</p> <p>18 conversation?</p> <p>19 A. I mean, that was damaging enough to</p> <p>20 me.</p> <p>21 Q. Is that a no?</p> <p>22 A. No.</p> <p>23 Q. Okay. Paragraph 33 says, in August,</p> <p>24 2010 Defendant O'Grady began a campaign of</p>	Page 38	<p>1 Q. And then you're also alleging that on</p> <p>2 August 17th, O'Grady did something that you</p> <p>3 allege is retaliatory, correct?</p> <p>4 A. Yes.</p> <p>5 Q. Correct?</p> <p>6 A. Yes.</p> <p>7 Q. So wouldn't you agree that the</p> <p>8 August 17, 2010 incident involving the</p> <p>9 confidential informant would have been the first</p> <p>10 thing that you're claiming was retaliation?</p> <p>11 A. Sure. Let's go ahead and say yes.</p> <p>12 Q. Okay. And with respect to that</p> <p>13 incident in Paragraph 34, it says that</p> <p>14 Plaintiffs submitted paperwork to Defendant</p> <p>15 O'Grady seeking approval of a confidential</p> <p>16 informant. Although he initially approved the</p> <p>17 application --</p> <p>18 A. He rescinded it.</p> <p>19 Q. -- he rescinded it?</p> <p>20 A. Yes.</p> <p>21 Q. Do you recall that incident?</p> <p>22 A. Yes, I do.</p> <p>23 Q. What's the basis for your allegation</p> <p>24 that he initially approved it and then rescinded</p>	Page 40

<p>1 it?</p> <p>2 A. The statement made to us by Sergeant</p> <p>3 James Padar.</p> <p>4 Q. Okay. And was this an in-person</p> <p>5 conversation?</p> <p>6 A. Yes, yes.</p> <p>7 Q. Was it just you and Officer Spalding</p> <p>8 and Officer Padar present?</p> <p>9 A. Yes, he was present.</p> <p>10 Q. Okay. Was anybody else present?</p> <p>11 A. To the best of my knowledge, that was</p> <p>12 pretty much that.</p> <p>13 Q. What do you recall being said in that</p> <p>14 conversation about the subject of O'Grady and</p> <p>15 this confidential informant?</p> <p>16 A. James Padar said, O'Grady is not going</p> <p>17 to approve this.</p> <p>18 Q. Okay.</p> <p>19 A. He said, scratch those two rats' names</p> <p>20 off of that package and I'll sign it. They're</p> <p>21 IAD rats.</p> <p>22 Q. So Padar is telling you what O'Grady</p> <p>23 allegedly said to him?</p> <p>24 A. Yes.</p>	<p>Page 41</p> <p>1 floored by it.</p> <p>2 Q. Okay.</p> <p>3 A. I was appalled.</p> <p>4 Q. That's assuming Padar was telling you</p> <p>5 the truth about the conversation with O'Grady,</p> <p>6 correct?</p> <p>7 A. Sure, you can assume that.</p> <p>8 Q. Do you recall anything else being said</p> <p>9 in that conversation?</p> <p>10 A. Like I said, that was damaging enough</p> <p>11 to me.</p> <p>12 Q. Do you recall anything else being said</p> <p>13 in that conversation?</p> <p>14 A. To the best of my knowledge, that</p> <p>15 summed it up.</p> <p>16 Q. Okay. There's an allegation in</p> <p>17 Paragraph 34 that O'Grady initially approved the</p> <p>18 application.</p> <p>19 A. Yes.</p> <p>20 Q. What's the basis for your understanding</p> <p>21 that he initially approved the application?</p> <p>22 A. I want to say Padar said it. He</p> <p>23 initially approved it -- he saw your names and</p> <p>24 he said, take those -- you know what I said.</p>
<p>Page 42</p> <p>1 Q. Okay. Do you recall anything else said</p> <p>2 in those -- in that conversation?</p> <p>3 A. Yeah. And he said that our paths are</p> <p>4 not to cross again.</p> <p>5 Q. Padar told you that O'Grady said --</p> <p>6 A. That our -- they are not to cross our</p> <p>7 path from that moment forward again.</p> <p>8 Q. Okay.</p> <p>9 A. And, God help them if they need some</p> <p>10 help, it ain't coming, you're not to help them</p> <p>11 out.</p> <p>12 Q. Okay.</p> <p>13 A. Padar was very forward saying it,</p> <p>14 firm.</p> <p>15 Q. Okay. And do you recall anything else</p> <p>16 being said in that conversation?</p> <p>17 A. That was damaging enough to me.</p> <p>18 Q. Okay. That would be a no?</p> <p>19 A. It could be more. At that point I was</p> <p>20 so shocked to hear that coming, that a commander</p> <p>21 would say something like that.</p> <p>22 Q. Okay.</p> <p>23 A. There may have been more and I was just</p> <p>24 focused on what was just said, because I was</p>	<p>Page 43</p> <p>1 Q. Okay.</p> <p>2 A. I'm just going to be repeating myself.</p> <p>3 Q. Okay. When Padar said that he</p> <p>4 initially approved it, was it your understanding</p> <p>5 that O'Grady had signed the request?</p> <p>6 A. I believed he did --</p> <p>7 Q. Okay.</p> <p>8 A. -- if he -- you know, a sergeant tells</p> <p>9 you that.</p> <p>10 (Whereupon, Echeverria</p> <p>11 Deposition Exhibit No. 2 was</p> <p>12 marked for identification.)</p> <p>13 BY MR. KING:</p> <p>14 Q. Officer Echeverria, I'm showing you</p> <p>15 what's been marked as Deposition Exhibit No. 2.</p> <p>16 I just ask you if you've ever seen this</p> <p>17 document before.</p> <p>18 A. Yes.</p> <p>19 Q. And this was the request for approval</p> <p>20 of a confidential informant that you've been</p> <p>21 testifying to, correct?</p> <p>22 A. Yes.</p> <p>23 Q. And is it your understanding that James</p> <p>24 O'Grady signed this document?</p>

<p>1 A. I can't read the signature. But the 2 signature above commander, I would assume would 3 be his. 4 Q. And by assuming that signature is his, 5 that's why you assumed that he initially 6 approved it? 7 A. Yes. 8 Q. Okay. 9 A. Like I said, but I can't read that 10 chicken scratch. 11 Q. Okay. 12 A. Sorry. 13 Q. That's fine. 14 A. I'm assuming because it says commander 15 and his signature is right above it. 16 Q. Right. 17 A. Plus what Padar had said. 18 Q. Okay. 19 A. I mean, that was enough for me. 20 (Whereupon, Echeverria 21 Deposition Exhibit No. 3 was 22 marked for identification.) 23 BY MR. KING: 24 Q. Officer Echeverria, I'm showing you</p>	<p style="text-align: right;">Page 45</p> <p>1 Defendant O'Grady ordered that the unit was not 2 to work with Plaintiffs and personnel in the 3 unit should not assist Plaintiffs. Do you see 4 that? 5 A. Yes. 6 Q. Okay. And is the basis for that 7 allegation what you've already testified to that 8 Sergeant Padar told you? 9 A. Yes. 10 Q. If you turn to the -- strike that. 11 Paragraph 36 of the Amended Complaint 12 indicates that Defendant O'Grady had 13 intentionally prohibited you and Officer 14 Spalding from earning overtime. Is that your 15 impression? 16 A. Yes. 17 Q. What's the basis for that allegation? 18 A. We could no longer participate in other 19 Narcotics intelligence as we were doing with 20 Sergeant Padar. 21 Q. Okay. So is it your testimony that 22 after Sergeant Padar related to you what 23 Commander O'Grady had allegedly said, you and 24 your partner did not do any more --</p>
<p>1 another document that's been marked Deposition 2 Exhibit No. 3, which appears to be a copy of the 3 first page of Exhibit 2, but it has sort of a 4 note on it -- 5 A. Yes. 6 Q. -- that says Sergeant Padar. 7 A. Okay. 8 Q. Have you ever seen this version of the 9 document? 10 A. I may have, I may have not. I can't 11 tell you. 12 Q. You don't recall, okay. That's fine. 13 A. It looks like it's the same document. 14 Q. Yeah, all right. 15 As far as you can tell, Exhibit 2 and 16 Exhibit 3 are the same document, just with a 17 note on it, correct? 18 A. Correct. 19 Q. Okay. I'm directing your attention 20 back to Paragraph 35 of the Amended Complaint. 21 It states, Defendant O'Grady then informed 22 supervising personnel in the unit that 23 Plaintiffs were rats, meaning that they had 24 reported other police officers' misconduct.</p>	<p style="text-align: right;">Page 46</p> <p>1 A. Correct. It was clear. 2 Q. Okay. You and your partner did not do 3 any more working-up or providing intelligence on 4 Narcotics cases? 5 A. Not -- right. 6 Q. Okay. If you'll just take a moment and 7 look at Paragraphs 38, 39 and 40 of the Amended 8 Complaint. And there are references to a 9 meeting and certain things being said. I'm just 10 asking if it's your understanding that 11 Paragraphs 38, 39 and 40 refer to a single 12 meeting. 13 A. Let me read through it. 14 Q. Sure. 15 A. Okay. What's the question? 16 Q. Is it your understanding that those 17 paragraphs refer to a single meeting? 18 A. Sure. 19 Q. Okay. And -- 20 A. I'm sorry. Unless they -- unless those 21 Defendants had other meetings. 22 Q. But you don't know whether they did or 23 not, correct? 24 A. Right.</p> <p style="text-align: right;">Page 48</p>

<p>1 Q. Correct?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. But there is a reference to a</p> <p>4 meeting where Defendant O'Grady allegedly said</p> <p>5 certain things and Chief Roti was allegedly</p> <p>6 present at the meeting --</p> <p>7 A. Yes.</p> <p>8 Q. -- and concurred with Defendant</p> <p>9 O'Grady. How did you learn about that meeting?</p> <p>10 A. Chief Rivera.</p> <p>11 Q. Okay. And you and Officer Spalding</p> <p>12 were not present at that meeting, correct?</p> <p>13 A. No.</p> <p>14 Q. Okay.</p> <p>15 A. The only meeting we were present is</p> <p>16 when we had it with Chief Rivera.</p> <p>17 Q. Okay. And do you recall approximately</p> <p>18 when Chief Rivera told you about this meeting?</p> <p>19 A. It had to have been right after it, a</p> <p>20 day after it. I'm sure it wasn't a week or two</p> <p>21 weeks or three weeks after it. It was probably</p> <p>22 an immediate time frame.</p> <p>23 Q. Okay. And was that an in-person</p> <p>24 conversation?</p>	Page 49	<p>1 mean, all of this because we did the right thing</p> <p>2 and came forward. I may have zoned out</p> <p>3 everything that may have been said. But like I</p> <p>4 said, those were very firm statements and I</p> <p>5 never thought I would hear that coming from a</p> <p>6 chief or a commander.</p> <p>7 Q. Okay. But you don't remember Chief</p> <p>8 Rivera explaining any sort of context of why</p> <p>9 there was a meeting where Roti and O'Grady were</p> <p>10 allegedly discussing you?</p> <p>11 A. Give me a second to review it again.</p> <p>12 Q. Sure.</p> <p>13 A. It's hard to pinpoint it.</p> <p>14 Q. Sure.</p> <p>15 A. At that time obviously our identities</p> <p>16 were already compromised and it may have been a</p> <p>17 meeting due to that.</p> <p>18 Q. You don't know the context of that</p> <p>19 meeting?</p> <p>20 A. No.</p> <p>21 Q. Okay. Do you recall --</p> <p>22 A. At least I don't recall at this time.</p> <p>23 Q. Sure. Do you recall Chief Rivera</p> <p>24 telling you anything else that was said in the</p>	Page 51
<p>1 A. Yes.</p> <p>2 Q. And just you and Officer Spalding and</p> <p>3 Chief Rivera present?</p> <p>4 A. Correct.</p> <p>5 Q. What do you recall being said by Chief</p> <p>6 Rivera or by either of you in the meeting?</p> <p>7 A. I want to say that he reiterated,</p> <p>8 obviously, what Commander O'Grady stated. He</p> <p>9 said Nick Roti concurred with them. I want to</p> <p>10 say at that point he may have also told us our</p> <p>11 careers were over.</p> <p>12 Q. Was it your understanding that Chief</p> <p>13 Rivera was also in that meeting?</p> <p>14 A. Yes.</p> <p>15 Q. Okay.</p> <p>16 A. Because he was telling us what had</p> <p>17 occurred during that meeting.</p> <p>18 Q. Do you recall him giving you any</p> <p>19 context of why there was a meeting where the two</p> <p>20 of you were discussed or how that came to be?</p> <p>21 A. Like I said, we had so many meetings.</p> <p>22 And, again, I was appalled by him saying our</p> <p>23 careers were over, the comments that he was</p> <p>24 saying that O'Grady made, that we were rats. I</p>	Page 50	<p>1 meeting, other than what you've already</p> <p>2 testified to?</p> <p>3 A. The best of my knowledge, not at this</p> <p>4 time.</p> <p>5 Q. Okay. Paragraph 43 indicates that</p> <p>6 Defendant Chief Roti would not allow Plaintiffs</p> <p>7 to work in any unit in the bureau. What's your</p> <p>8 basis for that understanding?</p> <p>9 A. I believe also Chief Rivera told us</p> <p>10 that.</p> <p>11 Q. Okay. And did he tell you that Chief</p> <p>12 Roti had said that in that same meeting that we</p> <p>13 were just discussing?</p> <p>14 A. Possibly, yes.</p> <p>15 Q. Okay.</p> <p>16 A. See, the thing is Chief Roti controls</p> <p>17 like 98 percent or 99 percent of the Organized</p> <p>18 Crime, which would be Vice, Violent Task Force,</p> <p>19 Gang Intelligence, Narcotics. And those were --</p> <p>20 Q. I understand.</p> <p>21 A. Those were all units that we were -- we</p> <p>22 could have worked. But because of the</p> <p>23 compromise in our identity and what they</p> <p>24 believed us being rats, he hindered that.</p>	Page 52

<p>1 Q. That's your belief?</p> <p>2 A. Yes.</p> <p>3 Q. Okay.</p> <p>4 A. I strongly believe so.</p> <p>5 Q. Okay. And in Paragraph 44 it indicates</p> <p>6 that you and Officer Spalding were informed that</p> <p>7 none of the bosses wanted to work with you and</p> <p>8 your careers are over.</p> <p>9 That was all -- also you're claiming</p> <p>10 what Chief Rivera told you had been said in that</p> <p>11 meeting?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Was Rivera giving his personal</p> <p>14 opinion that, if you know, that your careers</p> <p>15 were over or was he telling you that that was</p> <p>16 said in the meeting?</p> <p>17 A. He was --</p> <p>18 Q. If you know.</p> <p>19 A. He was quoting it.</p> <p>20 Q. Okay.</p> <p>21 A. I don't think it was personal opinion.</p> <p>22 It could have been both.</p> <p>23 Q. Okay.</p> <p>24 A. He quoted it because of what happened</p>	Page 53	<p>1 Q. Okay. But Chief Skahill didn't promise</p> <p>2 you that --</p> <p>3 A. Nothing was promised.</p> <p>4 Q. Nothing was promised you in the way of</p> <p>5 a promotion, correct?</p> <p>6 A. No.</p> <p>7 Q. Okay.</p> <p>8 A. Nothing was said, like you do this and</p> <p>9 I'm going to make you this. It was nothing like</p> <p>10 that.</p> <p>11 Q. Okay. And, in fact, you understand the</p> <p>12 way that meritorious promotions are made, you'd</p> <p>13 have to be recommended for that, the merit board</p> <p>14 would have to approve it and then ultimately the</p> <p>15 superintendent would approve the promotion,</p> <p>16 correct?</p> <p>17 A. I have a synopsis of how it works. I</p> <p>18 have a good idea, you know, but I can't cite to</p> <p>19 you --</p> <p>20 Q. Sure.</p> <p>21 A. -- you know, step by step.</p> <p>22 Q. Okay.</p> <p>23 A. But that sounds accurate.</p> <p>24 Q. Okay, fair enough.</p>	Page 55
<p>1 in the meeting, then gave his opinion agreeing</p> <p>2 to it instead of putting a stop to it, if you</p> <p>3 ask me.</p> <p>4 Q. Okay.</p> <p>5 A. He should have put a stop to it right</p> <p>6 then. He's chief, too.</p> <p>7 Q. Okay. Let's go back for a minute to</p> <p>8 the August, 2008 meeting with Chief Skahill --</p> <p>9 A. Okay.</p> <p>10 Q. -- and other individuals.</p> <p>11 A. Sure.</p> <p>12 Q. Was there any discussion in that</p> <p>13 meeting of the subject of possible promotions</p> <p>14 for you and Officer Spalding?</p> <p>15 A. I believe we did discuss what would</p> <p>16 happen afterwards.</p> <p>17 Q. Okay.</p> <p>18 A. And there was some options, you know,</p> <p>19 coming over to stay working IAD I think was one.</p> <p>20 I had mentioned, you know, we both had taken</p> <p>21 sergeant and detective exams. And she said,</p> <p>22 well, this is a merit -- you know it would be a</p> <p>23 merit -- I commend you for coming forward and</p> <p>24 that would not be out of the scope.</p>	Page 54	<p>1 (Whereupon, Echeverria</p> <p>2 Deposition Exhibit No. 4 was</p> <p>3 marked for identification.)</p> <p>4 BY MR. KING:</p> <p>5 Q. Officer Echeverria, I'm showing you</p> <p>6 another document that's been marked as</p> <p>7 Deposition Exhibit No. 4. I'll just ask you to</p> <p>8 take a look at this document and let me know if</p> <p>9 you've ever seen it before. It's a two-page</p> <p>10 Overtime/Compensatory Time Report.</p> <p>11 A. Uh-huh.</p> <p>12 Q. Have you seen this before?</p> <p>13 A. Yeah, it's a time due slip you get it</p> <p>14 for overtime or comp time or paid time.</p> <p>15 Q. Okay. And it indicates -- it's signed</p> <p>16 by you on the first page and by Sergeant Padar,</p> <p>17 correct?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And do you recall whether this</p> <p>20 was for some overtime that you worked?</p> <p>21 A. It had to be if I'm turning it in for</p> <p>22 paid overtime worked.</p> <p>23 Q. Okay. And can the sergeant approve</p> <p>24 overtime or does that also have to be approved</p>	Page 56

<p>1 by someone above the sergeant?</p> <p>2 A. Well, the sergeant is going to call and</p> <p>3 say, hey, I have such overtime I'm going to do</p> <p>4 and of course somebody is going to approve it.</p> <p>5 Q. Okay.</p> <p>6 A. They're going to leave it at the</p> <p>7 discretion of the sergeant.</p> <p>8 Q. Okay. Was it your understanding to get</p> <p>9 this process and be paid, does somebody other</p> <p>10 than the sergeant have to sign it --</p> <p>11 A. Yes.</p> <p>12 Q. -- if you know? Who?</p> <p>13 A. Yeah.</p> <p>14 Q. And who has to sign off on it?</p> <p>15 A. The sergeant supervisor.</p> <p>16 Q. A lieutenant or a commander?</p> <p>17 A. Lieutenant, captain, commander, acting</p> <p>18 commander, acting lieutenant.</p> <p>19 Q. Okay. As you sit here today with</p> <p>20 respect to this overtime dated August 4, 2010,</p> <p>21 do you know one way or the other whether you and</p> <p>22 Spalding were paid this overtime?</p> <p>23 A. I'm sure we did.</p> <p>24 Q. Okay.</p>	<p>Page 57</p> <p>1 was there.</p> <p>2 Q. And that was Terry Hillard?</p> <p>3 A. Hillard, yeah. I received a phone call</p> <p>4 from Jill Stevens requesting -- I can't think of</p> <p>5 the name of the form.</p> <p>6 Q. Okay. And who is Jill Stevens?</p> <p>7 A. Jill Stevens was a sergeant in Detached</p> <p>8 Services who was acting lieutenant at the time.</p> <p>9 Because Lieutenant Glatz was the lieutenant and</p> <p>10 acting commander.</p> <p>11 Q. Okay.</p> <p>12 A. And I believe she was on furlough about</p> <p>13 that time. And --</p> <p>14 Q. Okay. And did you have an</p> <p>15 understanding that Jill was calling for this</p> <p>16 form?</p> <p>17 A. I didn't know what she was calling for</p> <p>18 until I spoke to her.</p> <p>19 Q. Okay, sure.</p> <p>20 A. And when she asked me for the form, I</p> <p>21 didn't know --</p> <p>22 Q. Do you recall what you said?</p> <p>23 A. -- what it was. I said -- yeah, I</p> <p>24 recall. I spoke to the woman.</p>
<p>1 A. I'd be grieving it, if I didn't.</p> <p>2 Q. Okay. If I could turn your attention</p> <p>3 now to paragraphs -- beginning with Paragraph 45</p> <p>4 that indicate that Defendant Debra Kirby caused</p> <p>5 the Plaintiffs to be removed from their detail</p> <p>6 to Unit 543, Detached Services.</p> <p>7 What's the basis for the allegation</p> <p>8 that Defendant Kirby caused you to be removed</p> <p>9 from Detached Services?</p> <p>10 A. Again, Chief Rivera.</p> <p>11 Q. Okay. And was this an in-person</p> <p>12 meeting that you had with Chief Rivera?</p> <p>13 A. It may have started as a phone and then</p> <p>14 eventually in person or vice versa. We had many</p> <p>15 meetings with him in person and we had many</p> <p>16 conversations with him on the phone.</p> <p>17 Q. I understand.</p> <p>18 A. I can't pinpoint, I mean.</p> <p>19 Q. Okay. Well, explain to me what the</p> <p>20 basis is for your allegation that Debra Kirby</p> <p>21 caused you and your partner to be removed from</p> <p>22 Detached Services.</p> <p>23 A. It was a change in command, I believe,</p> <p>24 coming. That's when the interim superintendent</p>	<p>Page 58</p> <p>1 Q. Sure.</p> <p>2 A. She asked me for the form. Let's just</p> <p>3 call it the form.</p> <p>4 Q. Sure.</p> <p>5 A. And I said, well, can I call you back</p> <p>6 regarding the form.</p> <p>7 Q. Sure.</p> <p>8 A. I'm unfamiliar with it.</p> <p>9 Q. Sure.</p> <p>10 A. And she said, yes, do so, please.</p> <p>11 Q. Okay. Was that all you recall in that</p> <p>12 first conversation?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And then you do call her back?</p> <p>15 A. After I speak to Chief Rivera.</p> <p>16 Q. Okay. Tell me about the conversation</p> <p>17 with Chief Rivera.</p> <p>18 A. I called Chief Rivera and I tell him</p> <p>19 I'm receiving a phone call from Jill Stevens and</p> <p>20 she's requesting the form and I don't know what</p> <p>21 she's speaking of. And he directed me to --</p> <p>22 what to answer her.</p> <p>23 Q. What did he tell you to answer her?</p> <p>24 A. He said, tell her it's all been taken</p>

<p style="text-align: right;">Page 61</p> <p>1 care of, the superintendent knows about it, 2 knows what you're doing. He has full knowledge, 3 he's been briefed. 4 Q. Okay. 5 A. And you -- any more questions regarding 6 it, she needs to contact Debra Kirby. 7 Q. Okay. 8 A. And at no time are you to tell her that 9 I am the one instructing you to do so or they 10 will know. 11 Q. Okay. 12 A. I called her back, I stated verbatim. 13 Q. Okay. Let me just ask you this. 14 A. Okay, go ahead. 15 Q. Did you -- you understood that at that 16 point that Jill Stevens was calling requesting 17 the information that the superintendent wanted, 18 correct? 19 A. She never mentioned the superintendent 20 wanted it. 21 Q. Okay. Did you have any understanding 22 of what -- of who she was requesting that 23 information for? 24 A. Not at that time. During the second</p>	<p style="text-align: right;">Page 63</p> <p>1 it again. 2 And she said, well, I will tell her, 3 meaning B. Cuello, that you won't give me this, 4 you are being -- you are refusing. And I said, 5 no, I'm not refusing. I said, why don't you 6 call Deb Kirby? That's what I was instructed to 7 tell you. 8 Q. Okay. 9 A. And she hung up. She literally left me 10 with the phone in my ear. 11 Q. Okay. And when Jill Stevens indicated 12 what she was going to tell her, it's your 13 understanding she was referring to B. Cuello? 14 A. Yes. 15 Q. Okay. Did she say that or how did you 16 come to that understanding? 17 A. She told me. 18 Q. Okay. 19 A. She said, her. There's no her up there 20 that's above her. It's B. Cuello. 21 Q. Okay. And do you recall -- 22 A. Or at least she wasn't going to tell 23 Nelly the secretary. 24 Q. Do you recall what B. Cuello's position</p>
<p style="text-align: right;">Page 62</p> <p>1 conversation, yes. 2 Q. Okay. So after your conversation with 3 Chief Rivera, you called Jill Stevens back? 4 A. Right. 5 Q. And it's a conversation with just the 6 two of you on the phone? 7 A. Correct. 8 Q. And what do you recall being said by 9 you or by her in that conversation? 10 A. I quoted verbatim what Chief Rivera 11 told me to quote. 12 Q. Okay. 13 A. And she said, who's telling you to say 14 this? 15 Q. Okay. 16 A. I told her, Sergeant, I apologize, I 17 don't want to sound condescending or 18 noncompliant, but I've been ordered not -- I 19 cannot disclose that information. I've been 20 ordered not to disclose that information. 21 Q. Okay. 22 A. And again she asked me. 23 Q. Okay. 24 A. And I was apologetic to her, I repeated</p>	<p style="text-align: right;">Page 64</p> <p>1 was at the time? 2 A. I believe she was deputy superintendent 3 or one of the deputy superintendents. 4 Q. Okay. So you -- at least by the time 5 that conversation was over, you had an 6 understanding that the superintendent or at 7 least the deputy superintendent wanted this 8 information, correct? 9 A. No. I still understood that B. Cuello 10 was asking for it. 11 Q. Okay. 12 A. Based on Jill Stevens' conversation. 13 Q. Okay. Sure, right. 14 A. At no time did she say the 15 superintendent wants it. 16 Q. Sure. 17 A. She said, I will tell her. So I 18 wasn't -- I mean, there hasn't been a female 19 superintendent, to the best of my knowledge. 20 Q. I got it. 21 A. Sorry, but I mean, I've got to have 22 humor out of this whole situation sometimes to 23 keep me going. 24 Q. Fair enough, fair enough.</p>

<p style="text-align: right;">Page 65</p> <p>1 After that conversation, the second 2 conversation with Jill Stevens, do you then call 3 Chief Rivera back? 4 A. Yeah. 5 Q. Okay. And what do you recall being 6 said by you or by him in that conversation? 7 A. Zero. He never picked up the call 8 again. 9 Q. Okay. So you never had a follow-up 10 conversation with Chief Rivera? 11 A. Not at that time. 12 Q. Okay. At some point you had a 13 conversation with Chief Rivera about your second 14 conversation with Jill Stevens? 15 A. Yes. 16 Q. And was that a telephone conversation? 17 A. It may have, it may have been even in 18 person, I can't... 19 Q. Okay. Do you have any recollection of 20 what was said by you and by Chief Rivera in that 21 conversation? 22 A. Yeah, I believe -- well, there was 23 other phone calls after that. 24 Q. About the Jill Stevens second</p>	<p style="text-align: right;">Page 67</p> <p>1 A. Yeah, he -- correct. He also told us 2 that there was a meeting. That may have been 3 the meeting with Roti and O'Grady again being 4 present. B. Cuello was present. I believe he 5 also quoted that. He stated that after the 6 meeting -- 7 Q. Let me just stop you for one second. 8 What you're testifying to now, are you saying 9 that Chief Rivera told you about this in that 10 conversation where you discussed your second 11 phone call with Jill Stevens? 12 A. No, yeah. Yes, yeah. 13 Q. Okay. Go ahead. 14 A. Whether this was on the phone or in 15 person, he said there was a meeting again. 16 Q. Sure, right. 17 A. I guess these people have a lot of 18 meetings about us. And Deb Kirby had approached 19 him and said, you know, I know who they are, but 20 I didn't recall at the time or something along 21 to that effect. 22 Q. Okay. 23 A. But I can't -- there's no backpedaling 24 now for me. They're going to have to just take</p>
<p style="text-align: right;">Page 66</p> <p>1 conversation? 2 A. Okay. I believe I explained -- I told 3 him what had happened. Whether it was on the 4 phone or in person, I couldn't tell you. 5 Q. Sure. 6 A. At that point he said, that's bullshit, 7 Debra Kirby knows exactly what you were doing. 8 She denied knowing you guys or your involvement. 9 Q. So Chief Rivera told you that Debra 10 Kirby denied knowing you and Officer Spalding -- 11 A. Yeah. 12 Q. -- to report your involvement with 13 Operation Brass Tax? 14 A. Yes. And he also said, B. Cuello knows 15 damn well what you guys have been doing. Shit, 16 you've been in her unit for X amount of time or 17 whatever he quoted. 18 Q. Okay. 19 A. He said, they all know. 20 Q. So your allegation in Paragraph 45 of 21 the Amended Complaint that Debra Kirby caused 22 you and Officer Spalding to be removed from Unit 23 543, that's based on what Chief Rivera told you, 24 correct?</p>	<p style="text-align: right;">Page 68</p> <p>1 the hit on this. Something to that effect. 2 Q. Okay. 3 A. I can't backpedal at this time, it's 4 too late. 5 Q. When Chief Rivera was telling you about 6 this meeting, was it your understanding that he 7 was -- had been in that meeting? 8 A. Yes. 9 Q. Okay. Did he tell you who else was in 10 that meeting? 11 A. I want to say that's when he said 12 B. Cuello was there and he had mentioned that 13 why would she be asking for that damn form, 14 you've been already in her unit for X amount of 15 time, something to that effect. You know, he 16 said it was all bullshit. 17 Q. Other than him -- 18 A. And I quote that. That's what he said. 19 Q. Okay. Other than him -- strike that. 20 Other than your belief that Rivera was 21 in the meeting and Rivera telling you that 22 B. Cuello was in the meeting, did Rivera tell 23 you anyone else that was in that meeting? 24 A. To the best of my knowledge, maybe</p>

