

EXHIBIT 47



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Transcript of Robert Gonzalez

Date: October 16, 2019

Case: Watts Coordinated Cases

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Transcript of Robert Gonzalez
Conducted on October 16, 2019

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1	3
1 IN THE UNITED STATES DISTRICT COURT	1 APPEARANCES:
2 FOR THE NORTHERN DISTRICT OF ILLINOIS	2
3 EASTERN DIVISION	3
4	4 ON BEHALF OF CERTAIN PLAINTIFFS:
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21 Job No. 262548	21
22 Pages: 1-210	22
23 Reported by: Annette M. Montalvo, CSR, RDR, CRR	23
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2	4
1 Videotaped deposition testimony of ROBERT	1 APPEARANCES: (Continued)
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3	3
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7	7 DAVID SOLTIS, ELSWORTH J. SMITH, JR., JOHN
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9	9 JR., LAMONICA LEWIS, REBECCA BOGARD, FRANKIE LANE,
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15 JERROLD BOSAK:	15
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20 312-982-0900	20 FLAXMAN PLAINTIFFS BY MR. FLAXMAN
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9	<p>1 Exhibit 21, photograph 143</p> <p>2 Exhibit 22, arrest reports 144</p> <p>3 Exhibit 23, Scott affidavit 146</p> <p>4 Exhibit 24, photograph 153</p> <p>5 Exhibit 25, arrest reports 154</p> <p>6 Exhibit 26, arrest report 163</p> <p>7 Exhibit 27, arrest report 164</p> <p>8 Exhibit 28, Shenault arrest report 174</p> <p>9 Exhibit 29, arrest reports 184</p> <p>10</p> <p>11 (Exhibits attached to transcript.)</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>	11	<p>1 MR. KOSOKO: Ahmed Kosoko on behalf of</p> <p>2 Ronald Watts.</p> <p>3 MR. MICHALIK: Paul Michalik for defendant</p> <p>4 City of Chicago and various municipal defendants.</p> <p>5 MR. ZECCHIN: Anthony Zecchin on behalf of</p> <p>6 the deponent, Officer Gonzalez, and the officers</p> <p>7 represented by Hale & Monico.</p> <p>8 (WHEREUPON, the witness was duly sworn.)</p> <p>9 OFFICER ROBERT GONZALEZ,</p> <p>10 called as a witness herein by the Plaintiff, having</p> <p>11 been first duly sworn, was examined and testified</p> <p>12 as follows:</p> <p>13 EXAMINATION ON BEHALF OF THE LOEVY & LOEVY</p> <p>14 PLAINTIFFS</p> <p>15 BY MS. KLEINHAUS:</p> <p>16 Q Good morning, sir.</p> <p>17 A Good morning.</p> <p>18 Q Obviously, you have been deposed before,</p> <p>19 correct?</p> <p>20 A Yes.</p> <p>21 Q And just to remind you, during today's</p> <p>22 deposition I am going to do my best not to talk</p> <p>23 over you, if you can do your best not to talk over</p> <p>24 me, it makes it easier for the court reporter to</p>
10	<p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: This is the video</p> <p>3 deposition of Robert Gonzalez, taken by Loevy &</p> <p>4 Loevy in the matter of the Watts Coordinated</p> <p>5 Pretrial Proceedings, Master Docket No.</p> <p>6 19-CV-01717, held at Loevy & Loevy, 311 North</p> <p>7 Aberdeen Street, Chicago, Illinois.</p> <p>8 Today is October 16, 2019. The time is</p> <p>9 11:42.</p> <p>10 The court reporter is Annette Montalvo.</p> <p>11 The videographer is Rick Kosberg.</p> <p>12 And counsel can now introduce themselves,</p> <p>13 and the court reporter is free to administer the</p> <p>14 oath.</p> <p>15 MS. KLEINHAUS: Theresa Kleinhaus on behalf</p> <p>16 of the Loevy & Loevy plaintiffs.</p> <p>17 MR. TEPFER: Josh Tepfer on behalf of</p> <p>18 Loevy & Loevy.</p> <p>19 MR. FLAXMAN: Joel Flaxman for the Flaxman</p> <p>20 plaintiffs.</p> <p>21 MR. ZIBOLSKI: Kevin Zibolski for</p> <p>22 defendants Spaargaren and Cadman.</p> <p>23 MR. RAVITZ: Gary Ravitz for Kallatt</p> <p>24 Mohammed.</p>	12	<p>1 take it down; is that fair?</p> <p>2 A Yes.</p> <p>3 Q Are you on any medications or do you have</p> <p>4 any medical conditions that would prevent you from</p> <p>5 providing accurate testimony today?</p> <p>6 A No.</p> <p>7 Q Okay. If you answer a question, I am going</p> <p>8 to assume that you understood my question; is that</p> <p>9 fair?</p> <p>10 A Yes.</p> <p>11 Q If you don't understand it, let me know and</p> <p>12 I will rephrase it, okay?</p> <p>13 A Okay.</p> <p>14 Q What did you do to prepare for today's</p> <p>15 deposition?</p> <p>16 A Met with my counsel.</p> <p>17 Q Which attorney did you meet with?</p> <p>18 A Attorney Zecchin.</p> <p>19 Q Anyone else?</p> <p>20 A And Brian -- I forgot his last name.</p> <p>21 Sorry.</p> <p>22 Q Brian Stefanich?</p> <p>23 A No.</p> <p>24 Q At the Hale firm?</p>

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4 (13 to 16)

13	<p>1 A Yes.</p> <p>2 Q Okay. And was anyone else present when you</p> <p>3 met with your attorneys?</p> <p>4 A No.</p> <p>5 Q How many times did you meet with your</p> <p>6 counsel to prepare for today's deposition?</p> <p>7 A Twice last week and then once this week.</p> <p>8 Q Did you review any documents in preparation</p> <p>9 for your deposition?</p> <p>10 A Yes.</p> <p>11 Q What did you review?</p> <p>12 A I reviewed some arrest reports, some</p> <p>13 inventories.</p> <p>14 Q Any other documents?</p> <p>15 A Not that I can think of at this time.</p> <p>16 Q And which arrests did the arrest reports</p> <p>17 relate to?</p> <p>18 A Various. I believe it was in conjunction</p> <p>19 with whatever the matters we'll be discussing</p> <p>20 today.</p> <p>21 Q Okay. And the same is true for the</p> <p>22 inventories?</p> <p>23 A I believe that's the case, yes.</p> <p>24 Q What's your current role with CPD?</p>	15
14	<p>1 the arrests of Watts and Mohammed, what else were</p> <p>2 you told about the ongoing investigation?</p> <p>3 A I have not been told anything specific.</p> <p>4 Are you asking about the -- from the police</p> <p>5 department?</p> <p>6 Q Yes. About the reason that you have been</p> <p>7 placed on administrative duty?</p> <p>8 A I haven't been told anything exactly.</p> <p>9 Q Who told you that being placed on</p> <p>10 administrative duty was related to the arrests of</p> <p>11 Watts and Mohammed?</p> <p>12 A I recall approximately two years ago I was</p> <p>13 notified that I was being placed on administrative</p> <p>14 duty, and that was subsequent to whatever</p> <p>15 investigations that are related to the Watts and</p> <p>16 Mohammed case.</p> <p>17 Q And who told you that?</p> <p>18 A I have a recollection of it being Captain</p> <p>19 Moore, from the 2nd District.</p> <p>20 Q Okay. Did he tell you that in person?</p> <p>21 A I don't recall if it was through a phone</p> <p>22 call or in person.</p> <p>23 Q When he told you that it was related to the</p> <p>24 arrest of Watts and Mohammed, did you ask any</p>	16
14	<p>1 A Chicago police officer.</p> <p>2 Q And what's your assignment?</p> <p>3 A Assigned to the 2nd District.</p> <p>4 Q And are you on administrative duty?</p> <p>5 A I believe so, yes.</p> <p>6 Q When you say you believe so, tell me why</p> <p>7 you believe so.</p> <p>8 A I am inside conducting administrative</p> <p>9 duties.</p> <p>10 Q Okay. Were you told that you were being</p> <p>11 placed on administrative duty?</p> <p>12 A Yes.</p> <p>13 Q Were you told the reason why you were being</p> <p>14 placed on administrative duty?</p> <p>15 A I don't recall the exact reason, I was just</p> <p>16 told that I was being placed on administrative</p> <p>17 duties due to ongoing investigations.</p> <p>18 Q And is it your understanding that those</p> <p>19 ongoing investigations remain ongoing as of today?</p> <p>20 A Yes, I believe they are still ongoing.</p> <p>21 Q Okay. What did the investigations concern?</p> <p>22 A Related to the arrest of Ronald Watts and</p> <p>23 Kallatt Mohammed.</p> <p>24 Q Okay. And other than knowing as related to</p>	16
16	<p>1 questions about that?</p> <p>2 A I recall asking why, but not being given</p> <p>3 much information. It was just information that he</p> <p>4 was relaying to me, that he didn't have much</p> <p>5 information at the time, is what I recall.</p> <p>6 Q Okay. So when you asked why, what did</p> <p>7 Captain Moore tell you?</p> <p>8 A It was related to the Watts and Mohammed</p> <p>9 cases and investigation, something that had hit the</p> <p>10 media.</p> <p>11 Q Since that conversation with Captain Moore,</p> <p>12 have you had any other conversations about the</p> <p>13 reason that you have been placed on administrative</p> <p>14 duty?</p> <p>15 A No.</p> <p>16 Q Have you asked anyone for any information</p> <p>17 since your conversation with Captain Moore about</p> <p>18 why you have been placed on administrative duty?</p> <p>19 A I don't believe that I have. I don't</p> <p>20 recall any times where I have sought out to ask.</p> <p>21 Q Okay. What are your responsibilities on</p> <p>22 administrative duty in the 2nd District?</p> <p>23 A Currently nonoperation -- inputting</p> <p>24 nonoperational data.</p>	16

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5 (17 to 20)

<p>17</p> <p>1 Q What does "nonoperational data" mean?</p> <p>2 A Just information that is accrued through</p> <p>3 various forms of paperwork, and then it is just</p> <p>4 transferred and inputted into the computer.</p> <p>5 Q And you are the one transferring it into</p> <p>6 the computer?</p> <p>7 A Yes. That's one of my duties, yes.</p> <p>8 Q Okay. So one of your duties is data entry;</p> <p>9 is that fair to say?</p> <p>10 A Yes. Nonoperational data entry.</p> <p>11 Q Okay. And what are your other duties?</p> <p>12 A It is what my main duties that are there.</p> <p>13 Q Okay. When were you put on administrative</p> <p>14 duty?</p> <p>15 A Almost two years ago, in November, I</p> <p>16 believe.</p> <p>17 Q Do you know if other former members of the</p> <p>18 Watts team are on administrative duty?</p> <p>19 MR. MICHALIK: Object to the form.</p> <p>20 Argumentative.</p> <p>21 Q Go ahead.</p> <p>22 A I believe that there's numerous officers,</p> <p>23 but the only other officers that I would know would</p> <p>24 be the three that were in the -- in our district</p>	<p>19</p> <p>1 duty?</p> <p>2 A No, ma'am.</p> <p>3 Q Why not?</p> <p>4 A Why?</p> <p>5 Q (Indicating).</p> <p>6 A It is something that I don't like to</p> <p>7 discuss too much. I believe it's a personal matter</p> <p>8 for me. And then later on as investigations came</p> <p>9 on, it is litigation issues.</p> <p>10 Q Have any of those officers ever approached</p> <p>11 you or asked you about the reasons that you have</p> <p>12 been placed on administrative duty?</p> <p>13 A I can't recall if that's happened at this</p> <p>14 time.</p> <p>15 Q So it may have happened?</p> <p>16 A It is possible.</p> <p>17 Q Outside of your conversation with Captain</p> <p>18 Moore where you asked why, have you ever complained</p> <p>19 or protested your placement on administrative duty?</p> <p>20 MR. ZECCHIN: I am going to object to the</p> <p>21 form.</p> <p>22 You can answer, if you understand the</p> <p>23 question.</p> <p>24 A I don't understand "complain" or "protest."</p>
<p>18</p> <p>1 and then names that I have heard, and I haven't</p> <p>2 been given an official list of people that have</p> <p>3 been -- but I know different ones.</p> <p>4 Q Okay. Tell me the ones you do know.</p> <p>5 A Officer Doug Nichols. Officer Manuel</p> <p>6 Leano. Officer Brian Bolton. Officer Gerome</p> <p>7 Summers. Officer Darryl Edwards. Officer Elsworth</p> <p>8 Smith. Right now, that is what I can recall.</p> <p>9 Q Are any of the officers that you just</p> <p>10 mentioned assigned to the 2nd District?</p> <p>11 A Officer Nichols, Officer Leano, and Officer</p> <p>12 Edwards, and Officer Smith. I don't know their</p> <p>13 actual assignment, but they are in the 2nd</p> <p>14 District. I don't know if they are under a detail</p> <p>15 status or not, but they are in the 2nd District.</p> <p>16 Q Tell me what you mean by detail status,</p> <p>17 please.</p> <p>18 A Sometimes you can be detailed out and not</p> <p>19 be assigned to a district. So I don't know if</p> <p>20 their previous assignment was a detail, and then</p> <p>21 they were working in the 2nd District.</p> <p>22 Q Have you ever had any conversations with</p> <p>23 any of the officers that you just listed about the</p> <p>24 fact that you have been placed on administrative</p>	<p>20</p> <p>1 Q Okay. You understand -- let's just take it</p> <p>2 one at time.</p> <p>3 You understand what it is to complain about</p> <p>4 a work condition, right?</p> <p>5 A Yes, I do.</p> <p>6 Q Okay. Have you ever complained about being</p> <p>7 placed on administrative duty?</p> <p>8 A Not to anyone verbally, no.</p> <p>9 Q Okay. Have you ever complained in any</p> <p>10 manner?</p> <p>11 A To myself.</p> <p>12 Q Okay. Outside of your own thoughts about</p> <p>13 it, have you ever complained?</p> <p>14 A Like in an official capacity, I have not.</p> <p>15 Q Okay. What about in an unofficial</p> <p>16 capacity?</p> <p>17 A I don't understand the question. Like</p> <p>18 outspoken to people, or I don't understand.</p> <p>19 Q Well, you said you haven't complained in an</p> <p>20 official capacity?</p> <p>21 A Right. Like I haven't officially</p> <p>22 complained or anything to the police department</p> <p>23 about my duty status, so.</p> <p>24 Q Okay.</p>

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6 (21 to 24)

21	<p>1 A Outside of that, I wouldn't have done</p> <p>2 anything like that, in any other form.</p> <p>3 Q Okay.</p> <p>4 A Outside of complaining to myself or --</p> <p>5 Q Okay.</p> <p>6 A -- feeling the emotional impact or what's</p> <p>7 occurred.</p> <p>8 Q Okay. So you've never complained to</p> <p>9 another person about it?</p> <p>10 A No. No.</p> <p>11 Q Sorry, I think I asked a bad question.</p> <p>12 Am I correct that you have never complained</p> <p>13 to another person about it?</p> <p>14 A Not that I can recall at this time, I don't</p> <p>15 believe that I have.</p> <p>16 Q Okay. And have you -- strike that, please.</p> <p>17 Prior to being placed on administrative</p> <p>18 duty, what was your assignment for CPD?</p> <p>19 A I was in the tactical unit for the 2nd</p> <p>20 District.</p> <p>21 Q And what was the time frame that you were</p> <p>22 assigned to the tactical unit in the 2nd District?</p> <p>23 A Since 2004, approximately.</p> <p>24 Q So was it fair to say that you were</p>	23	<p>1 of your team after Sergeant Huffman?</p> <p>2 A The most recent that I can remember would</p> <p>3 be Sergeant Gochi.</p> <p>4 Q How do you spell that last name?</p> <p>5 A "G" as in George, Ocean, Charlie, Henry,</p> <p>6 Ida. I believe that's how it's spelled.</p> <p>7 Q Okay. Other than Sergeant Huffman and</p> <p>8 Sergeant Gochi, do you remember any other sergeants</p> <p>9 that you reported to in the time period after Watts</p> <p>10 left the team?</p> <p>11 A I don't recall any other supervisors at</p> <p>12 this time.</p> <p>13 Q Okay. During the 2012 to 2017 time period,</p> <p>14 what shift did you work?</p> <p>15 A We were -- we would change our hours. So</p> <p>16 we would rotate from days to afternoons.</p> <p>17 Q And what were the hours if you were on</p> <p>18 days?</p> <p>19 A It varied anywhere between 0800 starts to</p> <p>20 0900 starts on days, to 1700, which is 5:00 to</p> <p>21 1800, 6:00, on afternoons. And then periodically</p> <p>22 we would get changed depending on departmental</p> <p>23 orders.</p> <p>24 Q I'm sorry, can you tell me the start time</p>
22	<p>1 assigned to the tactical unit in the 2nd District</p> <p>2 from 2004 to 2017?</p> <p>3 A That's an approximation, yes.</p> <p>4 Q What were your duties when you were</p> <p>5 assigned to the tactical unit in the 2nd District?</p> <p>6 A Chicago police officer, just mostly in</p> <p>7 civilian attire, but in the -- under the tactical</p> <p>8 unit.</p> <p>9 Q Okay. During the time period that you were</p> <p>10 assigned to the tactical unit after Sergeant Watts</p> <p>11 left, so I think this period of time would be</p> <p>12 approximately 2012 to 2017?</p> <p>13 A Uh-huh.</p> <p>14 Q Were you on a particular team?</p> <p>15 A Yes.</p> <p>16 Q Okay. Who was the sergeant of that team?</p> <p>17 A I think my first -- the first sergeant that</p> <p>18 I had after Mr. Watts was arrested was -- or was</p> <p>19 Sergeant Huffman. Sharon Huffman.</p> <p>20 Q For what period of time was Sergeant</p> <p>21 Huffman your sergeant?</p> <p>22 A I don't recall exactly how long. Maybe a</p> <p>23 few years, couple years.</p> <p>24 Q Did you have a sergeant who was in charge</p>	24	<p>1 when you were on afternoons?</p> <p>2 A 5:00 p.m. or 6:00 p.m., were mainly the</p> <p>3 start times.</p> <p>4 Q During the period of time that you were</p> <p>5 assigned to the 2nd District tactical unit, so 2004</p> <p>6 to 2017, were your responsibilities as a tactical</p> <p>7 officer consistent throughout that time?</p> <p>8 A Yes, I would say so, yes.</p> <p>9 Q And prior to being assigned to the 2nd</p> <p>10 District tactical team, what was your assignment?</p> <p>11 A I was in the public housing unit.</p> <p>12 Q And what was the time period when you were</p> <p>13 assigned to the public housing unit?</p> <p>14 A I believe it was in 1999 to 2000 to '04.</p> <p>15 Q Who was the sergeant that you were reported</p> <p>16 to during that time period?</p> <p>17 A In '99 to 2000, I had -- there were</p> <p>18 different supervisors I believe that I had. I</p> <p>19 can't recall their names. And then later on I was</p> <p>20 assigned to work for Ronald Watts.</p> <p>21 Q Is it fair to say that Watts was your</p> <p>22 supervisor from approximately 2000 to 2012?</p> <p>23 A Yes, around that time period, yes,</p> <p>24 approximately.</p>

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7 (25 to 28)

25	<p>1 Q At some point was the public housing unit</p> <p>2 disbanded?</p> <p>3 A Yeah, they were -- it was changed into a</p> <p>4 pilot program.</p> <p>5 Q And what was the pilot program?</p> <p>6 A They would just patrol the areas of the</p> <p>7 public housing units by districts as opposed to in</p> <p>8 one unit, is my understanding.</p> <p>9 Q And where were you assigned to patrol when</p> <p>10 you were part of the public housing unit?</p> <p>11 A Any areas that were considered CHA</p> <p>12 controlled areas. We would get changed to</p> <p>13 different parts throughout the city.</p> <p>14 Q Okay. And then when you became part of the</p> <p>15 2nd District tactical team, what public housing did</p> <p>16 you patrol?</p> <p>17 A Mostly the Ida B. Wells, Washington Park</p> <p>18 Homes. There were some still remnants of State</p> <p>19 Street early on, on Cottage. Anywhere in the 2nd</p> <p>20 District that was CHA controlled was our primary</p> <p>21 responsibility.</p> <p>22 Q Okay. Did you spend more time in Ida B.</p> <p>23 Wells than the other areas that you mentioned?</p> <p>24 A I don't know if I did. Certain -- maybe at</p>	27
26	<p>1 certain time periods more focused on there, but</p> <p>2 early on there were a lot of other CHA buildings</p> <p>3 there that had a lot of activity.</p> <p>4 Q Were there other tactical teams within the</p> <p>5 2nd District besides the one that you were on that</p> <p>6 had the responsibility of patrolling public housing</p> <p>7 units within the 2nd District?</p> <p>8 A I believe maybe there was one other team or</p> <p>9 two other teams. I can't remember exactly how many</p> <p>10 other teams that had been assigned there from the</p> <p>11 housing unit.</p> <p>12 Q Okay. But you believe there was at least</p> <p>13 one other TAC team?</p> <p>14 A I think there was. I don't know --</p> <p>15 Q Okay.</p> <p>16 A -- if there was.</p> <p>17 Q Do you know who the sergeant of that TAC</p> <p>18 team was?</p> <p>19 A No, I do not. I don't recall at this time.</p> <p>20 Q Do you know -- well, did that tactical team</p> <p>21 have the same areas to patrol that your team did?</p> <p>22 A If they came over from public housing and</p> <p>23 they were assigned and they were part of that pilot</p> <p>24 program, then they would have had the same</p>	28
	<p>1 responsibilities as us, yes.</p> <p>2 Q Okay. So moving forward in time, so not</p> <p>3 right when it switched from public housing unit to</p> <p>4 TAC team, but going forward throughout the rest of</p> <p>5 the time that you were assigned to the tactical</p> <p>6 team in the 2nd District, were there other tactical</p> <p>7 teams with the responsibility of patrolling the</p> <p>8 public housing units within the 2nd District?</p> <p>9 A It would have been any of the -- any of the</p> <p>10 tactical teams that we had in the office. Gang</p> <p>11 teams and patrol units as well. It was all part of</p> <p>12 the 2nd District, so they would have all been</p> <p>13 patrolling those areas as well.</p> <p>14 Q And did the tactical team that you were</p> <p>15 part of in the 2nd District have a specific subject</p> <p>16 that you were dedicated to? For example, you</p> <p>17 mentioned there were gang teams. Did you have a</p> <p>18 specific focus for your tactical team?</p> <p>19 A I don't know if it was outlined, but</p> <p>20 whatever the more prevalent criminal activities</p> <p>21 that were the issues at the time for the 2nd</p> <p>22 District was what we focused on.</p> <p>23 Q During your time assigned to the tactical</p> <p>24 team in the 2nd District, would you say that most</p>	

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8 (29 to 32)

<p style="text-align: right;">29</p> <p>1 you can focus on other things, yes. So I don't</p> <p>2 know if that falls under proactive, but.</p> <p>3 Q Did you ask to be assigned to public</p> <p>4 housing in the 2nd District?</p> <p>5 A No, I was transferred over from the public</p> <p>6 housing unit over to the 2nd District.</p> <p>7 Q And prior to your time working in the</p> <p>8 public housing in the 2nd District, what was your</p> <p>9 assignment?</p> <p>10 A I was in the 22nd District.</p> <p>11 Q And what was your role in the 22nd</p> <p>12 District?</p> <p>13 A Police officer there. Same.</p> <p>14 Q Where -- what were your responsibilities?</p> <p>15 Was it patrol or TAC team or something else?</p> <p>16 A It was like a year and a half I was</p> <p>17 assigned there after the academy time there where I</p> <p>18 did part of my probationary period there.</p> <p>19 Q And so during that time period, were you</p> <p>20 assigned to patrol?</p> <p>21 A Yes, I was under watch, different watches.</p> <p>22 Q Did you request to leave the 22nd District?</p> <p>23 A Yes, I put in a request to go to the public</p> <p>24 housing unit.</p> <p style="text-align: right;">30</p>	<p style="text-align: right;">31</p> <p>1 did you ever make a request to leave the 2nd</p> <p>2 District?</p> <p>3 A I don't know if I ever put in any -- what</p> <p>4 they call par forms. So I don't know if I did to</p> <p>5 go to maybe a different area. I don't remember.</p> <p>6 It is possible and I didn't make the cut for it.</p> <p>7 But I don't recall doing that, no.</p> <p>8 Q Okay. Putting aside whether or not you</p> <p>9 made a request, did you ever want to leave the 2nd</p> <p>10 District to go work somewhere else?</p> <p>11 A No. I don't believe that I ever had the</p> <p>12 feeling of wanting to get to leave, unless it would</p> <p>13 be in an area where I thought I could -- thought</p> <p>14 it'd be better for me.</p> <p>15 Q Were there times when you thought there was</p> <p>16 another area that would be better for you?</p> <p>17 A Sure. I would have liked to have gone to</p> <p>18 the airport unit or any other areas that would have</p> <p>19 been just a little bit closer to home.</p> <p>20 Q Other than wanting to be closer to home,</p> <p>21 are there any other reasons that you wanted to</p> <p>22 leave the 2nd District?</p> <p>23 A No. Not that I can remember.</p> <p>24 Q Did you ever request a change in your</p> <p style="text-align: right;">32</p>
<p>1 Q And why did you want to go to the public</p> <p>2 housing unit?</p> <p>3 A At the time it was just I wanted to learn a</p> <p>4 little bit more.</p> <p>5 Q And --</p> <p>6 A I wanted to be in a busier area.</p> <p>7 Q Sorry. Didn't mean to talk over you.</p> <p>8 What was it that you were interested in</p> <p>9 learning in the public housing unit?</p> <p>10 A Anything I could about policing.</p> <p>11 Q When you requested to go to the public</p> <p>12 housing unit, did you know anyone who was assigned</p> <p>13 to the public housing unit at that time?</p> <p>14 A No, I don't believe that I did. I don't</p> <p>15 recall if I did at that time.</p> <p>16 Q During the time that you were assigned to</p> <p>17 the 2nd District either in the public housing unit</p> <p>18 or on the TAC team, did you ever request to leave</p> <p>19 the 2nd District?</p> <p>20 A I am not understanding the question. Can</p> <p>21 you repeat it. I'm sorry.</p> <p>22 Q Sure.</p> <p>23 During the time period 1999 or 2000 until</p> <p>24 2017 when you were placed on administrative duty,</p>	<p>1 duties within the 2nd District? So staying</p> <p>2 assigned there, but doing something different. Did</p> <p>3 you ever make a request like that?</p> <p>4 A As far as? I don't understand.</p> <p>5 Q Any request to change what your assignment</p> <p>6 was?</p> <p>7 A I don't recall making any requests.</p> <p>8 Q Okay.</p> <p>9 A To change my status.</p> <p>10 Q Okay. You mentioned earlier that you were</p> <p>11 assigned to the 22nd District after the academy.</p> <p>12 So when did you complete the academy?</p> <p>13 A I believe it was -- I want to say maybe</p> <p>14 June of -- well, my academy entry point was</p> <p>15 December 14 -- or 1998. But I don't know if that's</p> <p>16 when I started the academy or that's when I started</p> <p>17 my probationary period, I can't remember. But my</p> <p>18 start date is officially December 14, 1998.</p> <p>19 Q Your start date for starting with the</p> <p>20 Chicago Police Department?</p> <p>21 A Yes. As being employed, yes.</p> <p>22 Q Okay. When you were in the academy, did</p> <p>23 you receive any training about what different</p> <p>24 tactical units did or what units in public housing</p>

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9 (33 to 36)

