

# **EXHIBIT 57**



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# Transcript of Douglas Nichols

**Date:** December 19, 2019  
**Case:** Watts Coordinated Cases

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Transcript of Douglas Nichols  
Conducted on December 19, 2019

1 (1 to 4)

1	UNITED STATES DISTRICT COURT	1	A P P E A R A N C E S
2	NORTHERN DISTRICT OF ILLINOIS	2	ON BEHALF OF CERTAIN PLAINTIFFS:
3	EASTERN DIVISION	3	THERESA KLEINHAUS, ESQUIRE
4		4	LOEVY & LOEVY
5	----- x	5	311 North Aberdeen Street
6	WATTS COORDINATED CASES. : Master Docket	6	Third Floor
7	: Case No. 19-cv-01717	7	Chicago, Illinois 60607
8	----- x	8	312.243.5900
9		9	
10		10	ON BEHALF OF CERTAIN PLAINTIFFS:
11		11	JOEL FLAXMAN, ESQUIRE
12	Videotaped Deposition of	12	200 South Michigan Avenue
13	DOUGLAS NICHOLS, VOLUME I	13	Suite 201
14	Chicago, Illinois	14	Chicago, Illinois 60604
15	Thursday, December 19, 2019	15	312-427-3200
16	10:12 a.m.	16	
17		17	
18		18	
19		19	
20		20	
21		21	
22	Job No.: 273007	22	
23	Pages: 1 - 194	23	
24	Reported by: Joanne E. Ely, CSR, RPR	24	
2		2	
1	Videotaped deposition of DOUGLAS NICHOLS,	1	A P P E A R A N C E S C O N T I N U E D
2	Volume I, held at the location of:	2	ON BEHALF OF THE DEFENDANT CITY OF CHICAGO AND
3		3	VARIOUS POLICE DEPARTMENT SUPERVISORS:
4		4	DANIEL M. NOLAND, ESQUIRE
5	LOEVY & LOEVY	5	REITER BURNS LLP
6	311 North Aberdeen Street	6	311 South Wacker Drive
7	Third Floor	7	Suite 5200
8	Chicago, Illinois 60607	8	Chicago, Illinois 60606
9	312.243.5902	9	312.982.0090
10		10	
11		11	ON BEHALF OF THE DEFENDANT WATTS:
12		12	AHMED A. KOSOKO, ESQUIRE
13	Pursuant to notice, before Joanne E. Ely,	13	JOHNSON & BELL, LTD.
14	a Certified Shorthand Reporter, and a Notary	14	33 West Monroe Street
15	Public in and for the State of Illinois.	15	Suite 2700
16		16	Chicago, Illinois 60603
17		17	312.372.0770
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	

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4 (13 to 16)

1 information from the traffic stop? 2 <b>A That's correct.</b> 3     Q How long have you had an admin role at the 4 2nd District? 5 <b>A Since November of 2017.</b> 6     Q Would you refer to that role as desk duty? 7        MR. BAZAREK: I would object to the form 8 of the question, vague, and ambiguous. 9     Q Would you also -- I'm sorry. Just go 10 ahead and answer. 11 <b>A I don't know what desk duty is. I'm</b> 12 <b>admin. I know I'm admin.</b> 13    Q Okay. You've never heard your current 14 situation described as desk duty? 15 <b>A Not me personally, no.</b> 16    Q Okay. Do you know why you were 17 transferred to an admin role? 18       MR. KOSOKO: Objection; form of the 19 question, calls for speculation, vague, and 20 ambiguous. 21    Q Okay. And unless your -- 22       MR. BAZAREK: Join. 23    Q Excuse me. Unless your attorney tells you 24 not to answer, you still can answer despite the	13 1 <b>A No, I don't.</b> 2     Q Are you aware that it relates to the 3 willingness of the state's attorney's office to 4 call you as a witness? 5        MR. BAZAREK: I'd object to the form of 6 that question. 7 <b>A Could you repeat that question?</b> 8     Q Sure. 9       MS. KLEINHAUS: Can you read it back. 10      (Pending question read.) 11       MR. BAZAREK: Also a further objection, 12 vague, ambiguous, compound. I don't understand 13 it. 14 <b>A I'm not sure. I don't know.</b> 15      (Nichols Deposition Exhibit 1 marked for 16 identification and attached to the transcript.) 17    Q Okay. Let me show you what we'll mark as 18 Exhibit 1. Take a second to review it, and I'll 19 ask you some questions about it. 20 <b>A Okay.</b> 21    Q Okay. Have you seen this letter before? 22 <b>A This is the first time I'm seeing this</b> 23 <b>letter.</b> 24    Q Okay. Look with me, please, to the last	
14	14 1 objection. Okay? 2 <b>A Okay.</b> 3     Q Go ahead. 4 <b>A My understanding is because of these</b> 5 <b>lawsuits that we're sitting here today for.</b> 6     Q Who told you that you would be placed in 7 an administrative role? 8 <b>A My commander at the time and the captain</b> 9 <b>at the time.</b> 10    Q Who was your commander at the time? 11 <b>A Crystal King Smith.</b> 12    Q And how did she tell you that you were 13 going to be put in an administrative role? 14 <b>A If I recall, I don't remember 100 percent</b> 15 <b>what she exactly said, but she said I was going to</b> 16 <b>be inside.</b> 17    Q Okay. Did she tell you why? 18 <b>A I don't recall.</b> 19    Q Did you ask why? 20 <b>A No.</b> 21    Q Other than knowing it's related to the 22 lawsuits we're here for today, do you have any 23 other information about why you were put in an 24 admin role?	16 1 sentence in this letter. It says, "Please be 2 advised that the state's attorney's office has 3 concluded it will no longer call Officer Nichols 4 as witness in any pending or future matter" hand- 5 -- excuse me -- "handled by the state's attorney's 6 office due to concerns about his credibility and 7 alleged involvement in the misconduct of Sergeant 8 Watts." 9       Do you see that? 10 <b>A I do.</b> 11    Q Prior to seeing this letter, had you been 12 informed that the state's attorney's office would 13 no longer call you as a witness? 14 <b>A I just saw on the news the original</b> 15 <b>letter, the news, and that was it, but my name was</b> 16 <b>not on that letter. That's when I first saw the</b> 17 <b>letter. But this particular letter, this is the</b> 18 <b>first I'm seeing this letter.</b> 19    Q But did anyone from the Chicago Police 20 Department tell you that the state's attorney's 21 office would not call you as a witness? 22 <b>A No.</b> 23    Q Okay. Did anyone from the Chicago Police 24 Department tell you that there were concerns about

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5 (17 to 20)

	17		19
1	your credibility as a witness?	1	or up until today with Officer Leano about why the
2	<b>A No one in the Chicago Police Department</b>	2	two of you were placed on administrative duty?
3	<b>said anything about my credibility.</b>	3	<b>A Briefly.</b>
4	Q Okay. You can put that exhibit to the	4	Q What did that conversation consist of?
5	side.	5	<b>A About these lawsuits and we think it's</b>
6	You said your captain also talked to you	6	<b>unfair of why we're in this situation.</b>
7	about being placed in an administrative role.	7	Q Did anybody tell you -- I'm sorry --
8	Who was that?	8	strike that, please.
9	<b>A His name is Mark Moore.</b>	9	Did anyone from the Chicago Police
10	Q How do you spell his last name, please?	10	Department tell you that you were placed on
11	<b>A I'm not 100 percent sure, but I think it's</b>	11	administrative duty because of these lawsuits?
12	<b>M-o-o-r-e, if I'm not mistaken.</b>	12	<b>A I don't recall.</b>
13	Q Okay. And what did Captain Moore tell you	13	Q How did you learn that administrative
14	about your transfer into an administrative role?	14	duty -- your administrative duty was connected to
15	<b>A Just basically we were going into</b>	15	these lawsuits?
16	<b>administrative duties.</b>	16	<b>A Well, I found out by the letter, this</b>
17	Q Did he tell you why?	17	<b>letter when I met with my attorneys. That's how I</b>
18	<b>A I don't recall.</b>	18	<b>found out that I was not on this list, on the</b>
19	Q Did you ask why?	19	<b>so-called list.</b>
20	<b>A I don't believe I did, no.</b>	20	Q Okay.
21	Q Why didn't you want to know the reason?	21	MR. BAZAREK: Don't discuss any
22	MR. NOLAND: Object to the form of the	22	conversations with your counsel.
23	question, foundation.	23	Q Do you know how long you'll be on
24	MR. BAZAREK: Join.	24	administrative duty?
	18		20
1	MR. KOSOKO: Join.	1	MR. BAZAREK: Object to the form of the
2	MR. PALLE: Join.	2	question, speculation.
3	<b>A I don't know. I don't know what -- my</b>	3	BY MS. KLEINHAUS:
4	<b>conversation with him, like I stated before.</b>	4	Q Go ahead.
5	<b>BY MS. KLEINHAUS:</b>	5	<b>A I have no idea.</b>
6	Q Okay. Was this a conversation you had	6	Q Do you consider being placed on
7	with Captain Moore in person?	7	administrative duty a punishment?
8	<b>A Could you repeat that question?</b>	8	MR. NOLAND: Object to the form of the
9	Q Did you talk with Captain Moore about your	9	question, foundation.
10	transfer to an administrative role in person?	10	MR. BAZAREK: Join.
11	<b>A Yes. It was myself, Captain Moore, and</b>	11	<b>A Absolutely, 100 percent I feel it's a</b>
12	<b>Crystal King Smith in person.</b>	12	<b>punishment.</b>
13	Q Okay. Was anyone else present for that	13	Q And have you ever asked anyone at the
14	meeting?	14	Chicago Police Department what you're being
15	<b>A Yes.</b>	15	punished for?
16	Q Who else?	16	<b>A No.</b>
17	<b>A My partner at the time, Officer Leano.</b>	17	Q Prior to being placed on administrative
18	Q Anyone else?	18	duty at the 2nd District, what were you doing?
19	<b>A No. Not that I recall, no.</b>	19	<b>A When I first got hired by the Chicago</b>
20	Q Did Officer Leano ask why you were being	20	<b>Police Department, I went to the academy. After</b>
21	transferred to administrative duty?	21	<b>the academy, I went to the 15th District. I did</b>
22	MR. NOLAND: Objection; foundation.	22	<b>my probation there; and then right before my</b>
23	<b>A I don't recall.</b>	23	<b>probation, I got sent to the 2nd District.</b>
24	Q Did you have any conversation either then	24	<b>When I got to the 2nd District, I was</b>

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6 (21 to 24)

<p>21</p> <p>1 working midnights; and after I was working 2 midnights as a beat patrol officer, I went to the 3 tactical division, tactical, slash, housing in 4 November of 2004.</p> <p>5 Q And you've been assigned to the 2nd 6 District ever since?</p> <p>7 A Yes.</p> <p>8 Q What was the approximate time frame that 9 you were in the academy?</p> <p>10 A If I had to guess 24 February of '03, and 11 I'm not sure when I graduated. I think it was 12 August of '03, if I'm not mistaken. I could be 13 wrong on that.</p> <p>14 Q How long were you assigned to the 15th 15 District?</p> <p>16 A I'm guessing again, I'm not 100 percent 17 sure, but I did my probation there. So probably 18 around six months, if I had to guess. I'm 19 guessing.</p> <p>20 Q When you left the 15th District to go to 21 the 2nd District, was that the result of a bidding 22 process?</p> <p>23 A To the best of my knowledge, when I got 24 sent to the 2nd District -- you get assigned to a</p>	<p>23</p> <p>1 reports?</p> <p>2 A I believe so, yes.</p> <p>3 Q Okay. What did that consist of?</p> <p>4 MR. NOLAND: Objection; overly broad.</p> <p>5 MR. BAZAREK: Join.</p> <p>6 MR. KOSOKO: Join.</p> <p>7 A To the best of my knowledge, to fill in 8 the blanks, to write the narratives stating the 9 facts and what occurred to it, and filling out 10 each box that was pertinent to the case.</p> <p>11 Q When you were taught to write up the 12 narratives, were you trained to include 13 information about which officer performed which 14 tasks in the arrest?</p> <p>15 MR. KOSOKO: Objection; form of the 16 question, vague.</p> <p>17 MR. BAZAREK: Join.</p> <p>18 A I don't recall. I don't remember.</p> <p>19 Q Were you taught at the academy, as part of 20 your training on writing police reports, about 21 which officer should write up the narrative 22 portion of the report?</p> <p>23 A Not that I'm aware of, no.</p> <p>24 Q Were you given any training about who</p>
<p>22</p> <p>1 district after your -- right before the end of 2 your probation, and you get assigned to a 3 district, and I happened to get assigned to the 4 2nd District.</p> <p>5 Q Okay. So that was not something that you 6 had any ability to select or rank that you wanted 7 to go to the 2nd District?</p> <p>8 A Not at all because at the time I was 9 living up north, and I didn't want to go to the 10 2nd District because it was quite a distance.</p> <p>11 Q How long did you work midnights in the 2nd 12 District as a beat officer?</p> <p>13 A If I'm not mistaken, I think I got to the 14 2nd District around June or July of '04, if I'm 15 not mistaken; and so probably a couple of months 16 before I went to tac in November of '04.</p> <p>17 Q Okay. Was going to the tac team something 18 that you requested?</p> <p>19 A No, it wasn't.</p> <p>20 Q Do you know why you were placed on the 21 tactical team?</p> <p>22 A No, I don't. I don't know why.</p> <p>23 Q When you were at the academy, did you 24 receive some training on how to write police</p>	<p>24</p> <p>1 should be listed as the first arresting officer 2 and the second arresting officer?</p> <p>3 A As of which time? In the academy or --</p> <p>4 Q At any point.</p> <p>5 A No. To the best of my knowledge, whoever 6 is in box 1 is the one who is reporting the 7 offense.</p> <p>8 Q Does that mean the person that's listed in 9 Box 1 writes the narrative portion of the report?</p> <p>10 MR. BAZAREK: Object to the form of the 11 question.</p> <p>12 MR. KOSOKO: Join.</p> <p>13 A Typically, yes. To the best of my 14 knowledge, the person in Box 1 would typically 15 write the narrative to the case report -- or the 16 case report.</p> <p>17 Q When you were working midnights in the 2nd 18 District before you became part of the tac team, 19 was report writing part of your responsibilities?</p> <p>20 A Yes.</p> <p>21 Q And would supervisors review the reports 22 that you wrote?</p> <p>23 A Yeah. Supervisors would review the 24 reports. That's correct.</p>

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7 (25 to 28)

	25	27
1 Q Do you feel that you had adequate training 2 on report writing at the academy?	1 MR. KOSOKO: Join. 2 MR. BAZAREK: Join.	
3 <b>A I don't remember the class on reporting,</b> 4 <b>so I couldn't answer that question.</b>	3 <b>A I went to court a lot, yes.</b> 4 <b>BY MS. KLEINHAUS:</b>	
5 Q Did anyone at the 2nd District ever tell 6 you there was anything deficient or wrong with the 7 way you were writing up reports?	5 Q When you needed to go to court as part of 6 your job, what would you do to prepare to testify? 7 MR. NOLAND: Objection; incomplete 8 hypothetical.	
8 <b>A No.</b>	9 MR. BAZAREK: Join. 10 MR. KOSOKO: Join.	
9 Q And you were trained that the reports 10 would be used as part of criminal proceedings; 11 right?	11 <b>A When I went to court, I would talk to the</b> 12 <b>state's attorneys, and I would review my reports,</b> 13 <b>any reports that were pertinent to the case.</b>	
12 MR. KOSOKO: I'm going to object to the 13 form of the question, calls for speculation, 14 ambiguous.	14 Q When you would meet with the state's 15 attorney, would other police officers typically be 16 present for that preparation session with the 17 prosecutor?	
15 MR. BAZAREK: Join.	18 MR. BAZAREK: Object to the form, 19 foundation. I'll just make a standing objection 20 on this whole line of questioning. I don't know 21 if I want to interfere with every question that 22 you ask. So that's my objection.	
16 <b>A Yes. I would expect my reports to be in</b> <b>17 the court proceedings.</b>	23 <b>A It's on -- yes.</b>	
18 Q When you joined the tactical team at the 19 2nd District, who was your supervisor?	24 Q Were you provided any training during the	
20 <b>A When I got assigned to the tactical team,</b> <b>21 my supervisor was Ronald Watts.</b>		28
22 Q Did Sergeant Watts ever give you any 23 training or instruction on report writing?	1 course of your career with the Chicago Police 2 Department, before you were placed in the 3 administrative role, on how to gather information 4 about narcotic sales?	
24 <b>A No, he did not.</b>	5 MR. KOSOKO: I'm going to object to the 6 form of the question, vague, ambiguous.	
	7 <b>A Could you repeat that question, ma'am.</b>	
1 Q At any point during your career with the 2 Chicago Police Department, did you receive 3 training on how to testify in court?	8 Q Sure. In the course of your career with 9 the Chicago Police Department before you were 10 placed in an administrative role, were you given 11 any training about how to find out information or 12 investigate narcotic sales?	
4 MR. NOLAND: Object to the form.	13 <b>A I don't believe so, no.</b>	
5 MR. KOSOKO: Join.	14 Q When you were assigned to the 2nd District 15 on patrol on the midnight shift, did you know 16 Sergeant Watts?	
6 <b>A I don't know if we had a class in the</b> 7 <b>academy. I don't remember if we had, like, a mock</b> 8 <b>trial, like how to; but not how to testify, no, if</b> 9 <b>that's what you're -- I don't understand what you</b> 10 <b>mean, how to testify.</b>	17 <b>A I did not. I did not know who Sergeant</b> <b>18 Watts was.</b>	
11 <b>BY MS. KLEINHAUS:</b>	19 Q When did you first come to know Sergeant 20 Watts?	
12 Q Did you receive any training related to 13 testimony in court?	21 <b>A The first time I met Sergeant Watts was</b> 22 <b>the first day that I was working in the tactical</b> 23 <b>unit when I -- my first day in tactical.</b>	
14 <b>A Like I said before, we might have in the</b> 15 <b>academy of how it's like to testify in court but</b> 16 <b>not how to testify.</b>	24 Q What was the difference in terms of your	
17 Q How many times have you testified in 18 court?		
19 <b>A Many, a lot.</b>		
20 Q Okay. Dozens?		
21 <b>A I don't know the number, a lot.</b>		
22 Q That was a routine part of your job before 23 you were put on administrative duty; right?		
24 MR. NOLAND: Object to the form, routine.		

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8 (29 to 32)

<p>1 job duties when you were assigned to patrol in the 2 2nd District on midnights versus when you were on 3 the tactical team?</p> <p>4 <b>A For the most part when you're in that 5 tactical unit, you're in plainclothes. For the 6 most part, you don't answer any calls that are not 7 urgent calls. You don't answer like domestic 8 calls or anything like that, criminal trespass -- 9 or you could answer criminal trespass calls.</b></p> <p>10 <b>The main difference, when you're working a 11 beat car, you're in a uniform in a marked squad 12 car.</b></p> <p>13 Q When you were part of the tactical team at 14 the 2nd District, how would your duties for each 15 shift be assigned?</p> <p>16 <b>A Typical in my duties when I first got 17 assigned was the same thing. I was assigned to 18 the 264 housing, slash, tactical team.</b></p> <p>19 Q And what would you do on a particular -- 20 on a -- excuse me -- in a typical shift on that 21 team, how would you know what your duties were for 22 that shift?</p> <p>23 <b>A My typical duties were basically the same 24 thing every day. On some circumstances, we would</b></p> <p>30</p> <p>1 have roll call. Our sergeant would lead that roll 2 call or any other supervisor would lead the roll 3 call.</p> <p>4 <b>During the roll call, they would tell us 5 our shift that day, like if we were doing anything 6 in particular; or they might even tell us what was 7 happening in the district of recent shootings, 8 burglaries, robberies, et cetera, anything 9 pertinent that we should know that was happening 10 inside the district.</b></p> <p>11 Q Who was part of the tactical team when you 12 joined it?</p> <p>13 <b>A When I first joined it was -- my 14 supervisor was Ron Watts. Then there was Officer 15 Young, Officer Jones, Bolton, Gonzalez, myself, 16 Leano, Smith, and I believe Torres when I first -- 17 I got assigned to the 2nd District tactical.</b></p> <p>18 Q Torres, is that T-o-r-r-e-s?</p> <p>19 <b>A I'm not 100 per- -- I don't know.</b></p> <p>20 Q Okay. What's Torres's first name?</p> <p>21 <b>A I believe it's Cynthia, and it might be 22 Tornes. I'm not 100 percent sure what -- it's 23 Torres or Tornes.</b></p> <p>24 Q Okay. Other than Ron Watts, who on that</p>	<p>29</p> <p>1 team was senior to you in terms of experience?</p> <p>2 MR. BAZAREK: I will just object to the 3 form of the question. It's a bit vague, and 4 ambiguous.</p> <p>5 <b>A I don't understand what you mean by 6 experience.</b></p> <p>7 <b>BY MS. KLEINHAUS:</b></p> <p>8 Q Were there people on that team who had 9 more experience as a police officer than you did?</p> <p>10 <b>A If you're talking about experience as a 11 police officer, I was the baby on the team. I had 12 the least amount of time on the team at the time.</b></p> <p>13 Q Who joined the team next after you?</p> <p>14 <b>A I don't know. I don't understand the 15 question.</b></p> <p>16 Q Did other people join the team after you 17 joined the team?</p> <p>18 <b>A We had other people join the 264 team, if 19 that's what you're -- I still don't understand the 20 complete question.</b></p> <p>21 Q Okay. What about it is confusing?</p> <p>22 <b>A What do you mean joining, or when did they 23 join?</b></p> <p>24 Q People were added to the team after you</p> <p>32</p> <p>1 were already on it; right?</p> <p>2 <b>A Yes.</b></p> <p>3 Q Okay. Who was the next person who was 4 added to the team?</p> <p>5 <b>A I don't know.</b></p> <p>6 Q Who was your partner when you were first 7 assigned to the tactical team?</p> <p>8 <b>A My -- I got assigned to Officer Leano. 9 That was my partner.</b></p> <p>10 Q Okay. Did he remain your partner 11 throughout the time that you were on the tactical 12 team?</p> <p>13 <b>A Yes. And then I went back to the patrol 14 for a couple months; and then when I went back to 15 the tactical team, he was my partner.</b></p> <p>16 Q When did you go back to patrol for a 17 couple months?</p> <p>18 <b>A I believe it was sometime in 2008.</b></p> <p>19 Q And why did you go back to patrol in 2008?</p> <p>20 <b>A To the best of my knowledge of why I did 21 go back to patrol, because I didn't follow the 22 chain of command.</b></p> <p>23 Q Was it a form of discipline that you were 24 put back in patrol?</p>
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9 (33 to 36)

1 A I really don't know. The reason that I  
2 think I went back to patrol, I had a trip booked  
3 and I had my airlines booked and everything. I  
4 went to my tactical lieutenant at the time, and I  
5 asked -- well, before that -- strike that. Before  
6 that I tried to put in time, and I got denied.