<p>1 even -- like I said --</p> <p>2 Q. If you know, if you recall.</p> <p>3 A. I want to say he even said Roti was in</p> <p>4 there.</p> <p>5 Q. You think he may have said Roti was in</p> <p>6 there?</p> <p>7 A. Yeah.</p> <p>8 Q. Do you think he said O'Grady was in</p> <p>9 that meeting?</p> <p>10 A. Yeah. I believe so, too.</p> <p>11 Q. Okay. When you spoke with Chief Rivera</p> <p>12 about your second conversation -- actually,</p> <p>13 either your first or second conversation with</p> <p>14 Jill Stevens, do you remember telling Chief</p> <p>15 Rivera that the conversation with Jill Stevens</p> <p>16 didn't go well?</p> <p>17 A. Yeah.</p> <p>18 Q. Okay. Was that after your second</p> <p>19 conversation with her?</p> <p>20 A. Yeah. Because I wasn't able to contact</p> <p>21 him.</p> <p>22 Q. Right, okay.</p> <p>23 A. And I don't know why. I mean, it was</p> <p>24 like short time gaps. It wasn't like I waited a</p>	<p>Page 69</p> <p>1 telling you anything else about that meeting?</p> <p>2 A. And then what I said about Kirby.</p> <p>3 Q. Okay. And did you learn at some point</p> <p>4 after that conversation that you and Officer</p> <p>5 Spalding were going to be sent back to patrol?</p> <p>6 A. Yes.</p> <p>7 Q. How did you come to learn that?</p> <p>8 A. I received a phone call from Deputy</p> <p>9 Superintendent James Jackson or Jimmy Jackson.</p> <p>10 Q. Okay. And was that just you and Jimmy</p> <p>11 Jackson on the phone?</p> <p>12 A. Yeah. I spoke to him on the phone.</p> <p>13 Q. Okay. And what did he say to you in</p> <p>14 that conversation?</p> <p>15 A. He was very direct. He said, effective</p> <p>16 0700 or 0800 hours tomorrow, and he stated the</p> <p>17 date, which I don't recall --</p> <p>18 Q. Right.</p> <p>19 A. -- you are no longer assigned to the</p> <p>20 FBI. You will report to Beatrice Cuello, Deputy</p> <p>21 Cuello in Unit 543 in uniform.</p> <p>22 Q. Okay.</p> <p>23 A. And I tried to ask him something and he</p> <p>24 just repeated it. I tried to ask him again, he</p>
<p>Page 70</p> <p>1 day to call the man, it was moments. You know,</p> <p>2 hang up -- she hangs up on me, you know. I was</p> <p>3 like, what? I dialed Rivera and he didn't pick</p> <p>4 up.</p> <p>5 Q. Okay.</p> <p>6 A. And then certain other events happened</p> <p>7 and that's when I had a conversation with him</p> <p>8 later on.</p> <p>9 Q. Okay. And you were discussing a</p> <p>10 meeting that Chief Rivera told you about. Other</p> <p>11 than what you've already testified to, do you</p> <p>12 recall anything else Chief Rivera told you about</p> <p>13 that meeting?</p> <p>14 A. Yeah.</p> <p>15 Q. What else?</p> <p>16 A. He said that Roti didn't want us back</p> <p>17 in Narcotics, he also said O'Grady spoke about</p> <p>18 us being rats and things to that effect. He</p> <p>19 said B. Cuello said she didn't know what we were</p> <p>20 doing in her unit. And then he said that he had</p> <p>21 briefed Cuello and she was very well aware and</p> <p>22 he doesn't know why Jill Stevens even needed to</p> <p>23 make that phone call.</p> <p>24 Q. Okay. Do you remember Chief Rivera</p>	<p>Page 71</p> <p>1 wasn't hearing it.</p> <p>2 Q. Okay. Do you recall what you tried to</p> <p>3 ask?</p> <p>4 A. What happened?</p> <p>5 Q. Yeah.</p> <p>6 A. Why, you know.</p> <p>7 Q. Sure.</p> <p>8 A. Any question that you, me, her, him</p> <p>9 would ask.</p> <p>10 Q. Sure.</p> <p>11 A. You know, you want to know why you're</p> <p>12 getting that phone call.</p> <p>13 Q. Okay. And he didn't tell you why?</p> <p>14 A. He wasn't hearing it. He just repeated</p> <p>15 it.</p> <p>16 Q. Okay.</p> <p>17 A. I'd be in the middle of asking, I'd</p> <p>18 say, but, boss. Effective, and he would repeat</p> <p>19 it.</p> <p>20 Q. Right, right. So he didn't tell you</p> <p>21 why this move was being made, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And when he indicated that you were to</p> <p>24 report to B. Cuello, was it your understanding</p>

Page 73	Page 75
1 that you were then going to be reassigned to a 2 district? 3 A. No. 4 Q. Okay. Did you have an understanding of 5 why were reporting to B. Cuello? 6 A. No. 7 Q. Okay. And did you, in fact, report to 8 B. Cuello the following day? 9 A. I never got the chance to. 10 Q. Okay. And what happened after that 11 that led you to not reporting to B. Cuello? 12 A. I was en route to headquarters to Unit 13 543. 14 Q. Yes. 15 A. I got a phone call from the secretary 16 Veronica Castillo. 17 Q. Okay. And what did Ms. Castillo tell 18 you? 19 A. She said, hey, Danny, where are you, 20 are you coming down here. I said, I'm on my way 21 down. She said, well, she wants you, the boss 22 wants you to go to training. 23 Q. Okay. 24 A. A one-day training at the academy. Are	1 A. No. 2 Q. Okay. 3 A. That came later. 4 Q. Okay. Explain that. At some point you 5 became of the understanding that you were 6 detailed to the police academy as part of the 7 process of being sent back to patrol? 8 A. Yeah. 9 Q. How did you come about that knowledge? 10 A. Well, when we got to the academy, at 11 that point I met up with my partner, Shannon 12 Spalding. We were entering the building and 13 there's a duty desk, what they call where if you 14 don't know where you're going -- 15 Q. Sure. 16 A. -- with different trainings and things 17 going on, you stop and you ask there. And we 18 asked for where is this one-day training. And 19 they asked, where are you coming from. 20 Q. Sure. 21 A. And then we were approached by a 22 Lieutenant Pigott. 23 Q. Okay. And did Lieutenant Pigott say 24 anything to you?
Page 74	Page 76
1 you in uniform? I said, yes. She goes, yeah, 2 do that. She wants you to do that. 3 Q. Okay. And by she, she was referring to 4 B. Cuello? 5 A. Yes. 6 Q. Okay. Veronica Castillo was a 7 secretary in B. Cuello's office? 8 A. She was one of the secretaries up 9 there. 10 Q. Okay. And do you recall her saying 11 anything else in that conversation? 12 A. That was it. 13 Q. Okay. Do you recall anything you said? 14 A. I said, okay. I acknowledged her. 15 Q. Okay. And it's your recollection that 16 she said a one-day training? 17 A. Yeah. 18 Q. Okay. And so you were then to report 19 to the police academy, correct? 20 A. Yes. 21 Q. Okay. And at that point, did you have 22 any understanding that you were asked to report 23 to the police academy as part of the process of 24 sending you back to patrol?	1 A. He said, you're not here for no one-day 2 training, you're here to be retreaded, you're 3 here to -- you're going back to patrol. He 4 pointed at my partner. He said, are you Officer 5 Spalding? She acknowledged. He said, you're 6 going to 3 midnights and you're going to fucking 7 15 midnights. 8 Q. Okay. 9 A. And at that point, we were -- it was 10 like we were hit by a brick. 11 Q. Okay. 12 A. The man was rude, the man needs some 13 personal -- he needs some social skills, if you 14 ask me, some training. 15 Q. And do you remember him saying anything 16 else other than what you testified to? 17 A. And then I told him, what do you mean? 18 He goes, don't pretend you don't know what this 19 is about, you know exactly what you did. 20 Q. Okay. 21 A. And at that point I got on the phone, 22 attempted to call Chief Rivera. 23 Q. Did you reach Chief Rivera? 24 A. Yeah. I was in the middle of a

<p style="text-align: right;">Page 77</p> <p>1 conversation with him. I don't know if he -- it 2 seemed to me like he wasn't aware of what was 3 going on. 4 Q. Okay. 5 A. I told him where we were at. Pigott 6 ordered me to get off the phone. 7 Q. Okay. 8 A. He said, you don't take no breaks here, 9 you're not going to be walking out when you 10 feel, you're not going to do what you please. 11 Q. So you had walked outside of the 12 building to use the phone? 13 A. I walked into the vestibule and he 14 followed me in there. 15 Q. Okay. 16 A. And then he said, and you don't use 17 your phones here like you want to. And I said, 18 well, there's somebody here that wants to speak 19 to you and I handed the phone to Lieutenant 20 Pigott. 21 Q. Okay. 22 A. And then they had a conversation, which 23 I don't know what was said between the two. 24 Q. Okay. And after Chief Rivera spoke</p>	<p style="text-align: right;">Page 79</p> <p>1 A. Because we were still active in the 2 field. 3 Q. But he indicated that you were being 4 retreaded and then you and your partner were 5 going to be sent back to districts, correct? 6 A. Yes. I mean, he was firm about that. 7 Q. Okay. And, in fact, you and your 8 partner never were sent back to patrol, correct? 9 A. Correct. 10 Q. And do you have any knowledge of what 11 happened or who intervened to cause that not to 12 happen? 13 A. I want to say at that time, the academy 14 fell under Chief Skahill. 15 Q. Okay. 16 A. And I believe she intervened. 17 Q. Okay. Did Chief Skahill or anyone else 18 tell you that or that's your assumption? 19 A. I want to say she may have said 20 something to us. I can't give you the exact 21 detail of the conversation. 22 Q. Okay. 23 A. You know, it was a very difficult time. 24 Q. Okay.</p>
<p style="text-align: right;">Page 78</p> <p>1 with Lieutenant Pigott, did you take the phone 2 back and speak again with Chief Rivera? 3 A. Yes. And he said, let me look into 4 what's going on. 5 Q. Okay. 6 A. I don't know what exactly has been 7 done, but, you know, I expect to hear from you 8 later in the day or something along that effect, 9 or meet me later in the day or something to that 10 effect. 11 Q. Okay. And obviously based on what 12 Lieutenant Pigott said, you then understood you 13 were at the academy to be retrained as part of a 14 process to be sent back to patrol, at least at 15 that time, correct? 16 A. That process was unheard of to me. 17 I'm unfamiliar with that -- people who get 18 retread is usually when people were like away 19 from the job, military, extended medical or 20 something. 21 Q. Okay. 22 A. But not in our situation or under our 23 circumstances. 24 Q. Okay.</p>	<p style="text-align: right;">Page 80</p> <p>1 A. And a lot of stress and, I mean like I 2 said, it was a sudden interruption of -- 3 Q. Okay. 4 A. It was just a situation that shouldn't 5 have happened. 6 Q. Okay. And you don't know, do you, 7 whether Deb Kirby had any role in preventing you 8 guys from being sent back to patrol, do you? 9 A. Other than the fact that she told 10 Rivera and Rivera told us that she denied 11 knowing us and that she wasn't going to 12 backpedal at that point, we were just going to 13 have to be the fall guys or the hit, take the 14 hit on it, comments to that effect. 15 Q. Other than that testimony, you don't 16 know, do you, whether Deb Kirby was involved in 17 stopping you guys from being sent back to 18 patrol? 19 A. Other than that, I can't tell you. 20 Q. Okay. And you also don't know whether 21 Chief Rivera was involved in stopping you guys 22 from being sent back to patrol, meaning you and 23 Officer Spalding? 24 A. Stopping us from going back? We</p>

<p>1 eventually went to work under him.</p> <p>2 Q. Okay.</p> <p>3 A. We went to Skahill and then again the</p> <p>4 shifting in command again.</p> <p>5 Q. Okay.</p> <p>6 A. And then eventually the Unit 126, which</p> <p>7 was the Audit Inspection Division fell under</p> <p>8 Rivera.</p> <p>9 Q. Okay. And I asked some bad questions.</p> <p>10 Let me ask it this way.</p> <p>11 A. All right.</p> <p>12 Q. At a certain point in time after you</p> <p>13 talked to Pigott, you were under the impression,</p> <p>14 you and Officer Spalding, that you were going to</p> <p>15 be sent back to patrol in a district, that never</p> <p>16 happened. Instead, you were then detailed to</p> <p>17 Unit 126 Inspections, correct?</p> <p>18 A. Inspections slash Audit, correct.</p> <p>19 Q. Okay. Do you have any knowledge as to</p> <p>20 who was responsible for the decision to send you</p> <p>21 to Inspections instead of back to patrol?</p> <p>22 A. I would say -- if I had to say it, I</p> <p>23 would say it was Tina Skahill because</p> <p>24 Inspections fell under her.</p>	Page 81	<p>1 to Paragraph 50 on the Amended Complaint. It</p> <p>2 indicates that because Plaintiffs had been</p> <p>3 labeled rats, they lost their specialized</p> <p>4 assignments, weekends and holidays off,</p> <p>5 take-home vehicle and the ability to work</p> <p>6 unlimited overtime.</p> <p>7 What do you mean by -- what's the basis</p> <p>8 for the allegation in Paragraph 50?</p> <p>9 A. Well, we're still assigned to -- even</p> <p>10 to this day, we're still assigned to Narcotics.</p> <p>11 But I believe we're not welcome there still to</p> <p>12 this day.</p> <p>13 So that would not make it a -- an elite</p> <p>14 unit, Narcotics was considered an elite unit.</p> <p>15 They had take-home cars there. You had</p> <p>16 weekdays, weekends off.</p> <p>17 Q. Okay.</p> <p>18 A. Or you also had different days off.</p> <p>19 Some people had weekends, some people had</p> <p>20 Friday, Saturday, Sunday, Monday, whatever,</p> <p>21 holidays off. Like I said take-home vehicles.</p> <p>22 Q. Okay.</p> <p>23 A. Search warrants enabled you to get</p> <p>24 overtime.</p>	Page 83
<p>1 Q. Okay.</p> <p>2 A. So it would have to be her.</p> <p>3 Q. Okay. But you don't know as you sit</p> <p>4 here whether --</p> <p>5 A. Yeah, I would say yes. Because there</p> <p>6 was a conversation I had with Tina Skahill later</p> <p>7 on after we were in Inspections.</p> <p>8 Q. Yes.</p> <p>9 A. And she said, we don't do that to our</p> <p>10 people. Not after what you and your partner did</p> <p>11 coming forward, we don't do that to our people.</p> <p>12 We don't throw our people back there like that.</p> <p>13 It's a safety concern for you guys.</p> <p>14 Q. Okay.</p> <p>15 A. So I would say Tina Skahill.</p> <p>16 Q. Okay. And you don't have any personal</p> <p>17 knowledge of whether Deb Kirby agreed with Tina</p> <p>18 Skahill to transfer you to 126?</p> <p>19 A. No.</p> <p>20 Q. Okay. And do you have any personal</p> <p>21 knowledge of whether Juan Rivera agreed with</p> <p>22 Tina Skahill that you should go to 126?</p> <p>23 A. No.</p> <p>24 Q. Okay. If I could direct your attention</p>	Page 82	<p>1 Q. Okay.</p> <p>2 A. Depending on the search warrant itself.</p> <p>3 Q. But you weren't allowed to work</p> <p>4 unlimited overtime?</p> <p>5 A. No, no.</p> <p>6 Q. Okay.</p> <p>7 A. So that's what I mean by that.</p> <p>8 Q. Okay. So Paragraph 50 you're talking</p> <p>9 about the difference of being in Narcotics and</p> <p>10 not being in Narcotics?</p> <p>11 A. I'm talking about in being Narcotics</p> <p>12 and not allowed to be doing that, having the</p> <p>13 benefit of that.</p> <p>14 Q. Okay.</p> <p>15 A. Because I'm still in Narcotics</p> <p>16 assigned.</p> <p>17 Q. Okay. How long were you told to report</p> <p>18 I guess to the police academy, do you recall?</p> <p>19 A. It wasn't a day, I'll tell you that.</p> <p>20 Q. Okay.</p> <p>21 A. I couldn't tell you. It was an</p> <p>22 extended time. To kind of give you a time</p> <p>23 frame, we were even there when the Mayor's</p> <p>24 detail -- when the Mayor switched over and Rahm</p>	Page 84

<p style="text-align: right;">Page 85</p> <p>1 Emanuel became Mayer. He brought in, I guess, 2 his personnel or selected personnel to be part 3 of his detail and the officers that were there 4 for Daley, they got also -- 5 Q. Okay. 6 A. So that kind of gives you a time frame 7 of when those chain of events or how long we 8 stayed there. Because we stayed there after 9 that, too. 10 Q. Okay. So you were at the police 11 academy, Chief Rivera had told you essentially 12 let me work on this, and then you learned that 13 you're going to be detailed to Inspections, 14 correct? 15 A. Correct. 16 Q. Okay. And my understanding, you were 17 at the police academy maybe a couple of weeks. 18 Does that sound -- 19 A. It seemed longer than that. 20 Q. Yeah. 21 A. But I couldn't tell you. 22 Q. You don't know for sure? 23 A. It felt like an elephant pregnancy, if 24 you ask me. We were there for years.</p>	<p style="text-align: right;">Page 87</p> <p>1 you want. 2 Q. Okay. And -- 3 A. It was humiliating, if you ask me. 4 Q. Okay. And were you asked at some point 5 to also teach some sort of training at the 6 police academy? 7 A. At one time we went there. We were 8 there at the academy, then we were with Tina 9 Skahill. Then we thought we were going back to 10 training at the academy and I guess it wasn't 11 training, but it was some in-car camera 12 assistance or something like that. 13 Q. Okay. 14 A. And it was -- 15 Q. Were you asked to take some training or 16 conduct some training on the in-car cameras? 17 A. I was under the impression that it was 18 to take in-car camera training. 19 Q. Okay. 20 A. And it wasn't, I guess. 21 Q. Okay. 22 A. Once we got there, it was something 23 different. 24 Q. What was it once you got there?</p>
<p style="text-align: right;">Page 86</p> <p>1 Q. That's fine. 2 A. I apologize. 3 Q. No. That's -- 4 A. It's just sometimes you've got to look 5 at things with -- I mean, it's helped me move -- 6 Q. It's your case. 7 A. It helps me move forward with this. I 8 don't feel I should be sitting here to begin 9 with with all this nonsense, just because I did 10 the right thing with my partner. 11 Q. Okay. During the days that you were I 12 guess detailed to the police academy, do you 13 recall what you and Officer Spalding did or were 14 asked to do? 15 A. We often sat there doing nothing. We 16 sat there with recruits, we sat there with -- 17 sometimes the same class repetitively, sometimes 18 people wouldn't even show up, instructors and 19 we'd just sit there. 20 Q. So you sat through some training 21 classes, correct? 22 A. Very few. 23 Q. Okay. 24 A. What they would -- sure. Say that, if</p>	<p style="text-align: right;">Page 88</p> <p>1 A. Once I got there, I guess it was to 2 help instruct in-car training. 3 Q. Okay. 4 A. But I thought it was -- 5 Q. Okay. Did you have any knowledge of 6 whose decision it was to ask you to help 7 instruct in-car training? 8 A. Off the top of my head, I -- since the 9 academy fell under Tina Skahill -- 10 Q. Yes. 11 A. -- I would say it would be safe to say 12 Tina Skahill. 13 Q. Okay. 14 A. I mean, if this -- does that answer? 15 Q. Sure. 16 A. Okay. 17 Q. Do you recall at some point earlier 18 when you were reporting to the FBI and after the 19 August, 2008 meeting so -- 20 A. Okay. 21 Q. -- people in the City, some people are 22 aware that you're working with Brass Tax, you're 23 reporting to the FBI. Do you remember at some 24 point being told by the FBI that they no longer</p>

<p>1 wanted you and Officer Spalding reporting 2 there? 3 A. You know, there was a time where the 4 investigation did go idle but Watts had suffered 5 some injury or something, so the investigation 6 went idle. And then there was some stuff with 7 the agent where at that time that went idle, as 8 well, and then we started reporting directly for 9 Chief Rivera. 10 Q. Okay. Do you remember a situation 11 where you and your partner had been accused of 12 either stealing or losing -- 13 A. I think I'd be locked up if I was 14 accused of stealing a federal something, 15 anything. I don't think I'd be sitting here. 16 Q. Do you recall a point in time where you 17 or your partner had been accused of either 18 stealing or losing some piece of equipment and 19 as a result you were told, don't report any more 20 to the FBI? 21 A. I remember an incident with the agent 22 where he asked for a recording device -- 23 Q. Yes. 24 A. -- to be returned. The recording</p>	<p>Page 89 1 them. 2 Q. Okay. 3 A. So I wouldn't -- I don't know how you 4 want to take it. 5 Q. Sometime later you were recontacted? 6 A. Yeah. If you want to take it as no or 7 idle or however you want to interpret it. My 8 interpretation is they contacted us again, so I 9 would say no. 10 Q. When they contacted you again to -- did 11 they ask you to start reporting directly to the 12 FBI building again? 13 A. Yes. We would report -- we would go 14 through -- at that point we were in 126. 15 Q. Yes. 16 A. And from my understanding, we were 17 supposed to be on the sheets for 126 -- 18 Q. Yes. 19 A. -- to do Brass Tax. Almost like the 20 543 situation but through 126. And then report 21 to them as the investigation started to move 22 forward again. 23 Q. Sure, okay. And when they, as you say, 24 kind of called you back to the investigation,</p>
<p>Page 90 1 device was in the vehicle and he had surprised 2 the vehicle. So at that point the vehicle was 3 being swapped out or had been swapped out 4 already and he was disturbed because of that, 5 and maybe that led to his anger. 6 Q. Okay. 7 A. But I guess the equipment he borrowed 8 and didn't necessarily assign it out, was my 9 understanding, and that's why the guy was kind 10 of hot. 11 Q. Okay. So you do recall Agent [REDACTED] 12 [REDACTED] getting angry about this device issue and 13 he told you all that he didn't want you 14 reporting to the FBI any more, correct? 15 A. He said -- I don't know exact words. I 16 mean, it was kind of like an awkward moment. 17 But at that point we did go straight to Chief 18 Rivera and started reporting to him and 19 continued the investigation through him. 20 Q. And you understand that the FBI did not 21 want you reporting directly to them any more, 22 correct? 23 A. Sure, I guess you can say that if you 24 want. It went idle. But we were recontacted by</p>	<p>Page 90 1 had the investigator changed? It was no longer 2 [REDACTED]? 3 A. Yes. 4 Q. Okay. 5 A. Do you want to know the agent's name? 6 Q. Sure. 7 A. It's [REDACTED]. 8 Q. Thanks. 9 A. That was the final agent that -- 10 Q. Okay. 11 A. I think there was another one, but -- 12 it changed two or three times, but this was the 13 last guy. 14 Q. Okay. 15 A. And at that point we were also 16 reporting to -- it wasn't to Tom Chester 17 anymore. Al Bohmer, Sergeant Al Bohmer. 18 Q. Okay. At the time of the August, 2008 19 meeting with Chief Skahill and others that you 20 testified to, do you recall who your sergeant in 21 Narcotics was at that point? 22 A. Say that again? 23 Q. At the time of the August, 2008 meeting 24 with Chief Skahill and the others --</p>

<p>1 A. The initial meeting?</p> <p>2 Q. Yes, that you testified to earlier.</p> <p>3 A. Tom Chester. Oh, Narcotics?</p> <p>4 Q. Yes. Who was your sergeant in</p> <p>5 Narcotics at that point in time?</p> <p>6 A. Roderick Watson.</p> <p>7 Q. Okay. And do you recall who the</p> <p>8 lieutenant was above him?</p> <p>9 A. It may have still been Cervanka.</p> <p>10 Q. Okay. And, again, prior to that</p> <p>11 meeting, the August, 2008 meeting, do you have</p> <p>12 any knowledge of whether or not Lieutenant</p> <p>13 Cervanka knew that you were spending some of</p> <p>14 your time working on this Watts investigation</p> <p>15 with the FBI?</p> <p>16 A. Yeah, because it was my personal time.</p> <p>17 Q. I understand. Even assuming it was</p> <p>18 your personal time, do you have any knowledge of</p> <p>19 Lieutenant Cervanka being aware of that?</p> <p>20 A. No.</p> <p>21 Q. Okay. So you then get -- you and</p> <p>22 Officer Spalding get reassigned to Inspections</p> <p>23 Unit 126. Our records indicate that that was</p> <p>24 effective May 22, 2011. Any reason to believe</p>	Page 93	<p>1 time there that you were under Lieutenant</p> <p>2 Pascua?</p> <p>3 A. Too long.</p> <p>4 Q. Okay. Any recollection of how long?</p> <p>5 A. Since day one, I don't -- the first day</p> <p>6 there, we reported to her.</p> <p>7 Q. Right. Do you remember when it changed</p> <p>8 that you started reporting to Lieutenant</p> <p>9 Sadowski?</p> <p>10 A. It changed after we voiced our opinion</p> <p>11 about Lieutenant Pascua.</p> <p>12 Q. Okay.</p> <p>13 A. But I can't tell you if it was a month</p> <p>14 or two months.</p> <p>15 Q. That's fine. Paragraph 57 says,</p> <p>16 Defendant Lieutenant Pascua called Plaintiffs</p> <p>17 rat motherfuckers and told them that she did not</p> <p>18 want them in the unit.</p> <p>19 What's the basis for that allegation?</p> <p>20 A. It came out of her mouth.</p> <p>21 Q. Okay. You heard that come out of her</p> <p>22 mouth?</p> <p>23 A. Yeah.</p> <p>24 Q. Okay. And approximately how soon after</p>	Page 95
<p>1 that is not correct?</p> <p>2 A. I mean, unless I see a document to say</p> <p>3 that's the exact date --</p> <p>4 Q. Sure.</p> <p>5 A. -- I can't tell you what date it was.</p> <p>6 I mean, it wasn't in the winter. I can tell you</p> <p>7 it was somewhat warm or spring-like or</p> <p>8 something.</p> <p>9 Q. Okay. As far as you know, May, 2011?</p> <p>10 A. Sure, if you want to say that.</p> <p>11 Q. Okay. And then directing your</p> <p>12 attention to Paragraph 56 of the Complaint. In</p> <p>13 the following paragraphs it indicates that</p> <p>14 throughout the time that you were detailed to</p> <p>15 126, that you were subjected to some harassment</p> <p>16 and hostility by Lieutenant Pascua, correct?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. Now, am I correct that part of</p> <p>19 the time that you were in Inspections, you were</p> <p>20 under or reporting to Lieutenant Pascua and at a</p> <p>21 certain point that changed to Lieutenant</p> <p>22 Sadowski, correct?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Do you recall how long your</p>	Page 94	<p>1 you started at Inspections did that happen?</p> <p>2 A. Immediately. You know, I don't want to</p> <p>3 say it happened the next day.</p> <p>4 Q. Sure.</p> <p>5 A. But as time went on, she started</p> <p>6 voicing some of her opinions.</p> <p>7 Q. And where were you when you heard her</p> <p>8 out of her mouth say --</p> <p>9 A. In the office.</p> <p>10 Q. Okay. Do you recall who else was</p> <p>11 present?</p> <p>12 A. At times she would say it in front of</p> <p>13 other personnel up there, other lieutenants, her</p> <p>14 sergeant.</p> <p>15 Q. You said you heard it yourself?</p> <p>16 A. Yes, I did.</p> <p>17 Q. Okay. Do you recall on the occasion</p> <p>18 when you heard it yourself, who, if anyone, else</p> <p>19 was present?</p> <p>20 A. Her sergeant.</p> <p>21 Q. And who was that?</p> <p>22 A. Janice Barney.</p> <p>23 Q. Okay. Was anyone else present?</p> <p>24 A. I mean, it's an office, there's people</p>	Page 96

<p style="text-align: right;">Page 97</p> <p>1 present. On the other side of the cubical, in 2 front of the cubical, in front of me. I mean, 3 everything is within earshot. So if they want 4 to say they heard it, I'm sure they did; if they 5 want to deny they heard it, they're going to 6 deny it. But I know it came out of her mouth.</p> <p>7 Q. Okay. And was Officer Spalding also 8 present?</p> <p>9 A. Sure.</p> <p>10 Q. Okay.</p> <p>11 A. She was a present during a lot of her 12 comments. Some of her comments were made 13 directly to her, some of the comments were made 14 directly to me.</p> <p>15 Q. Okay.</p> <p>16 A. A lot of her comments were made to both 17 of us.</p> <p>18 Q. Okay. We're going to talk about all of 19 them.</p> <p>20 A. Okay, good.</p> <p>21 Q. So --</p> <p>22 A. She would spread the word, too.</p> <p>23 Q. Okay. So Paragraph 57 you've just been 24 testifying about hearing her from her mouth</p>	<p style="text-align: right;">Page 99</p> <p>1 about it?</p> <p>2 A. I looked at her and she looked at me 3 like she was surprised I caught her and she 4 turned around and walked away.</p> <p>5 Q. Okay.</p> <p>6 A. I mean, I worked surveillance in 7 Narcotics, so I would know if somebody is 8 following me. And I know that she was following 9 me and I double backed her and I caught her 10 following me.</p> <p>11 Q. During this period of time that you're 12 talking about, you were both -- you and Officer 13 Spalding were both doing work in the Inspections 14 unit and also spending some of your time on the 15 Watts investigation, correct?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. And what kind of 18 responsibilities did you have in the Inspection 19 unit?</p> <p>20 A. Nothing.</p> <p>21 Q. Okay.</p> <p>22 A. I think we got a whole three 23 assignments or four assignments the whole time 24 we were there.</p>
<p style="text-align: right;">Page 98</p> <p>1 refer to you I guess and Officer Spalding as rat 2 motherfuckers. Other than that occasion, did 3 you ever hear her refer to you as rat 4 motherfuckers?</p> <p>5 A. That occasion. I mean, there were many 6 occasions she would have out loud within 7 earshot. She would make comments that she's a 8 lawyer, she knows how to put a case together. 9 She would say, rat motherfuckers from 10 Narcotics --</p> <p>11 Q. Okay.</p> <p>12 A. -- we don't need them up here. We 13 don't need nobody watching us. I mean, many 14 comments.</p> <p>15 Q. Okay.</p> <p>16 A. Many incidents.</p> <p>17 Q. Okay.</p> <p>18 A. She even followed us in the parking 19 lot -- or followed me in the parking lot.</p> <p>20 Q. Okay.</p> <p>21 A. I mean, I don't know why she was doing 22 it, but I double backed her and I caught her 23 following me.</p> <p>24 Q. Okay. Did you say anything to her</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. Okay. And do you recall what those 2 assignments consisted of?</p> <p>3 A. Some light data entry.</p> <p>4 Q. Okay.</p> <p>5 A. I mean, light.</p> <p>6 Q. Okay.</p> <p>7 A. There was a time I think they were 8 auditing some equipment when -- I don't know if 9 it was the TRU Unit or something got dismantled 10 or something along those lines.</p> <p>11 Q. Okay.</p> <p>12 A. Some fire drills.</p> <p>13 Q. Okay.</p> <p>14 A. And then a lot of times chauff -- for 15 being her chauffeur or for her personal 16 business.</p> <p>17 Q. Okay. Now, on days that you either 18 came into the office in Inspections but then 19 went out to work on Operation Brass Tax or you 20 just went directly out to work on Operation 21 Brass Tax, were you supposed to inform 22 Lieutenant Pascua, we won't be in today, we're 23 doing something else?</p> <p>24 A. We would do so.</p>

