

# **EXHIBIT 103**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SHANNON SPAULDING and )  
DANIEL ECHEVERRIA, )  
 )  
Plaintiffs, )  
 )  
-vs- ) No. 12 CV 8777  
 )  
CITY OF CHICAGO, et. )  
al., )  
 )  
Defendants. )

The Deposition of JAMES O'GRADY taken before  
Thomas A. Manno, C.S.R., pursuant to the Federal Rules of  
Civil Procedure pertaining to the taking of depositions  
for the purpose of discovery, at Christopher Smith Trial  
Group, One North LaSalle Street, Suite 3040, Chicago,  
Illinois 60602 on March 5, 2015, at 9:30 a.m.

	Page 2	Page 4
<p>1 APPEARANCES:</p> <p>2 CHRISTOPHER SMITH TRIAL GROUP One North LaSalle Street, Suite 3040 3 Chicago, Illinois 60602 BY: MR. CHRISTOPHER SMITH 4 Chris@lawsja.com 312-432-0400 5 Appearing on behalf of the Plaintiffs; 6 DRINKER, BIDDLE &amp; REATH, LLP 191 North Wacker Drive, Suite 3700 7 Chicago, Illinois 60606 BY: MR. ALAN S. KING 8 312-569-1334 Alan.king@dbr.com 9 Appeared on behalf of the Defendants.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>		<p>1 (Witness sworn.) 2 JAMES O'GRADY, 3 being first duly sworn, was examined and testified as 4 follows:</p> <p>5 EXAMINATION 6 BY MR. SMITH:</p> <p>7 Q. Can you please state your name and spell your 8 name for the record?</p> <p>9 A. James O'Grady, O-G-R-A-D-Y.</p> <p>10 Q. Where are you currently employed?</p> <p>11 A. The Village of Harwood Heights, Illinois.</p> <p>12 Q. And what is your position there?</p> <p>13 A. I'm the Chief of Police.</p> <p>14 Q. And when did you become the Chief of Police 15 there?</p> <p>16 A. December of 2013.</p> <p>17 Q. Prior to that, where did you work?</p> <p>18 A. I was employed by the Chicago Police Department 19 from 1986 until 2013.</p> <p>20 Q. What reason did you leave?</p> <p>21 A. I retired from the Chicago Police Department 22 and I took another position.</p> <p>23 Q. And I know that's a long period of time, but 24 essentially if you could try to do your best to give me</p>
<p>1 IN D E X</p> <p>2</p> <p>3 WITNESS: PAGE:</p> <p>4 James O'Grady</p> <p>5 (Exam. By Mr. Smith) 4</p> <p>(Exam. By Mr. King) 87</p> <p>6 (Further Exam. By Mr. Smith) 88</p> <p>7</p> <p>8 EXHIBITS:</p> <p>9 No exhibits were marked.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 3	<p>1 your main assignments and the years, timeframe, as to 2 when you moved or were promoted--</p> <p>3 A. Sure.</p> <p>4 Q. --within the Chicago Police Department.</p> <p>5 A. I started with the Chicago Police Department in 6 July of 1986. I was first assigned to the academy for 7 training. Subsequent to that, I was assigned to the 13th 8 District, west side of Chicago. I worked there until 9 1988, when I was detailed to the Area 4 Gang Task Force. 10 I worked there until approximately 1990.</p> <p>11 I returned to 13th District and was then 12 assigned to the Narcotics Division in 1991. I worked 13 there until 1997, I believe, when I applied for and was 14 assigned to the Internal Affairs Unit, where I worked 15 undercover on police impersonators and police corruption 16 cases.</p> <p>17 I was then promoted as sergeant in 1998 and 18 assigned to the 15th Police District until 1999, where I 19 returned to the Narcotics Division as a sergeant.</p> <p>20 Approximately 2002, I was detailed to the 21 Office of Legal Affairs as the commanding officer, where 22 I dealt with issues, legal issues, affecting the Chicago 23 Police Department, including contract issues, labor 24 issues, suspensions, terminations, investigations</p>

2 (Pages 2 - 5)

<p>1 involving police officers.</p> <p>2 And then returned to the Narcotics Unit, I</p> <p>3 believe, in 2003, at which point I was assigned to the</p> <p>4 DEA Task Force, Group 47, Federal Task Force, operating</p> <p>5 out of Homan Square.</p> <p>6 I was promoted to the rank of lieutenant in</p> <p>7 2006, assigned to the 15th District again as a watch</p> <p>8 commander on the third watch.</p> <p>9 In 2008, I returned to the Narcotics Division</p> <p>10 as a lieutenant, and promoted to the rank of commander</p> <p>11 in, I believe, August of 2008, commander of the Narcotics</p> <p>12 Division.</p> <p>13 And then assigned as the commander of the 11th</p> <p>14 District in 2013, October of 2013. And then I retired in</p> <p>15 December of 2013.</p> <p>16 Q. Thank you.</p> <p>17 A. I was all over the place.</p> <p>18 Q. Could you explain a little how you got the</p> <p>19 position within IAD when you were assigned there? How</p> <p>20 did that come about?</p> <p>21 A. I applied for it. There was an opening.</p> <p>22 My former commander, Michael Hoke, he was a</p> <p>23 former commander of the Narcotics Division. He took over</p> <p>24 as the Deputy Superintendent of Internal Affairs.</p>	Page 6	<p>1 there was sufficient grounds to terminate or to suspend.</p> <p>2 Q. Okay. So at that stage you weren't making the</p> <p>3 initial assessment of whether to recommend a suspension</p> <p>4 or termination, you were essentially helping the process</p> <p>5 of reviewing whether that was appropriate?</p> <p>6 A. Correct.</p> <p>7 Q. And were there times where you would disagree</p> <p>8 with a suspension or a termination, and believe that it</p> <p>9 wasn't sufficient evidence for a suspension or a</p> <p>10 termination?</p> <p>11 A. Yes.</p> <p>12 Q. And other times you would agree there was?</p> <p>13 A. Other times we would concur. Sometimes concur</p> <p>14 with the investigation, but not concur with the penalty,</p> <p>15 maybe suggesting an alternate penalty.</p> <p>16 On several occasions, I personally didn't feel</p> <p>17 there was legal sufficiency to support termination, and I</p> <p>18 would draft a synopsis of that for the Superintendent to</p> <p>19 review.</p> <p>20 Q. Was there ever a situation where somebody</p> <p>21 recommended a suspension, or something short of</p> <p>22 termination, where you recommended that there should be a</p> <p>23 termination?</p> <p>24 A. I don't recall specifically.</p>	Page 8
<p>1 He and I had a conversation regarding me</p> <p>2 working for him. I thought that was an exciting for</p> <p>3 myself to learn more and to assist and helping the police</p> <p>4 department. I then applied for it and was accepted to</p> <p>5 the position.</p> <p>6 Q. Okay. You mentioned also that you had worked a</p> <p>7 position where you were kind of, I don't want to misquote</p> <p>8 you, but you essentially had a role in reviewing</p> <p>9 suspensions and viewing contracts and things of that</p> <p>10 nature.</p> <p>11 A. Correct.</p> <p>12 Q. What would have been your role with respect to,</p> <p>13 if there was somebody who was recommended for a</p> <p>14 suspension? At what stage would you be involved in that</p> <p>15 process?</p> <p>16 A. The General Counsel would receive I think it</p> <p>17 was any suspension of 15 days or more, or any termination</p> <p>18 cases. The General Counsel, she would then refer them to</p> <p>19 attorneys in the office.</p> <p>20 I was one of the attorneys who, we would review</p> <p>21 these CR numbers for legal sufficiency, that the</p> <p>22 investigations were done properly.</p> <p>23 And then we would do a cover sheet for the</p> <p>24 Superintendent to review to determine whether or not</p>	Page 7	<p>1 I do remember when I was in Internal Affairs I</p> <p>2 recommended termination on a couple of cases. But when I</p> <p>3 was in Legal Affairs, I don't remember.</p> <p>4 There were so many CR numbers. I mean, on a</p> <p>5 daily basis, I'd have four or five CR numbers waiting for</p> <p>6 me.</p> <p>7 Q. Now, in terms of both as somebody who worked in</p> <p>8 IAD and as an officer with 30 years experience, including</p> <p>9 years as a commander, would it be fair to say that you</p> <p>10 have a fairly good understanding of the rules and</p> <p>11 regulations and general orders?</p> <p>12 A. A general understanding. Obviously our general</p> <p>13 orders are quite large. To say I know every single</p> <p>14 general order, no, I wouldn't. No, I don't.</p> <p>15 Q. In other words, you certainly don't have them</p> <p>16 all memorized?</p> <p>17 A. Absolutely not.</p> <p>18 Q. However, would you agree that, generally, you</p> <p>19 feel that you tried to have a decent understanding, and</p> <p>20 you also know where to go if you have a question about a</p> <p>21 general order?</p> <p>22 A. Correct.</p> <p>23 Q. For the most part, when you look at the general</p> <p>24 orders, in particular with respect to harassment and</p>	Page 9

<p style="text-align: right;">Page 10</p> <p>1 issues of, retaliation-type issues within the Chicago    2 Police Department, you would agree that all the    3 department members should follow the rules and    4 regulations, that there's no exception based on rank?</p> <p>5 A. Correct.</p> <p>6 Q. And with respect to the rules regarding the    7 complaint registers in terms of when officers should    8 report misconduct, and when they should report crimes by    9 other officers, you would agree that those rules and    10 regulations don't have exceptions based on rank?</p> <p>11 A. Correct.</p> <p>12 Q. When you were first assigned to narcotics as a    13 lieutenant, what shift were you working?</p> <p>14 A. When I first returned to the Narcotics Division    15 as the lieutenant, I was running the Asset Forfeiture    16 Unit, which is a sub-unit. At that time it had changed.</p> <p>17 Asset Forfeiture at one time was under    18 Narcotics. Then it moved to Vice, then it was back to    19 Narcotics and back to Vice.</p> <p>20 But at that time, in 1998, they needed a    21 lieutenant to work, to cover that forfeiture. So I was    22 still assigned to the Narcotics Division, but I was    23 working in the Asset Forfeiture Unit.</p> <p>24 Q. And then when you were promoted to commander,</p>	<p style="text-align: right;">Page 12</p> <p>1 investigations being conducted against any members within    2 the Narcotics Unit?</p> <p>3 A. Did our office conduct any investigations, or    4 that our officers were being investigated?</p> <p>5 Q. That your officers were being investigated.</p> <p>6 A. Not to my memory, no.</p> <p>7 Q. Were you briefed about any officers being    8 suspected for use, sale or possession of narcotics within    9 the unit?</p> <p>10 A. My unit? No.</p> <p>11 Q. During your course as the commander of    12 Narcotics, were you made aware of any corrupt officers    13 involved in the sale, use or possession of illegal drugs?</p> <p>14 A. My unit or outside units?</p> <p>15 Q. Any of the units. Any of the individuals    16 within the Narcotics Unit.</p> <p>17 A. No.</p> <p>18 Q. As a commander of Narcotics, were you ever    19 informed by any outside agencies of any investigations of    20 members of the department being investigated for criminal    21 activity?</p> <p>22 A. My officer or outside?</p> <p>23 Q. That question would be outside.</p> <p>24 Essentially outside agencies, like the DEA or</p>
<p style="text-align: right;">Page 11</p> <p>1 what units would you be overseeing? You'd be overseeing    2 Asset Forfeitures and other units as well?</p> <p>3 A. It was the Narcotics Section then, and their    4 Asset Forfeiture Unit.</p> <p>5 Q. And the Narcotics Section would be teams of    6 officers who were going out with a primary goal of    7 investigating narcotics traffic and the related crimes?</p> <p>8 A. Correct.</p> <p>9 Q. Who did you replace as the commander of    10 Narcotics?</p> <p>11 A. Nicholas Roti.</p> <p>12 Q. And when you first replaced Commander Roti, did    13 you have any type of meeting where you reviewed what was    14 going on with the Narcotics Unit and were given a    15 briefing of what concerns there were, and generally the    16 way things were working?</p> <p>17 A. Yes. I mean, I was one of his lieutenants, so    18 I had a pretty fair understanding. And obviously having    19 been there for most of my career, I would say I had a    20 fair grasp of -- obviously he brought me up to speed on    21 certain things I didn't know about as a lieutenant, but    22 yes, that would be fair to say.</p> <p>23 Q. When you were arrived as either a lieutenant or    24 the commander, were you informed of any corruption</p>	<p style="text-align: right;">Page 13</p> <p>1 FBI, did they come to you and say, we're investigating    2 any Chicago police officers for criminal activity?</p> <p>3 A. Not that I can recall.</p> <p>4 We did have our own independent investigations    5 that, but nothing from the outside agencies, like DEA,    6 ATF or FBI.</p> <p>7 Q. When you say you had your own independent    8 investigations, were there investigations by narcotics    9 officers of other officers in different units suspected    10 of criminal activity?</p> <p>11 A. Well, where violation of department orders were    12 involved, yes. So I would say, yes.</p> <p>13 Q. When you say violations of orders involved, are    14 we talking about crimes, or just...</p> <p>15 When I say "crimes," I mean like narcotics,    16 stealing, or more serious crimes even.</p> <p>17 A. I mean, during the course of many of our wire    18 investigations, a police officer would come on the wire    19 as either an associate or some type of involvement with a    20 target.</p> <p>21 And then in that case, we always initiated a CR    22 number on that officer.</p> <p>23 Q. And were those investigations with wires, did    24 any of them involve co-op investigations that also</p>