7 So I went to my tactical lieutenant, asked  
8 him if I could get the time granted.

9 He said, No.

10 And I said, Okay. I'll talk to the  
11 district commander at the time.

12 And he said, Don't worry about it. She is  
13 on my side. She is already aware of the  
14 situation. You're just going to waste your time.

15 So I didn't know what to do. So I went to  
16 the first deputy at the time, spoke to him, and my  
17 time was granted. To the best of my knowledge, I  
18 thought that I got replaced and went back to  
19 patrol because I didn't follow the chain of  
20 command.

21 Q Okay. When you say you didn't follow the  
22 chain of command, you mean because you skipped  
23 talking to the commander?

24 A That's correct.

1 Q Who was the lieutenant that you spoke  
2 with?

3 A That was Lieutenant Anthony Carothers.

4 Q And who was the commander that he said was  
5 already aware and on his side?

6 A That was Commander Genessa Lewis.

7 Q And who was the first deputy that you  
8 spoke with?

9 A I believe that was Joe Patterson.

10 Q How did you find out that you were being  
11 moved back to patrol?

12 A It was a to/from printed up in the CO  
13 book, and I believe my sergeant at the time  
14 informed me that I was going back to patrol.

15 Q Was that Sergeant Watts?

16 A No. I don't believe Sergeant Watts was  
17 there at the time.

18 Q Who told -- which supervisor told you?

19 A I do not know which supervisor it was. It  
20 was one of the supervisors that were in the  
21 tactical unit at the time.

22 Q Who were the other supervisors in the  
23 tactical unit at the time?

24 A I don't remember all of them. I know

33

1 Sergeant Jones was, and I don't recall who the  
2 other sergeants were at the time.

3 Q And that's Sergeant Jones -- that's not Al  
4 Jones; right?

5 A No.

6 Q What's the first name of that Sergeant  
7 Jones that you're referring to?

8 A Donald Jones.

9 Q How long were you reassigned to patrol  
10 in 2008?

11 A If I had to guess, maybe six months or  
12 less, I would think. I'm guessing.

13 Q Did you want to return to the tactical  
14 team?

15 A I did.

16 Q And why was that?

17 A Because I liked the hours. I liked what I  
18 was doing back there. I felt comfortable with my  
19 partner, working with my partner, and I liked what  
20 I was doing. I thought I was a good officer and I  
21 liked -- I really liked what I was doing.

22 Q What did you like about it?

23 A I liked making a difference out there. I  
24 liked talking to citizens. I liked interacting

34

1 with people. If a person was doing something  
2 wrong, I would enforce the law, and I would arrest  
3 that person.

4 Q And how was that -- how was it different  
5 on the patrol side in terms of what you were doing  
6 or your interactions with citizens?

7 A Basically, no different interactions with  
8 citizens.

9 Q How did you get switched back into the  
10 tactical team?

11 A I talked to the commander at the time, met  
12 with her, explained the situation. We talked, and  
13 then she reassigned me back to the tactical unit.

14 Q Was that Commander Lewis?

15 A Yes, it was.

16 Q Did she tell you that you had been moved  
17 to patrol because you skipped a portion of the  
18 chain of command?

19 A I don't recall. I don't know.

20 Q When you were assigned to the tactical  
21 team, what areas of the 2nd District were you  
22 assigned to?

23 A Could you repeat that question, ma'am.

24 Q Sure. Let me try and ask it better.

35

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10 (37 to 40)

	37		39
1	Were there physical or geographic areas	1	Q And when did your assignment to the 264
2	within the 2nd District that you were assigned to	2	tactical team end?
3	when you were part of the tactical team?	3	<b>A I left the 264 tactical team briefly. I</b>
4	<b>A As of which time?</b>	4	<b>went to another -- well, I went back to the watch,</b>
5	Q Let's start with when you first joined in	5	<b>and then I went -- after I came back, I went to</b>
6	November of 2004.	6	<b>another tactical team.</b>
7	<b>A When I first got assigned, I was assigned</b>	7	Q Which tactical team is that?
8	<b>to the 264 housing/tactical team. So we -- our</b>	8	<b>A I believe it was the 263 tactical team.</b>
9	<b>main focus was on the scattered sites, housing</b>	9	Q Who was your supervisor when you were part
10	<b>projects in the 2nd District.</b>	10	10 of the 263 team?
11	Q And which housing projects were those?	11	<b>A Sergeant Kochanny.</b>
12	<b>A There was scattered sites on Stateway</b>	12	Q Do you know how to spell Kochanny?
13	<b>which is up and down State Street. There's the</b>	13	<b>A I'm guessing K-o-c-h-a-n-n-y. I'm</b>
14	<b>Ida B. Wells housing complex which consists of</b>	14	<b>guessing.</b>
15	<b>35th to 39th, from King Drive to Cottage.</b>	15	Q Okay. And when was it that you were
16	There's scattered sites, 40th and	16	assigned to tactical team 263?
17	Vincennes, Washington Park Homes; and that's what	17	<b>A I'm guessing also. Probably 2012,</b>
18	basically -- if I can remember correctly, that's	18	<b>'13-ish, I'm guessing. I'm not 100 percent sure.</b>
19	what we were patrolling.	19	<b>I'm not 100 percent sure.</b>
20	Q Did that change at some point?	20	Q Was it after Sergeant Watts had been
21	<b>A Yes. Later in my career, it did, yes.</b>	21	arrested?
22	Q When did it change?	22	<b>A Yes.</b>
23	<b>A When all the scattered sites of housing --</b>	23	Q Was the reason that you were switched to
24	<b>the housing projects were getting torn down.</b>	24	tactical team 263 because Sergeant Watts was
	38		40
1	Q Do you recall when that was?	1	arrested?
2	<b>A If I had to guess, I would say around 2008</b>	2	MR. PALLE: Objection; lack of
3	<b>or 2009, I believe. I'm guessing.</b>	3	foundation.
4	Q Were there other tactical teams besides	4	MR. KOSOKO: Join.
5	the one that you were on that were also assigned	5	MR. BAZAREK: Join.
6	to go to the housing projects within the 2nd	6	<b>A Actually, it was my choice to go to the</b>
7	District?	7	<b>263 team -- or not to that particular team, to</b>
8	<b>A Yes. There was another tactical team, and</b>	8	<b>leave the 264 team. Because at the time, they</b>
9	<b>they were the 266 housing, slash, tactical team.</b>	9	<b>were making the 264 team a strictly night team,</b>
10	Q Was there any difference between which	10	<b>10 and I didn't want to work strictly night team at</b>
11	projects the 264 team would go to versus which	11	<b>11 the time. So that's why I left the 264 team.</b>
12	ones the 266 team would go to?	12	<b>BY MS. KLEINHAUS:</b>
13	<b>A No difference.</b>	13	Q Did anybody else that you had worked with
14	Q Okay. So your team could go down to the	14	14 on the 264 team switch to the 263 team?
15	Washington Park Homes, Ida B. Wells, or Stateway;	15	<b>A Yes.</b>
16	and the 266 team could also go to all three of	16	Q Who else switched?
17	those; right?	17	<b>A My partner, Officer Leano, L-e-a-n-o, and</b>
18	<b>A That's correct.</b>	18	<b>Officer Gonzalez.</b>
19	Q What were you assigned to do after the	19	Q Do you know if the 264 team was made to be
20	housing projects were torn down?	20	a night team after Sergeant Watts was arrested?
21	<b>A My duties were the 264 tactical team.</b>	21	<b>A Could you repeat that question?</b>
22	Q And where was the 264 tactical team	22	Q Sure. Was the 264 team switched to a
23	assigned?	23	23 night team after Sergeant Watts was arrested?
24	<b>A The whole 2nd District.</b>	24	<b>A It was assigned to a night team after he</b>

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11 (41 to 44)

	41		43
1 <b>was arrested.</b>		1 out from the media?	
2 Q About how long after?		2 <b>A I just watched the news or read the</b>	
3 <b>A When I switched to the 263 team, that's</b>		3 <b>newspaper; or when I saw an article, I read it.</b>	
4 <b>when it went to a night team.</b>		4 Q Okay. Where did you see an article about	
5 Q How long after Watts was arrested was it		5 Sergeant Watts?	
6 switched to a night team?		6 <b>A I don't recall the specifics. I know I</b>	
7 <b>A I don't know.</b>		7 <b>saw it on the news. I thought maybe Chicago</b>	
8 Q How did you learn that Sergeant Watts had		8 <b>Breaking News.</b>	
9 been arrested?		9 Q And what's your understanding of what	
10 <b>A I learned Sergeant Watts was arrested by</b>		10 Watts was arrested and prosecuted for?	
11 <b>the media.</b>		11 <b>A To the best of my knowledge what Sergeant</b>	
12 Q Did anyone from the Chicago Police		12 <b>Watts got arrested for, that he met with an</b>	
13 Department ever tell you that Sergeant Watts had		13 <b>informant that was working for the FBI at the time</b>	
14 been arrested?		14 <b>when he was off duty. Him and Kallatt Mohammed</b>	
15 <b>A I don't believe so, no. I don't recall,</b>		15 <b>took money from an informant, and that's what I</b>	
16 <b>no.</b>		16 <b>know about the case.</b>	
17 Q Did you ever ask anyone at the Chicago		17 Q Okay. And to this day, has anyone from	
18 Police Department about Watts being arrested?		18 the Chicago Police Department ever -- or strike	
19 <b>A Could you repeat that question?</b>		19 that, please.	
20 Q Sure.		20 Is everything that you just explained	
21 MS. KLEINHAUS: Can you read it back.		21 about Watt's arrest and prosecution things you	
22 (Pending question read.)		22 learned from the media?	
23 <b>A I don't believe so, no.</b>		23 <b>A Yes.</b>	
24 Q Were you curious about his arrest?		24 Q Is that also true for the arrest and	
	42		44
1 MR. NOLAND: Object to the form.		1 prosecution of Officer Mohammed, everything you	
2 MR. BAZAREK: Join.		2 know about it comes from the media?	
3 <b>A Was I curious? I was shocked.</b>		3 <b>A That's correct.</b>	
4 <b>BY MS. KLEINHAUS:</b>		4 Q When was the last time that you spoke with	
5 Q What was shocking to you about it?		5 Sergeant Watts?	
6 <b>A When he got arrested, I didn't know what</b>		6 <b>A The last time I spoke to Ronald Watts was</b>	
7 <b>to believe. I didn't know, and I never saw any</b>		7 <b>at a civil hearing, and I don't recall the exact</b>	
8 <b>things that would make me think that what he did</b>		8 <b>date.</b>	
9 <b>was what he was doing.</b>		9 Q Okay. What was the matter being discussed	
10 Q Did you ever try to find out anything more		10 at the civil hearing?	
11 about his arrest or prosecution?		11 <b>A About the case that we were on.</b>	
12 <b>A I don't understand what you're -- what you</b>		12 Q Okay. I don't want you to tell me	
13 <b>mean by that.</b>		13 anything about any conversations that you had with	
14 Q I think you testified previously you never		14 your attorney but did you see him -- did you see	
15 asked anyone at CPD about his arrest; right?		15 Sergeant Watts in connection with these lawsuits?	
16 <b>A That's correct.</b>		16 <b>A With these lawsuits?</b>	
17 Q Did you ever try and find anything else		17 Q Yes, sir.	
18 about -- find out anything else about it through		18 <b>A No.</b>	
19 any other means?		19 Q Okay. Was the civil hearing you're	
20 MR. BAZAREK: Object to the form of the		20 referring to a trial where you two were being	
21 question, vague, ambiguous, compound.		21 sued?	
22 <b>A Maybe just reading what the media was</b>		22 <b>A That's correct.</b>	
23 <b>saying.</b>		23 Q Okay. And whose trial was that?	
24 Q Okay. What did you do to find something		24 <b>A That was Sondra Cartwright.</b>	

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12 (45 to 48)

1    Q And when did that case go to trial? 2 <b>A If I had to guess, I believe it was 2012.</b> 3 <b>I'm guessing. Or 2013, I'm guessing.</b> 4    Q Had Sergeant Watts been arrested yet? 5 <b>A Yes.</b> 6    Q Did you talk to him about the fact that he 7    had been arrested? 8        MR. BAZAREK: I just want to make an 9    objection here. 10      If you were represented by counsel in that 11 case, don't discuss any discussions with Watts 12 that you would have had with your counsel -- where 13 your counsel was involved. So just keep that in 14 mind. 15      MR. KOSOKO: Also my firm represented 16 Officer Nichols and the other accused in the 17 Sondra Cartwright case. 18      Q So at the time that you saw Sergeant Watts 19 at the Cartwright trial, did you have any 20 discussion with Watts about his arrest? 21      MR. BAZAREK: This is outside the presence 22 of counsel? 23      MS. KLEINHAUS: Right. You've all made 24 your point.	45	
	1    Q Okay. What restaurant did you see 2    Sergeant Watts at? 3 <b>A I forgot the name -- it was a hotdog</b> 4 <b>stand. I forgot the name of it.</b> 5    Q Do you remember where it was? 6 <b>A I believe it was 103rd and Kedzie.</b> 7    Q Were you on duty at the time? 8 <b>A I was.</b> 9    Q And what conversation did you have with 10 Sergeant Watts? 11 <b>A Just basic questions, basic conversation,</b> 12 <b>nothing about -- we didn't get into the arrest or</b> 13 <b>anything like that.</b> 14      Q Was that the first time you were seeing 15 him after he had been arrested? 16 <b>A Yes.</b> 17      Q And you didn't say anything about the 18 arrest; right? 18 <b>A No.</b> 19      Q And he didn't say anything about the 20 arrest? 22 <b>A No.</b> 23      Q Do you remember anything about what was 24 said in that conversation?	47
	46	
1    Q I'm not asking you about conversations you 2    had with your attorneys. My question relates to 3    your conversation with Sergeant Watts. 4        Did you talk to him about the fact that he 5    had been arrested? 6 <b>A No.</b> 7        Q Did he say anything to you about the fact 8    that he was facing criminal charges? 9        MR. NOLAND: Object to form. 10      MR. KOSOKO: Join. 11      MR. BAZAREK: Join. 12 <b>A No.</b> 13      Q Was that the first time you were seeing 14 him since he had been arrested? 15      MR. KOSOKO: I'm going to object to the 16 form of the question. 17      Go ahead. 18 <b>A I believe we saw him one more time, and</b> 19 <b>that was at a restaurant.</b> 20      Q Okay. When you say "we," who are you 21 referring to? 22 <b>A I believe my partner was there, Officer</b> 23 <b>Leano, and another officer. I don't know who it</b> 24 <b>was at -- I don't recall.</b>	48	
	1 <b>A I don't.</b> 2        Q Had you met any members of the 264 3    tactical team before you were assigned to that 4    team? 5 <b>A I met Manny Leano a handful of times</b> 6 <b>because he worked midnights the same watch I did,</b> 7 <b>but I didn't really know him. I worked with him</b> 8 <b>maybe once or twice before I got assigned to the</b> 9 <b>tactical team.</b> 10 <b>But to that extent, that was the only</b> 11 <b>person that I knew going back to the tactical</b> 12 <b>team. I didn't really know him, just those two or</b> 13 <b>three times that I worked with him.</b> 14      Q Okay. And you didn't know anyone else 15 from that team besides Leano? 16 <b>A I didn't know a single soul.</b> 17      Q Okay. Over the course of the years that 18 you were on the 264 tactical team -- when I say 19 the 264 team, I mean from when you joined in 20 November 2004 until you left and went to the 263 21 team. 22      Do you understand? 23 <b>A Okay.</b> 24      Q I'm using it for that entire time period	

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13 (49 to 52)

	49		51
1	that you were working on that tactical team.	1	question.
2	Does that make sense?	2	<b>A Very rare. Maybe special occasions, my</b>
3	<b>A Yes. But then I went back to the 264</b>	3	<b>kids' first birthdays, my wedding, other people on</b>
4	<b>tactical team after the 263 tactical team too.</b>	4	<b>the tactical team, fantasy football; but on a</b>
5	Q Okay. I'm sorry. That's my mistake.	5	<b>daily basis, no. Did I call them on a daily</b>
6	So when did you go back to 264?	6	<b>basis, no. Have I called anyone about -- talking</b>
7	<b>A When I talked to my wife about the</b>	7	<b>about anything, if that's what you're getting at,</b>
8	<b>situation, I went back to the 264 tactical team</b>	8	<b>no. But special occasions, that's how I would --</b>
9	<b>because I thought nights would work better for my</b>	9	<b>first birthdays, fantasy football.</b>
10	<b>10 situation. That's why I went back to the 264</b>		<b>10 BY MS. KLEINHAUS:</b>
11	<b>tactical team and worked strictly nights.</b>	11	Q Okay. Who from the 264 team attended your
12	Q Okay. Approximately, when was that, that	12	12 wedding?
13	you went back to 264 to work nights?	13	<b>A Attended my wedding was Ron Watts,</b>
14	<b>A I only worked the 263 tactical team</b>	14	<b>Elsworth Smith, Brian Bolton, Robert Gonzalez, and</b>
15	<b>probably, if I had to guess, maybe less than six</b>	15	<b>Manuel Leano.</b>
16	<b>months, and I went back to the 264 tactical team.</b>	16	Q And what year did you get married?
17	Q And how long did you then work for the 264	17	<b>A I got married in July of 2005.</b>
18	team?	18	Q And which of the members of the 264 team
19	<b>A I was working for the 264 team all the way</b>	19	19 attended birthday parties of your children?
20	<b>up until I got told that I was going to admin</b>	20	<b>A I know Officer Leano did, I'm positive;</b>
21	<b>duties.</b>	21	<b>21 and Gonzalez and Bolton, I'm 100 percent sure --</b>
22	Q And that was November of 2017?	22	<b>22 almost 100 percent sure.</b>
23	<b>A That was November 2017; correct.</b>	23	Q And did you attend any of the weddings of
24	Q Okay. So if I refer to the 264 team, I	24	24 anyone else from the 264 team?
	50		52
1	mean the team that you joined in November 2004 and	1	<b>A I have.</b>
2	all the times that you were part of that team	2	Q Whose wedding have you attended?
3	until you left in November of 2017; is that fair?	3	<b>A Officer Young, Gonzalez, and Bolton's.</b>
4	<b>A I'm still currently assigned to the 264</b>	4	Q And have you attended any family events
5	<b>team.</b>	5	5 like birthday parties or other celebrations hosted
6	Q Okay. And how would you describe -- would	6	6 by other members of the 264 team?
7	you say you're detailed to admin duty, or how	7	<b>A I have.</b>
8	would you describe your current situation?	8	Q Okay. And whose celebrations or family
9	<b>A I guess I would describe it -- I don't</b>	9	9 events have you attended?
10	<b>know how to describe it. I know I'm admin, but I</b>	10	<b>A Bolton's.</b>
11	<b>know I'm currently assigned to the 264 team.</b>	11	Q Anyone else?
12	Q During the years that you've worked as	12	<b>A Not that I -- no, not that I recall, no.</b>
13	part of the 264 team, did you become friends with	13	Q You mentioned fantasy football.
14	14 members of the 264 team?	14	Are you part of a fantasy football league
15	<b>A Members of the 264 team, members of the</b>	15	15 with members of the 264 team or former members of
16	<b>other tactical teams too, yes. Co-workers,</b>	16	16 the 264 team?
17	<b>friends, yes. Not just the 264 team, it's other</b>	17	<b>A Yes.</b>
18	<b>people in the district, other people that are not</b>	18	Q Okay. Who is part of that fantasy
19	<b>even back in the tac office, other teams I've</b>	19	19 football league?
20	<b>become friends with or acquaintance with. I don't</b>	20	<b>A At first, Officer Bolton was, and then</b>
21	<b>know what you consider friends.</b>	21	<b>21 he's not in it no longer. Currently, it's Officer</b>
22	Q Did you spend time with members of the 264	22	<b>22 Gonzalez and Officer Leano.</b>
23	team outside of work?	23	Q Why did Bolton leave?
24	MR. KOSOKO: Object to the form of the	24	<b>A To the best of my knowledge, he left</b>

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14 (53 to 56)

<p style="text-align: right;">53</p> <p>1 because he was in too many football leagues and he 2 didn't have time to join another one. 3 Q It's not that your league was too 4 competitive for him? 5 A No. 6 Q Okay. 7 A Well, maybe, I don't know. You would have 8 to ask him. 9 Q Do you have the cell phone numbers or 10 personal contact information for members of the 11 264 team if you wanted to get in contact with them 12 today? 13 A I do, and I have a lot of people's 14 contacts in my phone, as we speak today. 15 Q Was Michael Spaargaren part of the 264 16 team while you were a part of it? 17 A No, he was not. 18 Q Have you ever worked with Officer 19 Spaargaren? 20 A I don't believe so, no, never. 21 Q Do you know who he is? 22 A If I'm thinking the right person, I think 23 his business did a home inspection for me, but he 24 did not. I think his partner did it for my home</p>	<p style="text-align: right;">55</p> <p>1 if we ever rode together, but I don't believe we 2 ever did. 3 Q Okay. If Leano was off, did you have a 4 typical partner then that you would be assigned 5 with when Leano was away? 6 A Not a typical partner that I was assigned 7 to -- assigned with. I normally rode with Officer 8 Gonzalez and Officer Bolton. 9 Q Who was Officer Lewis's regular partner? 10 A I think she had two partners when she was 11 back in the tactical team, if I'm not mistaken. I 12 believe she had Officer Smith and Officer 13 Mohammed, if I'm not mistaken. 14 Q Okay. And who was Officer Jones, Al 15 Jones's partner? 16 A At which time? 17 Q When you first became part of the 264 18 team. 19 A Officer Young. 20 Q Okay. Did that change at some point? 21 A It did. 22 Q Who was Officer Jones's next partner after 23 Young? 24 A I believe it was Officer Smith.</p>
<p style="text-align: right;">54</p> <p>1 inspection at the time. 2 Q Do you know if you've ever met Officer 3 Spaargaren? 4 A I think when I initially called, I think I 5 talked to him, and that's how I met him but 6 face-to-face, no. 7 Q Okay. And approximately when was it that 8 you believe you spoke with him about a home 9 inspection? 10 A In 2006. 11 Q How did you get his name? 12 A Through other officers on the 264 team. 13 Q Who on the 264 team gave you his name? 14 A It was either Officer Gonzalez or Officer 15 Bolton. 16 Q Did you work with Lamonica Lewis? 17 A She was on the tactical team, the 264 18 housing/tactical team. 19 Q Did you ever work as partners with Officer 20 Lewis? 21 A Assigned partners -- I don't know if we 22 ever rode together personally. I don't believe 23 so. My original partner and my assigned partner 24 was Officer Leano, but I don't know if he was off,</p>	<p style="text-align: right;">56</p> <p>1 Q And did that change again? 2 A It did. 3 Q And who was the next partner after Smith? 4 A Officer Smith but then she got married. 5 Then her maiden now -- or her name is Officer 6 Young now or Detective Young. 7 Q Do you recall her first name? 8 A Her first name, I believe, was Caroline. 9 Q Okay. Any other partners that you recall 10 for Officer Jones? 11 A Not that I recall. 12 Q Okay. Was Officer Ridgell part of the 264 13 team when you were part of it? 14 A Officer Who? 15 Q Ridgell? 16 A No, if -- no, I don't believe so. No, 17 that name -- 18 Q Okay. What about Jerome Summers? 19 A No. 20 Q Do you know Officer Summers? 21 A His name, yes, seen him a couple times, 22 but that's about it. 23 Q Okay. What about Officer Ridgell or 24 Ridgell? I could be saying it wrong.</p>

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15 (57 to 60)

1     **A If I'm thinking of that same person, that**  
 2     **his name is -- I'm not 100 percent what his last**  
 3     **name is, yes, I think so, just passing by.**

4     Q Okay. You think you know who that is?

5     **A Do you know his first name?**

6     Q Calvin.

7     **A Just passing by and met him a couple**  
 8     **times.**

9     Q Okay. Who on the 264 team smoked cigars?

10    MR. KOSOKO: Objection; form of the  
 11 question, foundation.

12    **A At work?**

13    Q Ever.

14    MR. KOSOKO: Same objection.

15    MR. BAZAREK: I'll join in that objection.

16    **A I don't understand. When -- have I ever?**  
 17 Like have I ever smoked a cigar?