<p style="text-align: right;">Page 101</p> <p>1 Q. You were supposed to and your testimony 2 is you would do so?</p> <p>3 A. Yes.</p> <p>4 Q. Okay.</p> <p>5 A. Whether it was her or Sadowski.</p> <p>6 Q. Okay.</p> <p>7 A. When the change in lieutenants came, 8 there was times he would -- she was informed, 9 Pascua, and there was times where the lieutenant 10 was informed.</p> <p>11 Q. Let's just talk about the period with 12 Lieutenant Pascua.</p> <p>13 A. Okay.</p> <p>14 Q. Is it your testimony that you always 15 did that without fail?</p> <p>16 A. Without fail.</p> <p>17 Q. Without fail, okay.</p> <p>18 And what would you tell Lieutenant 19 Pascua or Lieutenant Sadowski you were doing 20 when you weren't coming in?</p> <p>21 A. At that point, they knew we were doing 22 something with the FBI, so we would say we're 23 going to report to Sergeant Bohmer --</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 103</p> <p>1 building.</p> <p>2 Q. Okay.</p> <p>3 A. I mean, we have to give her specifics.</p> <p>4 Q. Sure.</p> <p>5 A. I mean, we wouldn't tell her what it 6 involved, who it involved or --</p> <p>7 Q. Sure.</p> <p>8 A. But we told her where we would be and 9 who we were reporting to.</p> <p>10 Q. Okay.</p> <p>11 A. And I'm sure Sergeant Bohmer had 12 conversations with that unit, as well.</p> <p>13 Q. Okay.</p> <p>14 A. And maybe even Tom Chester.</p> <p>15 Q. Okay.</p> <p>16 A. Do you want to know what my first day 17 was like there?</p> <p>18 Q. Your first day in --</p> <p>19 A. In Inspections?</p> <p>20 Q. -- the Inspections?</p> <p>21 A. Yeah.</p> <p>22 Q. No, I don't want to know what your 23 first day was like there.</p> <p>24 A. Okay.</p>
<p style="text-align: right;">Page 102</p> <p>1 A. -- and we would go to 2111 Roosevelt.</p> <p>2 Q. And what's your understanding of how 3 Lieutenant Pascua learned that you were doing 4 something with the FBI at that time?</p> <p>5 A. Well, when we started doing Brass Tax, 6 then she -- she would -- she knew. But I think 7 she knew prior to that what we were doing. Who 8 made her aware of it, I can't tell you.</p> <p>9 Q. When you were --</p> <p>10 A. Because I don't know.</p> <p>11 Q. Okay. When you were transferred over 12 to the Inspection Division or any time after 13 that, did you or Officer Spalding tell 14 Lieutenant Pascua that you were working on 15 Operation Brass Tax?</p> <p>16 A. No.</p> <p>17 Q. Did you or Officer Spalding tell 18 Lieutenant Pascua that you were working on a 19 confidential investigation with the FBI?</p> <p>20 A. Not until Brass Tax, we needed to go 21 to, then we would say, we're going to report to 22 Al Bohmer.</p> <p>23 Q. Okay.</p> <p>24 A. We're going to report to the FBI</p>	<p style="text-align: right;">Page 104</p> <p>1 Q. But I'm sure you'll find a way to tell 2 me.</p> <p>3 A. Do you want to know? I mean --</p> <p>4 Q. No. Let me ask you this.</p> <p>5 A. Okay.</p> <p>6 Q. You testified about one incident where 7 you personally heard in earshot Lieutenant 8 Pascua referring to you as rat motherfuckers. 9 With respect to similar comments, rats, et 10 cetera --</p> <p>11 A. Yes.</p> <p>12 Q. -- did you personally hear Lieutenant 13 Pascua saying that on any other occasion?</p> <p>14 A. Yeah, many occasions.</p> <p>15 Q. On many occasions?</p> <p>16 A. Yeah.</p> <p>17 Q. Okay.</p> <p>18 A. She would say that as she would walk by 19 my cubical.</p> <p>20 Q. Okay.</p> <p>21 A. I mean, we were the only two up there 22 from Narcotics, so why say it.</p> <p>23 Q. Okay.</p> <p>24 A. Unless she had Tourette's or something.</p>

<p>1 Q. Okay.</p> <p>2 A. That woman was something.</p> <p>3 Q. And you said it didn't happen right</p> <p>4 away?</p> <p>5 A. No.</p> <p>6 Q. About how long do you think you were</p> <p>7 there before her first --</p> <p>8 A. Outburst.</p> <p>9 Q. -- outburst, as you refer to it?</p> <p>10 Referencing you being rats or doing work with</p> <p>11 the FBI.</p> <p>12 A. It didn't take much time.</p> <p>13 Q. Okay.</p> <p>14 A. A couple weeks, a best guess. I'm</p> <p>15 guessing. I mean, I can't tell you a definite,</p> <p>16 oh, ten days and then it kicked in.</p> <p>17 Q. Sure, that's fine.</p> <p>18 A. I mean, it was -- and it also became</p> <p>19 progressive. It wasn't like subtle, it was --</p> <p>20 it progressed.</p> <p>21 Q. Okay. Do you have any personal</p> <p>22 knowledge of James O'Grady telling anyone in</p> <p>23 Inspections that you and Officer Spalding had</p> <p>24 worked on Operation Brass Tax?</p>	Page 105	Page 107
<p>1 A. I can't say that.</p> <p>2 Q. Okay. So other than -- well, strike</p> <p>3 that.</p> <p>4 So it's your testimony then on many</p> <p>5 occasions Lieutenant Pascua would make reference</p> <p>6 to you and Officer Spalding as rats or similar</p> <p>7 comments?</p> <p>8 A. Yes. She wasn't the only one, but she</p> <p>9 was primarily the one.</p> <p>10 Q. Okay. Was there anyone else in the</p> <p>11 Inspections Division that made such comments?</p> <p>12 A. Yeah, Jan Barney.</p> <p>13 Q. And Jan Barney.</p> <p>14 A. That was her --</p> <p>15 Q. How many times do you recall Jan Barney</p> <p>16 making such comments?</p> <p>17 A. As many times as -- I mean, it was,</p> <p>18 like as I said, it's many. I mean, not one, not</p> <p>19 two, many.</p> <p>20 Q. Okay. So you heard Jan Barney many</p> <p>21 times --</p> <p>22 A. Yes.</p> <p>23 Q. -- refer to you and Officer Spalding as</p> <p>24 rats?</p>	Page 106	Page 108
<p>1 Q. Okay.</p> <p>2 A. They made it no secret that they knew</p> <p>3 what we were doing or have done or are still</p> <p>4 doing. I mean, they never said, I know you're</p> <p>5 doing Brass Tax, I know you're working on Watts.</p> <p>6 They never made that comment.</p> <p>7 Q. Okay.</p> <p>8 A. It would be unfair of me to say so.</p> <p>9 Q. Okay.</p> <p>10 A. But they knew we were doing IAD.</p> <p>11 Q. Okay. And other than Lieutenant Pascua</p> <p>12 and Jan Barney, did you ever hear anyone else in</p> <p>13 the Inspections unit refer to you as rats or rat</p> <p>14 motherfuckers or similar comments?</p> <p>15 A. Prime, the main person there making</p> <p>16 those comments was Lieutenant Pascua.</p> <p>17 Q. Okay. No one other than Pascua and</p> <p>18 Barney, correct?</p> <p>19 A. Barney was like her right hand. So if</p> <p>20 Pascua said jump, she'd say, how high.</p> <p>21 Q. No one other than Pascua and Barney,</p> <p>22 correct?</p> <p>23 A. Correct, we can say that.</p> <p>24 Q. Okay. And then at a certain point</p>		

<p>1 you --</p> <p>2 A. No, let's backtrack. There was an</p> <p>3 officer there, George Flores.</p> <p>4 Q. Okay.</p> <p>5 A. Who also went around the unit. Not 126</p> <p>6 as much, but it was like -- I don't know if it</p> <p>7 was another -- it was a different area on the</p> <p>8 same floor, I don't know within like 50, 60 feet</p> <p>9 from where we would sit. It was also</p> <p>10 partitioned off. It was -- I don't know if it</p> <p>11 was the CAPS unit or Domestic Violence unit</p> <p>12 where George Flores sat.</p> <p>13 And he would go around speaking to</p> <p>14 other employees up there, whether they were</p> <p>15 civilian or sworn, saying that, you know, we're</p> <p>16 there to watch them and we're there -- we're</p> <p>17 from IAD and we're there to build a case on</p> <p>18 people there.</p> <p>19 Q. Okay. Did you personally hear George</p> <p>20 Flores saying these things or someone told you?</p> <p>21 A. Somebody told us.</p> <p>22 Q. Okay. Do you recall who told you</p> <p>23 George Flores said such things?</p> <p>24 A. I want to say her name was Robinson,</p>	<p>Page 109</p> <p>1 this personally?</p> <p>2 A. Yeah. She told my partner and myself.</p> <p>3 Q. Okay.</p> <p>4 A. Or I was present during it.</p> <p>5 Q. Okay. And in Paragraph 60 of the</p> <p>6 Complaint, there's an allegation that Lieutenant</p> <p>7 Pascua said, fuck them from Narcotics, I'm a</p> <p>8 lawyer, I know how to put a case together, I'm</p> <p>9 going to work on getting them fucking launched.</p> <p>10 A. Yes.</p> <p>11 Q. Did you personally hear that, her</p> <p>12 stating that?</p> <p>13 A. Yeah. It came out of her mouth.</p> <p>14 Q. All right. And that particular</p> <p>15 reference to being a lawyer and putting a case</p> <p>16 on you --</p> <p>17 A. That's what I testified before.</p> <p>18 Q. Okay.</p> <p>19 A. Yes.</p> <p>20 Q. And that only occurred once, correct?</p> <p>21 A. That sentence, yeah. That statement.</p> <p>22 Q. Okay.</p> <p>23 A. But, I mean, she'd make comments</p> <p>24 constantly.</p>
<p>1 the last name.</p> <p>2 Q. Okay.</p> <p>3 A. I can't think of her first name right</p> <p>4 now. Aileen, Aileen, something like that.</p> <p>5 Q. Do you know what her position was?</p> <p>6 A. I think she was a civilian up there.</p> <p>7 Q. Okay.</p> <p>8 A. And I think she said something to the</p> <p>9 effect of Flores was -- that she thought we</p> <p>10 should know what Flores is saying and Flores can</p> <p>11 say that with certainty because it came from</p> <p>12 Lieutenant Pascua because they were very close</p> <p>13 together.</p> <p>14 Q. Okay. And Ms. Robinson worked in the</p> <p>15 Inspections Division?</p> <p>16 A. I want to say it was a different area</p> <p>17 of the office.</p> <p>18 Q. But on the same floor?</p> <p>19 A. But on the same floor. Like I said,</p> <p>20 within 60 feet or so.</p> <p>21 Q. Okay.</p> <p>22 A. I want to say it was a Domestic</p> <p>23 Violence or CAPS type of setting there.</p> <p>24 Q. Okay. And did Ms. Robinson tell you</p>	<p>Page 110</p> <p>1 Q. Okay. And then the next paragraph</p> <p>2 says, on September 13, 2011, you met with</p> <p>3 Commander Stanley?</p> <p>4 A. What paragraph?</p> <p>5 Q. 61. I'm sorry.</p> <p>6 A. Okay.</p> <p>7 Q. And I'm just going to ask you about</p> <p>8 that meeting --</p> <p>9 A. Okay.</p> <p>10 Q. -- with Commander Stanley. Was that</p> <p>11 you and Officer Spalding and Commander Stanley</p> <p>12 present?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. What do you recall being said by</p> <p>15 any of the participants in that meeting?</p> <p>16 A. Well, I know I addressed my concerns</p> <p>17 about Pascua's unprofessional conduct, I know my</p> <p>18 partner, Shannon Spalding, addressed the same</p> <p>19 comments, the comments that we testified</p> <p>20 before -- I testified before.</p> <p>21 Q. I'm going to need you to tell me as</p> <p>22 best as you can recall, specifically what you or</p> <p>23 Officer Spalding said to Commander Stanley.</p> <p>24 A. I told her, it's very hostile up there,</p>

<p style="text-align: right;">Page 113</p> <p>1 we feel unwanted, the comments and I quoted the 2 comments.</p> <p>3 Q. Which comments do you recall quoting to 4 her?</p> <p>5 A. Fuck them from Narcotics, I'm a case -- 6 I'm a manager -- I'm a lawyer, I know how to put 7 a case. We expressed that she stated that she 8 wants to get us -- she's working on getting us 9 launched, she called us rat motherfuckers. Just 10 total, you know, unprofessional stuff that you 11 wouldn't expect from --</p> <p>12 Q. Sure. And what do you recall Commander 13 Stanley saying?</p> <p>14 A. She said that she don't want to hear 15 it. In fact, she would interrupt me and my 16 partner when we were in the middle of doing a 17 statement to her. And she would repeat, I don't 18 want to hear it. We told her, we want a 19 complaint from this. And she said, you're not 20 going to get it here.</p> <p>21 Q. Okay.</p> <p>22 A. She said, if you want a complaint, a 23 CR, if that's what you're asking for, and she 24 pointed like to the area where IAD would be at,</p>	<p style="text-align: right;">Page 115</p> <p>1 Q. She said she may address it?</p> <p>2 A. Yeah.</p> <p>3 Q. Okay. Do you recall her saying 4 anything else?</p> <p>5 A. That was it.</p> <p>6 Q. Okay. And following that meeting at 7 some point your reporting assignment was changed 8 from Lieutenant Pascua to Lieutenant Sadowski, 9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. Do you remember how soon after that 12 meeting that occurred?</p> <p>13 A. There was a meeting I think Adrienne 14 Stanley had where -- like a staff meeting.</p> <p>15 Q. Okay.</p> <p>16 A. And I don't know if they had those 17 regularly or if that was her way of addressing 18 it during a staff meeting.</p> <p>19 Q. Sure, sure.</p> <p>20 A. But I think that infuriated Pascua even 21 more.</p> <p>22 Q. Okay. And what do you remember 23 Commander Stanley saying in that staff meeting 24 about?</p>
<p style="text-align: right;">Page 114</p> <p>1 she said, you get it from them over there.</p> <p>2 Q. Okay.</p> <p>3 A. You're his people, is what she said.</p> <p>4 Q. Okay.</p> <p>5 A. At least that's what I recall her 6 saying.</p> <p>7 Q. Okay. Do you remember --</p> <p>8 A. I told her, no, you are going to hear 9 it, and I reiterated it. I'm sure she heard 10 every thing I had to say.</p> <p>11 Q. Okay.</p> <p>12 A. I mean, I heard what she said, I know 13 she had to hear what I said or at least 14 partially.</p> <p>15 Q. Okay. And do you recall anything else 16 Commander Stanley said in that meeting?</p> <p>17 A. She said that she's not -- like I said, 18 she said she's not going to take that -- she 19 won't take the number if we wanted it. She 20 pointed towards the IAD section.</p> <p>21 Q. Okay.</p> <p>22 A. She said that she's going to -- I want 23 to say she may go -- she may address it, is what 24 she said.</p>	<p style="text-align: right;">Page 116</p> <p>1 A. She emphasized professionalism, she 2 emphasized something about working together. But 3 it didn't seem to me that she was being very 4 specific to what I had expressed concerns or 5 what Shannon had -- Officer Spalding had 6 expressed concerns. It seemed like a very 7 broad, vague statement to me.</p> <p>8 Q. Okay.</p> <p>9 A. But then --</p> <p>10 Q. But she held a staff meeting and she 11 discussed along the lines of people being 12 respectful and working well together; is that 13 fair?</p> <p>14 A. Yeah, something like that may have -- 15 but it's like a very vague statement.</p> <p>16 Q. Okay.</p> <p>17 A. It didn't seem like it was 18 addressing --</p> <p>19 Q. She didn't mention you or Officer 20 Spalding specifically, correct?</p> <p>21 A. No.</p> <p>22 Q. Okay. In that same staff meeting, did 23 she announce that you were now going to be 24 reporting to Lieutenant Sadowski?</p>

<p>1 A. I don't know -- no, not during that 2 meeting. I don't know if later on she told us 3 or I think Lieutenant Sadowski may have 4 approached us and said that we were going to 5 report to him.</p> <p>6 Q. Okay. Do you think that was after that 7 staff meeting that you learned you were 8 reporting to Sadowski or before?</p> <p>9 A. I want to say after it.</p> <p>10 Q. Okay. How long after the staff meeting 11 do you think that?</p> <p>12 A. I don't know, I don't know. I couldn't 13 tell you a time frame.</p> <p>14 Q. Okay.</p> <p>15 A. It wasn't no hours after, you know.</p> <p>16 Q. Sure, sure.</p> <p>17 And do you recall approximately how 18 long after your meeting with Commander Stanley 19 that she held the staff meeting?</p> <p>20 A. I don't recall, either.</p> <p>21 Q. Okay.</p> <p>22 A. It wasn't hours after, either.</p> <p>23 Q. Sure.</p> <p>24 A. I mean, like said, there may have -- I</p>	<p>Page 117</p> <p>1 A. Because Mike, who used to sit there, 2 used to complain about the computer that doesn't 3 work there at all, either. So you can tell 4 somebody else that story.</p> <p>5 Q. All right.</p> <p>6 A. And I just said, well, then you know.</p> <p>7 Q. Okay.</p> <p>8 A. And he also said, maybe you should meet 9 with the commander.</p> <p>10 Q. Okay. Other than what you just 11 testified to, do you recall --</p> <p>12 A. I mean --</p> <p>13 Q. -- Lieutenant Sadowski saying anything 14 else in that conversation?</p> <p>15 A. No.</p> <p>16 Q. Okay. Now, when he referenced Mike, do 17 you know who he was referring to?</p> <p>18 A. There was a gentleman, an officer that 19 used to sit there.</p> <p>20 Q. Okay.</p> <p>21 A. And I think his name was Mike.</p> <p>22 Q. Okay. And did you understand his point 23 was that Mike had also had problems with 24 Lieutenant Pascua?</p> <p>Page 119</p>
<p>1 think they used to have these staff meetings 2 regularly and I think this was just something 3 that she used to --</p> <p>4 Q. Address the issues?</p> <p>5 A. -- attempt to address the issue, if you 6 ask me.</p> <p>7 Q. Okay, fair enough.</p> <p>8 MR. SMITH: Objection, foundation.</p> <p>9 THE WITNESS: And, in fact, when we met 10 with Adrienne Stanley, Lieutenant Sadowski had 11 approached us and he said that -- because, see, 12 I had moved my cubical. I moved from one 13 cubical to another. And I used the excuse as 14 the computer doesn't work there.</p> <p>15 BY MR. KING:</p> <p>16 Q. Okay.</p> <p>17 A. And Sadowski said, bullshit, I know why 18 you're moving, because you don't want to hear 19 her nonsense, her bullshit. And I said, what 20 are you talking about. He says, it's no secret, 21 it's no secret what she is up here and what 22 she's doing up here. I've heard it, I've 23 witnessed it.</p> <p>24 Q. Okay.</p>	<p>Page 118</p> <p>1 A. No.</p> <p>2 Q. Okay.</p> <p>3 A. I didn't understand that from that 4 conversation at all.</p> <p>5 Q. Okay.</p> <p>6 A. In fact, I think when he said that, he 7 knew what we were talking about. Because at 8 that point, even Shannon may have been present.</p> <p>9 He said -- I think we asked him as well about a 10 CR number. He said, oh, no, you talk to her 11 about that. Meaning Adrienne Stanley.</p> <p>12 Q. Sure. Do you recall specifically you 13 asked Sadowski about a CR number or are you not 14 sure?</p> <p>15 A. I want to say it's pretty sure.</p> <p>16 Q. Okay.</p> <p>17 A. I said, can't you address it with a 18 complaint? He said, no.</p> <p>19 Q. Okay, all right. And that's before 20 you --</p> <p>21 A. Something along those effect -- that 22 effect.</p> <p>23 Q. That's fine. And that's before you 24 have the meeting that you testified to with</p> <p>Page 120</p>

<p>1 Commander Stanley?</p> <p>2 A. Correct, yeah.</p> <p>3 Q. Okay. Once you're reassigned to</p> <p>4 Lieutenant Sadowski, is it your position that</p> <p>5 Lieutenant Pascua engaged in any further</p> <p>6 retaliation or harassment against you?</p> <p>7 A. Yeah, it would still continue.</p> <p>8 Q. What would still continue?</p> <p>9 A. Her comments. I mean, everybody sat</p> <p>10 there within earshot.</p> <p>11 Q. Okay.</p> <p>12 A. I mean, the Inspection Division may</p> <p>13 have been maybe this size on each side of the</p> <p>14 cubical. So it's not a big area, you know. And</p> <p>15 she was not quiet when she spoke. She don't --</p> <p>16 she spoke so that you can hear her, is the way</p> <p>17 she spoke.</p> <p>18 Q. Okay. After the commander holds a</p> <p>19 staff meeting and after you're reassigned to</p> <p>20 Lieutenant Sadowski, is it your testimony that</p> <p>21 after that, Lieutenant Pascua --</p> <p>22 A. Continued.</p> <p>23 Q. -- continued to refer to you as rats</p> <p>24 and rat motherfuckers and the like?</p>	<p>Page 121</p> <p>1 Sadowski didn't also refer to you all as rats or</p> <p>2 make similar comments, correct?</p> <p>3 A. No.</p> <p>4 Q. Is that correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. What do you mean in Paragraph 64</p> <p>7 that he repeatedly attempted to lodge false</p> <p>8 allegations against you?</p> <p>9 A. Well, he attempted to write me up. It</p> <p>10 had to do something along the lines of OPY and</p> <p>11 this -- some overtime or time due slip with some</p> <p>12 question.</p> <p>13 Q. Why don't we look at this document.</p> <p>14 (Whereupon, Echeverria</p> <p>15 Deposition Exhibit No. 5 was</p> <p>16 marked for identification.)</p> <p>17 BY MR. KING:</p> <p>18 Q. Officer Echeverria, I'm showing you a</p> <p>19 document that's been marked as Deposition</p> <p>20 Exhibit No. 5. It's a counseling session report</p> <p>21 with your name on it and Kevin Sadowski. Is</p> <p>22 this what you're referring to in Paragraph 64</p> <p>23 where you indicate that Lieutenant Sadowski</p> <p>24 attempted to lodge false allegations against</p>
<p>1 A. Yes.</p> <p>2 Q. Okay.</p> <p>3 A. It never stopped.</p> <p>4 Q. Okay.</p> <p>5 MR. SMITH: When you get to a</p> <p>6 transition point, can we take a short break?</p> <p>7 MR. KING: Yes. We can do it now.</p> <p>8 (Whereupon, a short break was</p> <p>9 taken.)</p> <p>10 BY MR. KING:</p> <p>11 Q. Officer Echeverria, you testified to</p> <p>12 the staff meeting that Commander Stanley held.</p> <p>13 Lieutenant Pascua was at that meeting, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And Lieutenant Sadowski, also?</p> <p>16 A. Yes.</p> <p>17 Q. And if I can direct your attention back</p> <p>18 to the Amended Complaint, Paragraph 64. You</p> <p>19 indicate that Lieutenant Sadowski joined in</p> <p>20 Lieutenant Pascua's campaign by repeatedly</p> <p>21 attempting to lodge false allegations of</p> <p>22 wrongdoing against Plaintiffs.</p> <p>23 A. Yes.</p> <p>24 Q. Before we get to that, Lieutenant</p>	<p>Page 122</p> <p>1 you?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And --</p> <p>4 A. Page 2 of the -- I'm sorry, Page 2 of</p> <p>5 this is the same?</p> <p>6 Q. Page 1 is addressed to you and I</p> <p>7 believe Page 2 is addressed to Lieutenant -- or</p> <p>8 excuse me, Officer Spalding.</p> <p>9 A. Okay.</p> <p>10 Q. And did Lieutenant Sadowski have a</p> <p>11 meeting with you about this subject?</p> <p>12 A. He attempted to. It was very brief.</p> <p>13 Q. Okay. Explain that, how he attempted</p> <p>14 to have a meeting.</p> <p>15 A. He had us come in, I want to say,</p> <p>16 prior -- at that point, we were operational with</p> <p>17 Brass Tax. And he, I want to say, instructed us</p> <p>18 to come in earlier or something to that</p> <p>19 effect --</p> <p>20 Q. Okay.</p> <p>21 A. -- and he presented this to me.</p> <p>22 Q. Okay. Was Officer Spalding also</p> <p>23 present?</p> <p>24 A. No, she was not.</p>

<p>1 Q. Okay. So this Exhibit 5, are you 2 saying that Lieutenant Sadowski handed it to 3 you?</p> <p>4 A. Yes. We met. We sat at a cubical.</p> <p>5 Q. And what do you recall him saying and 6 you saying?</p> <p>7 A. He presented this to me.</p> <p>8 Q. Okay.</p> <p>9 A. I looked at it and I said, you know, 10 this is not accurate.</p> <p>11 Q. Okay.</p> <p>12 A. And then he asked me to explain how is 13 it not accurate. Then he also presented the 14 time due slips to me, as well.</p> <p>15 Q. Which is the third page of this 16 exhibit, correct?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. Well, let's look at -- let's 19 take these two incidents separately. The first 20 incident he's written, fail to notify a 21 supervisor assigned to Unit 126 about the status 22 of eligibility for OPY, Operation Project Youth.</p> <p>23 A. Uh-huh.</p> <p>24 Q. Are you saying that's incorrect?</p>	<p>Page 125</p> <p>1 you about --</p> <p>2 A. I couldn't tell you a time frame 3 without being exact.</p> <p>4 Q. What did you respond to him when he 5 asked you about your availability for OPY?</p> <p>6 A. He explained what OPY was.</p> <p>7 Q. Okay.</p> <p>8 A. I acknowledged what it was. And 9 basically what it was, it's operation to protect 10 the youth. So people who work a desk position 11 were to rotate in the field.</p> <p>12 Q. Okay.</p> <p>13 A. And during the -- I think it was during 14 the school. It's similar to what is Safe 15 Passage today.</p> <p>16 Q. Sure.</p> <p>17 A. And I told him that we were not 18 eligible or we are not to do that because we are 19 not a desk assigned personnel. We are field 20 personnel since we are doing this junction with 21 IAD Confidentials with our investigation that we 22 were assisting at.</p> <p>23 Q. Okay. So let me get this -- tell me if 24 this is correct. You essentially told the</p>
<p>1 A. Yeah, I'm saying that.</p> <p>2 Q. Okay. Do you recall Operation Project 3 Youth?</p> <p>4 A. Yes, I know exactly what it is.</p> <p>5 Q. Okay. And were you ever asked to 6 indicate your eligibility for that?</p> <p>7 A. Yes, I was.</p> <p>8 Q. And who asked you that?</p> <p>9 A. It may have been Lieutenant Sadowski 10 himself.</p> <p>11 Q. Okay. But you don't recall if it was 12 Sadowski or somebody else?</p> <p>13 A. Yeah. I say it may have been him 14 himself.</p> <p>15 Q. I understand you're saying it may have 16 been. My question --</p> <p>17 A. Okay. It was Lieutenant Sadowski.</p> <p>18 Q. That's your recollection?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And how did he ask you about 21 your availability, in person, in an e-mail?</p> <p>22 A. In person.</p> <p>23 Q. Okay. And how long prior to this 24 meeting that we're talking about had he asked</p>	<p>Page 126</p> <p>1 lieutenant that despite the fact that you were 2 detailed to Unit 126 Inspections, you didn't 3 have to participate in OPY because you were also 4 working in the confidential investigation?</p> <p>5 A. Right.</p> <p>6 Q. Okay. And the second item here that he 7 mentions, failed to notify supervisor assigned 8 to 126 when you worked overtime on November 21, 9 2011.</p> <p>10 And as you said, the third page of this 11 exhibit refers to that overtime, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And that overtime was --</p> <p>14 A. That was fieldwork.</p> <p>15 Q. -- was field work. And was that 16 approved by Juan Rivera?</p> <p>17 A. Yes, it was.</p> <p>18 Q. Okay. But that overtime work was not 19 requested by or approved by anyone in Unit 126, 20 correct?</p> <p>21 A. No. Yes, it was. That -- to that date 22 in question --</p> <p>23 Q. Yes.</p> <p>24 A. -- Lieutenant Sadowski was informed</p>

