

EXHIBIT 115



KENTUCKIANA
— COURT REPORTERS —

MASTER DOCKET CASE NO 19-CV-01717

IN RE: WATTS COORDINATED PRETRIAL PROCEEDINGS

**DEPONENT:
BRIAN BOLTON**

**DATE:
SEPTEMBER 19, 2023**



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

24 DATE: SEPTEMBER 19, 2023

25 REPORTER: KRYSTAL BARNES

<p style="text-align: right;">Page 2</p> <p style="text-align: center;">APPEARANCES</p> <p>1</p> <p>2</p> <p>3 ON BEHALF OF THE PLAINTIFF, THE LOEVY PLAINTIFFS:</p> <p>4 Gianna Gizzi, Esquire</p> <p>5 Loevy & Loevy</p> <p>6 311 North Aberdeen Street</p> <p>7 Third Floor</p> <p>8 Chicago, Illinois 60607</p> <p>9 Telephone No.: (312) 243-5900</p> <p>10 E-mail: gizzi@loevy.com</p> <p>11 (Appeared via videoconference)</p> <p>12</p> <p>13 ON BEHALF OF THE PLAINTIFF, THE FLAXMAN PLAINTIFFS:</p> <p>14 Joel Flaxman, Esquire</p> <p>15 Kenneth N. Flaxman P.C.</p> <p>16 200 South Michigan Avenue</p> <p>17 Suite 201</p> <p>18 Chicago, Illinois 60604</p> <p>19 Telephone No.: 312-427-3200</p> <p>20 E-mail: jaf@kenlaw.com</p> <p>21 (Appeared via videoconference)</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p style="text-align: center;">APPEARANCES (CONTINUED)</p> <p>1</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANT, KALLATT MOHAMMED:</p> <p>4 Eric Palles, Esquire</p> <p>5 Mohan Groble Scolaro</p> <p>6 55 West Monroe</p> <p>7 Suite 1600</p> <p>8 Chicago, Illinois 60603</p> <p>9 Telephone No.: 312-422-9999</p> <p>10 E-mail: epalles@daleymohan.com</p> <p>11 (Appeared via videoconference)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p style="text-align: center;">APPEARANCES (CONTINUED)</p> <p>1</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANTS, CITY OF CHICAGO, PHILIP</p> <p>4 CLINE, DEBRA KIRBY, KAREN ROWAN, JERROLD BOSAK, DANA</p> <p>5 STARKS, AND TERRY HILLARD:</p> <p>6 Dhaviella Harris, Esquire</p> <p>7 Reiter Burns</p> <p>8 311 South Wacker Drive</p> <p>9 Suite 5200</p> <p>10 Chicago, Illinois 60606</p> <p>11 Telephone No.: 312-872-8930</p> <p>12 E-mail: dharris@reiterburns.com (Appeared via</p> <p>13 videoconference)</p> <p>14</p> <p>15 ON BEHALF OF THE DEFENDANT, RONALD WATTS:</p> <p>16 Brian Gainer, Esquire</p> <p>17 Johnson & Bell, Ltd.</p> <p>18 33 West Monroe Street</p> <p>19 Suite 2700</p> <p>20 Chicago, Illinois 60603</p> <p>21 Telephone No.: 312-984-0236</p> <p>22 E-mail: gainer@jbltd.com</p> <p>23 (Appeared via videoconference)</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p style="text-align: center;">APPEARANCES (CONTINUED)</p> <p>1</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANT, ALVIN JONES, ROBERT</p> <p>4 GONZALEZ, MIGUEL CABRALES, DOUGLAS NICHOLS, JR.,</p> <p>5 MANNUEL S. LEANO, BRIAN BOLTON, KENNETH YOUNG, JR.</p> <p>6 DAVID SOLTIS, ELSWORTH J. SMITH, JR., GEROME SUMMERS,</p> <p>7 JR., CALVIN RIDGELL, JR., JOHN RODRIGUES, LAMONICA</p> <p>8 LEWIS, FRANKIE LANE, KATHERINE MOSES-HUGHES, DARRY;</p> <p>9 EDWARDS, AND NOBEL WILLIAMS:</p> <p>10 Brian Stefanich, Esquire</p> <p>11 Hale & Monico</p> <p>12 53 West Jackson Boulevard</p> <p>13 Suite 334</p> <p>14 Chicago, Illinois 60604</p> <p>15 Telephone No.: 312-564-4924</p> <p>16 E-mail: bstefanich@halemonico.com</p> <p>17 (Appeared via videoconference)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 6</p> <p>1</p> <p>2 APPEARANCES (CONTINUED)</p> <p>3</p> <p>4 ON BEHALF OF THE DEFENDANT, MICHAEL SPAARGAREN AND</p> <p>5 MATTHEW CADMAN:</p> <p>6 James V. Daffada, Esquire</p> <p>7 Michael J. Schalka, Esquire</p> <p>8 Leinenweber Baroni & Daffada LLC</p> <p>9 1150 Wilmette Avenue</p> <p>10 Suite 5</p> <p>11 Wilmette, Illinois 60091</p> <p>12 Telephone No.: 847-251-4091</p> <p>13 E-mail: jim@ilesq.com</p> <p>14 (Appeared via videoconference)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 8</p> <p>1</p> <p>2 EXHIBITS</p> <p>3</p> <p>4 11 - Vice case report COPA-WATTS</p> <p>5 05549 49</p> <p>6 12 - Cleothus Morris arrest report 57</p> <p>7 13 - Cleveland A Smith arrest report 57</p> <p>8 14 - John Pierce arrest report</p> <p>9 COPA-WATTS 07695 62</p> <p>10 15 - Lorener Williams COPA WATTS 007749 64</p> <p>11 16 - Lynn Howard arrest report</p> <p>12 COPA WATTS 007737 66</p> <p>13 17 - Arrest report Teresa Bulter 67</p> <p>14 18 - Dale Morrow COPA-WATTS 007731 70</p> <p>15 19 - Arrest report for Charlie Riley</p> <p>16 COPA-WATTS 007725 70</p> <p>17 20 - Arrest report Georgia Green 71</p> <p>18 21 - Thomas Mitchell arrest report 73</p> <p>19 22 - Timothy Brown arrest report</p> <p>20 COPA-WATTS 00768 73</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 7</p> <p>1 INDEX</p> <p>2</p> <p>3 PROCEEDINGS 10</p> <p>4 DIRECT EXAMINATION BY MS. GIZZI 12</p> <p>5 CROSS-EXAMINATION BY MR. STEFANICH 79</p> <p>6</p> <p>7 EXHIBITS</p> <p>8</p> <p>9 1 - Mugshot COPA-WATTS029999 17</p> <p>10 2 - Vice case report Plaintiff</p> <p>11 Join 039029 18</p> <p>12 3 - Arrest report of Marc Giles City</p> <p>13 BG 056114 25</p> <p>14 4 - Affidavit of Marc Giles 27</p> <p>15 5 - IDOC photo of Clifford Roberts 29</p> <p>16 6 - Arrest report of Clifford Roberts</p> <p>17 DO-Joint 0483127 30</p> <p>18 7 - Declaration of Clifford Roberts</p> <p>19 Plaintiff Joint 042754 35</p> <p>20 8 - Attendance and assignment record</p> <p>21 City BG 052762 36</p> <p>22 9 - Lionel White photo 43</p> <p>23 10 - Lionel White arrest report</p> <p>24 COPA-WATTS 045162 44</p> <p>25</p>	<p style="text-align: right;">Page 9</p> <p>1 STIPULATION</p> <p>2</p> <p>3 The video deposition of BRIAN BOLTON was taken at</p> <p>4 KENTUCKIANA COURT REPORTERS 110 NORTH WACKER DRIVE</p> <p>5 CHICAGO, ILLINOIS 60606 via videoconference in which all</p> <p>6 participants attended remotely, on TUESDAY the 19TH day</p> <p>7 of SEPTEMBER 2023 at 10:02 a.m. (CT); said deposition</p> <p>8 was taken pursuant to the FEDERAL Rules of Civil</p> <p>9 Procedure. The oath in the matter was administered</p> <p>10 remotely as permitted by Illinois Supreme Court Order</p> <p>11 No. 30370 which amended Civil Rule 206(h).</p> <p>12</p> <p>13 It is agreed that KRYSTAL BARNES, being a Notary Public</p> <p>14 and Digital Reporter for the State of ILLINOIS, may</p> <p>15 swear the witness and that the reading and signing of</p> <p>16 the completed transcript by the witness is not waived.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 10</p> <p>1 PROCEEDINGS</p> <p>2</p> <p>3 THE REPORTER: My name is Krystal Barnes. I'm</p> <p>4 the online Video Technician and Court Reporter today</p> <p>5 representing Kentuckiana Court Reporters located at</p> <p>6 110 North Wacker Drive, Chicago, Illinois, 60606.</p> <p>7 Today is the 19th day of September, 2023, and the</p> <p>8 time is 10:03 a.m. Central Time. We are convened by</p> <p>9 video conference to take the deposition of Brian</p> <p>10 Bolton in the matter of the Watts Coordinated</p> <p>11 Pretrial Proceedings pending in the United States</p> <p>12 District Court for the Northern District of Illinois</p> <p>13 Eastern Division. Master Docket case number 19-CV-</p> <p>14 01717. Will everyone but the witness please state</p> <p>15 your appearance, how you are attending, and the</p> <p>16 location you are attending from, starting with the</p> <p>17 plaintiffs' counsel?</p> <p>18 MS. GIZZI: Gianna Gizzi on behalf of the Loevy</p> <p>19 Plaintiffs attending remotely via Zoom from our</p> <p>20 office in the West Loop.</p> <p>21 MR. FLAXMAN: Joel Flaxman for the Flaxman</p> <p>22 Plaintiffs remotely from Chicago.</p> <p>23 MR. STEFANICH: Brian Stefanich. I represent</p> <p>24 Officer Bolton, and we are in Chicago attending on -</p> <p>25 -</p>	<p style="text-align: right;">Page 12</p> <p>1 give will be the truth, the whole truth, and nothing</p> <p>2 but the truth?</p> <p>3 THE WITNESS: Yes.</p> <p>4 THE REPORTER: You may begin.</p> <p>5 DIRECT EXAMINATION</p> <p>6 BY MS. GIZZI:</p> <p>7 Q. Thank you. Good morning, Officer. My name is</p> <p>8 Gianna, like I said, and I'm one of the attorneys who</p> <p>9 represents the plaintiffs represented by Loevy in this</p> <p>10 litigation. I know you've been deposed before in these</p> <p>11 cases, but I'm just going to go over a few ground rules</p> <p>12 as a reminder. First, when you answer a question, it's</p> <p>13 important that you do so out loud verbally instead of</p> <p>14 shaking your head or saying uh-huh, so that the court</p> <p>15 reporter can accurately transcribe your answers, okay?</p> <p>16 A. I understand.</p> <p>17 Q. Got you. If at any point I'm being unclear,</p> <p>18 or my question doesn't make sense, or we have some tech</p> <p>19 issues, you know, just ask me to repeat it or clarify my</p> <p>20 question. I'd be happy to do so. Also, I would ask</p> <p>21 that you try to wait until I finish asking a question</p> <p>22 until you start answering, and I will also do my best</p> <p>23 not to cut you off in your responses, that way we make</p> <p>24 the court reporter's job easier, and then also you won't</p> <p>25 deprive your attorney of an objection. And, lastly, if</p>
<p style="text-align: right;">Page 11</p> <p>1 MR. GAINER: Brian Gainer. I represent Ron</p> <p>2 Watts, remotely, Chicago.</p> <p>3 MR. DAFFADA: James Daffada --</p> <p>4 MR. PALLES: Eric Palles -- oh.</p> <p>5 MR. DAFFADA: I'm sorry, Eric. Go ahead.</p> <p>6 MR. PALLES: Eric Palles, remotely from</p> <p>7 downtown Chicago, representing Kallat Mohammed.</p> <p>8 MR. DAFFADA: James Daffada for Mick</p> <p>9 Spaargaren, Matt Cadman, appearing remotely.</p> <p>10 MS. HARRIS: And Dhaviella Harris on behalf of</p> <p>11 the city and supervisory officers, appearing</p> <p>12 remotely from Chicago.</p> <p>13 THE REPORTER: All right, sir, will you please</p> <p>14 state your full name for the record? That's you,</p> <p>15 Mr. Bolton.</p> <p>16 THE WITNESS: Brian Bolton. My -- B-R-I-A-N.</p> <p>17 My last name is Bolton, B-O-L-T-O-N.</p> <p>18 THE REPORTER: All parties agree that this is,</p> <p>19 in fact, Mr. Bolton?</p> <p>20 MS. GIZZI: Yes.</p> <p>21 MR. GAINER: Yes.</p> <p>22 MR. DAFFADA: Yes.</p> <p>23 THE REPORTER: All right. Sir, can you raise</p> <p>24 your right hand for me, please? Do you solemnly</p> <p>25 swear or affirm that the testimony you are about to</p>	<p style="text-align: right;">Page 13</p> <p>1 you need a break, you -- at any point, you can just ask.</p> <p>2 The only caveat is if there's a question pending, please</p> <p>3 answer that question before we take a break, okay?</p> <p>4 A. I understand. Thank you.</p> <p>5 Q. Okay. In the past 24 hours have you taken any</p> <p>6 medication that would inhibit your ability to testify</p> <p>7 truthfully?</p> <p>8 A. No.</p> <p>9 Q. Okay. In the past 24 hours, have you consumed</p> <p>10 alcohol?</p> <p>11 A. No.</p> <p>12 Q. Is there any other reason that you might not</p> <p>13 be able to testify truthfully in the deposition today?</p> <p>14 A. No.</p> <p>15 Q. Okay. Great. Thank you. Did you review any</p> <p>16 documents to prepare for today's deposition?</p> <p>17 A. I have.</p> <p>18 Q. Okay. Do you remember what those documents</p> <p>19 were?</p> <p>20 A. They were case reports and arrest reports.</p> <p>21 Q. And when you say "Case reports", do you mean</p> <p>22 like a vice case report?</p> <p>23 A. I believe it was vice case reports and arrest</p> <p>24 reports.</p> <p>25 Q. Okay. Do you remember who the arrestees were</p>