<p>1 involved the DEA?</p> <p>2 A. Some yes and some no.</p> <p>3 Q. When you first arrived at Narcotics -- I'm 4 sorry.</p> <p>5 When you first arrived as a lieutenant in 6 Narcotics, were you aware of Shannon Spaulding and 7 Danny Echeverria?</p> <p>8 A. By reputation. I had heard about them.</p> <p>9 Q. And what had you heard?</p> <p>10 A. That Danny was a decent officer.</p> <p>11 That Shannon Spaulding was very, very 12 difficult. She was difficult to supervise, difficult to 13 work with. She wasn't well regarded. She wasn't well 14 liked by supervisors or other officers.</p> <p>15 Q. And when did you hear this?</p> <p>16 A. When I returned to the unit.</p> <p>17 At some point, Chief Nick Roti, the Deputy 18 Chief, informed me that they were still on our sheets but 19 working on a special investigation. So their names came 20 up.</p> <p>21 Q. And was that when you were made a commander or 22 was that when you were a lieutenant?</p> <p>23 A. Made commander.</p> <p>24 Q. And before that time, had you ever heard</p>	<p>Page 14</p> <p>1 Q. Do you know what circumstance he came to you to 2 have that conversation?</p> <p>3 A. No. Just in his office, having an informal 4 talk about officers in the unit, what's going on with the 5 teams, how guys are getting along, how are the teams 6 working.</p> <p>7 Q. Did you ask him if he had any specific examples 8 of what Spaulding did that was inappropriate, or made it 9 difficult for her to work with?</p> <p>10 A. Just the general -- argumentative with the 11 supervisors. Didn't get along with people. More general 12 than specific.</p> <p>13 Q. Had you met Shannon Spaulding at that point in 14 time?</p> <p>15 A. I've never met her.</p> <p>16 Q. Was there anyone else present when you had this 17 conversation?</p> <p>18 A. No. I think that was just in his office.</p> <p>19 Q. Did he talk to you about any other officers 20 besides Spaulding and Echeverria at that time?</p> <p>21 A. Yes, I'm sure we did. I don't recall 22 specifically who, but just the overall well-being of the 23 unit and officers on different teams. I can't remember 24 specifically who.</p>
<p>1 anything about them?</p> <p>2 A. Yes.</p> <p>3 Q. From whom?</p> <p>4 A. Other officers in the unit.</p> <p>5 Q. Anyone in particular?</p> <p>6 A. One in particular, but I can't remember when he 7 had this discussion. It was either when I was just made 8 commander, or it might have been prior to that. That was 9 Lieutenant Robert Cervenko.</p> <p>10 Q. And what did he tell you?</p> <p>11 A. That Shannon and Danny had to be split up. 12 That she was very difficult to supervise. That she 13 didn't get along with her team members. That she thought 14 very highly of herself. She didn't work well with -- 15 basically didn't work well with anyone else.</p> <p>16 She was very adamant that she had to work with 17 her partner. She was very, very upset that they split 18 up, that they were split up, her and Echeverria, that 19 they were put on separate teams, and she did not like 20 that.</p> <p>21 Q. At that time you were not supervising Danny and 22 Shannon, correct?</p> <p>23 A. I never supervised Danny and Shannon, ever. 24 Never met them.</p>	<p>Page 15</p> <p>1 Q. Do you remember any comments he made about any 2 other officers?</p> <p>3 A. I think one of the supervisors, too, we were 4 also having an issue with.</p> <p>5 Q. And who was that?</p> <p>6 A. Sergeant Danny Allen.</p> <p>7 Q. What did he say about Danny Allen?</p> <p>8 A. Danny Allen just had a -- he had a difficult 9 time keeping him focused on tasks, and wanting to do 10 different things other than what he was assigned to.</p> <p>11 Q. Did you give him any advice as to what he 12 should do with respect to Shannon Spaulding?</p> <p>13 A. They were already gone.</p> <p>14 Q. And do you have any idea why he brought that to 15 your attention at that time?</p> <p>16 A. Basically grateful that they were gone, that 17 she was out of the unit. He said he dodged a bullet on 18 that one, she's gone, because she's very difficult to 19 work with.</p> <p>20 Q. So, do you know how long after 21 Shannon Spaulding was gone that you had this conversation 22 with Robert Cervenka?</p> <p>23 A. No. She was gone by the time I took over.</p> <p>24 Q. Did you know what Shannon Spaulding's</p>

<p style="text-align: right;">Page 18</p> <p>1 assignment was when Cervenka was having these issues with 2 her?</p> <p>3 A. I'm not saying that Cervenka had issues with 4 her. I'm just saying that that was her reputation. He 5 was telling me about her.</p> <p>6 Q. Did you know what her assignment was when she 7 allegedly had difficulties with other officers?</p> <p>8 A. When she was having difficulty with other 9 officers, she was on one of the teams in Narcotics.</p> <p>10 Q. Did you ever talk to any of those team members 11 about Shannon Spaulding?</p> <p>12 A. No. It didn't come up. She was already gone.</p> <p>13 Q. When was the next time after that conversation 14 that you became aware of Officer Spaulding, or 15 Echeverria?</p> <p>16 A. Became aware of them? I mean, Chief Roti, he 17 was at that point Deputy Chief Roti.</p> <p>18 He informed me Shannon Spaulding and 19 Danny Echeverria were informally on loan to Internal 20 Affairs, working on a police corruption case.</p> <p>21 Q. When did he inform you of that?</p> <p>22 A. When I took over as commander.</p> <p>23 Q. And did he tell you any details about what they 24 were doing?</p>	<p style="text-align: right;">Page 20</p> <p>1 A. That was something Chief Roti -- I keep saying 2 "Chief," it's Deputy Chief then -- Deputy Chief Roti had 3 worked out with Chief Scale from Internal Affairs.</p> <p>4 Q. Did you ever talk with Chief Scale about that?</p> <p>5 A. No.</p> <p>6 Q. Did you have an understanding how practically 7 that was working, in terms of where they would report, 8 Danny and Shannon would report, and who they would report 9 to and how they would report?</p> <p>10 A. I have no information whatsoever, other than at 11 some point they were officially detailed to Internal 12 Affairs, I'm not sure of the date.</p> <p>13 Q. Did Nicholas Roti tell you anything about 14 Spaulding and Echeverria, in terms of whether they were 15 good officers, not great officers, hard working, not hard 16 working?</p> <p>17 A. He did, but I don't recall when that took 18 place.</p> <p>19 Q. What did he say?</p> <p>20 A. He said that they couldn't account for them.</p> <p>21 They didn't know where they were. He said he had checked 22 with the FBI, and he verified how often they were 23 actually coming to work. And they said, we only use them 24 sporadically. So no one really knew where they were.</p>
<p style="text-align: right;">Page 19</p> <p>1 A. Nothing specific. Just that they were working 2 on a police corruption case.</p> <p>3 Q. And did he tell you that it involved 4 Officer Watts and Mohammed, or any officers in Public 5 Area Housing South?</p> <p>6 A. I don't believe so.</p> <p>7 Q. When did you first learn, if ever, that they 8 were involved in -- when did you first learn, if ever, 9 that there was an investigation regarding corruption of 10 Watts and Mohammed?</p> <p>11 A. There was some rumors that they were being 12 looked at, but I didn't know either one of them.</p> <p>13 So I didn't really -- it didn't really come up 14 on my radar.</p> <p>15 Q. And where did you hear those rumors?</p> <p>16 A. Sometime in late 2008, perhaps.</p> <p>17 Q. Do you know who you heard them from?</p> <p>18 A. I don't recall.</p> <p>19 Q. Did you ever work with Sergeant Watts or 20 Mohammed?</p> <p>21 A. No. I don't know either one of them.</p> <p>22 Q. Did you ever have any conversations with either 23 -- what was your understanding of how the arrangement 24 worked where they were being loaned out?</p>	<p style="text-align: right;">Page 21</p> <p>1 So I think Deputy Chief Roti told me his 2 concern was, no one was supervising them.</p> <p>3 So, he wanted to ensure that they were 4 adequately supervised and formally under the IAD 5 umbrella, because he didn't us to be responsible for 6 them, because we didn't know where they were.</p> <p>7 Q. When was that conversation? Was that at the 8 same time--</p> <p>9 A. I think it was subsequent. It was after that.</p> <p>10 Q. Do you know how long after that?</p> <p>11 A. No. I don't remember physically when.</p> <p>12 Q. Did you ask him any questions about in what 13 manner they were assigned to the FBI?</p> <p>14 A. No. It didn't affect me.</p> <p>15 Q. Were they under your supervision as commander 16 at that time?</p> <p>17 A. No. I never supervised either one of them.</p> <p>18 Q. When they were being loaned out, at that point 19 in time when they were being loaned out from Narcotics, 20 would technically you have been their supervisor or 21 commander?</p> <p>22 A. Technically I would have been in their chain of 23 command, but I had no idea who they were working for, or 24 on what, or their hours or their duties. I had no idea</p>

<p>1 what they were doing.</p> <p>2 Q. Would you even have known who to contact to see</p> <p>3 if they were doing their jobs?</p> <p>4 A. No.</p> <p>5 Q. Did you ask Roti who he had contacted to</p> <p>6 confirm whether or not they were doing their job?</p> <p>7 A. No. Deputy Chief Roti told me that they were</p> <p>8 on a special assignment and on loan to Internal Affairs.</p> <p>9 And other than, that that's all I knew.</p> <p>10 Q. Well, at some point it was brought up that they</p> <p>11 working with the FBI, correct?</p> <p>12 A. At some point, yes.</p> <p>13 Q. And did you know what -- did Roti tell you what</p> <p>14 he did to check on whether they were showing up on time,</p> <p>15 and working a full day and so on and so forth?</p> <p>16 A. He did, but I'm not sure when.</p> <p>17 He said he contacted the FBI agent assigned to</p> <p>18 that case, and he apparently said they had no idea where</p> <p>19 they were.</p> <p>20 Q. Did you have any sense of what timeframe the</p> <p>21 FBI agent was asked about?</p> <p>22 A. No.</p> <p>23 Q. Did you come up with any plan to deal with, you</p> <p>24 know, knowing where they were and how to account for them</p>	<p>Page 22</p> <p>1 initiated. It was online on my cue for me to review, to</p> <p>2 either concur or not concur. And I don't even remember</p> <p>3 the date it came through.</p> <p>4 Q. Do you remember if it was before or after the</p> <p>5 conversation you had with Roti about Spaulding and</p> <p>6 Echeverria working with the FBI?</p> <p>7 A. The CR number was after. I already knew they</p> <p>8 were working with the FBI and Internal Affairs on this</p> <p>9 special investigation. The CR number came in subsequent</p> <p>10 to that.</p> <p>11 Q. So, had Deputy Chief Roti mentioned anything</p> <p>12 about Shannon or Danny's character at any time before</p> <p>13 that CR?</p> <p>14 A. I don't recall.</p> <p>15 Q. And did you talk to Deputy Chief Roti about the</p> <p>16 CR?</p> <p>17 A. Yes.</p> <p>18 Q. What did Deputy Chief Roti tell you about the</p> <p>19 CR?</p> <p>20 A. That he was very concerned about it. It was</p> <p>21 very -- it was pretty disgraceful. I mean, just that she</p> <p>22 definitely was in violation of department rules.</p> <p>23 MR. KING: Who is she?</p> <p>24 THE WITNESS: That Officer Spaulding was in</p>
<p>1 with Deputy Commander Roti?</p> <p>2 A. It was Deputy Chief Roti.</p> <p>3 Q. Deputy Chief Roti.</p> <p>4 A. I had no involvement with them whatever. They</p> <p>5 were on loan, supposed reporting to Internal Affairs.</p> <p>6 At some point they were officially, Roti and</p> <p>7 Scale worked out a deal, or worked out an arrangement,</p> <p>8 where they would be officially detailed over. I'm not</p> <p>9 even sure of the date.</p> <p>10 Q. Did he mention whether he spoke to Juan Rivera</p> <p>11 about where they were working, and what their assignment</p> <p>12 was at that time, Deputy Chief Roti?</p> <p>13 A. He didn't mention it to me.</p> <p>14 Q. Was anybody else present for the conversation</p> <p>15 you had with Deputy Chief Roti about Spaulding,</p> <p>16 Echeverria and him contacting the FBI?</p> <p>17 A. I don't recall. I don't know if I was present</p> <p>18 or not.</p> <p>19 Q. Did Deputy Chief Roti make any comments about</p> <p>20 either Spaulding or Echeverria's character?</p> <p>21 A. They did at some point. I believe when that CR</p> <p>22 number came in.</p> <p>23 Q. When was that?</p> <p>24 A. I don't recall if there was a CR number</p>	<p>Page 23</p> <p>1 violation of department rules, and it borderlined -- in</p> <p>2 my personal opinion, it was borderline criminal, what she</p> <p>3 did.</p> <p>4 But I once I reviewed it, it was then submitted</p> <p>5 to Roti for his review of that same CR number.</p> <p>6 MR. SMITH: Q. And did you do any investigating of</p> <p>7 that personally, the incident itself?</p> <p>8 Other than reviewing the report, you didn't do</p> <p>9 any actual investigating on your own regarding the</p> <p>10 incident?</p> <p>11 A. No.</p> <p>12 Q. Did Nicholas Roti tell you what his</p> <p>13 relationship was to the individuals, to the complainants</p> <p>14 in the case, in the CR?</p> <p>15 A. I don't recall, no.</p> <p>16 Q. Were you aware that Nicholas Roti had a</p> <p>17 relationship to individuals who were related to the</p> <p>18 complainants?</p> <p>19 MR. KING: Object to the lack of foundation.</p> <p>20 You can answer.</p> <p>21 THE WITNESS: I don't recall.</p> <p>22 MR. SMITH: Q. Would it be appropriate for a</p> <p>23 supervisor to be involved and investigating, or</p> <p>24 commenting on a CR, if they had relatives that were the</p>