<p style="text-align: right;">Page 129</p> <p>1 that we would be in the field with -- whether it 2 was Al Bohmer or Chester -- 3 Q. Okay. 4 A. -- or FBI personnel or the liaison at 5 the FBI building, and he was informed. He knew 6 we were going there, he knew our start time. 7 And I had text him -- he was very specific that 8 he wanted me to use my personal equipment to 9 text him when we were done. 10 Q. Okay. 11 A. So he can note when we were finished. 12 Q. Okay. 13 A. And when we expressed that concern to 14 the liaison, the supervisor we were reporting 15 to, CPD personnel, they said that's unheard of. 16 Q. Okay. 17 A. You're reporting to us, you're 18 dismissed by us. Why would you have to do that? 19 Just go ahead and do that so that -- they're 20 strange up there is what they quoted. So we did 21 so. 22 Q. Okay. 23 A. And so let's just -- I'll give you an 24 example. Don't -- do you want me to finish or </p>	<p style="text-align: right;">Page 131</p> <p>1 this counseling or write up or intervention or 2 whatever you want to call it. 3 Q. I see. 4 A. And I told him, that's not accurate. I 5 said I had sent him another text message, as 6 well. And he claimed he did not receive it. 7 Q. Okay. 8 A. Or he didn't -- he said, well, show me 9 or prove it to me. And I printed it up and I 10 gave it to him. And then he said, well, that 11 doesn't read the content of the text. And at 12 that time I told him he was being unreasonable 13 because it doesn't timestamp the message in and 14 message out. 15 Q. Okay. 16 A. And then at that point, I said, and in 17 fact right now we're in the middle of having to 18 go to the FBI building. And then we met with 19 FBI personnel and CPD personnel and we even met 20 with Chief Rivera. 21 Q. Okay. 22 A. And I expressed to Chief Rivera what is 23 transpiring. 24 Q. Sure. </p>
<p style="text-align: right;">Page 130</p> <p>1 do you want me to continue? 2 Q. I don't think your example is 3 responsive to my question. 4 A. Okay. Let's leave it alone, then. 5 Q. So let me ask you a question. 6 A. All right. 7 Q. So is it your testimony that on this 8 date, November 21, 2011, Lieutenant Sadowski 9 knew that you worked overtime? 10 A. Yes. 11 Q. Okay. And he knew it that same day? 12 A. Yes. 13 Q. Okay. And when you had the meeting 14 with him, was there any discussion about why he 15 was claiming you failed to notify him? 16 A. Yes. 17 Q. Okay. What did you say about that? 18 A. He stated that I had text him at X 19 hours -- 20 Q. Okay. 21 A. -- and the slip reflects a different 22 time. 23 Q. Okay. 24 A. And that's why he was attempting to do </p>	<p style="text-align: right;">Page 132</p> <p>1 A. And he said, I had addressed that with 2 him already. 3 Q. Okay. 4 A. So that's why the write up never got 5 signed. 6 Q. Right. 7 A. Because at that point -- 8 Q. It's your understanding that this write 9 up never got signed because Chief Rivera 10 intervened, correct? 11 A. Sure. 12 Q. Okay. 13 A. Because I had explained to Lieutenant 14 Sadowski that we were field personnel and OPY 15 did not -- 16 Q. You told me. 17 A. Correct. 18 Q. Explain to me the two texts you sent 19 Lieutenant Sadowski. 20 A. He wanted -- like I said, I may have 21 text him and -- see, this day in question, we 22 did a scenario, I want to say, with the 23 investigation. So I may have texted him at 24 whatever time. </p>

<p>1 Q. Right.</p> <p>2 A. And then the slip got signed for</p> <p>3 whatever time.</p> <p>4 Q. Right.</p> <p>5 A. It was because we were detained by</p> <p>6 Chief Rivera.</p> <p>7 Q. Okay. So just so I'm clear, you texted</p> <p>8 him a time that you were done working?</p> <p>9 A. Yeah.</p> <p>10 Q. And then when you presented the</p> <p>11 overtime slip to him, it showed that you</p> <p>12 continued to work more time, correct?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. The second text that you</p> <p>15 referred to, what did that text say?</p> <p>16 A. I want to say I told him, we are</p> <p>17 leaving now or we're just leaving now or we got</p> <p>18 detained, something along to that effect.</p> <p>19 Q. Okay.</p> <p>20 A. I can't recall.</p> <p>21 Q. Okay.</p> <p>22 A. But he did get informed of the</p> <p>23 different times.</p> <p>24 Q. Okay. And you said he indicated he</p>	Page 133	<p>1 attempt to discipline you as reflected in</p> <p>2 Exhibit 5, is there anything else that</p> <p>3 Lieutenant Sadowski did that you felt was</p> <p>4 retaliation against you?</p> <p>5 A. Other than -- I mean, it's black and</p> <p>6 white here. So this is it.</p> <p>7 Q. Other than Exhibit 5?</p> <p>8 A. That would be it.</p> <p>9 Q. Okay, thank you.</p> <p>10 And I assume any alleged retaliation or</p> <p>11 harassment that you're claiming with respect to</p> <p>12 Lieutenant Pascua was only during the period</p> <p>13 that you were assigned to Inspections, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. In Paragraph 65 of the Amended</p> <p>16 Complaint, there's a reference to two sergeants</p> <p>17 of the Internal Affairs Division telling</p> <p>18 Plaintiffs, quote, sometimes you have to turn a</p> <p>19 blind eye to misconduct. Did you hear that?</p> <p>20 A. Yes.</p> <p>21 Q. Are you aware of who those two</p> <p>22 sergeants were?</p> <p>23 A. Yes.</p> <p>24 Q. Who were they?</p>	Page 135
<p>1 didn't get that text or that it didn't convey</p> <p>2 the accurate information?</p> <p>3 A. That's something like -- something that</p> <p>4 he said to that effect. Or he said no, you</p> <p>5 didn't inform me or something along to that</p> <p>6 effect.</p> <p>7 Q. Okay. So to the best of your</p> <p>8 knowledge, this discipline was never finalized,</p> <p>9 is that fair to say?</p> <p>10 A. Right. Because when we met with Chief</p> <p>11 Rivera, I said, you know -- he said, how did it</p> <p>12 go. And I said, you know what, Lieutenant</p> <p>13 Sadowski attempted to do this. And he said,</p> <p>14 wow, okay, well, let me address that.</p> <p>15 Q. Okay.</p> <p>16 A. So I don't know what he may have</p> <p>17 explained to them or not.</p> <p>18 Q. Okay. And is it your testimony that</p> <p>19 Lieutenant Sadowski's attempt to discipline you</p> <p>20 here was somehow retaliation for working on</p> <p>21 Operation Brass Tax, is that what you're</p> <p>22 claiming?</p> <p>23 A. Sure.</p> <p>24 Q. Okay. Other than Lieutenant Sadowski's</p>	Page 134	<p>1 A. Mike Barz and I can't remember the</p> <p>2 second gentleman's name. I don't know, but he</p> <p>3 was definitely also a confidential personnel.</p> <p>4 Q. Okay.</p> <p>5 A. He may have even been introduced to me,</p> <p>6 but I don't remember his name.</p> <p>7 Q. And was this statement in a single</p> <p>8 conversation where Mike Barz was there and the</p> <p>9 other officer was there?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And do you remember where that</p> <p>12 conversation took place?</p> <p>13 A. Yeah, at headquarters.</p> <p>14 Q. Okay. And was Officer Spalding also</p> <p>15 present?</p> <p>16 A. Yes.</p> <p>17 Q. And do you recall what was said in the</p> <p>18 conversation that led to one of the sergeants</p> <p>19 making that statement?</p> <p>20 A. We were talking something along the</p> <p>21 lines of -- or he was mentioning something along</p> <p>22 the lines -- it was in reference to Brass Tax,</p> <p>23 that it's not so much what you know, it's what</p> <p>24 you can prove. Sometimes you have to turn a</p>	Page 136

<p style="text-align: right;">Page 137</p> <p>1 blind eye to what you know because you can't 2 prove it. 3 Q. Okay. 4 A. Something to that effect. 5 Q. Okay. Talking about information you 6 were developing on Watts? 7 A. I can't tell you with certainty at this 8 time. 9 Q. Okay. Do you recall if it was Mike 10 Barz or the other officer that made the 11 statement, sometimes you have to turn a blind 12 eye? 13 A. Mike Barz. 14 Q. Okay. In Paragraph 68 of the Complaint 15 you indicate that after the indictments of Watts 16 and Mohammed, because you had already been 17 established to be rats, you weren't allowed to 18 go back to Narcotics. 19 That allegation that Chief Roti didn't 20 allow you to go back to Narcotics or any other 21 division, was that based on what you previously 22 testified to that you had been told about a 23 meeting where Roti was present? 24 A. Yes, from Chief Rivera.</p>	<p style="text-align: right;">Page 139</p> <p>1 Q. Okay. 2 A. And then a female voice, which I think 3 may have been his secretary, asked how she may 4 help me. And I said, I would like to make an 5 appointment to speak with the chief. 6 Q. Okay. 7 A. And she questioned me as to what it was 8 in regards to. I told her it was a confidential 9 matter. 10 Q. Okay. 11 A. She said, are you -- she asked me, who 12 I was, I identified myself. 13 Q. Yeah. 14 A. She asked me if I was Unit 189 15 personnel. 16 Q. Yes. 17 A. And I said, yes, I am. She asked me if 18 I was detailed or assigned anywhere else. I 19 said, I'm assigned but detailed to this unit, 20 to -- 21 Q. Did you tell her you were assigned 22 to -- 23 A. To Narcotics, to 189. 24 Q. Okay. But you were detailed to another</p>
<p style="text-align: right;">Page 138</p> <p>1 Q. Okay. So Roti didn't tell you or make 2 any statements new after the Watts and Mohammed 3 indictments that you couldn't come back, 4 correct? 5 A. No. I've never spoken to him. 6 Q. Right, okay. Did you at some point try 7 to speak with Chief Roti about -- 8 A. I believe I may have reached out to him 9 once. 10 Q. Okay. And that was by telephone? 11 A. Correct. 12 Q. Okay. Do you recall when that was? 13 A. I can't give an exact date, but it 14 never happened. I never got an appointment to 15 see him. It was denied. 16 Q. Okay. Do you know if that conversation 17 or that phone call you placed was in March of 18 2012? 19 A. I can't tell you an exact date. 20 Q. Okay. Tell me what you recall about 21 that phone conversation. 22 A. I called the Organized Crime unit, I 23 believe the phone was answered by a gentleman 24 and then I was placed on hold.</p>	<p style="text-align: right;">Page 140</p> <p>1 unit? 2 A. Right, to an outside unit. 3 Q. Okay. Did you remember if you told her 4 at the time you were detailed to Inspections or 5 did you just say to an outside unit? 6 A. I want to say I was specific. 7 Q. Do you think it was Inspections at the 8 time? 9 A. Yes, I was specific. 10 Q. Okay. 11 A. And then she asked me again, well, you 12 need to tell me what this is in regards to. 13 Q. Okay. 14 A. And I told her, it was a confidential 15 matter. 16 Q. Okay. 17 A. And she said, well, I cannot give you 18 and I won't give you an appointment unless 19 you -- if you can't tell me this information, 20 confidential or not, I can't give you an 21 appointment. And I said -- I said, it's very 22 confidential, I cannot disclose that 23 information. 24 Q. Okay.</p>

<p style="text-align: right;">Page 141</p> <p>1 A. And she said, well, then I can't give 2 you an appointment and she hung up. That was 3 the end of the conversation.</p> <p>4 Q. Okay. And did you swear at all in the 5 conversation?</p> <p>6 A. No, I did not.</p> <p>7 Q. Okay.</p> <p>8 A. It's not my style.</p> <p>9 Q. Would you say you were heated or 10 agitated?</p> <p>11 A. Not at all.</p> <p>12 Q. And do you know who this female was 13 that you were speaking to?</p> <p>14 A. I would guess it was -- it would be if 15 you would call and make -- ask for an 16 appointment --</p> <p>17 Q. Sure.</p> <p>18 A. -- you would have to speak to his 19 direct secretary, is what I would guess.</p> <p>20 Q. Okay.</p> <p>21 A. So I would guess maybe it was his 22 direct secretary.</p> <p>23 Q. Okay. Do you recall in that same 24 conversation also the phone being given to a</p>	<p style="text-align: right;">Page 143</p> <p>1 Chief Juan Rivera to open a CR number for you?</p> <p>2 A. Yes, we asked him for intervention.</p> <p>3 Yes, absolutely.</p> <p>4 Q. Okay. I understand you asked him for 5 intervention. Did you ever ask him to open a 6 CR?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Did that happen once or how many 9 times do you think you asked him to open a CR?</p> <p>10 A. Many times.</p> <p>11 Q. Many times?</p> <p>12 A. Yeah. Definitely not once.</p> <p>13 Q. Okay. And do you recall what he would 14 say in response to that request?</p> <p>15 A. Hang in there.</p> <p>16 Q. He'd say, hang in there?</p> <p>17 A. Hang in there.</p> <p>18 Q. Okay. And Commander Stanley, any 19 alleged retaliation that you claim she engaged 20 in was all during the time that you were 21 assigned to Inspections, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And at a certain point, you and Officer 24 Spalding applied for positions in the Fugitive</p>
<p style="text-align: right;">Page 142</p> <p>1 sergeant? Were you talking to a sergeant?</p> <p>2 A. Not at all. I spoke to two people.</p> <p>3 Q. Okay.</p> <p>4 A. One was a gentleman who said, can you 5 hold please.</p> <p>6 Q. Okay.</p> <p>7 A. I was placed on hold momentarily and 8 then the phone was picked up by a female 9 person.</p> <p>10 Q. Okay. Do you remember the female 11 telling you something to the effect that you 12 needed to go through the chain of command?</p> <p>13 A. No, I cannot remember that.</p> <p>14 Q. Okay. She may have said that, may not?</p> <p>15 A. It was basically what I told you, that 16 was it.</p> <p>17 Q. Okay. Did you ever complain, you or 18 Officer Spalding, to your knowledge, complain 19 about any alleged retaliation to Tina Skahill?</p> <p>20 A. No.</p> <p>21 Q. Okay. And you never asked Tina Skahill 22 to pull a CR number for you, correct?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. Did you ever specifically ask</p>	<p style="text-align: right;">Page 144</p> <p>1 Apprehension unit, correct?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And you put in applications, 4 both Chief Rivera and Lieutenant Skahill 5 provided --</p> <p>6 A. Chief Skahill, yes.</p> <p>7 Q. I'm sorry. Chief Skahill provided 8 letters of recommendation for you?</p> <p>9 A. Yes.</p> <p>10 Q. And Officer Spalding, correct?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And you got in to Fugitive 13 Apprehension?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. I assume you're not claiming 16 that the move to Fugitive Apprehension was 17 retaliation?</p> <p>18 A. No. It was supposed to be a clean 19 slate.</p> <p>20 Q. Okay. Would you agree that Fugitive 21 Apprehension is a very desirable unit in the 22 police department?</p> <p>23 A. It's a specialized unit, among others.</p> <p>24 Q. Okay. Fair to say it's desirable,</p>

<p>1 something a lot of people apply for?</p> <p>2 A. I don't know -- I can't say what a lot</p> <p>3 of people might want or not want.</p> <p>4 Q. Okay.</p> <p>5 A. But it is a specialized unit.</p> <p>6 Q. Okay.</p> <p>7 A. I mean, different strokes for different</p> <p>8 folks, you know.</p> <p>9 Q. Sure. And during the time that you and</p> <p>10 Officer Spalding have worked in Fugitive</p> <p>11 Apprehension, you were never part of a U.S.</p> <p>12 Marshal's Task Force, correct?</p> <p>13 A. We worked on a task force team but</p> <p>14 never deputized as a Marshal or received any</p> <p>15 credentials as a...</p> <p>16 Q. So you worked on a team where some of</p> <p>17 the officers had been deputized by the U.S.</p> <p>18 Marshal?</p> <p>19 A. Pretty much.</p> <p>20 Q. But you and Officer Spalding --</p> <p>21 A. Were not.</p> <p>22 Q. -- were not, correct?</p> <p>23 A. Right.</p> <p>24</p>	<p>Page 145</p> <p>1 in one of our many meets and we asked maybe we</p> <p>2 can get a federal task force.</p> <p>3 Q. Okay.</p> <p>4 A. Maybe we can meet with the</p> <p>5 superintendent. And he said, I would agree, you</p> <p>6 should meet with him.</p> <p>7 Q. Okay. Did you ever have a meeting with</p> <p>8 the superintendent?</p> <p>9 A. Never.</p> <p>10 Q. Okay.</p> <p>11 A. I never met the man.</p> <p>12 Q. Okay. So you never met and requested a</p> <p>13 federal task force. So you understood when you</p> <p>14 were going into Fugitive Apprehension, you</p> <p>15 weren't part of a federal task force, correct?</p> <p>16 A. Correct.</p> <p>17 Q. Okay.</p> <p>18 A. At that time.</p> <p>19 Q. Okay. And then the next paragraph</p> <p>20 says, Chief Byrne reiterated to us, it won't be</p> <p>21 like a fed unit, it will be a CPD tact concept.</p> <p>22 Had you had a conversation with Chief Byrne?</p> <p>23 A. Yes, I did.</p> <p>24 Q. And this was about you and Officer</p>
<p>1 (Whereupon, Echeverria</p> <p>2 Deposition Exhibit No. 6 was</p> <p>3 marked for identification.)</p> <p>4 BY MR. KING:</p> <p>5 Q. Officer Echeverria, I'm showing you</p> <p>6 another e-mail or a couple of e-mails that have</p> <p>7 been marked Deposition Exhibit No. 6. The</p> <p>8 bottom half is an e-mail to you from Juan Rivera</p> <p>9 and the upper half is an e-mail from you to Juan</p> <p>10 Rivera. Do you recall these e-mails?</p> <p>11 A. Sure.</p> <p>12 Q. Okay.</p> <p>13 A. I mean, it's written from me, right?</p> <p>14 Q. Yes.</p> <p>15 A. Yeah.</p> <p>16 Q. Yes. And in your e-mail at the top of</p> <p>17 the page in the second paragraph you write, we</p> <p>18 agree with you that we should meet with the supe</p> <p>19 and request the Fed Task Force. Do you see</p> <p>20 that?</p> <p>21 A. Yes.</p> <p>22 Q. Is that something that Juan Rivera had</p> <p>23 suggested that you do?</p> <p>24 A. We had -- we had met with Juan Rivera</p>	<p>Page 146</p> <p>Page 148</p> <p>1 Spalding going into Fugitive Apprehension?</p> <p>2 A. Correct.</p> <p>3 Q. And what do you recall being said in</p> <p>4 that conversation?</p> <p>5 A. We had met with him. He used to be our</p> <p>6 commander in the 1st District at one time, so he</p> <p>7 was aware of our -- of our work ethic.</p> <p>8 Q. Sure.</p> <p>9 A. And he was the chief I believe at that</p> <p>10 time of the Bureau of Detectives. And we had</p> <p>11 confided in him with our investigation. He said</p> <p>12 that there are no openings at the present time.</p> <p>13 Q. Okay.</p> <p>14 A. For the U -- to be deputized as a U.S.</p> <p>15 Marshal. And that at that time, he can have us</p> <p>16 come over. But once -- but it would be like a</p> <p>17 tact team concept.</p> <p>18 Q. Okay.</p> <p>19 A. And that once opportunity came or</p> <p>20 openings came, of course we were -- we will be</p> <p>21 eligible for it.</p> <p>22 Q. Okay.</p> <p>23 A. That was the sum of it.</p> <p>24 Q. Okay. And you write that he, Chief</p>

<p style="text-align: right;">Page 149</p> <p>1 Byrne, also feels that a task force is what you 2 should request? 3 A. Yes. 4 Q. Okay. 5 A. He said that you should be on a task 6 force. 7 Q. Okay. So when he was indicating, when 8 there are openings, you should request to be on 9 a task force, correct? 10 A. Correct. That's how I interpret it. 11 Q. And then your last sentence of your 12 e-mail says, if all else fails, we agree working 13 with you in CIS would be best. 14 So you are indicating whatever -- if 15 all else -- if all else fails, you and Officer 16 Spalding would be agreeable to work -- working 17 for Chief Rivera, correct? 18 A. That's what it says. 19 Q. Okay. And do you have any personal 20 knowledge of James O'Grady speaking to anyone in 21 Fugitive Apprehension about you or Officer 22 Spalding? 23 A. Yes. 24 Q. And what's that based on?</p>	<p style="text-align: right;">Page 151</p> <p>1 A. Yes, she is. 2 Q. And she called you prior to you coming 3 into the unit? 4 A. Yes. She called the day before, the 5 night before, something like that. 6 Q. And what do you recall her saying to 7 you and you saying to her in that conversation? 8 A. That we are -- that she identified 9 herself, she was calling us to -- calling me to 10 inform me that the effective change date, which 11 whatever date that may have been -- 12 Q. Sure. 13 A. -- that we are to report to the 14 Fugitive Apprehension. She was welcoming us 15 there. And she said, I don't know if you know 16 or don't know yet, but she goes, the effective 17 change date. She said, that there was a meeting 18 going on with Commander O'Grady, I guess. She 19 said maybe -- with personnel there and maybe 20 he's upset that he's losing such great officers 21 or two of his officers. Something along those 22 lines. 23 Q. She told you there was a meeting going 24 on --</p>
<p style="text-align: right;">Page 150</p> <p>1 A. That's based on when we first got 2 there, the comment made to us by administrative 3 secretaries who are also sworn personnel and by 4 a phone call I received from another 5 administrative secretary informing me of a 6 reassignment to Fugitive Apprehension. 7 Q. Okay. And which of those things 8 happened first, the phone call or the -- 9 A. The phone call definitely happened 10 first. 11 Q. Okay. Do you recall who that phone 12 conversation was with? 13 A. It was with -- I can't think of her 14 last name. They call her Mo. Her name is 15 Maureen. 16 Q. Okay. 17 A. But I don't know her last name. She's 18 the sister of the officer that got shot, that 19 evidence technician. Maureen. I can't think of 20 her last name. 21 Q. But Maureen was an administrative 22 secretary -- 23 A. Yes. 24 Q. -- in Fugitive Apprehension?</p>	<p style="text-align: right;">Page 152</p> <p>1 A. Yeah. 2 Q. -- with Commander O'Grady? 3 A. Yeah. I don't know if you know, but 4 you're coming over is what she said. 5 Q. Okay. And my question is it's your 6 testimony that she told you there was a meeting 7 going on with Commander O'Grady and Fugitive 8 Apprehension personnel? 9 A. Yes. 10 Q. Okay. 11 A. She said, I don't know if you know from 12 your unit yet or not, but I'm calling to let you 13 know you're coming over. 14 Q. Okay. 15 A. That was the end of the conversation. 16 Q. Okay. Did she say anything else about 17 this meeting? 18 A. No. 19 Q. And did you also testify that some 20 other administrative secretary -- 21 A. Yes. 22 Q. -- said something about Commander 23 O'Grady? 24 A. When we came into the unit?</p>

<p>1 Q. Yeah.</p> <p>2 A. I don't think we were there more than a</p> <p>3 whole 10, 15 minutes. She said, so you guys are</p> <p>4 the IAD rats or implants, to that effect.</p> <p>5 Q. And do you recall who made that</p> <p>6 statement?</p> <p>7 A. Sure. It was two secretaries. One was</p> <p>8 Jan Hannah, Colleen Dugan.</p> <p>9 Q. Okay.</p> <p>10 A. So I don't know who said it first, but</p> <p>11 they both echoed each other.</p> <p>12 Q. Okay. And did Ms. Hannah or Ms. Dugan</p> <p>13 say anything else in this conversation?</p> <p>14 A. That was a shock to even hear that</p> <p>15 coming 10 minutes, 15 minutes in the door. That</p> <p>16 was the most -- I mean, that was --</p> <p>17 Q. Do you recall them saying anything</p> <p>18 else?</p> <p>19 A. That was it. So, you know, the way I</p> <p>20 see it is, you know, that explained the meeting</p> <p>21 with O'Grady and the personnel there.</p> <p>22 Q. That's the conclusion you came to?</p> <p>23 A. Yes, initially, at that time. Later</p> <p>24 on, yes, I confirmed it.</p>	<p style="text-align: right;">Page 153</p> <p>1 on the two conversations you just testified to,</p> <p>2 correct?</p> <p>3 A. Yes. And other things, as well.</p> <p>4 Q. Okay. What other things?</p> <p>5 A. Well, once we were in Barnes' team,</p> <p>6 some officers reached out to us and said, we</p> <p>7 knew you guys were coming from IAD before you</p> <p>8 guys got here.</p> <p>9 Q. Okay.</p> <p>10 A. He said, Sergeant Barnes told us.</p> <p>11 Q. Okay. Well, let's look at Paragraph 76</p> <p>12 of the Amended Complaint. It says, Sergeant</p> <p>13 Barnes thereafter informed your new team that</p> <p>14 you were rats and that you should not be</p> <p>15 trusted or backed up. Is that your testimony?</p> <p>16 A. Yes, it is.</p> <p>17 Q. Okay. And where did you get that</p> <p>18 information?</p> <p>19 A. From team members.</p> <p>20 Q. Okay. And team members told you</p> <p>21 specifically that Sergeant Barnes called you</p> <p>22 rats --</p> <p>23 A. Yes.</p> <p>24 Q. -- and said you should not be trusted</p>
<p>1 Q. Later on you confirmed what?</p> <p>2 A. That had to be it.</p> <p>3 Q. Okay. How did you confirm that that</p> <p>4 had to be it?</p> <p>5 A. When we met with Cesario, Barnes and</p> <p>6 Commander Salemme.</p> <p>7 Q. We'll get to that.</p> <p>8 When you first went over to Fugitive</p> <p>9 Apprehension, you were on Sergeant Barnes' team,</p> <p>10 correct?</p> <p>11 A. Yes.</p> <p>12 Q. Okay.</p> <p>13 A. The day team.</p> <p>14 Q. Day team, second watch?</p> <p>15 A. Yes.</p> <p>16 Q. And the commander was --</p> <p>17 A. Joseph Salemme.</p> <p>18 Q. -- Salemme and your lieutenant was</p> <p>19 Cesario?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Paragraph 75 of the Complaint</p> <p>22 talks about Defendant O'Grady informing your new</p> <p>23 supervisors that you were rats and should be</p> <p>24 treated accordingly. That allegation is based</p>	<p style="text-align: right;">Page 154</p> <p>1 or backed up?</p> <p>2 A. Yes.</p> <p>3 Q. Which team member told you that?</p> <p>4 A. The first one that I want to say that</p> <p>5 expressed their honesty, I guess, was Robert</p> <p>6 Walker.</p> <p>7 Q. Okay. And was this in a conversation</p> <p>8 with Robert Walker and you and Officer Spalding?</p> <p>9 A. Yes.</p> <p>10 Q. And where did that conversation take</p> <p>11 place?</p> <p>12 A. It either took place at the area, which</p> <p>13 would be where we would report into the office</p> <p>14 on, what's that, Area 2 on 111th and Ellis, I</p> <p>15 believe it is. 111th and Ellis and it also may</p> <p>16 have occurred in a vehicle or it could have been</p> <p>17 both. Because we had many conversations with</p> <p>18 Robert Walker, as well.</p> <p>19 Q. Okay. And what do you recall Robert</p> <p>20 Walker saying to you as it relates to</p> <p>21 Paragraph 76 of the Complaint?</p> <p>22 A. He said that he knew we were IAD before</p> <p>23 we got there, he knew we were rats or had called</p> <p>24 it -- referenced us as rats because we had</p>

<p>1 worked on IAD cases with other officers, 2 involving officers. 3 He said that he made his assessment of 4 us and he doesn't have a problem working with us 5 and that people that have a problem with us it's 6 probably because they have something to worry 7 about and he has nothing to worry about, he will 8 work with us any time. And he said that 9 Sergeant Barnes is the one that informed him of 10 that. 11 Q. Okay. Other than that conversation 12 that you just testified to with Robert Walker, 13 is there anything else that you're basing your 14 allegation that Barnes told your new team that 15 you were rats and they shouldn't work with you? 16 A. Yeah. 17 Q. What else? 18 A. Officer Guishnere, Loren Guishnere. 19 Q. Yes. 20 A. He expressed similar comments, as well. 21 And he said that they were informed to be bad to 22 us. And he said, he can't be bad to anybody who 23 hasn't done anything to him personally. 24 Q. Okay. And he --</p>	<p>Page 157</p> <p>1 the meeting from going forward. 2 And he said, where are you getting this 3 from. And I said, what difference does it make, 4 I'm addressing the team. 5 Q. Okay. 6 A. And Robert Walker said, shit, I said 7 it. I said you said it. 8 Q. Okay. 9 A. So that confirmed that, as well. 10 Q. And what else was said after Robert 11 Walker said, I said it? 12 A. He adjourned the meeting. He didn't 13 want the meeting to go forward anymore. 14 Q. So Robert Walker says, I said it, and 15 Barnes immediately adjourns the meeting with no 16 further discussion? 17 A. That's right. 18 Q. Is that your testimony? 19 A. Yes. 20 Q. Okay. And prior to that team meeting, 21 had you had -- you or Officer Spalding had any 22 conversation with Sergeant Watts about -- 23 A. Sergeant Watts? 24 Q. I'm sorry.</p>
<p>1 A. And he said Sarge is the one who told 2 us all about you guys. Sarge, referencing 3 Sergeant Barnes. 4 Q. Okay. In the conversation with 5 Guishnere, did he say anything about rats? 6 A. I mean, it was clear. 7 Q. In the conversation with Guishnere, did 8 he say anything about rats? 9 A. No. 10 Q. Thank you. 11 A. Okay. 12 Q. Other than those two conversations with 13 Robert Walker and Guishnere, is there anything 14 else you're basing your allegation on that 15 Sergeant Barnes told the team that you were rats 16 and shouldn't be trusted or backed up? 17 A. Yes. 18 Q. What else? 19 A. Well, there was an incident where he 20 held like a team meeting or something and I took 21 advantage of that team meeting and I addressed 22 the issue, did anybody have a problem working 23 with my partner and myself, did anybody think we 24 were rats or not. And Barnes tried to interrupt</p>	<p>Page 158</p> <p>1 A. No. 2 Q. I'm sorry. Sergeant Barnes. I'm 3 sorry. Sergeant Barnes about the subject of him 4 allegedly referring to you as rats or telling 5 team members not to work with you or back you 6 up? 7 A. No. 8 Q. Okay. 9 A. I don't think Sergeant Watts would like 10 to talk to me. He'd like to put his hands 11 around my neck, more like it. That man's 12 dangerous. He's a gangster. 13 Q. I don't doubt that. 14 Paragraph 77 talks about at one point, 15 Sergeant Barnes removed you and Officer Spalding 16 from a high profile case. Do you know what 17 that's referring to? 18 A. Yes. 19 Q. Can you explain that to me? 20 A. Shannon was assigned I believe a 21 homicide case that had been in the media 22 overnight or something like that and we had 23 worked -- Shannon had worked it up. And we were 24 in transit to go meet some of the victims or</p>