Page 14

1 of the reports that you reviewed?

2 A. I don't recall their names at this time.

3 Q. Okay. That's okay. We'll go over some
4 documents later, and maybe that will refresh your
5 memory. Besides those case reports and arrest reports,
6 did you review any other documents or materials to
7 prepare for the deposition?

8 A. I believe I looked at a -- two from subject
9 report, like a -- a witness 2 from subject report, and I
10 also looked at a document from COPA.

11 Q. Do you remember what type of document it was
12 from COPA? Was it a report, or a -- like a transcript?

13 A. It was a transcript, I believe.

14 Q. Okay. Was it a transcript of an interview
15 that you gave to COPA?

16 A. Yes.

17 Q. Okay. Okay. Besides your attorneys, did you
18 speak with anyone else about your deposition today?

19 A. My wife.

20 Q. Okay. Other than your wife and your
21 attorneys, did you speak with anyone else about your
22 deposition?

23 A. About my deposition -- work -- my work knows
24 where I'm at. That's -- but they don't go into a
25 discussion on the event, as to where I would be, why I

Page 15

1 wouldn't be at work today.

2 Q. Got you. That makes sense. So you just had
3 to let your work know in order to be here today, right?

4 A. Correct.

5 Q. Okay. And that leads me to my next question,
6 are you currently employed by the Chicago Police
7 Department?

8 A. I am.

9 Q. And what is your current rank?

10 A. I'm a police officer.

11 Q. And what is your assignment?

12 A. I work in the Detective Division. I work in
13 Unit 640, which -- I work in the violent crimes office
14 there.

15 Q. How long have you been working at -- in that
16 unit? In the violent crimes division?

17 A. Approximately three years.

18 Q. Okay. Since your last deposition, which was
19 in March, 2022, I believe, so last spring, have you had
20 any conversations with anyone other than your attorneys
21 about this case?

22 A. No.

23 Q. Okay. So have you spoken with Officer Doug
24 Nichols about this case since your last deposition?

25 A. Not about this case, no.

Page 16

1 Q. Okay. What about Officer Daryl Edwards? Have
2 you spoken with him about this litigation or your time
3 at -- under Watts' supervision?

4 A. No.

5 Q. And what about Officer Alvin Jones?

6 A. No.

7 Q. Have you spoken with Officer Robert Gonzalez
8 since your last deposition in March, 2022?

9 A. No.

10 Q. And what about Elsworth Smith?

11 A. No.

12 Q. Have you spoken with any of these officers
13 that I just listed about the civil cases at any time
14 period?

15 A. No.

16 Q. When was the last time that you spoke or saw
17 Officer Ronald Watts?

18 A. I don't remember the date. He was still hired
19 by the Chicago Police Department. He was leaving for a
20 vacation. I don't remember the date.

21 Q. Okay. So since he has left the Chicago Police
22 Department, you have not spoken with or seen Ronald
23 Watts?

24 A. No.

25 Q. Okay. And same question about former Officer

Page 17

1 Kallatt Mohammed. Have you seen him since he left the
2 Chicago Police Department?

3 A. No.

4 Q. And have you spoken with him since he left the
5 Chicago Police Department?

6 A. No.

7 Q. Okay. Okay. I'm going to share my screen.
8 Just give me one second and I'll ask you some questions.
9 Can you see that photo on my screen? I don't know if
10 it's clear.

11 (EXHIBIT 1 MARKED FOR IDENTIFICATION)

12 A. I can see it.

13 BY MS. GIZZI:

14 Q. Okay.

15 MR. STEFANICH: Can you scroll down for the
16 Bates number, Gianna?

17 BY MS. GIZZI:

18 Q. Yes. It's COPA Watts 029999. It's four
19 nines. I know this isn't the best picture, Officer
20 Bolton, but do you recognize this individual?

21 A. No.

22 Q. Okay. I'll just represent to you that this is
23 an individual by the name of Marc Giles who is a
24 plaintiff in these proceedings. So do you remember if
25 you were involved in arrest of Mr. Giles on January 4,

Page 18

1 2003?

2 A. No.

3 Q. Okay. So that means you don't have an
4 independent recollection of this individual or ever
5 arresting him?

6 A. I have no recollection of him and/or arresting
7 him.

8 Q. Okay. As you sit here today do you have an
9 independent recollection of any arrests that you've been
10 in from your, you know -- from early 2000s?

11 MR. STEFANICH: Yeah. Object. I think this
12 has been gone over in prior depositions. You can
13 answer, if you can.

14 A. I don't remember any of my arrests during that
15 period.

16 BY MS. GIZZI:

17 Q. Okay.

18 A. It was a time ago.

19 Q. Okay. I'm going to -- so this was Exhibit 1.
20 Apologies. I'm going to keep sharing my screen and show
21 you a document that I've marked as Exhibit 2, which is
22 Plaintiff Joint 039029. And I will zoom in and let you
23 review this for a few seconds, but let me know if you
24 want me to zoom in more, Officer.

25 (EXHIBIT 2 MARKED FOR IDENTIFICATION)

Page 19

1 A. Okay. Okay.

2 BY MS. GIZZI:

3 Q. Okay. And I'm -- I'll scroll to the second
4 page so you can take a look at that, too, and then I --
5 oh, didn't realize I didn't scroll down. You don't have
6 to read this whole narrative. I just want you to look
7 at it and get a sense of it, and then I'll ask
8 questions, okay?

9 A. Okay. Okay.

10 Q. Okay. Have you ever seen this document
11 before?

12 A. I believe I looked at this document yesterday
13 with my attorney, Brian Stefanich.

14 Q. Okay. You answered my next question. I was
15 going to ask when was the last time you saw it? Could
16 you describe what this document is, just generally?

17 A. Can you scroll up to the next -- to the next
18 page? Thank you. It's a vice case report.

19 Q. Okay. And is -- was this the type of report
20 that you have experienced filling out in your time as a
21 police officer in the 2nd District?

22 A. At one point in time, yes.

23 Q. Okay. And what do you mean, "One point in
24 time?"

25 A. This would be a paper -- looks to appear -- to

Page 20

1 be a paper-generated report. Now the reports are
2 automated.

3 Q. Okay.

4 A. I believe back during this -- these years,
5 they would be on hard copy, I guess, you would say.

6 Q. Got you.

7 A. Now they are entered via -- on a computer.

8 Q. Okay. So do you remember when the vice case
9 reports were transitioned to electronic?

10 A. I don't remember.

11 Q. Okay. That's fine. So I will give you -- I
12 want you to look at the narrative of this report now,
13 and take your time and just to read it, and if you want
14 me -- actually, I can scroll in without giving up the
15 whole document -- and then let me know when you're done
16 and I'll ask you a question, okay?

17 A. Okay. Okay.

18 Q. Okay. Based on reviewing this narrative, does
19 this refresh your memory at all about this incident on
20 January 4, 2003?

21 A. No.

22 Q. Okay. It mentions in this narrative that --
23 in the first line that responding officers, or reporting
24 officers, received information from a CI. Does CI stand
25 for confidential informant?

Page 21

1 A. It could.

2 Q. Is there -- could it stand for something else
3 in this context?

4 A. Cooperating individual.

5 Q. Okay, and is there a difference in how, as an
6 officer, you handle receiving information from a
7 confidential informant versus a cooperating individual?