<p>33</p> <p>1 were assigned to do?</p> <p>2 A I don't recall any specific training for</p> <p>3 tactical units or public housing units.</p> <p>4 Q Other than believing that the public</p> <p>5 housing unit would be busier than your assignments</p> <p>6 in the 22nd District, was there anything else about</p> <p>7 working in public housing that you were interested</p> <p>8 in?</p> <p>9 A No. I just wanted to learn as much as I</p> <p>10 could and get as much experience as I possibly --</p> <p>11 as much as I could.</p> <p>12 Q What types of skills were you hoping to</p> <p>13 learn in the public housing unit?</p> <p>14 A Well, at the time I really didn't know -- I</p> <p>15 didn't have a well rounded opportunity to see</p> <p>16 different types of jobs and things, so I wanted to</p> <p>17 just be exposed to as much -- as much activity or</p> <p>18 jobs as I possibly could so I could learn.</p> <p>19 Q Were there more arrests, typically, when</p> <p>20 you're on a tactical team than if you are working</p> <p>21 patrol?</p> <p>22 A I don't know. I don't know what the</p> <p>23 statistics bear out. There could be times when</p> <p>24 there's patrol officers that make more arrests than</p>	<p>35</p> <p>1 either Vincennes or Ash -- Halsted. I can't</p> <p>2 remember. I think it was Halsted.</p> <p>3 Q When you were at the Chicago police</p> <p>4 academy, did you receive training on police report</p> <p>5 writing?</p> <p>6 A I believe that I did, yes.</p> <p>7 Q And what did that training consist of?</p> <p>8 A How to document reports, various different</p> <p>9 types of reports.</p> <p>10 Q And what were the various types of reports</p> <p>11 that you were trained on?</p> <p>12 A I don't recall at this time, the types. I</p> <p>13 think mostly general offense case reports.</p> <p>14 Everything was on paper back then.</p> <p>15 Q And were you given some training about what</p> <p>16 information should be included in the narrative</p> <p>17 section of the police reports?</p> <p>18 A I believe, yes, I was.</p> <p>19 Q Okay. What were you trained should be</p> <p>20 included in the narrative portion of the report?</p> <p>21 A I can recall just being trained to write</p> <p>22 out a summation of the facts of the incidents that</p> <p>23 you were involved in or observed for the general</p> <p>24 offense case reports. For arrest reports it was</p>
<p>34</p> <p>1 TAC officers. I don't know. I don't know how</p> <p>2 those statistics bear out.</p> <p>3 Q Okay. Putting aside statistics, what was</p> <p>4 your reason for your belief that it would be busier</p> <p>5 on the TAC team than public housing unit?</p> <p>6 A Well, I believe there was more criminal</p> <p>7 activity in that area, so, therefore, I believed</p> <p>8 that I would be able to be exposed to more</p> <p>9 opportunities to learn.</p> <p>10 Q When you were assigned to the 22nd</p> <p>11 District, I don't know if the boundaries have</p> <p>12 changed, but at that time, where in the city was</p> <p>13 the 22nd District?</p> <p>14 A Southwest side of the city.</p> <p>15 Q And what neighborhoods would it encompass?</p> <p>16 A It would be from -- well, it would be the</p> <p>17 Mount Greenwood area, and then I don't know the</p> <p>18 other names of the neighborhoods.</p> <p>19 Q Do you know --</p> <p>20 A Cragin, maybe. I don't know.</p> <p>21 Q Do you know what the geographic boundaries</p> <p>22 of that district were?</p> <p>23 A At the time I recall it to be 87th to 111th</p> <p>24 or 115th, Pulaski to -- I believe the cutoff was</p>	<p>36</p> <p>1 establishing probable cause.</p> <p>2 Q And what were you taught you needed to</p> <p>3 include in the arrest reports to establish probable</p> <p>4 cause?</p> <p>5 MR. KOSOKO: I am going to object to the</p> <p>6 form of the question.</p> <p>7 MS. KLEINHAUS: Go ahead.</p> <p>8 A I'm sorry, can you repeat it, please.</p> <p>9 Q Sure.</p> <p>10 What were you taught you needed to include</p> <p>11 in the narrative section of the arrest reports for</p> <p>12 probable cause?</p> <p>13 A The elements of the offense that the person</p> <p>14 was being arrested for.</p> <p>15 Q Were you trained at the academy on how to</p> <p>16 complete the vice case report?</p> <p>17 A I don't have any recollection of being</p> <p>18 trained, but I believe that that would have been</p> <p>19 part of it, but I can't remember. I just remember</p> <p>20 the general offense case report.</p> <p>21 Q For the general offense case report, were</p> <p>22 you trained on which officer should complete the</p> <p>23 narrative portion of that report?</p> <p>24 A I don't remember if there -- I don't</p>

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10 (37 to 40)

<p style="text-align: right;">37</p> <p>1 remember if they gave like a specific person, but, 2 I mean, it would be whoever -- it is whoever has 3 decided to write out the report. Depends on the 4 circumstances, I think. 5 Q Sure. 6 Were you ever told that it should be the 7 person who had the most knowledge of the facts of 8 what happened? 9 A I don't recall if that's how it was put, 10 but that would be one part of an aspect of it. I 11 think it would be part of it, yes. 12 Q Even if that wasn't something that you 13 recall being told in the academy, at some point it 14 was explained to you that the person writing it up 15 should be the person who knows the facts, right? 16 A I don't recall anybody putting it in that 17 fashion, that only that person would be allowed to 18 fill out a case report. 19 Q Could someone who didn't have knowledge of 20 the fact complete the general offense report? 21 A As part of the narrative? I don't believe 22 that that's the case, but maybe headings or other 23 nonfactors in the case report would be. Maybe it 24 is part of the assisting process.</p>	<p style="text-align: right;">39</p> <p>1 A During processing. 2 Q Okay. 3 A Variety of different ways. 4 Q So other than an undercover officer, what 5 are the other factors that it depends on to decide 6 who can sign off on the reports? 7 A The size of the arrest, maybe there's 8 multiple processing, maybe an injury issue with the 9 officer. 10 Q Okay. So taking the first one of those 11 two, the size would be -- 12 A We are talking about like the generalities 13 of the report, correct? Not the actual narrative? 14 Are you referring to the narrative? 15 Q Yes. 16 A I'm not referring to the narrative. 17 Q Who can sign off on the report? 18 A Whoever completes the report would 19 generally be the person to sign off on, unless 20 there's factors that I can't think of right now, 21 unless it would be factors of those people not 22 being able to sign them. 23 Q Okay. So is it fair to say that the person 24 who writes the narrative should be the person who</p>
<p style="text-align: right;">38</p> <p>1 Q And what headings are you referring to? 2 A Well, just generalities, general -- general 3 information that would be part of an incident. 4 THE COURT REPORTER: Part of? 5 THE WITNESS: Part of an incident. I'm 6 sorry. 7 Q Okay. So someone assisting could fill out 8 the generalities? 9 A I don't think I have been told that wasn't 10 something you can do, no. 11 Q Okay. So what were you told about who 12 should write the narrative? 13 A I don't recall being specifically told who 14 should write the narrative at this time. 15 Q Okay. Was the person who writes the 16 narrative the person who signs off on the report? 17 A It depends on the situation. 18 Q What does it depend on? 19 A Well, if in the cases of -- in the cases of 20 undercover officers sometimes, they may not have 21 the ability to fill out the entire case report. 22 Q Okay. And why not? 23 A To keep their identity concealed. 24 Q Okay.</p>	<p style="text-align: right;">40</p> <p>1 signs off on it? 2 A I don't know about should. I am not -- 3 should? Generally, that's the case, but there 4 could be times, maybe, when that wouldn't be the 5 case. 6 Q Tell me those times. 7 A Again, I just said, like outside factors I 8 can't really think of, maybe injuries or undercover 9 officers or maybe their inability to sign off on 10 the case report, but most of the time you would 11 sign off on it, yes. 12 Q Did you ever write up a narrative for a 13 report and have someone else sign it? 14 A Sign my -- sign my name or sign their name 15 to it? 16 Q Let's start with sign their name. 17 A Because I'm still a little confused about 18 the question. 19 Q Okay. What's confusing about the question? 20 MR. ZECCHIN: Objection to the form. 21 Argumentative. 22 A I'm just confused about you -- we were 23 talking about generalities, and now you are 24 focusing on the narrative summary. I am just still</p>

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11 (41 to 44)

<p style="text-align: right;">41</p> <p>1 a little confused about what we're talking about</p> <p>2 here.</p> <p>3 Q You said there's no should on who can sign</p> <p>4 off on a report. You can imagine circumstances</p> <p>5 where someone else might sign off on a report. So</p> <p>6 let's focus on you.</p> <p>7 A Okay.</p> <p>8 Q Did you ever write the narrative of a</p> <p>9 report and have someone else sign off on it?</p> <p>10 A At this time, I don't recall if that</p> <p>11 would -- that's something that I ever did.</p> <p>12 Q You don't know either way?</p> <p>13 A I can't recall at this time.</p> <p>14 Q Okay. Did you ever have occasion where</p> <p>15 someone else wrote up the narrative of a report and</p> <p>16 you signed your name?</p> <p>17 A The narrative of a report? I -- I don't</p> <p>18 believe that's the case, no.</p> <p>19 Q And why wouldn't you do that?</p> <p>20 A If it was my arrest of the incident that I</p> <p>21 was involved in, generally, I would have written</p> <p>22 the narrative of the case report.</p> <p>23 Q And why would it be important for you to</p> <p>24 write the narrative of the case report if it is</p>	<p style="text-align: right;">43</p> <p>1 Q Go ahead.</p> <p>2 A Can you repeat the question, please.</p> <p>3 MS. KLEINHAUS: Can you read it back.</p> <p>4 (WHEREUPON, the record was read by the</p> <p>5 reporter, as requested.)</p> <p>6 A Yes. Generally, that would -- is something</p> <p>7 I would do.</p> <p>8 Q And why, generally, if you are the</p> <p>9 reporting officer and it is your arrest, would you</p> <p>10 be the one to write the narrative?</p> <p>11 A Again, it would be my responsibility.</p> <p>12 Q And would it be your responsibility because</p> <p>13 you are the one who observed the activities</p> <p>14 described in the narrative?</p> <p>15 A It would --</p> <p>16 MR. KOSOKO: I am going to object to the</p> <p>17 form again.</p> <p>18 Q Go ahead.</p> <p>19 A It would be my responsibility.</p> <p>20 Q Why?</p> <p>21 A If I am the reporting officer, that's my</p> <p>22 assignment. That's my assignment would be to -- to</p> <p>23 fill out the report. That would be my</p> <p>24 responsibility as the arresting officer, the</p>
<p style="text-align: right;">42</p> <p>1 your arrest?</p> <p>2 A It's -- would be -- it would be my</p> <p>3 responsibility as the officer.</p> <p>4 Q And when you say "as the officer," do you</p> <p>5 mean as the arresting officer?</p> <p>6 A Or the reporting officer.</p> <p>7 Q Okay. What's the distinction between those</p> <p>8 two?</p> <p>9 A The arresting officer -- to my</p> <p>10 understanding, the arresting officer is the person</p> <p>11 who has physical custody of the person after</p> <p>12 they've committed an offense.</p> <p>13 Q And what about the reporting officer?</p> <p>14 A Generally, the reporting officer is a</p> <p>15 person creating the report, whether it is a general</p> <p>16 offense case report or whatever report is being</p> <p>17 documented.</p> <p>18 Q So if it is your arrest, you would be the</p> <p>19 reporting officer and you would write the</p> <p>20 narrative?</p> <p>21 MR. KOSOKO: I am going to object to the</p> <p>22 form of the question.</p> <p>23 MR. MICHALIK: Join.</p> <p>24 MR. ZECCHIN: Join.</p>	<p style="text-align: right;">44</p> <p>1 reporting officers, to fill out the report.</p> <p>2 Q If there are multiple officers present for</p> <p>3 an arrest, how do you decide who's going to be the</p> <p>4 reporting officer?</p> <p>5 A Depends on the circumstances, but,</p> <p>6 generally, generally would be person who has the</p> <p>7 most information, but there could be other officers</p> <p>8 that have other contributing factors for that on</p> <p>9 the case report. Depends how the incident plays</p> <p>10 out.</p> <p>11 Q And tell me what you mean by that, there</p> <p>12 might be other officers who have contributing</p> <p>13 factors?</p> <p>14 A Right. Some officers might have observed</p> <p>15 one thing and other officers observed another.</p> <p>16 Q Is it the responsibility of the reporting</p> <p>17 officer to summarize the observations of the other</p> <p>18 officers in the narrative section?</p> <p>19 A The reporting officer would try to gather a</p> <p>20 summation of the facts of the incident and try to</p> <p>21 put his -- as much as he could, he or she could</p> <p>22 into the narrative.</p> <p>23 Q Were you trained that prosecutors would be</p> <p>24 relying on the narrative section of the reports</p>

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12 (45 to 48)

<p style="text-align: right;">45</p> <p>1 that you wrote?</p> <p>2 A I believe it was a combination of the</p> <p>3 reports, evidence, reports and evidence,</p> <p>4 inventories, things like that. Things of that</p> <p>5 nature.</p> <p>6 Q Sure.</p> <p>7 So they might have been relying on more</p> <p>8 than just your reports, but at a minimum you knew</p> <p>9 that prosecutors were relying on the narrative you</p> <p>10 wrote up in your reports?</p> <p>11 A They would -- from my recollection, I</p> <p>12 remember them relying on the arrest reports and</p> <p>13 case reports, yes.</p> <p>14 Q And that was something you were trained on,</p> <p>15 right?</p> <p>16 A I don't recall the specific training on it,</p> <p>17 but it was something that I learned to do so I</p> <p>18 believe I was trained. I just don't recall the</p> <p>19 exact training on it.</p> <p>20 Q Were you provided some training on what it</p> <p>21 means to sign a report as the attesting officer?</p> <p>22 A During what time period?</p> <p>23 Q Well, were you ever trained on that?</p> <p>24 A I believe when we transferred over to the</p>	<p style="text-align: right;">47</p> <p>1 required to complete police reports?</p> <p>2 A Yes.</p> <p>3 Q And did someone review your reports and</p> <p>4 give you feedback on them?</p> <p>5 A I had an FTO at the time, during that time</p> <p>6 period, and so if there was any feedback, I believe</p> <p>7 that that's where it would come from.</p> <p>8 Q Do you recall getting any feedback about</p> <p>9 the police reports that you were writing when you</p> <p>10 were assigned to the 22nd District?</p> <p>11 A At this time, I don't recall any specific</p> <p>12 types of feedback.</p> <p>13 Q Okay. During the time that you were</p> <p>14 assigned to the 2nd District, either in the public</p> <p>15 housing unit or on the tactical team, did you ever</p> <p>16 author a report and have it sent back to you for</p> <p>17 changes to be made?</p> <p>18 A I don't recall any specific time. It is</p> <p>19 possible for administrative issues or spelling</p> <p>20 errors, things like that. Grammar.</p> <p>21 Q Okay. I know what spelling and grammar</p> <p>22 are, but what would be the administrative issues</p> <p>23 that would cause a report to be sent back to you?</p> <p>24 A Maybe something wasn't filled in, needed to</p>
<p style="text-align: right;">46</p> <p>1 computer system, I can't remember how extensive our</p> <p>2 training was for that.</p> <p>3 Q Prior to transferring over to the computer</p> <p>4 system, were you told that when you were signing as</p> <p>5 an attesting officer you are signing under the</p> <p>6 penalty of perjury?</p> <p>7 MR. KOSOKO: Objection to the form of the</p> <p>8 question.</p> <p>9 MR. ZECCHIN: Join.</p> <p>10 MR. MICHALIK: Join.</p> <p>11 A I believe that's the case, yes.</p> <p>12 Q You knew that since the academy, right?</p> <p>13 A To not lie on reports? Yes.</p> <p>14 Q During the time period that you were on</p> <p>15 probation in the 22nd District, were you required</p> <p>16 to practice the skill of writing police reports?</p> <p>17 MR. MICHALIK: Object to the form of the</p> <p>18 question. On probation.</p> <p>19 MR. ZECCHIN: I'll join in that.</p> <p>20 Q Maybe I used the wrong word. There's a</p> <p>21 period of time when you're being trained by a field</p> <p>22 training officer, correct?</p> <p>23 A Yes.</p> <p>24 Q Okay. During that time period, were you</p>	<p style="text-align: right;">48</p> <p>1 be filled in.</p> <p>2 Q Was there a report ever sent back to you</p> <p>3 when you were assigned the public housing unit or</p> <p>4 the tactical team at the 2nd District because it</p> <p>5 was inaccurate?</p> <p>6 A I don't recall at this time whether that's</p> <p>7 something that happened.</p> <p>8 Q Did you ever have a report sent back to you</p> <p>9 at the 2nd District because it wasn't detailed</p> <p>10 enough, or it was incomplete?</p> <p>11 A I don't recall anything specific, but it's</p> <p>12 possible. I don't recall at this time anything</p> <p>13 specific, as far as reports.</p> <p>14 Q By the time that you left the 22nd District</p> <p>15 and you came over to the 2nd District to join the</p> <p>16 public housing unit, did you feel that you had</p> <p>17 received sufficient training on police report</p> <p>18 writing that you knew what was expected of you and</p> <p>19 how to do it?</p> <p>20 A Well, by the time I had gotten to the</p> <p>21 public housing unit, and maybe had two and a half</p> <p>22 years or three years, is that what you are asking,</p> <p>23 at that time frame?</p> <p>24 Q The question is a little different. By the</p>

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13 (49 to 52)

<p style="text-align: right;">49</p> <p>1 time you got to the 2nd District after two and a 2 half or three years on the police force, did you 3 feel you had had adequate training on police report 4 writing, you knew what was expected of you, you 5 knew how to do it? 6 A You mean after being in public housing, 7 transferring over to the 2nd District, or from 8 22nd -- from the 22nd -- what time frame? 9 Q When you left 22nd District. 10 A I had two and a half to three years, so I 11 am not sure if I was confident -- that confident, 12 but I believed in my abilities at the time, I 13 think. 14 Q Did you ever request additional training on 15 police report writing? 16 A Request? No, I don't believe that's 17 something I did. I don't remember. It is 18 possible. 19 Q When you came over to the public housing 20 unit in 1999 or 2000, you were reporting to 21 Sergeant Watts, correct? 22 A Not initially, no. 23 Q Okay. Who were you initially reporting to? 24 A I believe that it was a Sergeant Bennett</p>	<p style="text-align: right;">51</p> <p>1 A I don't recall. I don't recall any 2 training like that. I mean, we went through the 3 court system process and the procedures, but I 4 don't remember specific -- anything specific about 5 testifying or preparing. 6 Q Okay. And in the course of your time at 7 the 2nd District, there were occasions when you 8 testified in court, correct? 9 A Yes, ma'am. 10 Q And how would you prepare to testify in 11 court? 12 A Maybe reviewing the case report, 13 inventories, the best that I could recall from my 14 memory, of whatever incident that I was asked to 15 testify for. 16 Q Would you typically prepare with the 17 prosecutor in advance of your testimony? 18 A Sometimes yes, sometimes no. For 19 preliminary hearings, it may be a brief meeting 20 with the counsels, and then trials would be a 21 little bit more extensive because of their -- 22 because of the need for more information. 23 Q And when you had prepared to testify for 24 hearings or trials, when you would prepare with the</p>
<p style="text-align: right;">50</p> <p>1 was my first. 2 Q What's Sergeant Bennett's first name, 3 please? 4 A I don't remember his first name. 5 Q Can you describe him? 6 A In what fashion, ma'am? Physical? 7 Q What did he look like? 8 A Physical description? 9 He's a male, male white. I don't know how 10 old he was at the time. 11 Q Okay. During your time working for the 12 Chicago Police Department, have there been 13 supervisors that you could have asked if you had 14 questions on police report writing? 15 A I am sure that there were supervisors, yes, 16 that I could have asked for assistance in something 17 I may not have been confident in, yes. 18 Q When you were at the Chicago police 19 academy, did you receive any training on how to 20 testify in court? 21 A No, I don't believe we received training on 22 testifying. 23 Q Okay. Did you receive any training on 24 preparing for court?</p>	<p style="text-align: right;">52</p> <p>1 prosecutor, would other police officers also be 2 present? 3 A In preliminary hearings? Or in court -- or 4 in actual trial hearings? 5 Q I guess let's -- putting aside preliminary 6 hearing, but, for example, preparing for a motion 7 to suppress or a trial, when you would prepare with 8 the prosecutor, would other police officers be 9 present? 10 MR. KOSOKO: I am going to object just to 11 the form. 12 MR. RAVITZ: Join. 13 A Can you repeat the question. Sorry. 14 MS. KLEINHAUS: Can you read it back. 15 (WHEREUPON, the record was read by the 16 reporter, as requested.) 17 A It depends on the case, if other police 18 officers were involved. 19 Q So is it fair to say sometimes other 20 officers would be present for the prep session? 21 A Yes, at certain times, yes, sometimes, 22 depending on what information they had for the 23 attorneys. 24 Q Were there occasions when prosecutors would</p>

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14 (53 to 56)

53	<p>1 ask to have all the officers listed on a set of</p> <p>2 reports for a particular arrest, have everybody</p> <p>3 come in together to discuss what happened in that</p> <p>4 arrest?</p> <p>5 A I don't know how attorneys request</p> <p>6 officers. We would just be requested. I don't</p> <p>7 know what -- how they determined who to request.</p> <p>8 We'd just get subpoenaed.</p> <p>9 Q Okay. And when you got subpoenaed, were</p> <p>10 there occasions when every other officer on the</p> <p>11 reports was also subpoenaed?</p> <p>12 MR. ZECCHIN: Objection. Foundation, from</p> <p>13 this witness.</p> <p>14 Q Go ahead.</p> <p>15 A Sometimes. I don't know. Sometimes they</p> <p>16 might have. Through the court notification system,</p> <p>17 maybe an officer doesn't get called or doesn't show</p> <p>18 up, or I don't know. It would have been -- I don't</p> <p>19 know how they determine who gets called, how they</p> <p>20 make their assessment.</p> <p>21 Q Sure.</p> <p>22 Putting aside how you think they make their</p> <p>23 assessments, were there occasions when you would</p> <p>24 respond to a subpoena and show up, and the other</p>	55	<p>1 team that you were assigned to from 2000 to 2012,</p> <p>2 okay?</p> <p>3 A Yes.</p> <p>4 Q Okay. So with that understanding in place,</p> <p>5 was there ever a time that you were subpoenaed by a</p> <p>6 prosecutor and you show up and the other members of</p> <p>7 the team that you were assigned to were also</p> <p>8 present?</p> <p>9 MR. KOSOKO: I'm going to object to the</p> <p>10 form.</p> <p>11 A Yes. It is possible we were all subpoenaed</p> <p>12 or got notified for court on different cases, but I</p> <p>13 don't -- we had different team members at different</p> <p>14 times throughout that time. So when you say Watts'</p> <p>15 team, I don't exactly know exactly who you are</p> <p>16 referring to besides me and sergeant -- and Ronald</p> <p>17 Watts.</p> <p>18 Q I am referring to all the different people</p> <p>19 who worked with you on that team that you worked on</p> <p>20 from 2000 to 2012.</p> <p>21 A So during that time period, there probably</p> <p>22 was not that time when we would have an arrest</p> <p>23 situation and we would get notified. Different</p> <p>24 team members would get notified.</p>
54	<p>1 members of the Watts team were also there and had</p> <p>2 been subpoenaed?</p> <p>3 MR. MICHALIK: Object to the form of the</p> <p>4 question. Argumentative.</p> <p>5 MR. KOSOKO: Join.</p> <p>6 MR. ZECCHIN: Join.</p> <p>7 A Watts team, I'm not sure who you are</p> <p>8 relating to Watts, the Watts team.</p> <p>9 Q You know who Sergeant Watts is, right?</p> <p>10 A Are you referring to Mr. Ronald Watts?</p> <p>11 Q Sure.</p> <p>12 So we'll call it the Watts 264 team that</p> <p>13 you were on from 2000 to 2012, the TAC team that</p> <p>14 you were on. If I call it the Watts 264 team, do</p> <p>15 you know what I am referring to?</p> <p>16 A I know the name and the tactical team you</p> <p>17 are referring to that I was on, but I am not really</p> <p>18 sure what team -- what team you are referring to.</p> <p>19 As far as more, you know, the people assigned to</p> <p>20 the team.</p> <p>21 Q Okay. Well, you were assigned to that team</p> <p>22 for that period of time from 2000 to 2012?</p> <p>23 A Yes.</p> <p>24 Q When I say the Watts 264 team, I mean the</p>	56	<p>1 Q Okay. Was it something that happened for</p> <p>2 you where you would get subpoenaed and your partner</p> <p>3 would also get subpoenaed?</p> <p>4 A That would occur, yes, sometimes, yes.</p> <p>5 Q Okay. And would it occur more often than</p> <p>6 not that if you and your partner were both on an</p> <p>7 arrest report, you would both get subpoenaed?</p> <p>8 MR. KOSOKO: I'm going to object to</p> <p>9 foundation.</p> <p>10 A For the preliminary hearings, sometimes it</p> <p>11 would just be one officer to be notified.</p> <p>12 Q What about outside of preliminary hearings?</p> <p>13 Preparing for a motion hearing, preparing for a</p> <p>14 trial?</p> <p>15 MR. KOSOKO: Object as to foundation.</p> <p>16 A That would determine on the State's</p> <p>17 attorneys and who they wanted to have discuss the</p> <p>18 case, aspects of the case. But there were times</p> <p>19 that my partner and I were called in to, that I can</p> <p>20 recall in general fashion that we were notified for</p> <p>21 an arrest.</p> <p>22 Q During the 2000 to 2012 time period,</p> <p>23 what -- what was your shift? What was the, you</p> <p>24 know, the hours and the day that you were assigned</p>

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15 (57 to 60)

<p>57</p> <p>1 to work?</p> <p>2 A I believe we rotated out. I don't exactly</p> <p>3 know the hours. I don't remember the hours.</p> <p>4 Q What were the hours, approximately?</p> <p>5 A We would have been on days, and we would</p> <p>6 have been on afternoons. But I can't remember if</p> <p>7 we were under the ten hour days then or not at that</p> <p>8 time, in early 2000, or how many days of the week</p> <p>9 we were working.</p> <p>10 Q When you were first assigned to the team</p> <p>11 commanded by Sergeant Watts, who was your partner?</p> <p>12 A I don't think I had a partner initially</p> <p>13 when I went on his team. It may have been Officer</p> <p>14 Bolton or I was working a three-man car between</p> <p>15 Officer Bolton and Officer Cadman.</p> <p>16 Q For what period of time were you working a</p> <p>17 three-man car with Bolton and Cadman?</p> <p>18 A Between '99 and 2000. And then subsequent</p> <p>19 to that I think I was assigned to work with Officer</p> <p>20 Spaargaren. Michael Spaargaren.</p> <p>21 Q For what period of time were you partnered</p> <p>22 with Michael Spaargaren?</p> <p>23 A I don't recall the exact time period.</p> <p>24 Q Approximately how long was it?</p>	<p>59</p> <p>1 Did Officer Spaargaren leave the tactical</p> <p>2 team at some point?</p> <p>3 A Yes.</p> <p>4 Q Do you know where he transferred to?</p> <p>5 A I don't recall where he had gone to.</p> <p>6 Q Have you maintained contact with Officer</p> <p>7 Spaargaren?</p> <p>8 A It has been years since I have talked to</p> <p>9 him.</p> <p>10 Q Do you know if you have talked to him since</p> <p>11 Sergeant Watts was arrested?</p> <p>12 A I have not talked to him since that time,</p> <p>13 no.</p> <p>14 Q What about Officer Cadman, how recently</p> <p>15 were you in touch with him?</p> <p>16 A Years ago, and I haven't talked to Officer</p> <p>17 Cadman in years.</p> <p>18 Q Who else from the 264 team do you maintain</p> <p>19 contact with?</p> <p>20 A In what fashion? Like outside of work?</p> <p>21 Q Well, do you work with anyone who's a</p> <p>22 former member of the 264 team, currently?</p> <p>23 A Now I'm on administrative duty.</p> <p>24 Q Okay.</p>
<p>58</p> <p>1 A Maybe a couple years, two years maybe,</p> <p>2 approximately.</p> <p>3 Q Who was your next partner after Spaargaren?</p> <p>4 A It was Officer Bolton.</p> <p>5 Q And for how long were you partnered with</p> <p>6 Officer Bolton?</p> <p>7 A Maybe a little after 2012, 2013.</p> <p>8 Q It started a little bit after 2012?</p> <p>9 A I think -- yeah, I don't remember when he</p> <p>10 transferred.</p> <p>11 Q At some point he transferred off of that</p> <p>12 team?</p> <p>13 A He -- yes.</p> <p>14 Q Okay. Do you know where he transferred to?</p> <p>15 A To a district up north somewhere.</p> <p>16 Q Have you kept in touch with Officer Bolton?</p> <p>17 A Occasionally, yes.</p> <p>18 Q Are you friends -- are you social friends</p> <p>19 with him, meaning do you spend any time with him</p> <p>20 outside of work?</p> <p>21 A Maybe once or twice a year. Unless there's</p> <p>22 a special occasion.</p> <p>23 Q Okay. Do you know -- I'm sorry, strike</p> <p>24 that, please.</p>	<p>60</p> <p>1 A So I don't have a partner anymore.</p> <p>2 Q Okay. So are there any former members of</p> <p>3 the 264 team that you see in the course of your</p> <p>4 administrative duties?</p> <p>5 A Yes.</p> <p>6 Q Who do you see?</p> <p>7 A The other administrative officers.</p> <p>8 Q We talked about them a little bit earlier.</p> <p>9 A Yes.</p> <p>10 Q Okay.</p> <p>11 A Right. They are in the same building.</p> <p>12 Q Okay. Outside of the officers who are in</p> <p>13 the same building with you presently, do you keep</p> <p>14 in contact with any other former members of the 264</p> <p>15 team?</p> <p>16 A No, not in consistent contact or anything</p> <p>17 like that, if we happen to see each other or maybe</p> <p>18 somebody I recognize.</p> <p>19 Q The officers that you mentioned earlier who</p> <p>20 are also on administrative duty, who are former</p> <p>21 members of the 264 team, have any of them</p> <p>22 approached you to complain about the fact that they</p> <p>23 have been placed on administrative duty?</p> <p>24 A I don't recall any incidents like that.</p>