<p>1 witnesses.</p> <p>2 Q. And who was with you?</p> <p>3 A. I want to say it was either Larry Odem</p> <p>4 or Kevin Williams or maybe even both.</p> <p>5 Q. Okay.</p> <p>6 A. I can't say with -- I mean, I can't --</p> <p>7 Q. But it was definitely you --</p> <p>8 A. Shannon.</p> <p>9 Q. -- Officer Spalding and Larry Odem</p> <p>10 and/or Kevin Williams?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And what happens next?</p> <p>13 A. And I believe Shannon got a phone call</p> <p>14 inquiring where she was at or what we were</p> <p>15 doing.</p> <p>16 Q. Okay.</p> <p>17 A. Shannon said, she stated where we were</p> <p>18 en route to. We were literally minutes away</p> <p>19 from our destination and Barnes instructed her</p> <p>20 to abort it.</p> <p>21 Q. Okay. Could you hear the conversation</p> <p>22 through the phone or no?</p> <p>23 A. I can hear a conversation, I can hear a</p> <p>24 male voice.</p>	<p>Page 161</p> <p>1 in Fugitive Apprehension worked on that case or</p> <p>2 picked up that case?</p> <p>3 A. I couldn't tell you the status of that</p> <p>4 case.</p> <p>5 Q. Okay. Paragraph 78 in the Complaint</p> <p>6 talks about Plaintiff Spalding talking to</p> <p>7 Sergeant Barnes and Barnes repeatedly</p> <p>8 referencing that you and Officer Spalding had</p> <p>9 brought down a sergeant.</p> <p>10 Did you ever hear Barnes making</p> <p>11 references to the fact that you and Officer</p> <p>12 Spalding had brought down a sergeant?</p> <p>13 A. Yes.</p> <p>14 Q. When did this occur?</p> <p>15 A. At the area while we were working on</p> <p>16 Barnes' team.</p> <p>17 Q. Okay. Was that one conversation or</p> <p>18 multiple conversations?</p> <p>19 A. Barnes had multiple conversations with</p> <p>20 Shannon.</p> <p>21 Q. Okay. I'm asking about you personally.</p> <p>22 Did you personally ever have a conversation with</p> <p>23 Barnes where he referenced the fact that you and</p> <p>24 Shannon had brought down a sergeant?</p>
<p>1 Q. Okay.</p> <p>2 A. And based on what Shannon's answers</p> <p>3 were, I know she was talking to Barnes.</p> <p>4 Q. Okay.</p> <p>5 A. Because she said, oh, hey, Sarge,</p> <p>6 what's going on.</p> <p>7 Q. Sure, sure.</p> <p>8 A. But to hear the definite</p> <p>9 conversation --</p> <p>10 Q. Right.</p> <p>11 A. -- I don't -- I can't hear Barnes'</p> <p>12 words, but I can --</p> <p>13 Q. Do you recall Officer Spalding saying</p> <p>14 in that conversation to Barnes that Larry Odem</p> <p>15 and/or Kevin Williams were with you?</p> <p>16 A. Yeah, yes.</p> <p>17 Q. He knew that, right?</p> <p>18 A. Yeah.</p> <p>19 Q. Okay. And to your understanding, he</p> <p>20 asked you guys to abort. And was that the end</p> <p>21 of you and Officer Spalding working on that</p> <p>22 case?</p> <p>23 A. That was the end of it.</p> <p>24 Q. Okay. Do you know who, if anyone, else</p>	<p>Page 162</p> <p>Page 164</p> <p>1 A. Other than that one, no.</p> <p>2 Q. Okay. You think you personally heard</p> <p>3 one?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And do you know if this was</p> <p>6 before the team meeting you testified to or</p> <p>7 after?</p> <p>8 A. I couldn't tell if it was before or</p> <p>9 after.</p> <p>10 Q. Okay.</p> <p>11 A. I don't want to misinform you.</p> <p>12 Q. That's fine.</p> <p>13 Paragraph 79 has an allegation about</p> <p>14 what Barnes allegedly told Plaintiff Spalding.</p> <p>15 Did you personally hear Barnes saying the words</p> <p>16 that are quoted in Paragraph 79?</p> <p>17 A. Yes.</p> <p>18 Q. You were present for that?</p> <p>19 A. I stood within earshot to hear the</p> <p>20 conversation.</p> <p>21 Q. Okay. Is that the same conversation</p> <p>22 you were referring to in Paragraph 78?</p> <p>23 A. No. That's different.</p> <p>24 Q. Okay. And the one you heard in</p>

<p>1 earshot, what do you recall hearing?</p> <p>2 A. I recall Sergeant Barnes taking Shannon</p> <p>3 to, I don't know if it was a rear storage room</p> <p>4 or an interview room converted to a storage room</p> <p>5 or something like that, but it was off -- a</p> <p>6 room --</p> <p>7 Q. Okay.</p> <p>8 A. -- up in the Detective Division.</p> <p>9 And I just found it awkward that -- I</p> <p>10 mean, okay, so he wanted -- Shannon, let me talk</p> <p>11 to you, they went back in the room. But then it</p> <p>12 just seemed odd to me that why would he talk to</p> <p>13 her -- I mean, I was looking at the clock, I'm</p> <p>14 like, man, they're in there for a while. I</p> <p>15 better go check up on what's going on because I</p> <p>16 was concerned for my partner based on the</p> <p>17 incidents and conversations and stuff. So the</p> <p>18 door was open.</p> <p>19 Q. Okay.</p> <p>20 A. So I stood there for a minute and I can</p> <p>21 hear Barnes saying, you know, referencing</p> <p>22 Shannon -- having to tell Shannon's daughter</p> <p>23 that she will be coming home in a box and things</p> <p>24 to that effect.</p>	<p>Page 165</p> <p>1 Q. Okay.</p> <p>2 A. Like I had initially did.</p> <p>3 Q. Do you recall Sergeant Barnes, hearing</p> <p>4 Sergeant Barnes saying anything else in that</p> <p>5 incident?</p> <p>6 A. Yeah. He referred to back up not</p> <p>7 coming or the team not liking us any more or the</p> <p>8 team never liked us and things to that effect.</p> <p>9 Q. Okay. And --</p> <p>10 A. I mean, I don't want to go stick my</p> <p>11 head in and -- I mean, I had to, you know, I</p> <p>12 just -- I followed my instinct and I heard what</p> <p>13 I heard and that was enough for me to say it was</p> <p>14 inappropriate.</p> <p>15 Q. Before you went to check on what was</p> <p>16 going on in that meeting, you couldn't hear</p> <p>17 anything being said, correct?</p> <p>18 A. No. Correct.</p> <p>19 Q. Okay. Paragraphs 80 and following</p> <p>20 refer to a meeting on or about June 20, 2012</p> <p>21 with you, Officer Spalding, Commander Salemme,</p> <p>22 Lieutenant Cesario and Sergeant Barnes.</p> <p>23 A. Yes.</p> <p>24 Q. Do you recall that meeting?</p>
<p>1 And then I said, well, that's enough, I</p> <p>2 heard enough. So then I went back and I said,</p> <p>3 hey, Kev, you know -- meaning Kevin Williams. I</p> <p>4 said, you know, come over here with me. He</p> <p>5 said, hey, what's going on. We walked into --</p> <p>6 then I went ahead and I interrupted the meeting.</p> <p>7 Q. Okay.</p> <p>8 A. And I said, hey, Sarge, is there</p> <p>9 something you want to talk to me about, as well?</p> <p>10 He said, no, you played with her all day -- you</p> <p>11 know, you play with her all day, let me play</p> <p>12 with her for a little bit. Let me talk to her.</p> <p>13 She's a big girl.</p> <p>14 Q. Okay.</p> <p>15 A. You know, I'll give her back, you could</p> <p>16 play with her afterwards.</p> <p>17 Q. Okay.</p> <p>18 A. Things to that effect.</p> <p>19 Q. And Kevin Williams was present at that</p> <p>20 point, too?</p> <p>21 A. I believe so. Because he walked up</p> <p>22 there with me. I don't know if he entered the</p> <p>23 room behind me or if he stood outside the</p> <p>24 doorway, as well.</p>	<p>Page 166</p> <p>1 A. Yes, I do.</p> <p>2 Q. Do you recall how you were told about</p> <p>3 that meeting was going to take place?</p> <p>4 A. Via phone call.</p> <p>5 Q. A phone call from who?</p> <p>6 A. Sergeant Barnes.</p> <p>7 Q. And what did he tell you?</p> <p>8 A. He said, come meet -- he gave us a</p> <p>9 time, I don't know what time it was. It was</p> <p>10 whatever time.</p> <p>11 Q. Sure.</p> <p>12 A. Why don't you meet me at Homan Square.</p> <p>13 Q. Okay. And was that basically the gist</p> <p>14 of that conversation?</p> <p>15 A. No. Yeah, that conversation. Yes.</p> <p>16 Q. All right. So you -- do you have any</p> <p>17 conversation with anybody else about that</p> <p>18 meeting before you attend the meeting?</p> <p>19 A. No.</p> <p>20 Q. Okay.</p> <p>21 A. Just, you know, Shannon reiterated to</p> <p>22 me or I reiterated to Shannon we have to go up</p> <p>23 there and meet Barnes.</p> <p>24 Q. Okay. And what do you recall being</p>

<p>1 said by all of the participants in that 2 meeting?</p> <p>3 A. At that point, we had a closed-door 4 meeting.</p> <p>5 Q. Okay. To the best you can recall from 6 the start of the meeting until the end of the 7 meeting, what do you recall being said?</p> <p>8 A. Do you want to know who was present 9 there first?</p> <p>10 Q. Sure.</p> <p>11 A. It was Commander Salemme.</p> <p>12 Q. Yes.</p> <p>13 A. Lieutenant Cesario, Sergeant Barnes, my 14 partner Shannon Spalding and myself.</p> <p>15 Q. Okay. And what do you recall being 16 said or saying yourself in that meeting?</p> <p>17 A. At first we were presented with some 18 activity, some numbers for activity and we were 19 questioned, what do you think of this activity.</p> <p>20 Q. And did Lieutenant Cesario present you 21 with that?</p> <p>22 A. Yes.</p> <p>23 Q. And by activity, it meant your --</p> <p>24 A. Arrest.</p>	<p style="text-align: right;">Page 169</p> <p>1 Q. Sure, sure.</p> <p>2 But you didn't have a sense that those 3 numbers were incorrect, you were just concerned 4 about --</p> <p>5 A. I don't know what I had a sense of the 6 number, because there was nothing to compare it 7 to. You know, maybe we were leading the team, I 8 don't know.</p> <p>9 Q. Right. But when you looked at the 10 arrest activity, you didn't think that it was 11 incorrect, you just didn't -- you wanted to know 12 who it was being compared to, right?</p> <p>13 A. Correct.</p> <p>14 Q. Okay.</p> <p>15 A. I mean, if you're going to talk about 16 activity, tell me what you're comparing it to.</p> <p>17 Q. Okay. And what happened next in the 18 meeting?</p> <p>19 A. The meeting went south after that.</p> <p>20 Q. Okay.</p> <p>21 A. He said, well, you know, he goes -- he 22 asked us about our involvement with IAD.</p> <p>23 Q. Okay.</p> <p>24 A. That's how I guess he started it. He</p>
<p>1 Q. -- arrest activity, correct?</p> <p>2 A. Yes.</p> <p>3 Q. And did he have a document with him?</p> <p>4 A. Yeah. He provided like a printout with 5 Shannon's name on it, my name on it. He asked, 6 what did I think of that, of that activity. And 7 I asked him, what are you comparing -- who are 8 you comparing it to. I mean, it's just me and 9 her name. I mean, are you comparing it to 10 Robert Walker, are you comparing it to other 11 people in the unit? What are you comparing it 12 to? He said, what difference does it make, I'm 13 presenting it to you. And then I --</p> <p>14 Q. Okay. Do you recall whether you 15 actually looked at the activity?</p> <p>16 A. Yeah, I looked at it. Because I was -- 17 I can't tell you what the numbers were on it, 18 but it was just Shannon and my name. What are 19 you comparing it to? What other officer are you 20 comparing it to?</p> <p>21 Q. Right.</p> <p>22 A. Our numbers are going to reflect 23 basically the same because we both work 24 together.</p>	<p style="text-align: right;">Page 170</p> <p>1 Q. -- he said, why don't you tell me about IAD 2 and your involvement with it?</p> <p>3 A. Yeah.</p> <p>4 Q. Okay.</p> <p>5 A. And then Commander Salemme pretty much 6 echoed it, as well. Yeah, why don't you tell us 7 about that.</p> <p>8 Q. Okay. And did you or Officer Spalding 9 respond?</p> <p>10 A. I responded and I said, well, what 11 about it. He said, have you ever been assigned 12 to IAD.</p> <p>13 Q. Okay. And, again, this is Lieutenant 14 Cesario?</p> <p>15 A. Lieutenant Cesario.</p> <p>16 Q. Okay. And what was said after that?</p> <p>17 A. And then I said, no, we've never been 18 assigned to IAD.</p> <p>19 Q. Okay.</p> <p>20 A. Which is true.</p> <p>21 Q. What do you recall else being said?</p> <p>22 A. Then he said -- he said, well -- and 23 along with Barnes, you know, they all had</p>

<p style="text-align: right;">Page 173</p> <p>1 something to say. He said, you know, he goes, 2 are you sure about that? He goes, because this 3 is what happens when you work against other 4 officers.</p> <p>5 Q. Lieutenant Cesario said that?</p> <p>6 A. Yes, followed by Barnes, followed by 7 Salemme.</p> <p>8 Q. Okay.</p> <p>9 A. They all had something to say.</p> <p>10 Q. Okay. Lieutenant Cesario said, this is 11 what happens when what?</p> <p>12 A. You work against other officers.</p> <p>13 Q. Okay. And is it your testimony that 14 Barnes and Salemme said the exact same thing?</p> <p>15 A. Yeah, they would echo.</p> <p>16 Q. So your testimony is they said the 17 exact same thing that Lieutenant Cesario said?</p> <p>18 A. Yes. They would echo. They all had 19 something to say.</p> <p>20 Q. Okay.</p> <p>21 A. Then I said, well, what are you talking 22 about? He goes, you know, you brought this 23 baggage with you.</p> <p>24 Q. Again, this is Lieutenant Cesario?</p>	<p>1 each other's statements up.</p> <p>2 Q. Okay.</p> <p>3 A. He said, maybe he can help you better 4 manage your baggage since he came from IAD 5 himself.</p> <p>6 Q. Referring to Sergeant Mills?</p> <p>7 A. Yes.</p> <p>8 Q. Okay.</p> <p>9 A. And you're lucky you're still in this 10 unit for now.</p> <p>11 Q. Lieutenant Cesario said this?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Do you recall anything else 14 being said in that meeting?</p> <p>15 A. Basically that was it. That was the 16 summary of it.</p> <p>17 Q. Okay. I'll take a summary, if that's 18 the most you've got.</p> <p>19 A. I mean, it's so many --</p> <p>20 Q. Do you recall anything else --</p> <p>21 A. There's so many --</p> <p>22 Q. -- specifically being said?</p> <p>23 A. I mean, there's so many things that's 24 happened from point A to that point --</p>
<p style="text-align: right;">Page 174</p> <p>1 A. Yes. You brought this baggage with 2 you. He said, you will never be deputized.</p> <p>3 Q. Okay.</p> <p>4 A. You will never have a take-home car, 5 you will never work days, with his finger, as 6 long as I'm in command here.</p> <p>7 Q. Okay.</p> <p>8 A. And I said, well, why is that? He 9 goes, like I said, you brought this baggage with 10 you. This is what happens when you work against 11 other officers.</p> <p>12 Q. Okay. Do you remember anything else 13 said in that meeting?</p> <p>14 A. We got removed. Basically we got 15 removed from the day team.</p> <p>16 Q. They told you you were going to a night 17 team?</p> <p>18 A. Yes.</p> <p>19 Q. Did they tell you with Sergeant Mills?</p> <p>20 A. Yes, with Sergeant Mills. And then --</p> <p>21 you know, it's hard to say who said what.</p> <p>22 Q. Sure.</p> <p>23 A. But I know Cesario said a lot, Salemme 24 said a lot, as well. I mean, they all backed</p>	<p style="text-align: right;">Page 176</p> <p>1 Q. I understand.</p> <p>2 A. -- and so many comments. You know, it 3 was a stressful --</p> <p>4 Q. I understand. I'm just asking if you 5 specifically recall anything else being said at 6 the meeting.</p> <p>7 A. If I can recall something else, I'll 8 let you know. But that's the best of my 9 knowledge, what I can recall at this time.</p> <p>10 Q. Okay. Do you recall in that meeting 11 some discussion about the subject that Officer 12 Spalding's boyfriend, Anthony Hernandez, had 13 confronted Sergeant Barnes?</p> <p>14 A. I don't remember if that was touched 15 when I was there or if it was touched lightly.</p> <p>16 Q. Okay.</p> <p>17 A. But then again, you know, I had no part 18 of that.</p> <p>19 Q. Okay.</p> <p>20 A. And if that's what happened, I think 21 Barnes should address that with Officer 22 Hernandez.</p> <p>23 Q. All right. I'm just asking you if you 24 recall that being discussed in the meeting.</p>

<p>1 A. It may have, to the best of my 2 knowledge. I can't tell you with a fine-toothed 3 comb the details of that, either.</p> <p>4 Q. Okay. Let's put the --</p> <p>5 A. At the time being.</p> <p>6 Q. Let's put the details aside for the 7 moment.</p> <p>8 A. All right, sure.</p> <p>9 Q. In the meeting, do you remember the 10 subject of Spalding's boyfriend, Anthony 11 Hernandez, having had a confrontation or a 12 conversation with Sergeant Barnes?</p> <p>13 A. I think it may have been touched, yes.</p> <p>14 Q. Okay. Was there a part of the meeting 15 where only Officer Spalding was present and you 16 weren't present or were the both of you present 17 for the entire meeting?</p> <p>18 A. We were both present for most of it, 19 but then, you know, there was times where -- 20 there was a time where I think Shannon Spalding 21 may have spoken to Barnes in reference to that.</p> <p>22 Q. Inside the same meeting?</p> <p>23 A. I can't recall.</p> <p>24 Q. Okay. What do you recall being</p>	<p style="text-align: right;">Page 177</p> <p>1 Q. And they needed officers to fill that 2 shift, correct?</p> <p>3 A. That's correct.</p> <p>4 Q. Okay.</p> <p>5 A. People applied for it.</p> <p>6 Q. And people applied for it?</p> <p>7 A. Yeah.</p> <p>8 Q. And at that time when you were moved to 9 the third watch, you and Officer Spalding had 10 not been in Fugitive Apprehension that long, 11 correct?</p> <p>12 A. We were there since March, I want to 13 say.</p> <p>14 Q. Okay.</p> <p>15 A. And that took in effect, I don't know, 16 June. I can't tell you.</p> <p>17 Q. So you were there two, three months, 18 approximately?</p> <p>19 A. It could be more, it could be less.</p> <p>20 Q. Okay.</p> <p>21 A. I can't tell you exactly.</p> <p>22 Q. Okay. And are you aware of any other 23 officers that were moved from the second watch 24 to the third watch?</p>	<p style="text-align: right;">Page 178</p>	<p style="text-align: right;">Page 179</p>
<p>1 referenced in the meeting about the 2 confrontation between Anthony Hernandez and 3 Barnes?</p> <p>4 A. It didn't sound like a confrontation to 5 me, but I can't tell you with exact.</p> <p>6 Q. Okay. You don't recall what that 7 discussion was?</p> <p>8 A. Not at this time. Maybe later I might 9 remember, but not at this time.</p> <p>10 Q. Okay. Do you have a recollection that 11 that was at least part of the reason that you 12 were being told you were taken off of Barnes' 13 team?</p> <p>14 A. No.</p> <p>15 Q. Okay.</p> <p>16 A. That we were simply moved because of 17 the IAD thing.</p> <p>18 Q. Okay.</p> <p>19 A. To better handle our -- manage our 20 baggage, as they stated.</p> <p>21 Q. And when you were moved to nights, 22 Fugitive Apprehension was actually starting a 23 new night shift, correct?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 180</p> <p>1 A. Not to the best of my knowledge, no, 2 I'm not.</p> <p>3 Q. There may have been, but you don't 4 know?</p> <p>5 A. Correct.</p> <p>6 Q. And the third watch was a North Side 7 team, correct?</p> <p>8 A. I wouldn't call it a North Side, I'd 9 call it an Area North team.</p> <p>10 Q. Okay, thank you. Area North.</p> <p>11 A. Because Area North doesn't just deal 12 with the North Side, it has some South Side in 13 it.</p> <p>14 Q. Okay.</p> <p>15 A. So I wouldn't say just North Side.</p> <p>16 Q. So what areas would you work under 17 Sergeant Mills in terms of Area North? What 18 would that encompass?</p> <p>19 A. It would encompass some South Side 20 districts and addresses.</p> <p>21 Q. Okay.</p> <p>22 A. As well as some West Side addresses. I 23 don't think I ever went far north into any 24 decent neighborhood.</p>		

<p>1 Q. Okay.</p> <p>2 A. It's pretty much still the West Side.</p> <p>3 Pretty active districts.</p> <p>4 Q. Okay. But you -- it's fair to say you</p> <p>5 did some work on the North Side, also?</p> <p>6 A. What do you consider North Side? North</p> <p>7 of Madison? Sure, we did some stuff north of</p> <p>8 Madison.</p> <p>9 Q. Okay.</p> <p>10 A. We didn't do nothing like in Evanston</p> <p>11 or 24th District.</p> <p>12 Q. Okay.</p> <p>13 A. Nothing desirable. I mean, people say</p> <p>14 North Side, oh, you're going to the glamorous</p> <p>15 North Side. Nothing -- anything south of --</p> <p>16 north of Madison is rough.</p> <p>17 Q. So prior to the move to Sergeant Mills'</p> <p>18 team, on Sergeant Barnes' team, you were working</p> <p>19 South and West Side, correct?</p> <p>20 A. South? Not so much southwest, but</p> <p>21 southeast.</p> <p>22 Q. Okay.</p> <p>23 A. But then again, anything West of State</p> <p>24 would be West.</p>	Page 181	Page 183
<p>1 Q. Sure, sure.</p> <p>2 A. However you want to interpret it.</p> <p>3 Q. Sure. Is it your point that you were</p> <p>4 working largely in the same areas when you were</p> <p>5 under Barnes and Mills?</p> <p>6 A. What do you mean, Barnes and Mills?</p> <p>7 Q. Yes.</p> <p>8 A. Different areas.</p> <p>9 Q. Okay.</p> <p>10 A. They didn't overlap.</p> <p>11 Q. Okay.</p> <p>12 A. At least I didn't get any overlap in</p> <p>13 addresses.</p> <p>14 Q. Okay. Other than the fact that when</p> <p>15 you were working for Sergeant Mills, you were</p> <p>16 working a different area than you were working</p> <p>17 with Barnes --</p> <p>18 A. That's fair.</p> <p>19 Q. -- and you had different hours?</p> <p>20 A. That's fair to say.</p> <p>21 Q. And you had different days off. Did</p> <p>22 you have different days off?</p> <p>23 A. That's fair to say, as well.</p> <p>24 Q. Okay. Other than those things, it was</p>	Page 182	Page 184

<p>1 Q. Okay.</p> <p>2 A. But no exact version of it.</p> <p>3 Q. Okay. So you've heard from people</p> <p>4 different versions of it?</p> <p>5 A. Yes.</p> <p>6 Q. Okay.</p> <p>7 A. Some people say it's the sergeant that</p> <p>8 has to put you in, some people say it doesn't</p> <p>9 work like that, some people say based on</p> <p>10 seniority, some people say it's based on time in</p> <p>11 the unit. I mean, different versions of it.</p> <p>12 Q. Okay.</p> <p>13 A. But no one has presented me a black and</p> <p>14 white and said, this is the way it works, this</p> <p>15 is protocol.</p> <p>16 Q. Okay. Has anyone at the sergeant level</p> <p>17 or above ever explained to you what the process</p> <p>18 or procedure is for getting deputized?</p> <p>19 A. It depends on who you ask.</p> <p>20 Q. I'm asking you about whether any</p> <p>21 lieutenant or higher ranking -- I'm sorry, a</p> <p>22 sergeant or a higher ranking officer has told</p> <p>23 you, Officer Echeverria, what the process is for</p> <p>24 getting deputized for a U.S. Marshal status.</p>	<p>Page 185</p> <p>1 Q. And was that just the Area North team</p> <p>2 reported there or everyone reported there?</p> <p>3 A. Area North reports there.</p> <p>4 Q. Okay.</p> <p>5 A. From time to time you see some</p> <p>6 personnel that do come in there from other</p> <p>7 areas.</p> <p>8 Q. Okay. And would you have to report</p> <p>9 there at the beginning of your shift and at the</p> <p>10 end or how did that work --</p> <p>11 A. Yeah, yes.</p> <p>12 Q. -- when you were working for Sergeant</p> <p>13 Mills?</p> <p>14 A. Yeah, we'd start there.</p> <p>15 Q. Okay. And that was true for everybody</p> <p>16 that was on Sergeant Mills' team, correct?</p> <p>17 A. No.</p> <p>18 Q. Okay. Who was it true for and who was</p> <p>19 it not true for?</p> <p>20 A. It was true for me and Shannon and it's</p> <p>21 not true for some people who get dismissed from</p> <p>22 the field.</p> <p>23 Q. Okay.</p> <p>24 A. Except for me and Shannon. We would</p>
<p>Page 186</p> <p>1 A. Nobody has told me the process of it,</p> <p>2 they told me I wouldn't get it, ever. I'll tell</p> <p>3 you that for sure. But to answer your question</p> <p>4 for sure, I can't tell you.</p> <p>5 Q. Okay.</p> <p>6 A. Me or my partner would ever -- never</p> <p>7 get it.</p> <p>8 Q. Okay. I've got that one.</p> <p>9 A. Okay.</p> <p>10 Q. When you were on Sergeant Mills'</p> <p>11 team --</p> <p>12 A. Yes.</p> <p>13 Q. -- the Area North, where did you</p> <p>14 report?</p> <p>15 A. At that point the Fugitive Apprehension</p> <p>16 unit moved out of Homan Square so they were no</p> <p>17 longer at Fillmore. They were at 3151 Harrison.</p> <p>18 Q. Okay.</p> <p>19 A. Up in the old -- they had converted the</p> <p>20 Detective Division there to encompass Fugitive,</p> <p>21 Financial Crime, Bomb and Arson.</p> <p>22 Q. Okay.</p> <p>23 A. So they used that whole second floor,</p> <p>24 pretty much.</p>	<p>Page 188</p> <p>1 have to arrive at the area and dismissed at the</p> <p>2 area.</p> <p>3 Q. Okay. So you're saying that at certain</p> <p>4 times, certain individuals under Sergeant Mills</p> <p>5 would be dismissed from field and you and</p> <p>6 Shannon Spalding were never dismissed from the</p> <p>7 field. Is that your testimony?</p> <p>8 A. Yes.</p> <p>9 Q. Aside from those times when individuals</p> <p>10 were dismissed from the field, was it generally</p> <p>11 the case where everyone on Sergeant Mills' team</p> <p>12 was -- had to come back to the unit to be</p> <p>13 dismissed?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Do you have any recollection of</p> <p>16 who ever got dismissed from the field?</p> <p>17 A. Yeah.</p> <p>18 Q. What officers were dismissed from the</p> <p>19 field?</p> <p>20 A. Other team members on Sergeant Mills'</p> <p>21 team, some people from VRI when we worked --</p> <p>22 when we were allowed to work VRI, they got</p> <p>23 dismissed from the South Side.</p> <p>24 Q. Okay.</p>

<p style="text-align: right;">Page 189</p> <p>1 A. But we had to come in to be dismissed. 2 Q. Did you ever have a conversation with 3 Sergeant Mills about that subject, why you had 4 to come in rather than being dismissed from the 5 field? 6 A. Yeah. 7 Q. And what do you recall about that 8 conversation? 9 A. He'd spin you. 10 Q. What do you recall him saying in that 11 conversation? 12 A. He's the sergeant. 13 Q. He'd say, I'm the sergeant? 14 A. He really wouldn't answer you directly. 15 Q. Okay. Do you recall your first 16 meeting, you and Officer Spalding, with Sergeant 17 Mills when you were assigned to his unit? 18 A. We had a few meetings with Sergeant 19 Mills. 20 Q. Do you remember the first time meeting 21 him? 22 A. Yes. 23 Q. Okay. And do you recall a conversation 24 with him and Officer Spalding present?</p>	<p>1 to speak with Mills. He said, talk to him 2 before they brainwash him. We'll see where his 3 loyalty is. I made him sergeant. 4 Q. Okay. 5 A. We were in the Marine Corps together. 6 Q. Okay. 7 A. So he made me believe that they knew 8 each other from before the job. 9 Q. Okay. And I believe your partner, 10 Officer Spalding, testified the other day that 11 any alleged retaliation by Sergeant Mills didn't 12 start until after the two of you filed your 13 lawsuit; is that correct? 14 A. That's correct. 15 Q. Okay. 16 A. That's also when the dismissal thing 17 changed, too. 18 Q. Okay. 19 A. You know, the having to come in the 20 unit and other people didn't have to come in the 21 unit. 22 Q. Okay, all right. Let's talk about 23 that. 24 A. All right.</p>
<p style="text-align: right;">Page 190</p> <p>1 A. Yes. 2 Q. What do you recall about that 3 conversation? 4 A. One of the meetings is we had talked to 5 him about what we did, where we came from in 6 reference to Brass Tax. 7 Q. Sure. 8 A. We had expressed -- we had told him 9 what -- the meeting we had with Sergeant Barnes, 10 Salemme, Cesario; we told him we were being 11 moved, why we were moved or how we ended up on 12 this team. He said, good to know. He said, 13 he's going to be observing. And then we had 14 other meetings where he acknowledged the 15 differential treatment, stuff like that. 16 Q. All right. In that first meeting with 17 Sergeant Mills, did he indicate that he had 18 previously been in IAD? 19 A. Yes. 20 Q. Okay. Did he tell you that he had 21 previously worked for -- 22 A. Juan Rivera. 23 Q. -- Chief Rivera? 24 A. Yeah. Juan Rivera also instructed us</p>	<p>1 Q. Other than the fact that the two of 2 you, you say, were never dismissed from the 3 field, what other retaliation did -- 4 A. After the lawsuit? 5 Q. -- Sergeant Mills engage in after the 6 lawsuit was filed? 7 A. After the lawsuit? 8 Well, there was differential treatment 9 at that moment on and I can understand why. I 10 mean, they were friends. They all were friends. 11 I mean, they all had worked together for a long 12 time. Mills had expressed that himself. 13 Q. Okay. 14 A. He had worked for Salemme in the past, 15 that's why he's there now. 16 Q. Okay. 17 A. He has worked with Cesario, as well. 18 Q. Sure. 19 A. He elaborated about Juan Rivera in the 20 Marine Corps. and things of that effect. 21 Q. Okay. Other than the issue of being 22 not dismissed from the field, is there anything 23 else that Sergeant Mills said or did that you 24 are alleging was retaliation for --</p>

1 A. Yeah. He would say something along the
 2 lines of -- well, I can remember one meeting, to
 3 be specific, one of many incidents. There was
 4 an incident where he kept us past quitting time
 5 like an hour, hour and a half and all he did was
 6 reference the lawsuit. How it would be like for
 7 us if we were to lose, did you ever think about
 8 that.