8 A. CIs are supposed to be documented a certain
9 way. I know that. So that would be the difference.

10 Q. And when you say "CI", you meant confidential
11 informant?

12 A. Confidential informant. I apologize.

13 Q. Okay. No worries. After reading this
14 narrative, could you tell one way or another whether CI
15 was a confidential informant in this setting or a
16 cooperating individual?

17 A. I can't -- cannot.

18 Q. Okay. Got you. Okay. So I'm going to scroll
19 back to the first page here. And, let's see, directing
20 your attention to box 18 in the center of the page -- I
21 know that number is small -- box 18, do you see this box
22 with all the officers' names?

23 A. I do.

24 Q. Okay. And it looks like "Witnessed" was
25 checked or X-ed. And there are several names. So

Page 22

1 Mohammed, Summers, Edwards, Watts, Jones, Young, Cadman,
2 Bolton, and Spaargaren. So would that indicate to you
3 that yourself and these officers witnessed the arrests
4 that this vice case report documents?

5 A. I don't know if it means that -- witnessed, it
6 may have witnessed some event that had took place during
7 the process of this arrest, but I don't know if exactly
8 it would mean the witness of the -- reading the
9 narrative portion of this case report witness, the
10 events that took place in the parking lot, or recovering
11 of narcotics.

12 Q. Okay. What other aspects of this incident
13 would you -- could you have witnessed that would signify
14 noting you as a witness, as an officer on this report?

15 MR. STEFANICH: Objection. Foundation.

16 A. Well, I don't remember the -- I don't remember
17 the day, so it would be completely speculative on -- on
18 what I have -- what I had witnessed. I don't remember
19 the day, so I would be -- I would be guessing --
20 BY MS. GIZZI:

21 Q. Okay.

22 A. -- so I don't want to guess. So --

23 Q. That's fair. I can appreciate that. Maybe it
24 would be better just to frame it generally. So if you -
25 - and if you can, from a general perspective, from your

Page 23

1 time as an officer, when you are listed as a -- somebody
2 who witnessed on a vice case report of a vice arrest,
3 what could you have witnessed other than the
4 incriminating behavior?

5 A. I guess in a general -- very general --
6 speaking -- generally speaking, would be I could have
7 witnessed the narcotics that were recovered. I could
8 have witnessed the individuals handcuffed in custody. I
9 could have witnessed them going into the -- a transport
10 vehicle. That's --

11 Q. Okay.

12 A. -- what I would -- that's how I would answer
13 that, in a general aspect of it.

14 Q. Okay. I appreciate that. Thank you. And do
15 you remember if you drafted this report?

16 A. I -- I don't remember that. I don't remember
17 the report. I don't remember the day.

18 Q. Is there anything on the report that would in
19 indicate to you who drafted it?

20 A. The -- at the bottom of the report?

21 Q. Uh-huh.

22 A. The box 45 and/or box 46?

23 Q. 46. I think -- yeah, I think that says 46.

24 It's a little faded. Okay. So one of those two
25 officers whose names are in the reporting officer boxes,

Page 24

1 that would signify to you that they may have drafted the
2 report?

3 A. Yes. That they may have drafted that report,
4 yes.

5 Q. Okay. Is there -- do you ever recall a
6 situation in which an officer drafted a report that he
7 was not listed on the actual report itself?

8 MR. STEFANICH: I object to form.

9 A. I just want to make sure I understand the
10 question. So you're asking me if I know of a time in my
11 career whether I know of a -- whether someone drafted a
12 report, but was not in box 45 or 46? That's what you're
13 asking me?

14 BY MS. GIZZI:

15 Q. Yeah.

16 A. Yes.

17 Q. Okay. Is -- could you tell me about that
18 specific time or times that that happened?

19 A. I can't remember a specific time, but if an
20 officer was involved in a - where an officer gets hurt
21 and they have to go to a hospital, something of like --
22 in that nature, the officer who may be -- may not be
23 able to physically be able to draft a report at the time
24 of the arrest or -- and so, therefore, another officer
25 may draft that report for them.

Page 25

1 Q. Okay. That makes sense.

2 A. Lack of the ability to do that.

3 Q. Okay. Other than that -- other than the
4 circumstance where an officer is injured or an officer
5 is in some way unable to draft the report, were there
6 any other circumstances that you recall occurring where
7 an officer who drafted the report is not listed on it?

8 MR. STEFANICH: Object to form. You can
9 answer.

10 A. I can't specifically give an exact time of
11 that, no.

12 BY MS. GIZZI:

13 Q. Okay. I just -- okay -- I'm going to move on
14 to the next exhibit, which is marked Exhibit 3. You
15 should still be able to see my screen, but -- oops --
16 and for reference, this is City BG056114. First of all,
17 Officer, do you recognize this document?

18 (EXHIBIT 3 MARKED FOR IDENTIFICATION)

19 A. I recognize it as an arrest report.

20 BY MS. GIZZI:

21 Q. Okay. Just generally, you recognize the
22 arrest report?

23 A. I -- yes.

24 Q. Okay. That's fair. I -- can you -- do you
25 recognize the handwriting on this arrest report?

Page 26

1 A. No.

2 Q. Okay. So you don't believe this is your

3 handwriting, correct?

4 A. This is not my handwriting.

5 Q. Got you. Okay. So I'm going to just give you

6 a few moments, like we did with the last one, to review

7 this specific arrest report and then let me know when

8 you want me to scroll so you can see the whole thing.

9 It's just two pages, but --

10 A. Okay. Okay. I'm ready to scroll down, if you

11 are.

12 Q. Yep. Oops. So that's the second half of that

13 first page.

14 A. Okay. Okay.

15 Q. Here's that second page.

16 A. Okay.

17 Q. Okay. There's --

18 A. Okay.

19 Q. Okay. So how -- has reviewing this arrest

20 report for Marc Giles at all refreshed your memory as to

21 this arrest on January 4, 2003?

22 A. No.

23 Q. Okay. Is there anything that -- other than

24 these reports, that you would think might refresh your

25 memory about Marc Giles' arrest?

Page 27

1 A. No.

2 Q. Okay. Do you recognize this handwriting as

3 Officer Ridgells?

4 A. I don't know whose handwriting that is.

5 Q. Okay. And so I noticed that on the arrest

6 report, the only individual's name is Marc Giles, but on

7 the vice case report there is multiple offenders issued.

8 Were -- from your experience, were arrest reports used

9 only for a single individual?

10 A. Yes.

11 Q. Okay. Okay. I'm going to show you Exhibit 4.

12 And first ask you, have you ever seen this document

13 before?

14 (EXHIBIT 4 MARKED FOR IDENTIFICATION)

15 A. I don't recall seeing it before.

16 BY MS. GIZZI:

17 Q. Okay. I will just represent to you, this is

18 an affidavit of Marc Giles, one of the plaintiffs, as I

19 mentioned earlier. If you would just review these

20 paragraphs and then -- let me see if there's a -- yeah,

21 there's -- and then I will ask you some questions.

22 A. Okay.

23 Q. Okay. So first, I just wanted to ask you if

24 reviewing this affidavit at all jogged your memory about

25 arresting Mr. Giles in January of 2003?

Page 28

1 MR. STEFANICH: Objection to form.

2 A. No.

3 BY MS. GIZZI:

4 Q. Okay. Do you remember if you were working

5 with Sergeant Watts in January of 2003?

6 MR. STEFANICH: Objection. Form.

7 A. Well, my name is on an arrest report from that

8 time, so I would say yes.

9 BY MS. GIZZI:

10 Q. Okay, but do you -- besides the documents, do

11 you have an independent memory of working on Sergeant

12 Watts' team in January of 2003?

13 A. I was on the team on -- in 2003, yes.

14 Q. Okay. So you do -- you remember being on

15 Sergeant Watts' team in 2003?

16 A. I was on the team, yes.

17 Q. Okay. And do -- so you don't have any

18 independent recollection of the arrest of Mr. Giles, as

19 you've testified, so do you have any basis to dispute

20 the assertions in his affidavit?

21 MR. STEFANICH: Objection to form.

22 MR. GAINER: This is -- I'm going to -- this is

23 Brian Gainer. I'm objecting to form and foundation.

24 Go ahead, Officer.

25 A. Well, reading these, I guess, allegations in

Page 29

1 this document, I've -- I've never seen any of my

2 teammates and/or Ron Watts act in that way, so I would

3 object to the, I guess, validity of it.

4 BY MS. GIZZI:

5 Q. Understood. Do you -- did you ever see

6 Sergeant Watts and any other officers on his team go

7 upstairs in an Ida B. Wells building and come back down

8 with drugs?

9 MR. STEFANICH: Objection. Form.

10 A. I can't recall a certain specific time.

11 Q. Okay. I'm going to move off of Exhibit 4 to

12 Exhibit 5. Officer Bolton, can you see that photo on

13 your screen?

14 (EXHIBIT 5 MARKED FOR IDENTIFICATION)

15 A. I can.

16 BY MS. GIZZI:

17 Q. Okay.

18 MR. STEFANICH: Gianna, can you scroll down for

19 the Bates --

20 BY MS. GIZZI:

21 Q. Oh, yep. Sorry. Oh, there isn't a Bates on

22 this, because I pulled it from somewhere else. I'll

23 tell you after. But Officer Bolton, do you recognize

24 this individual?

25 MR. STEFANICH: I guess this hasn't been

Page 30

1 produced yet. You can answer the question.
2 A. I -- I apologize. I -- I -- I don't know -- I
3 didn't hear what you said.

4 BY MS. GIZZI:

5 Q. It's okay. I was just asking if you
6 recognized this individual in the photo?

7 A. No, I don't.

8 Q. So I'll represent to you then that this is
9 another plaintiff, his name is Clifford Roberts.

10 A. And just for the attorneys and Brian, on -- as
11 referenced, it was from the IDOC website, because it was
12 a better photo than the ones that were produced. But so
13 you -- okay, you don't recognize this individual. So do
14 you recall ever arresting this individual?

15 A. I do not.

16 MS. GIZZI: Okay. Okay. So I'll move on to
17 Exhibit 6. Is this the electronic version of an
18 arrest report? Do you know?

19 (EXHIBIT 6 MARKED FOR IDENTIFICATION)

20 A. I've never -- I've never -- I don't -- I've
21 never -- I've never seen a report done like that.

22 BY MS. GIZZI:

23 Q. Okay.

24 A. I don't know. It says an arrest report on the
25 top of it, but pretty -- I mean, it's been a while since

Page 31

1 I've -- have -- have seen an arrest report or -- or done
2 an arrest report. So this is in a different type of
3 format. I don't know if it's a copy of it or something
4 like that, but it's definitely not what would be the
5 normal, I guess, automated arrest report that you would
6 use. Doesn't look to be in the right format to me.

7 Q. Okay. Okay. That's fair. And --

8 A. I don't know. Maybe it's a copy of it or
9 something, but it's definitely not looking how I
10 remembered automated arrest reports.