18    Q Yes.

19    **A I don't -- I don't -- okay. I smoked a**  
 20 **cigar in my life. I've seen Officer Jones smoke a**  
 21 **cigar before, Officer Watts or Sergeant Watts. I**  
 22 **believe, I'm not 100 percent sure, Officer Smith**  
 23 **smoked cigars, and I believe that was it that I've**  
 24 **seen people smoke a cigar, I do believe.**

58    1     Q Have you ever talked to anyone who is a  
 2 former or current member of the 264 team about the  
 3 fact that you're on administrative duty?

4     **A Could you repeat that question?**

5     Q Sure. Have you ever talked to anyone who  
 6 is a former member of the 264 team or a current  
 7 member of the 264 team about the fact that you're  
 8 on administrative duty?

9     MR. BAZAREK: Again, this is outside of  
 10 conversations when counsel is present.

11    Q Right. Don't tell me anything you talked  
 12 about with your attorney.

13    **A Just basically Officer Gonzalez and**  
 14 **Officer Leano, and basically, we were saying that**  
 15 **we don't think it's right that we're in this**  
 16 **position and we're being treated unfairly, I**  
 17 **believe.**

18    Q Did you ever talk to either of them about  
 19 any of the specific cases, lawsuits that have been  
 20 brought against you?

21    **A No.**

22    Q When you were assigned to the 264 team,  
 23 did you become familiar with residents of the  
 24 Ida B. Wells housing complex?

57

1     MR. KOSOKO: I'm going to object to the  
 2 form of the question, vague, ambiguous.

3     MR. BAZAREK: Join.

4     **A Yes, I knew some of the residents down --**  
 5 **we talked to residents down on the Ida B. Wells**  
 6 **housing complex.**

7     **BY MS. KLEINHAUS:**

8     Q Okay. Who do you know from the Ida B.  
 9 Wells housing complex?

10    **A One in particular I know is a lady called**  
 11 **Ms. Campbell.**

12    Q Okay. And what do you know about  
 13 Ms. Campbell?

14    **A I know she is a really nice old lady. God**  
 15 **rest her soul. She passed away. That's basically**  
 16 **what I know about Ms. Campbell.**

17    Q Okay. Anyone else that you knew or know  
 18 who was a resident of Ida B. Wells?

19    **A I knew other people but -- I talked to**  
 20 **them, but I didn't talk to them like I talked to**  
 21 **Ms. Campbell.**

22    Q Okay. How did you form your relationship  
 23 with Ms. Campbell?

24    **A From being down there and working down at**

60

1     **Ida B. Wells almost every day and just had a**  
 2 **relationship with her.**

3     Q Where in Ida B. Wells did Ms. Campbell  
 4 live?

5     **A When she lived down in Ida B. Wells, she**  
 6 **lived at 575 East Browning.**

7     Q Okay. Any particular floor or unit that  
 8 you recall?

9     **A First floor.**

10    Q Do you know which apartment she had on the  
 11 first floor?

12    **A I don't -- don't remember, don't recall**  
 13 **the apartment number.**

14    Q Okay. Do you know who lived there with  
 15 her?

16    **A I know other people lived there. I don't**  
 17 **know everyone that lived there.**

18    Q Okay. Who do you know that lived there  
 19 with her?

20    **A I believe a kid named Kiki. I don't know**  
 21 **how to spell that. And I believe a female lived**  
 22 **there, and I don't know her name either, and small**  
 23 **children that I recall.**

24    Q Was Kiki male or female?

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16 (61 to 64)

	61		63
1	<b>A That was a male.</b>	1	Ida B. Wells when you were part of the 264 team?
2	Q And about how old was Kiki?	2	<b>A There were numerous drug lines down in the</b>
3	<b>A If I had to guess I -- today? How old is</b>	3	<b>Ida B. Wells housing complex. The ones that I</b>
4	<b>he today?</b>	4	<b>recall is Obama, Xbox, and I'm drawing a blank on</b>
5	Q Or when you -- when did you first get to	5	<b>others.</b>
6	know Ms. Campbell?	6	Q Who was selling the Obama line?
7	<b>A I believe when I first met him, I believe</b>	7	MR. KOSOKO: I'm going to object just to
8	<b>he was around 14, 16-ish, if I'm not mistaken. I</b>	8	the form of the question.
9	<b>don't recall.</b>	9	<b>A I don't know. I don't recall.</b>
10	Q When did you first meet or get to know	10	Q Who was selling the Xbox?
11	Ms. Campbell?	11	MR. KOSOKO: Object to the form of the
12	MR. BAZAREK: Yeah. I'm just objecting to	12	question.
13	the question because I think the witness answered		
14	for a different individual, but it's your record.		
15	Q Go ahead.		
16	<b>A I don't know when I actually met</b>		
17	<b>Ms. Campbell, the exact date or time.</b>		
18	Q When did you first encounter Kiki, or when		
19	would Kiki have been 14 to 16 years old?		
20	<b>A Like I said, I'm guessing how old he was.</b>		
21	<b>Probably when I first met Ms. Campbell.</b>		
22	Q Do you know when that was?		
23	<b>A Like I said before, I don't.</b>		
24	Q Okay. Other than Ms. Campbell, who do you		
	62		64
1	know from Ida B. Wells?	1	<b>A He's dead. He's deceased.</b>
2	MR. BAZAREK: In addition to Kiki and the	2	Q Do you know who killed him?
3	other individuals he just mentioned?	3	<b>A To the best of my knowledge, it went to</b>
4	BY MS. KLEINHAUS:	4	<b>trial, and the Hobos, the gang the Hobos. The</b>
5	Q Yeah. Don't tell me anybody you just	5	<b>5 persons, no.</b>
6	told me.	6	Q Did you ever hear anything about Sergeant
7	<b>A I talked to other residents down there,</b>	7	Watts being connected with the death of Wilbert
8	<b>but I don't know their names or anything like</b>	8	Moore?
9	<b>that.</b>	9	<b>A Could you repeat that question?</b>
10	Q Okay. Did you know anyone who worked in	10	Q Sure.
11	Ida B. Wells as a candy lady selling snacks or	11	MS. KLEINHAUS: Can you read it back.
12	treats?	12	(Pending question read.)
13	<b>A No.</b>	13	<b>A That he had some involvement in it; is</b>
14	Q Do you know someone from Ida B. Wells who	14	<b>that what you're asking?</b>
15	had the nickname Shock?	15	Q Correct.
16	<b>A The name sounds familiar. I wouldn't know</b>	16	<b>A No, never.</b>
17	<b>his first name; or if he walked by me right now, I</b>	17	Q The first time you're hearing that is
18	<b>wouldn't know who he was.</b>	18	today; right?
19	Q Okay. What do you know about Shock?	19	<b>A That's correct.</b>
20	<b>A I know he was one of the main drug dealers</b>	20	Q Do you know who Willie Gatti is?
21	<b>down in the Ida B. Wells housing complex.</b>	21	<b>A Same. Know his name, and that's it with</b>
22	Q Do you know what drug line he sold?	22	<b>him.</b>
23	<b>A I don't.</b>	23	Q Over the course of your career as a
24	Q What were the drug lines being sold in	24	Chicago police officer, which arrests do you

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17 (65 to 68)

	65		67
1 recall?		1 <b>A Of what I recall, yes.</b>	
2 MR. KOSOKO: I'm going to object to the		2 Q Okay. Other than that incident, what	
3 form of the question.		3 other arrests from your career do you recall?	
4 MR. BAZAREK: Join.		4 MR. PALLES: Objection.	
5 MR. NOLAND: Join.		5 MR. KOSOKO: Objection; form of the	
6 MR. PALLES: Join.		6 question.	
7 <b>A In these particular cases or through my</b>		7 <b>A I remember another incident when I was</b>	
8 career?		8 driving with my partner, Officer Leano. We were	
9 <b>BY MS. KLEINHAUS:</b>		9 approaching an alley. A male black came out of	
10 Q Through your career.		10 the alley, and he had a handgun in his hand, and	
11 MR. KOSOKO: Same objection.		11 then he dropped it to the ground right in front	
12 <b>A I remember a lot of cases. I wouldn't</b>		12 of us.	
13 <b>know their names, but I remember a lot of</b>		13 Q What else do you remember about that	
14 <b>incidents throughout my career.</b>		14 incident?	
15 Q Okay. Tell me about the ones that you		15 <b>A That's basically it, what I remember about</b>	
16 remember.		16 <b>that incident.</b>	
17 <b>A I remember one incident, I was wearing my</b>		17 Q Okay. Do you know when it was?	
18 jacket, I put my hoodie on, and I walked into a		18 <b>A I don't.</b>	
19 building by myself in the drug line, and I		19 Q Do you know where it was?	
20 arrested the guy that was selling narcotics.		20 <b>A I don't remember.</b>	
21 Q Okay. Where was that?		21 Q Okay. What other incidents besides what	
22 <b>A That one was, I believe, at 5 -- 5135</b>		22 you've already described do you remember?	
23 <b>Federal, I believe it was, one of the high rises</b>		23 <b>A I remember traffic stops with stolen cars,</b>	
24 <b>over there, housing complex.</b>		24 <b>just pulling over a stolen car before.</b>	
	66		68
1 Q When was that?		1 Q Do you remember one incident like that or	
2 <b>A I don't know.</b>		2 more than one?	
3 Q What was the name of the person that you		3 <b>A I remember having multiple occasions with</b>	
4 arrested?		4 <b>stolen cars.</b>	
5 <b>A Like I said before, I don't know.</b>		5 Q Okay. Tell me about the first stolen car	
6 Q Was it unusual for you to put your hoodie		6 traffic stop you recall.	
7 and jacket on and walk in and arrest someone?		7 <b>A I just remember that it was a stolen car,</b>	
8 <b>A I would say typically, yes.</b>		8 <b>and we arrested a person with a stolen car.</b>	
9 Q And why was that unusual?		9 Q Was this also with Officer Leano?	
10 <b>A Because if they saw a big white guy coming</b>		10 <b>A I believe so, yes.</b>	
11 <b>in there to buy drugs -- I don't look like the</b>		11 Q What's the next stolen car incident that	
12 <b>typical guy buying narcotics.</b>		12 you remember?	
13 Q Okay. And you said on that occasion you		13 MR. BAZAREK: You know, I'm just going to	
14 were by yourself?		14 make a standing objection to all of these	
15 <b>A I walked in the building by myself; that's</b>		15 questions. You know, we have received	
16 correct.		16 notification, my office, on the cases and arrests	
17 Q And was it unusual for you to go into a		17 that you're going to question Officer Nichols on;	
18 building by yourself?		18 and now we're veering into tell me every arrest	
19 <b>A I wouldn't say it's unusual. Looking back</b>		19 that you've ever had in your career.	
20 <b>at it, I wouldn't say it's smart either.</b>		20 So I'm just going to make -- I think it's	
21 Q Did that case go to trial?		21 unreasonable questioning, and it's a standing	
22 <b>A I don't remember.</b>		22 objection to all of this line of questioning. In	
23 Q Have you told me everything that you		23 fact, I would move to strike all of the questions	
24 remember about that incident?		24 and answers regarding your area of inquiry right	

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18 (69 to 72)

	69		
1	now.	1	Q Okay. Can you describe the other cases in
2	MR. PALLE: I join in the objection on	2	your career that you do recall, even if you can't
3	the grounds that it's abusive of the discovery	3	remember the names?
4	process and disproportionate to the needs of the	4	<b>A I know I've had incidents where --</b>
5	case.	5	MR. NOLAND: So I'm going to object just
6	MR. KOSOKO: Watts will join in that	6	for the record that I think we're potentially
7	objection also.	7	leading to -- it's almost like setting him up for
8	MR. NOLAND: Join.	8	potentially inaccurate testimony when you're not
9	<b>A I forgot where we were, ma'am.</b>	9	nailing down specific cases or incidents and just
10	<b>BY MS. KLEINHAUS:</b>	10	randomly saying what did you do in your life. It
11	Q The next stolen car incident that you	11	just doesn't seem like an appropriate use of
12	recall.	12	questions or the process.
13	<b>A Just that it was a stolen vehicle also.</b>	13	MR. BAZAREK: And there's an unfairness to
14	Q Anything different about that memory than	14	it, I'll add, that I guess if you want to question
15	the other stolen car you just told us about?	15	him about every arrest he has ever had in his
16	MR. BAZAREK: Object to the form of the	16	career, that, you know, he have the opportunity to
17	question --	17	review every arrest if you want to ask questions
18	MR. KOSOKO: Join.	18	about it. So I'm not saying to do that, but it is
19	MR. BAZAREK: -- vague, ambiguous,	19	unfair in terms of this line of questioning. I
20	confusing.	20	have already made my objection.
21	<b>A Not that I recall.</b>	21	MS. KLEINHAUS: Okay. You all have made
22	Q So how many separate stolen car incidents	22	your standing objection. It's on the record. I'm
23	do you recall?	23	permitted to test his memory, so we're going to
24	MR. KOSOKO: Again, standing objection,	24	proceed.
	70		
1	along with the Hale firm regarding this line of	70	
2	questioning.	71	
3	MR. BAZAREK: Yeah. There's a standing	1	MR. BAZAREK: I want to take a break.
4	objection to all these questions.	2	MR. PALLE: Yeah.
5	<b>A I remember probably a handful of stolen</b>	3	THE VIDEOGRAPHER: Off the record, 11:33.
6	<b>cars that I was on. I remember -- just remember</b>	4	(A recess was taken from 11:33 a.m. to
7	<b>that it was a stolen car arrest.</b>	5	11:47 a.m.)
8	<b>BY MS. KLEINHAUS:</b>	6	THE VIDEOGRAPHER: Back on the record,
9	Q Okay. How are you distinguishing one	7	11:47.
10	stolen car arrest from another in your memory?	8	MR. BAZAREK: I'd like to state that if
11	MR. KOSOKO: Object to the form of the	9	this same line of questioning continues, I believe
12	question.	10	we're going to need to speak with the Judge. I
13	<b>A I'm not. I just remember that it was a</b>	11	I can't imagine where if I was deposing your clients
14	<b>stolen vehicle.</b>	12	and asking questions about every day in their life
15	Q Okay. So your memory is that you know you	13	13 that they sold cocaine or heroin or ingested
16	were involved in some stolen car arrests.	14	14 heroin or cocaine, and let's start over from the
17	<b>A That's correct.</b>	15	15 first time they took drugs until the last time.
18	Q Okay. Other than the incidents you've	16	You probably would agree that that's
19	told us about, what other arrests do you recall?	17	17 abusive-type questioning which is -- I think
20	<b>A On these particular cases, I remember the</b>	18	18 that's what we have here. So I think we need to
21	<b>Ben Baker case. I remember the Anthony McDaniels</b>	19	19 talk with the Judge.
22	<b>case and I don't remember -- I don't -- I'm sure</b>	20	MS. KLEINHAUS: Okay. I take offense at
23	<b>there's other cases that I've been involved in,</b>	21	21 your characterization of my clients. I also take
24	<b>but I don't remember their names.</b>	22	22 offense to the characterization of the line of
		23	23 questioning. I haven't asked him about every day.
		24	24 I'm simply testing his memory of what he remembers

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19 (73 to 76)

<p>1 about his career as a Chicago police officer.  2 So if we need to call the Judge, then we  3 need to call the Judge.  4 MR. BAZAREK: You're asking him to recall  5 every arrest that he has made in his career.  6 MS. KLEINHAUS: No, Bill, I am asking him  7 to tell me the ones he does recall.  8 MR. PALLES: Okay. Let's call the Judge.  9 MR. BAZAREK: Let's call the Judge.  10 MS. KLEINHAUS: Okay.  11 MR. PALLES: I have the number by the way.  12 It's -- when you move the phone over.  13 MR. NOLAND: We've got -- there is a --  14 we've got a phone at my feet.  15 MS. KLEINHAUS: Can you grab that for me.  16 MR. NOLAND: Well, not so much the suit, I  17 have a bad back.  18 THE WITNESS: Do I have to step out?  19 MR. BAZAREK: No.  20 THE REPORTER: This is still on the  21 record; right?  22 MS. KLEINHAUS: Yes, please.  23 MR. PALLES: 312-435-5657.  24 (Phone message recording off the record.)</p>	73	<p>1 MS. KLEINHAUS: Hello.  2 THE CLERK: Yes. The Judge is not  3 available to speak to you, but she is willing to  4 consider reviewing any problem you have on an  5 expedited basis however you propose to do that.  6 She suggests that you move ahead and cover other  7 topics. As soon as she can, she will review your  8 objections; and again, if you have something to  9 bring to her attention in writing, she is happy to  10 try and consider that on an expedited basis, if  11 you get it to her very quickly.  12 MS. KLEINHAUS: Okay. Thank you.  13 THE CLERK: Okay. Bye bye.  14 MS. KLEINHAUS: Okay. For those of you  15 who have an objection to asking about the  16 witness's memory, do you want to submit something  17 to her on an expedited basis?  18 MR. PALLES: I don't know what that means  19 exactly. I mean, it depends on how long we're  20 here, et cetera, et cetera; but are you going to  21 move on to something else as she -- as was  22 suggested?  23 MS. KLEINHAUS: No. This is a perfectly  24 reasonable line of questioning to test the</p>	75
<p>1 THE CLERK: Judge Finnigan's chambers.  2 MS. KLEINHAUS: Hi, good morning. This is  3 Theresa Kleinhaus. I'm in a deposition in the  4 Watts coordinated pretrial proceedings, and we've  5 come to an issue in the deposition, and we'd like  6 the Judge to rule on certain objections. We were  7 wondering if there was any chance she would be  8 available to speak with us.  9 THE CLERK: Can you tell me generally what  10 the nature of the objection is?  11 MS. KLEINHAUS: Yes. I have been asking  12 the officer questions about his memory, what he  13 recalls during his time as a Chicago police  14 officer, any arrests that he does recall. The  15 objection is that it is abusive.  16 THE CLERK: It's abusive?  17 MR. PALLES: Yes, if I may, Eric  18 Palles for Kallatt Mohammed --  19 THE CLERK: I don't want to hear argument.  20 I need to convey something to the Judge to see if  21 she is available. I doubt she is, but hang on  22 just a second.  23 MS. KLEINHAUS: Okay. Thank you.  24 THE CLERK: Hello.</p>	74	<p>1 witness's memory.  2 MR. PALLES: How long would you say --  3 MS. KLEINHAUS: I don't know.  4 MR. PALLES: Well, I don't know that I  5 have any standing. It's not my witness. But I  6 strongly object. You have 18 -- you have 18 cases  7 that you've identified that you're going to  8 discuss today. We've been here two hours, and you  9 haven't discussed one.  10 So, you know, whatever. I will bring it  11 to a head one way or another if I have standing to  12 do so, and I'll look into it. I don't know what  13 everybody else wants to do.  14 MS. KLEINHAUS: I mean, under the rules,  15 the procedure here would be if you want to file an  16 expedited motion for a protective order because  17 you find this abusive and harassing, we can take a  18 break, and you can do that.  19 MR. BAZAREK: Well, and just so it's  20 clear, you are asking this witness -- and we were  21 notified about what arrests you were going to ask  22 him about. You are asking him, without limitation  23 of any sort, to sit at this deposition and recall  24 every arrest from a nearly 17-year career. That's</p>	76

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20 (77 to 80)

1 what you're doing.

2 You're asking him tell me every arrest  
3 that you have had since you've been a Chicago  
4 police officer that you recall. Is that not what  
5 you're asking him or not?6 MS. KLEINHAUS: The record speaks for  
7 itself. So are you going to file something right  
8 now on an expedited basis or not?9 MR. NOLAND: Why not -- maybe this would  
10 be a solution is that you move on now. You give  
11 Mr. Nichols' counsel time to evaluate the  
12 questions and then -- we're back here tomorrow,  
13 aren't we?14 And so that if this -- it would then --  
15 this does affect, I think, all parties too because  
16 he's a witness in these cases, that we could  
17 evaluate it and put something on file tonight, if  
18 necessary, and hopefully, have a review -- a  
19 resolution by tomorrow, and then you can get back  
20 into the topic tomorrow.21 MS. KLEINHAUS: I'm going to finish the  
22 line of questions about what he remembers. If you  
23 want to file something tonight, obviously, you're  
24 welcome to do that.1 MR. NOLAND: Why can't you wait? The  
2 Court just told us that she couldn't take it now.3 MR. BAZAREK: Ms. Court Reporter, could  
4 you right now where this line of questioning  
5 began -- are you able to send that transcript via  
6 e-mail to me right now? Are you able to do that,  
7 and we can take a break?

8 THE REPORTER: I need to read through it.

9 MR. BAZAREK: How long would that take?

10 MS. KLEINHAUS: Under Rule 30, you get to  
11 make your objections. I get to keep asking  
12 questions. If you want to file for a protective  
13 order, you can do that tonight.14 This is a perfectly reasonable line of  
15 questioning, and I'm going to finish it up, and  
16 you can do standing objections or you can object  
17 every time. It's up to you.18 MR. PALLES: May I ask this? First of  
19 all, expedited doesn't mean it has to be filed  
20 tonight. So if everybody were to walk out here  
21 and say that we're going to bring it -- we're  
22 going to get a transcript over the next week or  
23 two, and you could reschedule him sometime in  
24 February or March, would you prefer to do that?