9 Q. Okay.

10 A. You know, how do you think the
 11 department is going to, you know, handle that
 12 and the people you work with, how do you think
 13 that's going to go for you. It was comments
 14 like that.

15 Q. Okay.

16 A. There was a comment about --

17 Q. Let me just ask you.

18 A. Okay.

19 Q. Was there a reason he was keeping you
 20 past quitting time? I understand you're saying
 21 what he said, but was there some work related
 22 reason that he was keeping you?

23 A. You know, it depends. I think he kept
 24 me just to keep us. I mean, he talked a lot of

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1 pounding into us. And I had told him, well,
 2 other officers do it. And I was specific. I
 3 said, Joseph Lopez does it.

4 Q. Okay.

5 A. And that infuriated him. He said, how
 6 dare you bring Joseph Lopez into this. I said,
 7 how can I? I mean, he does it. He did it
 8 today.

9 Q. Okay.

10 A. And I said, well, what do you want me
 11 to do? This is a warrant arrest. You let her
 12 fucking go, that's what you do. If it's not on
 13 the list, you let her fucking go. So you want
 14 me to let go, I told him, a person that has a
 15 warrant, a court issued from a judge warrant,
 16 let go? So disobey a court warrant?

17 Q. And what did he say?

18 A. He said, yes, that's what I'm telling
 19 you.

20 Q. Okay. And we'll talk a little bit more
 21 about that. That was a situation where you
 22 arrested an individual in the 11th District?

23 A. And it was in the 11th District.

24 Q. It was not on your list, correct?

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1 nonsense.

2 Q. Do you recall any work related reason?

3 A. Yes. I'll get into it.

4 Q. Okay.

5 A. There was a question about a warrant
 6 arrest that I had.

7 Q. Okay.

8 A. I had received a phone call and it was
 9 a warrant arrest where I was to pick up -- the
 10 mother was giving up the daughter, is what it
 11 was, and she had information where the daughter
 12 was going to be. And it was during the VRI, the
 13 Violence Reduction Initiative. And you would
 14 have to work off of a warrant list.

15 Q. Okay.

16 A. But there was also cases that you were
 17 allowed to work, like if it was a case of yours,
 18 you can work that case, as well, on the VRI.

19 Q. Okay.

20 A. And I had locked up this girl that was
 21 not on the VRI list but was a case of mine.

22 Q. All right. This was a --

23 A. And he was upset about that and that's
 24 what he kept pondering over about and kept on

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1 A. Correct.

2 Q. Okay.

3 A. I think that day we were supposed to
 4 focus on some South Side areas.

5 Q. Okay.

6 (Whereupon, Echeverria
 7 Deposition Exhibit No. 7 was
 8 marked for identification.)

9 BY MR. KING:

10 Q. Officer Echeverria, I'm showing you a
 11 document that's been marked as Deposition
 12 Exhibit No. 7.

13 A. Okay.

14 Q. And I'm going to take you back to the
 15 meeting that you previously testified to with
 16 Cesario and others where you were told you were
 17 moving to Mills' team.

18 Do you recall if this report was the
 19 activity report that Lieutenant Cesario had in
 20 that meeting?

21 A. I've never seen the front page in my
 22 life.

23 Q. Okay. What about the second page?

24 A. The second page looks similar, but I

<p style="text-align: right;">Page 197</p> <p>1 can't say this was what was presented to me. 2 Q. Okay. 3 A. I don't think it had the breakdown of 4 this. 5 Q. Okay. 6 A. But it looks familiar, but I can't say 7 this is what exactly he presented to me. 8 Q. Okay. Well, but it purports, anyway, 9 to be a listing of arrest activity from 10 March 22, 2012 to June 21, 2012 for you. As you 11 sit here -- 12 A. Okay. Pretty much -- 13 Q. -- are you able to say whether this is 14 accurate or not? 15 A. I can't tell you. 16 Q. Okay. 17 A. Because I can't tell you if this is an 18 exact document that he presented to me. I'll 19 tell you what, this document was never made 20 available to me. I'll tell you that. 21 Q. The first page of it? 22 A. Right. I'll tell you that 100. 23 Q. But the second page may have been, but 24 you're not positive?</p>	<p style="text-align: right;">Page 199</p> <p>1 this -- 2 Q. Okay. 3 A. -- in my work experience. 4 Q. It indicates anyway that it's your 5 Activity Report for -- if you go from the 6 beginning to the end, it's 6/20/2012 through 7 4/30/2013. 8 A. Yes. 9 Q. As you sit here now, are you able to 10 say whether this is an accurate reflection of 11 your activity? 12 A. It could be. 13 Q. Okay. 14 A. But then again, we don't write traffic 15 citations, driver cards. We don't do any of 16 that in Fugitives. 17 Q. Okay. 18 A. We strictly do arrests, or assist 19 arrests. We don't do case reports, we don't do 20 search warrants. That's why the zeros are 21 there. 22 Q. That's why the zeros are there? 23 A. Yeah. That's not a Fugitive thing. 24 Q. As far as you know, you don't have any</p>
<p style="text-align: right;">Page 198</p> <p>1 A. I can't say that with certainty. 2 Q. Okay. 3 A. It doesn't look -- 4 Q. Okay. Whether this document, Page 1 or 5 Page 2, whether or not that was presented to you 6 in the meeting, as you sit here now, can you say 7 whether this arrest activity between March 22, 8 2012 and June 21, 2012 is accurate or not? 9 A. I can't say. 10 Q. Okay. 11 (Whereupon, Echeverria 12 Deposition Exhibit No. 8 was 13 marked for identification.) 14 BY MR. KING: 15 Q. Officer Echeverria, I'm showing you 16 another document that's been marked Deposition 17 Exhibit No. 8, which -- let me know if you've 18 ever seen this Activity Report or Activity 19 Reports like this. 20 A. Do you want me to just look at the 21 front page or do you want me to look at the 22 whole thing? 23 Q. You can look at the whole thing. 24 A. Okay. I may have seen something like</p>	<p style="text-align: right;">Page 200</p> <p>1 reason to say that this is inaccurate? 2 A. Unless it's been altered, no. 3 Q. Okay. 4 (Whereupon, Echeverria 5 Deposition Exhibit No. 9 was 6 marked for identification.) 7 BY MR. KING: 8 Q. Officer Echeverria, I'm showing you 9 another document that indicates, anyway, it's 10 your Arrest Listing for the calendar year of 11 2013. Do you think you've seen this document 12 before? 13 A. I haven't seen this, but I have seen a 14 format similar to this. 15 Q. Okay. As you sit here now -- 16 A. I haven't seen a graph like this ever 17 printed before. 18 Q. Okay. 19 A. I haven't seen this type of spreadsheet 20 printed before like this. I've seen something 21 along these lines but. 22 Q. As you sit here now, do you have any 23 reason to believe this doesn't accurately 24 reflect your arrest activity in 2013?</p>

<p style="text-align: right;">Page 201</p> <p>1 A. It could or could not be. Because I 2 don't know if they're taking an incorporation of 3 my leave of absence, as well, my medical role. 4 So if they're incorporating that time where I 5 was gone for like seven, eight months, 6 whereabouts, then it would be inaccurate because 7 the dates. 8 Q. I see. 9 A. Do you see what I'm saying? Because 10 then the activity would be rendered. 11 Q. So it could accurately reflect your 12 actual arrest activity in 2013, but obviously 13 you wouldn't have any activity when you're out 14 on medical leave? 15 A. That's correct. And that would be the 16 same for this. 17 Q. Exhibit -- 18 A. 8. 19 Q. -- 8? 20 A. Correct. 21 Q. Sure. Thanks. 22 (Whereupon, Echeverria 23 Deposition Exhibit No. 10 was 24 marked for identification.)</p>	<p style="text-align: right;">Page 203</p> <p>1 Q. Okay. 2 A. So I don't know when this was created. 3 Q. Okay. And you believe Portfolio 4 Reports like this would show up in your 5 portfolio and you could view them? 6 A. Yes. 7 Q. Okay. 8 A. And I would question Page 2 of this, as 9 well. 10 Q. Okay. 11 A. The involved failed to make any arrests 12 for the last -- for March 19th through 23rd. 13 Does that incorporate my days off or it doesn't 14 and who are you comparing it to? Are you 15 comparing it to Joe Lopez, other team members? 16 Did they get this too in their Portfolio? 17 Because not everybody makes arrests every day. 18 Q. I understand that. 19 A. It's just not like that. It's the luck 20 of the draw. 21 Q. Let me ask you some questions about 22 these. 23 A. Sure. 24 Q. The first page of Exhibit 10 is the</p>
<p style="text-align: right;">Page 202</p> <p>1 BY MR. KING: 2 Q. Officer Echeverria, I'm showing you -- 3 A. Yes. 4 Q. -- another document that's been 5 marked -- 6 A. Make room for this. 7 Q. -- Deposition Exhibit No. 10 and ask 8 you to take a look at that. It's a few pages of 9 what's called Portfolio Reports. Just let me 10 know if you've ever seen any or all of these 11 pages. 12 A. You know what, this is the first time 13 I'm seeing this. Because when I went to work, I 14 checked my portfolio and I didn't see any of 15 these comments in there. So I don't know when 16 these were generated. 17 Q. Okay. And what does that mean? How do 18 you check your portfolio? 19 A. You log into the Clear system, you can 20 check your portfolio. 21 Q. Okay. 22 A. So I've never seen this in my portfolio 23 until today. The last time I checked was maybe 24 sometime last week.</p>	<p style="text-align: right;">Page 204</p> <p>1 incident you previously testified to where you 2 made an arrest in the 11th District when you 3 were assigned to other districts, correct? 4 A. Yeah, that's probably it. 5 Q. Okay. The second page you were just 6 talking about, it indicates that you failed to 7 make any arrests between March 19 and March 23. 8 As you sit here, you don't know whether that's 9 correct or incorrect? 10 A. Correct. 11 Q. Okay. And then the third page 12 indicates that you had lower arrest numbers for 13 the time period January 1 through February 1. 14 You worked 15 days and only had 2 arrests. As 15 you sit here, do you know whether that's true or 16 not? 17 A. I don't know if that's true. 18 Q. Okay. 19 A. I'd like to comment on this, though. I 20 find this very interesting. I remember a 21 conversation with Mills, and I believe Shannon 22 Spalding, my partner, was present where he 23 expressed concern about the two detectives 24 assigned to the unit on the team that hadn't</p>

<p style="text-align: right;">Page 205</p> <p>1 made an arrest from day one. And we had already 2 been in the unit for quite sometime. So I'd 3 like to know if they have that in their 4 Portfolio.</p> <p>5 Q. Okay. And who were those individuals? 6 A. It was Detective Zanos (phonetic) and 7 Detective Becker. I'd like to know what their 8 Portfolio looked like since Mills told us they 9 hadn't made an arrest and he was concerned about 10 that, being detectives and all.</p> <p>11 Q. Okay. Were they, Zanos and Becker, on 12 your team?</p> <p>13 A. Yeah. They reported directly for 14 Mills. So I'd like to see that. That would be 15 interesting to see.</p> <p>16 Q. The next page of Exhibit 10.</p> <p>17 A. Oh, we're not done. I'm sorry. What 18 page are we talking about now?</p> <p>19 Q. This would be the last page of the 20 exhibit. It's a report dated March 20, 2013.</p> <p>21 A. Okay.</p> <p>22 Q. It indicates that Mills spoke with you 23 on the 19th of March about spending excessive 24 time in the unit. It indicates that Sergeant</p>	<p style="text-align: right;">Page 207</p> <p>1 A. I can't recall that. I can't recall 2 specific dates like that.</p> <p>3 Q. Okay. So that may be true, you don't 4 know?</p> <p>5 A. I don't know. I know he used to tell 6 us, make sure you work these cases up. So if we 7 did stay in the unit, it was because we were 8 working these cases. It wasn't like we were 9 playing poker. There is some administrative 10 stuff you need to do before you lock somebody 11 up. You can't just shoot in the dark.</p> <p>12 Q. That makes sense.</p> <p>13 A. Again, I checked my Portfolio last week 14 and I didn't see that, so I'd like to know when 15 that was generated since I -- I didn't see it.</p> <p>16 I'd like to know if Becker and Zanos 17 were told the same thing or what their portfolio 18 reflects, since they hadn't locked anybody up, 19 according to Mills. And I can vouch for that.</p> <p>20 Q. I know counsel doesn't like me to say 21 this, but I move to strike the last statements 22 as not only being nonresponsive to the question, 23 there was no question.</p> <p>24 A. All right.</p>
<p style="text-align: right;">Page 206</p> <p>1 Mills explained that more time should be spent 2 out in the field on assigned cases.</p> <p>3 Do you remember that conversation with 4 Sergeant Mills?</p> <p>5 A. Vaguely.</p> <p>6 Q. Okay. But you at least vaguely recall 7 at least one conversation where he was 8 suggesting that you and Officer Spalding were 9 spending too much time in the office and should 10 spend more time out in the field; is that fair?</p> <p>11 A. No, because I disagree with him.</p> <p>12 Q. Okay. But you recall him raising the 13 issue, whether you agree with him or not?</p> <p>14 A. Vaguely.</p> <p>15 Q. Okay. And --</p> <p>16 A. I'd like to --</p> <p>17 Q. He indicates again on the last page --</p> <p>18 A. Okay. We're not done yet? I'm sorry.</p> <p>19 Q. -- on the date in question, that you 20 and your partner, Officer Spalding, didn't leave 21 I guess the headquarters until 1820 and then you 22 returned back at 2130.</p> <p>23 A. Was that 10:30? Yeah, that's 10:30.</p> <p>24 Q. Do you recall that that day?</p>	<p style="text-align: right;">Page 208</p> <p>1 Q. Other than what you've already 2 testified to, is there anything else that you're 3 alleging that Sergeant Mills did that was 4 retaliation against you and Officer Spalding?</p> <p>5 A. Sure.</p> <p>6 Q. What else?</p> <p>7 A. What else do you want to know?</p> <p>8 Q. What else? What else have you got on 9 Mills?</p> <p>10 A. Get your pen ready. Mills had a 11 conversation up in the parking lot where he 12 addressed Officer Spalding saying that she 13 should wear her vest to and from work. Because 14 if O'Grady can have a pop at her, he would.</p> <p>15 Q. And you were present for this 16 conversation?</p> <p>17 A. Yes, I was.</p> <p>18 Q. Okay. And where did this conversation 19 take place?</p> <p>20 A. At the 11th District parking lot. I 21 mean, shit, that's -- that's a strong statement.</p> <p>22 Q. That's a very strong statement. And 23 it's a very serious topic.</p> <p>24 A. Yes, it is.</p>

<p style="text-align: right;">Page 209</p> <p>1 Q. But was Sergeant Mills joking when he 2 said that?</p> <p>3 A. I don't think that's a joking matter. 4 I wouldn't joke about somebody's life like that.</p> <p>5 Q. I agree, I agree. So it's your 6 testimony that he said that and he was serious 7 about it?</p> <p>8 A. Yes, he was.</p> <p>9 Q. Okay.</p> <p>10 A. He should take action on that. He 11 should address that, he didn't, to the best of 12 my knowledge.</p> <p>13 There are other statements that I was 14 present for, then again I wasn't present for. 15 There's a statement where he had mentioned to my 16 partner that my partner reiterated to me. And I 17 was present for part of it --</p> <p>18 Q. Sure.</p> <p>19 A. -- but there's some that I wasn't 20 present for, where Sergeant Mills said -- well, 21 I was present for this one. He said, I don't 22 know why you two are still in this unit. It may 23 have been in that meeting.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 211</p> <p>1 A. Another one where I wasn't present but 2 he did tell Shannon, I believe Shannon, because 3 Shannon told me. And he said that along the 4 lines of if either one of us got in a shooting, 5 how do you think it would go for you when you 6 work for the lieutenant who hates you fucking 7 guys. How would that go for you? How do you 8 think that shooting would go for you?</p> <p>9 Q. Okay.</p> <p>10 A. I think that's kind of threatening.</p> <p>11 Q. Okay.</p> <p>12 A. I think that's inappropriate. I mean, 13 you count on management to do their job and it 14 hasn't been done.</p> <p>15 Q. Anything else that Officer Mills said 16 or did that you consider retaliation?</p> <p>17 A. I mean, there's a lot. But at the top 18 of my head, that would be it. If it comes to 19 me, I'll let you know.</p> <p>20 Q. Okay.</p> <p>21 A. But for the time being, that's what I 22 recall, the standout points.</p> <p>23 Q. That's fair enough.</p> <p>24 Do you recall an incident where you --</p>
<p style="text-align: right;">Page 210</p> <p>1 A. Where he kept us over and we didn't get 2 paid for it and gave the City a good two hours 3 and hour and a half hours of my time when 4 everybody else went home. Where Mills said, I 5 don't know why you two are still in this unit.</p> <p>6 Q. Okay.</p> <p>7 A. They don't want you up here. I don't 8 know why you're still up here, and he touched 9 the lawsuit again.</p> <p>10 Q. Okay.</p> <p>11 A. That, I was present. That happened at 12 that meeting.</p> <p>13 Q. That was the meeting that you testified 14 to earlier --</p> <p>15 A. Yes.</p> <p>16 Q. -- where you were sort of held over 17 after regular hours?</p> <p>18 A. Yes. Not sort of, definitely held 19 over. There's no sort of about it.</p> <p>20 Q. Okay.</p> <p>21 A. And then there's the one I was present 22 for as well was the parking lot that I testified 23 earlier.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 212</p> <p>1 or a time where you parked your vehicle in the 2 lieutenant's parking space?</p> <p>3 A. Sure, I recall that.</p> <p>4 Q. Okay. And you did that deliberately?</p> <p>5 A. No, I did not.</p> <p>6 Q. No? Why did you park in the 7 lieutenant's parking spot?</p> <p>8 A. Because there were no other parking 9 spots. I didn't think it was a crime either, 10 since the lieutenant has four parking spots.</p> <p>11 Q. Do you have a conversation with the 12 lieutenant about that --</p> <p>13 A. No.</p> <p>14 Q. -- either before or after you --</p> <p>15 A. He never addressed me.</p> <p>16 Q. Did anybody ever address you about 17 parking in the lieutenant's parking?</p> <p>18 A. Sergeant Mills said.</p> <p>19 Q. What did he say to you?</p> <p>20 A. He asked why did I park in the 21 lieutenant's spot. And I said, oh, I sure did. 22 I said, there was no other parking, we were 23 bringing in a prisoner. I had parked there and 24 we had process the prisoner and I forgot to move</p>

1 the car back. 2 Q. You didn't say, fuck them? 3 A. No, I did not. 4 Q. In reference to the lieutenant? 5 A. No. 6 Q. You didn't say, fuck them, maybe now 7 they'll listen? You didn't say that? 8 A. No, I did not. 9 Q. Okay. 10 A. That's funny you say that. 11 Q. Are you aware of Officer Spalding ever 12 using her phone or some other recording device 13 to record -- 14 A. No. 15 Q. -- Sergeant Mills? 16 A. No. 17 Q. Okay. 18 A. The first I heard of that was this 19 whole thing, the CR number and stuff like that. 20 Q. Okay. When was the first you heard 21 about that? 22 A. During the CR number. 23 Q. Okay. There was a CR number on Officer 24 Spalding for allegedly --	Page 213 1 Officer Spalding? 2 A. Yes, and what I observed. 3 Q. Do you remember before Officer Spalding 4 went in that room or at any point while she's in 5 the room, her texting you? 6 A. Yes, she did. 7 Q. Okay. Was it before she went in the 8 room or when she was in the room? 9 A. When she was in the room. 10 Q. Do you recall what she texted you? 11 A. To call the lawyer. 12 Q. Is that all it said? 13 A. I believe that was it, to call our 14 lawyer. 15 Q. Okay. 16 A. The best of my knowledge. 17 Q. And do you know if you still have that 18 text? 19 A. No, I don't. 20 Q. You don't? 21 A. No. 22 Q. Okay. 23 A. I can't say I do. 24 Q. And did you call your lawyer?	Page 215
1 A. The first I heard of that -- 2 Q. -- secretly recording Sergeant Mills? 3 A. The first I heard of that was when Mike 4 Barz and another person, that I can't think of 5 the name because I don't know it, it may have 6 been told to me at one time, but I just can't 7 remember the name -- 8 Q. Sure. 9 A. -- pulled Shannon off the floor and 10 took her to a back area by herself. Two males 11 by herself with a female, I think that's against 12 protocol, too. 13 Q. Were you present? 14 A. I was present -- 15 Q. Okay. 16 A. -- when it happened. I wasn't present 17 or privilege to the conversation. 18 Q. Okay. 19 A. But that's the first I heard of it. 20 Q. Okay. So whatever happened in that 21 room, you -- whatever you know about that -- 22 A. Came from Officer Spalding and what I 23 observed. 24 Q. -- you learned about it later from	Page 214 1 A. I called multiple times before somebody 2 called back. And I guess he called Sergeant 3 Barz back and spoke with Sergeant Barz. 4 Q. Okay. Did you personally ever speak to 5 the lawyer before the lawyer spoke to Sergeant 6 Barz? 7 A. I don't think I did. 8 Q. Okay. 9 A. I never made contact. I remember I 10 left multiple messages, voicemail. I believe I 11 did multiple texts to him, as well. 12 Q. And who was the lawyer at the time? 13 A. I can't think of his name off the top 14 of my head. But -- 15 Q. Is it Don Herbert? 16 A. Dan Herbert. 17 Q. Dan Herbert, I'm sorry. 18 A. And another associate. 19 Q. Okay. And do you recall who you left 20 messages with? 21 A. The associate. 22 Q. Okay. And -- 23 A. Or co-counsel. 24 Q. Sure, sure.	Page 216

<p style="text-align: right;">Page 217</p> <p>1 When Officer Spalding was in that room 2 with Mike Barz and the other officer, did you 3 stay in the area outside that room the whole 4 time she was in there? 5 A. I stayed at a desk not far from there. 6 Q. Okay. Do you have a recollection of 7 approximately how long she was in that room? 8 A. It's pretty close to an hour. 9 Q. Okay. I guess when she emerged from 10 that room, did you have a conversation with 11 her? 12 A. It was hard to have a conversation with 13 her immediately because she was not in the right 14 frame of mind to speak. She was very upset -- 15 Q. Okay. 16 A. -- and very stressed out. She didn't 17 look herself, she didn't look normal. 18 Q. Okay. 19 A. I walked with her to her car. She 20 explained to me what had happened. 21 Q. Okay. What do you remember her telling 22 you about what had happened in that room? 23 A. That they had accused her of 24 eavesdropping, I want to say.</p>	<p style="text-align: right;">Page 219</p> <p>1 A. I wouldn't see him much other than 2 crossing and, you know. 3 Q. Sure. You're not aware of any other 4 retaliation after you were no longer on his 5 team? 6 A. No. 7 Q. Okay. 8 A. I wouldn't see him much. 9 Q. Sure. At some point you and Officer 10 Spalding applied to or submitted a To-From 11 asking to go back to second watch, correct? 12 A. Yes. 13 Q. Okay. And that was ultimately granted, 14 correct -- 15 A. Yes. 16 Q. -- you were sent back? 17 And you were sent back to the second 18 watch on -- what was the sergeant? 19 A. Stack. 20 Q. Sergeant Stack's team that you're still 21 on now, correct? 22 A. Yes. 23 Q. Okay. Since you've been assigned to 24 Sergeant Stack's team, are you claiming that</p>
<p style="text-align: right;">Page 218</p> <p>1 Q. Okay. 2 A. And the eavesdropping was with Mills. 3 Q. Okay. 4 A. And that it has all to do with the 5 lawsuit. She said that Mike Barz had mentioned 6 to her that this can all go away. And she had 7 questioned him, how can it go away. And then he 8 implied, well, drop the lawsuit and this can all 9 go away. 10 Q. Okay. She said he implied that? 11 A. Yes. 12 Q. Do you remember her telling you 13 anything else about this? 14 A. Like I said, she was very upset. She 15 was crying. Shit, it made me want to cry. 16 Q. All right. Anything else you remember 17 about her telling you about the incident? 18 A. Not at the present time. 19 Q. Okay. At some point you and -- well, 20 strike that. 21 I assume that after you were reassigned 22 from Sergeant Barnes' team to Sergeant Mills' 23 team, you're not claiming that Sergeant Barnes 24 continued some retaliation against you?</p>	<p style="text-align: right;">Page 220</p> <p>1 there's been any retaliation for your work in 2 Operation Brass Tax? 3 A. I can't say that. 4 Q. Okay. Am I correct that neither you 5 nor Officer Spalding made any written complaints 6 to anyone about alleged retaliation or 7 harassment you were suffering as a result of 8 your work on Operation Brass Tax? 9 A. To who? 10 Q. To anyone. 11 A. Yeah, we told Rivera once it started. 12 Q. My question is about written 13 complaints. Am I correct that you did not put 14 in writing any complaints to anyone about 15 alleged retaliation or harassment that you were 16 subjected to or allegedly subjected to as a 17 result of your work -- 18 A. No. 19 Q. -- on the confidential investigation? 20 A. No. 21 Q. Okay. And are you familiar with the 22 Independent Police Review Authority, IPRA? 23 A. I've heard of it. 24 Q. Okay.</p>

<p>1 A. But I can't say that I'm very familiar 2 with it. 3 Q. Okay. Are you aware that they 4 investigate misconduct by police officers? 5 A. Sure. I believe IAD does some part of 6 it, IPRA does some part of it, Confidential 7 does some part of it depending on the crime, is 8 my understanding of it. 9 Q. Okay. And am I correct that you and 10 Officer Spalding never made a Complaint to the 11 Independent Police Review Authority about any 12 alleged retaliation? 13 A. No, I did not. 14 Q. As far as you know, Officer Spalding 15 did not, either? 16 A. That's correct, to the best of my 17 knowledge. 18 Q. Okay. 19 (Whereupon, Echeverria 20 Deposition Exhibit Nos. 11 and 21 12 were marked for 22 identification.) 23 BY MR. KING: 24 Q. Officer Echeverria, I'm showing you two</p>	<p>Page 221</p> <p>1 A. No, I don't. 2 Q. Okay. Well, they both deal with 3 allegations of misconduct. As you sit here, do 4 you know whether these orders would apply to 5 allegations of retaliation like you and Officer 6 Spalding were allegedly subjected to? 7 A. I'm sure. 8 Q. Would that include -- would that be 9 included in allegations of misconduct? 10 A. I'm sure somebody would have -- I'm 11 reading Exhibit No. 12. 12 Q. Yes. 13 A. And it says, ascertain if a log number 14 has been obtained. I think that's reference to 15 a CR number, that would be my best guess or 16 that's as to City -- I don't know. Well, 17 anyway, if you complain to somebody, the CR 18 number is what I understand should be taken. 19 Q. Sure. 20 A. And when we've complained, I don't 21 think a CR number was ever generated. 22 Q. Okay. And I'm only asking you if you 23 know whether the General Order and the Special 24 Order, Exhibits 11 and 12, when they refer to</p>
<p>Page 222</p> <p>1 other documents that have been marked Deposition 2 Exhibit Nos. 11 and 12. And can you take a look 3 at both of these. Exhibit 11 is a General Order 4 on Allegations of Misconduct Specific 5 Responsibilities and then Exhibit 12 is a 6 Special Order that's labeled Special Situations 7 Involving Allegations of Misconduct. 8 A. Okay. 9 Q. Do you think you've seen either of 10 these, the General Order or the Special Order 11 before? 12 A. No, I can't say I've researched it or 13 looked at it. 14 Q. Okay. 15 A. I may have once in my life, but I can't 16 really tell you. 17 Q. Okay. 18 A. Maybe during a study session when I 19 took a sergeant's exam or a detective's exam, I 20 may have briefly looked at something along these 21 lines. 22 Q. But you don't remember having any 23 particular familiarity with these two 24 ordinances?</p>	<p>Page 224</p> <p>1 allegations of misconduct, would that include 2 allegations of retaliation like -- 3 A. I'm sure it would. 4 Q. Okay. Well, let's take a look at 5 Exhibit 11, the General Order. If you look at 6 the second page -- 7 A. This one. 8 Q. -- of that exhibit. And there's a 9 subsection B. It says, Initiation, 10 Responsibilities and Procedures. Do you see 11 that? 12 A. Yes. 13 Q. Okay. In Paragraph 1 says, quote, when 14 misconduct is observed or a complaint relative 15 to misconduct is received by a non-supervisory 16 member, such member will immediately notify a 17 supervisory member and prepare a written report 18 to the commanding officer containing the 19 information received, observations made and any 20 action taken. Do you see that? 21 A. Yes. 22 Q. Okay. And am I correct that you and 23 Officer Spalding never prepared a written report 24 to any commanding officer about alleged</p>