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16 (61 to 64)

<p style="text-align: right;">61</p> <p>1 It's possible.</p> <p>2 Q Okay. It's only been in the last two years</p> <p>3 that you have been on administrative duty, right?</p> <p>4 A I was -- from what I can recall, it has</p> <p>5 been approximately two years since I have been</p> <p>6 assigned to administrative duties.</p> <p>7 Q Okay. Is it your testimony that during</p> <p>8 that time, you haven't had any conversations with</p> <p>9 Nichols, Leano, Bolton, Summers, Edwards, or Smith,</p> <p>10 about being placed on administrative duty?</p> <p>11 MR. ZECCHIN: Objection to form.</p> <p>12 Q Go ahead.</p> <p>13 A I don't recall any conversation outside</p> <p>14 with then counsel.</p> <p>15 Q So you have had conversations about that</p> <p>16 with counsel present?</p> <p>17 MR. ZECCHIN: I am going to object.</p> <p>18 MS. KLEINHAUS: That's fair.</p> <p>19 Q During the time period from 2000 to 2012</p> <p>20 that you were assigned to Sergeant Watts' team, did</p> <p>21 you ever have a work cell phone that you</p> <p>22 maintained?</p> <p>23 A I'm sorry, a work cell phone? That was</p> <p>24 assigned by the department?</p>	<p style="text-align: right;">63</p> <p>1 call?</p> <p>2 A Generally, if -- generally he would be. If</p> <p>3 not, it would be our lieutenant, or a combination</p> <p>4 of the supervisors that were there, depending on</p> <p>5 what type of information that needed to be relayed</p> <p>6 to us for the day.</p> <p>7 Q And where would the roll call take place?</p> <p>8 A During which time period, ma'am?</p> <p>9 Q 2000 to 2012 time period when you worked</p> <p>10 for Sergeant Ronald Watts.</p> <p>11 A Well, early on it would be in one of the</p> <p>12 smaller stations in the housing unit, and then</p> <p>13 after '04 it would have been in the 2nd District.</p> <p>14 Q And where would it take place within the</p> <p>15 2nd District?</p> <p>16 A Generally in the TAC, in the TAC office</p> <p>17 unless we had -- we had to use the larger -- the</p> <p>18 larger room for more officers to receive</p> <p>19 information about the events for the day.</p> <p>20 Q Did Sergeant Watts have work space or an</p> <p>21 office other than the TAC office?</p> <p>22 A I think he was assigned to the sergeant's</p> <p>23 office that was there, that he shared. You mean</p> <p>24 after 2004?</p>
<p style="text-align: right;">62</p> <p>1 Q Yes, sir.</p> <p>2 A No.</p> <p>3 Q Did Sergeant Watts have your personal cell</p> <p>4 phone number?</p> <p>5 A It is possible. I don't know if he did or</p> <p>6 not. I'm not sure.</p> <p>7 Q Did you have his personal cell phone</p> <p>8 number?</p> <p>9 A It is possible. I think that I did. I</p> <p>10 don't know. I can't remember.</p> <p>11 Q What about for other members of the 264</p> <p>12 team, did you exchange cell phone numbers with</p> <p>13 them?</p> <p>14 A It's possible. I don't recall exactly</p> <p>15 whose number I had or whose I didn't.</p> <p>16 Q Would you communicate with members of the</p> <p>17 264 team using your cell phones during work hours?</p> <p>18 A Yes, I believe there were times when that</p> <p>19 happened, yes, but I don't recall anything</p> <p>20 specific.</p> <p>21 Q Would there typically be a roll call for</p> <p>22 your team at the beginning of your shift?</p> <p>23 A Typically, yes.</p> <p>24 Q And would Sergeant Watts conduct the roll</p>	<p style="text-align: right;">64</p> <p>1 Q Right. At the 2nd District.</p> <p>2 A Okay.</p> <p>3 Q Would Watts sometimes go out into the field</p> <p>4 with members of the 264 team?</p> <p>5 A I don't understand "field."</p> <p>6 Q I'm sorry. I mean other -- leave his</p> <p>7 office. Leave the 2nd District. Did he ever go</p> <p>8 out with you into the 2nd District, not at the</p> <p>9 station, but out in the district itself?</p> <p>10 A To patrol the areas?</p> <p>11 Q Sure.</p> <p>12 A I'm sure that we patrolled together at some</p> <p>13 point.</p> <p>14 Q Which car would Watts be assigned to?</p> <p>15 A I don't recall which car.</p> <p>16 Q You mentioned earlier that you would</p> <p>17 typically be in civilian dress when you were on the</p> <p>18 TAC team?</p> <p>19 A Yes.</p> <p>20 Q What did that consist of?</p> <p>21 A Just casual wear, and I would wear my outer</p> <p>22 vest cover with my star and my duty belt,</p> <p>23 handcuffs, weapon, whatever that I was trained in.</p> <p>24 Q Did the other members of the 264 team also</p>

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17 (65 to 68)

<p>65</p> <p>1 wear civilian dress, typically?</p> <p>2 A Yes.</p> <p>3 Q And what about Sergeant Watts, what did he</p> <p>4 wear, typically?</p> <p>5 A I don't recall his dress attire. If we</p> <p>6 were in civilian attire, I am sure that he wore</p> <p>7 casual wear or field gear.</p> <p>8 Q What does "field gear" mean?</p> <p>9 A Anything that's appropriate for the setting</p> <p>10 of going out to patrol in the district, cargo</p> <p>11 pants, things like that. I don't know if he ever</p> <p>12 wore those.</p> <p>13 Q Did you ever work undercover during your</p> <p>14 time on the 264 team?</p> <p>15 A I don't recall instances of me working</p> <p>16 undercover at this time.</p> <p>17 Q That's something that you would likely</p> <p>18 remember, right?</p> <p>19 A Maybe. I'm not sure if it would be</p> <p>20 something. Unless there was something that</p> <p>21 resulted as a result of working in that capacity, I</p> <p>22 don't know if I would necessarily remember it.</p> <p>23 Q Okay. So you don't know if you ever worked</p> <p>24 undercover between 2000 and 2017?</p>	<p>67</p> <p>1 A Yes.</p> <p>2 Q What type of information would you</p> <p>3 communicate that way?</p> <p>4 A Location, status.</p> <p>5 Q Is your answer complete?</p> <p>6 A Those are some of the things I can</p> <p>7 remember. I mean, there's probably more, I'm sure.</p> <p>8 Q How did you first learn that Sergeant Watts</p> <p>9 had been arrested?</p> <p>10 A I believe I saw it on the news.</p> <p>11 Q And did someone from the police department</p> <p>12 communicate to you about Watts being arrested?</p> <p>13 A No.</p> <p>14 Q You say no?</p> <p>15 A No.</p> <p>16 Q Up until today, did anyone from Chicago</p> <p>17 Police Department --</p> <p>18 A You mean -- oh, I thought you were talking</p> <p>19 about on that day.</p> <p>20 Q I'm sorry. Let me be clear.</p> <p>21 You first heard about it on the news.</p> <p>22 Subsequent to that --</p> <p>23 A I recall hearing it on the news, and then</p> <p>24 subsequent to that I believe there was some -- one</p>
<p>66</p> <p>1 A Yeah. It is possible I did. I don't</p> <p>2 recall any specific instances.</p> <p>3 Q Did any members of the 264 team smoke</p> <p>4 cigars?</p> <p>5 A It's possible. I don't recall.</p> <p>6 Q Okay. Do you know if Sergeant Watts smoked</p> <p>7 cigars?</p> <p>8 A I don't recall if he smoked cigars or not.</p> <p>9 Q During the time period that you were</p> <p>10 assigned to the tactical team, did you ever take</p> <p>11 notes about any arrest?</p> <p>12 A I don't recall taking any notes for</p> <p>13 arrests. Unless it was information from the</p> <p>14 victim, or a notification, things like that nature.</p> <p>15 Q Okay. Did you maintain a notebook or other</p> <p>16 paper on your person to take notes?</p> <p>17 A No, ma'am.</p> <p>18 Q When you were working on the tactical team,</p> <p>19 did you have a radio that was assigned to you?</p> <p>20 A No.</p> <p>21 Q Did you and the other members of the 264</p> <p>22 team ever communicate over a radio?</p> <p>23 A Over the CPD channel frequencies?</p> <p>24 Q Right.</p>	<p>68</p> <p>1 of our -- I don't remember which commander, but it</p> <p>2 was somebody -- one of our superiors had informed</p> <p>3 us of it.</p> <p>4 Q What were you told about it?</p> <p>5 A We weren't given much information.</p> <p>6 Q Were you given any information?</p> <p>7 A No. Not that I can recall, outside of his</p> <p>8 situation of the arrest.</p> <p>9 Q Did you later learn what he had been</p> <p>10 arrested for?</p> <p>11 A Yes, through whatever came out in the news.</p> <p>12 Q Okay. Other than the commander telling you</p> <p>13 with very little information that Watts had been</p> <p>14 arrested, did anyone else from CPD ever communicate</p> <p>15 with you about the fact that Watts was arrested?</p> <p>16 A I don't recall having any other people come</p> <p>17 up to us to talk -- come up to me to talk about it.</p> <p>18 Q Who else was present when the commander</p> <p>19 told you that Watts had been arrested?</p> <p>20 A I don't recall.</p> <p>21 Q Where were you?</p> <p>22 A I believe when I was officially notified of</p> <p>23 it, it was -- it had to be in the 2nd District.</p> <p>24 Q Did you have any discussions with other</p>

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18 (69 to 72)

<p style="text-align: right;">69</p> <p>1 members or former members of the 264 team about 2 Watts' arrest? 3 A I don't recall having conversations. At 4 this time, I don't recall any of that conversation. 5 It is possible. 6 Q You don't recall any conversations? 7 A Not at this time I don't. It is possible, 8 though. 9 Q I mean, that was a surprising revelation 10 that he was arrested, right? 11 A Yes, ma'am. I believe we were very shocked 12 by it, but I don't recall anything specific. I was 13 shocked by it. I will speak for myself. 14 Q Did you ever ask any of the 264 team 15 members or former team members if they knew 16 anything about why Watts was arrested? 17 A I'm sorry. I don't believe -- no, outside 18 of getting information from any superiors, and that 19 was limited, I didn't feel that anyone else had any 20 other information. 21 Q Okay. Did anyone from the Chicago Police 22 Department ever come to you seeking information 23 about activities on the 264 team or information 24 about any misconduct by any member of that team?</p>	<p style="text-align: right;">71</p> <p>1 A I don't recall any, any instances, any 2 specific instances at this time. 3 Q Do you recall any civilian complaining to 4 you about any member of the 264 team? 5 MR. KOSOKO: Object to the form. 6 Q Go ahead. 7 A At this time, I don't recall anything 8 specific. 9 Q Do you remember any of the residents of Ida 10 B. Wells during the 2000 to 2012 time period? 11 A Faces. Not many names. 12 Q Tell me the names that you do remember. 13 A Well, these are -- prior to whatever media 14 exposure has transpired, I would tell you that I 15 didn't remember any names. So whatever -- whatever 16 lawsuits or whatever things have come up as a 17 result of it are the only reason I remember -- is 18 how I can recognize names, but prior to that, I 19 would not have known any names, just faces. 20 Q Do you recognize the name Wilbert Moore? 21 A Sounds familiar. 22 Q Do you know who Wilbert Moore was? 23 A The name sounds familiar. I don't know 24 anything specific.</p>
<p style="text-align: right;">70</p> <p>1 A No, ma'am. I don't recall anything like 2 that. 3 Q How did you first learn about Mohammed's 4 arrest? 5 A The same instance of that time period, that 6 day that they were arrested. 7 Q And were you informed by the same commander 8 about that arrest? 9 A I don't know, were they arrested at 10 different time periods? I thought they were 11 arrested together. I don't recall. On the same 12 day. 13 Q Did you ever have any conversations with 14 any members -- or former members of the 264 team 15 about Mohammed's arrest? 16 A I don't recall having any conversations, 17 no, at this time I don't. 18 Q During the 2000 to 2012 time period that 19 you were patrolling the public housing units, did 20 you ever hear any civilians complain about Sergeant 21 Watts? 22 A I don't -- 23 MR. MICHALIK: Object to form. 24 Q Go ahead.</p>	<p style="text-align: right;">72</p> <p>1 Q What about [REDACTED]? Do you know who 2 that is? 3 A The name sounds familiar, but, again, the 4 name sounds familiar, but I don't have any specific 5 recollection at this time. 6 Q Do you have any general recollection? 7 A Yes. The names. 8 Q Okay. 9 A Names sound familiar. 10 Q Okay. 11 A And possible, if I was shown a photograph, 12 then possibly I would recognize the face. 13 Q Did you know any staff assigned to work in 14 the public housing units? 15 A Somebody who was employed by the -- by CHA 16 as a -- in a janitorial fashion? 17 Q Or like a property manager, anything like 18 that. 19 A It is possible during that time period, but 20 I don't recall any specific names. It is possible 21 I had interactions. You know, I don't know. 22 Q Do you know who "Big Shorty" is? 23 A The nickname sounds familiar, but I don't. 24 Q Do you know what that person's proper name</p>

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19 (73 to 76)

<p style="text-align: right;">73</p> <p>1 is?</p> <p>2 A I do not. I have heard it many times and</p> <p>3 more times in recent times, but prior to all of</p> <p>4 this, it would have been a nickname I remember, but</p> <p>5 nothing specific to a face, that I can recall at</p> <p>6 this time.</p> <p>7 Q Is it fair to say over the past few years</p> <p>8 you -- or at least two years since you were placed</p> <p>9 on administrative duty, you have had an opportunity</p> <p>10 to review reports and other information from the</p> <p>11 time period 2000 to 2012?</p> <p>12 A I don't understand your question.</p> <p>13 Q Okay. Let me see if I can make it better.</p> <p>14 A I'm sorry.</p> <p>15 Q In answer to a lot of questions, you've</p> <p>16 said that you don't recall at this time.</p> <p>17 A Yes, ma'am.</p> <p>18 Q And I am just trying to find out, at this</p> <p>19 time you have had an opportunity to review police</p> <p>20 reports and other information and news reports</p> <p>21 related to Ida B. Wells during the time that</p> <p>22 Sergeant Watts was your supervisor, right?</p> <p>23 MR. KOSOKO: I am going to object to the</p> <p>24 form of the question.</p>	<p style="text-align: right;">75</p> <p>1 you recall?</p> <p>2 A Prior to all of that, all of the exposure</p> <p>3 to some of that information to litigation, I would</p> <p>4 not have recalled very many names or very many</p> <p>5 faces.</p> <p>6 Q Okay. Which names do you now recognize?</p> <p>7 A Through litigation?</p> <p>8 Q Sure.</p> <p>9 A Ricky Henderson. Angelo Shenault. Some</p> <p>10 guy named Little, last name of Little. Baker. You</p> <p>11 know, some of those names that I associate with</p> <p>12 litigation.</p> <p>13 Q Okay. And are there people that you recall</p> <p>14 from your time patrolling Ida B. Wells who you</p> <p>15 recall by nickname?</p> <p>16 A There are nicknames that I remember, but</p> <p>17 none that I can remember being attributed to</p> <p>18 anybody specific, or their specific name.</p> <p>19 Q Okay. What are the nicknames that you</p> <p>20 remember?</p> <p>21 A I did have a recollection of a J Rock.</p> <p>22 Q Okay.</p> <p>23 A But I did not know his name.</p> <p>24 Q Any other nicknames that you remember?</p>
<p style="text-align: right;">74</p> <p>1 A Where I was asked to review it?</p> <p>2 Q You've had an opportunity, as part of being</p> <p>3 sued dozens of times, related to that time period</p> <p>4 to review reports and other information, correct?</p> <p>5 A Yes, during that time period I have had</p> <p>6 some access to reports, for whatever litigation</p> <p>7 that has come up as a result of this, and I have</p> <p>8 reviewed some of those. I have looked at some of</p> <p>9 those.</p> <p>10 Q Are there any reports or other categories</p> <p>11 of information that you feel, well, if I had that,</p> <p>12 I think I could remember, but I don't have that?</p> <p>13 A Well, as I have gone through some of the</p> <p>14 course of looking at it, I have tried to recall</p> <p>15 some of it, but most of the time it was a long time</p> <p>16 ago. Most of those incidents took place a long</p> <p>17 time ago, and there's a lot of arrests that I made</p> <p>18 throughout my career. So nothing really has stuck</p> <p>19 out yet. Some of it I vaguely remember, faces,</p> <p>20 some names, some nicknames, and sometimes they are</p> <p>21 conflated for me, and sometimes I can remember in a</p> <p>22 general sense.</p> <p>23 Q Okay. Are there any names of people who</p> <p>24 were associated in your mind with Ida B. Wells that</p>	<p style="text-align: right;">76</p> <p>1 A No, ma'am. Not at this time.</p> <p>2 Q Do you know why Officer Spaargaren left the</p> <p>3 264 team?</p> <p>4 A I have a recollection during that time</p> <p>5 period it was for scheduling issues, and he was --</p> <p>6 he went to another district, but I believe it was</p> <p>7 for the possibility of other -- outside employment,</p> <p>8 maybe possibility of another police department for</p> <p>9 other job opportunities, but I don't know</p> <p>10 specifically why he had left outside of that, was</p> <p>11 my understanding at that time, that I can recall.</p> <p>12 Q Your understanding that it might have had</p> <p>13 to do with scheduling issues, did that come from</p> <p>14 Officer Spaargaren, he told you that?</p> <p>15 A No. That would be just an inference.</p> <p>16 Q Okay. And you're understanding that he may</p> <p>17 have left related to some outside employment, is</p> <p>18 that something that came from him?</p> <p>19 A That's my recollection as to why, because I</p> <p>20 remember it being a memory of mine that he -- that</p> <p>21 he was seeking to pursue other employment.</p> <p>22 Q Okay. Did he tell you that?</p> <p>23 A I don't recall if he did. It is possible</p> <p>24 that he gave me all that information and that's why</p>

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20 (77 to 80)

<p style="text-align: right;">77</p> <p>1 I remember it.</p> <p>2 Q Do you know why Officer Young left the 264</p> <p>3 team?</p> <p>4 A No, ma'am, I don't have a recollection at</p> <p>5 this time. I don't recall at this time.</p> <p>6 MS. KLEINHAUS: Okay. Let's take a short</p> <p>7 break and go off the record, please.</p> <p>8 MR. ZECCHIN: Sure.</p> <p>9 THE VIDEOGRAPHER: Off the record, 1:06.</p> <p>10 (WHEREUPON, a recess was had from 1:06</p> <p>11 p.m. to 1:21 p.m.)</p> <p>12 THE VIDEOGRAPHER: Back on the record,</p> <p>13 1:21.</p> <p>14 Q Did any resident of -- or visitor at Ida B.</p> <p>15 Wells ever complain to you about an arrest, either</p> <p>16 the reason they were arrested or the way they were</p> <p>17 treated during an arrest?</p> <p>18 A I don't recall anything specific. I mean,</p> <p>19 it is possible somebody was complaining about</p> <p>20 something, you know, so it's possible. But I don't</p> <p>21 recall anything at this time.</p> <p>22 Q Okay. Do you recall anything generally</p> <p>23 about it?</p> <p>24 A About?</p>	<p style="text-align: right;">79</p> <p>1 headlines. Pictures.</p> <p>2 Q Okay. What pictures did you see?</p> <p>3 A Of Mr. Watts.</p> <p>4 Q Any other pictures?</p> <p>5 A I recall one picture of Kallatt Mohammed.</p> <p>6 Q And what headlines did you read related to</p> <p>7 this litigation?</p> <p>8 A I don't recall anything specific, any</p> <p>9 specific headlines, I just remember seeing that on</p> <p>10 the news. I don't remember the exact headlines.</p> <p>11 Q Did I -- I'm sorry.</p> <p>12 Did I understand you correctly that you</p> <p>13 only read the headlines, you didn't read the body</p> <p>14 of the article?</p> <p>15 A No, it is possible I would have read the</p> <p>16 articles associated with the headlines, I just</p> <p>17 don't recall which ones.</p> <p>18 Q Okay. What did you learn from reading</p> <p>19 those articles?</p> <p>20 A Just a little bit more information about</p> <p>21 the arrest situation, whatever the media was</p> <p>22 putting out there.</p> <p>23 Q And what was the more information that was</p> <p>24 new to you?</p>
<p style="text-align: right;">78</p> <p>1 Q Any complaint?</p> <p>2 A No, not at this time.</p> <p>3 Q Did you know Sergeant Watts before you came</p> <p>4 to the 2nd District?</p> <p>5 A Well, he was my assigned sergeant during</p> <p>6 public housing.</p> <p>7 Q Okay. Did you know him before you came to</p> <p>8 public housing?</p> <p>9 A No, ma'am, I don't believe I did.</p> <p>10 Q You mentioned earlier that you wouldn't</p> <p>11 have known names of people who lived or were</p> <p>12 associated with Ida B. Wells before, I think you</p> <p>13 referred to some news media or all this litigation</p> <p>14 occurred. Do you recall that testimony?</p> <p>15 A A form of it, yes.</p> <p>16 Q Okay. What news articles have you reviewed</p> <p>17 that relates to this litigation?</p> <p>18 A Nothing that I reviewed, I just recall</p> <p>19 whatever pops up, or comes through normal media</p> <p>20 sources that I come across, over the course of the</p> <p>21 time, maybe.</p> <p>22 Q What articles popped up related to this</p> <p>23 litigation?</p> <p>24 A I don't remember any articles, it is more</p>	<p style="text-align: right;">80</p> <p>1 A That was new to me was -- initially, when</p> <p>2 it first came out?</p> <p>3 Q Sure. Let's start there.</p> <p>4 A I just recall just the investigation, FBI</p> <p>5 investigations.</p> <p>6 Q And what did you learn about the FBI</p> <p>7 investigations?</p> <p>8 A Just that they were investigating him.</p> <p>9 That's all.</p> <p>10 Q That the FBI was investigating Watts?</p> <p>11 A From what I can recall, yes.</p> <p>12 Q Other -- so, I'm sorry, was that news</p> <p>13 articles you have seen in the last two years where</p> <p>14 you learned that the FBI was investigating Watts?</p> <p>15 A Yes. The majority of the articles always</p> <p>16 refer back to that FBI investigation and their</p> <p>17 arrest.</p> <p>18 Q Okay. What else did you learn from the</p> <p>19 media accounts that you have read related to this</p> <p>20 litigation?</p> <p>21 A Nothing that I can recall anything</p> <p>22 specific.</p> <p>23 Q Are you familiar with the blog, Second City</p> <p>24 Cop?</p>

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21 (81 to 84)

<p>81</p> <p>1 A Yes, ma'am.</p> <p>2 Q And what is that blog about, generally</p> <p>3 speaking?</p> <p>4 A It is whatever -- however one defines a</p> <p>5 blog. It's just a -- I believe it's just a place</p> <p>6 for -- it's just a social media source.</p> <p>7 Q And it is written by a Chicago police</p> <p>8 officer?</p> <p>9 A That I don't know.</p> <p>10 Q It purports to be or it says that it is?</p> <p>11 A I don't know how you would purport it to</p> <p>12 be. I don't know. It is just -- there's a lot of</p> <p>13 police -- Chicago police information, but I don't</p> <p>14 know if it is actually --</p> <p>15 Q Have you ever posted a comment on that</p> <p>16 blog?</p> <p>17 A No, ma'am.</p> <p>18 Q I will show you what we're going to mark as</p> <p>19 Exhibit 1.</p> <p>20 (Exhibit 1, answers to interrogatories,</p> <p>21 marked for identification.)</p> <p>22 Q I will represent to you, these are your</p> <p>23 answers to interrogatories in one of the</p> <p>24 coordinated proceedings.</p>	<p>83</p> <p>1 to the 2nd District?</p> <p>2 A I don't know if it is actually this person,</p> <p>3 but I just attribute it to Kenneth Mann, but I</p> <p>4 don't know if that's possible. I don't know if</p> <p>5 that's who they are referring to on this.</p> <p>6 Q Okay. Do you know of anyone who was</p> <p>7 removed from the TAC team and sent to a beat car?</p> <p>8 A No, I don't have any recollection of</p> <p>9 anything like that.</p> <p>10 Q Do you have any idea who may have written</p> <p>11 this?</p> <p>12 A No. No, ma'am.</p> <p>13 Q Do you know anyone who left the TAC team in</p> <p>14 2008?</p> <p>15 A I can't remember who had left during that</p> <p>16 time period. It is possible somebody left, but I</p> <p>17 don't remember.</p> <p>18 Q Do you know when Officer Cadman left the</p> <p>19 tactical team?</p> <p>20 A No, ma'am. I don't remember when he left.</p> <p>21 Q Okay. You can put that exhibit to the</p> <p>22 side.</p> <p>23 I am going to show what you we will mark as</p> <p>24 Exhibit 2.</p>
<p>82</p> <p>1 Turn with me, please, to the second page,</p> <p>2 where it has the answers to interrogatories. Do</p> <p>3 you see that heading?</p> <p>4 A Yes, ma'am.</p> <p>5 Q Review for me, please, the first</p> <p>6 interrogatory that's on that page, and it continues</p> <p>7 on to the following page, and the response. And</p> <p>8 then I would like to ask you some questions about</p> <p>9 it.</p> <p>10 A Okay.</p> <p>11 Q So having reviewed that interrogatory and</p> <p>12 the response, first of all, did you have anything</p> <p>13 to do with posting this message that's excerpted on</p> <p>14 page 3?</p> <p>15 A No, ma'am.</p> <p>16 Q Okay. Do you know who wrote that?</p> <p>17 A No, I do not.</p> <p>18 Q Okay. Do you know a commander with the</p> <p>19 initials "GL" who is assigned to the 2nd District?</p> <p>20 A From my memory, there was a commander at</p> <p>21 some point, I don't know what time periods,</p> <p>22 Commander Janessa Louis.</p> <p>23 Q Okay. And did you know of a retired</p> <p>24 lieutenant with the initials "KM" who was assigned</p>	<p>84</p> <p>1 (Exhibit 2, Spaargaren affidavit, marked</p> <p>2 for identification.)</p> <p>3 Q I am going to ask you to review Exhibit 2,</p> <p>4 and then I am going to ask you some questions about</p> <p>5 it.</p> <p>6 Have you seen Exhibit 2 before today?</p> <p>7 A It is possible I have seen something like</p> <p>8 this. I can't remember.</p> <p>9 Q Okay. Are you familiar with the</p> <p>10 allegations included in Officer Spaargaren's</p> <p>11 affidavit?</p> <p>12 A Familiar with the general sense of the</p> <p>13 allegations, yes.</p> <p>14 Q Okay. How did you first become familiar</p> <p>15 with his allegations about Sergeant Watts?</p> <p>16 A I don't know if it came up in conversations</p> <p>17 with litigation, with attorneys.</p> <p>18 Q Okay. Did you know about it --</p> <p>19 A Wait. I'm sorry. Can you backtrack? Can</p> <p>20 you ask the question again? I'm sorry.</p> <p>21 Q Sure.</p> <p>22 How did you first become familiar with the</p> <p>23 allegations that Officer Spaargaren makes in this</p> <p>24 affidavit about Sergeant Watts?</p>