11 Q. Okay. So going back real quick for -- to the
12 arrest report, which was Exhibit 3, was this the format
13 that you were used to?

14 A. This -- this -- this format, it would be a --
15 a paper copy, where there'd be carbon paper in it and
16 we'd produce multiple copies within the one. This is a
17 -- this would -- this format is a -- a paper copy.

18 Q. Right.

19 A. That's a paper copy.

20 Q. Right. Okay. I understand. Was this the --
21 this arrest report that's the paper copy you're
22 describing, was this the type of report that you were
23 familiar with filling out or drafting in the early
24 2000s?

25 A. Yes.

Page 32

1 Q. Okay.

2 A. Not this specific report, but --

3 Q. Right.

4 A. -- other arrest reports, yes. Not this
5 report.

6 Q. Understood. Understood. Okay. I'm going to
7 switch back to Exhibit 6. And just for reference, let's
8 see what the Bates stamp is there. Oh, DO Joint 048311
9 to 048312. So I know you mentioned that you haven't
10 seen this type of arrest report before, but I'll give
11 you a few moments just to look it over, and specifically
12 this narrative section, if you could read that and let
13 me know when you're done.

14 A. I -- I just want to be clear, I -- I have
15 never seen this type of format on an automated arrest
16 report and/or paper arrest report. I just want to make
17 sure we --

18 Q. Okay.

19 A. -- we understand each other. I --

20 Q. Yes, I understand --

21 A. I think you -- this is -- I've never seen this
22 -- I don't know if it's a -- a copy of one or -- of an
23 automated, or a copy of -- it's -- it's not in a normal
24 -- the normal -- and from what I am used to and what my
25 experience is of a normal arrest report, this is not the

Page 33

1 form -- form that I'm used to seeing, just so you're
2 aware of that.

3 I Okay. Thank you. I appreciate the
4 clarity. Yeah. So yes, please just review the narrative
5 section, and then let me know when you're done.

6 A. Okay. Okay.

7 Q. Okay. Did reviewing the narrative portion of
8 this arrest report at all refresh your memory as to the
9 arrest of Clifford Roberts?

10 A. No.

11 Q. Okay. And I think I know the answer to this,
12 but for the record, do you know who drafted this report?

13 A. I don't.

14 Q. And scrolling -- just directing your attention
15 to the second page where it says, "Signature of first
16 arresting/appearing officer/investigator", do you see
17 that text?

18 A. I do.

19 Q. Okay. Have you ever seen this on an arrest
20 report before?

21 A. I've seen it on a -- well, I've never seen
22 this report, so I don't -- I mean --

23 Q. On the -- I'm sorry, on the report --

24 A. On a paper report, you would -- on a paper
25 report like before, on this -- well, your -- the screen

Page 34

1 that you showed before, there is a box where you sign
 2 your name and then -- hereby declare, see right there?
 3 Q. Yep. Okay.
 4 A. That is -- that is on the paper report. And
 5 then now on an automated report, it's -- it's been a --
 6 a while since I've generated an arrest report. So I'm --
 7 I'm almost -- you have to click a box, and -- and,
 8 like, the statement on the -- above it is similar to
 9 this statement, by clicking this, I guess, icon, you are
 10 declaring that the -- all of the above statements are
 11 true. You know, the --

12 Q. Uh-huh.

13 A. -- something very similar to this -- this
 14 narrative that is on this form, that you -- you click a
 15 box, and clicking that box is, like, almost like an
 16 electronic signature.

17 Q. Okay. Okay.

18 A. Does that make sense, or am I too wordy?

19 Q. No, that helps. That, I think, answers my
 20 question. Do you know why an officer, just generally
 21 speaking, would leave this section blank of an arrest
 22 report?

23 MR. STEFANICH: Objection. Form and
 24 foundation. You can answer.

25 A. I don't know.

Page 35

1 BY MS. GIZZI:

2 Q. Okay. Okay. And just for clarity, the vice
 3 case report we looked at earlier for Marc Giles was the
 4 same as -- is the same for Clifford Roberts, which is
 5 why I'm not showing it to you again, for sake of
 6 efficiency. Do you have any more memory than you did as
 7 to arresting Clifford Roberts than when I asked you
 8 about Marc Giles?

9 A. Well, you're saying that I arrested him.
 10 That's what you just said. You said, memory of
 11 arresting him. I don't remember --

12 Q. I apologize. I mean --

13 A. I don't -- I don't remember -- I don't
 14 remember the event. So reading the report, I -- I don't
 15 remember that.

16 Q. Okay. Thank you for that clarification. I
 17 did not mean to say that. But okay, so you don't have
 18 any independent recollection of an individual by the
 19 name of Clifford Roberts or arresting that individual?

20 A. No.

21 Q. Okay. Okay. Now I'm going to show you
 22 Exhibit 7.

23 (EXHIBIT 7 MARKED FOR IDENTIFICATION)

24 A. Okay.

25 BY MS. GIZZI:

Page 36

1 Q. Which -- let me see. Have you ever seen this
 2 document before?

3 A. I don't recall seeing this document.

4 Q. Okay. For the record, it's PL Joint 042754.
 5 Just like what we did for the other exhibit, just take
 6 your time to review these seven paragraphs and let me
 7 know when you're done.

8 (EXHIBIT 8 MARKED FOR IDENTIFICATION)

9 A. Okay. Okay.

10 BY MS. GIZZI:

11 Q. After reviewing this Declaration of Clifford
 12 Roberts, did it refresh your memory at all about his
 13 arrest on January 4, 2003?

14 A. No.

15 Q. Okay. Specifically directing your attention
 16 to paragraph 4 of that document where it states that --
 17 or where Clifford Robert states, "I then heard something
 18 come through on the police radio. Not long after, other
 19 Watts officers brought in individuals I knew as Fuzz and
 20 Bobby and detained them with us." Do you remember an
 21 incident where you arrested an individual by the name --
 22 nickname Fuzz?

23 MR. STEFANICH: Objection. Form and
 24 foundation.

25 A. No.

Page 37

1 BY MS. GIZZI:

2 Q. Okay. Did you ever witness Officer Watts
 3 punch an arrestee in the face?

4 A. No.

5 Q. Okay. I'm going to stop sharing my screen.
 6 And do you have any basis to dispute the assertions in
 7 Mr. Roberts' Declaration?

8 MR. GAINER: This is Brian Gainer. Object to
 9 form and foundation. Go ahead, Officer.

10 A. Yes. I've -- I've never observed Ron Watts or
 11 any other individual, including myself, act in any of
 12 the manners that were described in that -- in that
 13 affidavit.

14 MS. GIZZI: Okay. Thank you. Okay. Can we
 15 take a five-minute break so I can switch gears?

16 MR. STEFANICH: Sure.

17 THE REPORTER: Okay. We are off the record.
 18 The time is 10:49 a.m.

19 (OFF THE RECORD)

20 THE REPORTER: We're back on the record.

21 BY MS. GIZZI:

22 Q. All right. Officer Bolton, I'm going to share
 23 my screen again with a new document, and I just want you
 24 to take a look at it and I'll ask some questions.

25 A. Okay.

Page 38

1 Q. Do you see the document on your screen?

2 A. Yes.

3 Q. Okay. And just generally, do you recognize

4 what this document is?

5 A. Yes.

6 Q. Okay. And what is it?

7 A. It's an -- we call it an A&A form.

8 Q. Okay. And what -- do you know what the A&A

9 stands for?

10 A. Attendance and Assignment.

11 Q. Okay. And for everyone on Zoom, it's City BG

12 052762. It's the first Bates stamped -- first Bates

13 stamp. It is a 25-page document, so I'm going to direct

14 your attention to page 16 of 25, which is Bates stamp

15 City BG 052777. Officer Bolton, do you see your name on

16 this page of the document?

17 A. I do.

18 Q. Okay. And is it about the fifth row down,

19 correct?

20 A. Yes.

21 Q. Okay. Can you tell if this was -- is your

22 handwriting in this row under the car number and beat

23 number columns?

24 A. No, that is not my handwriting.

25 Q. Okay. Can you tell whose handwriting it is?

Page 39

1 A. I can't.

2 Q. Okay. Was --

3 A. I should say -- I keep saying can't. I

4 cannot. I keep saying can't.

5 Q. Oh, that's okay. I understand what you're

6 saying. Was the A&A something that officers

7 individually filled out, or was it something that

8 administrative personnel filled out; do you know?

9 A. It would be -- an administrative or a

10 supervisor would fill this out.

11 Q. Okay. And based off of this record, what was

12 the car number you were assigned on April 24, 2006?

13 A. 3171.

14 Q. Okay. And what was your beat number on this

15 date?

16 A. 264B, as in boy.

17 Q. Okay. What does the letter at the end of the

18 264 reference?

19 A. Well, within -- within the team, you would

20 have multiple cars working with -- or multiple cars

21 working on that team. So I was -- my -- that's my beat.

22 So 264B, as in boy, would be my beat. There'd be like a

23 two -- 264A, as in Adam, 264A, as in -- I'm sorry, B, as

24 in boy, 264C, as in Charlie, 264D, as in David. And

25 then occasionally you would have an Eddie car if a team

Page 40

1 had more members on it than the normal eight officers

2 that would be on there.

3 Q. Okay. So it was a way to divide up the

4 officers on the team and to -- was it pairs usually?

5 A. Partners.

6 Q. Partners. Okay.

7 A. Well -- yes, there'd be an Adam car, a Boy

8 car, a Charlie car, a David car. That's how they would

9 -- each -- each car would have that -- their -- their

10 assigned beat.

11 Q. Was this -- the -- was 264B something that was

12 just assigned to you during this shift, or was it

13 something that stayed with you, like, long-term?

14 A. I don't want to say long-term, because it --

15 things would -- they would switch beats around and

16 things like that. But I -- I -- if I recall, I was 264

17 B, as in boy, during this -- this time.

18 Q. Okay. Okay. I'm going to just scroll to the

19 next page, and do you see that highlighted row?

20 A. I do.

21 Q. Okay. And is that Officer Leano in that row?

22 A. Yes.

23 Q. Okay. And it looks like from this record that

24 his car number was also 3171 during the same shift on

25 April 24, 2006, does that look right to you?

Page 41

1 A. Yes.

2 Q. Okay. So does that indicate to you that you

3 guys were in a squad vehicle together during this shift?

4 A. Well, I don't want to say it would indicate

5 that we were in that squad vehicle. I don't -- I didn't

6 fill out this form, so I don't -- because I'm noticing

7 the next line, it says 264C, as in Charlie. I think

8 that says 264C, as in Charlie, on there. So I don't

9 know why -- why that is. He has a different beat

10 number. I don't know. I didn't -- I didn't fill out

11 this report, so I don't know why it is like that. And I

12 don't remember if we were actually in that vehicle or --

13 or what, because I see a -- a discrepancy between the

14 264C, as in Charlie, and me being the 264B, as in Boy.