<p>1 complainants?</p> <p>2 MR. KING: Object to the form, lack of</p> <p>3 foundation.</p> <p>4 THE WITNESS: He had no role in the</p> <p>5 investigation. I know that.</p> <p>6 MR. SMITH: Q. Do you know if he had any role in</p> <p>7 initiating the CR?</p> <p>8 A. I don't know.</p> <p>9 Q. So you had a role in reviewing the CR, correct?</p> <p>10 A. Yes.</p> <p>11 Q. And he was aware of that?</p> <p>12 A. Yes, he was aware of it.</p> <p>13 Q. You heard rumors about a possible investigation</p> <p>14 of corruption of Watts and Mohammed.</p> <p>15 Did you ever become formally aware that there</p> <p>16 was an investigation like, where you knew that there had</p> <p>17 been an investigation?</p> <p>18 A. Only when I read about it.</p> <p>19 Q. Did you become aware of whether or not there</p> <p>20 were other officers under investigation at that time who</p> <p>21 were connected with Watts or Mohammed?</p> <p>22 A. No.</p> <p>23 Q. Did you have any conversations with</p> <p>24 high-ranking officers within the Chicago Police</p>	<p>Page 26</p> <p>1 Chief Rivera about Shannon or Danny?</p> <p>2 A. No, I don't think so.</p> <p>3 Q. And again, that's Shannon Spaulding and Danny</p> <p>4 Echeverria.</p> <p>5 A. I don't believe I did, no.</p> <p>6 Q. Were you ever present in a meeting with</p> <p>7 Chief Rivera in which Danny Echeverria or</p> <p>8 Shannon Spaulding's positions were being discussed</p> <p>9 A. Absolutely not.</p> <p>10 Q. Did you have any reason to believe any of your</p> <p>11 unit members were under suspicion for any criminal</p> <p>12 activity during your tenure as commander in the Narcotics</p> <p>13 Division?</p> <p>14 A. One of my officers was arrested for a DUI that</p> <p>15 resulted in him going to prison.</p> <p>16 Q. Anything beyond that?</p> <p>17 A. Criminal, no. Well, I take it back. A</p> <p>18 domestic. One of my officers was arrested for a</p> <p>19 domestic.</p> <p>20 Q. Anything related to drugs, drug use or drug</p> <p>21 sales, other than the DUI?</p> <p>22 A. No.</p> <p>23 Q. In your 30-plus years of experience, you're</p> <p>24 aware of corruption investigating regarding officers</p>
<p>Page 27</p> <p>1 Department about the indictments of Watts and Mohammed?</p> <p>2 A. No. It didn't affect me whatsoever.</p> <p>3 Q. You know Chief Juan Rivera, correct?</p> <p>4 A. Yes.</p> <p>5 Q. How long have you known Chief Rivera?</p> <p>6 A. Almost 20 years.</p> <p>7 Q. And were you ever personal friends with him?</p> <p>8 A. I wouldn't say personal, not friends, but</p> <p>9 certainly friendly. He was a sergeant in Narcotics when</p> <p>10 I was an officer.</p> <p>11 So I knew him and certainly had respect for him</p> <p>12 and was friendly with him. I wouldn't say he was a</p> <p>13 friend.</p> <p>14 Q. Did Chief Rivera ever tell you about an</p> <p>15 investigation of members outside Unit 189 relating to</p> <p>16 drug crimes?</p> <p>17 A. No.</p> <p>18 Q. Did Chief Rivera ever tell you that Shannon or</p> <p>19 Danny were involved with IAD?</p> <p>20 A. No. I don't recall that.</p> <p>21 Q. Did Chief Rivera ever tell you that Danny or</p> <p>22 Shannon were working with the FBI?</p> <p>23 A. I don't believe so, no.</p> <p>24 Q. Did you ever have a conversation with</p>	<p>Page 29</p> <p>1 within the department such as Finnegan, Majanowski,</p> <p>2 Edward Lee Jackson? Are you familiar with those three</p> <p>3 examples?</p> <p>4 A. I'm familiar with -- I heard about the SOS</p> <p>5 scandal. I heard about Jerry Finnegan being involved in</p> <p>6 that. I never met him. I had met Majanowski.</p> <p>7 And the other one was Reginald Lee? Is that</p> <p>8 the 15th District officer?</p> <p>9 Q. Edward Lee Jackson is known as Pacman, 15th</p> <p>10 District.</p> <p>11 A. I definitely heard of him, yeah.</p> <p>12 Q. Are you aware he was accused of home invasions</p> <p>13 and other criminal acts, in that light?</p> <p>14 A. I'm aware of it, yes.</p> <p>15 Q. Were you aware that all three of those</p> <p>16 investigations were done by a joint investigation between</p> <p>17 the federal agencies and the Chicago Police Department?</p> <p>18 A. Just general. What I read in the newspaper.</p> <p>19 Q. Do you know or do you think it's a benefit when</p> <p>20 federal agencies join together with the CPD to</p> <p>21 investigate Chicago police officers?</p> <p>22 A. Sure it's a benefit. However, when I was with</p> <p>23 Internal Affairs, I arrested officers for home invasion</p> <p>24 and drug crimes.</p>

<p style="text-align: right;">Page 30</p> <p>1 Q. And do you recall who they were?</p> <p>2 A. The team I was on, we arrested</p> <p>3 Officer John Labiak, Karaster and Hutchinson (phonetic</p> <p>4 spellings) for home invasion and robbing of drug dealers,</p> <p>5 and I was the one who arrested them.</p> <p>6 Q. While you were in IAD, when officer were</p> <p>7 charged with crimes by the federal agencies, did you ever</p> <p>8 then reopen CRs to see if there was potentially other</p> <p>9 officers who worked with them were also involved in</p> <p>10 corruption?</p> <p>11 A. I didn't. I wouldn't of at that point in my</p> <p>12 career. I was an investigator. I wasn't a supervisor.</p> <p>13 Q. Did anyone ever tell you to do that, to go back</p> <p>14 and look at CRs that involved the indicted officers to</p> <p>15 see if other officers were involved in corruption?</p> <p>16 A. When we did the Labiak case, I do remember the</p> <p>17 team I was on, we did some follow-up. I don't recall</p> <p>18 specifically. It's been so long. It was back in '97, so</p> <p>19 I don't recall specifically.</p> <p>20 But we did look into furthering an</p> <p>21 investigation. I remember we did a search warrant on one</p> <p>22 of the lockers in the 11th District. I don't remember if</p> <p>23 other officers were involved in that.</p> <p>24 Q. Were those officers investigated at this point</p>	<p style="text-align: right;">Page 32</p> <p>1 corruption of another officer either who was inside your</p> <p>2 unit?</p> <p>3 In other words, one Chicago police officer says</p> <p>4 that somebody in the Narcotics Unit is committing crimes.</p> <p>5 A. No one ever made that allegation to me, no.</p> <p>6 Q. Did anyone at any point in time -- well, has</p> <p>7 anyone ever approached you while you were in Narcotics</p> <p>8 about a police officer outside of your unit committing</p> <p>9 crimes?</p> <p>10 A. I mean, I can speak of specific examples.</p> <p>11 My team, when I was supervisor, we encountered</p> <p>12 a -- in one of our investigations, it became apparent</p> <p>13 that a police officer was involved, and we seized a</p> <p>14 substantial amount of narcotics from his residence. I</p> <p>15 obtained a CR number on him.</p> <p>16 And then I was the affiant of a search warrant</p> <p>17 on his vehicle, because we believed his vehicle was used</p> <p>18 for transportation of narcotics. I was the affiant of</p> <p>19 the warrant for that.</p> <p>20 As a lieutenant, we did a search warrant on an</p> <p>21 apartment that, a state search warrant where one of my</p> <p>22 officers had a search warrant, and it ended up being the</p> <p>23 residence of a Chicago police officer.</p> <p>24 We obtained CR number on her, and I ordered her</p>
<p style="text-align: right;">Page 31</p> <p>1 then?</p> <p>2 A. I know they were investigated. I don't recall</p> <p>3 the specifics though.</p> <p>4 Q. Were there attempts to look at other older</p> <p>5 allegations of criminal activity?</p> <p>6 In other words, when you learned there was</p> <p>7 sufficient evidence to believe there was a potential for</p> <p>8 the criminality in the instance that you were involved in</p> <p>9 investigating, did you then go back and look at older CRs</p> <p>10 that involved different people in different instances</p> <p>11 connected to those officers?</p> <p>12 A. I remember we looked at old allegations against</p> <p>13 those officers to see if -- obviously there was a common</p> <p>14 thread, because they were subsequently charged with home</p> <p>15 invasion, but I don't recall when we did it. Just prior</p> <p>16 to the arresting or post arrest, I don't recall.</p> <p>17 Q. Were there supervisors interviewed concerning</p> <p>18 their activities?</p> <p>19 A. I don't know.</p> <p>20 Q. If a member of your command came to you with an</p> <p>21 allegation of corruption within the Chicago Police</p> <p>22 Department, what were you required to do?</p> <p>23 A. Obtain a CR number.</p> <p>24 Q. Has anyone ever approached you regarding</p>	<p style="text-align: right;">Page 33</p> <p>1 in to be drug-tested.</p> <p>2 There was someone potentially selling drugs out</p> <p>3 of her apartment. So, yes.</p> <p>4 And then as a commander, I would be informed</p> <p>5 that an officer had touched one of the investigations in</p> <p>6 some regard, and the CR number would be obtained on that</p> <p>7 officer.</p> <p>8 Q. Was there ever an instance where a Chicago</p> <p>9 police officer came to you about something that you</p> <p>10 weren't involved in an investigation, there wasn't an</p> <p>11 ongoing investigation where they simply just came to you</p> <p>12 to report illegal acts that they saw another officer do?</p> <p>13 A. I don't recall any of those, no.</p> <p>14 Q. Are there instances where breaches of</p> <p>15 confidentiality concerning IAD investigation could</p> <p>16 potentially be dangerous to the investigators who were</p> <p>17 working on a case?</p> <p>18 MR. KING: Just object to the form of the</p> <p>19 question.</p> <p>20 MR. SMITH: Q. Is it something you consider when</p> <p>21 working in IAD that people finding out, officers finding</p> <p>22 out that they're being investigated, could be a dangerous</p> <p>23 situation for the officers who are investigating them?</p> <p>24 A. Well, personally, I worked undercover in</p>

<p style="text-align: right;">Page 34</p> <p>1 Internal Affairs. I was working on police corruption 2 cases. And yeah, that would be an issue.</p> <p>3 Q. What things are done to protect IAD officers 4 from being exposed when they're investigating other 5 officers?</p> <p>6 A. Investigations are relatively closed. Only a 7 few people usually know. It's not widely discussed or 8 brought up.</p> <p>9 Q. And is there anything said to assure that it 10 doesn't leave that circle of the people who are in the 11 know of the investigation?</p> <p>12 A. I can only speak from personal experience.</p> <p>13 When I was in Internal Affairs, my team knew 14 what I was doing, my supervisor, and that was pretty much 15 it.</p> <p>16 I'm sure my supervisor informed her lieutenant, 17 the lieutenants, who would inform the Deputy 18 Superintendent.</p> <p>19 Q. Beyond that, would you think people were free 20 to talk to other high-ranking members within the police 21 department?</p> <p>22 A. Regarding...</p> <p>23 Q. Regarding a confidential investigation?</p> <p>24 A. No. It was confidential. It's implied by the</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Absolutely get a CR number, and if it's 2 appropriate, make an arrest.</p> <p>3 If an officer witnessed another officer 4 committing a criminal act, then that officer should take 5 immediate action, not just get a CR number.</p> <p>6 Q. If a situation like that, a hypothetical 7 situation arose, where someone under you in Narcotics, 8 say a patrol officer, came to you and said, I saw another 9 officer dealing drugs, would the officer who came forward 10 with the complaint, would his identity be kept 11 confidential, or hers?</p> <p>12 MR. KING: Just object to the form and lack of 13 foundation. It's a hypothetical. If you can answer.</p> <p>14 THE WITNESS: In that specific situation, it 15 would be documented and reported up the chain of command.</p> <p>16 MR. SMITH: Q. Would you expect that it be 17 confidential in terms of the identity of that 18 complainant? Would it be confidential within the 19 confines of the investigation in terms of, that you 20 wouldn't feel free to talk to other officers who weren't 21 in the loop or the circle of who would be involved in 22 getting the complaint and investigating the complaint 23 about who the identity of the person making a claim 24 against another officer?</p>
<p style="text-align: right;">Page 35</p> <p>1 name that it's confidential. It's not to be discussed, 2 unless it's for briefing purposes, yes.</p> <p>3 I mean, in that case, high-ranking officers in 4 the department customarily are aware of confidential, 5 ongoing investigations.</p> <p>6 Q. Did you ever learn that -- aside from the 7 media, when you read about the Watts investigation, did 8 you ever learn what type of case Spaulding and Echeverria 9 were working on with the FBI?</p> <p>10 A. There was a police corruption case, and I 11 believe at some point I learned it had something to do 12 with housing, public housing.</p> <p>13 Q. And who did you learn that from?</p> <p>14 A. I don't remember.</p> <p>15 Q. Do you know who else was present when you found 16 out about that?</p> <p>17 A. I don't remember.</p> <p>18 Q. You indicated that if another officer came to 19 you with corruption, that he saw corruption of a criminal 20 nature of another officer, you would start a CR 21 concerning that issue.</p> <p>22 Would you agree that the general orders would 23 require that you, as a supervisor, would start a CR if 24 you were told of corruption of another officer?</p>	<p style="text-align: right;">Page 37</p> <p>1 A. In that situation, it would be documented.</p> <p>2 The name of the complaining officer would be documented</p> <p>3 and it would be forwarded to my deputy chief, then to the</p> <p>4 chief, and then obviously to Internal Affairs.</p> <p>5 Q. And would you expect that name be kept 6 confidential within the circle of the investigation until 7 the investigation was completed?</p> <p>8 A. Probably, yes.</p> <p>9 Q. And you wouldn't consider an officer who made 10 such an allegation against a fellow officer to be a rat?</p> <p>11 You'd agree with that?</p> <p>12 A. I would agree with that, considering I worked 13 Internal Affairs and I worked undercover in Internal 14 Affairs, and I arrested police officers. And I worked in 15 Legal Affairs.</p> <p>16 I would not consider anyone coming forward with 17 that information to be any type of -- anything less than 18 a hero.</p> <p>19 Q. And certainly you didn't consider yourself or 20 your fellow IAD officers to be rats?</p> <p>21 A. No, we did not.</p> <p>22 Q. And you never told Nick Roti that you didn't 23 want those two, referring to Shannon and Danny, IAD rats, 24 to be here, meaning in Narcotics, correct?</p>

