

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

2 (5 to 8)

5	7
<p>1 A P P E A R A N C E S C O N T I N U E D</p> <p>2 ON BEHALF OF THE DEFENDANT MOHAMMED:</p> <p>3 ERIC PALLES, ESQUIRE</p> <p>4 RAVITZ & PALLES, PC</p> <p>5 203 North LaSalle Street</p> <p>6 Suite 2100</p> <p>7 Chicago, Illinois 60601</p> <p>8 312.558.1689</p> <p>9</p> <p>10 ON BEHALF OF THE DEFENDANT OFFICERS:</p> <p>11 WILLIAM E. BAZAREK, ESQUIRE</p> <p>12 HALE & MONICO</p> <p>13 53 West Jackson Street</p> <p>14 Suite 337</p> <p>15 Chicago, Illinois 60604</p> <p>16 312.870.6902</p> <p>17</p> <p>18 ALSO PRESENT:</p> <p>19 RICK KOSBERG, Videographer</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>1 E X H I B I T S C O N I N U E D</p> <p>2</p> <p>3 NICHOLS DEPOSITION EXHIBITS PAGE</p> <p>4 Exhibit 11 Affidavit of Christopher Scott 114</p> <p>5 Exhibit 12 Photo of Jamell Sanders 123</p> <p>6 Exhibit 13 Jamell Sanders Arrest Report 124</p> <p>7 Exhibit 14 Jamell Sanders Vice Case 125</p> <p>8 Report</p> <p>9 Exhibit 15 Affidavit of Jamell Sanders 126</p> <p>10 Exhibit 16 Photo of Cleon Glover 128</p> <p>11 Exhibit 17 Cleon Glover Arrest Report 128</p> <p>12 Exhibit 18 Cleon Glover Vice Case Report 135</p> <p>13 Exhibit 19 Cleon Glover Original Case 135</p> <p>14 Incident Report</p> <p>15 Exhibit 20 Cleon Glover Inventory Report 136</p> <p>16 Exhibit 21 Affidavit of Cleon Glover 137</p> <p>17 Exhibit 22 Photo of Brian Hunt 141</p> <p>18 Exhibit 23 Brian Hunt Arrest Report 141</p> <p>19 Exhibit 24 Brian Hunt Vice Case Report 142</p> <p>20 Exhibit 25 Affidavit of Brian Hunt 142</p> <p>21 Exhibit 26 Willie Martin Complaint 145</p> <p>22 Exhibit 27 Willie Martin Arrest Report 150</p> <p>23 Exhibit 28 Willie Martin and Coleathen 151</p> <p>24 Jefferson Vice Case Report</p>
6	8
<p>1 C O N T E N T S</p> <p>2</p> <p>3 EXAMINATION OF DOUGLAS NICHOLS PAGE</p> <p>4 By Ms. Kleinhaus 10</p> <p>5</p> <p>6 E X H I B I T S</p> <p>7 (Attached to transcript.)</p> <p>8</p> <p>9 NICHOLS DEPOSITION EXHIBITS PAGE</p> <p>10 Exhibit 1 4/4/18, Letter, Magats to 15</p> <p>11 Valente</p> <p>12 Exhibit 2 Photo of Andre McNairy 98</p> <p>13 Exhibit 3 Andre McNairy Trial Transcript 99</p> <p>14 Exhibit 4 Andre McNairy Arrest Report 100</p> <p>15 Exhibit 5 Andre McNairy Original Case 103</p> <p>16 Incident Report</p> <p>17 Exhibit 6 Andre McNairy Inventory Report 104</p> <p>18 Exhibit 7 Affidavit of Andre McNairy 105</p> <p>19 Exhibit 8 Photo of Christopher Scott 110</p> <p>20 Exhibit 9 Christopher Scott Arrest 111</p> <p>21 Report</p> <p>22 Exhibit 10 Christopher Scott Vice Case 114</p> <p>23 Report</p> <p>24</p>	<p>1 E X H I B I T S C O N I N U E D</p> <p>2</p> <p>3 NICHOLS DEPOSITION EXHIBITS PAGE</p> <p>4 Exhibit 29 eTrack Chain of Custody 154</p> <p>5 Exhibit 30 Photo of James Moore 160</p> <p>6 Exhibit 31 James Moore Arrest Report 161</p> <p>7 Exhibit 32 Affidavit of James Moore 165</p> <p>8 Exhibit 33 Photo of Lionel White, Jr., 168</p> <p>9 Exhibit 34 Lionel White, Jr., Arrest 169</p> <p>10 Report</p> <p>11 Exhibit 35 Affidavit of Lionel White, Jr. 173</p> <p>12 Exhibit 36 Photos of Frank Saunders 174</p> <p>13 Exhibit 37 Frank Saunders Arrest Report 175</p> <p>14 Exhibit 38 Affidavit of George Almond 186</p> <p>15 Exhibit 39 Deandre Bell Vice Case Report 190</p> <p>16 Exhibit 40 Affidavit of Deandre Bell 190</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