15 So I don't know the reason why that is.

16 Q. Okay. Understood. So would you have expected

17 that if you both had the same car number on a given

18 shift that you would have the same beat number, that

19 that would match up as well?

20 MS. HARRIS: Objection to foundation.

21 A. More than likely, yes. Unless someone -- one

22 of the partners was in court during that time -- during

23 the time of the tour and had to come back, that type of

24 thing.

25 BY MS. GIZZI:

Page 42

1 Q. Okay. Got you. Okay. Just one more question
2 about this document. Moving on to the next page, which
3 is 18 of 25, do you see Officer Nichols' information in
4 -- on this page?

5 A. I do.

6 Q. Okay. And you see that his car number is
7 3171?

8 A. I see that.

9 Q. And it looks like his beat number is also
10 264C. Do you see that?

11 A. I see that.

12 Q. Did you usually -- back in 2003, were you
13 regularly working alongside Officer Nichols and Officer
14 Leano?

15 MR. STEFANICH: I think this is the 2006
16 document, so --

17 MS. GIZZI: Oh, I'm sorry. 2006. Thank you,
18 Brian.

19 A. Could you -- I'm -- I apologize. Can you
20 repeat it one more time?

21 BY MS. GIZZI:

22 Q. Yeah, sure. Do you remember back in 2006, you
23 were regularly working with Officer Nichols and --
24 and/or Officer Leano?

25 A. I believe during that -- that time of my

Page 43

1 career, I was with Officer Gonzalez, Robert Gonzalez.

2 MS. GIZZI: Okay. Okay. I'm going to now show
3 you Exhibit 9. Do you recognize this individual,
4 Officer Bolton?

5 (EXHIBIT 9 MARKED FOR IDENTIFICATION)

6 A. I recognize this individual. I had to give a
7 COPA statement regarding this person, that's where I
8 remember this. I don't remember him -- him. I remember
9 having to give a -- a statement at COPA for -- I don't --
10 -- I don't know if -- I don't know if the right proper
11 term is for, or -- I had to give a -- a COPA statement
12 regarding this person.

13 BY MS. GIZZI:

14 Q. Got you. Okay. So from that context, you
15 recognize this individual, but not from any previous
16 context?

17 A. Correct.

18 Q. Okay. Got you. Do you -- sitting in here
19 today, do you remember who you recognize this individual
20 to be?

21 A. Well, I know I -- I went over a document
22 yesterday with this person's -- I think his last name is
23 White, Lionel White?

24 Q. Yes. Correct.

25 A. So I recognize the person with that name from

Page 44

1 giving a statement at COPA.

2 Q. Okay.

3 A. I do not remember this person from any other
4 aspect.

5 Q. Got you. Okay. Whether based on your review
6 of those documents in preparation for your deposition or
7 your COPA statement, do you know if you've been involved
8 in an arrest of Lionel White, Sr.?

9 A. I -- I believe I was -- I -- I can't recall if
10 I was on the -- I don't recall if I was on the arrest
11 report or the case report. I -- I don't remember that.

12 Q. Do you have an independent recollection of
13 arresting or being involved in an arrest of Lionel
14 White, Sr. in April 2006?

15 A. I don't.

16 MS. GIZZI: Okay. Okay. I'm going to switch
17 to Exhibit 10, which is the arrest report for Lionel
18 White, starting with Bates stamps, COPA Watts
19 045162. This is five pages, but we'll just start on
20 that first page. Officer Bolton, have -- is this
21 one of the documents you reviewed in preparation for
22 today's deposition?

23 (EXHIBIT 10 MARKED FOR IDENTIFICATION)

24 A. Yes.

25 BY MS. GIZZI:

Page 45

1 Q. Okay. I'll just scroll through so you can see
2 the whole thing before we go specific. Okay, so just --
3 -- will you please review this narrative portion of the
4 arrest report and let me know when you're done, so I can
5 ask you a few questions?

6 A. Okay. Okay.

7 Q. Okay. Has reviewing this narrative portion of
8 the arrest report refreshed your recollection at all as
9 to the April 24, 2006 arrest of Mr. White, Sr.?

10 A. No.

11 Q. Okay. Can you tell from reviewing this report
12 who drafted it? And I can scroll if you want -- need to
13 look at the whole thing.

14 A. It appears to be Jones.

15 Q. Okay. And how did -- how do you gather that
16 Officer Jones was the one who drafted the report?

17 A. It says "attesting officer".

18 Q. Okay. I was -- that was actually going to be
19 my next question. What does it mean to be the attesting
20 officer on an arrest report?

21 A. So like I stated previously, when you showed
22 me that other report where you had to sign your name on
23 that paper report, this -- this is from what I remember
24 to be an automated arrest report. So it says, "hereby
25 declare and affirm" -- all that line right there, and

Page 46

1 there would be a box that you click and it -- that's
2 what attest -- you're attesting to all of the
3 information that is in this report is -- is -- is
4 truthful.

5 Q. Okay. Got it. So would the officer who is
6 listed as the attesting officer generally be the one who
7 was called to court, to testify in court, if the case
8 got to court?

9 MR. STEFANICH: Objection. Foundation.

10 THE REPORTER: I'm sorry. Was that an
11 objection?

12 MR. STEFANICH: Objection. Foundation.

13 THE REPORTER: Thank you.

14 A. So generally, yes, but not in all cases. There
15 are times when both officers are called into court to --
16 like, a probable cause hearing to -- to testify. Or if
17 one of the officers, the attesting officer or the first
18 arresting officer, is on furlough, you're not required
19 to go to court. So then the second attesting officer --
20 or arresting officer would be able to go to court for
21 that first arresting officer.

22 BY MS. GIZZI:

23 Q. Okay.

24 A. Does that make sense?

25 Q. Yes, that does. Thank you.

Page 47

1 A. There are -- there are times in cases where
2 that -- where not just the first arresting and/or
3 attesting officer would go to -- to court to testify in
4 either the, I guess it'd be the probable cause hearing
5 and/or the -- if it -- if it went to trial.

6 Q. Okay. Got it.

7 A. Other officers would be able to testify, or
8 the second arrest -- I'm sorry, the attesting -- the
9 second arresting officer would be able to testify.

10 Q. Okay. So from your experience working on
11 Officer -- or Sergeant Watts' team in the early two --
12 early to mid-2000s, was the attesting officer the
13 officer who had the most knowledge about an arrest
14 generally?

15 A. I don't know if I'd use the word "knowledge".
16 It would be the -- I would use the word "observing" what
17 took place.

18 Q. Okay. I'm going to direct your attention to
19 the last page of this arrest report where it says,
20 arresting -- "arrestee processing personnel". Do you
21 see that section?

22 A. I see assist -- assisting arresting officers.
23 Is that what you -- is that what you meant?

24 Q. Yes. That's what I am referring to.

25 A. Okay.

Page 48

1 Q. And you see your name listed as an assisting
2 arresting officer?

3 A. I do.

4 Q. Okay. Do you remember how you assisted in the
5 arrest of Lionel White, Sr.?

6 A. I don't.

7 Q. Okay. In the same section, it lists Officer
8 Gonzalez as an assisting arresting officer as well, with
9 the beat number 264B. Does that indicate to you that
10 you were partners during this arrest?

11 A. Yes.

12 Q. Okay. And generally speaking, were you always
13 with your partner during any given tour that you were
14 assigned or out on patrol?

15 A. Was I always with my partner during a tour of
16 duty? That's what you're asking me?

17 Q. Yes.

18 A. Always? Using the word "always"?

19 Q. Yes. General -- or most of the time?

20 A. You, well, I'm going to go with, you said
21 always. So I'll answer it with the always, and not
22 necessarily. If that -- if -- if my partner has a court
23 case and I'm not subpoenaed for that court case, then I
24 would not be -- he would not be with me while I was on
25 patrol, he would be in court. So I wouldn't use the

Page 49

1 word "always".

2 Q. Right. Right.

3 A. Majority of the time if -- if he has the same
4 beat with me and he's on the arrest report, yes, he
5 would most likely be with -- be with me during that tour
6 of duty.

7 Q. Okay.

8 A. Does that make sense?

9 Q. Okay. That makes -- yep. That answers my
10 question. Thank you. I appreciate that. Okay. Now
11 I'm going to show you Exhibit 11, which -- oops, if I
12 can find the date. COPA Watts 05449 is the Bates stamp.

13 (EXHIBIT 11 MARKED FOR IDENTIFICATION)

14 A. Okay.

15 BY MS. GIZZI:

16 Q. Yeah. Officer Bolton, just take a few moments
17 to look at this, and I'll scroll to the next page
18 whenever you're ready, okay?

19 A. Okay. If I could see the next?

20 Q. Yeah, of course.

21 A. Okay.

22 Q. Okay. After reviewing this vice case report,
23 did anything in this report jog your memory about the
24 arrest of Lionel White, Sr.?

25 A. No.

Page 50

1 Q. Okay. Do you ever recall Officer Jones
2 getting in a physical altercation with an arrestee?
3 A. I don't.
4 Q. Okay. Directing your attention to the box 5,
5 where it says "Date of Occurrence Time", do you see
6 that?
7 A. I do.
8 Q. Oops. It looks like under the Date of
9 Occurrence, it has April 23, 2006. Is -- do you know
10 why there would be the discrepancy between the date of
11 occurrence and the date the officers arrived?
12 A. I don't know.
13 Q. Okay. For -- generally speaking from your
14 experience, were vice case reports filled out before
15 going on a reverse sting?
16 MR. STEFANICH: Object. I think this has been
17 covered, actually, in one of the prior deps.
18 THE REPORTER: Mr. Stefanich, it is very hard
19 to hear you. Could you get closer to the witness,
20 please?
21 MR. STEFANICH: I'm objecting. I think this
22 has been covered during one of Mr. Bolton's prior
23 deps. You can answer, I guess, but I think we're
24 treading over information that you already have.
25 BY MS. GIZZI:

Page 51

1 Q. Brian, I don't believe so, but I will be brief
2 if that helps.
3 A. What now?
4 MR. STEFANICH: Okay. I'm saying you can
5 answer, but --
6 BY MS. GIZZI:
7 Q. Yeah. Thanks.
8 A. Okay. Can you -- can you ask me the question
9 one more time so I could...?
10 Q. Sure. I'll just start from -- I'll just
11 strike the question and we'll go backwards. So first of
12 all, Officer, do you know what a reverse sting is?
13 A. Yes.
14 Q. Okay. And could you describe briefly what a
15 reverse sting is?
16 MR. STEFANICH: So again, I'm going to object,
17 because Mr. Bolton has answered these questions in
18 one of the first two depositions that he gave. So
19 you can answer again. This has been asked and
20 answered years ago. Go ahead and answer.
21 A. A reverse-sting mission is when officers pose
22 as narcotics dealers and -- or -- and a make arrests for
23 a charge called "attempt possession of narcotics".
24 BY MS. GIZZI:
25 Q. Okay. So when --