77

1 MS. KLEINHAUS: I would prefer to finish  
2 my questioning today, and that's what I intend  
3 to do.

4 MR. PALLES: Okay.

5 MR. NOLAND: Should we take a break?

6 MR. BAZAREK: Yeah. Let's take another  
7 break.8 MS. KLEINHAUS: Okay. Let's go off the  
9 record.10 THE VIDEOGRAPHER: Off the record at  
11 11:59.12 (A recess was taken from 11:59 a.m. to  
13 1:04 p.m.)14 THE VIDEOGRAPHER: Back on the record,  
15 1:04.16 MS. KLEINHAUS: Okay. Prior to the break,  
17 we agreed to take a lunch break so that counsel  
18 could get the transcript of the last line of  
19 questioning and can decide this afternoon whether  
20 to file an expedited motion.21 We're going to proceed this afternoon  
22 avoiding that line of questioning, and we can come  
23 back to it after you've made a decision on whether  
24 you're going to file; is that fair?

78

80

1 MR. BAZAREK: Yeah, I appreciate that,  
2 Counsel.

3 MS. KLEINHAUS: Okay.

4 BY MS. KLEINHAUS:

5 Q Are you familiar with the term "reverse  
6 sting"?

7 A Yes.

8 Q Okay. What is a reverse sting?

9 A A reverse sting is where you have officers  
10 outside the building or wherever you are, the  
11 location, and you have officers acting as drug  
12 dealers trying to sell narcotics to passers-by or  
13 whomever comes to purchase narcotics.14 Q Were you part of reverse sting operations  
15 at the Ida B. Wells housing complex?

16 A I have.

17 Q Okay. And what was your role in reverse  
18 stings?19 A My role is an enforcement officer or a  
20 takedown officer. It depends on where we were.21 Q Okay. What does an enforcement officer  
22 do?23 A An enforcement officer is just  
24 basically -- we're in a secure -- or not secure,

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21 (81 to 84)

<p>1 in a place, and we watch the individuals that come  2 in that tried to purchase narcotics.</p> <p>3 Q Okay. And in Ida B. Wells, where would  4 you be physically if you were acting as the  5 enforcement officer?</p> <p>6 A In Ida B. Wells, I'd be in --</p> <p>7 MR. KOSOKO: I'm just going to object to  8 the form of the question, vague, and ambiguous.</p> <p>9 A In Ida B. Wells, I'd be located inside the  10 building.</p> <p>11 Q And where inside the building would you be  12 if you were acting as the enforcement officer?</p> <p>13 A On the first floor.</p> <p>14 Q Where on the first floor would you be?</p> <p>15 A I don't know the exact position I would be  16 in, but I'd be on the first floor.</p> <p>17 Q Okay. Would you be hidden from view in  18 some way?</p> <p>19 A Yes. I wouldn't be in plain view for  20 outside people to see me inside the building.</p> <p>21 Q Okay. Can you describe what the first  22 floor in Ida B. Wells -- what the layout of that  23 space was?</p> <p>24 A I'm not 100 percent, but I know there's a</p>	<p>81</p> <p>1 Ida B. Wells housing complex.</p> <p>2 Q So were you thinking of one of those  3 buildings in particular when you described the  4 layout of the first floor?</p> <p>5 A If I remember right, the building that I  6 described was -- they were basically similar to  7 the 511, 527, 540, 559, 574, 575, basically.</p> <p>8 I'm sorry. I'll slow down.</p> <p>9 (Continuing.) Basically, the buildings --  10 511, 527, 540, 559, 574, and 575, if I'm not  11 mistaken, were all similar.</p> <p>12 Q Okay. What were some of the places on the  13 first floor of those buildings where you could be  14 hidden from view as an enforcement officer?</p> <p>15 A Off to the side from the front entrance.</p> <p>16 Q Okay. Anywhere else?</p> <p>17 A In a stairwell.</p> <p>18 Q Okay. Anywhere else?</p> <p>19 A That's basically what I recall for right  20 now.</p> <p>21 Q Okay. And you mentioned another role that  22 you would sometimes play in the reverse stings  23 besides the enforcement officer.</p> <p>24 What was that role?</p>	
	<p>82</p> <p>1 front door and a back door. There's two different  2 stairwells going up. There was -- I believe there  3 was two elevators inside the lobby area, and then  4 there was, like, maybe a hallway leading to  5 another apartment, I believe. I'm not 100 percent  6 sure exactly.</p> <p>7 MR. KOSOKO: And I'm sorry to do this, but  8 I do have an objection regarding foundation,  9 ambiguous, and vague question.</p> <p>10 BY MS. KLEINHAUS:</p> <p>11 Q When you -- the description that you just  12 gave, was that for the high rises?</p> <p>13 A What do you -- high rises at where?</p> <p>14 Q Was the first floor description that you  15 gave for an Ida B. Wells high rise type building?</p> <p>16 A I wouldn't call the Ida B. Wells housing  17 complex a high-rise.</p> <p>18 Q Okay. What buildings are you familiar  19 with that were part of the Ida B. Wells housing  20 complex?</p> <p>21 A Well, there was 511 East Browning, 527  22 East Browning, 540 East 36th Street, 559 East  23 Browning, 575 East Browning, 574 East 36th Street,  24 and then there was scattered sites in the</p>	<p>84</p> <p>1 A It was called a takedown officer.</p> <p>2 Q Okay. What does the takedown officer do?</p> <p>3 A Go in there, get the individual that  4 they -- tried to purchase narcotics, and get them  5 out of the area.</p> <p>6 Q Okay. Would it be the responsibility of  7 the takedown officer to put handcuffs on the  8 person being arrested?</p> <p>9 MR. KOSOKO: I'm going to object, just  10 form, foundation.</p> <p>11 A Maybe, sometimes, yes.</p> <p>12 Q What's the difference between what the  13 enforcement officer would do and what the takedown  14 officer would do?</p> <p>15 A Basically, a takedown officer, like I  16 said, if we didn't have a secure location, we'd  17 come in there in a squad car or maybe on foot,  18 grab the person and get him out of the area.</p> <p>19 The enforcement officers were just in the  20 secure area watching the offenders.</p> <p>21 Q Other than the enforcement officer and the  22 takedown officer, what were the other typical  23 roles in a reverse sting?</p> <p>24 A For me personally or --</p>

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22 (85 to 88)

	85		87
1	Q For the team.	1	someone and because you got information from them
2	<b>A You had -- you had security officers</b>	2	about the drug trade, not arrest them and instead
3	<b>outside watching the officers to make sure they</b>	3	use the information to try to arrest someone else?
4	<b>were safe, you had officers acting as drug</b>	4	MR. BAZAREK: I'd object to the form of
5	<b>dealers, and I believe that was about it for the</b>	5	the question to the extent it's compound and
6	<b>other officers.</b>	6	vague.
7	Q Okay. Did Sergeant Watts ever play the	7	MR. KOSOKO: I also join.
8	role of acting like a drug dealer?	8	<b>A No. I never -- what -- you used trade up.</b>
9	<b>A I don't know.</b>	9	<b>I never used that because I don't have the</b>
10	Q Who on the team would take on the role of	10	<b>capability of offering that to an individual.</b>
11	11 acting like a drug dealer?	11	<b>BY MS. KLEINHAUS:</b>
12	<b>A It would be typically African-American</b>	12	Q Okay. Did you ever observe Sergeant Watts
13	<b>officers.</b>	13	offer that to an individual?
14	Q Who -- I'm sorry -- you said security	14	<b>A No, I have not.</b>
15	officers.	15	Q Who does have the capability of offering
16	16 That's different than the enforcement	16	that to an individual?
17	17 officers?	17	MR. BAZAREK: I'd object to the form of
18	<b>A Yes.</b>	18	the question to the extent it calls for
19	Q Okay. And can you explain the difference	19	speculation.
20	20 between those two roles?	20	<b>A To the best of my knowledge, it would be a</b>
21	<b>A The security officer is watching the other</b>	21	<b>state's attorney.</b>
22	<b>officers on scene just to make sure they're safe</b>	22	Q Did you ever observe Sergeant Watts direct
23	<b>when they're outside.</b>	23	anyone on the team not to complete the processing
24	Q Okay. When they're outside. Okay.	24	24 of an arrest?
	86		88
1	And the enforcement officers are inside?	1	<b>A No, I have not.</b>
2	<b>A Correct.</b>	2	Q Did you make trespassing arrests at
3	Q Is that the difference between the two?	3	Ida B. Wells?
4	<b>A I would say yes.</b>	4	<b>A I have.</b>
5	Q Okay. Did you ever observe Sergeant Watts	5	Q And in those instances, how would you
6	use force on anyone?	6	determine whether or not someone was a resident of
7	MR. KOSOKO: Objection to the form of the	7	Ida B. Wells?
8	question, vague, ambiguous, foundation.	8	<b>A On prior occasions when we would talk to</b>
9	<b>A Not that I recall, no.</b>	9	<b>individuals, we'd know they weren't living there,</b>
10	Q Did you ever see Al Jones use force on	10	<b>and there's no trespassing signs on the property.</b>
11	11 anyone?	11	Q Do you have any benchmark or standards or
12	<b>A Not that I recall, no.</b>	12	12 amount of trespassing arrests that you were
13	Q As part of the tactical team, were you	13	13 expected to make?
14	14 familiar with a practice of trying to trade up to	14	<b>A No. We never had a quota. We don't have</b>
15	15 make arrests? In other words, getting information	15	<b>a quota or anything like that in the Chicago</b>
16	16 from an arrestee about other individuals in the	16	<b>Police Department, and we never had one in the tac</b>
17	17 drug trade and not -- I'm sorry -- strike that.	17	<b>office.</b>
18	Let me try it again.	18	Q Can you describe the tac office, please?
19	Are you familiar with the concept of	19	<b>A Our tactical office is -- consists of four</b>
20	20 trading up?	20	<b>rooms. We have a -- when you first enter -- well,</b>
21	<b>A I don't know what that means -- what that</b>	21	<b>it depends what -- if you enter from the back door</b>
22	<b>word means.</b>	22	<b>and go in, we have a large room. We have</b>
23	Q Okay. Was it ever a practice, while you	23	<b>computers there where we process. We have a bench</b>
24	24 were on the tactical team, to get information from	24	<b>where we put our offenders.</b>

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23 (89 to 92)

	89		91
1 <b>The adjacent room is another room where</b>		1 <b>they were residents.</b>	
2 <b>our supervisors have a room and our lieutenant has</b>		2   Q Okay. Did you have anyone who you	
3 <b>a room and our tac secretary sits, and there's</b>		3   considered an informant who would give you	
4 <b>also computers in that room, too.</b>		4   information about the drug trade at Ida B. Wells?	
5   Q Could arrestees or detainees be brought		5 <b>A Not consistently, no.</b>	
6   into the supervisors' room?		6   Q Did other members of the 264 team have	
7   MR. KOSOKO: I'm going to object to the		7   regular informants?	
8   form of the question, vague, ambiguous.		8 <b>A That I couldn't answer. I don't know.</b>	
9 <b>A Could they?</b>		9   Q Are you related to anyone else who works	
10   Q Were they?		10   for the Chicago Police Department?	
11 <b>A I've seen some individuals in the</b>		11 <b>A I'm not related to anyone in the Chicago</b>	
12 <b>sergeants' office room before, yes.</b>		12 <b>Police Department.</b>	
13   Q Did Sergeant Watts patrol with the team?		13   Q Okay. It's my understanding that there	
14   MR. KOSOKO: I'm going to object to the		14   was a lockup keeper with the last name of Nichols	
15   form of the question, vague, ambiguous.		15   at the 2nd District.	
16 <b>A Could you -- I don't understand what you</b>		16   Are you any relation to that person?	
17   mean.		17 <b>A No. He's an African-American. No, I'm</b>	
18   Q Would Watts go in cars with members of the		18 <b>not related to him.</b>	
19   team out into the 2nd District?		19   Q In your time on the 264 team, did you ever	
20 <b>A Yes.</b>		20   sign someone else's name on a report?	
21   Q Who would he typically ride with?		21 <b>A I probably have, yes.</b>	
22 <b>A He would typically ride with Officer Jones</b>		22   Q Under what circumstances have you done	
23 <b>and his partner and usually Officer Smith, his</b>		23   that?	
24 <b>partner which was -- I'm sorry -- Officer Mohammed</b>		24 <b>A When they gave me authorization to do so.</b>	
	90		92
1 <b>which was his partner, Officer Smith, or whoever</b>		1   Q Any other time?	
2 <b>Officer Mohammed's partner was.</b>		2 <b>A No.</b>	
3   Q Do you know why Officer Young left the		3   Q Do you know of any specific instances	
4   264 team?		4   where you signed someone else's name with their	
5 <b>A I don't know why he left, no.</b>		5   authorization?	
6   Q When was the last time you were in touch		6 <b>A I don't.</b>	
7   with Officer Young?		7   Q Did you ever give anyone else	
8 <b>A I don't know. I couldn't even guess. I</b>		8   authorization to sign your name to a report?	
9 <b>don't know.</b>		9 <b>A I believe so, yes.</b>	
10   Q Did you ever give your cell phone number		10   Q Do you know any specific instances of	
11   out to residents of Ida B. Wells?		11   that?	
12 <b>A I'm sure I have.</b>		12 <b>A No.</b>	
13   Q Would that be a work cell phone number or		13   Q Do you have a PC number with the Chicago	
14   personal cell phone number?		14   Police Department?	
15 <b>A At the time it was my personal cell phone</b>		15 <b>A I do.</b>	
16 <b>number.</b>		16   Q What is your PC number?	
17   Q Okay. And did you observe Sergeant Watts		17 <b>A It's P, as in Paul, C, as in Charlie, 0 W,</b>	
18   give his cell phone number out to residents of		18 <b>as in William, 773.</b>	
19   Ida B. Wells?		19   Q Did you ever give anyone else	
20 <b>A No.</b>		20   authorization to use your PC number?	
21   Q Did you receive information from residents		21 <b>A No. Because they would have to have my</b>	
22   of Ida B. Wells about the drug trade?		22 <b>password to log in.</b>	
23 <b>A I don't know if it was residents. It</b>		23   Q Has anyone else ever given you	
24 <b>might have been other citizens. I don't know if</b>		24   authorization to use their PC number?	

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24 (93 to 96)

	93		95
1	<b>A No.</b>	1	<b>A It would be numerous times. When we were</b>
2	Q When you were part of the 264 tactical	2	<b>doing building checks, we would do floor-by-floor.</b>
3	team, did you have a specific beat that you were a	3	<b>If we were conducting a mission, we would do a</b>
4	part of?	4	<b>floor-by-floor. There's so many different</b>
5	<b>A Which time?</b>	5	<b>instances we would do floor-by-floor. There's not</b>
6	Q Well, let's start with when you first	6	<b>a specific time where we would do it. You know,</b>
7	joined the team in November 2004.	7	<b>there's so many different circumstances we would</b>
8	<b>A Yeah, I was 264C, as in Charlie.</b>	8	<b>do a floor-by-floor check.</b>
9	Q Okay. And at other points in your time on	9	Q You mentioned one of those circumstances
10	264 did that change?	10	10 would be a mission?
11	<b>A Yes.</b>	11	<b>A Yes.</b>
12	Q And when did that change?	12	Q Would that be -- tell me what you mean by
13	<b>A When I left the 263 team, and I came back</b>	13	13 mission?
14	<b>to the 264 team.</b>	14	<b>A A mission -- if we were doing a reverse</b>
15	Q Okay. What was your beat after that?	15	<b>sting mission, we would do a floor-by-floor check</b>
16	<b>A 264A, as in Adam.</b>	16	<b>of the building.</b>
17	Q I think we talked earlier about various	17	Q Would you do that before the officer
18	police reports that you were trained to complete.	18	18 posing as a drug dealer would make the purchase?
19	Do you recall that?	19	<b>A Yes.</b>
20	<b>A Yes.</b>	20	Q Do you know who Shannon Spalding is?
21	Q Okay. Is it typically the same person who	21	<b>A I know her from social media -- not social</b>
22	writes up the narrative in the vice case report	22	<b>media, the media, I should say. I know her from</b>
23	23 and the narrative in the arrest report?	23	<b>the media, and that's about the extent I know of</b>
24	<b>A Could you repeat that question?</b>	24	<b>Shannon Spalding.</b>
	94		96
1	Q Yeah. There's a narrative section to a	1	Q You've never met her in person?
2	vice case report.	2	<b>A I have never met her in person. No, I</b>
3	Do you recall that?	3	<b>have not.</b>
4	<b>A Yes.</b>	4	Q Okay. Do you know who Daniel Echeverria
5	Q And there's a narrative section to the	5	5 is?
6	arrest report.	6	<b>A Same thing. I know him from the media,</b>
7	Do you recall that?	7	<b>and that's it.</b>
8	<b>A Yes.</b>	8	Q Are you aware that Shannon Spalding has
9	Q Is it typically the same person who writes	9	9 alleged that you would shake down drug dealers for
10	10 up both narrative sections for the same arrest?	10	10 money?
11	<b>A Typically, yes.</b>	11	<b>A That I would?</b>
12	Q Was it your practice, when you were part	12	Q Yes.
13	13 of the 264 team, to take notes on the arrests that	13	MR. NOLAND: I just object to the form of
14	14 you were making?	14	14 the question.
15	<b>A To take notes, no.</b>	15	MR. BAZAREK: Join.
16	Q Have you ever been interviewed by federal	16	MR. KOSOKO: Join.
17	17 law enforcement about your time working on the	17	MR. PALLE: Join.
18	18 264 team?	18	<b>A No, I was not aware.</b>
19	<b>A I never talked to the federal government</b>	19	Q Have you ever lied under oath?
20	<b>before.</b>	20	<b>A Never. I have never lied under oath.</b>
21	Q Did you ever conduct a floor-by-floor	21	Q Have you ever fabricated a police report?
22	22 check of an Ida B. Wells building?	22	<b>A Absolutely not.</b>
23	<b>A Yes.</b>	23	Q Have you ever planted drugs on someone?
24	Q Okay. When would you do that?	24	<b>A Absolutely not. I never would do that.</b>

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25 (97 to 100)

97

1 Q Have you ever been aware of another police  
2 officer fabricating a police report?

3 **A No. I never saw anyone -- absolutely not**  
**4 have I ever witnessed that.**

5 Q Have you ever witnessed another officer  
6 plant drugs on someone?

7 **A No.**

8 Q Have you ever arrested someone because  
9 they would not give you information about the drug  
10 trade?

11 MR. KOSOKO: I object to the form of the  
12 question, vague, and ambiguous.

13 **A No, I have never not arrested someone that**  
**14 would not give me information.**

15 Q Have you ever observed another officer  
16 arrest someone because the person refused to give  
17 information about the drug trade?

18 **A No, never, absolutely not, no.**

19 Q I want to talk to you about my client  
20 Andre McNairy.

21 Do you know Mr. McNairy?

22 **A I believe I heard his name before, and**  
**23 that's about the extent I know Andre McNairy.**

24 Q Okay. Have you reviewed the complaint

1 Q Okay. Did you review any testimony from  
2 that trial in preparation for your deposition  
3 today?

4 **A I don't believe so, no.**

5 (Nichols Deposition Exhibit 3 marked for  
6 identification and attached to the transcript.)

7 Q I'm going to show you what we will mark as  
8 Exhibit 3. I'll represent to you, I think, your  
9 testimony starts on the fourth page.

10 I'm going to ask you to go ahead and  
11 review your testimony. It starts on page 4, ends  
12 on page 16.

13 MS. KLEINHAUS: If it's okay, I think we  
14 can go off the record for a second while he  
15 reviews it. Let's go off the record, please.

16 THE VIDEOGRAPHER: Off the record, 1:30.

17 (A recess was taken from 1:30 p.m. to  
18 1:41 p.m.)

19 THE VIDEOGRAPHER: Back on the record,  
20 1:41.

21 BY MS. KLEINHAUS:

22 Q Okay. Sir, having reviewed Exhibit 3, did  
23 that refresh your recollection at all about the  
24 arrest of Andre McNairy?

98

1 that he filed in this lawsuit?

2 **A No, I don't believe I have.**

3 (Nichols Deposition Exhibit 2 marked for  
4 identification and attached to the transcript.)

5 BY MS. KLEINHAUS:

6 Q I'm going to show you what we'll mark as  
7 Exhibit 2. If you could look at that, please.

8 It's a photo of Mr. McNairy, and it's  
9 marked with his name there.

10 Does seeing that photo refresh your  
11 recollection at all as to who Mr. McNairy is?

12 **A No.**

13 Q You can put that to the side.

14 Did you review documents related to the  
15 arrest of Mr. McNairy as part of your preparation  
16 for the deposition today?

17 **A I might have briefly looked at his arrest**  
**18 report and case report.**

19 Q Okay. Did that allow you to remember  
20 anything about his arrest?

21 **A No.**

22 Q Okay. Do you recall testifying in  
23 Mr. McNairy's criminal trial?

24 **A I don't.**

100

1 **A No, it does not.**

2 (Nichols Deposition Exhibit 4 marked for  
3 identification and attached to the transcript.)