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22 (85 to 88)

<p>85</p> <p>1 A Oh, yeah. It was through conversations 2 with attorneys. I think it was the first time that 3 I had been made aware of it. 4 Q Okay. And at the time that Officer 5 Spaargaren left the tactical team that you were on, 6 was he your partner at that time? 7 A Around 2000, is that what this is 8 indicating? 9 Q I meant, I am asking you if in your memory 10 at the time that he left the team, was he your 11 partner? 12 A Yes, he was. He was my assigned partner. 13 Q Okay. Do you know whether the allegations 14 in this affidavit are true or false? 15 A I don't know whether they are true or 16 false. I don't believe that they are. I don't 17 know if they are or not. 18 Q Okay. Why don't you believe that they are 19 true? 20 A It just seems -- I don't know. It just -- 21 I just don't believe that it is something that 22 would have occurred, but I'm not sure. 23 Q Why don't you believe it is something that 24 would have occurred?</p>	<p>87</p> <p>1 A Yes, ma'am. 2 Q Okay. Are you familiar with the concept in 3 narcotics of police work of trading up for 4 information? 5 A No, ma'am. I don't understand trading up. 6 Q Okay. You don't know how that phrase is 7 used as it's attributed to Sergeant Watts here? 8 A Not -- yes, I don't understand "trading 9 up." 10 Q Were there ever times when you were 11 assigned to the tactical team where you or other 12 members of the team would decide not to proceed 13 with an arrest because the arrestee gave you 14 information about other individuals involved in the 15 drug trade? 16 MR. ZECCHIN: I'll object to the form, 17 beyond anything with regard to him specifically. 18 But you can answer. Go ahead. 19 A No, ma'am, I don't remember anything like 20 that ever occurring. 21 Q Okay. Are you aware of times where other 22 officers on your team would say, I am going to not 23 proceed with this because this arrestee has given 24 us information about other drug dealers?</p>
<p>86</p> <p>1 A Well, I don't have any information, I 2 wasn't there with the allegations present, so I am 3 not really sure, but it is hard to believe based on 4 what I am seeing. 5 Q What makes it hard for you to believe it? 6 A It's just shocking. It's just a little 7 bit -- I didn't have any knowledge of any of this 8 ever occurring, so that's why it is a little bit -- 9 Q Do you know of any reason why Officer 10 Spaargaren would make these allegations, if they 11 weren't true? 12 A No, I would have no reason to -- I just, 13 like I said, I don't have any knowledge of any of 14 this occurring. 15 Q Okay. Turn with me, please, to the second 16 page. I want to focus your attention on paragraphs 17 6 through 8, and I am summarizing here, but, 18 basically, according to Officer Spaargaren, he 19 noticed a pattern where there would be arrests with 20 money seized and then an inventory log that was 21 empty. And according to him, he confronted 22 Sergeant Watts about it and Watts said that he was 23 trading up for information. Do you see those 24 paragraphs?</p>	<p>88</p> <p>1 A I don't have any recollection of anything 2 like that occurring at this time. 3 Q Okay. With regard to the conversation 4 that's summarized in paragraph 8, if I understood 5 your prior testimony, you don't know whether 6 Spaargaren had this conversation with Watts or not, 7 right? 8 A I do not know whether this conversation 9 occurred. 10 Q Okay. Looking below that, there's a 11 discussion -- I'm sorry, there's a description of a 12 discussion between Lieutenant Spratt and Officer 13 Spaargaren. You read those paragraphs? 14 A Yes, ma'am. 15 Q Okay. You don't know whether those 16 conversations occurred as described here or not, 17 correct? 18 A I do not, no. 19 Q Okay. Were you aware that Officer 20 Spaargaren took a year and a half leave of absence 21 when he left the 264 team? 22 A Yes, I had recollection of that occurring. 23 Q Did you have an understanding at the time 24 of why he took a leave of absence?</p>

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23 (89 to 92)

<p style="text-align: right;">89</p> <p>1 A My understanding was to further other job 2 opportunities. I think it was related to the home 3 inspection real estate type of job opportunity. 4 Q Did he tell you that? 5 A I remember that, so it is possible that he 6 had informed me of that. 7 Q Okay. Do you have a recollection of anyone 8 besides Officer Spaargaren giving you any 9 information about why he was taking a leave of 10 absence? 11 A No, ma'am. 12 Q Okay. Put that exhibit to the side. 13 Do you know who Officer Shannon Spalding 14 is? 15 A Yes, I do. 16 Q And how do you know Officer Spalding? 17 A She had worked in the housing unit at some 18 point. 19 Q Did you ever work with her in the sense of 20 being on the same team with her? 21 A I believe at one point when I got there we 22 were on -- I believe the -- I forget the name of 23 the team, but we were assigned the vans, in 24 uniform.</p>	<p style="text-align: right;">91</p> <p>1 Q Okay. When you said you were assigned to 2 vans? 3 A Well, we were all assigned in a van -- 4 utilizing a van patrolling the CHA, and that's what 5 I recall mostly, working with her in that capacity. 6 Q Okay. Was she partnered with you for some 7 shifts? 8 A It's possible. 9 Q Are you aware that Shannon Spalding has 10 alleged that you were involved in shaking down drug 11 dealers for money? 12 MR. ZECCHIN: I am going to object to the 13 form of the question. 14 Q Go ahead. 15 A Where me specifically, has named me 16 specifically? 17 Q Are you aware of that allegation from 18 Shannon Spalding? 19 A I am in a general sense, yes, but not me 20 specifically. 21 Q Did you ever demand payment from an 22 arrestee in exchange for not being arrested? 23 A No, ma'am. 24 Q Did you ever lie on a police report?</p>
<p style="text-align: right;">90</p> <p>1 Q Is that during the time period that you 2 were assigned to the public housing unit? 3 A Yes, early on. 4 Q Okay. And was that when Sergeant Watts was 5 your supervisor? 6 A No, ma'am. 7 Q Is that when Sergeant Bennett was your 8 supervisor? 9 A He was one of my supervisors. I think 10 there were others in that unit at the time that 11 were rotating in. I don't remember exactly who. 12 Q Who do you remember as sergeants over the 13 team that you were on with Shannon Spalding? 14 A At this time, I can't remember any specific 15 names. 16 Q Do you know whether Watts was one of those 17 supervisors or not? 18 A While I was -- during which time frame, 19 ma'am? 20 Q During the time frame that you were on a 21 team that included Shannon Spalding? 22 A No, I don't believe he was our supervisor 23 while I was working with her at all, or working on 24 the same team as her.</p>	<p style="text-align: right;">92</p> <p>1 A No, ma'am. 2 Q Did you ever frame anyone for a drug crime? 3 A No, ma'am. 4 Q Have you ever planted drugs on anyone? 5 A No, ma'am. 6 Q Are you familiar with the term "dumped" in 7 the context of someone being dumped from a tactical 8 team? 9 A Yes. Yeah, I know that term. 10 Q Okay. What does that mean? 11 A Well, it is like -- it is a term that we 12 kind of throw around when you're removed from a 13 tactical team. That could be for a variety of 14 reasons. 15 Q Do you know of anyone who was dumped from 16 the 264 team? 17 A I don't remember anybody specific. It is 18 possible, but I don't know, in the sense of dumped. 19 Maybe left, but not dumped. 20 Q Do you know whether Sergeant Watts had a 21 gambling problem? 22 A No, ma'am. 23 Q Did you ever go to any casinos with 24 Sergeant Watts?</p>

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24 (93 to 96)

<p style="text-align: right;">93</p> <p>1 A No, ma'am.</p> <p>2 Q Do you know anyone on the 264 team who</p> <p>3 smoked cigars?</p> <p>4 MR. MICHALIK: Objection. Asked and</p> <p>5 answered.</p> <p>6 Q Go ahead.</p> <p>7 A I don't recall who smoked cigars.</p> <p>8 Q Okay. Do you smoke cigars?</p> <p>9 A On occasion.</p> <p>10 Q Did you ever smoke a cigar while on duty?</p> <p>11 A I don't recall if I have ever done that.</p> <p>12 Q Okay. Do you know if any other members of</p> <p>13 the 264 team ever did that?</p> <p>14 A I don't have any recollection of that at</p> <p>15 this time.</p> <p>16 Q I want to talk to you about my client Andre</p> <p>17 McNairy. Do you know who Mr. McNairy is?</p> <p>18 A I know the name, yes.</p> <p>19 Q Okay. Other than knowing the name, do you</p> <p>20 know anything else about Mr. McNairy?</p> <p>21 A No, ma'am.</p> <p>22 Q Do you recall what he looks like?</p> <p>23 A No, ma'am.</p> <p>24 Q I am going to show you what we will mark as</p>	<p style="text-align: right;">95</p> <p>1 Q Have you had a chance to review Exhibit 4?</p> <p>2 A I am just on the narrative now.</p> <p>3 Q Okay.</p> <p>4 A Okay, ma'am.</p> <p>5 Q Having reviewed that, does it refresh your</p> <p>6 recollection at all as to the arrest of Andre</p> <p>7 McNairy?</p> <p>8 A No, ma'am, at this time, it does not.</p> <p>9 Q When you say "at this time," is there some</p> <p>10 other information that another time that would</p> <p>11 allow you to remember this?</p> <p>12 A No. If I have an occasion to review the</p> <p>13 report maybe at a different time something might,</p> <p>14 but at this time I don't recall the incident or the</p> <p>15 details of the case report.</p> <p>16 Q Do you remember anything about this arrest?</p> <p>17 Putting -- if you can, putting aside what you have</p> <p>18 just read in the narrative, do you have any memory</p> <p>19 of anything related to this?</p> <p>20 A No, it was in 2008, ma'am. That was ten</p> <p>21 years ago. I do not.</p> <p>22 Q All right. You're listed for this arrest</p> <p>23 as the first -- I'm sorry. That's not right. As</p> <p>24 an assisting officer. Do you see that?</p>
<p style="text-align: right;">94</p> <p>1 Exhibit 3. This is a photograph of Mr. McNairy.</p> <p>2 (Exhibit 3, photograph, marked for</p> <p>3 identification.)</p> <p>4 Q Does looking at that photograph of</p> <p>5 Mr. McNairy refresh your recollection at all as to</p> <p>6 who he is?</p> <p>7 A No, ma'am.</p> <p>8 Q Okay. Did you review any documents related</p> <p>9 to Mr. McNairy in preparation for your deposition</p> <p>10 today?</p> <p>11 A I believe I just -- maybe arrest reports</p> <p>12 and inventories, if they were appropriate.</p> <p>13 Q Outside of having reviewed documents in</p> <p>14 preparation for your deposition, do you have an</p> <p>15 independent recollection of an arrest involving</p> <p>16 Mr. McNairy where you were involved?</p> <p>17 A No, ma'am, I do not have an independent</p> <p>18 recollection of an arrest involving Andre McNairy.</p> <p>19 Q I am going to show you what we will mark as</p> <p>20 Exhibit 4. I represent to you this is the original</p> <p>21 case incident report for the McNairy arrest we are</p> <p>22 here to talk about today.</p> <p>23 (Exhibit 4, McNairy arrest report, marked</p> <p>24 for identification.)</p>	<p style="text-align: right;">96</p> <p>1 A Yes, I see my name and my star number and</p> <p>2 my beat.</p> <p>3 Q Okay. Based on this report, do you know</p> <p>4 what you did to assist in this arrest?</p> <p>5 A At this time, I do not know. If there were</p> <p>6 inventories involved, it is possible I may have</p> <p>7 initiated inventories for property, either personal</p> <p>8 or evidence.</p> <p>9 Q Okay. Someone listed as an assisting</p> <p>10 officer may have inventoried the property; is that</p> <p>11 right?</p> <p>12 A Yes, that's one of the ways you would be</p> <p>13 listed as assisting, yes.</p> <p>14 Q What are the other things that you could do</p> <p>15 as part of an arrest that would result in you being</p> <p>16 listed as an assisting officer?</p> <p>17 MR. KOSOKO: I am going to object based on</p> <p>18 form.</p> <p>19 Q Go ahead.</p> <p>20 A Searching, to be listed as searching or</p> <p>21 organizing paperwork. Watching a prisoner or</p> <p>22 watching a subject who's in custody. Assisting</p> <p>23 with complaints. And it is not exhaustive to that.</p> <p>24 There's a variety of different things. I think</p>

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25 (97 to 100)

<p style="text-align: right;">97</p> <p>1 there's more ways other than that. That's all I 2 can recall at this time about how you can assist. 3 Q Were you ever told by the Chicago Police 4 Department what roles should result in someone 5 being listed as an assisting officer? 6 A I don't recall ever being told a specific 7 role as to how you would be placed as an assisting 8 officer. 9 Q Okay. What was your understanding of when 10 someone should be listed as an assisting officer on 11 a report? 12 A If in some way, some form or fashion you 13 have helped out with the incident or have knowledge 14 of the incident. 15 Q Turn back with me to the second page of 16 this exhibit. There's a section on pages 1 and 2 17 that lists suspects. We have talked about suspect 18 number 1, Andre McNairy. 19 Do you recognize the name Mohammed Blanden? 20 A No, ma'am. 21 Q Or Blanden Mohammed? 22 A No, ma'am. 23 Q What about Latice Delphie? 24 A No, at this time I do not.</p>	<p style="text-align: right;">99</p> <p>1 recall that -- I don't recall that at this time. 2 Q Okay. Turn with me to the third page of 3 this exhibit. It lists Officer Nichols as the 4 attesting officer; do you see that? 5 A Yes, ma'am. 6 Q And am I correct that the attesting officer 7 should have personal knowledge of what happened in 8 the event? 9 MR. ZECCHIN: Objection to form. 10 Foundation. 11 You can answer. 12 Q Go ahead. 13 A Yes. For -- I believe unless there's other 14 extenuating circumstances, then, yes, or human 15 error, yes. 16 Q Okay. Are you aware of any extenuating 17 circumstances where the attesting officer doesn't 18 have to know about what happened in the event? 19 A Unless he was knocked unconscious during a 20 struggle or anything like that. 21 Q Okay. Officer Nichols is listed as the 22 first arresting officer. What does it mean for 23 someone to be listed as the first arresting 24 officer?</p>
<p style="text-align: right;">98</p> <p>1 Q What about Mario Hollingsworth, do you 2 recognize that name? 3 A At this time, I do not. 4 Q What about Bert Gaines, do you recognize 5 that? 6 A At this time, I do not. 7 Q You can put that exhibit to the side. 8 I show you what we'll mark as Exhibit 5. 9 This is the arrest report for Andre McNairy. 10 (Exhibit 5, McNairy arrest report, marked 11 for identification.) 12 Q Having reviewed Exhibit 5, does it refresh 13 your recollection at all about the arrest of Andre 14 McNairy? 15 A No, ma'am, at this time it does not. 16 Q According to the police report, McNairy 17 dropped a plastic bag containing narcotics. Do you 18 know whether you saw that occur? 19 A At this time, I don't know if that's 20 something that I had observed. 21 Q Okay. Do you know whether you observed 22 Officer Nichols perform a custodial search of 23 Mr. McNairy? 24 A At this time, I don't recall. I don't</p>	<p style="text-align: right;">100</p> <p>1 MR. KOSOKO: I will object to form. 2 Q Go ahead. 3 A It is just one of the -- it is one of the 4 arresting officers on the incident. 5 Q And should it be the person with the most 6 knowledge of what happened in the incident? 7 A Not necessarily, no. 8 Q Were you ever told anything by the Chicago 9 Police Department about who should be listed as the 10 first arresting officer? 11 A I don't recall anything specific, as far as 12 the priority levels of first or second level 13 arresting officers. Generally, that is the case, 14 but sometimes a second arresting officer can have 15 more pertinent information than the first arresting 16 officer. I don't know if the one or two are 17 subsequent as priority numbers. I think it is just 18 two boxes. 19 Q And putting aside the priority as between 20 first and second, were you ever told who should be 21 listed as arresting officers? 22 MR. MICHALIK: Object to the form of the 23 question. 24 MR. ZECCHIN: I will join that objection.</p>

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26 (101 to 104)

<p>101</p> <p>1 MR. KOSOKO: Form.</p> <p>2 Q Go ahead.</p> <p>3 A I don't recall anything specific being told</p> <p>4 as far as the first and second, about arresting</p> <p>5 officers. It's generally the people who are</p> <p>6 placing that person in either physical custody or</p> <p>7 it is their incident. They have general knowledge</p> <p>8 of the incident.</p> <p>9 Q Okay. You can put that exhibit to the</p> <p>10 side.</p> <p>11 How would someone take on the role or be</p> <p>12 assigned the role of inventorying narcotics that</p> <p>13 were seized in an arrest?</p> <p>14 MR. KOSOKO: I'm going to object to the</p> <p>15 form of the question.</p> <p>16 Q Go ahead.</p> <p>17 A Following the chain of custody, the</p> <p>18 recovering officer would choose a person to</p> <p>19 inventory the items, depending on the evidentiary</p> <p>20 value, the evidentiary value of the items. But it</p> <p>21 would have to be maintained between one officer to</p> <p>22 the next, is generally how it works.</p> <p>23 Q And the recovering officer would be the</p> <p>24 person who actually collected the narcotics on</p>	<p>103</p> <p>1 Q Have you had a chance to look at Exhibit 6?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Okay. Having reviewed Exhibit 6, this</p> <p>4 refers to an inventory of money that was seized in</p> <p>5 the course of the arrest of Andre McNairy; do you</p> <p>6 see that?</p> <p>7 A Yes.</p> <p>8 Q Okay. There's a box about a third of the</p> <p>9 way from the bottom that says, found by name.</p> <p>10 Do you see that?</p> <p>11 A Yes, ma'am.</p> <p>12 Q It says, Officer Nichols?</p> <p>13 A Yes.</p> <p>14 Q Okay. And am I correct that "found by"</p> <p>15 means that is the person who recovered the item</p> <p>16 listed on the inventory?</p> <p>17 A Yes.</p> <p>18 Q Okay. Do you see that there is another</p> <p>19 box, if you go to the right and down a couple, the</p> <p>20 second officer's name; do you see that?</p> <p>21 A Yes, ma'am.</p> <p>22 Q For this one, it shows Manuel Leano; do you</p> <p>23 see that?</p> <p>24 A Yes.</p>
<p>102</p> <p>1 scene; is that right?</p> <p>2 A It is however they came to recover the</p> <p>3 narcotics, whether it is on scene or in other</p> <p>4 circumstances.</p> <p>5 Q Okay. And should there be documentation</p> <p>6 somewhere of who the recovering officer gave the</p> <p>7 drugs to?</p> <p>8 A Not necessarily. There's nothing that we</p> <p>9 have to document that, other than who's performing</p> <p>10 the inventory. It would be known that they had</p> <p>11 last custody of the items to be inventoried.</p> <p>12 Q Okay. So the person who does the inventory</p> <p>13 is the person who received the narcotics from the</p> <p>14 recovering officer; is that correct?</p> <p>15 MR. KOSOKO: Object to the form of the</p> <p>16 question.</p> <p>17 Q Go ahead.</p> <p>18 A Generally, that's how, unless there's other</p> <p>19 circumstances that prevents that. I don't know.</p> <p>20 Q Let me show you an inventory, and maybe</p> <p>21 that will make it clear.</p> <p>22 MS. KLEINHAUS: Mark this as Exhibit 6.</p> <p>23 (Exhibit 6, inventory, marked for</p> <p>24 identification.)</p>	<p>104</p> <p>1 Q Okay. Is the second officer that's listed</p> <p>2 there the person that's -- what is the significance</p> <p>3 for someone to be listed as the second officer</p> <p>4 there?</p> <p>5 A It would either be your partner or it would</p> <p>6 just be -- you would have to -- it would just be</p> <p>7 your partner as the second officer. If it is</p> <p>8 applicable, that's where you would place the name</p> <p>9 for a partner.</p> <p>10 Q Okay. Is there a place on this form that</p> <p>11 shows who's doing the inventory? In your earlier</p> <p>12 testimony, I believe you said the recovering</p> <p>13 officer might hand the item off to another officer</p> <p>14 to do the inventory. Does any place on this form</p> <p>15 tell us who's doing the inventory?</p> <p>16 A Yes. Following the chain of custody, under</p> <p>17 it, there's what's called a PC number that's</p> <p>18 associated with all of us, and there's a PC number</p> <p>19 on the lower left.</p> <p>20 Q Okay. And, I'm sorry, can you point to the</p> <p>21 part you are talking about, please.</p> <p>22 A Where it says created by, there's a PC</p> <p>23 number, and that's a unique number that's given to</p> <p>24 all of us.</p>

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27 (105 to 108)

105	<p>1 Q Okay. Are you able to tell whose PC number</p> <p>2 that is?</p> <p>3 A Yes, ma'am.</p> <p>4 Q And whose is it?</p> <p>5 A It is mine.</p> <p>6 Q Okay. And did you maintain the same PC</p> <p>7 number throughout your time on the tactical unit at</p> <p>8 the 2nd District?</p> <p>9 A I believe so, unless it was changed without</p> <p>10 my knowledge by the department.</p> <p>11 Q So does the PC number there indicate that</p> <p>12 you were the person who completed this inventory</p> <p>13 form?</p> <p>14 A It states that, yes, I initiated and</p> <p>15 completed it on the computer.</p> <p>16 Q Okay. Do you know how a prosecutor would</p> <p>17 determine who they should call to talk about the</p> <p>18 chain of custody? For example, how a prosecutor</p> <p>19 would know to call you with regard to this</p> <p>20 inventory?</p> <p>21 A No, ma'am, that's something you would have</p> <p>22 to ask the prosecutor.</p> <p>23 Q Other than using the PC number on the</p> <p>24 inventory form, is there any other occasion as a</p>	107	<p>1 think that just comes up on its own.</p> <p>2 Q Okay. Have you ever -- did you ever see it</p> <p>3 auto populate where it would fill that in for you?</p> <p>4 A No, I don't recall.</p> <p>5 Q You can put that exhibit to the side.</p> <p>6 Am I correct that none of the documents</p> <p>7 that you have seen related to the arrest of Andre</p> <p>8 McNairy have refreshed your recollection at all?</p> <p>9 A At this time, no, ma'am.</p> <p>10 Q Okay. Would it assist your recollection to</p> <p>11 review reports from the same date or the same time</p> <p>12 period to know what happened with the McNairy</p> <p>13 arrest?</p> <p>14 A I'm sorry, I am not following you, your</p> <p>15 question.</p> <p>16 Q Would it help your recollection at all to</p> <p>17 look at other arrest reports from the same date or</p> <p>18 the day before or the day after, to put it in</p> <p>19 context?</p> <p>20 A I don't know. I would have to look at the</p> <p>21 reports.</p> <p>22 Q Okay. It may help, it may not?</p> <p>23 A Right. It may help, it may not.</p> <p>24 Q Did you testify in Andre McNairy's trial?</p>
106	<p>1 police officer when you would use the PC number?</p> <p>2 A Either to log in their computer or sign in</p> <p>3 for training so that they know you have received</p> <p>4 certain training -- that sign in for training.</p> <p>5 Q Okay. Does -- go ahead.</p> <p>6 A You know, other things that might be</p> <p>7 required to be a unique reason for them to know</p> <p>8 that it is specifically you, so outside of your</p> <p>9 name or your star number.</p> <p>10 Q Okay. And do you know if the PC -- if the</p> <p>11 letters "PC" stand for anything?</p> <p>12 A I do not know --</p> <p>13 Q Okay.</p> <p>14 A -- at this time.</p> <p>15 Q Do you see below your PC number where it</p> <p>16 says, disclaimer, inventory created by user other</p> <p>17 than the first, second, or investigating officers?</p> <p>18 Do you see that part?</p> <p>19 A Yes, ma'am.</p> <p>20 Q Is that something that when you were</p> <p>21 filling out the inventory you would have to choose</p> <p>22 to add to the form?</p> <p>23 A No. I don't think that's part of the</p> <p>24 actual active process of creating the inventory, I</p>	108	<p>1 A At this time I don't recall if I did or</p> <p>2 not. It is possible, if there was a trial.</p> <p>3 Q Okay. I show you what we will mark as</p> <p>4 Exhibit 7.</p> <p>5 (Exhibit 7, trial transcript excerpt,</p> <p>6 marked for identification.)</p> <p>7 Q Okay. Having reviewed Exhibit 7, does</p> <p>8 reviewing your testimony from the McNairy case</p> <p>9 refresh your recollection at all about this</p> <p>10 incident?</p> <p>11 A No, ma'am. Not at this time.</p> <p>12 Q Put that exhibit to the side.</p> <p>13 I am going to show you what we will mark as</p> <p>14 Exhibit 8. I will represent to you, it is the</p> <p>15 affidavit of Andre McNairy.</p> <p>16 (Exhibit 8, McNairy affidavit, marked for</p> <p>17 identification.)</p> <p>18 Q Have you reviewed the affidavit of</p> <p>19 Mr. McNairy before?</p> <p>20 A I don't believe that I have, no.</p> <p>21 Q Take a moment to review it. I will ask you</p> <p>22 some questions about it.</p> <p>23 Okay. Have you reviewed Exhibit 8?</p> <p>24 A Yes, ma'am. There's some things I can't --</p>

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28 (109 to 112)