Page 52

1 A. I'm sure there's different other versions of
2 reverse-sting missions. I don't -- but that's how --
3 that was the reverse sting missions that we would
4 conduct.
5 Q. Understood. From your experience on Sergeant
6 Watts' team in the early to mid-2000s, did you have a
7 specific role in a reverse-sting mission?
8 MR. STEFANICH: Objection, asked and answered.
9 You can answer.
10 A. I believe I've answered this before, but it --
11 my role would be more of enforce -- an enforcement role
12 during the mission.
13 BY MS. GIZZI:
14 Q. Okay. Could you explain what an enforcement
15 role is in that context of a reverse sting?
16 A. Yes, ma'am.
17 MR. STEFANICH: Objection. Asked and answered.
18 You can answer.
19 A. Yes, ma'am. I would be not within viewing or
20 visual of -- during the -- during the mission. I would
21 be either taking individuals into custody or marking
22 their hand with a number, or placing their proceeds into
23 inventory -- inventory bags. I would not be one of the
24 officers posing as a -- a narcotics dealer.
25 BY MS. GIZZI:

Page 53

1 Q. Understood. Okay. When you said marking
2 individual's hands, what does that mean, or what does
3 that do?
4 A. Sure. So we only had a -- a small area to put
5 these individuals that were attempting to purchase
6 narcotics. So we didn't have -- limited resources, so
7 it would take too much time to write down everyone's
8 first and last name, and things of that nature. So we
9 would just numerically, as we went along, write the
10 number of the per -- the number of person that came in
11 and asked for the narcotics with -- and then we would
12 put that same number with their -- their -- I guess it
13 would be their inventory bags. So that way we kept
14 track of what this -- who -- what -- what proceeds go
15 with that individual. Does that make sense?
16 Q. Yes. Okay.
17 A. It was, I guess, that's how we streamlined it,
18 I guess you'd say.
19 Q. Okay.
20 A. Because it was -- would take way too many
21 resources to -- to print and write every single person's
22 name that is coming in, and we didn't have the -- the
23 volume was very -- was -- the pace was fast, and the
24 volume some -- at some points were very hectic. So we
25 came up with that -- that system, I guess.

Page 54

1 Q. Okay. So just to make sure I'm understanding,
2 you would use, like, a numerical identifier, and like
3 once a person was apprehended for in this reverse sting
4 mission, you would write that number on their hand, kind
5 of thing?

6 A. With like a Sharpie marker, write, like, the
7 number of that person. Number, let's just say number 2,
8 with -- "2" would be on that person's hand, and then the
9 proceeds that they attempted to purchase the narcotics
10 with would then go into an inventory, a -- a clear bag
11 with blue writing on it, which would be for -- for
12 money, and put that proceed into that -- into that bag
13 with that person's -- with that numerical number. Does
14 that make -- does that make sense?

15 Q. Yes. That makes more sense. Thank you. Do
16 you remember if -- was it just you who was normally, or
17 generally acting as in an enforcement capacity during a
18 reverse sting under -- in Watts' team, or did you have
19 other officers also assisting in that way?

20 A. There would be other officers.

21 Q. Do you remember generally who was the other
22 officers that were helping with enforcement?

23 A. It would be officers that don't look -- or it
24 would be non-African-American officers.

25 Q. Okay. So yourself, Officer Nichols?

Page 55

1 A. Myself, Officer Nichols, Leano Gonzalez, and
2 if we needed to use other tactical teams to conduct this
3 -- these missions, other -- other non-African- American
4 officers.

5 Q. Understood. And where in vicinity or in
6 relation to the officer who was acting as undercover as
7 the drug dealer, would you be physically when you were
8 acting in the enforcement capacity?

9 MR. STEFANICH: Objection to form.

10 A. I've answered all these questions before.

11 MR. STEFANICH: And asked and answered. You
12 can answer again.

13 A. Sure. Well, there's been missions where I've
14 been in a backyard, in a garage. There have been -- in
15 a stairwell, or in a lobby around a corner where I, like
16 I said earlier in my deposition, where I would be --
17 myself and others would be out of the -- of the -- of
18 sight around, so we wouldn't jeopardize the mission, I
19 guess you'd say, or the event.

20 BY MS. GIZZI:

21 Q. Okay. Thank you. Officer Bolton, do you know
22 what a reverse-sting kit is?

23 MR. STEFANICH: Objection. Asked and answered
24 years ago at one of his first two depositions. You
25 can answer again.

Page 56

1 A. I don't know what a reverse-sting kit is.

2 BY MS. GIZZI:

3 Q. Okay. So you've never heard that phrase?

4 A. I don't recall ever hearing that phrase.

5 Q. Okay. And I apologize if you did answer this
6 before, but this is the last question that might
7 potentially be redundant. While on Watts' team did you
8 ever draft vice case reports before you went on a
9 reverse sting?

10 A. Did I personally do that?

11 Q. Yeah.

12 A. I can't recall if I've personally done that.

13 Q. Did other officers on Watts' team ever draft
14 reports before a reverse sting?

15 MR. STEFANICH: Objection. Form and
16 foundation.

17 A. There would be reports drafted prior to
18 conducting the -- the mission.

19 BY MS. GIZZI:

20 Q. And what was the purpose of doing that?

21 A. Streamlining the process of -- of the mission.

22 Q. And what officers would prepare the reports
23 before a reverse sting?

24 MR. STEFANICH: Objection. Form and
25 foundation. You can answer.

Page 57

1 A. I don't recall at this time who -- who would
2 draft the reports, who was drafting reports.

3 BY MS. GIZZI:

4 Q. Okay. Do you know, just looking back at
5 Exhibit 11 as well as a reference, or as a reference for
6 this question, do you know what sections would be filled
7 out prior to the reverse sting?

8 A. I can't recall today which sections were --
9 were filled out.

10 Q. Okay. Okay. So I'm going to show you some
11 more documents. The first one is labeled Exhibit 13. I
12 realize, because we -- I skipped 12, but I'll renumber
13 them. So this is actually Exhibit 12 for the record.
14 Officer Bolton, can you see the document on your screen?

15 (EXHIBIT 12 MARKED FOR IDENTIFICATION)

16 A. I can.

17 BY MS. GIZZI:

18 Q. Have you ever seen this individual depicted in
19 the photo before?

20 A. No.

21 Q. I'll just give you a few -- let me see here.
22 I'll give you a few moments to review this arrest
23 report, and at the end of it is a vice case report, so
24 just let me know when to scroll, okay?

25 A. Okay. Okay. If you could scroll down,

Page 58

1 please. Okay. Okay. Okay. Okay.

2 Q. So that was the arrest report. And now this
3 is the vice case report.

4 A. Okay.

5 Q. Okay. And I don't believe there's any text on
6 this last page. So do you remember being involved in an
7 arrest of an individual by the name of Cleothus Morris?

8 A. No.

9 Q. Okay. I'm directing your attention to the
10 narrative section of the arrest report, where that first
11 sentence says, "This is a narcotics mission arrest by
12 the second housing TACT 264 A, B, C and D". Does that
13 indicate to you that as -- that you were present for
14 some or all of the arrest of this individual?

15 A. I don't know if I was present for the -- the --
16 - the arrest of this individual. I don't remember the
17 case, so I don't remember if I was watching this person
18 or -- or placing this person into custody. I -- I don't
19 remember that.

20 Q. Would there be another reason why your beat
21 number was listed as part of this arrest?

22 MR. STEFANICH: Objection. Form and
23 foundation. You can answer.

24 A. Sure. It would -- there would, yes.

25 BY MS. GIZZI:

Page 59

1 Q. And what would that reason be?

2 A. Well, you asked if I was there to -- for the
3 arrest of this person. I may have been helping out in
4 another -- doing something else while I was on scene, or
5 -- or once in the station, helping out with paperwork,
6 which would be part of the arrest of this person. I
7 don't remember if I was physically there for the
8 physical arrest of that person.

9 Q. Okay. Okay. Understood. Understood. And
10 the second sentence of the narrative reads, "This is a
11 reverse sting operation by the second district TACT
12 Team" two -- "TACT 264 Team." Does that sentence
13 suggest to you that you were involved in this reverse-
14 sting operation?

15 MR. STEFANICH: Form and foundation. You can
16 answer.

17 A. Well, I was part of the 264 team, so yes.

18 BY MS. GIZZI:

19 Q. Okay. So would that then indicate to you that
20 you were involved in the operation in more capacity than
21 paperwork at the station?

22 A. You're saying "more capacity". I don't know.
23 I don't -- I don't remember the event. So I -- I was on
24 the 264 team, so I don't remember the case, but you're
25 asking me the capacity of -- of my -- what my role would

Page 60

1 be? Is that what you're asking me?

2 Q. I'm asking a little -- something a little bit
3 different. Understanding that you don't have an
4 independent recollection of this arrest, if the
5 narrative portion that says that this is a reverse-
6 sting operation by the 264 TACT Team, does that suggest
7 to you that you were involved in some capacity on scene?

8 A. On some level. In some way, I was involved in
9 the -- in the -- in that reverse-sting operation.

10 Q. Okay. And whether that was enforcement or
11 otherwise, you don't remember, right?

12 A. I don't remember that.

13 Q. Okay. Do you remember ever being involved in
14 a reverse-sting operation that you were involved in some
15 way other than in the enforcement capacity?

16 I I don't ever recall posing as a -- as a
17 drug dealer, or anything like that.

18 Q. Okay.

19 A. I don't ever recall doing that.

20 Q. Okay. Okay. I am going to move on to the
21 next exhibit. And first, I don't think I asked you this
22 last time, but do you recognize this document, Officer?

23 (EXHIBIT 13 MARKED FOR IDENTIFICATION)

24 A. It's an arrest report.

25 BY MS. GIZZI:

Page 61

1 Q. Have you ever seen this arrest report

2 specifically for the individual Cleveland Smith before
3 today?

4 A. I don't recall if I've seen -- if -- if I've
5 seen this arrest report.

6 Q. Okay. Looking at that mugshot, which I
7 understand is not high quality, but do you recognize
8 this individual?

9 A. No.

10 Q. Okay. Okay. I'm going to scroll through this
11 just as I did before, and let me know when to move on to
12 the next page. If you would just review it and then
13 I'll ask you something.

14 A. Okay. If you could scroll it down, please?

15 Q. Uh-huh.

16 A. Thank you. Okay. If you could scroll it down
17 again, please?

18 Q. Uh-huh.

19 A. Thank you. Okay. If you could scroll down,
20 please?

21 Q. Uh-huh.

22 A. Okay.

23 Q. Okay. Just one last thing.

24 A. Okay. Okay.

25 Q. Okay. And then here's the vice case report

Page 62

1 for this.