4 BY MS. KLEINHAUS:

5 Q Okay. I'm going to show you the arrest  
6 report from that arrest. We'll mark it as  
7 Exhibit 4.

8 **A Do you want me to put this off to the**  
**9 side?**

10 Q Yes, please.

11 Okay. Turn please to the narrative  
12 section.

13 Is this one of the reports that you  
14 reviewed in preparation for your deposition today?

15 **A Like I said, I don't know if I looked at**  
**16 this, but I might have looked at this. I don't**  
**17 know if I looked at it. I don't recall if I did**  
**18 or didn't.**

19 Q Okay. Read the narrative section, please,  
20 and then I'm going to ask you some questions about  
21 it.

22 **A Okay.**

23 Q Did reviewing that narrative help you  
24 recall this arrest at all?

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26 (101 to 104)

1 <b>A No, it does not.</b> 2   Q Okay. Do you know whether, in the course 3 of this arrest, you asked Mr. McNairy for any 4 information about the drug trade at Ida B. Wells? <b>5   A I don't recall. I don't know.</b> 6   Q Okay. Turn with me to the following page. 7 It's the third page of the arrest report. You're 8 listed there as the attesting officer. 9   Do you see that? <b>10   A I do.</b> 11   Q What does it mean for you to be the 12 attesting officer? <b>13   A The attesting officer is where you would</b> <b>14 log in to the computer, and you log in to the</b> <b>15 arrest report with your credentials.</b> 16   Q Okay. And is the attesting officer 17 typically the officer who is called to testify at 18 trial? 19   MR. NOLAND: Objection; form. 20   MR. KOSOKO: Join. 21   MR. BAZAREK: Join. <b>22   A Could you repeat that question? I don't</b> <b>23 understand.</b> 24   Q Sure. Is the attesting officer typically	101	1 <b>A Yes. Vaguely, yes.</b> 2   Q Okay. Is Box 1 the same as the first 3 arresting officer? <b>4   A Yes.</b> 5   Q Okay. And is the person who is in Box 1 6 or who is listed as the first arresting officer 7 someone who has personal knowledge of the facts 8 contained in the narrative section? 9   MR. KOSOKO: Objection; form of the 10 question, foundation. 11   MR. BAZAREK: I'll join. <b>12   A Yes. A person in Box 1 would have</b> <b>13 knowledge of the case, either through observing</b> <b>14 it, through another officer, many ways; but they</b> <b>15 would have knowledge of the case; correct.</b> 16   Q Okay. You can put this exhibit to the 17 side. 18   (Nichols Deposition Exhibit 5 marked for 19 identification and attached to the transcript.) 20   Q I'm going to show the case incident report 21 for this arrest. 22   Do you know whether you have reviewed that 23 in preparation for today's deposition? <b>24   A Like I said, I don't recall. I don't</b>	103
1   the officer who is called to testify at trial? <b>2   A Not necessarily, no.</b> 3   Q Okay. By logging in and completing this 4 as the attesting officer, you were declaring that 5 the facts contained in the report were truthful 6 and accurate to the best of your knowledge; right? <b>7   A That's correct.</b> 8   Q Okay. And you're listed here as the first 9 arresting officer. 10   Do you see that? <b>11   A I do.</b> 12   Q What does it mean for you to be the first 13 arresting officer? <b>14   A The first arresting officer is just that</b> <b>15 person in the -- that box, and they are</b> <b>16 generating -- they are filling out the report.</b> 17   Q Okay. And the person listed as the first 18 arresting officer is the same as what you were 19 describing earlier as Box 1; right? <b>20   A Could you repeat that question? I'm</b> <b>21 sorry.</b> 22   Q Yeah. Earlier in the day, you testified 23 about someone being Box 1 on a report. 24   Do you remember that?	102	1 <b>know.</b> 2   Q Okay. This exhibit contains the original 3 case incident report and a couple of supplement 4 reports. 5   I'd just ask you to review this exhibit 6 and let me know if it refreshes your recollection 7 about the arrest of Mr. McNairy. 8   Have you had a chance to review it? <b>9   A Yes.</b> 10   Q Does that refresh your recollection at all 11 about the arrest of Mr. McNairy? <b>12   A It does not.</b> 13   (Nichols Deposition Exhibit 6 marked for 14 identification and attached to the transcript.) 15   Q I'm going to show you an inventory report 16 from this arrest. 17   MR. BAZAREK: What's the number, Counsel? 18   MS. KLEINHAUS: No. 6. 19   Q This is a two-sided exhibit. <b>20   A Okay.</b> 21   Q Having reviewed that, does it refresh 22 your recollection about the arrest of Mr. McNairy 23 at all? <b>24   A It does not.</b>	104

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27 (105 to 108)

105	107
1 (Nichols Deposition Exhibit 7 marked for 2 identification and attached to the transcript.) 3 BY MS. KLEINHAUS:	1 saying you didn't do that. If someone -- if a 2 police officer did do that and brought someone in 3 to try and get information, threatened to charge 4 them with a drug crime, that would be wrong, 5 wouldn't it?
4 Q Okay. I'm going to show you what we'll 5 mark as Exhibit 7. This is the affidavit of Andre 6 McNairy.	6 <b>A Yes.</b>
7 Have you reviewed his affidavit before?	7 MR. PALLES: I object.
8 <b>A I don't believe so, no.</b>	8 BY MS. KLEINHAUS:
9 Q Okay. Go ahead and take a moment to 10 review it, please.	9 Q Okay. That would be a violation of his 10 rights, wouldn't it?
11 MR. PALLES: This is 6 or 7?	11 MR. KOSOKO: I'm just going to -- I know 12 where you're going but I'm just going to the -- 13 it's assuming facts not in evidence.
12 MS. KLEINHAUS: No. 7.	14 MR. PALLES: I'm going to object to laying 15 a foundation.
13 <b>A Okay.</b>	16 MR. BAZAREK: Further object to the 17 hypothetical.
14 Q Okay. Having reviewed this affidavit, 15 does that allow you to recall who Mr. McNairy is?	18 <b>A If they didn't have any other reason to 19 bring him into the station, that's correct.</b>
16 <b>A No, it does not.</b>	20 Q Okay. Turn with me please to the fifth 21 paragraph. It says, "At the station, they strip 22 searched me. They confiscated some drugs and 23 money I had in my possession."
21 Q Does it refresh your recollection at all 22 about the arrest of Mr. McNairy?	24 Do you know whether that happened or not?
22 <b>A No, it does not.</b>	108
23 Q Okay. I want to turn your attention to 24 the third paragraph in this affidavit. It's at 25 the bottom of the first page. It says -- this is 26 talking about something that happened a few weeks 27 before the arrest that we just -- I just showed	1 <b>A That did not happen.</b>
24 you all the reports for. Okay. 25 It says that Mr. McNairy was by himself at 26 40th and Oakwood when you and Officer Gonzalez 27 stopped him and asked about drugs.	2 Q Okay. Why do you believe that did not 3 happen?
25 Do you know whether that encounter 26 happened or not?	4 <b>A Because I never strip searched him or did 5 I observe anyone strip search him.</b>
26 <b>A I don't know if I had any encounter with 7 him that day, no.</b>	6 Q How do you know that?
27 Q Okay. Below that it says, "I told them I 10 didn't have anything, and they said just give me 11 the heroin. We gonna to work with you."	7 <b>A Because I never strip searched someone in 8 my career.</b>
28 Do you see that?	9 Q Okay. And if you wanted to strip search 10 someone, was there a process at the 2nd District 11 you would have needed to go through?
29 <b>A Yes.</b>	12 <b>A To the best of my knowledge, if an officer 13 wanted to strip someone, an offender, they would 14 have to go to a watch commander and get, like, an 15 assent, to the best of my knowledge.</b>
30 Q Okay. Do you know whether that discussion 31 or conversation happened or not?	16 Q Okay. If an officer were to strip search 17 someone at the district without that permission, 18 that would be against the rules; right?
31 <b>A I know that conversation never happened.</b>	19 <b>A Yes.</b>
32 Q And how do you know that?	20 MR. PALLES: Object. Lay a foundation.
33 <b>A Because I never asked him that.</b>	21 Q Okay. Look with me, please, at 22 paragraph 6 of the affidavit. It says, "A little 23 bit later, Watts comes out of the office and told 24 Nichols to 'hold up.' Nichols was at the desk at
34 Q Okay. And if you had -- I know you're	

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28 (109 to 112)

	109	111
1 his computer. Watts then alone took me to his 2 office alone. This was the first time I had ever 3 spoken to Watts."	1 today?	
4 Do you know whether or not that happened?	2 <b>A Maybe briefly, yes.</b>	
5 <b>A I don't know. I don't recall this 6 incident.</b>	3 Q Okay. Do you know which reports you 4 reviewed?	
7 Q Okay. Turn with me, please, to 8 paragraph 11.	5 <b>A Maybe a general case report -- or a vice 6 case report, a booking photo, and the arrest 7 report, if any.</b>	
9 Mr. McNairy mentions a Mohammed Blanden. 10 He was also mentioned in some of the previous 11 reports I showed you.	8 Q Okay. You said you may have looked at 9 those or you looked at them?	
12 Do you know who Mr. Blanden is?	10 <b>A I don't recall. I believe I did. I can't 11 recall if I did or didn't.</b>	
13 <b>A No. I can't say that I do.</b>	12 (Nichols Deposition Exhibit 9 marked for 13 identification and attached to the transcript.)	
14 Q Okay. Turn with me, please, to 15 paragraph 14. It says, "One of the officers 16 said," quote, 'Where did you find that?', end 17 quote, "and Watts said he pulled back some wood in 18 an abandoned building."	14 Q Okay. I'll hand you what we'll mark as 15 Exhibit 9. It's the arrest report for Chris 16 Scott.	
19 Did you ever observe that conversation?	17 MR. KOSOKO: Do you mean to give me the 18 vice case report for this?	
20 <b>A Was he talking -- where did he find that? 21 I never observed Watts saying that that I recall. 22 No. What is -- I don't understand what -- where 23 did you find that. What is he talking about.</b>	19 MS. KLEINHAUS: I didn't, but hang on to 20 it. You'll need it in a second.	
24 Q Okay. You can put that exhibit to the	21 Q Review the narrative portion of this 22 report, please.	
110	23 <b>A Okay.</b>	
1 side.	24 Q Okay. Did reviewing that narrative	112
2 I'd like to talk to you about my client 3 Christopher Scott.	1 portion of the report refresh your recollection at 2 all about the arrest of Chris Scott?	
4 Do you know who Mr. Scott is?	3 <b>A No, it does not.</b>	
5 <b>A I think I heard of the name before, yes.</b>	4 Q Okay. Turn with me to the fifth page of 5 this exhibit. You're listed there as an assisting 6 arresting officer.	
6 Q Okay. Other than having heard the name 7 before, do you know anything about Mr. Scott?	7 Do you know what you did to assist with 8 this arrest?	
8 <b>A Not that I recall, no.</b>	9 <b>A No, I do not.</b>	
9 Q Okay. Do you know of any nicknames for 10 Mr. Scott?	10 Q Can you think of anything that you could 11 review that would tell you what you did?	
11 <b>A No. Not that I recall, no.</b>	12 <b>A Maybe I did an inventory. Maybe -- I 13 don't know. Maybe I did complaints. Maybe I 14 searched. Maybe a lot of things that would 15 consist of an assisting arresting officer on the 16 case.</b>	
12 Q Okay. Do you recall anyone in the 13 Ida B. Wells housing complex with the nickname 14 Greedy?	17 Q Right. Do you know of anything -- any 18 documents that would tell us what your role was 19 specifically?	
15 <b>A Greedy? No.</b>	20 MR. BAZAREK: Other than what he just 21 testified to?	
16 (Nichols Deposition Exhibit 8 marked for 17 identification and attached to the transcript.)	22 <b>A Other than maybe the vice -- or the 23 inventory slip, maybe.</b>	
18 Q I'm going to show you what we'll mark as 19 Exhibit 14. Sorry, my bad, Exhibit 8.	24 Q Okay. Other than the inventory slip, is	
20 Do you recognize the person that you see 21 in Exhibit 8?		
22 <b>A No, I don't.</b>		
23 Q Did you review reports related to 24 Mr. Scott in preparation for your deposition		

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29 (113 to 116)

<p>113</p> <p>1 there anything that could tell us what you did?</p> <p>2 <b>A Not that I'm aware of, no.</b></p> <p>3 Q Okay. You can put that to the side.</p> <p>4 And is that true for all arrests? Other</p> <p>5 than if you did the inventory so your name is on</p> <p>6 that, is there any way for us to know what you did</p> <p>7 if you're listed as an assisting officer?</p> <p>8 MR. BAZAREK: Object to the form of the</p> <p>9 question, foundation, compound, vague, and</p> <p>10 ambiguous.</p> <p>11 MR. NOLAND: I object to the extent it</p> <p>12 mischaracterizes.</p> <p>13 MR. KOSOKO: Join in both of those</p> <p>14 objections.</p> <p>15 MR. BAZAREK: And I join that one too.</p> <p>16 <b>A Maybe the narrative in the arrest report</b></p> <p><b>17 or the case report of what I did.</b></p> <p>18 Q Okay. Other than the narrative, is there</p> <p>19 any document you know of that would tell us what</p> <p>20 the assisting officers did? Besides the</p> <p>21 inventory, you told us that.</p> <p>22 MR. BAZAREK: Same objection.</p> <p>23 <b>A Other than the case report and the arrest</b></p> <p><b>24 report, I don't believe so, no.</b></p>	<p>115</p> <p>1 the arrest of Christopher Scott?</p> <p>2 <b>A No.</b></p> <p>3 Q Okay. I'm going to direct your attention</p> <p>4 to the third paragraph of this affidavit. He</p> <p>5 describes a scheme where officers would go to the</p> <p>6 second floor of the building and use individuals</p> <p>7 in the projects to solicit drug purchasers.</p> <p>8 MR. BAZAREK: I just want to object to the</p> <p>9 way you're paraphrasing it. I mean 3 -- No. 3</p> <p>10 says what it says.</p> <p>11 MR. KOSOKO: Join in that.</p> <p>12 <b>A Where the -- could you repeat that</b></p> <p><b>13 question, ma'am.</b></p> <p>14 Q Sure. You've read paragraph 3; right?</p> <p>15 <b>A Yes.</b></p> <p>16 Q Okay. Are you familiar with the scheme</p> <p>17 where officers would ask people from the projects</p> <p>18 to solicit drug purchasers for them?</p> <p>19 <b>A No, never.</b></p> <p>20 Q Are you familiar with a mission or a</p> <p>21 process or a project where the sales would happen</p> <p>22 on the second floor; and then when the purchasers</p> <p>23 would go down to the first floor, they'd get</p> <p>24 arrested?</p>
<p>114</p> <p>1 (Nichols Deposition Exhibit 10 marked for</p> <p>2 identification and attached to the transcript.)</p> <p>3 BY MS. KLEINHAUS:</p> <p>4 Q Okay. I'm going to show you what we'll</p> <p>5 mark as the next exhibit. It's the vice case</p> <p>6 report.</p> <p>7 MR. BAZAREK: This is 10; right?</p> <p>8 MS. KLEINHAUS: Yes.</p> <p>9 <b>A Okay.</b></p> <p>10 Q Does reviewing this vice case report</p> <p>11 refresh your recollection about this arrest?</p> <p>12 <b>A It does not.</b></p> <p>13 Q Okay. You can put that to the side.</p> <p>14 (Nichols Deposition Exhibit 11 marked for</p> <p>15 identification and attached to the transcript.)</p> <p>16 Q I'm going to show you what we'll mark as</p> <p>17 Exhibit 11. This is the affidavit of Christopher</p> <p>18 Scott.</p> <p>19 <b>A Okay.</b></p> <p>20 Q Okay. Having reviewed this affidavit,</p> <p>21 does it refresh your recollection at all about who</p> <p>22 Christopher Scott is?</p> <p>23 <b>A No.</b></p> <p>24 Q Does it refresh your recollection about</p>	<p>116</p> <p>1 <b>A No, never, no.</b></p> <p>2 Q Okay. You can put that exhibit to the</p> <p>3 side.</p> <p>4 How many times were you part of a reverse</p> <p>5 sting with the 264 team?</p> <p>6 <b>A I don't know.</b></p> <p>7 Q Would it be more than 10 times?</p> <p>8 <b>A Like I said, I don't know. I don't know.</b></p> <p>9 <b>I'd be guessing. I don't know.</b></p> <p>10 Q You have no idea if it's 2 times or 100</p> <p>11 times?</p> <p>12 <b>A Like I said, I don't know an exact number.</b></p> <p>13 <b>I don't know.</b></p> <p>14 Q I'm not asking for an exact number.</p> <p>15 Do you know approximately how many times?</p> <p>16 <b>A No, I don't know. I don't know.</b></p> <p>17 Q When you would participate in the reverse</p> <p>18 stings, where in the building would that happen?</p> <p>19 <b>A Excuse me?</b></p> <p>20 Q Where would the reverse stings take place?</p> <p>21 <b>A Like I stated before, the reverse stings,</b></p> <p><b>22 I would be inside the building, and then the</b></p> <p><b>23 officers would be outside the building.</b></p> <p>24 Q The officers posing as drug dealers would</p>

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30 (117 to 120)

	117		119
1	be outside the building?	1	<b>A Yes, I talked to other officers about</b>
2	<b>A That's correct.</b>	2	<b>Mr. Sanders.</b>
3	Q Okay. Do you know someone by the name of	3	<b>BY MS. KLEINHAUS:</b>
4	Jamell Sanders?	4	Q Okay. What did you discuss?
5	<b>A I believe so, yes.</b>	5	<b>A Like I said, I don't remember.</b>
6	Q Okay. What do you know about Mr. Sanders?	6	Q What do you remember about the
7	<b>A That he was a regular drug dealer down in</b>	7	discussions?
8	<b>Ida B. Wells.</b>	8	<b>A That he was a known drug dealer in the</b>
9	Q Okay. And what drugs did he sell?	9	<b>Ida B. Wells housing complex.</b>
10	<b>A I believe he would sell either heroin or</b>	10	Q Okay. Where did those conversations take
11	<b>crack cocaine.</b>	11	place?
12	Q What did Mr. Sanders look like?	12	<b>A That I don't remember.</b>
13	<b>A If I'm thinking of the right person, he</b>	13	Q When did you first encounter Mr. Sanders?
14	<b>had basically no neck.</b>	14	<b>A I don't remember that either. I don't</b>
15	Q Did you arrest Mr. Sanders?	15	<b>know.</b>
16	<b>A I don't recall. I would have to look at</b>	16	Q You mentioned you knew he was a drug
17	<b>documents or anything that would refresh my</b>	17	dealer from prior investigations.
18	<b>memory.</b>	18	What prior investigations did you do with
19	Q How old was Mr. Sanders when you knew him?	19	Mr. Sanders?
20	<b>A I think he was a teenager at the time or</b>	20	MR. KOSOKO: I'm going to object to the
21	<b>16 or young adult at the time. I don't exact --</b>	21	form of the question, vague, ambiguous,
22	<b>know exactly how old he was at the time.</b>	22	foundation.
23	Q Who did he live with?	23	MR. BAZAREK: I'll join.
24	<b>A I couldn't tell you. I don't know.</b>	24	MR. KOSOKO: And the form of the question,
	118		120
1	Q Which Ida B. Wells building did he live	1	of Sanders.
2	in?	2	<b>A Other investigations, talking to other</b>
3	<b>A I don't even know if he lived in</b>	3	<b>fellow officers.</b>
4	<b>Ida B. Wells. I couldn't tell you that either.</b>	4	Q Right. What prior investigations or other
5	Q What makes you believe that he was a drug	5	investigations are you reviewing to?
6	dealer?	6	<b>A Well, investigations when I was talking to</b>
7	<b>A Just from prior investigations and talking</b>	7	<b>other officers.</b>
8	<b>to fellow officers.</b>	8	Q Who were you investigating?
9	Q Who did you talk to about Mr. Sanders?	9	<b>A The known drug dealers in the Ida B. Wells</b>
10	<b>A My other teammates and people in the tac</b>	10	<b>housing complex.</b>
11	<b>office.</b>	11	Q Who else do you consider to be a known
12	Q Which teammates?	12	drug dealer at the Ida B. Wells housing complex?
13	<b>A The teammates that were on my team.</b>	13	<b>A That I recall, there was a name -- Brian</b>
14	Q Which ones did you talk to about	14	<b>Ford, Ben Baker, Allen Jackson, Mr. Pearson. I</b>
15	Mr. Sanders?	15	<b>don't remember off the top of my head anyone else</b>
16	<b>A I don't recall.</b>	16	<b>at this time.</b>
17	Q Do you know whether or not you ever talked	17	Q Do you know anyone that you believe
18	to them about Mr. Sanders?	18	Mr. Sanders to be working with?
19	<b>A Excuse me?</b>	19	<b>A No, I don't. I don't know.</b>
20	Q Do you know whether you actually talked to	20	Q Do you know of any nicknames for
21	them about Mr. Sanders?	21	Mr. Sanders?
22	MR. PALLES: Objection; asked and	22	<b>A I believe his nickname was No Neck, if I'm</b>
23	answered.	23	<b>thinking of the right person.</b>
24	MR. BAZAREK: Yeah. Asked and answered.	24	Q Anything else?

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31 (121 to 124)

	121		123
<b>1 A Not that I recall, no.</b>		1 arrest of Mr. Sanders in preparation for your	
2 Q Do you know whether or not you were		2 deposition today?	
3 actually ever part of any investigations of		<b>3 A I believe so, briefly, yes.</b>	
4 Mr. Sanders?		4 Q Okay. Did those reports allow you to	
<b>5 A I know I talked to other officers about</b>		5 refresh your recollection about an arrest of	
<b>6 the investigations -- or investigations of known</b>		6 Mr. Sanders?	
<b>7 drug dealers in the Ida B. Wells housing complex,</b>		<b>7 A No.</b>	
<b>8 yes.</b>		8 Q Okay. Did you review the arrest report?	
9 Q Were you part of any investigations of		<b>9 A I believe I did, yes. I believe so.</b>	
10 Mr. Sanders?		10 Q Okay. Did you review the vice case	
<b>11 A Excuse me?</b>		11 report?	
12 Q Were you part of any investigations of		<b>12 A I think I did very briefly, yes.</b>	
13 Mr. Sanders?		13 Q Okay. Who else was on that arrest with	
<b>14 A Yes.</b>		14 you? Which other officers were on that arrest?	
15 MR. BAZAREK: Object to the form of the		<b>15 A I would have to look at the arrest report</b>	
16 question. Also I think it's been asked and		<b>16 to find out who was on that with me or even if I</b>	
17 answered.		<b>17 was there. I don't remember.</b>	
18 MR. KOSOKO: I'll join that.		18 (Nichols Deposition Exhibit 12 marked for	
<b>19 A Yes. As I stated before, I had other</b>		19 identification and attached to the transcript.)	
<b>20 conversations with fellow officers about</b>		20 Q Is this the person that you're referring	
<b>21 Mr. Sanders.</b>		21 to when you talk about Mr. Sanders?	
22 Q Okay. Which investigations of Mr. Sanders		<b>22 A That's correct.</b>	
23 do you recall?		23 Q You recognize him from the photo?	
<b>24 A I don't recall any.</b>		<b>24 A I do.</b>	
	122		124
1 Q So the investigations you discussed with		1 Q Okay. That's the person you're referring	
2 your teammates weren't investigations of		2 to as No Neck; right?	
3 Mr. Sanders?		<b>3 A That's correct.</b>	
4 MR. BAZAREK: Object to the form of the		4 Q Okay. You can put that to the side.	
5 question, compound, vague, ambiguous.		5 MR. BAZAREK: Counsel, that was	
6 MR. KOSOKO: Join.		6 Exhibit 12? That was No. 12, the booking photo?	
<b>7 A Like I stated before, we talked about</b>		7 MS. KLEINHAUS: Yep.	
<b>8 known drug dealers in the Ida B. Wells housing</b>		8 MR. BAZAREK: This is 13?	
<b>9 complex.</b>		9 MS. KLEINHAUS: Yep.	
10 Q And my question is what investigations of		10 (Nichols Deposition Exhibit 13 marked for	
11 Mr. Sanders did you discuss with them?		11 identification and attached to the transcript.)	
12 MR. KOSOKO: Objection; asked and		12 Q Okay. Is this the arrest report that you	
13 answered.		13 reviewed?	
14 MR. BAZAREK: Join.		<b>14 A I believe so, yes.</b>	
<b>15 A Like I stated before, we talked about</b>		15 Q Okay. And take a look at the narrative	
<b>16 known drug dealers in the Ida B. Wells housing</b>		16 section of this report, and let me know if it	
<b>17 complex.</b>		17 refreshes your recollection about this arrest.	
18 Q That wasn't my question.		<b>18 A Okay.</b>	
19 Did you discuss investigations of		19 Q Having reviewed the narrative section,	
20 Mr. Sanders with your teammates?		20 does it refresh your recollection about this	
<b>21 A Other than talking about known drug</b>		21 arrest?	
<b>22 dealers in the Ida B. Wells housing complex? I</b>		<b>22 A It does not.</b>	
<b>23 don't recall. I don't know.</b>		23 Q You don't know what role you played in	
24 Q Did you review documents related to an		24 this arrest; right?	