109	<p>1 aren't legible to me, but I have reviewed it, to</p> <p>2 the best of my ability at this time.</p> <p>3 Q Okay. I want to turn your attention to the</p> <p>4 first three paragraphs of the affidavit.</p> <p>5 Mr. McNairy refers to an encounter that he had with</p> <p>6 you and Officer Nichols a few weeks before his</p> <p>7 arrest. Did reviewing paragraphs 1 through 3</p> <p>8 refresh your recollection at all about an encounter</p> <p>9 with Mr. McNairy?</p> <p>10 A No. I don't recall having an interaction.</p> <p>11 Q Okay.</p> <p>12 A With Mr. McNairy.</p> <p>13 Q Okay.</p> <p>14 A The way he describes it.</p> <p>15 Q Do you have a recollection of any</p> <p>16 interaction with him at all?</p> <p>17 A I do not at this time.</p> <p>18 Q Okay. He describes interaction where you</p> <p>19 and Nichols asked where the drugs were at, and he</p> <p>20 said he didn't have anything, and you and Nichols</p> <p>21 said, just give me the heroin, we are going to work</p> <p>22 with you.</p> <p>23 Were there occasions where you would</p> <p>24 approach people to ask for information about drugs?</p>	111	<p>1 in paragraph 3?</p> <p>2 A Well, I don't have any recollection of</p> <p>3 having this type of interaction with Mr. McNairy.</p> <p>4 And that -- the words that he uses is something</p> <p>5 that I don't believe that I would use. I would not</p> <p>6 use -- I would not speak to people regarding that.</p> <p>7 Q Okay.</p> <p>8 A The way he described it.</p> <p>9 Q Okay. And what part of the way he</p> <p>10 described it to you isn't something that you would</p> <p>11 have done or would have said?</p> <p>12 A Where he's saying, just give me the heroin,</p> <p>13 we're going to work with you.</p> <p>14 Q And why do you believe that's something you</p> <p>15 would not have said?</p> <p>16 A I just don't believe that's something that</p> <p>17 I would have said.</p> <p>18 Q Any particular reason?</p> <p>19 A It is just something I probably -- I would</p> <p>20 not have said.</p> <p>21 Q Is there anything wrong with telling</p> <p>22 someone to give you the drugs or give you the drug</p> <p>23 information?</p> <p>24 A In this context, the way he's writing it,</p>
110	<p>1 A Under an investigative -- legitimate</p> <p>2 investigation, then, yes, it would be appropriate</p> <p>3 for us to approach some people and ask about drug</p> <p>4 sales in the area, if they were willing to give us</p> <p>5 information.</p> <p>6 Q Okay. And so that would be part of doing</p> <p>7 narcotic investigations, correct, to approach</p> <p>8 people and ask for information about narcotic</p> <p>9 sales?</p> <p>10 A It depends. Depends on the situation and</p> <p>11 what's going on during that time period.</p> <p>12 Q Okay. Is there anything about the</p> <p>13 conversation that Mr. McNairy summarizes in</p> <p>14 paragraph 3 that you can -- would have been</p> <p>15 improper to do?</p> <p>16 MR. ZECCHIN: I'll object. Form.</p> <p>17 Q Go ahead, please.</p> <p>18 A Which part of it? I'm sorry.</p> <p>19 Q Look at paragraph 3. He summarizes a</p> <p>20 conversation he had with you and Officer Nichols.</p> <p>21 I understand your testimony is that you don't</p> <p>22 recall this conversation.</p> <p>23 Assuming it happened as he describes it, is</p> <p>24 there anything improper about what he's describing</p>	112	<p>1 to me, the way he's describing that incident</p> <p>2 doesn't seem appropriate. But I don't recall</p> <p>3 having any type of interaction with Mr. McNairy</p> <p>4 like that.</p> <p>5 Q And what would be inappropriate about an</p> <p>6 interaction like that.</p> <p>7 A Just the way he's describing it. Just give</p> <p>8 me the heroin? Something that I don't think I</p> <p>9 would say. Not in the way he describes it.</p> <p>10 Q What would you say instead to ask someone</p> <p>11 about drugs or drug information?</p> <p>12 A That I couldn't --</p> <p>13 MR. ZECCHIN: Before you answer, I am going</p> <p>14 to object to the incomplete hypothetical.</p> <p>15 MR. KOSOKO: I'm going to object to the</p> <p>16 form of the question, also.</p> <p>17 Q Go ahead.</p> <p>18 A That would depend on the situation.</p> <p>19 Q Okay. I'm trying to find out what it is</p> <p>20 about how he describes the approach that you think</p> <p>21 would be inappropriate or something you wouldn't</p> <p>22 do.</p> <p>23 Can you explain why that would be</p> <p>24 inappropriate or you wouldn't do it?</p>

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29 (113 to 116)

<p style="text-align: right;">113</p> <p>1 A The way this is described, after you had me 2 read it, doesn't -- it doesn't seem like something 3 that I would do. 4 Q All right. My question is why would you 5 not do that? 6 A Maybe in the way that he's saying some of 7 the words that he would say, that the way he has 8 quotes. 9 Q Okay. 10 A That doesn't sound like something that I 11 would say. 12 Q Is there anything wrong in a field 13 interview with telling someone to give you drugs or 14 give you drug information? 15 MR. KOSOKO: I'm going to object to the 16 form. 17 MR. ZECCHIN: I am going to join that 18 objection. 19 Q Go ahead. 20 A Use the word "give," I don't think it would 21 just be "give me." I would have more proper type 22 of interaction with people if I was requesting 23 information. 24 Q Okay. It might be a more -- like a more</p>	<p style="text-align: right;">115</p> <p>1 a higher authority. 2 Q Did you on occasion get permission and do 3 those types of searches? 4 A No, ma'am. I don't recall at this time if 5 I had to do that. It is possible, I had -- we had 6 to do them, but I don't remember. 7 Q You don't know either way; is that fair to 8 say? 9 A Yeah, I don't recall whether I had to ask 10 permission to do that. 11 Q Okay. You don't know if you have ever done 12 one or not? 13 A I can't recall at this time. 14 Q Okay. 15 A But if it was, it would have been done with 16 the permission of a watch commander. 17 Q Looking at paragraph 8 of Mr. McNairy's 18 affidavit, he essentially describes a situation 19 where Watts told officers not to write up an 20 arrest. I know you don't recall anything about 21 Mr. McNairy, but were there occasions when Sergeant 22 Watts told you not to write up an arrest? 23 A I don't have any recollection of him 24 requesting for me to not write up an arrest.</p>
<p style="text-align: right;">114</p> <p>1 formal -- 2 A I would attempt -- 3 Q -- way of speaking? 4 A I have always tried to keep my 5 conversations formal, as best as I could, but it 6 would depend on the circumstances. 7 Q Turn with me, please, to the following 8 page. If you look at paragraph 5, he describes a 9 strip search at the station that resulted in drugs 10 and money being confiscated. Do you see that 11 paragraph? 12 A Yes, ma'am. 13 Q Okay. Were there occasions -- I know you 14 don't remember anything about Mr. McNairy. Were 15 there occasions when you worked on the tactical 16 team in the 2nd District where you conducted strip 17 searches at the police station? 18 A No, ma'am. It would have to be authorized. 19 Q What do you have to do to get authorization 20 for a strip search? 21 A You would have to -- it is my 22 understanding, based on general order, from what I 23 can recall, is that you would have to get 24 permission from the watch commander or somebody of</p>	<p style="text-align: right;">116</p> <p>1 Q You can put that exhibit to the side. 2 I want to talk to you about my client 3 Jamell Sanders. Do you know who Mr. Sanders is? 4 A I do know that name now, yes, ma'am. 5 Q Okay. And how do you know Mr. Sanders? 6 A I don't know him personally, but I know 7 he's suing me. 8 Q Okay. Do you have any recollection of 9 Mr. Sanders prior to learning about this -- prior 10 to learning that he's suing you? 11 A Once I knew -- once I saw his -- was able 12 to see his photograph, and his associated nickname, 13 I recognized the nickname and I do recall, I do 14 remember him. 15 Q Okay. What's the nickname that you 16 recognized? 17 A J Rock. 18 Q Okay. And what -- having had your 19 recollection refreshed somewhat by seeing his photo 20 and learning his nickname, what do you remember 21 about him? 22 A I have general memory of him as one of the 23 groups of the younger kids that would be around, 24 the lower extensions of the -- well, the Ida B.</p>

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30 (117 to 120)

<p style="text-align: right;">117</p> <p>1 Wells, and then also along the smaller housing</p> <p>2 units that were just to the east of the extensions</p> <p>3 that he would frequent.</p> <p>4 Q What would he be doing when you saw him in</p> <p>5 the extensions?</p> <p>6 A I just remember him being just a, you know,</p> <p>7 just a younger kid, being fascinated with the</p> <p>8 police, coming out to us for, you know, to talk to</p> <p>9 us and things like that. So I remember him having</p> <p>10 interactions with him in that fashion, friendly</p> <p>11 interactions.</p> <p>12 Q Okay. Anything else that you remember</p> <p>13 about your interactions with Mr. Sanders?</p> <p>14 A No. That's what I most -- most remember</p> <p>15 him specifically.</p> <p>16 Q Okay. Did you know any members of his</p> <p>17 family that lived in Ida B. Wells or the</p> <p>18 extensions?</p> <p>19 A I don't recall knowing any of the family</p> <p>20 members. It is possible during that time period I</p> <p>21 may have known or had interactions with them.</p> <p>22 Q I am going to show you what we will mark as</p> <p>23 Exhibit 9. This relates to an arrest of</p> <p>24 Mr. Sanders that I believe you participated in.</p>	<p style="text-align: right;">119</p> <p>1 Ida B. Wells development, received information from</p> <p>2 a concerned citizen.</p> <p>3 And that -- I assume that means the</p> <p>4 arresting officers received that information?</p> <p>5 A Yes.</p> <p>6 Q Do you know who you got the information</p> <p>7 from for this incident?</p> <p>8 A At this time, I do not recall. It was</p> <p>9 June 4, 2006 when this event occurred.</p> <p>10 Q Did you have anyone in the Ida B. Wells</p> <p>11 projects that you regularly relied on for</p> <p>12 information like this about narcotic sales?</p> <p>13 A No, ma'am, I did not.</p> <p>14 Q You are listed as the first arresting</p> <p>15 officer for this arrest as well as the attesting</p> <p>16 officer; do you see that?</p> <p>17 A Yes, ma'am.</p> <p>18 Q And is it fair to say that means that you</p> <p>19 have personal knowledge of the facts contained in</p> <p>20 the narrative section?</p> <p>21 A Yes. I was the attesting and -- so I -- I</p> <p>22 believe I wrote this report, yes.</p> <p>23 Q And when you were attesting, you were</p> <p>24 swearing that the facts contained in this report</p>
<p style="text-align: right;">118</p> <p>1 (Exhibit 9, Sanders arrest report, marked</p> <p>2 for identification.)</p> <p>3 Q Do you have any recollection of being part</p> <p>4 of an arrest of Mr. Sanders?</p> <p>5 A I did not recall arresting him.</p> <p>6 Q Have you had a chance to review the</p> <p>7 exhibit?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Okay. Having reviewed the exhibit, does it</p> <p>10 refresh your recollection about the arrest of</p> <p>11 Mr. Sanders?</p> <p>12 A At this time, it does not.</p> <p>13 Q Okay. If you look with me, please, in the</p> <p>14 incident narrative section, it says the event</p> <p>15 number, and then it says this is an on view arrest,</p> <p>16 at the second housing TAC 264BCAO. Do you see that</p> <p>17 part?</p> <p>18 A Yes.</p> <p>19 Q Okay. What does AO stand for?</p> <p>20 A It is meant -- I wrote this report so it is</p> <p>21 meant to say arresting officer.</p> <p>22 Q Okay.</p> <p>23 A Arresting officer.</p> <p>24 Q So the next line says, while patrolling the</p>	<p style="text-align: right;">120</p> <p>1 were truthful and accurate to the best of your</p> <p>2 knowledge, correct?</p> <p>3 A To the best of my knowledge, information,</p> <p>4 and/or belief, yes.</p> <p>5 Q Okay. All right. You can put that to the</p> <p>6 side.</p> <p>7 Okay. I will show you what we will mark as</p> <p>8 Exhibit 10. This is the original case incident</p> <p>9 report.</p> <p>10 (Exhibit 10, case incident report, marked</p> <p>11 for identification.)</p> <p>12 Q If you turn to the second page of this</p> <p>13 exhibit, under personnel, you're listed as the</p> <p>14 reporting officer. Do you see that?</p> <p>15 A Yes, ma'am.</p> <p>16 Q Does reporting officer on this report, on</p> <p>17 this incident report, mean that you -- is that the</p> <p>18 same thing as the attesting officer, the person</p> <p>19 with knowledge of the facts?</p> <p>20 MR. MICHALIK: Object to the form of the</p> <p>21 question.</p> <p>22 MR. ZECCHIN: I will join the objection.</p> <p>23 MR. KOSOKO: Join.</p> <p>24 Q Go ahead.</p>

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31 (121 to 124)

<p>121</p> <p>1 A It is an original case incident report, so</p> <p>2 it is slightly different than an arrest report. So</p> <p>3 in this case, the reporting officer is just the</p> <p>4 person generating the report, creating the report.</p> <p>5 Q All it means is that you made this two-page</p> <p>6 document?</p> <p>7 A Yes, this is the officer who created this</p> <p>8 document.</p> <p>9 Q Okay. So that could be -- in this case it</p> <p>10 happens to be that you were someone with knowledge,</p> <p>11 but it could easily be someone without knowledge,</p> <p>12 right?</p> <p>13 MR. KOSOKO: Object. Form.</p> <p>14 MR. MICHALIK: Object.</p> <p>15 MR. ZECCHIN: I will join the objection.</p> <p>16 A Sorry, I don't understand. You are saying</p> <p>17 a report would be generated without having any</p> <p>18 knowledge of something?</p> <p>19 Q Yes. Could someone be listed as the</p> <p>20 reporting officer on the original case incident</p> <p>21 report, but not have any personal knowledge of the</p> <p>22 incident?</p> <p>23 MR. KOSOKO: Object to form.</p> <p>24 A I can't speculate or think of any</p>	<p>123</p> <p>1 A Yes.</p> <p>2 Q What's your understanding of what it means</p> <p>3 to be listed as the reporting officer on the vice</p> <p>4 case report?</p> <p>5 A It is my understanding that in 2006 with</p> <p>6 this general vice case report, it is the person</p> <p>7 creating -- one of the officers generating the case</p> <p>8 report, the vice case report.</p> <p>9 Q Okay. And the officer listed as the</p> <p>10 reporting officer and signing as the reporting</p> <p>11 officer is expected to have personal knowledge of</p> <p>12 the events contained in the narrative section,</p> <p>13 correct?</p> <p>14 MR. MICHALIK: Object to the form of the</p> <p>15 question.</p> <p>16 MR. ZECCHIN: Join.</p> <p>17 MR. KOSOKO: Join.</p> <p>18 Q Go ahead.</p> <p>19 A Yes, ma'am, they would have some sort of</p> <p>20 knowledge, whether observed or informed, I believe.</p> <p>21 Q Do you know in this case if you observed</p> <p>22 the misconduct or were informed of the misconduct</p> <p>23 alleged in the narrative section?</p> <p>24 A I'm sorry, ma'am, can you repeat that.</p>
<p>122</p> <p>1 incidents, but I am sure there's times where the</p> <p>2 reporting officer may have to report an incident</p> <p>3 and may not have knowledge of it, of something</p> <p>4 occurring.</p> <p>5 Q Did you ever do that?</p> <p>6 A I don't recall if I did or didn't.</p> <p>7 Q Okay. You can put that to the side.</p> <p>8 I am going to show you what we will mark as</p> <p>9 Exhibit 11. This is the vice case report for the</p> <p>10 arrest of Jamell Sanders.</p> <p>11 (Exhibit 11, Sanders vice case report,</p> <p>12 marked for identification.)</p> <p>13 Q Have you reviewed this vice case report</p> <p>14 recently?</p> <p>15 A I believe so. It is possible.</p> <p>16 Q Did you review it as part of your</p> <p>17 preparation for today's deposition?</p> <p>18 A Yes, I believe so.</p> <p>19 Q Okay. And you're listed on the vice case</p> <p>20 report as the reporting officer for the Sanders</p> <p>21 arrest, correct?</p> <p>22 A Yes, ma'am.</p> <p>23 Q Okay. And your signature appears below</p> <p>24 that, right?</p>	<p>124</p> <p>1 Q Sure.</p> <p>2 Do you know for this arrest whether you</p> <p>3 observed what was described in the narrative, the</p> <p>4 criminal activity described in the narrative,</p> <p>5 versus having it relayed to you by another officer?</p> <p>6 A This is the same as the -- this is the</p> <p>7 arrest -- the same report for the arrest?</p> <p>8 Q Yes, sir. It is the same Jamell Sanders</p> <p>9 arrest.</p> <p>10 A Yes, I would have. I believe I would have</p> <p>11 had knowledge when I generated this report, yes.</p> <p>12 Q All right. You can put that exhibit to the</p> <p>13 side.</p> <p>14 I am going to show you what we will mark as</p> <p>15 Exhibit 12. This is the prisoner transportation</p> <p>16 transmittal form for the Sanders arrest.</p> <p>17 (Exhibit 12, prisoner transportation</p> <p>18 transmittal form, marked for identification.)</p> <p>19 Q You're familiar with this type of form,</p> <p>20 correct?</p> <p>21 A I have seen it, yes. It has been a while</p> <p>22 since I have seen one of these.</p> <p>23 Q Okay.</p> <p>24 A It is a copy of one of these, right? Not</p>

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32 (125 to 128)

<p>125</p> <p>1 the actual transmittal, it is a copy?</p> <p>2 Q I am not sure I understand, but all of this</p> <p>3 is copies.</p> <p>4 A Okay.</p> <p>5 Q But I want to direct your attention, under</p> <p>6 special court consideration, do you see that</p> <p>7 column? It is like underneath his photo.</p> <p>8 A Yes.</p> <p>9 Q Okay. There's a note there that says,</p> <p>10 resisted arrest; do you see that?</p> <p>11 A Yes, ma'am.</p> <p>12 Q Do you know who would have generated that</p> <p>13 note?</p> <p>14 A I do not know at this time.</p> <p>15 Q Okay. Do you know who created -- can you</p> <p>16 tell from looking at this form who created the</p> <p>17 form -- I'm sorry -- who filled it in as to</p> <p>18 Mr. Sanders?</p> <p>19 A No, ma'am.</p> <p>20 Q Okay.</p> <p>21 A At this time, I don't. I don't know.</p> <p>22 Q Okay. If Mr. Sanders had resisted arrest</p> <p>23 in some way, is that something that you would have</p> <p>24 included in the narrative of the arrest report or</p>	<p>127</p> <p>1 that with Mr. Sanders.</p> <p>2 Q Turn with me, the fourth paragraph, he</p> <p>3 explains that you held him on the landing until</p> <p>4 Watts arrived. Do you have any recollection of</p> <p>5 pulling Mr. Sanders on the landing until Sergeant</p> <p>6 Watts arrived?</p> <p>7 A No, I do not have any recollection of that.</p> <p>8 Q Do you know, either way, whether that</p> <p>9 happened?</p> <p>10 A Whether I -- whether how he describes it</p> <p>11 held me in the -- what is it?</p> <p>12 Q The landing?</p> <p>13 A Held me in the landing until --</p> <p>14 Q Yeah.</p> <p>15 A Until arrived.</p> <p>16 At this time, I don't recall.</p> <p>17 Q Okay. In paragraph 7 he describes being</p> <p>18 taken to an apartment in the complex by police</p> <p>19 officers and being put in there, and he goes on to</p> <p>20 explain in paragraph 8 that there was a search</p> <p>21 conducted of the apartment. Do you know either way</p> <p>22 whether that occurred?</p> <p>23 A I do not believe that that occurred. I</p> <p>24 don't have any recollection of that incident, but I</p>
<p>126</p> <p>1 the vice case report?</p> <p>2 A I believe so, yes.</p> <p>3 Q Okay. You can put that exhibit to the</p> <p>4 side.</p> <p>5 I am going to show you what we'll mark as</p> <p>6 Exhibit 13.</p> <p>7 (Exhibit 13, Sanders affidavit, marked</p> <p>8 for identification.)</p> <p>9 Q This is the affidavit of Mr. Sanders. Have</p> <p>10 you seen this affidavit before?</p> <p>11 A No, ma'am, I don't believe I have.</p> <p>12 Q Please take a moment to review it, and I</p> <p>13 will ask you some questions about it.</p> <p>14 A I've reviewed it.</p> <p>15 Q Sorry?</p> <p>16 A I've reviewed it, to the best of my</p> <p>17 ability, yes.</p> <p>18 Q Okay. Work with me, please. At the second</p> <p>19 paragraph, Mr. Sanders describes that you grabbed</p> <p>20 him on the landing and said words to the effect of,</p> <p>21 I told you we would get you sometime.</p> <p>22 Do you recall an interaction like that with</p> <p>23 Mr. Sanders?</p> <p>24 A No, I do not recall an interaction like</p>	<p>128</p> <p>1 don't believe that that occurred.</p> <p>2 Q Why don't you believe that that occurred?</p> <p>3 A It is different than what I had documented</p> <p>4 in the case report, that this is associated with</p> <p>5 this. If he's alleging that this did not happen</p> <p>6 with this? Is that what he's alleging?</p> <p>7 Q I just want to focus on -- you don't</p> <p>8 believe that he was taken to an apartment --</p> <p>9 A I don't have any recollection of any of</p> <p>10 that ever happening, ma'am.</p> <p>11 Q Okay. Other than not recalling that</p> <p>12 happening, do you have any other reason that you</p> <p>13 don't believe it?</p> <p>14 A If he's alleging that -- if he's alleging</p> <p>15 this in contrary to this, this is a documented</p> <p>16 incident, and I stand by that.</p> <p>17 Q Okay. In the following paragraphs he</p> <p>18 describes Officer Jones smacking him in the face.</p> <p>19 Do you know either way whether that occurred?</p> <p>20 A I do not have any information or</p> <p>21 recollection of anything like that ever occurring.</p> <p>22 Q Okay. You don't know either way; is that</p> <p>23 fair to say?</p> <p>24 A I do not know --</p>

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33 (129 to 132)

129	<p>1 Q Okay.</p> <p>2 A -- if that occurred, at this time.</p> <p>3 Q Looking at paragraph 11, he describes a</p> <p>4 comment from you to this effect. Quote, you had</p> <p>5 the chance to say something, but you didn't, so now</p> <p>6 you have to go to jail.</p> <p>7 Did you make a comment like that or</p> <p>8 something similar to that to Mr. Sanders?</p> <p>9 A I don't recall making a comment like that</p> <p>10 to Mr. Sanders, no.</p> <p>11 Q Put that exhibit to the side.</p> <p>12 I would like to talk to you about my client</p> <p>13 George Almond. Do you know who Mr. Almond is?</p> <p>14 A I do now, yes.</p> <p>15 Q You do now?</p> <p>16 A I recognize the name from possible</p> <p>17 interactions I had with somebody with that name in</p> <p>18 the 2nd District, throughout my career.</p> <p>19 Q Okay. Do you believe you had more than one</p> <p>20 encounter with Mr. Almond?</p> <p>21 A It is possible, yes.</p> <p>22 Q Do you know whether you did or not?</p> <p>23 A I do not know how many times, but it is</p> <p>24 possible.</p>	131	<p>1 Did you review documents related to an</p> <p>2 arrest of Mr. Almond in preparation for your</p> <p>3 deposition today?</p> <p>4 A I believe I looked at some reports.</p> <p>5 Q Do you know if you looked at the vice case</p> <p>6 report for Mr. Almond's arrest?</p> <p>7 A Yes, I believe so.</p> <p>8 Q Did reviewing the vice case report refresh</p> <p>9 your recollection about that arrest?</p> <p>10 A No, ma'am, at this time it does not.</p> <p>11 Q Do you know what other documents related to</p> <p>12 the arrest of Mr. Almond you reviewed in</p> <p>13 preparation for your deposition today?</p> <p>14 A I'm sorry, can you repeat the question?</p> <p>15 Q Sure.</p> <p>16 Do you know what documents related to</p> <p>17 Mr. Almond you reviewed in preparation for today?</p> <p>18 A Just reports, maybe arrest reports, and in</p> <p>19 terms if they are applicable, case reports.</p> <p>20 Q I am going to show you the arrest report</p> <p>21 for the arrest of Mr. Almond. I will mark it as</p> <p>22 Exhibit 15.</p> <p>23 (Exhibit 15, Almond arrest report, marked</p> <p>24 for identification.)</p>
130	<p>1 Q What do you remember about Mr. Almond?</p> <p>2 A Just the name. Possibly a face.</p> <p>3 Q Okay. I am going to show you a photo, see</p> <p>4 if that refreshes your recollection at all.</p> <p>5 (Exhibit 14, photograph, marked for</p> <p>6 identification.)</p> <p>7 Q Having looked at the photo, do you recall</p> <p>8 anything more about Mr. Almond besides that his</p> <p>9 name sounds familiar to you?</p> <p>10 A No, he looks familiar to me, and the name.</p> <p>11 I have a recollection of him being associated with</p> <p>12 narcotic sales, but that's it.</p> <p>13 Q Okay. It looks like on this document</p> <p>14 there's a spot where it says "requested by;" do you</p> <p>15 see that? It is really tiny.</p> <p>16 A Yes. Under report date?</p> <p>17 Q Yes.</p> <p>18 A Yes, ma'am.</p> <p>19 Q Do you see, is that also a PC number next</p> <p>20 to "requested by"?</p> <p>21 A Yes.</p> <p>22 Q Do you know whose PC number that is?</p> <p>23 A No, ma'am.</p> <p>24 Q You can put that exhibit to the side.</p>	132	<p>1 Q Have you had a chance to review it?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Okay. It lists here, nickname or potential</p> <p>4 nickname for Mr. Almond of Toby. Does that help</p> <p>5 you recall anything about Mr. Almond?</p> <p>6 A No, ma'am. Not a clue.</p> <p>7 Q You reviewed the narrative section of this</p> <p>8 arrest report?</p> <p>9 A Yes.</p> <p>10 Q Anything about the narrative section</p> <p>11 refresh your recollection about this arrest?</p> <p>12 A No, not at this time.</p> <p>13 Q Okay. In this arrest report, two arresting</p> <p>14 officers are listed, Officer Mohammed and Officer</p> <p>15 Smith. In your experience as a police officer,</p> <p>16 could there have been additional assisting officers</p> <p>17 who weren't listed on the arrest report?</p> <p>18 MR. MICHALIK: Objection to form. Calls</p> <p>19 for speculation.</p> <p>20 MR. ZECCHIN: Join.</p> <p>21 MR. KOSOKO: Join.</p> <p>22 Q Go ahead.</p> <p>23 A Yes, it is possible.</p> <p>24 Q Okay. You can put that objection to the</p>

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34 (133 to 136)

<p>133</p> <p>1 side.</p> <p>2 Do you recognize the PC number PCOR964?</p> <p>3 A No, ma'am.</p> <p>4 Q You don't know who that is?</p> <p>5 A No.</p> <p>6 Q I am going to show you what we'll mark as</p> <p>7 Exhibit 16. It is the affidavit of George Almond.</p> <p>8 (Exhibit 16, Almond affidavit, marked for</p> <p>9 identification.)</p> <p>10 Q Having reviewed Exhibit 16, does it refresh</p> <p>11 your recollection at all about an arrest of George</p> <p>12 Almond?</p> <p>13 A No.</p> <p>14 Q In paragraph 5, Mr. Almond alleges that</p> <p>15 Officers Jones, Mohammed, you, Doug, quote, China</p> <p>16 man, end quote, Coco, Smitty, and several others</p> <p>17 exited their vehicles. Further down he refers to</p> <p>18 you and Mohammed and Jones being present.</p> <p>19 Do you have any reason to deny that you</p> <p>20 were present as part of this incident?</p> <p>21 A Was I listed as an arresting officer on the</p> <p>22 incident where he was arrested?</p> <p>23 Q I just want you to focus on his allegations</p> <p>24 here. Do you have any basis on which to deny being</p>	<p>135</p> <p>1 Milton Delaney. Do you know Mr. Delaney?</p> <p>2 A I do not know him. I now know the name.</p> <p>3 Q You now know the name from this litigation;</p> <p>4 is that right?</p> <p>5 A Yes, ma'am.</p> <p>6 Q Okay. I am going to show a photo of</p> <p>7 Mr. Delaney and see if that refreshes your</p> <p>8 recollection.</p> <p>9 (Exhibit 17, photograph, marked for</p> <p>10 identification.)</p> <p>11 Q Does looking at Mr. Delaney's photo refresh</p> <p>12 anything for you?</p> <p>13 A No, it does not.</p> <p>14 Q Okay. Do you recall being involved in an</p> <p>15 arrest involving Mr. Delaney?</p> <p>16 A No, I do not. Not at this time.</p> <p>17 Q Okay. Did you review any reports related</p> <p>18 to Mr. Delaney in preparation for today's</p> <p>19 deposition?</p> <p>20 A I believe so. It is arrest reports, or I</p> <p>21 believe reports related to an arrest.</p> <p>22 Q Okay.</p> <p>23 MR. RAVITZ: For the record, have you given</p> <p>24 this exhibit a number yet?</p>
<p>134</p> <p>1 part of this incident?</p> <p>2 A Which incident are you referring to, ma'am?</p> <p>3 Q This is the same incident we have been</p> <p>4 talking about. So we talked through the arrest</p> <p>5 report, just a moment ago.</p> <p>6 A If I am documented as assisting officer on</p> <p>7 the report, then I would have assisted at some</p> <p>8 point throughout this incident. Throughout the</p> <p>9 arrest situation, yes.</p> <p>10 Q Okay. Other than whether or not you're</p> <p>11 documented, do you have any basis in your own</p> <p>12 memory to confirm or deny whether you were present</p> <p>13 for the incident?</p> <p>14 A Outside of the reports, I don't have any</p> <p>15 independent recollection on whether or not.</p> <p>16 Q Okay. You can put that to the side.</p> <p>17 MS. KLEINHAUS: I would like to take a</p> <p>18 quick break. We can go off the record.</p> <p>19 THE VIDEOGRAPHER: Off the record, 2:57.</p> <p>20 (WHEREUPON, a recess was had from 2:57</p> <p>21 p.m. to 3:08 p.m.)</p> <p>22 THE VIDEOGRAPHER: Back on the record,</p> <p>23 3:08.</p> <p>24 Q Sir, I want to speak to you about my client</p>	<p>136</p> <p>1 MS. KLEINHAUS: Yes. It is Exhibit 17. We</p> <p>2 just went a little bit quick.</p> <p>3 Q Okay. Sir, I am going to show you what we</p> <p>4 will mark as Exhibit 18. This is the arrest report</p> <p>5 for Milton Delaney.</p> <p>6 (Exhibit 18, Delaney arrest report,</p> <p>7 marked for identification.)</p> <p>8 Q Have you had a chance to review the arrest</p> <p>9 report for Mr. Delaney?</p> <p>10 A Yes, ma'am.</p> <p>11 Q Did reviewing the incident narrative for</p> <p>12 that arrest report refresh your recollection at all</p> <p>13 about this incident?</p> <p>14 A At this time, it does not. It was --</p> <p>15 Q I'm sorry, go ahead.</p> <p>16 A I'm sorry, it was 2007. 12 years ago.</p> <p>17 Q Okay. The narrative portion of the arrest</p> <p>18 report describes finding Mr. Delaney to be in</p> <p>19 possession of MDMA or ecstasy. Do you see that</p> <p>20 part?</p> <p>21 A In the narrative, yes.</p> <p>22 Q Was that drug a common narcotic for you to</p> <p>23 see in the Ida B. Wells projects during the time</p> <p>24 period you were part of the tactical team?</p>