<p style="text-align: right;">Page 38</p> <p>1 A. I never referred to them as rats in my capacity 2 at any time in my career.</p> <p>3 I was asked at some point, did I want 4 Shannon Spaulding and Echeverria back in the Narcotics 5 Division, and my opinion was no.</p> <p>6 Q. And who asked you that?</p> <p>7 A. Chief Nick Roti.</p> <p>8 Q. And who else was present when he asked you 9 that?</p> <p>10 A. I don't remember. It might have been a phone 11 conversation. It might have been in person. I don't 12 remember.</p> <p>13 Q. At that point in time, he was a supervisor 14 above you in rank, correct?</p> <p>15 A. He was always above me in rank.</p> <p>16 Q. And was he recommending that they be put in 17 Narcotics?</p> <p>18 A. No.</p> <p>19 Q. Or kept in Narcotics?</p> <p>20 A. No.</p> <p>21 Q. Were they technically assigned to narcotics at 22 that time, when you had that conversation?</p> <p>23 A. At that point they were detailed out. They 24 were out of the unit.</p>	<p style="text-align: right;">Page 40</p> <p>1 conversation with Roti about Danny and Shannon not coming 2 back to Narcotics, do you know whether, on that CR, there 3 had been a finding on the CR? I believe we're talking 4 about the one regarding the dog, where you believe you 5 said where she stole the dog?</p> <p>6 A. Essentially that's what I believe, yes.</p> <p>7 Q. Had that CR come back with any type of finding 8 at the point you had conversation with Nick Roti?</p> <p>9 A. Yes. It was sustained.</p> <p>10 Q. Do you know if that CR being sustained was 11 upheld?</p> <p>12 A. No. I didn't know.</p> <p>13 Q. Were you aware that it was not upheld?</p> <p>14 A. I learned subsequent later. Much later.</p> <p>15 Q. And were you aware of what the recommended 16 punishment would have been in connection with the CR?</p> <p>17 A. At the time I reviewed it, the punishment for 18 Shannon Spaulding was four days suspension. And I 19 believe for Echeverria, it was two.</p> <p>20 I reviewed it carefully. I believe that the 21 punishment of four days was excessive.</p> <p>22 I then recommended an alternate penalty that it 23 be reduced to two days for her, and then reducing it one 24 day for him.</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. You would agree that in terms of when you say 2 they were detailed out, were they detailed in a manner 3 that they were still technically assigned to Narcotics, 4 or that they were fully transferred to a different unit?</p> <p>5 A. They were assigned to the Narcotics Division, 6 but detailed to another unit. So, no longer under my 7 command.</p> <p>8 Q. Did Nick Roti have any position or tell you his 9 position on whether they should be returned to Narcotics?</p> <p>10 A. I believe he concurred. He asked me, do you 11 want them back. I said no. And essentially he agreed 12 based on what he knew of them and that CR number.</p> <p>13 Q. Have you ever given, as part of a discipline in 14 connection with a CR, that somebody be transferred out of 15 a unit, or their assignment?</p> <p>16 A. I don't recall specifically.</p> <p>17 Sometimes on occasion I reduced the penalty if 18 I thought the penalty was unjust. Sometimes I would 19 concur. Sometimes I wouldn't concur with the 20 investigation, but I don't recall...</p> <p>21 I did ask on occasion that officers be 22 transferred out or detailed out. I don't remember if it 23 was associated with a CR number. I don't believe so.</p> <p>24 Q. Do you know at the time that you had the</p>	<p style="text-align: right;">Page 41</p> <p>1 Q. When you say essentially Shannon stole a dog, 2 are you aware of whose dog it was?</p> <p>3 MR. KING: Object to the form. At the time 4 he's reviewing it or--</p> <p>5 MR. SMITH: Any time.</p> <p>6 THE WITNESS: I believe that it was -- the best 7 that I -- I don't recall the specifics. It was quite a 8 while ago.</p> <p>9 Specifically it was Shannon's daughter's dog 10 that they gave to a gentleman who adopted the dog. And 11 at some point, Shannon decided she wanted the dog back, 12 or daughter wanted the dog back, and they then engaged 13 and on-duty member to go to the residence to essentially 14 threaten the guy with arrest if he didn't return the dog 15 to them.</p> <p>16 MR. SMITH: Q. And do you know who the officer was 17 that allegedly threatened arrest?</p> <p>18 A. My memory was that it was Officer Spaulding, or 19 I believe it was Officer Spaulding who at least implied 20 that there could be an arrest if the dog was not 21 returned.</p> <p>22 Q. Were you aware of the relationship between her 23 daughter and the other individual who had possession of 24 the dog?</p>

<p style="text-align: right;">Page 42</p> <p>1 A. I don't recall.</p> <p>2 Q. Did you know that they were -- well, okay.</p> <p>3 Did you ever find out why the suspension was</p> <p>4 not enforced?</p> <p>5 A. No.</p> <p>6 Q. Did you ever find out why the finding was</p> <p>7 reversed or vacated?</p> <p>8 A. No.</p> <p>9 Q. Did you ever talk with Nick Roti about the</p> <p>10 incident again?</p> <p>11 A. At some point I mentioned to Nick that that --</p> <p>12 it was one thing that Officer Spaulding had a problematic</p> <p>13 reputation with the unit for me to learn that -- that CR</p> <p>14 number really cemented the fact that I didn't want her</p> <p>15 under my supervision.</p> <p>16 Q. Was there any discussion or consideration of</p> <p>17 having Danny come back to the unit without Shannon?</p> <p>18 A. No. My impression was that they had come</p> <p>19 together. I would have taken Officer Echeverria. Had he</p> <p>20 contacted me, I would have taken Echeverria back.</p> <p>21 Q. Did you in any way make that known to</p> <p>22 Echeverria?</p> <p>23 A. I've never spoken to Echeverria. He never</p> <p>24 contacted me.</p>	<p style="text-align: right;">Page 44</p> <p>1 They were in 189. I was a supervisor, but I</p> <p>2 was in DEA at that time, so I never met them.</p> <p>3 Q. So you weren't directly supervising them at</p> <p>4 that time?</p> <p>5 A. I never did, no.</p> <p>6 Q. Did you review any of their internal reviews of</p> <p>7 their performance before making a decision to recommend</p> <p>8 they not be brought back to Unit 189?</p> <p>9 A. No.</p> <p>10 Q. When you reviewed the CR concerning the dog,</p> <p>11 did you review their performance evaluations at that</p> <p>12 time?</p> <p>13 A. No.</p> <p>14 Q. Have you ever reviewed any of their performance</p> <p>15 evaluations, Danny's or Shannon's?</p> <p>16 A. Yes.</p> <p>17 Q. And when was that?</p> <p>18 A. At some point subsequent to the filing of this</p> <p>19 litigation, I found old evaluations in a file, a number</p> <p>20 of them. And I was going through them, and I did in fact</p> <p>21 find one for Shannon, from Lieutenant Navarro. The</p> <p>22 direct supervisor was Sergeant Johnson.</p> <p>23 And there was one in there for Shannon, I</p> <p>24 believe, for Officer Spaulding as well as Echeverria.</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. Did you make that known to Chief Roti?</p> <p>2 A. I don't recall if I said specifically that to</p> <p>3 him or not.</p> <p>4 Q. Were you aware that Spaulding and Echeverria</p> <p>5 wanted to return to their unit assignment in 189?</p> <p>6 A. No. They never spoke to me, either one of</p> <p>7 them.</p> <p>8 Q. Did Nick Roti in any way indicate to you that</p> <p>9 they wanted to come back?</p> <p>10 A. There was an inference there. He just asked</p> <p>11 me, do you want them back in the unit and my opinion was</p> <p>12 no. It was as simple as that.</p> <p>13 Q. Did you ever consider the work that Danny and</p> <p>14 Shannon were doing with the FBI as a factor in deciding</p> <p>15 whether or not to bring them back to the Narcotics Unit,</p> <p>16 189?</p> <p>17 A. No. It didn't really play a role.</p> <p>18 Q. Did you make any recommendation as to what</p> <p>19 should be done with Danny and Shannon?</p> <p>20 A. No. It was beyond my authority.</p> <p>21 Q. At any point in time, were Danny or Shannon</p> <p>22 actually active as members within Unit 189 when you were</p> <p>23 a supervisor in Narcotics?</p> <p>24 A. No. Well, I take that back.</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. And when would that have been?</p> <p>2 A. May 2012, maybe.</p> <p>3 Q. And why did you do that?</p> <p>4 A. Because of this litigation, I knew there had to</p> <p>5 be some type of paper trail regarding their old</p> <p>6 evaluations, and I wanted to see if I could find them.</p> <p>7 Q. And other than that evaluation, did you find</p> <p>8 any evaluations regarding Danny or Shannon?</p> <p>9 A. Those were the only ones I found.</p> <p>10 Q. Were either of those evaluations good</p> <p>11 evaluations?</p> <p>12 A. His was okay. He was decent. Hers was</p> <p>13 terrible. She was toxic.</p> <p>14 Q. Do you know how long Shannon Spaulding worked</p> <p>15 for -- well, who was the evaluator again?</p> <p>16 A. Sergeant Johnson was the direct supervisor and</p> <p>17 Lieutenant Kevin Navarro would have been the lieutenant.</p> <p>18 Q. Do you know how long Shannon worked with</p> <p>19 Sergeant Johnson?</p> <p>20 A. No.</p> <p>21 Q. Do you have any idea what instances</p> <p>22 Sergeant Johnson saw Shannon perform in or do that led to</p> <p>23 any negative evaluation?</p> <p>24 A. No.</p>

<p style="text-align: right;">Page 46</p> <p>1 Q. Did you ever talk with Sergeant Johnson about 2 that?</p> <p>3 A. No.</p> <p>4 Q. And when you were doing a search, did you come 5 across anything else that reflected negatively on Shannon 6 or Danny?</p> <p>7 A. No.</p> <p>8 Q. Did you search for the CR that you knew about, 9 the dog incident?</p> <p>10 When you did that search, looking for 11 evaluations, did you also search for records about the CR 12 involving the dog and Shannon?</p> <p>13 A. The only record that made available to me was 14 that CR number which was in my cue, we call it, online. 15 Once I hit "submit," it was out of -- there was no paper 16 trail then.</p> <p>17 Q. So, that wasn't something that you had access 18 to at that point in time?</p> <p>19 A. No.</p> <p>20 Q. Did you come across any other papers that 21 involved Danny or Shannon at all?</p> <p>22 A. No.</p> <p>23 Q. Did you ever talk with other supervisors who 24 Shannon or Danny worked with?</p>	<p style="text-align: right;">Page 48</p> <p>1 to him.</p> <p>2 Q. Did you say anything in response to that?</p> <p>3 A. I think he just agreed that was kind of odd.</p> <p>4 Q. Did you think it was odd?</p> <p>5 A. Yes.</p> <p>6 Q. Why would you think that was odd?</p> <p>7 A. Her characterization in the media that she was 8 working undercover on a corrupt police officer who knew 9 her, I thought that was kind of -- usually you don't -- 10 you can't go undercover and conduct operations on someone 11 who knows you, knows that you're a police officer. 12 You're not really undercover.</p> <p>13 Q. Would you agree that if somebody didn't know 14 you were investigating them, that would be a form of 15 being undercover?</p> <p>16 A. My interpretation of undercover is someone 17 doesn't know your identity, and you're conducting some 18 type of surveillance, or narcotics transaction, or some 19 type of an illicit activity. That to me is working 20 undercover.</p> <p>21 Q. And were you aware of the timeframe that 22 Shannon Spaulding worked with Sergeant Watts at Public 23 Housing South?</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 47</p> <p>1 A. I did speak to Sergeant Rod Watson.</p> <p>2 Q. And who's Rod Watson?</p> <p>3 A. He's a Narcotics Division sergeant.</p> <p>4 Q. And when did you speak to him?</p> <p>5 A. Sometime after the litigation was filed, I had 6 a discussion with him.</p> <p>7 Q. And who else was present for the discussion?</p> <p>8 A. I don't recall. I believe it was in the 9 hallway of the Narcotics Division.</p> <p>10 Q. And did you approach him or did he approach 11 you?</p> <p>12 A. I don't remember.</p> <p>13 Q. And what was the discussion about?</p> <p>14 A. Just about the allegations that she had made in 15 the media, about this case specifically. About her being 16 somehow damaged by her having worked in Internal Affairs.</p> <p>17 Q. And what did he say?</p> <p>18 A. He just thought it was ironic. My memory is, 19 he thought it was ironic that she's stating that she was 20 working undercover, when apparently his memory of it was 21 that Sergeant Watts knew her. They worked together in 22 the same building.</p> <p>23 So, for her to say she was undercover working 24 on Sergeant Watts when he knew her didn't make any sense</p>	<p style="text-align: right;">Page 49</p> <p>1 Q. Were you where it was years before the 2 investigation?</p> <p>3 A. I don't have any details of it.</p> <p>4 Q. Were you aware that Sergeant Watts had been 5 under investigation even before Shannon Spaulding and 6 Danny Echeverria started to work on the investigation?</p> <p>7 A. I have no information whatsoever on 8 Sergeant Watts.</p> <p>9 Q. Do you know who Officer Shar Khalid is?</p> <p>10 A. Yes.</p> <p>11 Q. And was Shar Khalid an individual who was 12 involved or accused of a domestic battery?</p> <p>13 A. Yes.</p> <p>14 Q. And do you know if he was convicted?</p> <p>15 A. Criminally?</p> <p>16 Q. Criminally.</p> <p>17 A. I don't believe he was. Not to my knowledge.</p> <p>18 Q. Do you know if there was a CR against him 19 related to the domestic battery charges?</p> <p>20 A. Yes.</p> <p>21 Q. And was there a finding regarding that CR?</p> <p>22 A. I don't remember.</p> <p>23 Q. Do you know if he was stripped, at some point 24 in time, of his badge or his gun during the course of the</p>