2 A. Okay.

3 Q. I don't think there's anything on this last
4 page, but -- okay. Officer Bolton, after reviewing the
5 reports involved in the arrest of Cleveland Smith, do
6 you remember being involved at all in that arrest?

7 A. No.

8 Q. I want to ask you one specific question about
9 the vice case report. Earlier, you mentioned that
10 sometimes the vice case reports were drafted in part
11 before a reverse sting to streamline things. Am I
12 summarizing that correctly?

13 A. Yes.

14 Q. Okay. Based on looking at this vice case
15 report, do you know if everything that's typed out was
16 what was drafted beforehand, or would have been drafted
17 beforehand, and then everything that was handwritten was
18 after the fact?

19 MR. STEFANICH: Objection. Form and
20 foundation. Misstates the evidence, too.

21 A. I don't know.

22 Q. Okay. I'm done with that one. This will be
23 marked as Exhibit 14. And it's -- I apologize, I
24 haven't been doing this, but COPA Watts 007695. Officer
25 Bolton, do you recognize the individual depicted in this

Page 63

1 photo on the left?

2 (EXHIBIT 14 MARKED FOR IDENTIFICATION)

3 A. I don't.

4 BY MS. GIZZI:

5 Q. Do you recognize the name John Pierce?

6 A. No.

7 Q. Okay. Okay. I'm going to give you a few
8 minutes to look over this report, and then let me know
9 when you're done and ready to move on.

10 A. Okay. Could you scroll down, please?

11 Q. Uh-huh.

12 A. Can you scroll down again, please? Okay. If
13 you could scroll again, please? Okay. Okay. Okay.

14 Q. Then here's the vice case report for this same
15 arrest.

16 A. Okay.

17 Q. Okay. So that page is blank. Officer, after
18 reviewing the arrest report and vice case report for
19 John Pierce from April 2006, did it refresh your
20 recollection at all, as to this arrest?

21 A. No.

22 Q. I apologize for this, the tediousness of this,
23 Officer, but we're on our last leg, so we'll be done
24 soon.

25 A. Okay.

Page 64

1 MS. GIZZI: This will be marked as Exhibit 15,
2 which is COPA Watts 007749. Officer, when you get a
3 chance to look at this photo, the arrestee, let --
4 will you let me know if you recognize this
5 individual?

6 (EXHIBIT 15 MARKED FOR IDENTIFICATION)

7 A. I don't recognize that person.

8 BY MS. GIZZI:

9 Q. Okay. Do you recognize the name Lorener
10 Williams?

11 A. No.

12 Q. Okay. Okay. So just take a look at this
13 first page, and let me know when you're ready, and I'll
14 scroll again.

15 A. Okay. If you could scroll down, please?

16 Q. Uh-huh.

17 A. Okay. If you could scroll down, please? Okay.
18 If you could scroll down, please?

19 Q. Uh-huh.

20 A. Okay. Okay.

21 Q. Nothing on that last page. Did reviewing the
22 reports for the arrest of Lorener Williams refresh your
23 recollection at all as to this incident?

24 A. No.

25 Q. Okay. Earlier, you mentioned one of -- in a

Page 65

1 reverse sting, one of the officers would go undercover
2 as a drug dealer, in this type of operation. Which
3 officers on Watts' team generally at -- were acting in
4 that role?

5 MR. STEFANICH: Objection. Form, foundation.

6 You can answer.

7 A. The African-American officers.

8 BY MS. GIZZI:

9 Q. So would that be -- include Officer Jones?

10 A. Yes. Officer Jones is African American.

11 Q. Okay. Would Officer -- or Sergeant Watts ever
12 act as an undercover officer in a reverse-sting
13 operation?

14 A. I -- I don't know if he would pose as a
15 narcotics dealer, or -- or -- but he would be with those
16 officers.

17 Q. Okay. So when you say he would "be with those
18 officers", he wasn't in -- acting in an enforcement
19 capacity in a reverse sting, like you were?

20 MR. GAINER: This is Brian Gainer. Object to
21 form and foundation. Go ahead, Officer.

22 A. So I -- I was not in the vicinity of where the
23 officers would pose as -- as drug dealers, so I can't
24 answer the question of whether or not he would
25 participate in posing as a narcotics dealer. I -- I

Page 66

1 wasn't -- I was not in that area. I was in a completely
 2 separate -- a completely separate area, with other non-
 3 African-American officers. So I can't testify to -- to
 4 what he was doing, or if he was posing as a -- a
 5 narcotics dealer, or if he was supervising the other
 6 African-American officers, with -- that were -- that
 7 were posing as -- as a narcotics dealer. So I can't --
 8 I can't answer that, because I was not near that area.
 9 Does that make sense?
 10 BY MS. GIZZI:

11 Q. Yes, I -- okay. I didn't understand before,
 12 about the physical -- the vicinity thing, so that helps.
 13 Thank you. Okay. Now I'm going to show you another set
 14 of documents, which will be marked as Exhibit 16,
 15 starting with COPA Watts 007737. Officer Bolton, do you
 16 recognize the individual depicted in that photo?

17 (EXHIBIT 16 MARKED FOR IDENTIFICATION)

18 A. No.

19 BY MS. GIZZI:

20 Q. Okay. Does the name Lynn Howard at all sound
 21 familiar to you?

22 A. No.

23 Q. Okay. Okay. Take a moment to review this
 24 first page, and then I'll scroll on.

25 A. Okay. If you could scroll down, please. Okay,

Page 67

1 if you could scroll down, please. Okay. Okay. Okay.
 2 Okay.

3 Q. Make sure. Okay. And that last page is
 4 blank. Officer Bolton, did reviewing the reports for
 5 the arrest of Lynn Howard in April 2006 refresh your
 6 memory at all about this incident?

7 A. No.

8 Q. Okay. Officer, I'm now showing you what has
 9 been -- or what will be marked as Exhibit 17, which is
 10 COPA Watts 007707. Do you recognize the individual
 11 depicted in this photo on the document?

12 (EXHIBIT 17 MARKED FOR IDENTIFICATION)

13 A. No.

14 BY MS. GIZZI:

15 Q. Okay. Do you recognize the name Teresa
 16 Butler?

17 A. No.

18 Q. Okay. Okay. Let me know when you're done
 19 reviewing this first page.

20 A. Okay. Okay. Okay. Okay. Okay.

21 Q. Okay. Did reviewing the reports for Teresa
 22 Butler -- Teresa Butler's arrest, refresh your
 23 recollection at all as to this incident?

24 A. No.

25 Q. So we've gone over about seven individuals who

Page 68

1 were arrested on the same day, during this reverse
 2 sting, so far, just as context. Can you explain how
 3 individuals were processed when there was an ongoing
 4 reverse sting such as this?

5 MR. STEFANICH: Objection. Form, foundation.

6 You can answer. You can answer.

7 A. The process of arresting them, is that what
 8 you're asking?

9 BY MS. GIZZI:

10 Q. Correct. Without blowing the officer's cover,
 11 if -- you know, in the middle of a reverse-sting
 12 operation?

13 A. Well, like I said previously, we would -- non-
 14 African American officers that are -- that are -- are
 15 there on scene, we are -- are not in the -- the visual
 16 sight of -- of what's going on, as the officers that are
 17 attempting to pose as -- as drug dealers. So I -- it
 18 wouldn't -- we wouldn't be somewhere where we -- we
 19 could be seen. So that's how we -- we would not -- I
 20 guess you -- what you mentioned -- you used the word
 21 blow the cover of those officers. So that's how we
 22 would not blow the cover of those officers, is not being
 23 in the line of sight, in a completely different area of
 24 where the attempt possession of narcotics would be going
 25 on.

Page 69

1 Q. Okay. I think that it's just my ignorance on
 2 this aspect of law enforcements, so --

3 A. No, you --

4 Q. When an individual --

5 A. You don't know. It's okay.

6 Q. Right. Right. So when an individual were to
 7 approach, let's say an -- in this hypothetical, Officer
 8 Jones, who's posing as an undercover drug dealer, and
 9 then this individual tries to, you know, purchase drugs
 10 or narcotics, how does that person then end up in
 11 custody, is what I'm trying to understand. Like, do
 12 you, as the non-undercover officer, come out and arrest
 13 them, or are they put somewhere else?

14 A. No, they would be walked towards where the, I
 15 guess you'd call enforcement officers were, and -- and
 16 they would be placed into custody, also not in the line
 17 of sight of where the mission is being conducted. Does
 18 that make sense?

19 Q. Yes. Okay. Okay. So they were escorted to a
 20 separate area out of sight of --

21 A. Where -- where the, I guess enforcement
 22 officers would be, and then they would be taken -- or
 23 placed into custody there.

24 Q. Okay. Understood. Thank you. Okay. We got
 25 about four more of these, so bear with me. I'm going to

Page 70

1 now show you another arrest report. And this is COPA
 2 Watts 007731. First, before we have you review it, do
 3 you recognize the individual depicted in this photo?
 4 (EXHIBIT 18 MARKED FOR IDENTIFICATION)
 5 A. I don't.
 6 BY MS. GIZZI:
 7 Q. Okay. Does the name Dale Morrow at all sound
 8 familiar to you?
 9 A. No.
 10 Q. Okay. Okay. Take a few moments to review
 11 that -- review this first page, and let me know when to
 12 move on.
 13 A. Okay, if you could scroll down, please.
 14 Q. Oops.
 15 A. Okay, if you could scroll down, please. Okay,
 16 if you could scroll down, please. Okay, if you could
 17 scroll down, please. Okay. Okay.
 18 Q. Okay. Officer Bolton, did reviewing those
 19 reports refresh your recollection as to the arrest of
 20 Dale Morrow in April 2006?
 21 A. No.
 22 Q. Okay. Now I'm going to show you an arrest
 23 report for another individual, which this will be marked
 24 as Exhibit 19, and it is COPA Watts 007725. First off,
 25 officer, do you recognize the individual in that

Page 71

1 photograph?
 2 (EXHIBIT 19 MARKED FOR IDENTIFICATION)
 3 A. No.
 4 BY MS. GIZZI:
 5 Q. Do you recognize the name Charlie Riley?
 6 A. No.
 7 Q. Okay. Just take a few moments to review this
 8 first page, and we'll do the same thing, okay?
 9 A. Okay. Okay. If you could scroll down,
 10 please. Okay. Okay. Okay. Okay. Okay.
 11 Q. All right. So did reviewing the arrest and
 12 vice case report for Charlie Riley refresh your
 13 recollection at all as to this incident?
 14 A. No.
 15 MS. GIZZI: This will be marked as Exhibit 20,
 16 and is COPA Watts 007701. Officer Bolton, do you
 17 recognize the individual in this photograph?
 18 (EXHIBIT 20 MARKED FOR IDENTIFICATION)
 19 A. No.
 20 BY MS. GIZZI:
 21 Q. Does the name George Green at all sound
 22 familiar to you?
 23 A. No.
 24 Q. Okay. Okay. Just review this first page, and
 25 I'll scroll when you let me know, okay?