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35 (137 to 140)

<p style="text-align: right;">137</p> <p>1 A It was not uncommon, but there was a time 2 period when it became an issue there, as far as 3 sales for the -- as a recreational drug. 4 Q And when was that time period? 5 A Sometime during that time while I was 6 working in the 2nd District, or while I was working 7 in the 2nd District. I don't remember the exact 8 time periods. Whenever it became popular, more 9 popular than it is. 10 Q Okay. So sometime during the 2000 to 2017 11 time period? 12 A Yes. At some point, I recall it, you know, 13 that particular drug became a little bit more 14 popular for recreational use, and you would have 15 occasion to see it. 16 Q Turning to page 3 of this exhibit, you're 17 listed as the attesting and arresting officer; do 18 you see that? 19 A Yes, ma'am. 20 Q And as the attesting officer, you had 21 knowledge of the facts contained in the narrative 22 portion of the report, right? 23 A Yes, knowledge, information, and/or belief, 24 yes.</p>	<p style="text-align: right;">139</p> <p>1 A It is possible, yes. 2 Q Okay. When you say it's possible, it means 3 that person's name may be included or it may not; 4 is that fair? 5 A Generally, whatever beat car you are 6 working with, that's who you would, and if they 7 assisted in the incident, that's who you would 8 document on the report, so, yes. 9 Q Okay. You can put that exhibit to the 10 side. 11 I am going to show you what we will mark as 12 Exhibit 19. This is the vice case report for the 13 arrest of Mr. Delaney. 14 (Exhibit 19, Delaney vice case report, 15 marked for identification.) 16 Q Having reviewed this exhibit, does it 17 refresh your recollection at all about this arrest? 18 A No, ma'am, at this time it does not. 19 Q If you look in the narrative section of the 20 vice case report, it says, the event number, and 21 then this is an on view arrest by 264, D, housing 22 TAC; do you see that? 23 A Yes. 24 Q Okay. Who would be beat 264, "D" as in</p>
<p style="text-align: right;">138</p> <p>1 Q Okay. And it lists as the second arresting 2 officer, Officer Leano; do you see that? 3 A Yes, ma'am. 4 Q And it looks like you were both assigned to 5 beat 264, "B" as in boy; do you see that? 6 A Yes, I do. 7 Q And I apologize if I asked you this 8 earlier, but was there a period of time when 9 Officer Leano was your regular partner? 10 A No. Not as assigned regular partner, no. 11 Not that I could recall. 12 Q Okay. And so to the best of your 13 knowledge, would this have been an occasion when 14 whoever was your regular partner was off or some 15 other scheduling reason that you were -- 16 A Yes, furlough, vacations, yeah, for 17 whatever reason they had time off, you would get 18 assigned to work with a different officer if your 19 regular partner was off. 20 Q If there had been a third officer assigned 21 to beat 264B, would that person's name appear 22 somewhere in the arrest report? 23 A If we were assigned in a three-man car? 24 Q Yes.</p>	<p style="text-align: right;">140</p> <p>1 "David"? 2 A Based on the -- I'm not sure who would have 3 been assigned as David, but it would be possibly 4 one of the group of officers that are listed in the 5 assisting. 6 Q Okay. 7 A Outside of myself and Officer Leano. 8 Q Okay. On the previous report you and Leano 9 are listed as B. Feel free to take a look, if you 10 prefer. 11 A Yes, ma'am. 12 Q Do you know -- strike that, please. 13 Is there any way for you to tell from 14 either one of those reports who was on 264, "D" as 15 in "dog"? 16 A Yes, ma'am. 17 Q Okay. Where can you see that? 18 A Under arrestee processing personnel. 19 Q Yes. Can you show me where you are? 20 A On the last page, page 5 of 5. 21 Q Thank you. 22 Do you know whether Officer Smith had any 23 nicknames? 24 A I can't recall. Something related to</p>

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36 (141 to 144)

<p>141</p> <p>1 Smith. I don't recall anything.</p> <p>2 Q Okay. What about --</p> <p>3 A I --</p> <p>4 Q Sorry.</p> <p>5 A I called him "L," that's it. That's how I</p> <p>6 refer to him, if it was any type of shortening of</p> <p>7 his name.</p> <p>8 Q What about Officer Mohammed?</p> <p>9 A I would refer to him as Mo.</p> <p>10 Q Any other nicknames that you know of that</p> <p>11 he went by?</p> <p>12 A No, ma'am.</p> <p>13 Q What about Officer Lamonica Lewis, do you</p> <p>14 know any nicknames for her?</p> <p>15 A I believe she -- Coco. I do recall her</p> <p>16 being referred to that on occasion.</p> <p>17 Q Okay. And what about Officer Jones, do you</p> <p>18 know any nicknames that he went by?</p> <p>19 A No, just Al, is how I referred to him. I</p> <p>20 don't recall if he had any.</p> <p>21 Q Okay. Can you put those exhibits to the</p> <p>22 side, please.</p> <p>23 I am going to show you what we will mark as</p> <p>24 Exhibit 20. This is the Exhibit -- this is the</p>	<p>143</p> <p>1 against you?</p> <p>2 A I don't believe that I have. I don't</p> <p>3 recall right now.</p> <p>4 Q Okay. I am going to show you what we will</p> <p>5 mark as Exhibit 21. This is a photo of Christopher</p> <p>6 Scott.</p> <p>7 (Exhibit 21, photograph, marked for</p> <p>8 identification.)</p> <p>9 Q Does looking at the photo of Mr. Scott</p> <p>10 refresh your recollection at all about who he is or</p> <p>11 any arrests of him that you might have been</p> <p>12 involved with?</p> <p>13 A His face looks familiar and there's a</p> <p>14 possibility that during my time in the 2nd District</p> <p>15 I had interactions with him. Whether they were</p> <p>16 arrest situations or contacts with him throughout</p> <p>17 the district. His face looks familiar.</p> <p>18 Q Do you have any specific memories of</p> <p>19 interacting with him?</p> <p>20 A No, ma'am. Not at this time.</p> <p>21 Q Okay. Put that exhibit to the side.</p> <p>22 I am going to show you what we will mark as</p> <p>23 Exhibit 22. This is a series of arrest reports,</p> <p>24 including Mr. Scott's arrest report from the</p>
<p>142</p> <p>1 affidavit of Milton Delaney.</p> <p>2 (Exhibit 20, Delaney affidavit, marked</p> <p>3 for identification.)</p> <p>4 A Okay.</p> <p>5 Q Having reviewed Exhibit 20, does it refresh</p> <p>6 your recollection at all about the arrest of Milton</p> <p>7 Delaney?</p> <p>8 A No, ma'am, at this time it does not.</p> <p>9 Q All right. You can put that to the side.</p> <p>10 I want to talk to you about Christopher</p> <p>11 Scott. Do you know who Christopher Scott is?</p> <p>12 A I do know now.</p> <p>13 Q Okay.</p> <p>14 A Suing me.</p> <p>15 Q Outside of knowing that he's suing you, do</p> <p>16 you know anything else about Christopher Scott?</p> <p>17 A No, at this time, I don't. The name sounds</p> <p>18 familiar.</p> <p>19 Q Have you reviewed the complaint that</p> <p>20 initiated Christopher Scott's lawsuit against you?</p> <p>21 A The complaint?</p> <p>22 Q Yes.</p> <p>23 A Which complaint, ma'am?</p> <p>24 Q The complaint that initiated his lawsuit</p>	<p>144</p> <p>1 April 4, 2006 arrest.</p> <p>2 (Exhibit 22, arrest reports, marked for</p> <p>3 identification.)</p> <p>4 Q Having reviewed that exhibit, does it</p> <p>5 refresh your recollection at all about several</p> <p>6 arrests on April 4, 2006, including the arrest of</p> <p>7 Christopher Scott?</p> <p>8 A No, at this time it does not. It is more</p> <p>9 than 13 years ago.</p> <p>10 Q Do you know what role you played in these</p> <p>11 arrests?</p> <p>12 A Based on the -- based on these reports, I</p> <p>13 may have been assisting. I don't know. I don't</p> <p>14 recall at this time. I would have to look at the</p> <p>15 case report.</p> <p>16 Q What would you have to look at?</p> <p>17 A The case report. The general offense case</p> <p>18 report, if my name is listed on.</p> <p>19 Q Turn with me, please, to the page that's</p> <p>20 marked at the bottom, 26926.</p> <p>21 A I got it.</p> <p>22 Q There's a Bates label.</p> <p>23 Okay. This is the arrest report for Lyles,</p> <p>24 Victor Lyles. Do you know why you're listed as the</p>

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37 (145 to 148)

<p style="text-align: right;">145</p> <p>1 attesting officer for the Lyles arrest?</p> <p>2 A I don't recall the -- I don't recall the</p> <p>3 incident, but I can speculate that it is possible</p> <p>4 that while we were generating the large number, the</p> <p>5 processing for the large number of arrests, my</p> <p>6 computer would have -- we would have been using</p> <p>7 multiple computers and -- as a log in, and we would</p> <p>8 have had to attest some of these arrests, and I was</p> <p>9 the attesting officer for some of these arrests.</p> <p>10 Q Okay. Do you know whether you ever</p> <p>11 provided any court testimony against Mr. Lyles?</p> <p>12 A I don't recall if I did.</p> <p>13 Q Okay. Is it fair to say if you are listed</p> <p>14 as the attesting officer for some of these arrests,</p> <p>15 you had some knowledge or some observation of the</p> <p>16 criminal activity contained in the narrative</p> <p>17 portion of the report?</p> <p>18 MR. KOSOKO: Object, based on the form of</p> <p>19 the question.</p> <p>20 MR. ZECCHIN: I'm going to join.</p> <p>21 Q Go ahead.</p> <p>22 A Yes, ma'am, I would have had to have had</p> <p>23 some sort of knowledge, information, and/or belief</p> <p>24 of what transpired from the arrest report -- on the</p>	<p style="text-align: right;">147</p> <p>1 individuals in the projects to work for them, in</p> <p>2 other words, use those people to solicit drug</p> <p>3 buyers. The officers on the second floor would</p> <p>4 then sell drugs to the purchasers, and the</p> <p>5 purchasers would go down to the first floor and get</p> <p>6 arrested.</p> <p>7 Are you familiar with an approach like that</p> <p>8 to make arrests in Ida B. Wells?</p> <p>9 A No, I am not.</p> <p>10 Q Okay. You never observed anything like</p> <p>11 that?</p> <p>12 A No. I -- nothing like the way it is</p> <p>13 described in paragraph 3, no, nothing like that.</p> <p>14 Q Okay. Did you ever participate in any</p> <p>15 reverse stings when you worked on the 264 team?</p> <p>16 A Yes.</p> <p>17 Q Okay. What is a reverse sting?</p> <p>18 A It is a strategic plan implemented by the</p> <p>19 department to have undercover officers pose as</p> <p>20 narcotic dealers, and the focus would be to arrest</p> <p>21 anyone who comes with the attempt to purchase</p> <p>22 illegal narcotics from these undercover officers.</p> <p>23 Q Were you ever part of reverse stings at Ida</p> <p>24 B. Wells?</p>
<p style="text-align: right;">146</p> <p>1 report.</p> <p>2 Q And you would have had to have participated</p> <p>3 in the arrest in some manner, correct?</p> <p>4 MR. KOSOKO: Object as to form.</p> <p>5 MR. MICHALIK: Join.</p> <p>6 MR. ZECCHIN: Join.</p> <p>7 A Participating as in having knowledge or</p> <p>8 assisting, yes.</p> <p>9 Q Okay. You can put that exhibit to the</p> <p>10 side.</p> <p>11 I am going to show you what we will mark as</p> <p>12 Exhibit 23. This is the affidavit of Christopher</p> <p>13 Scott.</p> <p>14 (Exhibit 23, Scott affidavit, marked for</p> <p>15 identification.)</p> <p>16 Q Have you had an opportunity to review that</p> <p>17 exhibit?</p> <p>18 A Yes, ma'am.</p> <p>19 Q Okay. Does it refresh your recollection at</p> <p>20 all about an arrest including Christopher Scott?</p> <p>21 A No, at this time it does not.</p> <p>22 Q Okay. Look, please, at paragraph 3 of that</p> <p>23 affidavit. Mr. Scott describes a scheme in which</p> <p>24 some officers would go to the second floor and use</p>	<p style="text-align: right;">148</p> <p>1 A We may have conducted those at some point.</p> <p>2 Q Do you know if you did or not?</p> <p>3 A I believe that I may have. I don't</p> <p>4 remember any specific ones.</p> <p>5 Q Okay. Well, what -- do you know what your</p> <p>6 role was in the ones you may have conducted?</p> <p>7 A Generally, based on some of the other --</p> <p>8 some other stings that I can recall, I would just</p> <p>9 be as enforcement.</p> <p>10 Q What do the enforcement officers do?</p> <p>11 A Just maintaining order with the arrestees,</p> <p>12 the people who are taken into custody.</p> <p>13 Q Okay. You can put that exhibit to the</p> <p>14 side.</p> <p>15 MS. KLEINHAUS: I'm going to turn it over</p> <p>16 to Joel now for additional questioning.</p> <p>17 EXAMINATION ON BEHALF OF THE FLAXMAN PLAINTIFFS</p> <p>18 BY MR. FLAXMAN:</p> <p>19 Q Officer Gonzalez, my name is Joel Flaxman.</p> <p>20 I am going to ask you some questions about some</p> <p>21 other plaintiffs in these cases; do you understand</p> <p>22 that?</p> <p>23 A Okay. Yes, sir.</p> <p>24 Q Actually, before I get to that, let me just</p>

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38 (149 to 152)

149	<p>1 quickly ask you about some of the exhibits you</p> <p>2 looked at already.</p> <p>3 Do you still have the pile? I just want to</p> <p>4 ask you about Exhibit 16. And that's the affidavit</p> <p>5 of George Almond.</p> <p>6 In paragraph 5, Mr. Almond referred to</p> <p>7 officers, including Officers Jones, Mohammed,</p> <p>8 Gonzalez, Doug. Do you who an Officer Doug is, who</p> <p>9 is on the 264 team?</p> <p>10 A We have -- we had a Doug Nichols on our</p> <p>11 team, but I don't know if that's referring to him.</p> <p>12 Q Okay. And then Mr. Almond also refers to</p> <p>13 an officer with the nickname, I assume, China man?</p> <p>14 Did you know an officer who would have been</p> <p>15 called --</p> <p>16 A A lot of times in those area, anybody who</p> <p>17 is Asian-looking would be referred to as China man.</p> <p>18 And so one of our officers that I worked with looks</p> <p>19 Asian, and so sometimes he would be referred to as</p> <p>20 that.</p> <p>21 Q And who was that?</p> <p>22 A Officer Leano.</p> <p>23 Q Coco, I believe you said before was a</p> <p>24 nickname for Lamonica Lewis; is that right?</p>	151	<p>1 made that comment.</p> <p>2 Q And is that because there's some sort of</p> <p>3 transmittal form that you were more accustomed to</p> <p>4 seeing?</p> <p>5 A No, it is generally the same. I just</p> <p>6 hadn't seen one in a long time, and the copy looks</p> <p>7 awkward to me.</p> <p>8 Q Oh, okay. But there's not some kind of</p> <p>9 handwritten form or something for a transmittal</p> <p>10 that you were referring to?</p> <p>11 A No, this is generally the way that it</p> <p>12 looks, it just didn't look familiar to me. I</p> <p>13 hadn't seen it in a long time.</p> <p>14 Q Okay. You can put those exhibits aside.</p> <p>15 Counsel was asking you about people you</p> <p>16 remembered from the Ida B. Wells homes. One name</p> <p>17 that you referred to was Ricky Henderson; do you</p> <p>18 remember that?</p> <p>19 A Yes.</p> <p>20 Q And what do you remember about</p> <p>21 Mr. Henderson?</p> <p>22 A Just the name. And that was just based on</p> <p>23 just the litigation and the lawsuits that have come</p> <p>24 through, and I have seen the name, and I recognize</p>
150	<p>1 A I've heard that name.</p> <p>2 Q Okay. And the last nickname here is</p> <p>3 Smitty. Did you ever hear that nickname for</p> <p>4 Officer Smith?</p> <p>5 A At some point it is possible I heard that</p> <p>6 name as well.</p> <p>7 Q You said you call Officer Smith, "L,"</p> <p>8 right?</p> <p>9 A I've always referred to him as "L," I've</p> <p>10 never called him Smitty.</p> <p>11 Q And is that -- his first name is Elsworth?</p> <p>12 A Elsworth, yes.</p> <p>13 Q Okay. The other exhibit that you already</p> <p>14 looked at that I had a question about was Exhibit</p> <p>15 12. Do you have that in front of you, the prisoner</p> <p>16 transmittal -- excuse me, the prisoner</p> <p>17 transportation transmittal for Jamell Sanders?</p> <p>18 A Yes.</p> <p>19 Q And I think what I heard you say, correct</p> <p>20 me if I am wrong, that this was a copy of a</p> <p>21 prisoner transport, it wasn't the actual</p> <p>22 transmittal?</p> <p>23 A When she was asking me to look it over, it</p> <p>24 didn't look familiar to me, and so that's why I</p>	152	<p>1 the name, and maybe not face.</p> <p>2 Q Okay.</p> <p>3 A Sometimes when I'm -- I look at photos or</p> <p>4 something, they look familiar.</p> <p>5 Q Okay. And just so I understand that, as</p> <p>6 part of the litigation, you have seen the name</p> <p>7 Ricky Henderson, correct?</p> <p>8 A Yes.</p> <p>9 Q And having seen it in the litigation, you</p> <p>10 remember that you had encountered that name when</p> <p>11 you were policing --</p> <p>12 A No, that's not what I said.</p> <p>13 Q Oh, I'm sorry.</p> <p>14 A The name sounds familiar to me. And that's</p> <p>15 as far as it goes, just when I am asked about him.</p> <p>16 Q Oh, okay. But you --</p> <p>17 A When I am asked about if I recognize the</p> <p>18 name, when that name -- when I saw that name or</p> <p>19 when I have seen that name, it -- I believe there</p> <p>20 was somebody that I have encountered that name</p> <p>21 somewhere at some point.</p> <p>22 Q Before the litigation you had encountered</p> <p>23 that name?</p> <p>24 A No, no, no.</p>

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39 (153 to 156)

<p>153</p> <p>1 Q Oh, I'm sorry.</p> <p>2 A If you would have shown me before the</p> <p>3 litigation, I wouldn't -- I don't know if that</p> <p>4 would have been something I would have remembered.</p> <p>5 Q Oh, okay.</p> <p>6 MR. FLAXMAN: I am going to mark as an</p> <p>7 exhibit, 24.</p> <p>8 (Exhibit 24, photograph, marked for</p> <p>9 identification.)</p> <p>10 Q Exhibit 24 has pictures on the front and</p> <p>11 the back of Mr. Henderson.</p> <p>12 Having looked at the pictures, does that</p> <p>13 refresh your recollection about Ricky Henderson at</p> <p>14 all?</p> <p>15 A Just that he looks familiar. Just that he</p> <p>16 looks -- but nothing specific.</p> <p>17 Q Okay. And familiar as somebody you</p> <p>18 encountered as a police officer?</p> <p>19 A Yes. Or just in a familiar fashion.</p> <p>20 Q Okay.</p> <p>21 A Maybe not necessarily as a police officer,</p> <p>22 but he just looks familiar to me.</p> <p>23 Q Okay.</p> <p>24 A More than likely would have been in that</p>	<p>155</p> <p>1 Q Okay. And do you -- this is your signature</p> <p>2 on it?</p> <p>3 A Yes, I believe it is.</p> <p>4 Q Okay. And when you signed this, you were</p> <p>5 swearing to the truth of the statements in the</p> <p>6 arrest report, correct?</p> <p>7 A Yes, the statements and the fact</p> <p>8 establishing probable cause for the arrest report,</p> <p>9 yes.</p> <p>10 Q Underneath Mr. Henderson's name, there's a</p> <p>11 box for alias or nickname; do you see that?</p> <p>12 A Yes, I do. Sorry.</p> <p>13 Q And you see the nickname is Sug, S-u-g?</p> <p>14 A Yes.</p> <p>15 Q Do you have any recollection of somebody</p> <p>16 with the nickname Sug at the Ida B. Wells homes?</p> <p>17 A No, I do not. At this time, that Sug does</p> <p>18 not -- does not ring a bell. I think it is a</p> <p>19 generic name, so I don't know. It didn't really</p> <p>20 ring a bell with me.</p> <p>21 Q Okay. Are you familiar with the baseball</p> <p>22 player Ricky Henderson?</p> <p>23 A Yes.</p> <p>24 Q Okay. Did you ever think about the -- does</p>
<p>154</p> <p>1 capacity.</p> <p>2 Q And in preparing for today's deposition,</p> <p>3 did you review any arrest reports or other reports</p> <p>4 related to Mr. Henderson?</p> <p>5 A I saw some arrest reports, and there were</p> <p>6 inventories applicable. I may have looked them</p> <p>7 over, yes.</p> <p>8 Q Did those refresh your recollection of how</p> <p>9 Mr. Henderson --</p> <p>10 A No, at this time, it did not.</p> <p>11 Q Okay.</p> <p>12 MR. FLAXMAN: We will label -- I am going</p> <p>13 to mark this set of reports as Exhibit 25.</p> <p>14 (Exhibit 25, arrest reports, marked for</p> <p>15 identification.)</p> <p>16 Q Do you recognize the first page of Exhibit</p> <p>17 25 as an arrest report for Ricky Henderson, dated</p> <p>18 June 2 -- I'm sorry.</p> <p>19 Do you recognize the first page of Exhibit</p> <p>20 25 as an arrest report of Ricky Henderson, dated</p> <p>21 June 25, 2002?</p> <p>22 A I recognize it as an arrest report.</p> <p>23 Q Okay. And --</p> <p>24 A From 2002, yes.</p>	<p>156</p> <p>1 remembering the baseball player's name refresh your</p> <p>2 recollection about the man who was arrested on this</p> <p>3 arrest report?</p> <p>4 A I mean, it didn't even now, and it may have</p> <p>5 then, I don't know.</p> <p>6 Q In 2002, what was your practice for</p> <p>7 completing that alias or nickname box on an arrest</p> <p>8 report?</p> <p>9 A It would have been either asking if</p> <p>10 Mr. Henderson had any nicknames or if he had any</p> <p>11 prior -- prior documentation.</p> <p>12 Q And when you say asking him, you mean</p> <p>13 asking Mr. Henderson?</p> <p>14 A Yes.</p> <p>15 Q Okay. This report lists you as the first</p> <p>16 arresting officer, and it lists Officer Bolton as</p> <p>17 the second arresting; is that correct?</p> <p>18 A Yes, sir.</p> <p>19 Q Was Officer Bolton your partner at this</p> <p>20 time in 2002?</p> <p>21 A I believe he was. I am not sure if I was</p> <p>22 assigned or maybe Officer Cadman was still around</p> <p>23 or Officer Spaargaren, I don't know, I can't</p> <p>24 remember.</p>

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40 (157 to 160)

<p>157</p> <p>1 THE COURT REPORTER: Officer who?</p> <p>2 THE WITNESS: Officer Spaargaren.</p> <p>3 Q And --</p> <p>4 A This was in 2002, so I don't know. I can't</p> <p>5 remember if I was assigned specifically to him. I</p> <p>6 don't recall.</p> <p>7 Q You said also may have been Officer Cadman</p> <p>8 who was your partner?</p> <p>9 A At some point we were assigned as a</p> <p>10 three-man car for a little while that I can</p> <p>11 remember. And then also when I finally got my</p> <p>12 partner would have been Officer Spaargaren, but I</p> <p>13 don't know if this was prior to that or after that.</p> <p>14 Q And when you were assigned to a three-man</p> <p>15 car, who were the three men?</p> <p>16 A Officer Bolton, myself, and Officer Cadman.</p> <p>17 Q Okay.</p> <p>18 A For a short time.</p> <p>19 Q In 2002 when you prepared this arrest</p> <p>20 report, did you prepare it on a typewriter?</p> <p>21 A It appears that way.</p> <p>22 Q And the second and third pages of this</p> <p>23 Exhibit 25, do you recognize that as a vice case</p> <p>24 report for this arrest of Mr. Henderson and a man</p>	<p>159</p> <p>1 A The narrative?</p> <p>2 Q Yes.</p> <p>3 A My guess, and it would be a guess, would be</p> <p>4 myself, but I -- since I'm -- I am box one on the</p> <p>5 arrest. It would have been something that I would</p> <p>6 have taken the responsibility to do.</p> <p>7 Q Okay. And this -- on the box 48, looks</p> <p>8 like it has the box for supervisor approval; do you</p> <p>9 see that?</p> <p>10 A Yes, sir.</p> <p>11 Q And that's signed by Sergeant Watts?</p> <p>12 A It says Watts, R. initial, and I believe</p> <p>13 that was his star. It is printed. And then signed</p> <p>14 underneath.</p> <p>15 Q And then signed underneath. Thank you. I</p> <p>16 am sorry about that.</p> <p>17 In 2002, was it your practice to finish a</p> <p>18 vice case report and then physically hand it to</p> <p>19 Sergeant Watts?</p> <p>20 A Whoever was the on-duty supervisor would be</p> <p>21 your immediate or on-duty supervisor to approve it.</p> <p>22 Q Okay. The fourth page of Exhibit 25,</p> <p>23 there's a complaint for preliminary examination; do</p> <p>24 you see that?</p>
<p>158</p> <p>1 named Albert Wyse, W-y-s-e?</p> <p>2 A Yes, it looks like a copy of our -- one of</p> <p>3 our vice case reports. And I see the name Albert</p> <p>4 Wyse.</p> <p>5 Q And you are also listed on this vice case</p> <p>6 report. You are listed as the reporting officer,</p> <p>7 correct?</p> <p>8 A Yes, as one of the reporting officers, yes.</p> <p>9 Q Okay. Officer Bolton is the other</p> <p>10 reporting officer, correct?</p> <p>11 A Yes.</p> <p>12 Q Okay. And does that mean that one of you</p> <p>13 prepared this report?</p> <p>14 A Not necessarily. Could have sometimes --</p> <p>15 you will fill in. Like, again, like I said before,</p> <p>16 generalities, if we are putting in location or</p> <p>17 anything like that. And then when it came time to</p> <p>18 do the narrative, then the person with the most</p> <p>19 knowledge would document the incident, the</p> <p>20 summation of the incident as far as all the details</p> <p>21 were in the case report.</p> <p>22 Q Okay. And are you able to tell from</p> <p>23 looking at the report who it was who put in</p> <p>24 those --</p>	<p>160</p> <p>1 A The felony complaint? A copy of it? Yes.</p> <p>2 I see it.</p> <p>3 Q So I am looking at the fourth page. Why</p> <p>4 don't you tell me what that is?</p> <p>5 A You are talking about this, the felony</p> <p>6 complaint?</p> <p>7 Q Yes.</p> <p>8 A It is a copy of a felony complaint.</p> <p>9 Q Okay. And is this -- does this have your</p> <p>10 signature on it as the complainant?</p> <p>11 A Yes, sir. I believe it is.</p> <p>12 Q And is it -- there's two places for</p> <p>13 complainant's signature. Is that your signature in</p> <p>14 both places?</p> <p>15 A Yes, I believe it is.</p> <p>16 Q And then underneath that, there's a</p> <p>17 signature for judge or clerk. Is that also your</p> <p>18 signature?</p> <p>19 A I don't believe that it is my signature,</p> <p>20 no.</p> <p>21 Q Okay. Do you know whose signature that is?</p> <p>22 A I do not.</p> <p>23 Q It looks like it is an officer with a star</p> <p>24 number 2433?</p>