3 (9 to 12)

9	11
1 PROCEEDINGS	1 been filed in the lawsuits against you?
2 THE VIDEOGRAPHER: This is the video	2 A No. Not really, no.
3 deposition of Douglas Nichols taken by Loevy &	3 Q You've been deposed before; right?
4 Loevy in the matter of the Watts coordinated	4 A I have.
5 pretrial proceedings, Master Docket 19-cv-01717	5 Q Okay. Just to remind you of how it works,
6 held at Loevy & Loevy, 311 Aberdeen Street,	6 I'll do my best not to talk over you; and if you
7 Chicago, Illinois.	7 can do your best not to talk over me, that makes
8 Today is December 19th, 2019. The time is	8 it easier for the court reporter; is that fair?
9 10:10. The court reporter is Joanne Ely of Planet	9 A That's fair.
10 Depos. The videographer is Rick Kosberg.	10 Q If you answer one of my questions, I'll
11 Counsel can now introduce themselves, and	11 assume that you understood the question; is that
12 the court reporter is free to administer the oath.	12 fair?
13 MS. KLEINHAUS: Theresa Kleinhaus for the	13 A That's fair.
14 Loevy Plaintiffs.	14 Q If I ask a bad question, you need to tell
15 MR. FLAXMAN: Joel Flaxman for various	15 me, and I'll rephrase it. Okay?
16 plaintiffs.	16 A Yes.
17 MR. PALLES: Eric Palles for Kallatt	17 Q Are you on any medication or do you have
18 Mohammed.	18 any medical conditions that would prevent you from
19 MR. KOSOKO: Ahmed Kosoko on behalf of	19 providing accurate testimony today?
20 Ronald Watts.	20 A No, I'm not.
21 MR. NOLAND: Daniel Noland for the City	21 Q Are you currently employed by the Chicago
22 and supervisory defendants.	22 Police Department?
23 MR. BAZAREK: William E. Bazarek for	23 A Yes, I am.
24 Defendant Nichols as well as the other officers	24 Q Okay. How long have you been employed by
10	12
1 represented by Hale and Monico.	1 the Chicago Police Department?
2 THE WITNESS: Douglas E. Nichols, Jr.,	2 A I got hired by the Chicago Police
3 Chicago Police Department.	3 Department 24 February of 2003.
4 THE REPORTER: Would you raise your right	4 Q And what do you currently do for CPD?
5 hand, please.	5 A I'm currently assigned to the 2nd
6 (Witness sworn.)	6 District, Chicago Police Department.
7 DOUGLAS NICHOLS,	7 Q What do you do at the 2nd District?
8 having been duly sworn, testified as follows:	8 A I do admin work right now, currently, in
9 EXAMINATION BY COUNSEL FOR CERTAIN PLAINTIFFS	9 the Chicago Police Department, 2nd District.
10 BY MS. KLEINHAUS:	10 Q Okay. And what does that admin consist
11 Q Good morning, Officer Nichols.	11 of?
12 A Good morning.	12 A The admin consists of inside duties, which
13 Q I introduced myself before we were on the	13 consist of TSS cards. I enter TSS cards.
14 record. My name is Tess Kleinhaus. I represent a	14 I entered -- well, I put up a board, what
15 number of the plaintiffs in these coordinated	15 we call "caboodle," and it was crimes that were
16 proceedings.	16 happening in the 2nd District. I put a peg where
17 What did you do to prepare for today's	17 that was going -- that was happening, and I
18 deposition?	18 printed up a little summary of what it was, with
19 A I met with my lawyers, and I went over	19 the RD number, the date, any offenders, anything
20 some documents.	20 like that, and I put it on the board in the tac
21 Q What documents did you go over?	21 office.
22 A Vice case report, arrest report, general	22 Q Okay. What is a TSS card?
23 offense case reports, and that's basically it.	23 A A TSS card is a traffic stop.
24 Q Have you reviewed the complaints that have	24 Q So you're doing data entry of the