<p style="text-align: right;">Page 50</p> <p>1 investigation?</p> <p>2 A. I believe so. He was, yes.</p> <p>3 Q. Did you allow Shar Khalid to continue, remain</p> <p>4 working in Narcotics, even after he was stripped in</p> <p>5 relation to that domestic battery CR?</p> <p>6 A. I had no authority to determine where he was</p> <p>7 assigned. He was assigned there.</p> <p>8 Q. But did you allow them to continue to work with</p> <p>9 you there?</p> <p>10 A. Yes.</p> <p>11 Q. Did you ask that he be transferred out of</p> <p>12 Narcotics?</p> <p>13 A. No.</p> <p>14 Q. Did you think that the incident with Shannon</p> <p>15 and the dog was more serious than the domestic battery</p> <p>16 charge?</p> <p>17 A. Well, first of all, at that point the</p> <p>18 allegation against Shar Khalid had not been resolved.</p> <p>19 I didn't know whether it was sustained or not sustained.</p> <p>20 Secondly, Shannon was already away from my</p> <p>21 unit. She wasn't in my unit and got the CR number. She</p> <p>22 was out of my unit when she got the CR number.</p> <p>23 So she was not under my control. It's apples</p> <p>24 to oranges.</p>	<p style="text-align: right;">Page 52</p> <p>1 open, so I didn't make a determination one way or the</p> <p>2 other yet.</p> <p>3 Q. Do you know a Sergeant Avery?</p> <p>4 A. Yes.</p> <p>5 Q. What is Sergeant Avery's first name, if you</p> <p>6 know?</p> <p>7 A. Vincent.</p> <p>8 Q. Do you know an Officer Tony Hernandez?</p> <p>9 A. Yes.</p> <p>10 Q. Did you ever learn that Shar Khalid was</p> <p>11 bragging about punching his wife in the face in front of</p> <p>12 Sergeant Avery and Officer Hernandez?</p> <p>13 A. I did not know that.</p> <p>14 Q. Do you know Officer Hernandez, Tony Hernandez?</p> <p>15 A. Yes.</p> <p>16 Q. Did you ever ask Officer Tony Hernandez to</p> <p>17 allow Khalid to work in his position so that Khalid could</p> <p>18 remain in days and keep weekends off?</p> <p>19 A. No.</p> <p>20 Q. How do you know Tony Hernandez?</p> <p>21 A. Tony Hernandez was an officer that was assigned</p> <p>22 to the Narcotics Division during my tenure there as</p> <p>23 commander.</p> <p>24 Q. And were you aware that Tony Hernandez was an</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. Did you ever come to have an opinion of whether</p> <p>2 the charges against Shar Khalid were -- let me re-ask the</p> <p>3 question.</p> <p>4 Did you ever have any opinions about the</p> <p>5 seriousness of the charges against Shar Khalid?</p> <p>6 A. I have an opinion. I didn't believe, based on</p> <p>7 what I knew -- and obviously I was only hearing his side</p> <p>8 of it.</p> <p>9 But I knew that him and his wife were still</p> <p>10 together, and they have a daughter together, and she was</p> <p>11 supporting him. So, I didn't think there was any</p> <p>12 substance to it.</p> <p>13 My memory of it, which is not very good, was</p> <p>14 that she was not the complainant against him. It was</p> <p>15 some other individuals that he had arrested or had an</p> <p>16 altercation with. They were the accusers against him.</p> <p>17 Q. If somebody would have asked you whether you</p> <p>18 thought Shar Khalid should remain in the Narcotics Unit,</p> <p>19 would you have had an opinion one way or the other?</p> <p>20 A. Yes, I have an opinion.</p> <p>21 Q. What's the opinion?</p> <p>22 A. I thought he was a good officer. He worked</p> <p>23 well with his team members. He was very well-liked.</p> <p>24 And to my knowledge, that CR number is still</p>	<p style="text-align: right;">Page 53</p> <p>1 officer was assigned to a guard shack at one point in</p> <p>2 time?</p> <p>3 A. He was assigned to the 24 hour -- the security</p> <p>4 detail at Homan Square. If you want to characterize it</p> <p>5 as a guard shack, that's not really accurate.</p> <p>6 Q. I mean, is that a phrase you would use, "guard</p> <p>7 shack," in relation to his position?</p> <p>8 A. He was assigned that number of positions within</p> <p>9 Homan Square for the 24-hour security detail.</p> <p>10 Q. And what positions would they have been?</p> <p>11 A. Fillmore side security detail. There was the</p> <p>12 Spaulding Street detail, and then the 24-hour desk.</p> <p>13 Q. And was he under your command at that time?</p> <p>14 A. Yes.</p> <p>15 Q. Are you familiar with a Sergeant Padar?</p> <p>16 A. Yes.</p> <p>17 Q. How are you familiar with Sergeant Padar?</p> <p>18 A. Sergeant Padar was one of the sergeants</p> <p>19 assigned to the Narcotics Division during my tenure as</p> <p>20 commander.</p> <p>21 Q. And how long have you known Sergeant Padar?</p> <p>22 A. From '08 until present.</p> <p>23 Q. And did you become aware that Sergeant Padar</p> <p>24 was being criminally investigated at some point?</p>

Page 54	Page 56
<p>1 A. Yes.</p> <p>2 Q. And when did you become aware that</p> <p>3 Sergeant Padar was being criminally investigated for?</p> <p>4 A. Sometime in 2014, I believe.</p> <p>5 Q. What did you find out that he was being</p> <p>6 criminally investigated for?</p> <p>7 A. Some issue on testifying at a criminal</p> <p>8 proceeding. I was already gone from the Chicago Police</p> <p>9 Department at that point.</p> <p>10 Q. Were you ever made aware that there was CR</p> <p>11 against Sergeant Padar relating to falsifying records in</p> <p>12 connection with Tony Hernandez?</p> <p>13 A. Yes.</p> <p>14 Q. When did you become aware of that?</p> <p>15 A. During my tenure as commander.</p> <p>16 Q. And after you found out about that CR, you</p> <p>17 continued to allow Padar to work with you, underneath</p> <p>18 you, in your command?</p> <p>19 A. Yes.</p> <p>20 Q. Were you aware of any allegations made against</p> <p>21 a Sergeant Mel Roman while you were working as a</p> <p>22 commander in Narcotics?</p> <p>23 A. No.</p> <p>24 Q. Do you know who a Tracy walker is?</p>	<p>1 some of the time period in which Lewellyn was</p> <p>2 investigated and charged? Were you aware of that?</p> <p>3 A. I don't believe that he was his partner.</p> <p>4 Q. In terms of on the team.</p> <p>5 A. I believe he was on the same team, yes.</p> <p>6 Q. Do you know who a Sergeant Herrera is?</p> <p>7 A. Yes.</p> <p>8 Q. Was he a sergeant who came to be assigned to</p> <p>9 Narcotics?</p> <p>10 A. Yes. He was from Internal Affairs.</p> <p>11 Q. Did you ever talk with Chief Juan Rivera about</p> <p>12 a Sergeant Herrera?</p> <p>13 A. Yes.</p> <p>14 Q. What circumstances did you talk with</p> <p>15 Chief Rivera about Sergeant Herrera?</p> <p>16 A. I don't recall when, but Chief Rivera asked me</p> <p>17 if Sergeant Herrera could be assigned to the Narcotics</p> <p>18 Division, and I was happy to have him.</p> <p>19 Q. And do you know what the circumstances of that</p> <p>20 situation was, why Rivera came to you?</p> <p>21 A. First, I don't believe he came to me. I think</p> <p>22 it was a phone call.</p> <p>23 My memory is that Sergeant Herrera wanted to</p> <p>24 return to Narcotics because that was first love and he</p>
Page 55	Page 57
<p>1 A. I know who she is. I'm not really clear I</p> <p>2 remember hearing the name. I don't know her.</p> <p>3 Q. If I told you she might be an officer in</p> <p>4 Narcotics, would that ring any bells?</p> <p>5 A. I don't believe she's in Narcotics. Not to my</p> <p>6 memory.</p> <p>7 Q. Were you aware that she made allegations that</p> <p>8 she was being sexually harassed by a Sergeant Mel Roman?</p> <p>9 A. No.</p> <p>10 Q. Did you have any role in promoting a</p> <p>11 Lieutenant Noel Sanchez?</p> <p>12 A. Yes.</p> <p>13 Q. Were you aware if he was ever a subject of a</p> <p>14 Federal criminal investigation?</p> <p>15 A. I'm not sure of the details. I remember that</p> <p>16 he was -- somehow he worked with an officer that was</p> <p>17 under investigation. I'm not sure if Noel himself was</p> <p>18 the subject of an investigation or not.</p> <p>19 Q. And that person was Officer Glen Lewellyn</p> <p>20 (phonetic spelling)?</p> <p>21 A. Yes.</p> <p>22 Q. Who is serving 18 years in a Federal prison?</p> <p>23 A. Yes.</p> <p>24 Q. And was a partner on the team with Lewellyn for</p>	<p>1 had a passion for it.</p> <p>2 And he had served with distinction in Internal</p> <p>3 Affairs, and wanted to come back to the Narcotics</p> <p>4 Division.</p> <p>5 Q. Did you have a pending CR at the time you had</p> <p>6 that conversation with Juan Rivera?</p> <p>7 A. Did I have a pending CR?</p> <p>8 Q. Correct.</p> <p>9 A. I don't remember if I did or not.</p> <p>10 Q. You've had CRs, correct?</p> <p>11 A. Yes.</p> <p>12 Q. How many CRs have you had, approximately?</p> <p>13 A. In my career?</p> <p>14 Q. Yes.</p> <p>15 A. I don't know. I couldn't even tell you.</p> <p>16 Q. Is it more 10?</p> <p>17 A. Yes.</p> <p>18 Q. Is it more than 20?</p> <p>19 A. Probably.</p> <p>20 Q. Is it more than 30?</p> <p>21 A. I'm not sure.</p> <p>22 Q. Is it less than 50?</p> <p>23 A. Probably.</p> <p>24 Q. Have you ever had any CRs sustained against</p>

<p>1 you?</p> <p>2 A. No.</p> <p>3 Q. Have you ever been suspended or disciplined in 4 any way as a Chicago police officer?</p> <p>5 A. I think I might have taken a day suspension for 6 not having a City sticker on my new wife's car, my wife's 7 car.</p> <p>8 We had just gotten married, and I drove her car 9 to work, not thinking, and she didn't have a City 10 sticker.</p> <p>11 Q. Do you know how many CRs Shannon Spaulding has 12 against her?</p> <p>13 A. No.</p> <p>14 Q. Do you know if it's more than 10?</p> <p>15 A. I have no idea.</p> <p>16 Q. Did you ever investigate any complaint made by 17 any of your command staff in Narcotics against either 18 Shannon Spaulding or Danny Echeverria?</p> <p>19 A. No.</p> <p>20 Q. And I believe you mentioned that you learned of 21 a...</p> <p>22 (Brief pause.)</p> <p>23 Did Chief Rivera ever release to you any 24 confidential information regarding any investigations</p>	<p>Page 58</p> <p>1 career.</p> <p>2 Q. Did you ever become aware that Shannon and 3 Danny Echeverria never were assigned to IAD?</p> <p>4 A. No. I have no idea.</p> <p>5 Q. Did anyone ever tell you they were assigned to 6 IAD, Internal Affairs Division?</p> <p>7 A. I was under the impression they were assigned 8 or detailed there.</p> <p>9 Q. Who told you they were detailed there?</p> <p>10 A. I don't recall. Probably Chief Roti.</p> <p>11 Q. Were you aware of any situations where officers 12 had gone to the FBI and reported police corruption 13 outside of the chain of command?</p> <p>14 A. I don't personally recall that, no.</p> <p>15 Q. Were you aware of any situations where officers 16 within the Chicago Police Department decided to go to the 17 FBI when supervisors were not investigating reported 18 corruption?</p> <p>19 A. In my experience, anytime police corruption has 20 been reported to a supervisor, they have taken 21 appropriate action. That's my understanding and 22 recollection.</p> <p>23 Q. How would you be able to know that?</p> <p>24 A. It's my impression and recollection that any</p>
<p>1 regarding Chicago police officers?</p> <p>2 A. No.</p> <p>3 Q. Do you believe that you became aware that 4 Spaulding and Echeverria were involved in a confidential 5 investigation involving police corruption?</p> <p>6 A. Can you repeat the question, please?</p> <p>7 Q. Do you believe, before the lawsuit, that you 8 were aware that Spaulding and Echeverria were involved in 9 a confidential investigation involving police corruption?</p> <p>10 A. Yes.</p> <p>11 Q. Did you think it could be a problem to have an 12 officer in Narcotics who was involved in investigating 13 undercover corruption?</p> <p>14 A. Well, considering I worked in Internal Affairs 15 working corruption cases. Sergeant Herrera worked in 16 Internal Affairs on corruption cases.</p> <p>17 Sergeant Noel Sanchez, who then I assisted in promoting 18 to lieutenant, worked in Internal Affairs on police 19 corruption cases.</p> <p>20 Lieutenant Karen Kono, who ran the 21 investigations on police officers, I requested her 22 specifically to work for me.</p> <p>23 So I would say I had no problem with anyone 24 having worked in Internal Affairs at anytime in their</p>	<p>Page 59</p> <p>1 cases that came to me, I forwarded, and cases that came 2 to my similar-ranking officers did the same.</p> <p>3 Q. Would you expect an officer who was assigned to 4 you to report corruption directly to you rather than go 5 to an outside agency?</p> <p>6 A. I always expect officers who work for me to 7 follow the chain of command, yes. They should be 8 reported to the supervisor.</p> <p>9 Q. If an officer who saw drug dealing or extortion 10 being committed by a fellow Chicago police officer did 11 not go to their supervisors, would you think that was a 12 problem?</p> <p>13 A. Yes.</p> <p>14 Q. If they chose to go to an outside agency 15 instead of a supervisor, would that be a problem?</p> <p>16 MR. KING: Just object to form and the word 17 "problem," but you can answer.</p> <p>18 THE WITNESS: They should follow the directives 19 of the Chicago Police Department and notify the chain of 20 command -- obtain a CR number and notify the chain of 21 command so they can protect the department and other 22 officers.</p> <p>23 MR. SMITH: Q. Why would you feel that going to an 24 outside agency would somehow jeopardize the department or</p>