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41 (161 to 164)

<p>161</p> <p>1 MR. KOSOKO: Objection. Foundation.</p> <p>2 MR. MICHALIK: Join.</p> <p>3 A Sorry, what was your question again?</p> <p>4 Q I will back up.</p> <p>5 A Okay.</p> <p>6 Q What's the purpose of completing a</p> <p>7 complaint like this?</p> <p>8 A It is the list of charges for an arrest</p> <p>9 incident. It is a listing of the charges, specific</p> <p>10 charges for an arrest situation.</p> <p>11 Q Okay. And as the complainant signing this</p> <p>12 complaint, would you have completed the information</p> <p>13 about the offense?</p> <p>14 A Sometimes yes, sometimes no. I mean, it is</p> <p>15 the unlawful possession of a controlled substance</p> <p>16 as a general -- there's nothing to be changed in</p> <p>17 it, so it is a general thing, so it is possible I</p> <p>18 may have done it, it is possible not.</p> <p>19 Q Whether or not you were the one who</p> <p>20 prepared it, by signing it, you were swearing to</p> <p>21 its truth, correct?</p> <p>22 A Yes.</p> <p>23 Q And underneath the second complainant's</p> <p>24 signature, someone signed above the line, judge or</p>	<p>163</p> <p>1 Q All right. And do you know who clerked the</p> <p>2 complaint we are looking at, the fourth page of</p> <p>3 Exhibit 25?</p> <p>4 A No, sir, I do not. Not at this time.</p> <p>5 Q Do you see the numbers 2433 written next to</p> <p>6 that signature?</p> <p>7 A I see those four numbers, yes.</p> <p>8 Q Are you aware that Mr. Henderson in this</p> <p>9 litigation has denied the facts to which you swore</p> <p>10 in the arrest report and the complaint?</p> <p>11 MR. KOSOKO: I'm going to object to the</p> <p>12 form of the question.</p> <p>13 A In what fashion, sir? I'm not sure, the</p> <p>14 complaint or the affidavit or the lawsuit?</p> <p>15 Q My question is about the lawsuit.</p> <p>16 A Oh, yeah. He's suing -- he -- yes, I am</p> <p>17 aware of it.</p> <p>18 Q And do you reject his denial --</p> <p>19 A Yes, I do.</p> <p>20 Q -- of those facts?</p> <p>21 Okay. I am going to hand you Exhibit 26.</p> <p>22 (Exhibit 26, arrest report, marked for</p> <p>23 identification.)</p> <p>24 Q And I will pass around 27, too, to speed</p>
<p>162</p> <p>1 clerk; do you see that?</p> <p>2 A Yes.</p> <p>3 Q And why does somebody sign there?</p> <p>4 MR. ZECCHIN: Objection.</p> <p>5 MR. KOSOKO: Foundation.</p> <p>6 MR. ZECCHIN: Join.</p> <p>7 MR. RAVITZ: Join.</p> <p>8 A My understanding, it's just an</p> <p>9 administrative issue that needs to be -- I don't</p> <p>10 think it means much, I don't know. It is just an</p> <p>11 issue. It is -- I have always known it just to be</p> <p>12 an administrative issue as part of forwarding the</p> <p>13 complaint.</p> <p>14 Q Does that refer to his clerking the</p> <p>15 complaint?</p> <p>16 A I have often referred to it as that.</p> <p>17 Q Have you ever clerked a complaint?</p> <p>18 A Yes, I have.</p> <p>19 Q And what's your understanding of why you</p> <p>20 clerk a complaint?</p> <p>21 A Either as an administrative part of the</p> <p>22 job, somebody needs to clerk a complaint. I'm</p> <p>23 not -- not really sure as to verify the clerk of</p> <p>24 the court, I'm not really sure.</p>	<p>164</p> <p>1 things up.</p> <p>2 (Exhibit 27, arrest report, marked for</p> <p>3 identification.)</p> <p>4 MR. ZECCHIN: I'll make an objection for</p> <p>5 the record.</p> <p>6 There's an additional arrest report</p> <p>7 attached to the Exhibit 26 for Jejuan Nile. It is</p> <p>8 not at the -- shortly after the arrest of</p> <p>9 Mr. Henderson, but this is a separate arrest</p> <p>10 altogether, it was not part of the disclosures as</p> <p>11 to what case we were going to be covering pursuant</p> <p>12 to the planning agreement the parties came to.</p> <p>13 So I think any questions outside of the</p> <p>14 cases listed in the e-mail sent yesterday at 9:08</p> <p>15 p.m., from Ms. Kleinhaus, I think are improperly</p> <p>16 being asked at this deposition. So, for the</p> <p>17 record. Just making a record.</p> <p>18 MR. FLAXMAN: Can I question him tomorrow?</p> <p>19 MR. ZECCHIN: I prefer he have time to look</p> <p>20 over the arrest report.</p> <p>21 MR. FLAXMAN: Do you want me to question</p> <p>22 him tomorrow?</p> <p>23 MR. ZECCHIN: Yes.</p> <p>24 MR. FLAXMAN: That's fine. You can put</p>

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42 (165 to 168)

<p>165</p> <p>1 aside Exhibit 26.</p> <p>2 MS. KLEINHAUS: To be clear, we are not</p> <p>3 asking any questions about the Nile case, that's</p> <p>4 why we didn't list the Nile case. So I understand</p> <p>5 your --</p> <p>6 MR. ZECCHIN: I think we resolved it.</p> <p>7 MR. FLAXMAN: I will ask him --</p> <p>8 MR. ZECCHIN: I think that's inconsistent</p> <p>9 with what counsel said.</p> <p>10 MR. FLAXMAN: I am not agreeing to anything</p> <p>11 about the propriety of anything. We are just going</p> <p>12 to do it tomorrow. Everything's fine.</p> <p>13 Q Let me ask you about Exhibit 27, which I</p> <p>14 have passed out to all counsel already. It may</p> <p>15 have caused things to be more confusing.</p> <p>16 The first page of Exhibit 27 is an arrest</p> <p>17 report from March 12, 2005. Let me know if you</p> <p>18 want to look at that before I ask questions on it.</p> <p>19 A Okay. Okay.</p> <p>20 Q Do you recognize the first five pages of</p> <p>21 Exhibit 27 to be an arrest report of Ricky</p> <p>22 Henderson from March 12, 2005?</p> <p>23 A Yes, I recognize it to be.</p> <p>24 Q And this is a report where you were listed</p>	<p>167</p> <p>1 A Yes.</p> <p>2 Q Received information, and it goes on to say</p> <p>3 that upon this information, AOs relocated to the</p> <p>4 above address and initiated a premises check.</p> <p>5 What's a premises check?</p> <p>6 A It's a check. A lot of times we would --</p> <p>7 because of the high rises or any type of building</p> <p>8 situation, what you do is you check the outer</p> <p>9 perimeter and the inner perimeters for well-being</p> <p>10 checks or for whatever reason we are being called</p> <p>11 to do it. Oftentimes you can initiate it as a</p> <p>12 check. It's part of deterrence. Just patrol.</p> <p>13 Q Did you need somebody to let you into the</p> <p>14 building to do a premise check?</p> <p>15 A At this location? Generally, the doors</p> <p>16 would be open. I don't think that they ever locked</p> <p>17 them. I don't remember if they ever locked them.</p> <p>18 So, generally, they would be open, so you would be</p> <p>19 able to walk in to initiate a premise check.</p> <p>20 Q Okay. And this location you are referring</p> <p>21 to the location on the first page of the arrest</p> <p>22 report, 540 East 36th Street?</p> <p>23 A Yes, sir.</p> <p>24 Q Was that one of the high rises at Ida B.</p>
<p>166</p> <p>1 as the first arresting officer, correct?</p> <p>2 A Yes, sir.</p> <p>3 Q Do you have any recollection of this arrest</p> <p>4 of Mr. Henderson on March 12, 2005?</p> <p>5 A No, it was 2005, it was 14 years ago. At</p> <p>6 this time, I do not.</p> <p>7 Q Okay. The second page of the arrest report</p> <p>8 has a narrative on it. Do you see that?</p> <p>9 A Yes, sir.</p> <p>10 Q Are you able to tell who wrote this</p> <p>11 narrative by looking at the report?</p> <p>12 A Again, generally, my -- unless there were</p> <p>13 extenuating circumstances, if I was the arresting</p> <p>14 officer, I would -- unless I didn't have any</p> <p>15 information that was pertinent to the case, I would</p> <p>16 have generated the narrative. I would have put the</p> <p>17 facts for the probable cause in the case.</p> <p>18 Q Okay.</p> <p>19 A So it appears as if, to me, it looks</p> <p>20 familiar to my writing.</p> <p>21 Q Let me ask you a couple questions about the</p> <p>22 language in it.</p> <p>23 First, it relates that the AOs, meaning</p> <p>24 arresting officers, right?</p>	<p>168</p> <p>1 Wells?</p> <p>2 A It was a mid-rise building, I think between</p> <p>3 seven and nine floors. It wasn't a very tall</p> <p>4 building like the other ones on State Street.</p> <p>5 Q Were the very tall buildings you referred</p> <p>6 to parts of other housing complexes?</p> <p>7 A Stateway Gardens and others, yes. They</p> <p>8 were 16 floors.</p> <p>9 Q Was there another one you said? Stateway?</p> <p>10 I may have misheard you.</p> <p>11 A How many other --</p> <p>12 Q Did you say Stateway Gardens and something</p> <p>13 else, or did you just say Stateway Gardens?</p> <p>14 A There were others. I can't remember.</p> <p>15 Stateway, Cabrini.</p> <p>16 Q Okay. Were you ever stationed at Cabrini?</p> <p>17 A Yes.</p> <p>18 Q You worked -- not stationed?</p> <p>19 A Not stationed, but we were assigned to</p> <p>20 patrol those areas.</p> <p>21 Q Okay. Going back to the narrative in</p> <p>22 Mr. Henderson's report, I am skipping ahead to the</p> <p>23 part where it says that the offender then made</p> <p>24 quick movements, placing the suspect narcotics</p>

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43 (169 to 172)

<p>169</p> <p>1 inside the denim bag and attempted to place the 2 said bag into an overhead vent. 3 Do you have a recollection of what type of 4 overhead vent this narrative is referring to? 5 A Right now, I don't have an independent 6 recollection, but there must have been a vent 7 somewhere in that area. 8 Q Okay. But in your recollection of how 9 these buildings looked, you don't have a firm 10 recollection of the overhead vents? 11 A I don't recall the interiors very well. 12 Not at this time. 13 Q Another portion of this narrative, higher 14 up than what I just asked you about, says, while 15 entering the doorway of the fifth floor hallway. 16 Do you believe that refers to a door from the 17 stairs to the hallway? 18 A I don't recall. I don't have an 19 independent recollection of the incident. But 20 based on reading this, it is possible that that's 21 what I am describing the doorway of the fifth floor 22 hallway. Whether there was a door or not, I don't 23 know. It was an entryway. 24 Q I see. I'm sorry. I understand. Let</p>	<p>171</p> <p>1 put any information, received in the lock up, 2 prints taken. Photograph taken, release from lock 3 up, that wouldn't be something that I would be 4 generally responsible for. 5 Q And there's also this note here that says 6 placed in one person's cell, placed under close 7 observation? 8 A That would not be something that I would -- 9 that would all be the lock up areas. Detainment 10 center. 11 Q Okay. The fifth page of the arrest report 12 lists three officers as assisting arresting 13 officers; do you see that? 14 A Yes, sir. 15 Q And Officer Cabralas, C-a-b-r-a-l-a-s, 16 Officer Nichols and Officer Leano, L-e-a-n-o, all 17 have the beat 264-C; do you see that? 18 A Yes, I do. 19 Q Does that indicate that they were working 20 as a three-man team? 21 A Based on the paperwork, that seems to me 22 that would have been the case. 23 Q The next page of this exhibit, do you 24 recognize to be a vice case report related to the</p>
<p>170</p> <p>1 me -- let's just go ahead. 2 The fourth page of this arrest report, it 3 listed the arrest processing report; do you see 4 that? 5 A Yes. 6 Q Would you ever put information into the 7 arrest processing report section of the arrest 8 report? 9 A No, that wouldn't be typical. 10 Q And, typically, it would be somebody in 11 lock up who would do that? 12 A Are you talking about the lock up portion 13 of it? 14 Q Well, there's -- I guess everything on 15 this -- I guess everything in this top box does say 16 lock up -- 17 A Yeah, I am not sure if maybe the transports 18 details get auto populated. 19 Q Oh, I see. 20 A Sorry for that word. To transfer over to 21 the -- because I do remember putting transport 22 detail sometimes if we were doing transport, but I 23 don't know if that's accurate. 24 So I don't know. Generally, I would not</p>	<p>172</p> <p>1 arrest of Mr. Henderson on March 12, 2005? 2 A I recognize it as a copy of a vice case 3 report from that -- and it is dated 20 -- 12 March 4 2005. 5 Q Okay. And you and Officer Bolton are 6 listed as the reporting officers on this, correct? 7 A Yes. 8 Q Are you able to tell who put the narrative 9 into this vice case report? 10 A Again, if I was the reporting officer 11 responsible for the majority of the -- it would 12 have been my responsibility -- I would have taken 13 the responsibility to generate it. I am not sure 14 at this time. I believe that I was -- I would have 15 been that person. 16 Q Let me know if you need a break. 17 A No. 18 Q Was it your practice -- excuse me. 19 Is it your practice as a police officer to 20 create accurate and truthful reports? 21 A The summation of the facts and the best of 22 my ability, all the details I could possibly, yes. 23 Q And as with the arrest from 2002, are you 24 aware that Mr. Henderson denies the facts contained</p>

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44 (173 to 176)

173	<p>1 in the report for his arrest from 2005?</p> <p>2 A I am aware of allegations that are related</p> <p>3 to that, yes, that he is denying his arrest.</p> <p>4 Q And, again, do you reject his denial?</p> <p>5 A I do reject it and deny it.</p> <p>6 Q Do you recall if you ever testified on any</p> <p>7 criminal proceedings related to Mr. Henderson?</p> <p>8 A I don't recall if I ever testified.</p> <p>9 Q Another name that you mentioned earlier on</p> <p>10 today was Angelo Shenault?</p> <p>11 A Yes, sir.</p> <p>12 Q Do you have a recollection of Angelo</p> <p>13 Shenault?</p> <p>14 A Again, the name sounded familiar. It would</p> <p>15 have sounded familiar prior to all this, and now it</p> <p>16 is more familiar based on litigation.</p> <p>17 Q Have you -- are you aware that there are</p> <p>18 two people named Angelo Shenault who are plaintiffs</p> <p>19 in this litigation?</p> <p>20 A Yes.</p> <p>21 Q I am going to ask you some questions about</p> <p>22 the older Angelo Shenault. Have you reviewed</p> <p>23 reports about the older Angelo Shenault?</p> <p>24 A I have looked at some reports, yes.</p>	175	<p>1 you listed as underneath that signature?</p> <p>2 A Oh, I'm sorry, do you want me to read this?</p> <p>3 Q No. I'm just trying to -- that's your name</p> <p>4 for the first arrest, right?</p> <p>5 A Yes. I mean, it is my star number is</p> <p>6 there, so.</p> <p>7 Q And Officer Bolton is the second arresting</p> <p>8 officer on this report?</p> <p>9 A Yes.</p> <p>10 Q And I am going to ask you a couple</p> <p>11 questions about the narrative, but it is my</p> <p>12 understanding you don't have an independent</p> <p>13 recollection of this arrest, right?</p> <p>14 A At this time, I do not have an independent</p> <p>15 recollection. This is from 2004, 15 years ago,</p> <p>16 almost.</p> <p>17 Q And the same was true about the questions I</p> <p>18 asked you related to Mr. Henderson, right?</p> <p>19 A As far as independent recollection?</p> <p>20 Q Correct.</p> <p>21 A Yes, sir.</p> <p>22 Q Okay. This arrest report states that the</p> <p>23 arresting officers were approached by a concerned</p> <p>24 citizen, correct?</p>
174	<p>1 Q And did those reports refresh your</p> <p>2 recollection about the older Mr. Shenault?</p> <p>3 A At this time, no. Not at this time.</p> <p>4 MR. FLAXMAN: I think we are on Exhibit 28.</p> <p>5 (Exhibit 28, Shenault arrest report,</p> <p>6 marked for identification.)</p> <p>7 Q Do you recognize the first page of Exhibit</p> <p>8 28 to be an arrest report for Angelo Shenault,</p> <p>9 dated October 29, 2004?</p> <p>10 A Yes.</p> <p>11 Q And --</p> <p>12 MR. MICHALIK: Joel, just before you go any</p> <p>13 further, just for purposes of confusion, should we</p> <p>14 be careful to refer to him as Senior?</p> <p>15 MR. FLAXMAN: Yes. I will be asking</p> <p>16 questions about the older Mr. Shenault, not</p> <p>17 technically a senior, but it will make things a</p> <p>18 little easier, I agree.</p> <p>19 Q Is this your signature as the -- underneath</p> <p>20 the declaration that the facts stated herein are</p> <p>21 accurate to the best of my knowledge, information,</p> <p>22 and belief?</p> <p>23 A Yes, I believe it is.</p> <p>24 Q And are you also listed as the -- what are</p>	176	<p>1 A Yes, while on patrol.</p> <p>2 Q While on patrol. And what does patrol</p> <p>3 mean?</p> <p>4 A What does patrol mean?</p> <p>5 Q Yes.</p> <p>6 A Just a generalized movement about the areas</p> <p>7 while you are just either in a vehicle or on foot</p> <p>8 or by other means.</p> <p>9 Q And how many officers at this time in 2004,</p> <p>10 how many officers would be on the patrol?</p> <p>11 A In the entire city?</p> <p>12 Q Well, were you with another officer when</p> <p>13 you were on patrol?</p> <p>14 A I don't recall whether or not we were</p> <p>15 doing -- whether or not it was with more than just</p> <p>16 my partner. Possible, but I don't recall.</p> <p>17 Q Okay. The report states that the arresting</p> <p>18 officers initiated a premises check in the building</p> <p>19 and observed the above offender holding a plastic</p> <p>20 sandwich bag; do you see that?</p> <p>21 A Yes, sir.</p> <p>22 Q It states the offender was standing on the</p> <p>23 second floor landing. Do you know what the report</p> <p>24 means by second floor landing?</p>

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45 (177 to 180)

<p style="text-align: right;">177</p> <p>1 A Just the base portion of the staircase, as 2 it ends or either translates to the entryway of a 3 hallway, is how I would describe it. 4 Q Okay. And this report states the arrest 5 was at 3755 South Martin Luther King Drive; is that 6 right? 7 A Yes. The address of arrest indicates 3755 8 South Martin Luther King Drive. 9 Q Was that a building in the Ida B. Wells 10 housing? 11 A It was a cluster of CHA controlled 12 buildings along King Drive that were there for a 13 short time, yes. Or that were there for a long 14 time, but they -- I don't -- I don't remember the 15 actual name, if they had an actual name, and I 16 don't know if they were CHA, now that I think about 17 it. I am not sure if they were private, but they 18 were some sort of Section 8 housing. 19 Q And -- 20 A From my recollection. 21 Q How tall were those buildings? 22 A Mid size. I don't remember how many. They 23 were mid size buildings. They weren't -- again, 24 they weren't like the really tall 16-story</p>	<p style="text-align: right;">179</p> <p>1 what I believe to be narcotics, and then that's 2 when I entered the apartment after he observed -- I 3 observed him observing me. 4 Q Okay. And then you and the other officers 5 followed him to the apartment? 6 A On the report -- I don't recall the 7 incident, but on the report -- 8 Q Right. 9 A -- it states that I pursued him into the 10 building and detained him. 11 Q It says you pursued him into the apartment? 12 A It indicates after I observed him with 13 narcotics in his possession, immediately pursued 14 him into the apartment and detained him as a hot 15 pursuit situation. 16 Q Okay. And was that a typical occurrence 17 at -- in the areas that you patrolled, that you 18 would see a person holding narcotics and pursue 19 them into an apartment? 20 A Typical, no. But it happens. It happens a 21 lot, but I don't know how typical. 22 Q Okay. 23 A From my recollection. 24 Q And underneath the narrative, the report</p>
<p style="text-align: right;">178</p> <p>1 building. They were mid size along that area, from 2 my recollection, from what I can remember along the 3 King Drive. I don't remember how many floors. 4 Q When you say mid size, do you mean 5 something like five or six floors? 6 A Yes. Something less than ten. 7 Q Okay. 8 A To me, the high rises were when they were 9 at 16 were pretty big. 10 Q And this report states that the offender 11 was observed standing on the landing and entered 12 adjacent apartment after looking at ROs. I'm 13 sorry. It is blocked off, but then it says, ROs 14 immediately pursued offender into apartment and 15 detained him; do you see that? 16 A Yes, sir. 17 Q So did you agree that the report states 18 that the officers saw Mr. Shenault, and 19 Mr. Shenault went into an apartment? 20 MR. MICHALIK: Object to the form of the 21 question. 22 MR. ZECCHIN: Join. 23 MR. KOSOKO: Yes. 24 A The report indicates I observed him holding</p>	<p style="text-align: right;">180</p> <p>1 states, also, arresting, and it lists officers 2 Jones, Young, and Rodriguez; do you see that? 3 A Yes. 4 Q And do you know why you would have included 5 those officers on this part of the report? 6 A They would have assisted in some form or 7 fashion on the arrest situation, on the arrest 8 incident. 9 Q Let me go to the second page of Exhibit 28. 10 Do you recognize the second and third pages 11 of this exhibit as a vice case report related to 12 the arrest of Angelo Shenault, Sr., on October 29, 13 2004? 14 A Yes. 15 Q And, again, do you believe you prepared 16 this report? 17 A Yes. 18 Q The last sentence in this narrative on the 19 third page of this exhibit says, post Miranda, 20 offender stated, I was just holding this shit for 21 the dope boys; do you see that? 22 A Yes, sir, I do. 23 Q Do you know what someone referring to the 24 dope boys at this address in October 2004 would</p>

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46 (181 to 184)

<p>181</p> <p>1 have meant?</p> <p>2 A At that time, it would have indicated</p> <p>3 narcotics dealers, slang for narcotics.</p> <p>4 Q Is there any reason that sentence that I</p> <p>5 just read, starting "post Miranda," is included on</p> <p>6 the vice case report but not on the arrest report?</p> <p>7 A Because this is a general -- this is a</p> <p>8 generalized vice case report, and for the arrest</p> <p>9 report, all you would have to need are the</p> <p>10 states -- the facts to establish probable cause.</p> <p>11 And so with the generalized vice case report,</p> <p>12 there's a little bit more details, you are able to</p> <p>13 indicate a little bit more on any circumstances</p> <p>14 that are related to the incident that don't have to</p> <p>15 deal with the arrest report.</p> <p>16 Q And the vice case report also lists, also</p> <p>17 arresting officers Jones, Young, and Rodriguez; do</p> <p>18 you see that?</p> <p>19 A Yes.</p> <p>20 Q And it states Sergeant Watts on the scene?</p> <p>21 A Yes.</p> <p>22 Q Do you know why it would include Sergeant</p> <p>23 Watts on the scene?</p> <p>24 A At this time, I don't know. I don't recall</p>	<p>183</p> <p>1 you don't know who that belongs to?</p> <p>2 A No, I do not. I don't recall who generated</p> <p>3 this, so it is possibly -- it is possible that's</p> <p>4 the reason why he's in there. But I didn't</p> <p>5 generate the inventory.</p> <p>6 Q But just --</p> <p>7 A According to this.</p> <p>8 Q And according -- so the PC number -- sorry.</p> <p>9 Let me just ask these questions clearly.</p> <p>10 At the bottom left, the report says,</p> <p>11 created by, and it gives a PC number, correct?</p> <p>12 A Yes.</p> <p>13 Q And is that your PC number?</p> <p>14 A No, that is not my PC number.</p> <p>15 Q Do you know whose PC number that was?</p> <p>16 A I do not.</p> <p>17 Q The last page of this Exhibit 28, which is</p> <p>18 the fifth page, do you recognize to be a complaint</p> <p>19 for Angelo Shenault, Sr., related to the arrest</p> <p>20 from October 29, 2004?</p> <p>21 A Yes, it appears to be a copy of a fellow</p> <p>22 complaint from -- and it is dated 29 October 04.</p> <p>23 Q Okay. And are you -- did you sign this as</p> <p>24 the complainant?</p>
<p>182</p> <p>1 as to what -- why I would have put him on scene.</p> <p>2 He was on scene.</p> <p>3 Q But that means that he was on scene, right?</p> <p>4 A Yes. I mean, that's what the report would</p> <p>5 indicate, yes.</p> <p>6 Q Right.</p> <p>7 The fourth and fifth pages of this Exhibit</p> <p>8 28, do you recognize -- sorry.</p> <p>9 Let me ask about the fourth page. Do you</p> <p>10 recognize the fourth page of this Exhibit 28 to be</p> <p>11 an inventory sheet related to the arrest of Angelo</p> <p>12 Shenault, Sr., on October 29, 2004?</p> <p>13 A Yes, sir.</p> <p>14 Q And does this list you as the officer who</p> <p>15 found the listed narcotics?</p> <p>16 A Yes.</p> <p>17 Q And it also lists you as the first officer?</p> <p>18 A Yes.</p> <p>19 Q Do you know why the inventory sheet would</p> <p>20 list Officer Rodriguez as the second officer?</p> <p>21 A It is possible that he generated the</p> <p>22 inventory and he put himself, that's him, his PC</p> <p>23 number, I'm not sure.</p> <p>24 Q You -- the PC number at the bottom left,</p>	<p>184</p> <p>1 A I don't recall if I did. I mean, I believe</p> <p>2 so.</p> <p>3 Q Well, do you recognize your signature on</p> <p>4 this page?</p> <p>5 A Yes. It appears it is my signature, yes.</p> <p>6 Q Okay. And this one was clerked by Sergeant</p> <p>7 Watts, correct?</p> <p>8 A Yes.</p> <p>9 Q And the purpose of putting your signature</p> <p>10 on a complaint is to swear to the facts underlying</p> <p>11 the criminal offense, correct?</p> <p>12 A Yes, for that particular offense, if the</p> <p>13 person is being charged, yes.</p> <p>14 Q Having reviewed this material related to</p> <p>15 the arrest of Mr. Shenault, Sr., on October 29,</p> <p>16 2004, is your recollection about that arrest</p> <p>17 refreshed?</p> <p>18 A No, at this time it is not.</p> <p>19 Q Let me show you one final set of documents.</p> <p>20 (Exhibit 29, arrest reports, marked for</p> <p>21 identification.)</p> <p>22 Q And, for the record, this is a set of</p> <p>23 reports which are marked as Exhibit 29.</p> <p>24 Do you recognize the first five pages of</p>

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47 (185 to 188)