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Transcript of Douglas Nichols
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4 (13 to 16)

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

Transcript of Douglas Nichols
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5 (17 to 20)

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

Transcript of Douglas Nichols
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6 (21 to 24)

21	<p>1 working midnights; and after I was working</p> <p>2 midnights as a beat patrol officer, I went to the</p> <p>3 tactical division, tactical, slash, housing in</p> <p>4 November of 2004.</p> <p>5 Q And you've been assigned to the 2nd</p> <p>6 District ever since?</p> <p>7 A Yes.</p> <p>8 Q What was the approximate time frame that</p> <p>9 you were in the academy?</p> <p>10 A If I had to guess 24 February of '03, and</p> <p>11 I'm not sure when I graduated. I think it was</p> <p>12 August of '03, if I'm not mistaken. I could be</p> <p>13 wrong on that.</p> <p>14 Q How long were you assigned to the 15th</p> <p>15 District?</p> <p>16 A I'm guessing again, I'm not 100 percent</p> <p>17 sure, but I did my probation there. So probably</p> <p>18 around six months, if I had to guess. I'm</p> <p>19 guessing.</p> <p>20 Q When you left the 15th District to go to</p> <p>21 the 2nd District, was that the result of a bidding</p> <p>22 process?</p> <p>23 A To the best of my knowledge, when I got</p> <p>24 sent to the 2nd District -- you get assigned to a</p>	23
22	<p>1 district after your -- right before the end of</p> <p>2 your probation, and you get assigned to a</p> <p>3 district, and I happened to get assigned to the</p> <p>4 2nd District.</p> <p>5 Q Okay. So that was not something that you</p> <p>6 had any ability to select or rank that you wanted</p> <p>7 to go to the 2nd District?</p> <p>8 A Not at all because at the time I was</p> <p>9 living up north, and I didn't want to go to the</p> <p>10 2nd District because it was quite a distance.</p> <p>11 Q How long did you work midnights in the 2nd</p> <p>12 District as a beat officer?</p> <p>13 A If I'm not mistaken, I think I got to the</p> <p>14 2nd District around June or July of '04, if I'm</p> <p>15 not mistaken; and so probably a couple of months</p> <p>16 before I went to tac in November of '04.</p> <p>17 Q Okay. Was going to the tac team something</p> <p>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</p> <p>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</p> <p>24 receive some training on how to write police</p>	24
	<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</p> <p>8 the blanks, to write the narratives stating the</p> <p>9 facts and what occurred to it, and filling out</p> <p>10 each box that was pertinent to the case.</p> <p>11 Q When you were taught to write up the</p> <p>12 narratives, were you trained to include</p> <p>13 information about which officer performed which</p> <p>14 tasks in the arrest?</p> <p>15 MR. KOSOKO: Objection; form of the</p> <p>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</p> <p>20 your training on writing police reports, about</p> <p>21 which officer should write up the narrative</p> <p>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>1 should be listed as the first arresting officer</p> <p>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</p> <p>6 is in box 1 is the one who is reporting the</p> <p>7 offense.</p> <p>8 Q Does that mean the person that's listed in</p> <p>9 Box 1 writes the narrative portion of the report?</p> <p>10 MR. BAZAREK: Object to the form of the</p> <p>11 question.</p> <p>12 MR. KOSOKO: Join.</p> <p>13 A Typically, yes. To the best of my</p> <p>14 knowledge, the person in Box 1 would typically</p> <p>15 write the narrative to the case report -- or the</p> <p>16 case report.</p> <p>17 Q When you were working midnights in the 2nd</p> <p>18 District before you became part of the tac team,</p> <p>19 was report writing part of your responsibilities?</p> <p>20 A Yes.</p> <p>21 Q And would supervisors review the reports</p> <p>22 that you wrote?</p> <p>23 A Yeah. Supervisors would review the</p> <p>24 reports. That's correct.</p>	