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32 (125 to 128)

	125		127
1 <b>A I do not.</b>		1   Q Okay. Turn with me, please, to the second	
2   Q And you didn't write it down at the time;		2 page of this affidavit. I want to focus your	
3 right?		3 attention on paragraph 7. It says, "While there,	
4 <b>A I did not, no.</b>		4 Watts received a call from someone. The officers	
5   Q Okay. Turn to the front page of this		5 then took me to an apartment in the complex. They	
6 exhibit, it shows there that Mr. Sanders would		6 opened the door and put me in there."	
7 have been 17 years old at the time of this arrest.		7   Do you know whether that happened or not?	
8   Had you encountered him when he was		8 <b>A No, I don't know. I don't know.</b>	
9 younger than that?		9   Q Okay. And looking below that to paragraph	
10 <b>A I'm sure -- I don't know if I actually</b>		10 8, it says, "The officers then searched the	
11 <b>encountered him but -- face-to-face, I don't know.</b>		11 apartment. I saw Watts open a cabinet and recover	
12   (Nichols Deposition Exhibit 14 marked for		12 a bunch of drugs."	
13 identification and attached to the transcript.)		13   Do you know whether that happened or not?	
14   Q Okay. This is Exhibit 14. It's the vice		14 <b>A No, I don't.</b>	
15 case report for the arrest of Mr. Sanders.		15   Q Okay. Turn to the next paragraph, it's	
16 <b>A Okay.</b>		16 paragraph 9. It says, Watts then said if I tell	
17   Q Okay. Having reviewed the vice case		17 him where the stuff -- where stuff is, he would	
18 report, does it refresh your recollection about		18 let me go.	
19 this arrest report?		19   Do you know whether that happened or not?	
20 <b>A It does not.</b>		20 <b>A No, I don't. I don't know.</b>	
21   Q Okay. In the narrative section, it		21   Q Okay. Looking below that at paragraph 11,	
22 describes doing a premise check.		22 it says, "They took me to 51st and Wentworth.	
23   Do you see that?		23 While I was there, Gonzalez said to me," quote,	
24 <b>A Yes.</b>		24 'you had a chance to say something but you didn't.	
	126		128
1   Q What is a premise check?		1   So now you got to go to jail."	
2 <b>A premise check of the building is when</b>		2   Do you know whether that happened or not?	
3 <b>you enter the location and you go floor-by-floor</b>		3 <b>A I don't know.</b>	
4 <b>of the building.</b>		4   Q Okay. You can put this exhibit to the	
5   Q You can put that exhibit to the side.		5 side.	
6   (Nichols Deposition Exhibit 15 marked for		6   MR. NOLAND: I'm going to object to the	
7 identification and attached to the transcript.)		7 form of those questions to the extent that any	
8   Q I'm handing you what's been marked as		8 implication could be met if they were	
9 Exhibit 15, this is the affidavit of Jamell		9 incorporating sentences of the affidavit that were	
10 Sanders.		10 not read to the witness.	
11   Have you seen this affidavit before?		11   MR. BAZAREK: I'll join.	
12 <b>A No.</b>		12   MR. KOSOKO: Join.	
13   Q Take a moment to review it, please.		13   Q Do you know who Cleon Glover is?	
14 <b>A Okay.</b>		14 <b>A No, I don't.</b>	
15   Q Okay. Having reviewed this affidavit,		15   (Nichols Deposition Exhibit 16 marked for	
16 does it refresh your recollection about the arrest		16 identification and attached to the transcript.)	
17 of Mr. Sanders?		17   Q I'm going to show you an exhibit with	
18 <b>A No, it doesn't.</b>		18 Mr. Glover's photo on it. It's got his name on it	
19   Q Has it refreshed your recollection about		19 too. I want you tell me whether this refreshes	
20 any encounters that you had with Mr. Sanders?		20 your recollection at all as to who Mr. Glover is.	
21 <b>A No, it does not.</b>		21 <b>A It does not.</b>	
22   Q Do you have any recollection of any		22   (Nichols Deposition Exhibit 17 marked for	
23 encounters with him at all?		23 identification and attached to the transcript.)	
24 <b>A No. Not that I can think of, no.</b>		24   Q You can put that to the side, sir.	

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33 (129 to 132)

	129		131
1      I'm going to show you what we've marked as		1      Q Okay. How would you decide whether you	
2      Exhibit 17.		2      thought it referred to the assisting arresting	
3 <b>A Okay.</b>		3      officer or not?	
4      Q Have you reviewed the narrative portion of		4      MR. NOLAND: Objection; argumentative.	
5      that report?		5      MR. KOSOKO: Join.	
6 <b>A I did.</b>		6      MR. BAZAREK: Also object to the form,	
7      Q Did it refresh your recollection at all		7      vague, ambiguous, compound.	
8      about the arrest of Mr. Glover?		8 <b>A Just like if they entered the rear door</b>	
9 <b>A It did not.</b>		9 <b>with me at that time, they could be considered</b>	
10     Q Okay. You wrote the narrative section of		10 <b>A/O's.</b>	
11     this report; is that correct?		11     Q My question is about you as the author of	
12 <b>A I believe I did, yes.</b>		12     the narrative section, whether you considered	
13     Q Okay. In the narrative section in a few		13     A/O's to include them or not?	
14     different places it refers to A, slash, O's, A,		14 <b>A In which part? I don't understand.</b>	
15     forward slash, O's.		15 <b>Entered the rear door?</b>	
16     Do you see what I'm talking about? For		16     Q Yeah. Let's start there.	
17     example, A/O's entered the rear door.		17 <b>A It could and it couldn't. I don't know.</b>	
18 <b>A Okay.</b>		18 <b>I don't remember this. So I don't know.</b>	
19     Q What does A/O stand for?		19     Q Okay. When would you, as the writer,	
20 <b>A A/O's could stand for me and my partner in</b>		20     intend for it to refer to the assisting arresting	
21 <b>the rear door of that.</b>		21     officers?	
22     Q Okay. A/O would be the arresting		22 <b>A Excuse me?</b>	
23     officers; right?		23     MR. KOSOKO: I'll object to the form of	
24 <b>A Yes.</b>		24     the question, vague, ambiguous, calls for	
	130		132
1      Q Okay. And that would refer to you and		1      speculation.	
2      Officer Leano; is that right?		2      MR. PALLE: (Inaudible) from reading the	
3 <b>A Yes.</b>		3      draft of the report.	
4      Q Okay. Was it your practice for that to		4      MR. BAZAREK: I'll join.	
5      also refer to the officers listed as assisting?		5 <b>A I don't understand the question. I don't</b>	
6      MR. KOSOKO: Object to the form of the		6 <b>know.</b>	
7      question, foundation.		7      Q Okay. Is it your testimony that sometimes	
8 <b>A It depends if -- yes, it could. It could</b>		8      A/O's includes the assisting arresting officers	
9 <b>mean that too, yes.</b>		9      and sometimes it doesn't?	
10     Q Does it refer to the assisting arresting		10     MR. BAZAREK: Objection; asked and	
11     officers in this narrative?		11     answered.	
12 <b>A In which part? We entered the rear door?</b>		12 <b>A It could, yes.</b>	
13 <b>I don't know what you're --</b>		13     Q Why?	
14     Q Any of the parts that it says A/O's.		14 <b>A Just like what I stated before, if they</b>	
15     Let's start with the first one. A/O's entered the		15 <b>entered the rear door with me, they could be</b>	
16     rear door.		16 <b>A/O's.</b>	
17     Does that include the assisting arresting		17     Q How could anyone reading your narrative	
18     officers?		18     ever know who is included in the A/O's?	
19 <b>A I don't recall this incident, so I don't</b>		19     MR. BAZAREK: Object to the form of the	
20 <b>know.</b>		20     question, foundation.	
21     Q Was it your practice, when you were		21     MR. KOSOKO: I'm going to join and add to	
22     writing narratives for police reports, for A/O's		22     that as argumentative, and it assumes facts not in	
23     to refer to the assisting arresting officer?		23     evidence --	
24 <b>A It could.</b>		24     MR. FLAXMAN: We got your objection.	

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34 (133 to 136)

	133		135
1	Thanks.	1	side.
2	MR. KOSOKO: -- regarding the report.	2	Do you know whether you looked at the vice
3	MR. BAZAREK: I join with the extras.	3	case report for Mr. Glover in preparation for your
4	<b>A Well, because it's happened before, maybe</b>	4	deposition today?
5	<b>I would have a better recollection of who was the</b>	5	<b>A I believe I did very briefly, but I'm not</b>
6	<b>A/O's at the time of this incident.</b>	6	<b>100 percent sure. But I believe I did.</b>
7	<b>BY MS. KLEINHAUS:</b>	7	(Nichols Deposition Exhibit 18 marked for
8	Q Okay. My question is a little bit	8	identification and attached to the transcript.)
9	different. I'm focused on how someone reading	9	Q Okay. I'm going to show you what we'll
10	this could know who the abbreviation A/O's refers	10	mark as Exhibit 18.
11	12	11	<b>A Okay.</b>
12	MR. BAZAREK: Objection; argumentative,	12	Q Okay. Does reviewing that vice case
13	13 same objections.	13	refresh your recollection at all about the
14	MR. KOSOKO: Join.	14	14 arrest of Mr. Glover?
15	<b>A It could mean the arresting officers.</b>	15	<b>A It does not.</b>
16	Q How would someone know who it refers to?	16	Q Okay. You can put that to the side.
17	MR. BAZAREK: Objection; argumentative.	17	(Nichols Deposition Exhibit 19 marked for
18	<b>A Because there's a list of arresting</b>	18	18 identification and attached to the transcript.)
19	<b>officers on here. There's officer Leano on this</b>	19	Q I'll show you what's been marked as
20	<b>case report. There's Officer Gonzalez on this</b>	20	20 Exhibit 19. This is the original case incident
21	<b>arrest report, Officer Bolton on this arrest</b>	21	21 report for Mr. Glover's arrest.
22	<b>report, Officer Jones on this arrest report.</b>	22	<b>A Okay.</b>
23	Q All right. And it's your testimony that	23	Q And that's a two-sided exhibit. You saw
24	it may or may not refer to those people; correct?	24	24 that.
	134		136
1	<b>A As the assisting officers? I don't know.</b>	1	Does this exhibit refresh your
2	Q And you're the one who wrote it; right?	2	recollection about the arrest of Mr. Glover?
3	<b>A I did.</b>	3	<b>A It does not.</b>
4	Q Okay. Were you trained by the Chicago	4	(Nichols Deposition Exhibit 20 marked for
5	Police Department not to explain in the narrative	5	5 identification and attached to the transcript.)
6	what assisting arresting officers did?	6	BY MS. KLEINHAUS:
7	MR. BAZAREK: Object to the form of the	7	Q Okay. I'm going to show you what we'll
8	question.	8	mark as Exhibit 20.
9	MR. KOSOKO: Join.	9	<b>A Okay.</b>
10	MR. NOLAND: Join. Objection; form,	10	Q This is the inventory report for the
11	foundation.	11	11 arrest of Mr. Glover; correct?
12	<b>A Were we trained not to?</b>	12	<b>A Correct.</b>
13	Q Yes, sir.	13	Q Does this refresh your recollection about
14	<b>A Not that I recall, no.</b>	14	14 the arrest of Mr. Glover?
15	Q Okay. Was it your practice to explain	15	<b>A It does not.</b>
16	what the assisting arresting officers did?	16	Q Okay. You're listed here as the
17	MR. KOSOKO: Object to the form of the	17	17 investigating officer for this arrest.
18	question.	18	Do you see that?
19	MR. BAZAREK: And further object vague,	19	<b>A Yes, I do.</b>
20	20 ambiguous.	20	Q And what does it mean to be the
21	<b>A If they had anything with -- facts that</b>	21	21 investigating officer on the inventory form?
22	<b>they did personally, yes, I would put them in</b>	22	MR. NOLAND: Objection; foundation.
23	<b>there.</b>	23	MR. BAZAREK: Join.
24	Q Okay. You can put that exhibit to the	24	MR. KOSOKO: Join.

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35 (137 to 140)

	137		139
1 <b>A I believe -- I believe that box is for --</b>		1    paragraph 3, that's not based on your personal	
2 <b>that the investigation -- the officer who wants to</b>		2    recollection; it's based on your reliance on the	
3 <b>hold that for the court purposes.</b>		3    reports; right?	
4    Q Okay.		4    MR. NOLAND: Object to the form.	
5 <b>A Because I'm holding it for the</b>		5    MR. KOSOKO: Join.	
6 <b>investigation.</b>		6    MR. BAZAREK: Join.	
7    Q Okay. What is it that you would be		7    MR. PALLE: Join.	
8    holding for the investigation?		8    MR. BAZAREK: Also mischaracterizes his	
9 <b>A The narcotics, the money.</b>		9    testimony.	
10   Q Okay. All right. You can put that		10   MR. KOSOKO: Join.	
11   exhibit to the side.		11 <b>A That's based on the reports, correct.</b>	
12   (Nichols Deposition Exhibit 21 marked for		12 <b>BY MS. KLEINHAUS:</b>	
13   identification and attached to the transcript.)		13   Q Okay. Looking at paragraph 4, it says,	
14   Q I'm going to show you what we'll mark as		14 "Watts grabbed me and put up against the wall and	
15   Exhibit 21. This is the affidavit of Mr. Glover.		15   asked me 'where the shit at?'"	
16 <b>A Okay.</b>		16   Do you know whether that happened?	
17   Q Okay. Having reviewed this affidavit,		17 <b>A If we're talking about this in the case</b>	
18   does it refresh your recollection at all about an		18 <b>report, it did not happen. I know it didn't</b>	
19   encounter with Cleon Glover?		19 <b>happen that way.</b>	
20 <b>A No. It doesn't have me listed in his</b>		20   Q And is that again because you rely on the	
21 <b>affidavit either.</b>		21   reports?	
22   Q Okay. Look with me, please, at		22   MR. NOLAND: Object to the form.	
23   paragraph 3. You've had a chance to review that.		23   MR. KOSOKO: Join.	
24 <b>A Okay.</b>		24 <b>A That's correct.</b>	
	138		140
1    Q Do you know whether or not what's		1 <b>BY MS. KLEINHAUS:</b>	
2    described in paragraph 3 happened or not?		2    Q Okay. You can put that exhibit to the	
3 <b>A On which location on what day?</b>		3    side.	
4    Q Well, if you look above paragraph 3, it's		4    MR. BAZAREK: Take a break?	
5    June 6th, 2006.		5    MS. KLEINHAUS: Sure.	
6 <b>A No. This didn't happen on the -- if we're</b>		6    THE VIDEOGRAPHER: Off the record, 2:49.	
7 <b>talking about the arrest incident, no, it did not</b>		7    (A recess was taken from 2:49 p.m. to	
8 <b>happen this way.</b>		8    2:59 p.m.)	
9    Q Okay. How do you know that?		9    THE VIDEOGRAPHER: Back on the record,	
10 <b>A Because I know that we walked in there and</b>		10   2:59.	
11 <b>we observed him giving an object to a female, and</b>		11 <b>BY MS. KLEINHAUS:</b>	
12 <b>the female tendered him money, and then the female</b>		12   Q Sir, in the course of your career, how	
13 <b>fled. So that's how I know that didn't happen.</b>		13   many vehicle chases have you been part of?	
14   Q Okay. Do you recall the arrest?		14 <b>A I don't know. I don't know.</b>	
15 <b>A No, I don't.</b>		15   Q Is it more than 12 or less than 12?	
16   Q Okay. So are you -- is your testimony		16 <b>A I don't know.</b>	
17   that you believe that the report is accurate?		17   Q No idea?	
18 <b>A If I wrote the report, it's going to be</b>		18 <b>A No idea.</b>	
19 <b>accurate. If another officer -- I would have no</b>		19   Q Okay. How many foot chases have you been	
20 <b>way of knowing if it was false or not, and I would</b>		20   part of?	
21 <b>believe that officer was telling the truth, and I</b>		21 <b>A Many.</b>	
22 <b>would have no reason not to believe that officer.</b>		22   Q Dozens?	
23   Q Okay. So when you're saying you don't		23 <b>A I don't know. I know it's many.</b>	
24   think it happened the way it's described in		24   Q Do you know who Brian Hunt is?	

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36 (141 to 144)

1 <b>A Not that I can recall, no.</b> 2   Q Okay. Do you know whether you have 3   reviewed a lawsuit -- a complaint filed by Brian 4   Hunt in these cases?  5 <b>A Not that I'm aware of, no.</b> 6   (Nichols Deposition Exhibit 22 marked for 7   identification and attached to the transcript.) 8   Q I'm going to show you a photo -- an 9   exhibit that we'll mark as Exhibit 22. 10   Do you recognize the person depicted in 11   that photo?  12 <b>A I don't.</b> 13   Q You can put that to the side. 14   (Nichols Deposition Exhibit 23 marked for 15   identification and attached to the transcript.) 16   Q I'm going to show you what we'll mark as 17   Exhibit 23. This is the arrest report of Brian 18   Hunt. 19   Did you review reports related to an 20   arrest of Brian Hunt in preparation for your 21   deposition today?  22 <b>A Probably, briefly, yes.</b> 23 <b>Okay.</b> 24   Q Having reviewed the arrest report, does	141  1 <b>A No, I don't. That I recall, no.</b> 2   Q Okay. Turning your attention to the third 3   paragraph of this affidavit, do you know whether 4   or not what's described there happened or not? 5 <b>A No. It did not happen. Because reading</b> 6 <b>the case report, I believe it did not happen, and</b> 7 <b>I would say it didn't happen.</b> 8   Q Okay. Is there something in the case 9   report that you think contradicts what's in 10   paragraph 3? 11 <b>A It doesn't -- the narrative in the case</b> 12 <b>report doesn't say they were ever in a bathroom.</b> 13   Q Okay. Is that something that you 14   typically would include in the narrative of a case 15   report? 16 <b>A Most definitely.</b> 17   Q And why is that? 18 <b>A If it was pertinent to the case, yes, you</b> 19 <b>would -- to this, yes.</b> 20   Q Okay. And why would it be pertinent to 21   the case that you questioned someone in the 22   bathroom? 23 <b>A Why would you -- why would you question</b> 24 <b>him? Like how he states, why would you say where</b>
142  1   that refresh your recollection about the arrest of 2   Mr. Hunt?  3 <b>A It does not.</b> 4   Q Put that to the side. 5   (Nichols Deposition Exhibit 24 marked for 6   identification and attached to the transcript.) 7   Q I'm going to show you what we'll mark as 8   Exhibit 24. This is the vice case report of the 9   arrest of Mr. Hunt.  10 <b>A Okay.</b> 11   Q Having reviewed the vice case report, does 12   that refresh your recollection about the arrest of 13   Mr. Hunt?  14 <b>A Does not.</b> 15   (Nichols Deposition Exhibit 25 marked for 16   identification and attached to the transcript.) 17   Q I'm going to show you what we'll mark as 18   Exhibit 25. This is the affidavit of Mr. Hunt.  19 <b>A Okay.</b> 20   Q Having reviewed the affidavit of Mr. Hunt, 21   does that refresh your recollection at all about 22   any encounters you've had with him?  23 <b>A No, it does not.</b> 24   Q Do you know who Deonta Smith is?	144  1 <b>are the drugs in a bathroom? Why?</b> 2   Q Okay. So other than the fact that a 3   description of questioning in the bathroom isn't 4   in the narrative section of the report, do you 5   have any other reason that you believe what's 6   described in paragraph 3 didn't happen? 7 <b>A Yes. Because I believe I had no other</b> 8 <b>facts stating otherwise, that it would -- all</b> 9 <b>that's true on the case report and the arrest</b> 10 <b>report is not factual.</b> 11   Q Okay. Other than those reports, are you 12   relying on anything else, in your opinion, that 13   what's described in paragraph 3 didn't happen? 14 <b>A Just on the reports, no.</b> 15   Q Okay. I think I may have asked a bad 16   question. 17   Are you relying on anything else besides 18   the reports to come to your conclusion that what's 19   described in paragraph 3 didn't happen? 20 <b>A I'm just relying on the reports.</b> 21   Q Okay. You can put that exhibit to the 22   side. 23   Do you know who Willie Martin is? 24 <b>A Not that I recall, no.</b>

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37 (145 to 148)