<p style="text-align: right;">185</p> <p>1 Exhibit 29 to be an arrest report that you prepared 2 for Mr. Shenault, Sr., for an arrest dated November 3 26, 2006? 4 A Yes, it does look like an arrest from 2006, 5 arrest report. 6 Q Is this an arrest report that you prepared? 7 A Again, as in prior -- if I was the 8 arresting officer, I would have taken the 9 responsibility to at least indicate the narrative. 10 As far as the other generalities, it is possible it 11 may have been inputted by someone else. 12 Q But the narrative, you are sure it was 13 something that you prepared? 14 A I believe it is. I don't recall the 15 incident, but -- 16 Q Okay. 17 A -- I believe it would be me. 18 Q And pages six and seven of this exhibit are 19 a vice case report about the same incident? Does 20 that report also create what you believe is a 21 narrative that you created? 22 A Yes. It is the narrative for the incident, 23 yes. I believe I was -- like I said, I don't 24 recall the incident, but I would think that I would</p>	<p style="text-align: right;">187</p> <p>1 A Not anything specific, but I am sure that 2 did occur. 3 Q And when that occurred, would you ever make 4 any record of the information? 5 A Not that I can remember. 6 Q You are looking at the vice case report, 7 right? 8 A Yes, sir. 9 Q I am on the second page. And this refers 10 to a premises check of the park area on that first 11 line; do you see that? 12 A Yes, sir. 13 Q What does that mean? 14 A It is the same thing as we explained it 15 before. A generalized patrol of the area. The 16 outskirts, the in-skirts, depending. It is part of 17 the patrol process, as you're moving about the 18 area. You conduct -- and especially if it was a 19 park area, it was controlled by the city. So we 20 will do occasional checks or walk-throughs of the 21 park. 22 Q And the next line says that reporting 23 officers approach the offender to conduct the field 24 interview. What's a field interview?</p>
<p style="text-align: right;">186</p> <p>1 have taken responsibility to write the narrative 2 unless something else happened, there was a reason 3 for me not to. 4 Q Okay. Let me ask you a couple questions 5 about the narrative. It refers to information that 6 narcotics were being sold out of the Madden Park 7 area. 8 A Yes, sir. 9 Q And what is the Madden Park area? 10 A From my recollection, I believe it was a 11 little park area that's just adjacent to the Ida B. 12 Wells, I think. 13 Q Okay. 14 A The extensions of buildings within the Ida 15 B. Wells. 16 Q And based on this report, can you tell who 17 the officers were who received the information? 18 A Based on the report? No. 19 Q So it could have been you or it could have 20 been another officer? 21 A At this time, I don't recall. 22 Q Do you recall instances where you were the 23 one who received information from a citizen that 24 narcotics were being sold?</p>	<p style="text-align: right;">188</p> <p>1 A Field interview is when you're speaking 2 with an individual based on the reasonable 3 suspicion, based on reasonable suspicion. You have 4 reason to believe they are about to commit a crime. 5 Q And in this -- 6 A Or they have committed a crime. 7 Q In this instance that crime was selling 8 drugs, right? 9 A In this instance it was a field interview 10 to establish whether or not this individual was the 11 person referred to as a person who was selling 12 narcotics. Based on information that I went on to 13 corroborate. 14 Q Okay. And that this report states that 15 Mr. Shenault, Sr., discarded to the ground a 16 Cheetos chip bag that contained suspect heroin, 17 correct? 18 A Yes. 19 Q And are you aware that in this litigation, 20 Mr. Shenault, Sr., has denied that he threw a 21 Cheetos bag to the ground? 22 A I don't remember that exact, but if -- I am 23 sure that I am aware now. 24 Q Okay. But you stand by your --</p>

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48 (189 to 192)

<p>189</p> <p>1 A I stand by my report, yes.</p> <p>2 Q And that's true for all the reports we have</p> <p>3 looked at?</p> <p>4 A Yes.</p> <p>5 Q The next page of this exhibit, which is the</p> <p>6 eighth page of the exhibit, is an inventory sheet,</p> <p>7 correct?</p> <p>8 A Yes.</p> <p>9 Q And this is again related to this arrest of</p> <p>10 Mr. Shenault, Sr., on November 26, 2006?</p> <p>11 A Yes.</p> <p>12 Q I am going to ask you what we talked about</p> <p>13 before. This one lists you as the found by,</p> <p>14 correct?</p> <p>15 A Okay, yes.</p> <p>16 Q And also you are listed as the first</p> <p>17 officer?</p> <p>18 A Yes.</p> <p>19 Q And Officer Bolton is listed as the second?</p> <p>20 A Yes.</p> <p>21 Q Was Officer Bolton your partner in November</p> <p>22 2006?</p> <p>23 A Yes. I believe he was.</p> <p>24 Q And this one, like the one we looked at</p>	<p>191</p> <p>1 use bags to keep narcotics in to and conceal them.</p> <p>2 Different types of bags, plastic bags, black bags.</p> <p>3 Q You answered this -- you just told me that</p> <p>4 the reason for that was to hide the narcotics,</p> <p>5 correct?</p> <p>6 A Yes.</p> <p>7 Q And I believe this inventory for the</p> <p>8 narcotics has the same information as the inventory</p> <p>9 for the money; is that correct? And I am talking</p> <p>10 about the officers listed.</p> <p>11 A Yes, I believe it is the same, yes.</p> <p>12 Q Okay. And, again, you don't know who</p> <p>13 created the inventory for the narcotics, correct?</p> <p>14 A No, sir, I do not.</p> <p>15 Q Okay. If you go ahead past that inventory,</p> <p>16 there's a felony complaint; do you see that?</p> <p>17 A Yes, sir.</p> <p>18 Q And is your signature on this felony</p> <p>19 complaint?</p> <p>20 A I believe that it is. Unless there were</p> <p>21 circumstances where I couldn't generate the report,</p> <p>22 and I would have given approval to have somebody</p> <p>23 sign the -- after observing all of the paperwork</p> <p>24 before it was sent off. But it looks like my</p>
<p>190</p> <p>1 earlier today, in the bottom left, the "created by"</p> <p>2 box has this disclaimer underneath it was created</p> <p>3 by user other than first, second, or investigating</p> <p>4 officers; do you see that?</p> <p>5 A Yes, I do.</p> <p>6 Q Do you know whose PC number that is?</p> <p>7 A I do not at this time.</p> <p>8 Q And you don't know who created this report?</p> <p>9 I'm sorry.</p> <p>10 Do you know who created this inventory</p> <p>11 sheet?</p> <p>12 A I don't know who generated this particular</p> <p>13 inventory sheet, no. Not at this time.</p> <p>14 Q This one we were looking at is for 51</p> <p>15 dollars of US currency; is that correct?</p> <p>16 A Yes. One bundle of 51 dollars.</p> <p>17 Q And if you go ahead two pages, there's</p> <p>18 another inventory sheet which is for the Cheetos</p> <p>19 bag; do you see that?</p> <p>20 A Yes, it is inventory for the narcotics.</p> <p>21 Q Do you recall making arrests where</p> <p>22 narcotics were kept in a Cheetos bag or any other</p> <p>23 chip bag?</p> <p>24 A Nothing specific, but they would generally</p>	<p>192</p> <p>1 signature.</p> <p>2 Q And how would you give that approval?</p> <p>3 A I'm sorry?</p> <p>4 Q You said there may be situations --</p> <p>5 A I would have reviewed the complaint.</p> <p>6 Q And --</p> <p>7 A Prior to it being sent off to a watch</p> <p>8 commander's approval.</p> <p>9 Q Okay. But somebody else could have signed</p> <p>10 it?</p> <p>11 A It is possible. It looks like my</p> <p>12 signature, though.</p> <p>13 Q And I am just asking, would you -- if you</p> <p>14 gave approval to somebody else to sign it, would</p> <p>15 you give that approval verbally?</p> <p>16 A Yes.</p> <p>17 Q Would the signing officer ever indicate</p> <p>18 they were signing for you?</p> <p>19 A I don't recall instances -- like any</p> <p>20 specific instances, but if it is for just felony</p> <p>21 complaint -- for just for the complaints.</p> <p>22 Q So you said this appears to be your</p> <p>23 signature in the two lines for complaining</p> <p>24 signature, correct?</p>

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49 (193 to 196)

<p style="text-align: right;">193</p> <p>1 A Yes, I believe it is.</p> <p>2 Q And underneath that, for the officer who</p> <p>3 clerked it, do you know whose signature that is?</p> <p>4 A I do not.</p> <p>5 Q The next page appears to be the same</p> <p>6 complaint, but maybe it is not stamped as filed in</p> <p>7 the court.</p> <p>8 A Sorry.</p> <p>9 Q Does that second complaint there look to be</p> <p>10 the same as the first one?</p> <p>11 A I don't know.</p> <p>12 Q Let me just ask you. We're looking at the</p> <p>13 page with the Bates labeled City BG32721. Do you</p> <p>14 see that on the bottom left?</p> <p>15 A I do.</p> <p>16 Q Does that appear to be your signature on</p> <p>17 this complaint as well?</p> <p>18 A Yes, I believe it is.</p> <p>19 Q And then the last page of this exhibit,</p> <p>20 which has a page number at the bottom ending in</p> <p>21 32722, does that also appear to be your signature</p> <p>22 on this copy of the complaint?</p> <p>23 A Yes, I believe it is.</p> <p>24 Q And I think you mentioned something about</p>	<p style="text-align: right;">195</p> <p>1 watch commander, for the watch commander's</p> <p>2 approval.</p> <p>3 Q And if the desk sergeant and the watch</p> <p>4 commander approved it, would you have anything else</p> <p>5 to do with it before it gets --</p> <p>6 A Then it would just be -- then at that point</p> <p>7 it is just to make sure that all the paperwork goes</p> <p>8 up when things go off to lock up.</p> <p>9 So we would have an opportunity to generate</p> <p>10 copies of approved paperwork and whatever we needed</p> <p>11 to go along with him to lock up, or with the person</p> <p>12 being arrested.</p> <p>13 Q Are you aware that Mr. Shenault claims that</p> <p>14 on this date, on November 26, 2006, you found the</p> <p>15 drugs that he was charged with in a pile of leaves</p> <p>16 across the street from where he was?</p> <p>17 A I am aware -- I don't specifically remember</p> <p>18 that allegation, but I'm aware of it now, I think.</p> <p>19 Q Okay. Do you deny that allegation?</p> <p>20 A I do deny it.</p> <p>21 Q Okay. And that's because your report is</p> <p>22 accurate, right?</p> <p>23 A Yes, I stand by my report, sir.</p> <p>24 Q Okay. I don't have any other questions on</p>
<p style="text-align: right;">194</p> <p>1 this before. After you completed a complaint and</p> <p>2 you sign it or someone signs it for you, is it then</p> <p>3 forwarded to the watch commander?</p> <p>4 A I'm sorry, can you repeat that?</p> <p>5 Q What happens after you sign a complaint?</p> <p>6 A That's just one part of the process so it</p> <p>7 could be a million other things that we would have</p> <p>8 to organize before we get all the paperwork</p> <p>9 together and then send it to the desk sergeant to</p> <p>10 approve it, and then eventually to a watch</p> <p>11 commander for approval, for probable cause</p> <p>12 approval.</p> <p>13 Q Does it come back to you after the desk</p> <p>14 sergeant reviews it?</p> <p>15 A During this time period, if it was the</p> <p>16 arrest, I don't know if it comes back to me. I am</p> <p>17 not understanding. Come back to me in what way?</p> <p>18 Q You put the paperwork together, and you</p> <p>19 give it to the desk sergeant, right?</p> <p>20 A Correct.</p> <p>21 Q And at this time in 2006 what would happen</p> <p>22 next?</p> <p>23 A From my recollection is that it would be</p> <p>24 sent then to the watch commander for -- yeah, the</p>	<p style="text-align: right;">196</p> <p>1 those.</p> <p>2 MS. KLEINHAUS: One point, for the record,</p> <p>3 we had some discussion on Exhibit 26, it has two</p> <p>4 pages at the end related to Jejuan Nile. Those</p> <p>5 pages relate to -- oh, I'm sorry. Can I borrow the</p> <p>6 mike? My bad.</p> <p>7 We had some discussion about the last two</p> <p>8 pages of Exhibit 26 related to Jejuan Nile. That</p> <p>9 is related to an arrest from July 22, 2006. That's</p> <p>10 not the arrest that's the subject of his civil suit</p> <p>11 in the coordinated proceedings and it's not the</p> <p>12 subject of any post conviction proceedings where</p> <p>13 the Exoneration Project represents him.</p> <p>14 So I believe if Joel wants to ask questions</p> <p>15 about it, it is not related to the Nile's case in</p> <p>16 these proceedings and there shouldn't be an issue</p> <p>17 doing that.</p> <p>18 MR. FLAXMAN: We have an agreement that I</p> <p>19 will ask questions on it tomorrow. Okay?</p> <p>20 MR. ZECCHIN: Fine. Thank you, Counsel.</p> <p>21 MR. FLAXMAN: Okay.</p> <p>22 MR. ZECCHIN: I have questions. I would</p> <p>23 like to take a break. I -- my cocounsel will look</p> <p>24 through that, and then I would like to look at some</p>

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Conducted on October 16, 2019

50 (197 to 200)

<p style="text-align: right;">197</p> <p>1 exhibits before I ask questions of my client.</p> <p>2 MS. KLEINHAUS: Okay.</p> <p>3 THE VIDEOGRAPHER: Off the record, 4:50.</p> <p>4 (WHEREUPON, a recess was had from 4:50</p> <p>5 p.m. to 4:59 p.m.)</p> <p>6 THE VIDEOGRAPHER: Back on the record,</p> <p>7 4:59.</p> <p>8 EXAMINATION ON BEHALF OF THE DEPONENT AND THE HALE</p> <p>9 & MONICO DEFENDANTS</p> <p>10 BY MR. ZECCHIN:</p> <p>11 Q Officer Gonzalez, I want to ask you a few</p> <p>12 questions related to the questioning by plaintiff's</p> <p>13 counsel.</p> <p>14 Do you recall reviewing an affidavit</p> <p>15 provided by former police officer Spaargaren?</p> <p>16 A Yes.</p> <p>17 Q And do you remember in there he mentioned</p> <p>18 having an argument with both Sergeant Watts and</p> <p>19 with a Lieutenant Spratt?</p> <p>20 A Yes.</p> <p>21 Q Did you testify earlier that you were</p> <p>22 partners at some point with Officer Spaargaren?</p> <p>23 A Yes.</p> <p>24 Q And approximately how long were you and</p>	<p style="text-align: right;">199</p> <p>1 A Yes, I do, I stand by those reports.</p> <p>2 Q With regard to being box one or box two in</p> <p>3 drafting an arrest report, can you rely on</p> <p>4 information you learned from other officers in</p> <p>5 order to draft an arrest report or vice case</p> <p>6 report?</p> <p>7 A Yes, that's common as well.</p> <p>8 Q And you don't have to personally observe</p> <p>9 necessarily what they see, as long as you are told</p> <p>10 by another officer, you can rely on that in</p> <p>11 drafting your report, correct?</p> <p>12 A Yes, that's correct.</p> <p>13 Q You were also asked some questions about</p> <p>14 the reports where you were listed as an attesting</p> <p>15 officer. Do you remember those questions?</p> <p>16 A Yes.</p> <p>17 Q And in attesting to the accuracy of the</p> <p>18 report, the statement above your name indicates</p> <p>19 that you declare and affirm under penalty of</p> <p>20 perjury that the facts stated herein are accurate</p> <p>21 to the best of my knowledge and information and/or</p> <p>22 belief. Is that accurately read what the attesting</p> <p>23 officer is attesting to?</p> <p>24 A Yes, sir.</p>
<p style="text-align: right;">198</p> <p>1 Officer Spaargaren partners?</p> <p>2 A Maybe a year or two, possibly three years.</p> <p>3 Q And at any point prior to Officer</p> <p>4 Spaargaren leaving the Chicago Police Department,</p> <p>5 did he ever tell you personally about either his</p> <p>6 argument with Sergeant Watts or his argument with</p> <p>7 Lieutenant Spratt?</p> <p>8 A No.</p> <p>9 Q Counsel Flaxman asked you some questions</p> <p>10 about whether or not you stand on your reports. Do</p> <p>11 you remember those questions?</p> <p>12 A Yes.</p> <p>13 Q Now, you were also asked questions by</p> <p>14 Ms. Kleinhaus about her clients and affidavits they</p> <p>15 provided. Do you remember those questions?</p> <p>16 A Yes, I do.</p> <p>17 Q And some of those affidavits you recall</p> <p>18 indicated wrongdoing by yourself and other members</p> <p>19 of the team, correct?</p> <p>20 A Yes.</p> <p>21 Q With regard to each of those plaintiffs'</p> <p>22 affidavits, do you stand by the reports you issued</p> <p>23 in connection with each of those plaintiff's</p> <p>24 arrests?</p>	<p style="text-align: right;">200</p> <p>1 Q With regard to the arrest of Mr. George</p> <p>2 Almond, it is Exhibit 15. In there, and you can</p> <p>3 take a look at it if you like, but do you recall,</p> <p>4 was your name listed anywhere in that arrest</p> <p>5 report?</p> <p>6 A I don't believe that my name is on there.</p> <p>7 I don't think that it is. I do not believe my name</p> <p>8 is on that report.</p> <p>9 Q Okay. If you want to take a moment, just</p> <p>10 take a look at Exhibit 15, please.</p> <p>11 A I do not see my name on the report.</p> <p>12 Q Now, you answered a question from</p> <p>13 plaintiff's counsel that it is possible a name of</p> <p>14 an officer involved in an arrest would be omitted</p> <p>15 from a report. Do you remember that question and</p> <p>16 answer?</p> <p>17 A Yes.</p> <p>18 Q Are you aware of any instance in which you</p> <p>19 have been part of an arrest as an assisting or</p> <p>20 arresting officer and you have been left off of a</p> <p>21 report altogether?</p> <p>22 MS. KLEINHAUS: Objection. Foundation.</p> <p>23 Speculation.</p> <p>24 You can answer.</p>

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51 (201 to 204)

<p style="text-align: right;">201</p> <p>1 A At this time, I do not -- I don't recall an</p> <p>2 instance.</p> <p>3 Q Are you aware of any time you have been</p> <p>4 left off a report that you were involved in an</p> <p>5 arrest?</p> <p>6 A At this time, I do not recall that.</p> <p>7 MR. ZECCHIN: I have no other questions at</p> <p>8 this time.</p> <p>9 MR. KOSOKO: I want to ask just a couple</p> <p>10 questions.</p> <p>11 EXAMINATION ON BEHALF OF DEFENDANT WATTS</p> <p>12 BY MR. KOSOKO:</p> <p>13 Q Officer Gonzalez, are you familiar with the</p> <p>14 574 building that was up back when Ida B. Wells was</p> <p>15 up and still --</p> <p>16 A I have memories of it, yes. I remember it.</p> <p>17 Q Was it known to be a place where narcotics</p> <p>18 place -- narcotic trade took place?</p> <p>19 A Yes.</p> <p>20 Q What about the 540 building, was it a place</p> <p>21 that was known for the narcotic trade to take</p> <p>22 place?</p> <p>23 A Yes, sir.</p> <p>24 Q What about the 575 building, was it also a</p>	<p style="text-align: right;">203</p> <p>1 A Yes.</p> <p>2 MR. ZECCHIN: I'm going to object. I don't</p> <p>3 recall I used the word "narrative."</p> <p>4 But go ahead and answer the question.</p> <p>5 Q Is it correct that in creating the</p> <p>6 narrative in an arrest report, you could rely on</p> <p>7 what another officer told you?</p> <p>8 A In instances where there's culmination of</p> <p>9 information from different officers for that</p> <p>10 incident, there might be something pertinent that</p> <p>11 an officer might be able to provide to you that</p> <p>12 might be pertinent for that particular incident,</p> <p>13 depending on what type of incident it is.</p> <p>14 Q And that would be information that came</p> <p>15 from that officer's firsthand observation or</p> <p>16 knowledge, but not from your firsthand observation</p> <p>17 or knowledge?</p> <p>18 A It is possible, yes.</p> <p>19 Q Would you indicate in the report that you</p> <p>20 were relying on what another officer told you?</p> <p>21 A It would depend. It would depend on the</p> <p>22 circumstances again of the report and what fashion</p> <p>23 those details fit in for the incident.</p> <p>24 Q Sometimes you would indicate that it came</p>
<p style="text-align: right;">202</p> <p>1 place known to be where the narcotic trade took</p> <p>2 place?</p> <p>3 A Yes.</p> <p>4 Q Okay. Did you -- did the team -- just</p> <p>5 generally back during your time period, either on</p> <p>6 the 4512 beat or the 264 beat, did the team often</p> <p>7 respond to resident complaints of the narcotic</p> <p>8 trade in those buildings and other buildings?</p> <p>9 A Yes, sir.</p> <p>10 Q And prior to Mr. Watts' arrest that led to</p> <p>11 his resignation from the force, did you speak with</p> <p>12 the Federal Bureau of Investigation regarding the</p> <p>13 happenings of either beats 4512 or the 264 team?</p> <p>14 A No.</p> <p>15 MS. KLEINHAUS: Objection to form.</p> <p>16 MR. KOSOKO: No further questions.</p> <p>17 MR. FLAXMAN: Any other defendants?</p> <p>18 FURTHER EXAMINATION ON BEHALF OF THE FLAXMAN</p> <p>19 PLAINTIFFS</p> <p>20 BY MR. FLAXMAN:</p> <p>21 Q Officer, your counsel asked you if you</p> <p>22 could rely on what other officers told you in</p> <p>23 creating a narrative in a report. Do you remember</p> <p>24 that?</p>	<p style="text-align: right;">204</p> <p>1 from other officers, sometimes you wouldn't need to</p> <p>2 indicate that?</p> <p>3 A I would have to think of examples, but if</p> <p>4 there was information an officer had, and it was</p> <p>5 relative to either the -- to establish the probable</p> <p>6 cause for an arrest report, or it was an important</p> <p>7 enough detail to put in a general offense or vice</p> <p>8 case report, that would determine the</p> <p>9 responsibility of the officer to determine whether</p> <p>10 that information was credible enough -- or not</p> <p>11 credible, but important enough for it to go into</p> <p>12 the case report.</p> <p>13 Q And when would you indicate that that</p> <p>14 information came from another officer in the</p> <p>15 report?</p> <p>16 A It could come in the narrative in some form</p> <p>17 or, whether through a notification or some other</p> <p>18 way.</p> <p>19 Q When a report says AOs observed, does it</p> <p>20 mean that -- what does it mean?</p> <p>21 A You would have to provide me with the rest</p> <p>22 of the context, outside of just AOs observed.</p> <p>23 Q Well, let me -- the last report we looked</p> <p>24 at, it was Exhibit 29. Can I just ask you about</p>

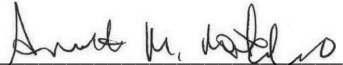
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52 (205 to 208)

205	<p>1 the meaning of that report.</p> <p>2 A Exhibit, I'm sorry?</p> <p>3 Q It should -- it is at the bottom of that</p> <p>4 pile, Exhibit 29.</p> <p>5 A Okay.</p> <p>6 Q And the narrative in this arrest report is</p> <p>7 on the second page, correct?</p> <p>8 A Yes.</p> <p>9 Q And it begins by saying AOs -- I'm sorry,</p> <p>10 it begins by saying A slash Os received information</p> <p>11 from a concerned citizen.</p> <p>12 A Yes.</p> <p>13 Q To whom is that referring? Who are the</p> <p>14 AOs?</p> <p>15 A I don't have any independent recollection</p> <p>16 of the arrest, but if you are asking me to surmise</p> <p>17 what that would mean, it would mean that I would</p> <p>18 have access to the information, and, therefore, at</p> <p>19 some point would have shared that information with</p> <p>20 assisting officers or anyone who was part of the</p> <p>21 assignment, or a part of the incident.</p> <p>22 Q But the officers who actually received that</p> <p>23 information would be officers listing -- listed as</p> <p>24 the first and second arresting officers on this</p>	207	<p>1 information from a concerned citizen?</p> <p>2 A I don't recall the incident, but it would</p> <p>3 most likely have been either myself or Officer</p> <p>4 Bolton, would be my guess.</p> <p>5 Q Okay. When the report refers to AOs, could</p> <p>6 that ever refer to one of the assisting officers?</p> <p>7 A Generally, from my own report purposes, I</p> <p>8 can't speak for other officers, so for my own, I</p> <p>9 don't know. I can't speak for what it would mean</p> <p>10 for other reports or for other officers.</p> <p>11 Q For your reports what would it mean?</p> <p>12 A Generally, it would just indicate more that</p> <p>13 I would have at least knowledge of that and may</p> <p>14 have shared it.</p> <p>15 Q For your reports that referenced an A slash</p> <p>16 O, would be to the first or second arresting</p> <p>17 officer?</p> <p>18 A Under the arrest report, yes.</p> <p>19 MR. FLAXMAN: Okay. I don't have anything</p> <p>20 else.</p> <p>21 MS. KLEINHAUS: I think that's it for</p> <p>22 today.</p> <p>23 THE VIDEOGRAPHER: This concludes day one</p> <p>24 of the video deposition of Robert Gonzalez. The</p>
206	<p>1 arrest report?</p> <p>2 A No. Not necessarily.</p> <p>3 Q It could also be the officers --</p> <p>4 A In this particular case, I don't -- like I</p> <p>5 said, I don't recall, but it would have been</p> <p>6 information that someone would have received.</p> <p>7 Q So it could have been somebody who's listed</p> <p>8 on this report as an assisting arresting officer?</p> <p>9 A That I don't know.</p> <p>10 Q So you are not able to tell from the report</p> <p>11 who it was who received this information?</p> <p>12 A No, "AO" is just a generalized term.</p> <p>13 Q Generalized term for what?</p> <p>14 A Arresting officers.</p> <p>15 Q But it might not refer to somebody who's</p> <p>16 listed on this report as an arresting officer?</p> <p>17 A Well, it would refer to the arresting</p> <p>18 officers, yes.</p> <p>19 Q On this report, who's the arresting</p> <p>20 officers?</p> <p>21 A It would be, in this case, for paperwork</p> <p>22 purposes, it would be off- -- it would be myself</p> <p>23 and Officer Bolton.</p> <p>24 Q So it was one of you who received the</p>	208	<p>1 time is 5:12.</p> <p>2 (WHEREUPON, the deposition concluded at</p> <p>3 5:12 p.m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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53 (209 to 212)

<p style="text-align: right; margin-right: 50px;">209</p> <p>1 ACKNOWLEDGMENT OF DEPONENT</p> <p>2</p> <p>3</p> <p>4 I, ROBERT GONZALEZ, do hereby</p> <p>5 acknowledge that I have read and examined the</p> <p>6 foregoing testimony, and the same is a true,</p> <p>7 correct and complete transcription of the testimony</p> <p>8 given by me and any corrections appear on the</p> <p>9 attached Errata sheet signed by me.</p> <p>10</p> <p>11</p> <p>12</p> <p>13 _____</p> <p>14 (DATE) (SIGNATURE)</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; margin-right: 50px;">210</p> <p>1 CERTIFICATE OF CERTIFIED COURT REPORTER</p> <p>2</p> <p>3 I, Annette M. Montalvo, CSR, RDR, CRR, the</p> <p>4 officer before whom the foregoing deposition was</p> <p>5 taken, do hereby certify that the foregoing</p> <p>6 transcript is a true and correct record of the</p> <p>7 testimony given; that said testimony was taken by</p> <p>8 me stenographically and thereafter reduced to</p> <p>9 typewriting under my direction; that reading and</p> <p>10 signing was requested; and that I am neither</p> <p>11 counsel for, related to, nor employed by any of the</p> <p>12 parties to this case and have no interest,</p> <p>13 financial or otherwise, in its outcome.</p> <p>14 IN WITNESS WHEREOF, I have hereunto set my</p> <p>15 hand this 9th day of January, 2020.</p> <p>16</p> <p>17</p> <p>18 </p> <p>19 _____</p> <p>20 Annette M. Montalvo, CSR, RDR, CRR</p> <p>21 Certified Shorthand Reporter</p> <p>22 for the State of Illinois</p> <p>23 Illinois License No. 84-3967</p> <p>24 NCRA Membership No. 833506</p>	