<p style="text-align: right;">Page 62</p> <p>1 other officers?</p> <p>2 A. If you have a corrupt police officer actively</p> <p>3 involved in narcotics or gang involvement, then not only</p> <p>4 are you placing the general public at risk, because</p> <p>5 obviously an officer has access to information and arrest</p> <p>6 powers, you're exposing other officers, the officers that</p> <p>7 work with them on a daily basis -- officers that are</p> <p>8 encountering them. You're placing everyone in jeopardy.</p> <p>9 Q. Would it surprise you that Officer Watts was</p> <p>10 engaged in narcotics distribution and sales for over 10</p> <p>11 years while he was a Chicago police officer, without the</p> <p>12 Chicago Police doing anything to discipline or take him</p> <p>13 off the force?</p> <p>14 MR. KING: Object to the form, and lack of</p> <p>15 foundation.</p> <p>16 THE WITNESS: I don't know Sergeant Watts.</p> <p>17 MR. SMITH: Q. Did you ever receive a confidential</p> <p>18 informant packet from a Sergeant Padar?</p> <p>19 A. Yes.</p> <p>20 Q. Did you ever receive a confidential information</p> <p>21 packet that included Shannon Spaulding and</p> <p>22 Danny Echeverria's name on it?</p> <p>23 A. Yes.</p> <p>24 Q. Did you have a conversation with Sergeant Padar</p>	<p style="text-align: right;">Page 64</p> <p>1 them stay within the Narcotics Division?</p> <p>2 A. This was before I had that conversation with</p> <p>3 Roti, to the best of my memory.</p> <p>4 Q. So weren't they technically still within the</p> <p>5 Narcotics Division at that point in time?</p> <p>6 A. I don't believe they were.</p> <p>7 Q. What did you believe they were doing?</p> <p>8 A. I believe they were detailed out of the unit,</p> <p>9 out of Organized Crime. They weren't working in</p> <p>10 Organized Crime.</p> <p>11 Q. And what did you believe they were doing?</p> <p>12 A. I had no idea what they were doing.</p> <p>13 Q. And so what made you believe that they couldn't</p> <p>14 work with confidential informants?</p> <p>15 A. I don't care if they worked with confidential</p> <p>16 informants.</p> <p>17 Q. So what exactly was the problem that you had</p> <p>18 with Danny and Shannon seeking a confidential informant</p> <p>19 approval, request for approval for a confidential</p> <p>20 informant?</p> <p>21 A. No problem at all. However--</p> <p>22 Q. I would ask that counsel not gesture to the</p> <p>23 witness to make further statements.</p> <p>24 Did you ever direct Sergeant Padar to inform</p>
<p style="text-align: right;">Page 63</p> <p>1 regarding their request -- and by their, I mean Danny and</p> <p>2 Shannon's request for approval for a CI?</p> <p>3 A. Yes.</p> <p>4 Q. What did that conversation entail?</p> <p>5 A. First of all, I informed Sergeant Padar that</p> <p>6 Officer Shannon Spaulding and Danny Echeverria were not</p> <p>7 working in the Organized Crime Division. Therefore, they</p> <p>8 should not be signing up informants.</p> <p>9 Secondly, I looked at the documents. And</p> <p>10 Officer Hernandez, who was in fact assigned to the</p> <p>11 Narcotics Division, wasn't on there, at least one of</p> <p>12 documents that I reviewed.</p> <p>13 Q. What do you mean by that in terms of, he wasn't</p> <p>14 on? Or--</p> <p>15 A. His name was not included on one of the pages</p> <p>16 of the CI, the package.</p> <p>17 Q. Why would that be a problem or an issue?</p> <p>18 A. Because they don't work for me.</p> <p>19 Shannon Spaulding and Danny Echeverria were not working</p> <p>20 in the Organized Crime Division. They're not authorized</p> <p>21 to sign up informants in the Organized Crime Division if</p> <p>22 they're not working in the Organized Crime Division.</p> <p>23 Q. And when was that? Was that before or after</p> <p>24 your conversation with Deputy Chief Roti about having</p>	<p style="text-align: right;">Page 65</p> <p>1 Spaulding and Echeverria what you thought of their</p> <p>2 request for approval of a CI?</p> <p>3 A. I told Sergeant Padar that if his team wanted</p> <p>4 to work with Shannon Spaulding and Danny Echeverria, I</p> <p>5 did not have a problem with it, but their supervisors</p> <p>6 needed to contact me, because apparently no one knew what</p> <p>7 she was doing.</p> <p>8 Q. And did Sergeant Padar say anything in response</p> <p>9 to that?</p> <p>10 A. He said okay.</p> <p>11 Q. Did you approve the request for a CI?</p> <p>12 A. I couldn't. They don't work for me.</p> <p>13 Q. Do you know if anyone did approve the request</p> <p>14 for a CI?</p> <p>15 A. To clarify, anyone can work with informants,</p> <p>16 Internal Affairs.</p> <p>17 However, to assign an informant up with the</p> <p>18 Organized Crime Division, you have to work in the</p> <p>19 Organized Crime Division. They were not working in the</p> <p>20 Organized Crime Division, Echeverria or Spaulding.</p> <p>21 Neither one of them was working in the Organized Crime</p> <p>22 Division. Therefore, they could not sign up an informant</p> <p>23 in the Organized Crime Division.</p> <p>24 They're more than free to sign up an informant</p>

<p style="text-align: right;">Page 66</p> <p>1 with any other -- Detective Division, Internal Affairs, 2 whatever.</p> <p>3 When I was in Internal Affairs, I was not 4 allowed to sign up informants in the Organized Crime 5 Division because I was not working in the Organized Crime 6 Division.</p> <p>7 Q. Do you know if that particular confidential 8 informant was approved to work with any other unit or 9 division?</p> <p>10 A. I have no idea.</p> <p>11 Q. Would Sergeant Padar...</p> <p>12 (Brief pause.)</p> <p>13 Did you ever instruct supervisors or officers 14 within Narcotics not to work with Spaulding and 15 Echeverria?</p> <p>16 A. Honestly, just the opposite.</p> <p>17 I told Sergeant Padar I had no problem with him 18 working with Spaulding and Echeverria, if it was 19 assisting in their investigation, if their supervisors 20 knew what they were doing and would contact me.</p> <p>21 Q. Did you have any conversations with anyone 22 other than Sergeant Padar within Narcotics as to 23 Spaulding and Echeverria?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 68</p> <p>1 called for help, that the members of Unit 189 would not 2 be there to back them up?</p> <p>3 A. I doubt very highly that ever happened. I have 4 no knowledge of that whatsoever.</p> <p>5 Q. If you had become aware of a statement like 6 this being made, what actions would you have taken?</p> <p>7 A. I probably have initiated a CR number on the 8 supervisor who made that statement. It's totally 9 inappropriate.</p> <p>10 Q. Did you ever issue an order, either verbal or 11 written, that Spaulding was not allowed in the Homan 12 Square building?</p> <p>13 A. No.</p> <p>14 Q. Do you know whether or not Spaulding had a 15 locker in the Homan Square building?</p> <p>16 A. I don't know.</p> <p>17 Q. Did you ever call Lieutenant Cesario and tell 18 him that Spaulding was not allowed in Homan Square?</p> <p>19 A. I don't believe I did, no.</p> <p>20 Q. Did you ever tell any member of the Fugitive 21 Apprehension Unit that Spaulding was not allowed in the 22 Homan Square building?</p> <p>23 A. I never said that.</p> <p>24 Q. Did you ever tell Lieutenant Cesario that</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. So in your view, who would have been Shannon 2 and Danny's chain of command supervisors who could 3 approve a confidential informant working with a unit at 4 that time?</p> <p>5 A. Whatever unit they were working under.</p> <p>6 At that point, Shannon Spaulding and 7 Danny Echeverria had a chain of command. They had some 8 type of supervision.</p> <p>9 They should have gone through that proper chain 10 to work with that informant.</p> <p>11 Q. Did you know who that was?</p> <p>12 A. No. They never called me.</p> <p>13 Q. Did anyone ever tell you who that was?</p> <p>14 A. No.</p> <p>15 Q. Did anyone ever tell you that they weren't 16 under your chain of command?</p> <p>17 A. I knew they weren't under my chain of command.</p> <p>18 Q. When somebody is loaned out from a unit to 19 another detail, whose chain of command is that under?</p> <p>20 A. They'd follow the chain of command of the 21 person they're detailed to, or the unit they're detailed 22 to.</p> <p>23 Q. Were you aware of any of the supervisors in 24 your unit telling Spaulding and Echeverria that if they</p>	<p style="text-align: right;">Page 69</p> <p>1 Shannon Spaulding should not go to any part of the Homan 2 Square building?</p> <p>3 A. I never said that.</p> <p>4 Q. Did you ever give any directive to anyone 5 relating to that Shannon Spaulding be allowed to -- let 6 me re-ask the question.</p> <p>7 Did you ever tell anyone that Shannon Spaulding 8 should not be or should be restricted from going to any 9 part of Homan Square?</p> <p>10 A. I did contact Commander Salemi and asked him if 11 Shannon Spaulding was at Homan Square on a specific date, 12 if she was working and if she was doing some type of 13 police work. He said no, on this specific date.</p> <p>14 I said, well, she's over here goofing off, 15 visiting her boyfriend, are you aware of it. He said no, 16 and that he would handle it.</p> <p>17 Q. Did you ever indicate to Commander Salemi that 18 Spaulding shouldn't be visiting her boyfriend at Homan 19 Square?</p> <p>20 A. I did tell him unless she was there for a 21 proper police purpose, she shouldn't be in a restricted 22 area.</p> <p>23 Q. Did you tell him that she should not be at the 24 restricted area of Homan Square?</p>

<p style="text-align: right;">Page 70</p> <p>1 A. Yes. She should not be at the restricted area.    2 Q. And did you any way limit this -- strike that.    3 What's the address of Homan Square?    4 A. 3340 West Fillmore.    5 Q. Is this in any way a restricted access    6 building?    7 A. Yes.    8 Q. How so?    9 A. The general public can't walk into the    10 building, and only officers allowed in the Organized    11 Crime or for a proper police purpose are allowed on the    12 2nd floor.    13 And the east parking lot is restricted to    14 undercover officers and supervisors only.    15 Q. And is there an identification system in place    16 to determine what officers are allowed to go into the    17 Home Square building?    18 A. The general building, any police officer can go    19 into it. However, the 2nd floor is where the Narcotics    20 Division and the Gang Intelligence Unit are located.    21 That's restricted by keypad on -- that would be the south    22 side of the building and then on the 24-hour desk.    23 There's an officer assigned there to challenge    24 anyone that comes up to the 2nd floor.</p>	<p style="text-align: right;">Page 72</p> <p>1 Q. How would the word get out that officers    2 weren't supposed to go to the east parking lot?    3 A. They would be challenged.    4 If someone tried to walk in -- the license    5 plates of authorized vehicles are encoded into the    6 system. Where an undercover officer that is assigned to    7 Narcotics or Gang Intelligence would pull up, it would    8 read the plate and let them in.    9 Q. Did you ever see Shannon Spaulding inside the    10 east parking lot?    11 A. No.    12 Q. Did you ever see Shannon Spaulding internally    13 at Homan Square?    14 A. I've never seen her. I've never met her.    15 Q. How was it that you came to know that she was    16 at Homan Square?    17 A. Somebody informed me, I don't recall who, that    18 Officer Hernandez had left his assigned post and was    19 visiting his girlfriend, Shannon Spaulding, in the area    20 where she was not supposed to be.    21 Q. And you don't remember who that was?    22 A. No.    23 Q. Did you ask Tony Hernandez if that was true?    24 A. Yes.</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. Do you know if Shannon Spaulding had access to    2 that 2nd floor?    3 A. She shouldn't have, but I don't know if she    4 did.    5 Q. Do you know if she was allowed to be in the    6 building generally?    7 A. Sure.    8 Q. And was there any restriction that would have    9 been placed on her that -- was there any area, other than    10 the 2nd floor, she would much restricted from going to?    11 A. She should not have been in the east parking    12 lot.    13 Q. And was there any written directive relating to    14 officers not being allowed in the east parking lot?    15 A. I'm not sure if it's in writing somewhere.    16 It's the policy of -- the Deputy Chief of Organized Crime    17 is in charge. He's basically the landlord of the    18 building.    19 And it was the policy not allow anyone other    20 than authorized officers, undercover officers, to go in    21 that east parking lot.    22 There was a guardrail, and there's an officer    23 assigned there always to verify the identify of anyone    24 who came through.</p>	<p style="text-align: right;">Page 73</p> <p>1 Q. And what did Mr. Hernandez say,    2 Officer Hernandez say?    3 A. She was his girlfriend and she was dropping    4 something off to him.    5 Q. Did he say she was in the restricted area?    6 A. I'm sorry?    7 Q. Did he say she was in the restricted area?    8 A. He did not say that, no.    9 Q. Did you ask him.    10 A. No. I didn't have to.    11 Q. Did you make any effort to contact    12 Shannon Spaulding to determine whether, to let her know    13 that she was doing something that she wasn't supposed to    14 do?    15 A. No. I contacted her supervisor.    16 Q. Was this in any way documented?    17 A. Yes.    18 Q. How so?    19 A. I documented in the Departmental Evaluation    20 System regarding Officer Hernandez visiting his    21 girlfriend when he was supposed to be working.    22 Q. And when did you do that?    23 A. I believe that day or the day after.    24 Q. Have you seen that document in connection with</p>