<p style="text-align: right;">Page 225</p> <p>1 retaliation that you suffered; is that correct?</p> <p>2 MR. SMITH: I'll object to this line of</p> <p>3 questioning that -- the initiation</p> <p>4 responsibilities.</p> <p>5 BY MR. KING:</p> <p>6 Q. Is that correct?</p> <p>7 MR. SMITH: It's not clear whether it's</p> <p>8 to a receiving member of a complaint. You can</p> <p>9 answer if you can.</p> <p>10 THE WITNESS: Can you repeat it? Did I</p> <p>11 write something on paper?</p> <p>12 BY MR. KING:</p> <p>13 Q. My question is, am I correct that</p> <p>14 neither you nor Officer Spalding, both being</p> <p>15 non-supervisory members, ever prepared a written</p> <p>16 report to any commanding officer or to anyone</p> <p>17 else about alleged retaliation that you were</p> <p>18 being subjected to?</p> <p>19 A. Correct. I didn't write nothing. I</p> <p>20 thought voicing --</p> <p>21 Q. Let's look at Exhibit 12.</p> <p>22 A. Okay. I thought voicing my opinion to</p> <p>23 Chief Rivera would suffice.</p> <p>24 Q. Let's look at Exhibit 12, which is a</p>	<p style="text-align: right;">Page 227</p> <p>1 Officer Spalding at any time submitted a</p> <p>2 To/From --</p> <p>3 A. To/From?</p> <p>4 Q. -- Subject report to either your</p> <p>5 supervisor or anyone above your supervisor or to</p> <p>6 anyone at all with respect to the alleged</p> <p>7 retaliation that you were being subjected to?</p> <p>8 A. No.</p> <p>9 Q. Is that correct?</p> <p>10 A. That's correct. I mean, what good is</p> <p>11 it to beef on Mills if you're going to beef to</p> <p>12 Cesario? Then you beef on Cesario, it goes to</p> <p>13 Salemme?</p> <p>14 Q. I move to strike the commentary, which</p> <p>15 is not responsive to any question.</p> <p>16 A. Who are you going to beef to Rivera</p> <p>17 about, the superintendent? I'm sure he'll be</p> <p>18 glad to take a To-From from you.</p> <p>19 Q. Officer Echeverria, are you aware of</p> <p>20 any particular authority that the City Council</p> <p>21 has delegated to the superintendent of police?</p> <p>22 A. Not that I know of.</p> <p>23 Q. Okay. And likewise, are you aware of</p> <p>24 any particular authority the superintendent of</p>
<p style="text-align: right;">Page 226</p> <p>1 Special Order.</p> <p>2 A. Okay.</p> <p>3 Q. And if you could turn to the page, the</p> <p>4 bottom right, it's Defendant 1338.</p> <p>5 A. What page?</p> <p>6 Q. It says 1338 at the bottom right.</p> <p>7 A. 1338. Page 5, okay.</p> <p>8 Q. And Section H is entitled Allegations</p> <p>9 of Misconduct By Another Department Member.</p> <p>10 Section 1 says, and I'll just read it. Quote,</p> <p>11 whenever an allegation of misconduct is made</p> <p>12 against another department member, the member</p> <p>13 alleging misconduct will immediately notify,</p> <p>14 prepare and submit a Two-From-Subject report of</p> <p>15 the alleged allegations to their immediate</p> <p>16 supervisor, unless the immediate supervisor is</p> <p>17 the member accused of the misconduct. If a</p> <p>18 member is accusing their immediate supervisor of</p> <p>19 misconduct, the member will submit a</p> <p>20 To-From-Subject report to the members' next</p> <p>21 level supervisor in the member's chain of</p> <p>22 command. Do you see that?</p> <p>23 A. Yes.</p> <p>24 Q. And am I correct that neither you nor</p>	<p style="text-align: right;">Page 228</p> <p>1 police has or has not delegated to the chiefs in</p> <p>2 the department?</p> <p>3 A. Like what?</p> <p>4 Q. My question is are you aware of what</p> <p>5 authority the superintendent has delegated to</p> <p>6 chiefs?</p> <p>7 A. The authority to run the bureaus they</p> <p>8 might be assigned to.</p> <p>9 Q. That's your understanding?</p> <p>10 A. According to the department guidelines.</p> <p>11 Q. Okay.</p> <p>12 A. That would be my understanding.</p> <p>13 Q. Okay. And your understanding is the</p> <p>14 department guidelines are made by the</p> <p>15 superintendent?</p> <p>16 A. Sure. Or at least signed off by him.</p> <p>17 Q. Okay.</p> <p>18 MR. SMITH: Objection, foundation.</p> <p>19 BY MR. KING:</p> <p>20 Q. You've made some references to the code</p> <p>21 of silence.</p> <p>22 A. Yes.</p> <p>23 Q. Can you explain what your understanding</p> <p>24 is of the code of silence?</p>

<p style="text-align: right;">Page 229</p> <p>1 A. The code of silence, if you want to 2 call it the code of silence, the blue badge, the 3 blue wall, I mean, it's all the same. 4 Q. Okay. And what does it mean? 5 A. You basically you don't go and report 6 police misconduct, you look the other way. If 7 you do report police misconduct, you're out. 8 You become a target of retaliation. That's 9 existed for many years. 10 Q. How did you come to be familiar with 11 this alleged code of silence? 12 A. Me sitting here. 13 Q. Okay. 14 A. That's for one. I live it. 15 Q. Okay. Anything other than the fact 16 that you believe you've been retaliated against 17 where you've -- had you heard of this code of 18 silence prior to that, prior to -- 19 A. People talk about it in the academy. 20 Q. Okay. Do cadets talk about it? 21 A. Cadets. 22 Q. Okay. 23 A. You could pull in -- pick officers at 24 random out of a hat, they'll elaborate the same.</p>	<p>1 A. I never said I reported anything to 2 Tina Skahill. 3 Q. Okay. So you're not alleging that? 4 A. The only thing I reported to her is 5 initially the Sergeant Watts thing once we met 6 with the agent and her command staff and were 7 assigned to the Watts investigation, the Brass 8 Tax. That's the only time I've ever spoken to 9 Tina Skahill about any corruption. 10 Q. Just to be clear, you've not reported 11 any of the alleged retaliation that you or 12 Officer Spalding -- 13 A. No. 14 Q. -- suffered to Tina Skahill, correct? 15 A. No. Correct. 16 Q. Okay. And this code of silence you 17 mentioned about not reporting police misconduct, 18 in your understanding of the code of silence, 19 that would apply whether you reported other 20 officers internally to CPD or externally to an 21 organization -- 22 A. Both. 23 Q. -- like the FBI? Both, right? 24 A. Yes.</p>
<p style="text-align: right;">Page 230</p> <p>1 Q. Okay. When you were in the police 2 academy, do you have any recollection of anyone 3 talking about the code of silence, as you've 4 just described? 5 A. Other cadets. 6 Q. Okay. 7 A. I can't be specific. 8 Q. Sure, okay. It wasn't something you 9 were taught at the police academy by the 10 trainers, correct? 11 A. They teach you ethics, as well. 12 Q. Okay. 13 A. In fact, Tina Skahill was an ethics 14 instructor there. That's why when I first 15 reported this, I felt confident reporting it to 16 her because I remember her from the academy. 17 And then she was chief of IAD, so I said, what 18 better person to report it to. 19 Q. I asked you earlier if you reported 20 alleged retaliation to Tina Skahill and you said 21 no. 22 A. I did not. 23 Q. Are you changing your testimony that 24 you did report to Tina Skahill that --</p>	<p>1 Q. Okay. And in this case, you and 2 Officer Spalding worked on this investigation 3 first with the FBI and then with -- and then on 4 your work time as CPD both, correct? 5 A. Yes. 6 Q. Okay. And you've alleged that various 7 incidents of retaliation have happened. Do you 8 have any knowledge of whether that retaliation 9 was because you went to the FBI or simply 10 because you broke the code of silence? 11 A. Broke the code of silence. 12 Q. Okay. Thank you. 13 A. That would incorporate both, whether I 14 did it internally or externally. 15 Q. Okay. 16 A. I did what nobody else did, but my 17 partner. 18 Q. Okay. And if people were motivated to 19 retaliate against you, it's just because you 20 broke the code of silence, correct? 21 A. Yes. 22 Q. Okay. 23 MR. SMITH: Objection, vague. 24 THE WITNESS: I mean, I didn't</p>

<p style="text-align: right;">Page 233</p> <p>1 experience any retaliation prior to that. 2 BY MR. KING: 3 Q. All right. In fact, you didn't 4 experience any retaliation until after you were 5 working on the Watts investigation on your work 6 time for CPD, correct? 7 A. Correct. 8 Q. Other than yourself and Officer 9 Spalding, are you aware of any other officers 10 who you believe broke this code of silence by 11 reporting a misconduct by other police 12 officers -- 13 A. Yes. 14 Q. -- that subject -- that were then 15 subjected to some retaliation? 16 A. Yes. 17 Q. Who else? 18 A. Anthony Hernandez with Sergeant Padar. 19 He received retaliation after he reported 20 misconduct by Sergeant Padar. 21 Q. Okay. 22 A. The SOS scandal with Finnigan. 23 Q. Let's go back to Anthony Hernandez. 24 What's your understanding of what he reported</p>	<p style="text-align: right;">Page 235</p> <p>1 Q. And what is the SOS scandal? 2 A. Where I guess Officer Finnigan 3 attempted to hire a hit man to take out who he 4 thought was providing information to outside 5 agencies as well as the CPD for misconduct, also 6 going on the Special Operations Section. 7 Q. And what's the basis for your knowledge 8 of what you call the SOS scandal? 9 A. The same thing. The same thing. It's 10 been in the media, it's public. I've looked at 11 it, I've read it. 12 Q. Okay. But other than what you've read 13 about it, you don't have any personal knowledge 14 of the circumstances involved in the SOS 15 scandal? 16 A. No. Just what's been in public. 17 Q. Okay. Is that something that's 18 currently ongoing or was this something that 19 happened a long time ago? 20 A. I want to say a long time ago, but it's 21 definitely within a reasonable time back. I 22 wouldn't say it's ten years ago, I wouldn't say 23 it's 20 years ago. 24 Q. Sure. How long ago do you think this</p>
<p style="text-align: right;">Page 234</p> <p>1 and how he's been retaliated against. 2 A. He reported some misconduct with 3 Officer -- with Sergeant Padar and he's been 4 retaliated as far as like taken off of 5 Narcotics teams, placed in guard shacks. I 6 mean, you'd have to speak to him to get a lot of 7 detail. 8 Q. And that's some current, ongoing 9 litigation, correct? 10 A. I believe so. 11 Q. Okay. And where did you learn of these 12 facts or these alleged facts about the Hernandez 13 case? 14 A. I think it was made public at one time, 15 too. But I got a lot of it from the media. 16 Q. Okay. And you got some of it from -- 17 A. Some of it from him, as well. 18 Q. And some of it from Officer Spalding, 19 correct? 20 A. Correct. 21 Q. Okay, all right. Other than the 22 Anthony Hernandez situation, what other 23 incidents of alleged -- 24 A. The SOS scandal.</p>	<p style="text-align: right;">Page 236</p> <p>1 SOS -- 2 A. It's definitely before the Brass Tax. 3 So Brass Tax was maybe about five years now or 4 so, that we initially did. Maybe seven or 5 eight years. 6 Q. Okay. 7 A. Is that safe? I mean, an 8 approximation. 9 Q. I'm trying to get your best 10 recollection. But it was before 2007 when you 11 and Officer Spalding started working on 12 Operation Brass Tax? 13 A. Thereabouts, yes. 14 Q. Okay. Other than Anthony Hernandez and 15 what you described as the SOS scandal, are you 16 aware of any other incidents where an officer 17 allegedly broke the code of silence and then was 18 subjected to some retaliation? 19 A. That would be the best examples I have. 20 Q. Okay. 21 A. Other than mine. 22 Q. Okay. 23 MR. KING: How are you holding up? 24 THE COURT REPORTER: I'm fine.</p>

<p>1 MR. KING: Are you guys okay --</p> <p>2 MR. SMITH: Yeah.</p> <p>3 MR. KING: -- continuing? That's fine?</p> <p>4 BY MR. KING:</p> <p>5 Q. I understand that you're claiming and</p> <p>6 you've testified that each of the individual</p> <p>7 Defendants engaged in certain kinds of</p> <p>8 retaliation against you and Officer Spalding; is</p> <p>9 that correct?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. You're not claiming that each of</p> <p>12 these individual Defendants reached some</p> <p>13 understanding or agreement with other people</p> <p>14 that they were going to retaliate against you,</p> <p>15 are you?</p> <p>16 A. Other people as to who? Among</p> <p>17 themselves, yes.</p> <p>18 Q. Among themselves?</p> <p>19 A. Yes, I agree that they have.</p> <p>20 Q. Okay. Let's talk about them. Let's</p> <p>21 talk about Chief Rivera.</p> <p>22 Are you claiming that Chief Rivera</p> <p>23 reached some understanding or agreement with</p> <p>24 anyone to retaliate against you?</p>	<p>Page 237</p> <p>1 Q. Okay.</p> <p>2 MR. SMITH: I'm just going to object</p> <p>3 vague as the word inferring.</p> <p>4 THE WITNESS: They allowed it to</p> <p>5 happen.</p> <p>6 BY MR. KING:</p> <p>7 Q. Okay. Yeah, let's explore that even</p> <p>8 further.</p> <p>9 A. Okay.</p> <p>10 Q. You're alleging that because each of</p> <p>11 the individual Defendants engaged in some form</p> <p>12 of retaliation and the fact that some -- you</p> <p>13 know what, strike that.</p> <p>14 A. Okay.</p> <p>15 Q. And I assume you're not alleging that</p> <p>16 each of the individual Defendants even had</p> <p>17 knowledge of all of the retaliation that other</p> <p>18 Defendants committed, would that be fair to say?</p> <p>19 A. No.</p> <p>20 Q. You think each of the Defendants had</p> <p>21 knowledge of what everybody else did?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. So you think the people in</p> <p>24 Inspections had knowledge of the retaliation</p>
<p>Page 238</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Who do you think he reached an</p> <p>3 understanding or agreement with to retaliate</p> <p>4 against you?</p> <p>5 A. The other Defendants.</p> <p>6 Q. And that's based on what?</p> <p>7 A. Based on the fact that I'm still</p> <p>8 sitting here being deposed, based on the fact</p> <p>9 that I had to file a lawsuit, based on comments</p> <p>10 that we've been subject to, based that we've</p> <p>11 brought to his attention things, based that he's</p> <p>12 confided in us and explained to us meetings that</p> <p>13 he was present. As far as not -- we were</p> <p>14 referred to as IAD rats by other -- by James</p> <p>15 O'Grady, Nick Roti not wanting us back, telling</p> <p>16 us our careers are over. Sure, send them back,</p> <p>17 let's see if they get help on the street. All</p> <p>18 of that.</p> <p>19 Q. Okay. So would it be fair to say that</p> <p>20 you are inferring because the individual</p> <p>21 Defendants committed acts of retaliation, that</p> <p>22 they must have agreed or reached some</p> <p>23 understanding to do that?</p> <p>24 A. Yes.</p>	<p>Page 240</p> <p>1 that you suffered in Fugitive Apprehension?</p> <p>2 A. They do now.</p> <p>3 Q. Okay. Other than --</p> <p>4 A. I mean --</p> <p>5 Q. You're right, you're right.</p> <p>6 A. Right?</p> <p>7 Q. You're right.</p> <p>8 A. Okay.</p> <p>9 Q. Other than through your lawsuit, other</p> <p>10 than through your publicly filed lawsuit and</p> <p>11 your famous television appearances --</p> <p>12 A. I'm not camera shy.</p> <p>13 Q. -- you're not alleging, are you, that</p> <p>14 all of the individual Defendants even had</p> <p>15 knowledge of the harassment or retaliation that</p> <p>16 was allegedly committed by other individual</p> <p>17 Defendants, would you agree with that?</p> <p>18 A. I can't agree or I can't disagree.</p> <p>19 Q. You don't know, right?</p> <p>20 A. I'd say -- I'd say they all know, to a</p> <p>21 degree.</p> <p>22 Q. Okay.</p> <p>23 A. Prior to the lawsuit and more so after</p> <p>24 the lawsuit.</p>

<p>1 Q. Okay.</p> <p>2 A. My opinion.</p> <p>3 Q. Okay. I'll just take that same</p> <p>4 example. Is it your testimony that Lieutenant</p> <p>5 Pascua and Lieutenant Sadowski had knowledge of</p> <p>6 the alleged retaliation that you suffered in the</p> <p>7 Fugitive Apprehension unit before you publicized</p> <p>8 those events by filing a lawsuit and going on</p> <p>9 television?</p> <p>10 A. Hard to say. Like I said, to a degree.</p> <p>11 Q. Do you have any basis for that</p> <p>12 assertion, other than --</p> <p>13 A. My personal opinion.</p> <p>14 Q. Okay. Other than your personal</p> <p>15 opinion?</p> <p>16 A. No. Other than my personal opinion,</p> <p>17 no.</p> <p>18 Q. Okay. We've gone all the way through</p> <p>19 to your employment with Sergeant Stack. You're</p> <p>20 still on that team?</p> <p>21 A. Yes.</p> <p>22 Q. I'm just going to ask you for each of</p> <p>23 the individual Defendants, Rivera, Kirby,</p> <p>24 O'Grady, Roti, Sadowski, Pascua, Stanley,</p>	<p style="text-align: right;">Page 241</p> <p>1 BY MR. KING:</p> <p>2 Q. Officer Echeverria, I'm showing you</p> <p>3 another document that's been marked as</p> <p>4 Deposition Exhibit No. 13. It's a Summary</p> <p>5 Report Digest, at least the first page</p> <p>6 indicates. And this document refers to the CR</p> <p>7 where you and Officer Spalding and Sergeant</p> <p>8 Pasquinelli were named relating to efforts to</p> <p>9 recover a dog?</p> <p>10 A. Rin Tin Tin thing yeah.</p> <p>11 Q. Do you recall this?</p> <p>12 A. Yeah.</p> <p>13 Q. Okay, all right. And you're aware that</p> <p>14 a CR had been filed against you --</p> <p>15 A. Yeah, I'm aware of that.</p> <p>16 Q. -- regarding that incident?</p> <p>17 Okay. Do you know whether you've seen</p> <p>18 this document before?</p> <p>19 A. I don't know if I got the whole</p> <p>20 breakdown of it like this.</p> <p>21 Q. Okay.</p> <p>22 A. I can't recall.</p> <p>23 Q. Okay. Well, if you --</p> <p>24 A. I know I was interviewed.</p>
<p style="text-align: right;">Page 242</p> <p>1 Barnes, Cesario, Salemme and Mills, other than</p> <p>2 what you've already testified to, are you aware</p> <p>3 of any retaliation by any of those individuals</p> <p>4 resulting from your work on Operation Brass</p> <p>5 Tax?</p> <p>6 A. Other than Brass Tax?</p> <p>7 Q. No. Other than what you've testified</p> <p>8 to already, are you aware of any other</p> <p>9 retaliation or alleged retaliation by those</p> <p>10 individuals resulting from your work on</p> <p>11 Operation Brass Tax?</p> <p>12 A. The best of my knowledge, what I have</p> <p>13 explained to you today.</p> <p>14 Q. Okay. To the best of your knowledge,</p> <p>15 there's nothing else?</p> <p>16 A. The best of my knowledge at this time,</p> <p>17 nothing else.</p> <p>18 Q. Okay. Thank you.</p> <p>19 A. If I think of something else, I'll let</p> <p>20 you know.</p> <p>21 Q. I appreciate that.</p> <p>22 (Whereupon, Echeverria</p> <p>23 Deposition Exhibit No. 13 was</p> <p>24 marked for identification.)</p>	<p style="text-align: right;">Page 244</p> <p>1 Q. You were interviewed?</p> <p>2 A. And my partner was interviewed.</p> <p>3 Q. She was?</p> <p>4 A. I remember somebody telling me they</p> <p>5 interviewed everybody except the dog.</p> <p>6 Q. That's a good line.</p> <p>7 A. It was true. It's a true story, a true</p> <p>8 statement.</p> <p>9 Q. All right.</p> <p>10 A. I think it was by investigative</p> <p>11 Shipwreck (phonetic) or something along those</p> <p>12 lines. He said that to me.</p> <p>13 Q. Do you recall that the investigator was</p> <p>14 Joseph Stehlik?</p> <p>15 A. That's the second one.</p> <p>16 Q. There was one prior to that?</p> <p>17 A. Yeah, I think so. The Shipwreck guy.</p> <p>18 Q. Okay. It was something like Shipwreck</p> <p>19 was his name?</p> <p>20 A. Something like that, along those lines.</p> <p>21 I don't know if I'm saying it right. It was</p> <p>22 like Shipwreck, Shipwreck. I don't know, agent</p> <p>23 something or other.</p> <p>24 Q. Do you have any knowledge of why the</p>

<p>1 investigator changed on this?</p> <p>2 A. I don't know. I don't know if the guy</p> <p>3 was on vacation or something. I don't know.</p> <p>4 Q. Sure, okay.</p> <p>5 A. I don't know how they do things like</p> <p>6 that up there.</p> <p>7 Q. When you gave your statement or</p> <p>8 interview, was that by -- let's just call him</p> <p>9 Shipwreck. Was that by him or was it by this</p> <p>10 Joseph Stehlik?</p> <p>11 A. I think Stehlik.</p> <p>12 Q. Okay.</p> <p>13 A. Yeah. A taller, white gentleman.</p> <p>14 Q. If you look at the page, go by the</p> <p>15 numbers at the bottom right, it's Page 924.</p> <p>16 A. Okay.</p> <p>17 Q. And it indicates here that the</p> <p>18 allegations against you for violation of Rule 4</p> <p>19 and violation of Rule 2 were sustained. Do you</p> <p>20 see that?</p> <p>21 A. Yes.</p> <p>22 Q. Is that your understanding that at</p> <p>23 least the initial finding was a sustained on</p> <p>24 those two violations?</p>	Page 245	Page 247
<p>1 A. Yes.</p> <p>2 Q. Okay. And on the next page it</p> <p>3 references a recommendation and a recommendation</p> <p>4 that you be suspended for two days. Were you</p> <p>5 aware of -- are you aware of that</p> <p>6 recommendation?</p> <p>7 A. I believe so.</p> <p>8 Q. Okay. And ultimately this was changed</p> <p>9 to a finding of not sustained, correct?</p> <p>10 A. Yeah. I grieved it, I think.</p> <p>11 Q. Okay.</p> <p>12 A. Yeah.</p> <p>13 Q. And you did not receive any discipline,</p> <p>14 correct?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. And do you have any personal</p> <p>17 knowledge of knowing who made the decision to</p> <p>18 change the finding from sustained to</p> <p>19 unsustained?</p> <p>20 A. I think I talked to an FOP lawyer.</p> <p>21 Maybe they know. I don't know off the top of my</p> <p>22 head, no.</p> <p>23 Q. Okay, that's fine.</p> <p>24 A. It says here Daniel Mahoney. Maybe he</p>	Page 246	Page 248

<p>1 cut?</p> <p>2 A. No, no.</p> <p>3 Q. In fact, during the years that you've</p> <p>4 alleged that the retaliation has been going on,</p> <p>5 have you received any pay increases?</p> <p>6 A. A step increase.</p> <p>7 Q. Okay.</p> <p>8 A. A contract increase.</p> <p>9 Q. Okay. And do you get those every year?</p> <p>10 A. I don't know. I think they're like</p> <p>11 benchmark type. I think one is off of your</p> <p>12 probation time, I think you get one on the</p> <p>13 anniversary there. And then -- I mean, don't</p> <p>14 quote me. Like a five-year step increase, a</p> <p>15 ten-year step increase. I recently made a</p> <p>16 15-year benchmark, I think I got an increase</p> <p>17 there --</p> <p>18 Q. Okay.</p> <p>19 A. -- by contract. Something like that.</p> <p>20 Q. Sure.</p> <p>21 A. But other than step increase, no.</p> <p>22 Q. Okay. But none of your step increases</p> <p>23 have been impeded in any way --</p> <p>24 A. No.</p>	Page 249	<p>1 team on nights and Sergeant Stack's team back on</p> <p>2 days, has overtime opportunities been pretty</p> <p>3 similar for all of those?</p> <p>4 A. No. It's been different.</p> <p>5 Q. How has it been different?</p> <p>6 A. I believe on Barnes' team, we didn't</p> <p>7 get overtime because everybody there was</p> <p>8 deputized.</p> <p>9 Q. Okay.</p> <p>10 A. So they got overtime through the</p> <p>11 Marshal's program because of their credentials,</p> <p>12 Marshal funding. So we weren't allotted that.</p> <p>13 Then on Mills' team, we weren't allotted</p> <p>14 overtime there, either. But I don't know, I</p> <p>15 can't speak for the rest of the team, either.</p> <p>16 Sergeant Stack's team, I've been allotted some</p> <p>17 overtime being non-deputized.</p> <p>18 Q. Okay.</p> <p>19 A. But then again, it has also been</p> <p>20 limited to deputized or task force officers, as</p> <p>21 well.</p> <p>22 Q. Okay.</p> <p>23 A. So, I mean, I don't know. Does that</p> <p>24 answer your question?</p>	Page 251
<p>1 Q. -- as a result of the allegation of</p> <p>2 retaliation?</p> <p>3 A. No.</p> <p>4 Q. Okay. And you believe there may be</p> <p>5 some overtime opportunities that were lost as a</p> <p>6 result of the alleged retaliation?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. As you sit here, do you -- I</p> <p>9 mean, are you able to quantify how much overtime</p> <p>10 you've lost?</p> <p>11 A. I can't put a dollar number on it</p> <p>12 because overtime is always a variable.</p> <p>13 Q. Sure.</p> <p>14 A. You could have one hour, you could have</p> <p>15 five hours.</p> <p>16 Q. Sure.</p> <p>17 A. You could do a double shift. I mean,</p> <p>18 it's a variable. It's a case by case.</p> <p>19 Q. Sure. Have you worked any overtime --</p> <p>20 well, strike that.</p> <p>21 Since you've been in Fugitive</p> <p>22 Apprehension, has there been any difference in</p> <p>23 the overtime opportunities, let's say from</p> <p>24 Sergeant Barnes' team on days to Sergeant Mills'</p>	Page 250	<p>1 Q. Yeah, yeah.</p> <p>2 A. All right.</p> <p>3 Q. Just to be clear, I mean, you're not</p> <p>4 alleging that you've worked some overtime hours</p> <p>5 and not been paid for it, you just --</p> <p>6 A. I'd grieve it, if I was.</p> <p>7 Q. So that would be a no, right?</p> <p>8 A. That would be a no.</p> <p>9 Q. Okay, fair enough. And it sounded like</p> <p>10 you're saying that in Fugitive Apprehension,</p> <p>11 there's some difference between overtime</p> <p>12 opportunities for Marshal's Task Force officers</p> <p>13 and non-task force officers?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And whatever overtime</p> <p>16 opportunities you or Officer Spalding would get</p> <p>17 or wouldn't get, would be the same as other</p> <p>18 non-task force officers, correct?</p> <p>19 A. That's hard to answer. I mean, because</p> <p>20 Officer Spalding and myself were treated</p> <p>21 differently than other officers, as well.</p> <p>22 Q. Are you aware of any other officers,</p> <p>23 non-task force officers in Fugitive Apprehension</p> <p>24 getting overtime opportunities that you believe</p>	Page 252

<p style="text-align: right;">Page 253</p> <p>1 were not afforded to you and Officer Spalding? 2 A. I mean, there are non-task force 3 officers that do get overtime and there are some 4 that don't, so how do you want me to answer 5 that? 6 Q. Are you aware of any particular 7 circumstances where other non-task force 8 officers had the opportunity to get overtime and 9 you and Officer Spalding didn't, as you sit 10 here? 11 A. Could be. Like I said, it's difficult 12 to answer that. 13 Q. Okay. As you sit here, you're not 14 aware of any particular circumstances; is that 15 correct? 16 A. It's difficult to answer, sir. 17 Q. Okay. 18 A. I mean -- 19 Q. Okay. 20 A. I'm being as honest as I can. 21 Q. Okay. I understand. 22 A. I'm answering you the best I can at the 23 moment. 24 Q. I understand.</p>	<p style="text-align: right;">Page 255</p> <p>1 or other medical professionals for the emotional 2 distress? 3 A. Yes, I have. 4 Q. And do you recall what doctors or other 5 medical professionals you've seen? 6 A. I visited my primary care physician 7 first. 8 Q. Okay. 9 A. Who in her medical opinion believed it 10 would be beneficial for me to take this medical 11 leave. 12 Q. Take a medical leave. And what's that 13 doctor's name? 14 A. Her name is Dr. Vesna Sternic. 15 Q. Okay. She had a hard name to 16 pronounce. I was just going to call her Dr. V. 17 Would that work? 18 A. Vesna is the first name, I think, and 19 Sternic is the last name. 20 Q. Sternic. We'll go with Sternic, okay. 21 And that was your primary care physician? 22 A. Yes. 23 Q. So how long has Dr. Sternic been your 24 doctor or when did you think you first visited</p>
<p style="text-align: right;">Page 254</p> <p>1 And you're not claiming that as a 2 result of the alleged retaliation, that you've 3 been demoted in rank or anything like that? 4 A. I still wear a blue shirt. 5 Q. That would be a no? 6 A. Correct. 7 Q. Okay, thanks. 8 And you mentioned earlier that you went 9 on medical leave for a period of time -- 10 A. Yes. 11 Q. -- correct? Okay. And our records I 12 think show that you went out on medical leave 13 from on or about May 14, 2013 to December 10, 14 2013. 15 A. That sounds about right. 16 Q. Does that sound about right? Yes? 17 A. That sounds about right, plus or minus 18 a day or two here and there. 19 Q. All right. And are you seeking to 20 recover damages in this case for -- 21 A. For burning my time? 22 Q. -- for emotional distress? 23 A. Absolutely. 24 Q. Okay. And have you visited any doctors</p>	<p style="text-align: right;">Page 256</p> <p>1 with her? 2 A. She's been my doctor for a while. I 3 want to say -- I'm trying to use a reference 4 guide. 5 Q. Sure. 6 A. Well, my kid's about eight-years old. 7 My kid is eight. I've been seeing her at least 8 that time. 9 Q. Okay. 10 A. I don't know if I saw her before. 11 Q. Eight years, somewhere along there? 12 A. Thereabouts. 13 Q. Okay. That's fine. 14 A. I'm trying to use that as kind of like 15 a guideline. 16 Q. Sure. 17 A. I mean, I can't tell you my first day I 18 went to see her. 19 Q. Sure. And who else have you seen? 20 A. And then I received a referral from 21 Dr. Sternic to see a Dr. Ruzycki. 22 Q. And Dr. Ruzycki is a psychologist? 23 A. Yes. 24 Q. Okay. And, again, I think our records</p>