<p>1 Q Have you ever been disciplined by the 2 Chicago Police Department?</p> <p>3 <b>A No, I have not.</b></p> <p>4 (Nichols Deposition Exhibit 26 marked for 5 identification and attached to the transcript.)</p> <p>6 BY MS. KLEINHAUS:</p> <p>7 Q Okay. I'm going to show you what we'll 8 mark as Exhibit 26.</p> <p>9 <b>A Okay.</b></p> <p>10 Q Okay. Prior to seeing this exhibit, were 11 you aware that Mr. Martin had filed this complaint 12 against you?</p> <p>13 <b>A No. This is my first time I'm seeing 14 this.</b></p> <p>15 Q Okay. And this complaint is from October 16 of 2007.</p> <p>17 Do you see that?</p> <p>18 <b>A Yes, I do.</b></p> <p>19 Q Okay. Did anyone from the Chicago Police 20 Department ever question you about any of the 21 allegations contained here?</p> <p>22 <b>A No.</b></p> <p>23 Q Okay. Turn with me please to the second 24 page where the allegations are listed.</p>	145	<p>1 <b>A I don't know this incident. I don't 2 remember this incident.</b></p> <p>3 MR. NOLAND: I would just state for the 4 record that it looks like this is an excerpt of 5 this Complaint Register No. 100585 that you have 6 provided to the witness, and it looks like there's 7 over 100 pages that you have not provided to the 8 witness. Am I right about that?</p> <p>9 MS. KLEINHAUS: Yeah. There are hundreds 10 of duplicates, and I chose an excerpt that's 11 relevant to this witness. So what you're looking 12 at is an excerpt of the complaint that he never 13 knew about.</p> <p>14 MR. NOLAND: Hold on. Duplicates, I'm not 15 certain that's -- that's not the point I'm getting 16 at. It looks like you omitted things from the 17 complaint register file; right?</p> <p>18 MS. KLEINHAUS: That's true.</p> <p>19 MR. NOLAND: Okay.</p> <p>20 MS. KLEINHAUS: That's true. I omitted 21 things from the complaint register file, and I'm 22 using an excerpt from the exhibit -- or from that 23 complaint register to talk to this witness who has 24 never heard of this before.</p>	147
<p>1 The first allegation is that on 2 August 18th of 2006 at approximately 2125 hours in 3 the vicinity of 540 West Browning Avenue, you and 4 Officers Leano, Mohammed, Smith, and Jones failed 5 to inventory \$916.</p> <p>6 Do you deny that allegation?</p> <p>7 <b>A I completely deny that allegation, and 8 Mr. Martin is a complete liar.</b></p> <p>9 Q Okay. Look at the second allegation 10 there. It says -- it's an allegation that you, 11 Officer Leano, Officer Mohammed, Officer Smith, 12 and Officer Jones pushed him to the ground.</p> <p>13 Do you deny that?</p> <p>14 <b>A I don't recall this incident.</b></p> <p>15 Q Okay.</p> <p>16 <b>A But I know we didn't place our feet on 17 his neck.</b></p> <p>18 Q Okay. So am I understanding you 19 correctly, you're not sure about him being pushed 20 to the ground, but you know for sure you didn't 21 place your feet on his neck?</p> <p>22 <b>A I know I didn't place my feet on his neck.</b></p> <p>23 Q Okay. What about pushing him to the 24 ground?</p>	146	<p>1 MR. NOLAND: Well --</p> <p>2 MR. BAZAREK: I'll also object further to 3 the doctrine of completeness in terms of this 4 exhibit, and it's kind of hodgepodge. These are 5 things are slapped together, it looks like.</p> <p>6 MS. KLEINHAUS: Okay. Well, that's a fine 7 trial objection, but your objection is noted.</p> <p>8 BY MS. KLEINHAUS:</p> <p>9 Q Okay. Looking at the third allegation 10 there, it says, Officer Nic -- listed as Nicholas, 11 Leano, Mohammed, Smith, and Jones attempted to 12 coerce Mr. Martin to admit to a crime by hitting 13 him and kicking him.</p> <p>14 Do you deny that?</p> <p>15 <b>A I completely deny that, and Mr. Martin is 16 a complete liar.</b></p> <p>17 Q Okay. And looking below that fourth 18 allegation, is that Officers Nicholas, which 19 appears to be a typo, Leano, Mohammed, Smith, and 20 Jones demanded money and information, handcuffed 21 him too tightly, and beat him.</p> <p>22 Do you deny that?</p> <p>23 <b>A I completely deny that.</b></p> <p>24 Q Okay. Turning to the next page in this</p>	148

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38 (149 to 152)

	149	151
1 exhibit, this is for the August arrest. There's a 2 vice case report there.		1 A When he would not be? Maybe an officer 2 forgot to put an officer on it. I don't know. 3 Maybe he didn't do anything with the processing of 4 the arrest or any involvement with the arrest, so 5 that's why he would not be on it.
3 You've had a chance to review that; right?		6 BY MS. KLEINHAUS:
4 A Yes.		7 Q Okay. If someone did assist with the 8 arrest in some way --
5 Q Okay. Does that refresh your recollection 6 at all about an encounter with Mr. Martin?		9 MR. BAZAREK: Object. Sorry, I thought 10 you were done.
7 A It does not.		11 Q Okay. All right. I'm going to show you 12 the next exhibit, and we'll compare them.
8 Q Okay. Following that is the handwritten 9 complaint from Mr. Martin.		13 A Keep this one to the side?
10 You've had a chance to review that; right?		14 Q Yes. No, not to the side. Keep that in 15 front of you. We're going to talk about both of 16 them.
11 A Very briefly, yes.		17 (Nichols Deposition Exhibit 28 marked for 18 identification and attached to the transcript.)
12 Q Okay. Does that refresh your recollection 13 at all about any encounter with Mr. Martin?		19 MR. BAZAREK: Can we go off the record for 20 a minute?
14 A No, it does not.		21 MS. KLEINHAUS: Can we just finish this --
15 Q Okay. Turning from that, there's the 16 arrest report from this August encounter with 17 Mr. Martin.		22 MR. BAZAREK: Oh, sure, yeah.
18 Does that refresh your recollection at all 19 about an August encounter with Mr. Martin?		23 MS. KLEINHAUS: -- and then we'll do it.
20 A No, it does not.		24 MR. BAZAREK: Sure.
21 Q He has a nickname listed here as a Fatty.	150	152
22 Does that refresh your recollection at all 23 as to who this is?		1 A Okay.
24 A It does not.		2 BY MS. KLEINHAUS:
1 Q Okay. You can put that exhibit to the 2 side.		3 Q Okay. Having reviewed the vice case 4 report for this arrest, you see that you're listed 5 on the vice case report; right?
3 (Nichols Deposition Exhibit 27 marked for 4 identification and attached to the transcript.)		6 A I do.
5 Q I'm going to show you what we'll mark as 6 Exhibit 27. This is the arrest report for the 7 September 2006 arrest of Mr. Martin.		7 Q And as you already noted, you're not on 8 the arrest report; right?
8 A Okay.		9 A That's correct.
9 Q All right. Does this arrest report 10 refresh your recollection about an encounter with 11 Mr. Martin?		10 Q Do you know why you're not included on the 11 arrest report?
12 A It does not and I'm not even on the -- 13 listed in the case report. I'm not assisting, not 14 arresting, in that box, not the first arresting 15 officer, not the second arresting officer, not 16 assisting arresting report on this case report.		12 MR. PALLE: Objection; lack of 13 foundation.
17 Q Right. And if you were part of this 18 arrest, you should have been included; right?		14 MR. KOSOKO: Join.
19 A Yes. Not in all circumstances but 20 typically, yes.		15 MR. BAZAREK: Join.
21 Q When would an officer who was part of an 22 arrest not be listed on the arrest reports?		16 A I don't know.
23 MR. KOSOKO: Objection; form of the 24 question.		17 Q Okay. Were you ever given any instruction 18 on who to include on an arrest report?
		19 MR. PALLE: Objection; asked and 20 answered.
		21 A Could you repeat that question?
		22 MR. KOSOKO: Join.
		23 Q Were you ever given any instruction on 24 which officers to list on an arrest report?

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39 (153 to 156)

	153		155
1 <b>A Instruction by who? I don't understand</b>		1   there from September of 2006 where it says,	
2   the --		2   "inventory creator," and then it has your name.	
3   Q Your employer or anybody else.		3   Do you see that?	
4 <b>A No.</b>		4 <b>A Yes.</b>	
5   Q Okay. Did anybody tell you, and that		5   Q Okay. Was it your practice to -- I'm	
6   means anyone from the Chicago Police Department,		6   sorry -- strike that, please.	
7   who to list as officers on a vice case report?		7   How would you create a record of the chain	
8   MR. BAZAREK: Object to foundation, form.		8   of custody for narcotics that you recovered?	
9 <b>A If they had anything -- involvement with</b>		9 <b>A Like I stated before, I don't know about</b>	
10 <b>the arrest report or the arrest process, yes, they</b>		10 <b>this paper, but I can talk to you about the</b>	
11 <b>would typically be listed. In some circumstances,</b>		11 <b>inventory process.</b>	
12 <b>they're left off.</b>		12   Q Sure. How would you create an inventory?	
13   Q Okay. Other than the circumstance that		13   MR. NOLAND: I would object. You said	
14   you mentioned where someone just forgets, is there		14   narcotics. This relates to money --	
15   any other circumstance that you know of where an		15   THE WITNESS: Or money.	
16   officer should be left off?		16   MR. NOLAND: -- but I don't know if you	
17   MR. KOSOKO: Object; form of the question,		17   were --	
18   calls for a speculative response.		18   MS. KLEINHAUS: Oh, I'm sorry. Okay.	
19   MR. BAZAREK: Join.		19   MR. NOLAND: -- you know, specifying one	
20 <b>A Could you repeat that question?</b>		20   or the other.	
21   MS. KLEINHAUS: Could you read it back,		21   Q I'll rephrase.	
22   please.		22   How would you do an inventory for money?	
23   (Pending question read.)		23 <b>A I would log in to an eTrack, the eTrack</b>	
24 <b>A Not that I'm aware of, no.</b>		24 <b>system, and then I would go into the computer, and</b>	
	154		156
1   MS. KLEINHAUS: Okay. We can go off the		1 <b>it would generate a unique number for that</b>	
2   record now, Bill.		2 <b>incident.</b>	
3   THE VIDEOGRAPHER: Off the record, 3:24.		3 <b>After I get that unique number, I fill in</b>	
4   (A recess was taken from 3:24 p.m. to		4 <b>the boxes; and then after I check all the boxes or</b>	
5   3:28 p.m.)		5 <b>fill in all the boxes that need to be, I submit it</b>	
6   THE VIDEOGRAPHER: Back on the record,		6 <b>for approval.</b>	
7   3:28.		7   Q Okay. And who has to approve it?	
8   BY MS. KLEINHAUS:		8 <b>A sergeant.</b>	
9   Q Sir, do either of the reports you've just		9   Q Okay. If you turn to the front page, at	
10   looked at, the arrest report and the vice case		10   the very bottom there it says "inventory	
11   report, refresh your recollection about an arrest		11   submitter" next to your name.	
12   of Willie Martin from September of 2006?		12   Do you see that?	
13 <b>A It does not.</b>		13 <b>A Yes.</b>	
14   (Nichols Deposition Exhibit 29 marked for		14   Q And when you finished creating an	
15   identification and attached to the transcript.)		15   inventory, would there be an option on the screen	
16   Q Showing you what's been marked as		16   for you to submit it?	
17   Exhibit 29. It's a two-sided exhibit.		17 <b>A Yes.</b>	
18 <b>A Okay.</b>		18   Q Okay. If you look one line above that, it	
19   Q Are you familiar with this type of		19   says "hold creator."	
20   document?		20   Do you know how in the system you would	
21 <b>A I am not.</b>		21   create a hold?	
22   Q Okay. It's labeled an "eTrack Chain of		22 <b>A Like I said before, maybe if it's hold for</b>	
23   Custody." I want to turn your attention to the		23 <b>investigation. That's why the hold create- -- but</b>	
24   back side of this document. There's an entry		24 <b>I'm not too familiar with this particular sheet.</b>	

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40 (157 to 160)

	157		159
<b>1 I never saw one of these before.</b>		1 eTrack system that you've described --	
2 Q Okay. When you would use the eTrack for		<b>2 A Yes.</b>	
3 inventories, was there an option in that system		3 Q -- after you've created the inventory and	
4 for you to place something on hold or create a		4 you've submitted the inventory, would you have an	
5 hold?		5 option to create a hold?	
<b>6 A Yes.</b>		<b>6 A No. We have to -- we have to create that</b>	
7 Q Okay. Do you know in this instance why		<b>7 before we even submit it. We have to put for hold</b>	
8 you would be the one creating and submitting the		<b>8 for investigation -- or what we're doing with the</b>	
9 inventory but Officer Mohammed would be the one		<b>9 money before we even submit it.</b>	
10 creating the hold?		10 Q Okay. So I must have misunderstood.	
<b>11 A Because that was my duties during the --</b>		11 So you create the inventory, and then you	
<b>12 this particular arrest. I was inventorying the</b>		12 have an option to create a hold or press a button	
<b>13 money.</b>		13 that says "hold"?	
14 Q Okay. And would those typically be		<b>14 A Yes.</b>	
15 different duties, the person inventorying versus		15 Q Okay. Is there any reason when you were	
16 the person creating the hold?		16 creating the inventory that you wouldn't also	
17 MR. NOLAND: Objection; foundation.		17 create the hold at the same time?	
18 MR. BAZAREK: Yeah. I'd object, compound.		<b>18 A I don't understand. Could you repeat that</b>	
<b>19 A I don't understand what you're -- what you</b>		<b>19 one more time?</b>	
<b>20 mean.</b>		20 Q Yeah. After you create an inventory, is	
21 Q Okay. You said it was part of your duties		21 there any reason you couldn't then just click hold	
22 for this arrest to create the inventory and submit		22 after you've created your inventory?	
23 it; right?		<b>23 A I don't understand the question.</b>	
<b>24 A This particular arrest, that's what it</b>		24 Q Okay. As an officer, could you do a hold	
	158		160
<b>1 looks like I did.</b>		1 on money that you had inventoried? Like the	
2 Q Okay. Were there some arrests where it		2 inventory form we saw before that says "hold for	
3 was your responsibility to create a hold?		3 investigation"?	
<b>4 A We never -- I don't create a hold. It's</b>		<b>4 A Correct.</b>	
<b>5 through the inventory process. We don't go in and</b>		5 Q Okay. Is that something that you could do	
<b>6 create a hold.</b>		6 in the eTrack system?	
7 Q Okay. So do you know what it means on the		<b>7 A The hold for investigation?</b>	
8 line above that where it says "hold creator"?		8 Q Yes, sir.	
<b>9 A I see it.</b>		<b>9 A Yes. That's a box in the eTrack when we</b>	
10 Q Do you have an understanding of what that		<b>10 create an inventory.</b>	
11 phrase means?		11 Q Okay. You can put that to the side.	
<b>12 A On this piece of paper, no.</b>		12 Was 38th and Cottage Grove an area with	
13 Q What about in the system that you used for		13 public housing units?	
14 eTrack?		<b>14 A I don't recall what was over there. I</b>	
<b>15 A There's a box on eTrack that says "hold</b>		<b>15 know it's part of the Ida B. Wells housing</b>	
<b>16 for investigation," and then you put an officer's</b>		<b>16 complex.</b>	
<b>17 name in there.</b>		17 Q I'm going to talk about the arrest of	
18 Q Okay. Is there any reason why you would		18 James Moore.	
19 create the inventory and not also click hold for		19 Do you know who Mr. Moore is?	
20 investigation?		<b>20 A No, I don't.</b>	
21 MR. BAZAREK: Object to the form of the		21 (Nichols Deposition Exhibit 30 marked for	
22 question.		22 identification and attached to the transcript.)	
<b>23 A Could you repeat that?</b>		23 Q I'll show you what we'll mark as	
24 Q Yeah. When you're in the system, the		24 Exhibit 30.	

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41 (161 to 164)

161	163
1     Do you recognize the person that you see 2 depicted in Exhibit 30?	1     can you?
3 <b>A I don't.</b>	2     MR. BAZAREK: Object to the form of the 3 question, argumentative.
4     Q Okay. You can put that to the side.	4 <b>A No, I don't know. It possibly could be.</b>
5       (Nichols Deposition Exhibit 31 marked for 6 identification and attached to the transcript.)	5 <b>It possibly can't be. I don't know.</b>
7 BY MS. KLEINHAUS:	6 <b>BY MS. KLEINHAUS:</b>
8     Q I'll show you what we'll mark as 9 Exhibit 31. This is the arrest report for James 10 Moore.	7     Q Okay. Can you actually turn with me, 8 please, to the fifth page of this exhibit. You're 9 listed as an assisting arresting officer.
11 <b>A Okay.</b>	10    Do you see that?
12    Q Having reviewed Exhibit 30 [sic], does 13 this refresh your recollection about the arrest of 14 James Moore?	11 <b>A Yes, I do.</b>
15    MS. KLEINHAUS: I suppose, I do. Yes, 31.	12    Q What did you do as part of the arrest of 13 Mr. Moore?
16    Q Do you remember -- based on this report, 17 do you remember this arrest?	14 <b>A It looks like I was doing the heading to 15 this narrative.</b>
18 <b>A No, I don't.</b>	16    Q Okay. How can you tell that you did the 17 heading to the narrative?
19    Q Okay. Looking at the narrative section 20 here, it says "during a narcotics investigation."	18 <b>A Because I was the attesting officer.</b>
21    Do you see that?	19    Q What does it mean to do the heading to the 20 narrative?
22 <b>A Okay. Yes, I do.</b>	21 <b>A The particulars, the name, charge, 22 everything -- everything that's pertinent to this 23 case.</b>
23    Q Okay. Do you have an understanding of 24 whether there was a separate narcotics	24    Q Okay. So is the attesting officer
162	164
1 investigation, besides talking to Mr. Moore, going 2 on?	1 responsible for all the portions of the report 2 besides the narrative?
3 <b>A I don't know.</b>	3 <b>A No, it could be -- he could write the 4 narrative also.</b>
4     Q You can't tell from this narrative, can 5 you?	5     Q Okay. How is it that you can tell that 6 this report -- I'm sorry -- strike that, please.
6 <b>A If there was another investigation going 7 on at the time?</b>	7     Was it your practice that where you were 8 the attesting officer, you completed the headings?
8     Q Right.	9 <b>A You could do numerous things. You could 10 do the heading. You could do the narrative. You 11 could do many things as the attesting officer.</b>
9 <b>A No. You can't tell if there was another 10 investigation going on.</b>	12    Q Okay. Was it your practice as the 13 attesting officer to complete the headings?
11    Q It says below that when "A/O stated, 12 quote, 'I'll take one' the subject produced from 13 his pants pocket a clear plastic bag with a white 14 chunky rock-like substance, suspect crack 15 cocaine."	14    MR. BAZAREK: Object to foundation.
16    Do you see that?	15    MR. KOSOKO: Join.
17 <b>A Yep. Yes, I do.</b>	16 <b>A As attesting officer, you would be logging 17 in to the arrest report. I would assume that you 18 were doing the arrest report.</b>
18    Q Based on that, do you believe this was 19 part of a reverse sting?	19    Q Sir, my question is very specific to you 20 and your practice.
20    MR. BAZAREK: I'd object to the form of 21 that question, foundation.	21    When you were the attesting officer, did 22 you complete the headings?
22 <b>A I don't know if it was part of a reverse 23 sting or not. I don't know.</b>	23    MR. BAZAREK: Object to foundation and 24 form.
24    Q Okay. You can't tell from this narrative,	

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42 (165 to 168)

	165		167
1 <b>A Yes, I believe so.</b>		1    Q Okay.	
2 <b>BY MS. KLEINHAUS:</b>		2 <b>A If you can look at Exhibit 31 and 32, please.</b>	
3    Q Okay. And that was true whenever you were		3    Q What question is it that you want to add	
4    the attesting officer; correct?		5    to your answer?	
5 <b>A Yes, yes.</b>		6 <b>A His affidavit -- it says November 5th, 2005.</b>	
6    Q Okay. All right. You can put that one to		7    Q Uh-huh.	
7    the side.		9 <b>A His arrest date was November 30th of 2005.</b>	
8    (Nichols Deposition Exhibit 32 marked for		10    Q Okay. You still don't remember him;	
9    identification and attached to the transcript.)		11    right?	
10    Q Showing you what's been marked as		12 <b>A I still don't remember him, no.</b>	
11    Exhibit 32, this is the affidavit of James Moore.		13    Q Okay. All right. Thank you for that.	
12    Just take a moment to review it, please.		14 <b>A Thank you.</b>	
13 <b>A Okay.</b>		15    MR. NOLAND: Is the affidavit wrong?	
14    Q Okay. Does reviewing the affidavit of		16    MS. KLEINHAUS: That's not a proper	
15    Mr. Moore refresh your recollection about any		17    question.	
16    encounters that you had with him?		18    MR. NOLAND: I mean, is it a typo that	
17 <b>A No, it does not.</b>		19    you've got November 5th in here? Is he referring	
18    Q Okay. If you look at the first paragraph		20    to -- your office prepared this affidavit and	
19    of that affidavit, he refers to someone by the		21    tendered it to us. Is this something you'd like	
20    name of Tuti.		22    to correct for us now if that was a mistake that	
21    Do you see that?		23    was made with respect to the affidavit?	
22 <b>A Yes, I do.</b>		24    MS. KLEINHAUS: I think that's entirely	
23    Q Do you know who Tuti is?			168
24 <b>A No, I don't.</b>			
	166		
1    Q Okay. Looking below that in paragraph 4,		1    improper.	
2    the second sentence in paragraph 4 says, "At the		2    MR. NOLAND: It would be improper if you	
3    station, the officers put me into a room, and		3    asked him questions about a false -- an affidavit	
4    Watts and another African-American officer came		4    that had an inaccurate assertion of the entire	
5    into the room. When Watts entered, he threw a		5    incident in it and filing a lawsuit based upon it.	
6    sandwich bag full of what appeared to be drugs		6 <b>BY MS. KLEINHAUS:</b>	
7    onto a table and told me they were mine."		7    Q Sir, do you know who Lionel White, Jr.,	
8    Do you have any reason to dispute the two		8    is?	
9    sentences I just read to you?		9 <b>A The name sounds familiar.</b>	
10 <b>A Yes.</b>		10    Q Okay. Have you reviewed reports related	
11    Q Okay. What's the basis of that?		11    to Lionel White, Jr.?	
12 <b>A The arrest report and the case report, and</b>		12 <b>A I briefly did, yes.</b>	
13 <b>I have no other reason to believe why it would be</b>		13    (Nichols Deposition Exhibit 33 marked for	
14 <b>false, and this did not happen.</b>		14    identification and attached to the transcript.)	
15    Q Okay. In coming to that conclusion, are		15    Q Okay. I'm going to show you what we'll	
16    you relying on anything besides the reports?		16    mark as Exhibit 33.	
17 <b>A Other than the reports, no.</b>		17    Do you recognize the person that you see	
18    Q Okay. You can put that exhibit to the		18    in Exhibit 33?	
19    side.		19 <b>A I don't.</b>	
20    Do you know who Lionel White, Jr., is?		20    Q Okay. Put that exhibit to the side.	
21 <b>A Can we go back to the affidavit, please?</b>		21    Do you know someone who goes by the	
22    Q Sure. Is there an answer that you'd like		22    nickname Pig?	
23    to add to?		23 <b>A No, I don't.</b>	
24 <b>A Yes.</b>		24    Q Okay. Do you know a person by the name of	

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43 (169 to 172)