<p>1 this litigation?</p> <p>2 A. In this litigation, no.</p> <p>3 Q. What documents did you review before this</p> <p>4 deposition, if any?</p> <p>5 A. I did in fact review the command channel review</p> <p>6 for the CR number where it indicated I reduced the</p> <p>7 penalty against Shannon Spaulding from four days to two</p> <p>8 days, and reduced the penalty on Danny Echeverria from</p> <p>9 two days to one day.</p> <p>10 I knew it existed, and I spoke to counsel</p> <p>11 regarding that.</p> <p>12 Q. Did you talk to Mr. Hernandez about -- did you</p> <p>13 tell Mr. Hernandez that he shouldn't meet with</p> <p>14 Shannon Spaulding at Homan Square?</p> <p>15 A. I don't believe her name specifically came up.</p> <p>16 I said, you're not supposed to be visiting your</p> <p>17 girlfriend while you're working, and you're not supposed</p> <p>18 to leave your assigned post unless your supervisor knows</p> <p>19 about it.</p> <p>20 Q. Was there any indication of how long</p> <p>21 Shannon Spaulding was with Mr. Hernandez on that</p> <p>22 occasion?</p> <p>23 A. No, I don't believe so. I don't recall.</p> <p>24 Q. Was there any inquiry done as to, did you ask</p>	<p>Page 74</p> <p>1 A. No.</p> <p>2 Q. Did your kids ever attend school in Park Ridge?</p> <p>3 A. Yes.</p> <p>4 Q. Were you living in Park Ridge at that time?</p> <p>5 A. No.</p> <p>6 Q. Is that a private school?</p> <p>7 A. Yes. St. Paul of the Cross grade school.</p> <p>8 Believe me, I've got the receipts to prove it.</p> <p>9 Q. Did you ever send your children to any suburban</p> <p>10 public school?</p> <p>11 A. Ever?</p> <p>12 Q. Yes.</p> <p>13 A. Yes.</p> <p>14 Q. While you were a Chicago Police Department</p> <p>15 officer?</p> <p>16 A. Yes.</p> <p>17 Q. How did you make those arrangements?</p> <p>18 A. I owned a condo in the 1400 block of Touhy in</p> <p>19 Park Ridge, Illinois, and my father-in-law lived at that</p> <p>20 location with my daughter.</p> <p>21 Q. And did you list that address as their</p> <p>22 residence?</p> <p>23 A. That was listed as his. He lived there. That</p> <p>24 was his residence.</p>
<p>1 Mr. Hernandez how long she was there for?</p> <p>2 A. No. He admitted though that he had left his</p> <p>3 post without supervisory approval.</p> <p>4 Q. How far from his post did he go?</p> <p>5 A. I don't recall.</p> <p>6 Q. Is IAD allowed on the 2nd floor in Homan</p> <p>7 Square?</p> <p>8 A. They are allowed, but they have to be checked</p> <p>9 in. They can't just walk in off the street, if that's</p> <p>10 what you're asking.</p> <p>11 Q. Did you ever tell Tony Hernandez that if</p> <p>12 Shannon Spaulding returned to the building at Homan</p> <p>13 Square, he was to arrest her?</p> <p>14 A. No, I did not.</p> <p>15 Q. You aware of the residency requirements for the</p> <p>16 Chicago Police Department?</p> <p>17 A. Yes.</p> <p>18 Q. When you were a commander in CPD, were you</p> <p>19 aware of the school district you lived in?</p> <p>20 A. The school district I lived in?</p> <p>21 Q. Yes.</p> <p>22 A. I believe it was Ebinger.</p> <p>23 Q. Did you ever falsify your address to send your</p> <p>24 kids to Park Ridge?</p>	<p>Page 75</p> <p>1 Q. As your children's residence?</p> <p>2 A. My oldest daughter, yes, she lived there, you</p> <p>3 know, when she was in high school, the last year of high</p> <p>4 school.</p> <p>5 Q. Did you go to law school?</p> <p>6 A. Yes.</p> <p>7 Q. And what law school did you go to?</p> <p>8 A. John Marshall.</p> <p>9 Q. Were you going to law school while you were</p> <p>10 working as a Chicago police officer?</p> <p>11 A. Yes.</p> <p>12 Q. Did you ever take classes during your hours as</p> <p>13 a Chicago police officer?</p> <p>14 A. No.</p> <p>15 Q. Are you familiar with orders from the Chicago</p> <p>16 Police Department and the City of Chicago relating to</p> <p>17 whistle blower rules?</p> <p>18 A. Not specifically.</p> <p>19 Q. Have you ever spoken with Nick Roti about</p> <p>20 Shannon Spaulding -- I'm sorry. I believe we already</p> <p>21 brought that up.</p> <p>22 Have you ever spoken with anyone other than</p> <p>23 Nick Roti about Shannon Spaulding or Danny Echeverria</p> <p>24 being involved or working with the FBI?</p>

Page 78	Page 80
<p>1 A. No.</p> <p>2 Q. Were you ever present at any meeting where a</p> <p>3 discussion of where Danny and Shannon were assigned was</p> <p>4 brought up?</p> <p>5 A. Never.</p> <p>6 Q. Were you ever present in any meeting where</p> <p>7 Danny and Shannon working with the FBI was brought up?</p> <p>8 A. Never.</p> <p>9 Q. Did you ever tell anyone, other than</p> <p>10 Deputy Chief Roti, that you didn't want Danny or Shannon</p> <p>11 back in your unit?</p> <p>12 A. No.</p> <p>13 Q. Did you think that not bringing Danny or</p> <p>14 Shannon back to your unit might hurt their careers?</p> <p>15 A. No, not at all.</p> <p>16 Q. Do you know if Sergeant Padar was ever stripped</p> <p>17 for any alleged felony criminal act?</p> <p>18 A. Yes, he was stripped.</p> <p>19 Q. Do you know if this occurred while you were</p> <p>20 still commander of Narcotics?</p> <p>21 A. No, it was not then.</p> <p>22 Q. Were the allegations concerning his criminal</p> <p>23 acts, did they occur while you were his commander?</p> <p>24 A. I don't know.</p>	<p>1 allegations against another sworn member?</p> <p>2 A. Not specifically, no.</p> <p>3 Q. Were you aware of any general order that</p> <p>4 protects members of CPD who make complaints or</p> <p>5 allegations against another sworn member when you were</p> <p>6 working in IAD?</p> <p>7 A. I don't remember. That was many years ago.</p> <p>8 Q. Were you aware of a general order that</p> <p>9 protected whistle blowers when you were working IAD?</p> <p>10 A. No.</p> <p>11 Q. Were you aware of a general order that protects</p> <p>12 a member of CPD who makes a complaint or allegations</p> <p>13 against another sworn member when you were the commander</p> <p>14 of Narcotics?</p> <p>15 A. I don't recall it specifically, no.</p> <p>16 Q. Are you aware of any employee rights that</p> <p>17 protect whistle blowers?</p> <p>18 A. As far as an attorney or as far as general a</p> <p>19 order?</p> <p>20 Q. In terms of within the CPD, the Chicago Police</p> <p>21 Department?</p> <p>22 A. Like specific provisions or general orders, no.</p> <p>23 Q. Would you have knowledge of how -- I'm sorry.</p> <p>24 (Brief pause.)</p>
Page 79	Page 81
<p>1 Q. How did you become aware of the criminal</p> <p>2 allegations regarding Padar?</p> <p>3 A. I believe I read it in the paper.</p> <p>4 Q. Do you know if any other sworn members working</p> <p>5 under your command were also accused, together with</p> <p>6 Padar?</p> <p>7 A. Of the criminal act?</p> <p>8 Q. Yes.</p> <p>9 A. Yes.</p> <p>10 Q. Who?</p> <p>11 A. Vince Morgan.</p> <p>12 Q. And how did you learn about that?</p> <p>13 A. I read it in the paper.</p> <p>14 Q. Did you take any action when you learned of</p> <p>15 these allegations?</p> <p>16 A. I told my wife.</p> <p>17 Q. Were you still a commander at that point?</p> <p>18 A. No.</p> <p>19 Q. Are you aware of a specific general order that</p> <p>20 protects whistle blowers within the Chicago Police</p> <p>21 Department?</p> <p>22 A. No.</p> <p>23 Q. Are you aware of any general order that</p> <p>24 protects a member of CPD who makes a complaint or</p>	<p>1 MR. SMITH: If I could have just a few minutes,</p> <p>2 and I'm pretty sure we'll be less than 15 minutes, but</p> <p>3 I'm probably going to go through names.</p> <p>4 (Brief recess.)</p> <p>5 MR. SMITH: Q. Do you know a Jan Hanna?</p> <p>6 A. No.</p> <p>7 Q. Do you know a Kevin Sadowski?</p> <p>8 A. No.</p> <p>9 Q. Do you know a Lieutenant Deborah Pasqua?</p> <p>10 A. No.</p> <p>11 Q. Do you know a Commander Adrienne Stanley?</p> <p>12 A. I do know her, yes.</p> <p>13 Q. How long have you known her?</p> <p>14 A. Probably met her in '08 when I first made</p> <p>15 commander, and we went to meetings together. I've never</p> <p>16 really -- I don't really know her well at all.</p> <p>17 Q. Do you know a Sergeant Maurice Barnes?</p> <p>18 A. Yes.</p> <p>19 Q. How do you know Sergeant Maurice Barnes?</p> <p>20 A. Sergeant Barnes and I worked together in the</p> <p>21 Narcotics Division, I believe, when I was a police</p> <p>22 officer.</p> <p>23 Q. And did you work on the same team or just in</p> <p>24 the same unit?</p>

<p style="text-align: right;">Page 82</p> <p>1 A. In the same unit.</p> <p>2 Q. And do you know a Lieutenant Robert Cesario?</p> <p>3 A. I know him. I spoke to him a couple of times,</p> <p>4 and I was involved with the Chicago Police Memorial</p> <p>5 Foundation. I presented a check to his family for his</p> <p>6 brother who had cancer, I believe.</p> <p>7 But I don't know him really well. I met him a</p> <p>8 couple of times.</p> <p>9 Q. Do you know Joseph Salemi?</p> <p>10 A. Yes.</p> <p>11 Q. How long have you known Joseph Salemi?</p> <p>12 A. Approximately 15 years.</p> <p>13 Q. And are you personal friends?</p> <p>14 A. I don't see him socially. However, as</p> <p>15 commanders at one time we were both in Investigative</p> <p>16 Services, Narcotics, the Detective Division. We went to</p> <p>17 the same meetings together.</p> <p>18 I'm certainly friendly with him. I would</p> <p>19 consider him a friend, but I don't see him socially.</p> <p>20 Q. Do you know Thomas Mills, a sergeant?</p> <p>21 A. Yes.</p> <p>22 Q. How do you know Sergeant Mills?</p> <p>23 A. Sergeant Mills and I worked together in</p> <p>24 Narcotics.</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Did you ever talk with Joseph Salemi about the</p> <p>2 lawsuit itself?</p> <p>3 A. Not specifically.</p> <p>4 Q. Did you ever talk with Robert Cesario about the</p> <p>5 lawsuit?</p> <p>6 A. No, not at all.</p> <p>7 Q. Did you ever talk with Robert Cesario about</p> <p>8 either Danny or Shannon?</p> <p>9 A. I don't believe so.</p> <p>10 Q. Did you ever talk with Sergeant Barnes about</p> <p>11 Shannon or Danny?</p> <p>12 A. No.</p> <p>13 Q. Did you ever talk with Sergeant Barnes about</p> <p>14 the lawsuit?</p> <p>15 A. No.</p> <p>16 Q. Did you ever talk with Adrienne Stanley about</p> <p>17 the lawsuit?</p> <p>18 A. Not at all, no.</p> <p>19 Q. Did you ever talk with Adrienne Stanley about</p> <p>20 Shannon or Danny?</p> <p>21 A. No.</p> <p>22 Q. I think you said you didn't know</p> <p>23 Deborah Pasqua.</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. Have you ever spoken to Thomas Mills about</p> <p>2 Danny or Shannon?</p> <p>3 A. No.</p> <p>4 Q. Have you ever spoken to Thomas Mills about that</p> <p>5 this lawsuit?</p> <p>6 A. I might have mentioned it, that it was, you</p> <p>7 know, that this lawsuit was filed.</p> <p>8 Q. Did he say anything about the lawsuit?</p> <p>9 A. How sad he was. He just kind of, you know,</p> <p>10 bothered by it.</p> <p>11 Q. Anything beyond that?</p> <p>12 A. Not really.</p> <p>13 Q. Did you discuss any details of the allegations</p> <p>14 in the lawsuit with Thomas Mills?</p> <p>15 A. No.</p> <p>16 Q. Were you friends with Thomas Mills?</p> <p>17 A. I would say yes, he's a friend. I don't see</p> <p>18 him socially, but I certainly consider him a friend.</p> <p>19 Q. The time you spoke to him about the lawsuit,</p> <p>20 where was that?</p> <p>21 A. I don't remember. Maybe at a police function.</p> <p>22 Q. Were you still a police officer with Chicago at</p> <p>23 that time?</p> <p>24 A. I believe, yes.</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. And you didn't know Kevin Sadowski?</p> <p>2 A. No.</p> <p>3 Q. We may have already talked about something with</p> <p>4 Nicholas Roti, but did you ever talk with Nicholas Roti</p> <p>5 about the lawsuit?</p> <p>6 A. Yes.</p> <p>7 Q. Did you ever talk to him about the specifics in</p> <p>8 the lawsuit?</p> <p>9 A. Some of the allegations.</p> <p>10 Q. Which allegations?</p> <p>11 A. Specifically that I would refer to anyone</p> <p>12 having worked in Internal Affairs as being rats.</p> <p>13 Having spent a very important part of my career</p> <p>14 in Internal Affairs, it really bothered me personally.</p> <p>15 Q. Any other allegations that you talked to him</p> <p>16 about?</p> <p>17 A. Nothing specific.</p> <p>18 Q. When you talked about the lawsuit, did you</p> <p>19 discuss the incident concerning Homan Square at all with</p> <p>20 Nicholas Roti in terms of Shannon Spaulding visiting</p> <p>21 Tony Hernandez?</p> <p>22 A. I spoke to Nick, Chief Roti, on a daily basis.</p> <p>23 I'm sure I mentioned to him that I contacted</p> <p>24 Commander Salemi to inform him one of his officers was</p>