<p style="text-align: right;">Page 257</p> <p>1 indicate you first saw Dr. Ruzycki on May 16, 2 2013. Does that sound right?</p> <p>3 A. Whatever is on the medical record, I'm 4 sure that's pretty accurate.</p> <p>5 Q. Okay. And other than Dr. Sternic and 6 Dr. Ruzycki, have you seen anyone else --</p> <p>7 A. Yeah.</p> <p>8 Q. -- for conditions that you're claiming 9 were the result of retaliation?</p> <p>10 A. Yeah. I saw a doctor at the Medical 11 Section. I can't think of her name.</p> <p>12 Q. The CPD Medical Section?</p> <p>13 A. Yeah.</p> <p>14 Q. Okay. Dr. Arjmand?</p> <p>15 A. Arjmand. I saw her once or twice.</p> <p>16 Q. Okay.</p> <p>17 A. Then I also saw -- I can't think -- I 18 don't know her name. A City doctor when I was 19 evaluated to return to work.</p> <p>20 Q. Was that Dr. Lynsey Stewart?</p> <p>21 A. I couldn't tell you. I mean, if that's 22 what's on record.</p> <p>23 Q. Okay, that's fine.</p> <p>24 A. I'm sure that's accurate. I saw her</p>	<p style="text-align: right;">Page 259</p> <p>1 Q. I think so. 2 A. All right.</p> <p>3 (Whereupon, a discussion was had 4 off the record.)</p> <p>5 (Whereupon, Echeverria 6 Deposition Exhibit Nos. 15 and 7 16 were marked for 8 identification.)</p> <p>9 BY MR. KING:</p> <p>10 Q. Officer Echeverria, I'm showing you a 11 couple of medical reports that have been marked 12 Deposition Exhibit 15 and 16.</p> <p>13 A. All right.</p> <p>14 Q. And these are reports from -- that we 15 got pursuant to subpoena, I think --</p> <p>16 A. Okay.</p> <p>17 Q. -- from Dr. Sternic.</p> <p>18 A. All right.</p> <p>19 Q. Let's look at the first one, which is 20 Exhibit 15. It mentions an encounter date of 21 8/23/2012. It says reason for visit, 22 hypertension. Do you see that?</p> <p>23 A. Where are you at?</p> <p>24 Q. Up here.</p>
<p style="text-align: right;">Page 258</p> <p>1 once. No, I saw another doctor, too, who did a 2 medical physical.</p> <p>3 Q. Okay.</p> <p>4 A. At the Twin Towers, I think -- not the 5 Twin Towers. The Presidential Towers.</p> <p>6 Q. Yeah. I think that may have been 7 Dr. Stewart.</p> <p>8 A. I don't know. And then I saw a 9 psychologist, as well. So I saw my two doctors, 10 a City -- Arjmand, a City doctor, a City doctor. 11 This is five doctors?</p> <p>12 Q. And are you saying you saw a 13 psychologist in addition to Dr. Ruzycki or she 14 was the psychologist?</p> <p>15 A. Ruzycki was the psychologist referred 16 by my primary.</p> <p>17 Q. Sure.</p> <p>18 A. So I saw Sternic, Ruzycki on my own 19 accord. The other two doctors, I had to see due 20 to the City.</p> <p>21 Q. Okay, that's fine.</p> <p>22 A. In compliance with the City.</p> <p>23 Q. That's fine.</p> <p>24 A. Does that sound right?</p>	<p style="text-align: right;">Page 260</p> <p>1 A. Just point at it with your pen and I'll 2 follow you where you're at.</p> <p>3 Q. Reason for visit, hypertension.</p> <p>4 A. Okay.</p> <p>5 Q. Do you recall seeing Dr. Sternic for 6 hypertension?</p> <p>7 A. Yeah. She prescribes me medication for 8 it.</p> <p>9 Q. When do you think you first saw her for 10 hypertension?</p> <p>11 A. I can't put a finger on it, but she 12 seems to agree that it's -- stress is a big 13 factor in it.</p> <p>14 Q. Okay. To the best of your 15 recollection, it wasn't on this 8/23/2012 date 16 that she first --</p> <p>17 A. First gave me medication?</p> <p>18 Q. -- first gave you medication for 19 hypertension?</p> <p>20 A. I can't tell you. Unless it says 21 somewhere in the narrative it does, I couldn't 22 tell you with exact definition of it.</p> <p>23 Q. Well, just from your own recollection, 24 if you can recall. I mean, do you think it was</p>

<p style="text-align: right;">Page 261</p> <p>1 August of 2012 when she first started giving you 2 medication for hypertension or before? 3 A. Like I said, I can't tell if it's 4 before or that day. 5 Q. Okay. 6 A. The best of my knowledge. 7 Q. All right. 8 A. I mean, unless it's -- unless it's 9 referenced somewhere where she says yes, then I 10 would say it would be accurate. 11 Q. Well, here on the first page, it says 12 in this paragraph, Daniel has a past medical 13 history of HTN, hypertension. 14 A. Okay. That's kidney stone, calculi. 15 Renal calculi. 16 Q. That's kidney stones? 17 A. Renal calculi, yes. 18 Q. Does that help you at all remember 19 whether you had a history of hypertension? 20 A. Well, she puts a medical history, then 21 it must be prior to that date. 22 Q. Right. 23 A. Okay. 24 Q. Okay. But you don't know how long</p>	<p style="text-align: right;">Page 263</p> <p>1 A. Yeah, I remember this visit. 2 Q. Okay. Am I correct? 3 A. Correct. 4 Q. Okay. So am I correct that the May 8, 5 2013 visit was the first time you -- 6 A. I confide in her about work, yes. 7 Q. Okay, thank you. So that was the first 8 time you told her about things that you were 9 going through at work? 10 A. Yes. 11 Q. Okay. And did anyone recommend to you 12 that you talk to your doctor about the things 13 that were going on at work? 14 A. I thought I should be open to her and 15 explain to her -- 16 Q. Okay. 17 A. -- the stress I was going through and 18 her giving me her opinion if she thought that 19 would be a factor in the hypertension, as well. 20 Q. Okay. 21 A. Having myself some kind of medical 22 background. 23 Q. And you don't know when she first 24 prescribed you medication for hypertension?</p>
<p style="text-align: right;">Page 262</p> <p>1 prior to 8/23/2012 she diagnosed you with 2 hypertension? 3 A. No, I don't, the best of my knowledge. 4 Q. And she also indicates that you have a 5 family history of hypertension in both your 6 father and your mother; is that correct? 7 A. Yes. 8 Q. Okay. Now, if you look at the next 9 exhibit, 16. It's another visit with Dr. -- 10 A. Sternic. 11 Q. -- Sternic dated May -- 12 A. March. May? 13 Q. May 8, 2013. 14 A. Yes, okay. 15 Q. Do you see that? 16 A. Yes, I do. 17 Q. Okay. And in the section HPI on this 18 exhibit, it says, patient is in a very stressful 19 situation at work, which influences his life, 20 blood pressure. Do you see that? 21 A. Yes. 22 Q. Okay. And in Exhibit 15, the earlier 23 visit, there's no mention of anything about work 24 or stress at work, correct?</p>	<p style="text-align: right;">Page 264</p> <p>1 A. I can't tell you an exact date. I 2 mean, if you want to ask her. I mean, I'm sure 3 if you contact her she -- that will be 4 available. 5 Q. Are you still currently taking 6 hypertension medication? 7 A. Yes, I do. 8 Q. Okay. That's something you take daily? 9 A. Yeah, once a day, three pills. 10 Q. Okay. 11 A. Even though she says that the pressure 12 is better now, she said, see -- and, in fact, 13 that was my last visit with her. My last visit, 14 if you let me look at the calendar, I'll tell 15 you. She said, see, the stress is down, you 16 know, the hypertension is down. And I told her, 17 well, I'm going to a deposition. And she said, 18 well, just try and work on your stress. 19 Q. Okay. 20 A. Let's keep it down. 21 Q. In your last visit with her? 22 A. Yes. 23 Q. Okay. That's fine. 24 Do you see her regularly for</p>

<p>1 hypertension or --</p> <p>2 A. Whenever she tells me to make an</p> <p>3 appointment, I make an appointment.</p> <p>4 Q. Okay.</p> <p>5 A. I trust her with my life.</p> <p>6 Q. So Exhibit 16 has an encounter date of</p> <p>7 May 8, 2013. Do you have any recollection of</p> <p>8 how many times you've seen her since May 8th of</p> <p>9 2013?</p> <p>10 A. Since then, I can't tell you.</p> <p>11 Q. Okay.</p> <p>12 A. You know, I saw her -- was that during</p> <p>13 my leave? If it was during my leave, I would</p> <p>14 see her whenever she told me to make an</p> <p>15 appointment to see her.</p> <p>16 Q. Okay. And what she treated you for --</p> <p>17 A. Basically, she --</p> <p>18 Q. -- Dr. Sternic, was always hypertension</p> <p>19 or --</p> <p>20 A. Anything that related to a medical</p> <p>21 condition that I needed a prescription, I would</p> <p>22 see her.</p> <p>23 Q. Okay. Did she prescribe any other</p> <p>24 medications for you other than medication</p>	Page 265	Page 267
<p>1 relating to hypertension?</p> <p>2 A. I think she's prescribing it to me now.</p> <p>3 Now or then? It's up to you. You tell me.</p> <p>4 Q. Let's say now.</p> <p>5 A. Now? Maybe some cholesterol</p> <p>6 medication.</p> <p>7 Q. Okay.</p> <p>8 A. But that's it.</p> <p>9 Q. Okay.</p> <p>10 A. That's all she prescribes me.</p> <p>11 Q. Okay. All she -- Dr. Sternic</p> <p>12 prescribes you --</p> <p>13 A. Yeah.</p> <p>14 Q. -- is medication for hypertension --</p> <p>15 A. Hypertension.</p> <p>16 Q. -- and cholesterol?</p> <p>17 A. Cholesterol.</p> <p>18 Q. Do you know when she first prescribed</p> <p>19 you the cholesterol medicine?</p> <p>20 A. Again, hard to say.</p> <p>21 Q. That's fine.</p> <p>22 A. It's fairly recent. I don't know, I</p> <p>23 can't say.</p> <p>24 Q. Do you think in 2014?</p>	Page 266	Page 268

<p>1 Q. Okay.</p> <p>2 A. Stress, insomnia. I made Dr. Ruzycki</p> <p>3 aware of exactly what I was going through at</p> <p>4 work. I thought it was fair to let her know so</p> <p>5 that she could advise me with coping and</p> <p>6 everything else accurately.</p> <p>7 Q. Okay.</p> <p>8 A. I mean, I can't keep nothing out if I</p> <p>9 want to get fair treatment. And I did the same</p> <p>10 with Dr. Sternic.</p> <p>11 Q. So the things that you reported to your</p> <p>12 doctors that you believe were the result of the</p> <p>13 retaliation were stress, insomnia?</p> <p>14 A. Stress, insomnia.</p> <p>15 Q. Anything else?</p> <p>16 A. The hypertension. They all agree,</p> <p>17 yeah, it's all stress related. It's a stress</p> <p>18 disorder they told me.</p> <p>19 Q. Okay, that's fine. Did Dr. Ruzycki</p> <p>20 ever prescribe any medication for you?</p> <p>21 A. No.</p> <p>22 Q. And how many times have you --</p> <p>23 A. Seen Dr. Ruzycki?</p> <p>24 Q. -- seen Dr. Ruzycki?</p>	<p>Page 269</p> <p>1 A. -- off of medical.</p> <p>2 Q. Okay. And did she indicate you no</p> <p>3 longer needed to see her or did you just decide</p> <p>4 to stop seeing her or how did that end come</p> <p>5 about?</p> <p>6 A. We discussed many topics. We discussed</p> <p>7 coping, we discussed a support network. Just</p> <p>8 the ways how to cope with --</p> <p>9 Q. Sure.</p> <p>10 A. -- things that I was going through.</p> <p>11 And then we worked on maybe tapering off the</p> <p>12 medical leave as I progressed. I left it up to</p> <p>13 her discretion. She saw that I was progressing.</p> <p>14 And then I was ordered back to work by</p> <p>15 Dr. Arjmand and that was it.</p> <p>16 Q. Let's talk about that.</p> <p>17 A. Okay.</p> <p>18 Q. Since you've come back from your</p> <p>19 medical leave, have you seen any doctors</p> <p>20 relating to conditions that you believe are</p> <p>21 resulting from the retaliation?</p> <p>22 A. Just the hypertension with Dr. Sternic.</p> <p>23 Q. Okay.</p> <p>24 A. I haven't seen Dr. Ruzycki since I've</p>
<p>1 A. Many times.</p> <p>2 Q. Many times?</p> <p>3 A. More than I saw Dr. Sternic.</p> <p>4 Q. Okay.</p> <p>5 A. Because we did biweekly.</p> <p>6 Q. Okay.</p> <p>7 A. I don't know if it was weekly and then</p> <p>8 biweekly or biweekly and then eventually</p> <p>9 monthly.</p> <p>10 Q. Okay.</p> <p>11 A. It just -- it was ongoing.</p> <p>12 Q. Okay. When was the last time you saw</p> <p>13 her, if you know?</p> <p>14 A. You'd have to ask her. I can't tell</p> <p>15 you with an exact definition of a date.</p> <p>16 Q. I mean, are you still on --</p> <p>17 A. Have I seen her?</p> <p>18 Q. Are you still on a schedule to see her</p> <p>19 periodically?</p> <p>20 A. No, no.</p> <p>21 Q. When did your periodic visits with her</p> <p>22 come to an end?</p> <p>23 A. Sometime after I came back off of --</p> <p>24 Q. Off of medical leave?</p>	<p>Page 270</p> <p>1 been back.</p> <p>2 Q. Okay.</p> <p>3 A. Dr. Sternic, like I said, I saw not too</p> <p>4 long ago.</p> <p>5 Q. Sure. And since you've been back from</p> <p>6 the medical leave, I mean, how are you feeling</p> <p>7 in terms of stress, hypertension, sleeping?</p> <p>8 A. Every day is stressful.</p> <p>9 Q. Yeah, okay.</p> <p>10 A. But I've got to move forward. I mean,</p> <p>11 I've learned to cope with it.</p> <p>12 Q. Okay.</p> <p>13 A. Every day is a stressful day in that</p> <p>14 unit.</p> <p>15 Q. It's a stressful job.</p> <p>16 A. Yes, it is. But the stress I go</p> <p>17 through is not typical of the job. It's other</p> <p>18 factors --</p> <p>19 Q. Okay.</p> <p>20 A. -- that contribute to it.</p> <p>21 Q. Are you still having difficulty</p> <p>22 sleeping or is that --</p> <p>23 A. On and off. I can't -- I mean,</p> <p>24 sometimes I sleep three hours, sometimes I sleep</p>

<p>1 longer, sometimes I sleep five hours. 2 Q. Okay. 3 A. It just depends. 4 Q. Okay. 5 (Whereupon, Echeverria 6 Deposition Exhibit No. 18 was 7 marked for identification.) 8 BY MR. KING: 9 Q. Officer, I'm showing you another 10 medical record that's been marked Deposition 11 Exhibit 18. It's a letter from 12 Dr. Sternic dated June 13, 2013. Do you recall 13 seeing this before? 14 A. Sure. It's signed by my doctor. And 15 like I said, there's letters that I had her fax 16 as well as I had to take -- 17 Q. Okay. 18 A. -- in compliance with the Medical 19 Section. 20 Q. Okay. So when she would give you 21 something relating to your ability to return to 22 work, it's your understanding it would be faxed 23 to the Medical Section and you'd also bring a 24 hard copy, correct?</p>	<p>Page 273</p> <p>1 a few months prior to 5/8/13? 2 A. Sure, I can -- I'll agree to that. 3 Q. During the period that you were on 4 medical leave, you were still able to drive, 5 correct? 6 A. Yes. 7 Q. Okay. And you were still able to 8 ambulate or get around? 9 A. Yes. 10 Q. Okay. And during that period, you were 11 also still able to carry a firearm, correct? 12 A. Yes. 13 Q. And during the period that you were on 14 medical leave, did you feel that you were still 15 capable of arresting a suspect? 16 A. I wasn't physically impeded. I mean, 17 sure. 18 Q. Okay. 19 A. I was ambulatory. 20 (Whereupon, Echeverria 21 Deposition Exhibit No. 19 was 22 marked for identification.) 23 BY MR. KING: 24 Q. Officer, I'm showing you another</p> <p>Page 275</p>
<p>1 A. Yes. I'd take the extra measure and 2 take it to them. 3 Q. Okay. And she mentions in Exhibit 18, 4 symptoms including anxiety and insomnia. And 5 then a little further down, she says, it started 6 a few months. But as of 5/18/13, he was advised 7 to stay off of work. Do you see that? 8 A. What started a few months ago? Oh, 9 yeah. Yes. 10 Q. Okay. So would you agree that you told 11 Dr. Sternic that the symptoms you were having, 12 anxiety, insomnia, started a few months prior to 13 5/8/13? 14 A. No. I mean, maybe my -- when did my 15 leave start? Maybe my hypertension worsened a 16 few months ago prior to that. I don't know what 17 she -- I can't interpret her letter. 18 Q. Okay. 19 A. With exact. I mean, you'd have to ask 20 her. 21 Q. She says, it started a few months ago. 22 But as of 5/8/13, he was advised to stay off the 23 work. Would you agree that you told Dr. Sternic 24 that the symptoms, anxiety and insomnia, started</p>	<p>Page 274</p> <p>1 document that's been marked Deposition 2 Exhibit 19, which is a letter from Susan 3 Arjmand, M.D. to Dr. Ruzycki dated November 5, 4 2013. Have you ever seen this letter before? 5 A. Yes, I believe I have seen this. 6 Q. Okay. And what were the circumstances 7 under which you saw the letter? 8 A. I believe that's when I met with 9 Dr. Ruzycki. 10 Q. Okay. 11 A. And I had already met with Dr. Arjmand. 12 Q. Okay. And when you met with 13 Dr. Arjmand at any time, do you remember her 14 discussing these issues with you, your ability 15 to drive, your ability to ambulate? 16 A. No. 17 Q. Okay. And do you recall any discussion 18 you had with Dr. Ruzycki about this letter? 19 A. Yes. 20 Q. And what was discussed about the 21 letter? 22 A. I had told her what had transpired 23 with -- as well as with Dr. Sternic what had 24 transpired with Dr. Arjmand and that was it.</p> <p>Page 276</p>

<p style="text-align: right;">Page 277</p> <p>1 Q. Okay. And what do you mean when you 2 say, what had transpired with respect to 3 Dr. Arjmand?</p> <p>4 A. I had an appointment with the Medical 5 Section --</p> <p>6 Q. Yes.</p> <p>7 A. -- to meet with my designated nurse. 8 And I did not meet with my regular nurse, I met 9 with somebody else.</p> <p>10 Q. Okay.</p> <p>11 A. And then once I got there, they didn't 12 ask me much about my physical or medical 13 condition, they asked me more about my 14 litigation with the City.</p> <p>15 Q. Okay. And do you recall who that was?</p> <p>16 A. If you say the name, I'll tell you yes 17 or no. Put some names out there and I'll tell 18 you who it was.</p> <p>19 Q. That's fine. It wasn't Dr. Arjmand, 20 though?</p> <p>21 A. Yes. Her, as well.</p> <p>22 Q. Okay.</p> <p>23 A. I saw a nurse that was not my regular 24 nurse.</p>	<p>1 to say that. And I said, what does that have to 2 do with my visit with you? She said, tell me 3 about it. I said, why don't you Google it.</p> <p>4 Q. Okay.</p> <p>5 A. She didn't like that answer. She had 6 me sit back out front and I waited for like 7 three or four hours. And then I saw 8 Dr. Arjmand, who was inquisitive in the same 9 manner. And I told her the same answer and she 10 didn't like that answer, either. Then she asked 11 me if I'm on -- what are the symptoms I'm 12 feeling.</p> <p>13 Q. Sure.</p> <p>14 A. I said hypertension, insomnia, stress. 15 I said, there's medication for all of that. She 16 said if I wanted to be at home all day sitting 17 on the sofa watching TV or did I want to come 18 back to work.</p> <p>19 Q. And what did you say?</p> <p>20 A. I said, wow. I said, I've never been 21 on medical before, it's the first time. She 22 said, well, I think you and your doctors are 23 abusing the Medical Section, is what she said.</p> <p>24 Q. Did Dr. Arjmand say that or the other</p>
<p style="text-align: right;">Page 278</p> <p>1 Q. Sure.</p> <p>2 A. And then I saw Dr. Arjmand. After I 3 sat there for like four hours or three hours.</p> <p>4 Q. Okay. And they both asked you some 5 questions about your lawsuit with the City?</p> <p>6 A. Yes, they did.</p> <p>7 Q. Okay. Do you remember specifically 8 what they asked about the lawsuit?</p> <p>9 A. When I got there, at first they asked 10 me about my letter, did I turn it in or not turn 11 it in. I don't know which one they were talking 12 about. But it was a letter from either 13 Dr. Ruzycki or either from Dr. Sternic. And I 14 brought the hard copy, as well, because they -- 15 I don't think they got it via fax.</p> <p>16 Q. Okay.</p> <p>17 A. So that was the extra measure I spoke 18 of earlier. Then they asked me why I was on 19 medical, I told them it was a stress leave.</p> <p>20 Q. Okay.</p> <p>21 A. Then they asked me my name again, I 22 told them, the nurse, initially. She said, oh, 23 you're the guy that has the litigation with the 24 City, your lawsuit. And I was surprised for her</p>	<p>1 nurse?</p> <p>2 A. Dr. Arjmand said I'm abusing the 3 Medical Section. She said she will no longer 4 approve my medical.</p> <p>5 Q. Okay.</p> <p>6 A. She said, you go and you tell your 7 doctor that I said you need to come back.</p> <p>8 Q. Okay.</p> <p>9 A. And I said -- and she asked me when my 10 next appointment was. I looked on my phone on 11 my calendar, I gave her an appointment date. I 12 think she gave me a date to return like a day or 13 two after I saw Dr. Sternic. And Dr. Sternic 14 and Dr. Ruzycki wrote letters to reflect me 15 coming back.</p> <p>16 Q. Okay.</p> <p>17 A. That's a summary of it.</p> <p>18 Q. Sure. That's fine.</p> <p>19 A. I mean, that's a lot of other stuff she 20 said.</p> <p>21 Q. Would you agree that when you did go 22 back to work at the end of your medical leave, 23 you believe you were fit to return to work?</p> <p>24 A. I was there.</p>

<p>1 Q. Do you believe you were fit to return 2 to work?</p> <p>3 A. I returned to work. I was fit. I was 4 found fit and I returned.</p> <p>5 Q. And I'm asking you if you believe that 6 you were fit to return to work.</p> <p>7 A. Yes, I'm fit to --</p> <p>8 MR. SMITH: I object to a legal and 9 medical conclusion.</p> <p>10 THE WITNESS: I had other meetings with 11 Dr. Arjmand, too, where she addressed the letter 12 that she was not in agreement with. That wasn't 13 the end of our conversation or our meets with 14 her.</p> <p>15 BY MR. KING:</p> <p>16 Q. You had other conversations with 17 Dr. Arjmand?</p> <p>18 A. Yeah. When I returned with my 19 letter --</p> <p>20 Q. Right.</p> <p>21 A. -- she wasn't happy with the way the 22 letter was stated.</p> <p>23 Q. Okay.</p> <p>24 A. She expressed that concern and I think</p>	<p>Page 281</p> <p>1 A. Do you want to know more about the 2 Dr. Arjmand meeting, the second one?</p> <p>3 Q. Not right now.</p> <p>4 A. Okay. Because it didn't stop there. 5 (Whereupon, Echeverria 6 Deposition Exhibit No. 20 was 7 marked for identification.)</p> <p>8 BY MR. KING:</p> <p>9 Q. Officer Echeverria, I'm showing you 10 another medical record from Dr. Sternic and it's 11 been marked as Deposition Exhibit No. 20. And 12 it refers to an encounter date of 3/3/2014.</p> <p>13 Our records that we received indicate 14 that this was the first visit to Dr. Sternic 15 after you came back from medical leave. Is 16 that -- do you know whether that's true or not?</p> <p>17 A. It could be. I mean, if that's what 18 she says, then yeah.</p> <p>19 Q. Okay. And in this visit, it indicates 20 that you were seeing her -- the reason for the 21 visit was a cough.</p> <p>22 A. Yeah.</p> <p>23 Q. And she says this is a new problem, 24 correct?</p> <p>Page 283</p>
<p>1 that's where this letter comes to play.</p> <p>2 Q. So what you're saying was</p> <p>3 Dr. Arjmand --</p> <p>4 A. She denied saying what she said, is</p> <p>5 what I'm saying.</p> <p>6 Q. Okay.</p> <p>7 A. And that's -- that's what this letter</p> <p>8 kind of entails.</p> <p>9 Q. Okay.</p> <p>10 A. And I told Dr. Arjmand, well, she's a</p> <p>11 medical professional, Dr. Sternic is a medical</p> <p>12 professional, Dr. Ruzycki is a medical</p> <p>13 profession, maybe you should express your</p> <p>14 concern with them.</p> <p>15 Q. Okay.</p> <p>16 A. And I can't dictate to my doctor what</p> <p>17 they write or don't write. Those are medical</p> <p>18 professionals.</p> <p>19 Q. Sure.</p> <p>20 A. And she agreed. I guess she only made</p> <p>21 contact with Dr. Ruzycki. When I asked</p> <p>22 Dr. Sternic, Dr. Sternic said she never received</p> <p>23 any correspondence from Dr. Arjmand.</p> <p>24 Q. Okay.</p>	<p>Page 282</p> <p>1 A. Yeah, a cold or something.</p> <p>2 Q. Okay. I assume you're not claiming</p> <p>3 your cold was a result of retaliation by</p> <p>4 Defendants?</p> <p>5 A. Maybe. You never know.</p> <p>6 Q. You'll give me that one, won't you?</p> <p>7 A. I'll give you that one.</p> <p>8 Q. All right. Thank you.</p> <p>9 A. Touché.</p> <p>10 Q. Do you recall as you sit here whether</p> <p>11 you've seen Dr. Sternic since March 3rd of 2014?</p> <p>12 A. Like I said, I saw her recently. I</p> <p>13 can't tell you.</p> <p>14 Q. Okay. Do you recall what you were</p> <p>15 seeing her for recently?</p> <p>16 A. Again, the hypertension is always</p> <p>17 something she checks.</p> <p>18 Q. Okay. So just periodic appointments?</p> <p>19 A. Yeah. Just --</p> <p>20 Q. Okay.</p> <p>21 A. -- a wellbeing check, I guess,</p> <p>22 maintenance.</p> <p>23</p> <p>24</p> <p>Page 284</p>

<p>1 (Whereupon, Echeverria 2 Deposition Exhibit No. 21 was 3 marked for identification.) 4 BY MR. KING: 5 Q. Officer Echeverria, I'm showing you 6 another document that's been marked as 7 Defendants' Exhibit 21. It's a letter from U.S. 8 Health Works of Dr. Lynsey Stewart. 9 A. Yeah, that's the -- yeah, okay. 10 Q. That's the person you saw for a 11 physical examination? 12 A. Yeah, I knew it was at the Towers 13 there. 14 Q. Okay, right. 614 West Monroe? 15 A. Right. 16 Q. And she indicates that she performed a 17 mandatory physical examination on November 25, 18 2013; is that correct? 19 A. Yeah. 20 Q. And later down she indicates some 21 results of the examination, blah, blah, blah. 22 If you go to Number 3, she says, the patient has 23 a diagnosis of adjustment disorder and saw a 24 therapist in the past but is not currently in</p>	Page 285	Page 287
<p>1 therapy. Was that correct at that time? 2 A. If that's what she wrote, yeah. 3 Q. Okay. And then she writes that you 4 reported no current symptoms. Is that -- 5 A. I'm sorry, what -- hold on a second. 6 What's this date? November? No, I still would 7 see Dr. Ruzycki by then. So that's wrong. 8 Q. Okay. She writes that in your 9 examination on that date, you reported no 10 current symptoms. Do you think that's correct? 11 A. Yeah, I told her. She asked me why was 12 I seeing a therapist and I told her. And then 13 she said, okay. 14 Q. Okay. 15 A. Okay. 16 MR. KING: Can you read back his 17 answer? 18 (Whereupon, the record was read 19 as requested.) 20 BY MR. KING: 21 Q. Do you think it's correct that she 22 indicates in here that you reported no current 23 symptoms at that point in time? 24 MR. SMITH: I'm going to --</p>	Page 286	Page 288

1 Q. Okay.
 2 A. And I already testified to their
 3 answers.
 4 Q. Okay. Is that it?
 5 A. Yes.
 6 Q. Okay.
 7 MR. KING: I don't think I have any
 8 further questions.
 9 MR. SMITH: Okay. We'll reserve.
 10 FURTHER DEPONENT SAITH NOT.
 11 (The deposition concluded at
 12 2:39 p.m.)
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Page 291

1 indirectly in the outcome of this action.
 2
 3 IN WITNESS WHEREOF, I do hereunto set my
 4 hand at Chicago, Illinois, this 10th day of
 5 December, 2014.
 6
 7
 8



Certified Shorthand Reporter
 CSR Certificate No. 084-004022

1 CERTIFICATE OF OFFICER
 2
 3 I, SUSAN HASELKAMP, a Certified Shorthand
 4 Reporter of the State of Illinois, do hereby
 5 certify:
 6
 7 That previous to the commencement of the
 8 examination of the witness, the witness was duly
 9 sworn to testify the whole truth concerning the
 10 matters herein;
 11
 12 That the foregoing deposition transcript
 13 was reported stenographically by me, was
 14 thereafter reduced to typewriting under my
 15 personal direction and constitutes a true record
 16 of the testimony given and the proceedings had;
 17
 18 That the said deposition was taken before
 19 me at the time and place specified;
 20
 21 That I am not a relative or employee or
 22 attorney or counsel, nor a relative or employee
 23 of such attorney or counsel for any of the
 24 parties hereto, nor interested directly or

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I N D E X	EXAMINATION
3 WITNESS	
4 DANIEL ECHEVERRIA,	
5 By Mr. King.....	3
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1 DEPOSITION ERRATA SHEET
2 Assignment No. 239707
3 Chicago Police Officers Shannon Spalding and
4 Daniel Echeverria vs. City of Chicago, et al.

5 DECLARATION UNDER PENALTY OF PERJURY

6

7 I declare under penalty of perjury that I
8 have read the entire transcript of my Deposition
9 taken in the captioned matter or the same has
10 been read to me, and the same is true and
11 accurate, save and except for changes and/or
12 corrections, if any, as indicated by me on the
13 DEPOSITION ERRATA SHEET hereof, with the
14 understanding that I offer these changes as if
15 still under oath.

16

17 Signed on the _____ day of
18 _____, 2014.

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21 DANIEL ECHEVERRIA

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1 DEPOSITION ERRATA SHEET
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