Page 72

1 A. Okay. Okay. If you could scroll, please.
 2 Okay. Okay. Okay. Okay. Okay.
 3 Q. So first off, did reviewing these reports
 4 refresh your recollection at all as to an arrest of
 5 George Green in April 2006?
 6 A. No.
 7 Q. Okay. I'm going to stay on this vice case
 8 report, because I wanted to ask you about something
 9 specific on here. Under the box 5, where it says, "date
 10 of occurrence, time", and it says, "1438", does that
 11 signify to you that the occurrence was 2:38 p.m.?
 12 MR. STEFANICH: Objection. Form, foundation.
 13 You can answer.
 14 A. That's what it says, yes.
 15 BY MS. GIZZI:
 16 Q. Okay. And were vice case reports -- from your
 17 experience with these types of arrests, were vice case
 18 reports filled out the same day of the arrest?
 19 MR. STEFANICH: Objection. Form. You can
 20 answer.
 21 A. Some were -- I -- vice case reports were done
 22 on -- on days of the arrest, yes. I don't know if all
 23 were, but some were, yes.
 24 BY MS. GIZZI:
 25 Q. Okay. Would you say it was your personal

Page 73

1 practice, if you were filling out a vice case report, to
 2 do it on the same day of the incident of the report?
 3 A. If it was a narcotics arrest, then yes.
 4 Q. Okay. Okay. Okay. Moving on to what will be
 5 labeled Exhibit 21, COPA Watts 007713. Officer Bolton.
 6 Do you recognize the individual in the photograph?
 7 (EXHIBIT 21 MARKED FOR IDENTIFICATION)
 8 A. No.
 9 BY MS. GIZZI:
 10 Q. Okay. Do you recognize the name Thomas
 11 Mitchell?
 12 A. No.
 13 Q. Okay. Okay. Go ahead and take a look at that
 14 first page, and I will scroll when you're ready.
 15 A. Okay. Okay. Okay. Okay. Okay. Okay.
 16 Q. After reviewing these reports for the arrest
 17 of Thomas Mitchell in April 2006, do they refresh your
 18 recollection at all?
 19 A. No.
 20 Q. Okay. And last one, which will be marked as
 21 Exhibit 22, and starts at COPA Watts 007689. Do you
 22 recognize the individual in this this photo?
 23 (EXHIBIT 22 MARKED FOR IDENTIFICATION)
 24 A. No.
 25 BY MS. GIZZI:

Page 74

1 Q. Do you recognize the name Timothy J. Brown?

2 A. No.

3 Q. Okay. Take a look at this first page, and let
4 me know when you're ready.

5 A. Okay. Okay. If you could scroll, please.

6 Okay. Okay. Okay. Okay. Okay.

7 Q. Okay. So Officer, did reviewing the arrest
8 report and the vice case report for Timothy Brown's
9 arrest in April 2006 refresh your memory at all?

10 A. No.

11 Q. Okay. Can you think of any documents or
12 materials that would refresh your recollection as to
13 these arrests that we just went over?

14 A. No.

15 Q. Okay. I'm going to stop sharing my screen.
16 Generally speaking, when you would be involved in a
17 reverse sting, were the arrest reports filled out by the
18 first reporting officer, or the first arresting officer?

19 A. During a reverse-sting mission, I can't say
20 that that was the case.

21 Q. Okay. Was there a certain practice amongst
22 your team, the 264 TACT Team, of who was responsible for
23 filling out arrest reports from a reverse sting?

24 A. There was no general person responsible for
25 that.

Page 75

1 Q. Okay. Is it --

2 MR. STEFANICH: We need to take a break.

3 MS. GIZZI: Oh, okay. I was going to say one
4 more question, then I'm done.

5 MR. STEFANICH: Oh, that's fine. One -- yeah.

6 MS. GIZZI: Okay. Okay. Last question.

7 A. That's the issue that I -- go ahead.

8 BY MS. GIZZI:

9 Q. Fair. We'll get you out of here. My last
10 question for you, Officer Bolton, is it a -- proper or
11 appropriate to arrest an individual just because
12 officers believe that person wants to buy drugs?

13 MR. STEFANICH: Objection. Form, foundation,
14 incomplete hypothetical. You can answer, if you
15 understand the question.

16 A. I'm just trying to break the question down in
17 my head right now, so is it a -- can -- ask the question
18 one more time. Let me just make sure I understand it
19 correctly.

20 BY MS. GIZZI:

21 Q. Sure. Is it okay for an officer to arrest a
22 person on the basis that that officer believes they --
23 that person wants to buy drugs?

24 MR. STEFANICH: Objection. Form, foundation,
25 incomplete hypothetical. You can answer.

Page 76

1 A. So if an individual approaches an undercover
2 police officer and asks to purchase narcotics, then yes,
3 I believe that there is probable cause to arrest that
4 person for attempt possession of narcotics. There is a
5 -- a law, or statute, that covers that, so I do believe
6 that if someone were to approach an undercover police
7 officer, asked to purchase narcotics from that
8 undercover police officer, I believe there's plenty of
9 probable cause to arrest that person for that crime.

10 BY MS. GIZZI:

11 Q. That's fair. And other than through an
12 undercover officer in a reverse sting, is there a way
13 for an officer to appropriately evaluate if someone is
14 attempting to buy narcotics?

15 MR. GAINER: Objection to form and foundation.
16 This is Brian Gainer.

17 A. I -- I don't know how to answer that. Is
18 there another way, unless you ask -- ask them, are they
19 there to buy narcotics, so I guess --

20 Q. Right.

21 A. -- I guess that would be a way. Are you there
22 -- are you here to buy drugs, or -- I guess maybe during
23 a Terry stop or something of that nature, you'd be able
24 to, you know, ask that question, if -- if they are --
25 they are there to buy drugs.

Page 77

1 BY MS. GIZZI:

2 Q. Okay. So you would agree that --

3 A. You asked me if it was okay to arrest somebody
4 for attempt possession, or to not -- for -- is it okay
5 to arrest somebody for -- for attempting to put -- buy
6 narcotics, I believe that was your question.

7 Q. Yes. And you did answer, but I just want to
8 make sure I understand your answer. So it would not --
9 in your view, it would not be proper to buy -- or to
10 arrest someone for attempting to buy narcotics, just
11 based on where that person was hanging out?

12 MR. GAINER: Objection to form, foundation. Go
13 ahead, Officer.

14 A. Would it be okay -- well, if someone freely
15 tells you that they're there to purchase narcotics, I
16 don't -- I don't know -- well, I don't know the whole --
17 -- I don't know what the statute entails, so I don't know
18 that answer. So I don't know if that is enough -- if --
19 if someone tells you they're to -- they -- they are
20 there to buy narcotics, is that enough probable cause to
21 have them arrested just on that statement? I'm not sure
22 about that. I don't know the answer to that question.
23 I know the answer, if you approach a police officer and
24 ask them to buy narcotics, I know that answer. I don't
25 know the --

Page 78

1 BY MS. GIZZI:

2 Q. Okay.

3 A. -- answer to that other question, because I
4 don't know exactly, verbatim, what that statute entails,
5 and if that is enough probable cause to arrest somebody
6 for just the statement of -- of, I'm there to buy
7 narcotics. Does that make sense? I'm -- I am unaware
8 of the whole statute of what that entails. Does that
9 make sense?

10 MS. GIZZI: Yeah. No, that makes sense. And I
11 appreciate that. I wouldn't expect you to have that
12 wrote -- memorized. But thank you, Officer. I
13 don't have any further questions.

14 THE WITNESS: Thank you.

15 MR. STEFANICH: Okay. Can we -- we need to
16 take a five-minute break to use the restroom.

17 MS. GIZZI: Okay.

18 THE REPORTER: All right. We're now off the
19 record. The time is 12:17 p.m.

20 (OFF THE RECORD)

21 THE REPORTER: We're back on the record. The
22 time is 12:25 p.m.

23 MR. STEFANICH: I have a couple questions. Joel
24 -- I'm sorry, Joel, I assume you didn't have any?

25 MR. FLAXMAN: Nothing from me. Thank you.

Page 79

1 CROSS-EXAMINATION

2 BY MR. STEFANICH:

3 Q. Officer Bolton, you were shown previously, in
4 today's deposition, an affidavit from Marc Giles. Do
5 you recall that?

6 A. Yes.

7 Q. When you reviewed that affidavit, did Mr.
8 Giles make any allegations directed specifically at you?

9 A. No.

10 Q. You also reviewed an affidavit from a Clifford
11 Roberts, in today's deposition. Do you recall that?

12 A. Yes.

13 Q. When you reviewed Mr. Roberts' affidavit, did
14 Mr. Roberts make any specific allegations directed at
15 you?

16 A. No.

17 Q. That's all the questions I have.

18 MR. GAINER: I don't have any questions.

19 MR. PALLES: No questions for me.

20 MR. SCHALKA: No questions from me. This is
21 Michael Schalka for Defendants Spaargaren and
22 Cadman.

23 MS. HARRIS: No questions on behalf of the
24 city.

25 MR. STEFANICH: Okay. I think that covers it.

Page 80

1 Right, Gianna?

2 MS. GIZZI: Yep.

3 MR. STEFANICH: We'll reserve, and I'll take a
4 -- I'll order the transcript from today.

5 THE REPORTER: Okay. Sounds good. And your e-
6 mail is good for that reserve signature?

7 MR. STEFANICH: Correct.

8 THE REPORTER: Okay. I will get us off the
9 record. We're now off the record. The time is
10 12:27 p.m.

11 (DEPOSITION CONCLUDED AT 12:27 P.M. CT)

Page 81

1 CERTIFICATE OF REPORTER

2 STATE OF ILLINOIS

3

4 I do hereby certify that the witness in the foregoing
5 transcript was taken on the date, and at the time and
6 place set out on the Title page hereof by me after first
7 being duly sworn to testify the truth, the whole truth,
8 and nothing but the truth; and that the said matter was
9 recorded digitally by me and then reduced to typewritten
10 form under my direction, and constitutes a true record
11 of the transcript as taken, all to the best of my skills
12 and ability. I certify that I am not a relative or
13 employee of either counsel, and that I am in no way
14 interested financially, directly or indirectly, in this
15 action.

16

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19

20

21

22 KRYSTAL BARNES,

23 COURT REPORTER / NOTARY

24 COMMISSION EXPIRES ON: 02/18/2026

25 SUBMITTED ON: 09/27/2023