<p style="text-align: right;">Page 86</p> <p>1 goofing off.</p> <p>2 Q. And would that have been at the time shortly</p> <p>3 after it happened or when you were talking about the</p> <p>4 lawsuit?</p> <p>5 A. Probably shortly thereafter, to the best of my</p> <p>6 memory.</p> <p>7 Q. Shortly after the incident itself?</p> <p>8 A. Correct.</p> <p>9 Q. Have you talked to Deborah Kirby about the</p> <p>10 lawsuit?</p> <p>11 A. No, not at all.</p> <p>12 Q. And I think you already indicated you didn't</p> <p>13 talk to Juan Rivera about the lawsuit?</p> <p>14 A. No.</p> <p>15 Q. I am correct, you did not talk to him?</p> <p>16 A. No, I did not.</p> <p>17 Q. Have you ever talked to Deborah Kirby about</p> <p>18 Shannon Spaulding or Danny Echeverria?</p> <p>19 A. No.</p> <p>20 Q. Now, do you know Jimmy Jackson?</p> <p>21 A. Yes, sir. Yes, I know him.</p> <p>22 Q. Who has been a high-ranking member in the</p> <p>23 Chicago Police Department?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 88</p> <p>1 criminal act, he's got to -- he has to take police</p> <p>2 action. He should, if necessary, make an arrest.</p> <p>3 Q. Okay. So, they should report it under their</p> <p>4 chain of command and potentially make an arrest, is that</p> <p>5 your...</p> <p>6 A. Yes.</p> <p>7 Q. Hypothetically speaking, if that circumstance</p> <p>8 occurs, an officer reports another officer through their</p> <p>9 chain of command, if the reporting officer, for whatever</p> <p>10 reason, doesn't feel the response is appropriate, do you</p> <p>11 have any problem with that reporting officer then going</p> <p>12 outside of the Chicago Police Department to a third party</p> <p>13 law enforcement agency, such as the FBI?</p> <p>14 A. Not at all, as long as they follow the</p> <p>15 protocols initially as they're required to do, whatever</p> <p>16 step they feel necessary to safeguard the department is</p> <p>17 fine with me.</p> <p>18 MR. KING: No further questions.</p> <p>19 FURTHER EXAMINATION</p> <p>20 BY MR. SMITH:</p> <p>21 Q. Do you know any instances where that's</p> <p>22 occurred?</p> <p>23 A. Not personally, no.</p> <p>24 Q. What would be a sufficient amount of activity</p>
<p style="text-align: right;">Page 87</p> <p>1 Q. Is he still with the Chicago Police Department,</p> <p>2 if you know?</p> <p>3 A. No.</p> <p>4 Q. How long did you know him?</p> <p>5 A. From at least from 1999 on. So, 15 years.</p> <p>6 Q. Did you ever discuss Sergeant Watts with</p> <p>7 Jimmy Jackson?</p> <p>8 A. No. I don't know Sergeant Watts.</p> <p>9 Q. And have you ever talked with Jimmy Jackson</p> <p>10 about Shannon Spaulding or Danny Echeverria?</p> <p>11 A. Never.</p> <p>12 MR. SMITH: Nothing further.</p> <p>13 MR. KING: I have a couple of questions.</p> <p>14 EXAMINATION</p> <p>15 BY MR. KING:</p> <p>16 Q. Mr. O'Grady, counsel was asking you some</p> <p>17 questions earlier in the deposition about, if a police</p> <p>18 officer observed or witnessed another police officer</p> <p>19 potentially engaging in illegal conducts.</p> <p>20 I think you indicated that you would expect</p> <p>21 them to report that internally within CPD through the</p> <p>22 chain of command; is that correct?</p> <p>23 A. Yes. However, that doesn't preclude them from</p> <p>24 -- if an officer observes another officer commit a</p>	<p style="text-align: right;">Page 89</p> <p>1 within your chain of command if you saw an officer</p> <p>2 engaged in criminal action, for an officer to take before</p> <p>3 going to outside agency, in your opinion?</p> <p>4 A. In my opinion, if an officer witnessed a</p> <p>5 criminal act, he has to take proper police action. That</p> <p>6 very well could be, make an arrest or intercede.</p> <p>7 If one of my teams was out there conducting a</p> <p>8 narcotic surveillance, and a subject was engaged in a</p> <p>9 narcotics transaction, and they knew that subject to be a</p> <p>10 police officer, they wouldn't merely file a report.</p> <p>11 They'd have to make an arrest.</p> <p>12 Q. Okay.</p> <p>13 A. And officers in the division have arrested</p> <p>14 police officers before.</p> <p>15 Q. Let's take it back a notch.</p> <p>16 If an officer gets seemingly strong evidence</p> <p>17 that another police officer is engaged in a crime, and</p> <p>18 they, according to you, are then supposed to go to their</p> <p>19 supervisor to report, that would that be fair to say, if</p> <p>20 they can't make an arrest at the time?</p> <p>21 A. Then they should definitely report and obtain a</p> <p>22 CR number, see that a CR number is obtained.</p> <p>23 Q. And to what extent would you believe they would</p> <p>24 have to go internally before they should go to an outside</p>

<p style="text-align: right;">Page 90</p> <p>1 agency?</p> <p>2 A. Well, any officer can get a CR number at any 3 time. All you have to do is pick up the phone and call 4 Internal Affairs or IPRA and obtain the CR number.</p> <p>5 So, there's no -- it doesn't eliminate that 6 duty. They're required to obtain a CR number, but they 7 should go through the chain of command. They should 8 notify a supervisor.</p> <p>9 Q. If they notify their immediate supervisor, and 10 the immediate supervisor did not obtain a CR, do you 11 think they would be in a position to then go to an 12 outside agency?</p> <p>13 A. They should still obtain the CR number 14 themselves. They don't need a supervisor to get the CR 15 number. They should get the CR number themselves.</p> <p>16 Q. Do you think that would be a problem if they 17 didn't get the CR number themselves?</p> <p>18 A. If they didn't get a CR number, that would 19 definitely be a problem.</p> <p>20 Q. If they had suspicions that the police 21 department wouldn't take any action, would you believe it 22 would be okay to go to the outside agency at that point?</p> <p>23 A. If that officer subjectively felt that that was 24 the only way to safeguard the police department and the</p>	<p style="text-align: right;">Page 92</p> <p>1 STATE OF ILLINOIS ) 2 ) SS. 3 COUNTY OF C O O K ) 4 I, THOMAS A. MANNO, C.S.R. and Notary Public, 5 do hereby certify that I reported in machine shorthand 6 the testimony held at the deposition of JAMES O'GRADY 7 taken on March 5th, 2015, and that this transcript is a 8 true and accurate transcription of my machine shorthand 9 notes so taken to the best of my ability, and contains 10 all of the proceedings given at said deposition.</p> <p>11</p> <p>12</p> <hr/> <p style="text-align: right;">THOMAS A. MANNO, C.S.R. 13 License No. 84-001174</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 91</p> <p>1 well-being of the general public, yes. I have no 2 problem.</p> <p>3 I worked with the FBI myself. I worked with 4 DEA myself. So I have no problem with them going to 5 outside agencies.</p> <p>6 Q. When you worked with the FBI and the DEA 7 agencies, that was within your job as a Chicago police 8 officer within the Chicago Police Department, correct?</p> <p>9 A. Correct.</p> <p>10 Q. You weren't going to them outside of your work 11 at the Chicago Police Department to report--</p> <p>12 A. No.</p> <p>13 MR. SMITH: Nothing further.</p> <p>14 MR. KING: Okay. We'll reserve.</p> <p>15 (The deposition ended at 11:52 a.m.)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 93</p> <p>1 Veritext Legal Solutions 1 North Franklin Street - Suite 3000 2 Chicago, Illinois 60606 Phone: 312-442-9087</p> <p>3</p> <p>4 May 22, 2015</p> <p>5 To: Alan S. King</p> <p>6 Case Name: Spaulding, Shannon, et al. v. City Of Chicago, et al. 7</p> <p>8 Veritext Reference Number: 2026015</p> <p>9 Witness: James O'Grady      Deposition Date: 3/5/2015</p> <p>10 Dear Sir/Madam: 11 Enclosed please find a deposition transcript. Please have the witness 12 review the transcript and note any changes or corrections on the 13 included errata sheet, indicating the page, line number, change, and 14 the reason for the change. Have the witness' signature at the bottom 15 of the sheet notarized and forward errata sheet back to us at the 16 address shown above, or email to production-midwest@veritext.com. 17</p> <p>18 If the errata is not returned within thirty days of your receipt of 19 this letter, the reading and signing will be deemed waived.</p> <p>20</p> <p>21</p> <p>22 Sincerely,</p> <p>23</p> <p>24 Production Department</p>

24 (Pages 90 - 93)

Veritext Legal Solutions

www.veritext.com

BAKER GLENN 009683

888-391-3376

<p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS</p> <p>2 ASSIGNMENT NO: 2026015</p> <p>3 CASE NAME: Spaulding, Shannon, et al. v. City Of Chicago DATE OF DEPOSITION: 3/5/2015</p> <p>4 WITNESS' NAME: James O'Grady</p> <p>5 In accordance with the Rules of Civil Procedure, I have read the entire transcript of 6 my testimony or it has been read to me.</p> <p>7 I have made no changes to the testimony as transcribed by the court reporter.</p> <p>8</p> <p>9 Date _____ James O'Grady</p> <p>10 Sworn to and subscribed before me, a Notary Public in and for the State and County, 11 the referenced witness did personally appear and acknowledge that:</p> <p>12 They have read the transcript; 13 They signed the foregoing Sworn Statement; and 14 Their execution of this Statement is of their free act and deed.</p> <p>15 I have affixed my name and official seal</p> <p>16 this _____ day of _____, 20 _____. 17</p> <p>18 Notary Public</p> <p>19 Commission Expiration Date 20 21 22 23 24 25</p>	Page 94	<p>1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS MIDWEST</p> <p>2 ASSIGNMENT NO: 2026015</p> <p>3 PAGE/LINE(S) / CHANGE /REASON</p> <p>4 _____ 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____ 20 Date _____ James O'Grady 21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ 22 DAY OF _____, 20 _____. 23 _____ 24 Notary Public 25 Commission Expiration Date</p>	Page 96
<p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS</p> <p>2 ASSIGNMENT NO: 2026015</p> <p>3 CASE NAME: Spaulding, Shannon, et al. v. City Of Chicago DATE OF DEPOSITION: 3/5/2015</p> <p>4 WITNESS' NAME: James O'Grady</p> <p>5 In accordance with the Rules of Civil Procedure, I have read the entire transcript of 6 my testimony or it has been read to me.</p> <p>7 I have listed my changes on the attached Errata Sheet, listing page and line numbers as 8 well as the reason(s) for the change(s).</p> <p>9 I request that these changes be entered as part of the record of my testimony.</p> <p>10 I have executed the Errata Sheet, as well 11 as this Certificate, and request and authorize that both be appended to the transcript of my 12 testimony and be incorporated therein.</p> <p>13 _____ Date _____ James O'Grady</p> <p>14 Sworn to and subscribed before me, a 15 Notary Public in and for the State and County, the referenced witness did personally appear 16 and acknowledge that:</p> <p>17 They have read the transcript; They have listed all of their corrections 18 in the appended Errata Sheet; They signed the foregoing Sworn 19 Statement; and Their execution of this Statement is of 20 their free act and deed.</p> <p>21 I have affixed my name and official seal</p> <p>22 this _____ day of _____, 20 _____. 23 _____ Notary Public 24 _____ 25 Commission Expiration Date</p>	Page 95		