	169		171
1	Larry Southern?	1	MR. KOSOKO: Join.
2	<b>A Larry Southern?</b>	2	<b>A Not necessarily. I could -- if I'm not</b>
3	Q Yes, sir.	3	<b>the first arresting officer, I could tell another</b>
4	<b>A No.</b>	4	<b>officer what happened, and he could write the</b>
5	(Nichols Deposition Exhibit 34 marked for	5	<b>narrative.</b>
6	identification and attached to the transcript.)	6	<b>BY MS. KLEINHAUS:</b>
7	BY MS. KLEINHAUS:	7	Q Okay. Is the only way to know is by
8	Q I'm going to show you what we'll mark as	8	asking the individual officer what his practice
9	Exhibit 34.	9	was?
10	<b>A Okay.</b>	10	MR. BAZAREK: Objection; argumentative.
11	Q Okay. Having reviewed the narrative of	11	<b>A Could you repeat that question?</b>
12	the arrest report, does that refresh your	12	Q Sure.
13	recollection at all about the arrest of Lionel	13	MS. KLEINHAUS: Can you read it back.
14	white, Jr.?	14	(Pending question read.)
15	<b>A It does not.</b>	15	MR. NOLAND: Object to form.
16	Q Okay. If you look at the top of the third	16	MR. BAZAREK: Join.
17	page, you'll see the attesting officer is Officer	17	MR. KOSOKO: Join.
18	Mohammed.	18	<b>A Yes, but it could be -- like I said, on</b>
19	Do you see that?	19	<b>different circumstances, he could write the</b>
20	<b>A I do.</b>	20	<b>narrative or another officer could write the</b>
21	Q Okay. Based on that, would you conclude	21	<b>narrative.</b>
22	Officer Mohammed completed the headings for	22	Q Okay. Or Sergeant Watts could have
23	this report?	23	written the narrative?
24	MR. BAZAREK: Object to the form of the	24	MR. KOSOKO: Objection.
	170		172
1	question, foundation, calls for speculation.	1	MR. PALLE: Objection.
2	MR. PALLE: Join.	2	MR. KOSOKO: Argumentative, calls for
3	MR. KOSOKO: Join.	3	speculation, form.
4	<b>A I don't know what he did. I would assume</b>	4	<b>Well, if he witnessed it and he did it,</b>
5	<b>that he did the heading and maybe did the</b>	5	<b>then, yes, he could write the narrative.</b>
6	<b>narrative. I can't tell you.</b>	6	<b>BY MS. KLEINHAUS:</b>
7	<b>BY MS. KLEINHAUS:</b>	7	Q Okay. Someone who is not even listed on
8	Q Okay. If you look below that, it lists	8	the report could have written the narrative;
9	the first arresting officer as Officer Jones.	9	right?
10	Do you see that?	10	MR. BAZAREK: Object to the form of the
11	<b>A I do.</b>	11	question, foundation, speculation.
12	Q Okay. Based on that, would you assume	12	MR. KOSOKO: Join.
13	Officer Jones wrote the narrative section of	13	<b>A Could you repeat that question?</b>
14	this report?	14	MS. KLEINHAUS: Can you read it back.
15	MR. BAZAREK: Object to the form of the	15	(Pending question read.)
16	question, foundation, speculation.	16	<b>A Someone who is not listed on the report,</b>
17	MR. KOSOKO: Join.	17	<b>no.</b>
18	<b>A I don't know who wrote the narrative to</b>	18	Q Okay. So it should be someone who is
19	<b>this report.</b>	19	listed on the report; right?
20	Q Okay. Was it the practice on the 264 team	20	<b>A Correct.</b>
21	that the first arresting officer would write the	21	Q But based on the report itself, we can't
22	narrative of the report?	22	tell who actually wrote the narrative for this
23	MR. BAZAREK: Object to the form and	23	arrest report; right?
24	foundation.	24	<b>A That's correct.</b>

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44 (173 to 176)

	173		175
1        (Nichols Deposition Exhibit 35 marked for 2 identification and attached to the transcript.)		1        Q You can put that to the side.	
3        Q Exhibit 35 is the affidavit of Lionel 4 White, Jr.		2        (Nichols Deposition Exhibit 37 marked for 3 identification and attached to the transcript.)	
5 <b>A Okay.</b>		4        Q Showing you what's been marked as 5 Exhibit 37, it's the arrest report for Frank 6 Saunders.	
6        Q Okay. Having reviewed the affidavit of 7 Lionel White, Jr., does that refresh your 8 recollection about any encounters with him?		7 <b>A Okay.</b>	
9 <b>A No, it does not.</b>		8        Q Having reviewed that report, does that 9 refresh your recollection at all about the arrest 10 of Frank Saunders?	
10      Q Okay. Looking to the second paragraph it 11 refers to officers Mohammed, Jones, and Smitty.		11 <b>A It does not.</b>	
12      Do you see that?		12      Q Okay. Looking at the first page of that 13 report, can you tell me which portions you see on 14 the first page that you would complete if you were 15 assigned to complete the headings?	
13 <b>A I do.</b>		16 <b>A If I was -- I don't know if I completed 17 the first headings, but I'm almost positive I did.</b>	
14      Q Do you know Officer Smith to go by the 15 nickname Smitty?		18      Q Okay. If you were the person assigned to 19 complete the headings, what on the first 20 page would you complete?	
16 <b>A Yes.</b>		21 <b>A I could have completed the narrative too.</b>	
17      Q Okay. Below that in paragraph 3, it says, 18 "The police started grabbing people. Watts 19 grabbed me and put me against the wall of the 20 building. I told Watts that I didn't have any 21 drugs on me, and he replied by saying, 'Take it up 22 with Al. Al wants you.' I understood that he was 23 referring to Officer Jones."		22 <b>I don't know.</b>	
24      Do you see that?		23      Q Okay. And putting aside the narrative, 24 just focusing on the first page, what do we see	
	174		176
1 <b>A I do.</b>		1        there that are headings that you would have 2 completed if you were the one assigned to complete 3 the headings?	
2        Q Do you have any basis on which to dispute 3 that paragraph?		4 <b>A Well, if you're assigned -- his name, 5 address, date of birth. Do you want me to go 6 through the whole thing?</b>	
4 <b>A I think it's a complete lie; and reading 5 the arrest report, it did not happen.</b>		7        Q Yes, please.	
6        Q Okay. And that's based on your reliance 7 on the reports; right?		8 <b>A His age, place of birth, if he was armed 9 with anything, the beat where he lives, or that 10 generates for you once you put in his address. If 11 he's a male or female, black, whatever race he 12 was, 5-10, 215, brown eyes, black hair, short 13 hairstyle, what complexion he was, which he was 14 dark. If he has any tattoos, the marks. You put 15 tattoos, a cross on the lower right arm.</b>	
8 <b>A That's correct.</b>		16      Q Let me stop you there.	
9        Q Okay. You can put that to the side.		17      So that information in the left column 18 starting with his address, is that information 19 that you would get from talking to the arrestee?	
10      Do you know who Frank Saunders is?		20 <b>A Normally, yes.</b>	
11 <b>A No, I don't.</b>		21      Q Okay. And would you get the date of birth 22 from the arrestee?	
12      Q Have you ever read the complaint and the 13 lawsuit that Frank Saunders filed against you?		23 <b>A Normally, yes.</b>	
14 <b>A I'm not sure if I read the complaint.</b>		24      Q Okay. And if I understood you correctly,	
15 I'm -- I don't recall.			
16      (Nichols Deposition Exhibit 36 marked for 17 identification and attached to the transcript.)			
18      Q Okay. Showing you what's been marked as 19 Exhibit 36.			
20 <b>A Okay.</b>			
21      Q Having reviewed this series of photos in 22 Exhibit 36, does that refresh your recollection at 23 all about who Frank Saunders is?			
24 <b>A No, it does not.</b>			

Transcript of Douglas Nichols  
Conducted on December 19, 2019

45 (177 to 180)

177	179
1 once you have the person's address, then the beat 2 that they live in would -- <b>3 A Generate for you.</b> 4 Q -- generate for you. Thank you for that. 5 Okay. Looking in the box to the right 6 there, that physical description of the arrestee, 7 is that -- that would be based on your own 8 observation if you're filling out the headings; 9 right?	1 TRR was completed, would you talk to your fellow 2 officers about the arrest? <b>3 A If I didn't witness it, yes.</b> 4 Q Okay. And if you did witness it, would 5 your answer to that question be based on your 6 observation? <b>7 A Yes.</b> 8 Q Okay. Looking below that where it says 9 "resisted arrest." 10 Do you see that part? <b>11 A Yes.</b> 12 Q Would that be based on your observation if 13 you witnessed the arrest? <b>14 A Would I mark it if I observed it?</b> 15 Q I'm sorry. Let me try and ask it better. 16 How would you gather the information 17 necessary to answer that question, resisted 18 arrest? <b>19 A Well, if I didn't observe it, then I would</b> <b>20 ask that other officer if he resisted arrest</b> <b>21 or not.</b> 22 Q Okay. If you look next to that where it 23 says "dependent children," would you talk to the 24 arrestee to get that information?
178	180
1 your observation? <b>2 A Based on my observation.</b> 3 Q Okay. How about for complexion? Is that 4 something you would ask or that would be based on 5 your observation? <b>6 A Normally based on my observation.</b> 7 Q Okay. For the tattoos, would you ask the 8 arrestee to show you the tattoos that he has? <b>9 A Yeah. I would ask the arrestee if he had</b> <b>10 any tattoos or scars.</b> 11 Q Okay. Okay. Looking below that in the 12 boxes marked "Incident," what portions of that 13 would you complete if you were the person assigned 14 to complete the headings? <b>15 A The arrest date. If there was a TRR</b> <b>16 completed.</b> 17 Q Okay. And what is a TRR? <b>18 A Tactical response report.</b> 19 Q And what type of information do you 20 include in a TRR? <b>21 A If there was any physical altercation,</b> <b>22 like an emergency takedown, if you had to do</b> <b>23 open-hand strikes no the individual.</b> 24 Q Okay. And to determine whether or not a	1 A Yes. 2 Q Okay. And next to that it says "DCFS 3 ward." 4 Would you talk to the arrestee to get that 5 information? <b>6 A Yes.</b> 7 Q Okay. Looking below that under charges, 8 would that be something that you would complete, a 9 section that you would complete if you were the 10 one assigned to complete the headings? <b>11 A Yes.</b> 12 Q Okay. Looking below that under recovered 13 narcotics, is that something that you would 14 complete if you were the person assigned to 15 complete the headings? <b>16 A Yes.</b> 17 Q Okay. And how would you know what to 18 include as the weight or quantity? <b>19 A Either I would weigh it or another officer</b> <b>20 would weigh the suspect narcotics.</b> 21 Q Okay. How would you determine the 22 estimated street value? <b>23 A There's an estimated street value in the</b> <b>24 Chicago Police Department. There's an estimated</b>

Transcript of Douglas Nichols  
Conducted on December 19, 2019

46 (181 to 184)

	181		183
<b>1 street value for each kind of narcotics.</b>		1     Q Turn to the second page, please.	
2     Q Okay. And under the warrant section, if		2     If you were the person assigned to	
3 you were the person assigned to complete the		3 complete the headings, which portions of the	
4 headings, would you fill out the warrant section?		4 second page would you complete?	
<b>5     A Yes.</b>		<b>5     A The victim and complainant.</b>	
6     Q Okay. And What would you do in order to		6     Q Okay.	
7 complete that section?		<b>7     A Maybe the narrative, court date, if he had</b>	
<b>8     A To complete the warrant section?</b>		<b>8 a vehicle, if he had any property.</b>	
9     Q Yes, sir.		9     Q Would you complete the bond information?	
<b>10    A I would -- someone would have to run his</b>		<b>10    A No, I would not.</b>	
<b>11 name to see if he had or didn't have a warrant.</b>		11    Q Okay. Turn with me to the third page.	
<b>12 In other circumstances, if they're on parole, we</b>		<b>12    A Okay.</b>	
<b>13 would have to call IDOC to see if they are going</b>		13    Q If you were the officer assigned to	
<b>14 to issue a warrant or not.</b>		14 complete the headings for the report, would you	
15    Q Okay. In the course of processing		15 complete anything that you see on the third page?	
16 arrestees and completing these reports -- not		<b>16    A I put the first arresting officer and the</b>	
17 specific to this arrest, but in the course of		<b>17 second arresting officer's name in there.</b>	
18 processing arrestees, did you ever have someone		18    Q Okay. And if you're the one assigned to	
19 complain to you that they had been falsely		19 complete the headings, would someone else tell you	
20 arrested?		20 who is going to be Box 1 and Box 2?	
<b>21    A No.</b>		<b>21    A Yes.</b>	
22    Q Did you ever have someone complain to you		22    Q Okay. Is there anything else that we see	
23 that drugs had been planted on them?		23 on page 3 that you would complete if you were the	
<b>24    A Never.</b>		24 one assigned to complete the headings?	
	182		184
1     Q Okay. Did anyone ever complain to you		<b>1     A No, not that I see.</b>	
2 that money had been stolen from them?		2     Q Okay. Turn please to the fourth page.	
<b>3     A Yes.</b>		3     If you were the person assigned to	
4     Q Okay. When did that happen?		4 complete the headings, what would you complete on	
<b>5     A I believe it was 2017. We had arrested an</b>		5 the fourth page?	
<b>6 individual, and he said I took money from him --</b>		<b>6     A The transport details, and I don't know if</b>	
<b>7 or no, it wasn't that date. Strike that. I don't</b>		<b>7 I generate the holding facility. I don't know if</b>	
<b>8 remember when it was, but it was inventoried.</b>		<b>8 that generates when I put in the first box. I</b>	
<b>9     Then there was another incident in 2017</b>		<b>9 don't know if that generates to this one either.</b>	
<b>10 that we allegedly took money, but I don't know if</b>		10    Q Okay. So the parts about -- I'm sorry.	
<b>11 he filed a complaint or not. He called me the</b>		11 Strike that, please.	
<b>12 next day at the station.</b>		12     Where it says "prints taken," you wouldn't	
13    Q Okay. And those were instances where		13 complete that.	
14 during the arrest process, arrestees complained to		<b>14    A No.</b>	
15 you that money had been taken?		15    Q And the photograph taken, you wouldn't	
<b>16    A The second incident was the next day. He</b>		16 complete that either; right?	
<b>17 called the station. The first incident was that</b>		<b>17    A No, I would not.</b>	
<b>18 day, and we showed him the piece of paper where</b>		18    Q Okay. Where -- you said -- next to that,	
<b>19 the inventory -- that's where his money was.</b>		19 it says "transport details."	
20    Q Okay. Turn with me to the second page,		20     Do you see that?	
21 please.		<b>21    A Yes.</b>	
<b>22    A Excuse me --</b>		22    Q What does 2PO mean?	
23    Q I'm sorry.		<b>23    A 2PO. Two police officers that are</b>	
<b>24    A -- the second page?</b>		<b>24 assigned to that vehicle.</b>	

Transcript of Douglas Nichols  
Conducted on December 19, 2019

47 (185 to 188)

	185		187
1 Q All right. Under visual check of 2 arrestee, would you complete any of that?		1 Do you see that?	
3 <b>A I would not.</b>		2 <b>A I do.</b>	
4 Q And under arrestee questionnaire, would 5 you ask any of those questions of the arrestee?		3 Q Okay. Do you know who Tricey is?	
6 <b>A I would not.</b>		4 <b>A I do not.</b>	
7 Q Okay. Turn with me to the fifth page.		5 Q Okay. Looking below that in paragraph 4, 6 it says, "At some point, I heard someone yell 7 'clean up.'"	
8 If you were the person assigned to 9 complete the headings, what portions of the fifth 10 page would you do?		8 Do you see that?	
11 <b>A List the assisting officers.</b>		9 <b>A I do.</b>	
12 Q Okay. Anything else on the fifth 13 page that you would do?		10 Q Do you know what the term "clean up" 11 means?	
14 <b>A No.</b>		12 <b>A The best of my knowledge is when they 13 clean up, they try to get the narcotics in a safe 14 spot which they -- and try to get away from us as 15 the police officers.</b>	
15 Q Based on this report, do you believe that 16 you completed the headings for this arrest?		16 Q Okay. Looking below that in paragraph 5, 17 it refers to some nicknames.	
17 <b>A I believe so, but I couldn't answer that 18 100 percent sure. But I believe I did.</b>		18 Do you see Doug there?	
19 Q Okay. You can put that exhibit to the 20 side.		19 <b>A I do.</b>	
21 MR. BAZAREK: Can we take a break?		20 Q Is that a nickname used for you?	
22 MS. KLEINHAUS: Sure.		21 <b>A I wouldn't say a nickname used for me. I 22 don't -- my name is Douglas. So it goes by -- 23 short by Doug.</b>	
23 THE VIDEOGRAPHER: Off the record, 4:10.		24 Q Okay. Next to that it says "Chinaman."	
24 (A recess was taken from 4:10 p.m. to	186		188
1 4:23 p.m.)		1 Do you see that?	
2 THE VIDEOGRAPHER: Back on the record,		2 <b>A Yes.</b>	
3 4:23.		3 Q Are you familiar with that nickname?	
4 BY MS. KLEINHAUS:		4 <b>A I am.</b>	
5 Q Sir, do you know who George Almond is?		5 Q Okay. Who does that refer to?	
6 <b>A The name, yes.</b>		6 <b>A My partner, Officer Leano.</b>	
7 Q Okay. Other than the name, are you 8 familiar with George Almond?		7 Q Okay. The next one is Co-Co.	
9 <b>A I'd maybe recognize him, but, yes, that's 10 about it.</b>		8 Are you familiar with that nickname?	
11 Q Okay. Do you have any recollection of 12 being involved in the arrest of George Almond?		9 <b>A I am.</b>	
13 <b>A I don't.</b>		10 Q And who does that refer to?	
14 (Nichols Deposition Exhibit 38 marked for 15 identification and attached to the transcript.)		11 <b>A Lamonica Lewis.</b>	
16 Q Showing you what we'll mark as Exhibit 38.		12 Q Okay. Turn with me please to paragraph 9.	
17 This is the affidavit of George Almond.		13 It says, "Once in the stairwell, Watts asked me if 14 I had any money on me. I told him I only had a 15 few dollars. Watts said that wasn't enough and 16 that I was going to jail. I asked why, and he 17 said that he got some rocks and that they were my 18 drugs. I knew he was setting me up."	
18 <b>A Okay.</b>		19 Do you know whether what's described in 20 paragraph 9 happened or not?	
19 Q Having reviewed the affidavit of George 20 Almond, does that refresh your recollection at all 21 about an encounter you had with him?		21 <b>A It did not happen.</b>	
22 <b>A No, it does not.</b>		22 Q Okay. Is that based on reports that 23 you've reviewed?	
23 Q Okay. If you look at the third paragraph, 24 he makes reference to a person called Tricey.		24 <b>A And based -- and his affidavit.</b>	

Transcript of Douglas Nichols  
Conducted on December 19, 2019

48 (189 to 192)

	189		191
1    Q	Okay. What about his affidavit convinces	1    Mr. Bell refresh your recollection at all about an	
2    you that it didn't happen?		2    encounter you had with him in August of 2006?	
3 <b>A Because he's saying I was there and I was</b>	<b>in the hallway, and he's saying that I falsely</b>	3 <b>A No.</b>	
4 <b>arrested him and was putting narcotics on him, and</b>	<b>there's no way I would do that to any individual.</b>	4    Q Okay. If you look at paragraph 3, it	
5		5    refers to a person by the name of China Watkins.	
6		6    Do you see that?	
7    Q	Okay. Looking below that in paragraph 10,	7 <b>A I do.</b>	
8    it says, "At the station, Mohammed was writing up		8    Q Do you know who China Watkins is?	
9    my report while I was handcuffed to a bench.		9 <b>A I don't.</b>	
10   Watts, Jones, and Doug were also in the room at		10   Q Okay. Looking below that in paragraph 4,	
11   the time. I asked Mohammed what I was being		11   it says, "I came out of the room, and Watts was	
12   charged with. At some point one of them put drugs		12   standing behind the door inside our apartment. He	
13   out on the table. Watts told me they were going		13   grabbed me and stuck his hand in my hoodie pocket.	
14   to charge me with possession and manufacturing."		14   He then pretended to pull out two bags of drugs	
15   Do you know whether what was described in		15   from my pocket. He looked" -- it seems to be a	
16   paragraph 10 happened or not?		16   typo. It should say at me -- "and said 'Told you	
17 <b>A I know that's completely false too.</b>		17   I was going to get you.' He dragged me out into	
18   Q	How do you know that?	18   the hallway."	
19 <b>A Because I know no one put drugs on someone</b>	<b>20 that I observed or -- and I believe another</b>	19   Do you know whether that happened or not?	
<b>21 officer would not do that.</b>		20 <b>A It did not happen.</b>	
22   Q	Okay. You can put that exhibit to the	21   Q Okay. Is that based on your review of the	
23   side.		22   vice case report?	
24   Do you know who Deandre Bell is?		23 <b>A The vice case report and I would have</b>	
		24 <b>no -- I wouldn't arrest someone illegally.</b>	
	190		192
1 <b>A No, I don't.</b>		1    Q Okay.	
2    (Nichols Deposition Exhibit 39 marked for		2    MS. KLEINHAUS: All right. Put that to	
3    identification and attached to the transcript.)		3    the side.	
4    Q Showing you what's been marked as		4    So I think that concludes for today. By	
5    Exhibit 39, this is a vice case report for Deandre		5    agreement of the parties, we're holding the	
6    Bell.		6    McDaniels case over until tomorrow. The witness	
7 <b>A Okay.</b>		7    has some family obligations, so we're going to	
8    Q Having reviewed the vice case report, does		8    stop there.	
9    that refresh your recollection about the arrest of		9    THE VIDEOGRAPHER: This concludes day 1 of	
10   Deandre Bell?		10   the video deposition of Douglas Nichols at 4:35.	
11 <b>A No, it does not.</b>		11   (Off the record at 4:35 p.m.)	
12   Q Okay. If you look on the back, on the		12	
13   second page of this vice case report, it refers to		13	
14   Terra L. Johnson.		14	
15   Do you know who Terra L. Johnson is?		15	
16 <b>A I do not.</b>		16	
17   Q Okay. You can put that exhibit to the		17	
18   side.		18	
19   (Nichols Deposition Exhibit 40 marked for		19	
20   identification and attached to the transcript.)		20	
21   Q Showing you what's been marked as		21	
22   Exhibit 40, it's the affidavit of Deandre Bell.		22	
23 <b>A Okay.</b>		23	
24   Q Okay. Did reviewing the affidavit of		24	

Transcript of Douglas Nichols  
Conducted on December 19, 2019

49 (193 to 196)

193

## 1 ACKNOWLEDGMENT OF DEPONENT

2  
3 I, DOUGLAS NICHOLS, do hereby acknowledge  
4 that I have read and examined the foregoing  
5 testimony, and the same is a true, correct, and  
6 complete transcription of the testimony given by  
7 me and any corrections appear on the attached  
8 errata sheet signed by me.

9

10

11

12

13 (DATE) \_\_\_\_\_ (SIGNATURE)

14

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194

## 1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

2

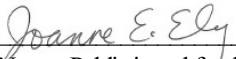
3 I, Joanne Ely, Certified Shorthand  
4 Reporter No. 84-4169, CSR, RPR, and a Notary  
5 Public in and for the County of Kane, State of  
6 Illinois, the officer before whom the foregoing  
7 deposition was taken, do hereby certify that the  
8 foregoing transcript is a true and correct record  
9 of the testimony given; that said testimony was  
10 taken by me stenographically and thereafter  
11 reduced to typewriting under my direction; that  
12 review was requested; and that I am neither  
13 counsel for, related to, nor employed by any of  
14 the parties to this case and have no interest,  
15 financial or otherwise, in its outcome.

16 IN WITNESS WHEREOF I have hereunto set my  
17 hand and affixed my notarial seal this 22nd day of  
18 February, 2020.

19

20 My commission expires: May 16, 2020

21

22 

23 Notary Public in and for the

24 State of Illinois

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