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Conducted on December 19, 2019

7 (25 to 28)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

8 (29 to 32)

<p style="text-align: right;">29</p> <p>1 job duties when you were assigned to patrol in the</p> <p>2 2nd District on midnights versus when you were on</p> <p>3 the tactical team?</p> <p>4 A For the most part when you're in that</p> <p>5 tactical unit, you're in plainclothes. For the</p> <p>6 most part, you don't answer any calls that are not</p> <p>7 urgent calls. You don't answer like domestic</p> <p>8 calls or anything like that, criminal trespass --</p> <p>9 or you could answer criminal trespass calls.</p> <p>10 The main difference, when you're working a</p> <p>11 beat car, you're in a uniform in a marked squad</p> <p>12 car.</p> <p>13 Q When you were part of the tactical team at</p> <p>14 the 2nd District, how would your duties for each</p> <p>15 shift be assigned?</p> <p>16 A Typical in my duties when I first got</p> <p>17 assigned was the same thing. I was assigned to</p> <p>18 the 264 housing, slash, tactical team.</p> <p>19 Q And what would you do on a particular --</p> <p>20 on a -- excuse me -- in a typical shift on that</p> <p>21 team, how would you know what your duties were for</p> <p>22 that shift?</p> <p>23 A My typical duties were basically the same</p> <p>24 thing every day. On some circumstances, we would</p>	<p style="text-align: right;">31</p> <p>1 team was senior to you in terms of experience?</p> <p>2 MR. BAZAREK: I will just object to the</p> <p>3 form of the question. It's a bit vague, and</p> <p>4 ambiguous.</p> <p>5 A I don't understand what you mean by</p> <p>6 experience.</p> <p>7 BY MS. KLEINHAUS:</p> <p>8 Q Were there people on that team who had</p> <p>9 more experience as a police officer than you did?</p> <p>10 A If you're talking about experience as a</p> <p>11 police officer, I was the baby on the team. I had</p> <p>12 the least amount of time on the team at the time.</p> <p>13 Q Who joined the team next after you?</p> <p>14 A I don't know. I don't understand the</p> <p>15 question.</p> <p>16 Q Did other people join the team after you</p> <p>17 joined the team?</p> <p>18 A We had other people join the 264 team, if</p> <p>19 that's what you're -- I still don't understand the</p> <p>20 complete question.</p> <p>21 Q Okay. What about it is confusing?</p> <p>22 A What do you mean joining, or when did they</p> <p>23 join?</p> <p>24 Q People were added to the team after you</p>
<p style="text-align: right;">30</p> <p>1 have roll call. Our sergeant would lead that roll</p> <p>2 call or any other supervisor would lead the roll</p> <p>3 call.</p> <p>4 During the roll call, they would tell us</p> <p>5 our shift that day, like if we were doing anything</p> <p>6 in particular; or they might even tell us what was</p> <p>7 happening in the district of recent shootings,</p> <p>8 burglaries, robberies, et cetera, anything</p> <p>9 pertinent that we should know that was happening</p> <p>10 inside the district.</p> <p>11 Q Who was part of the tactical team when you</p> <p>12 joined it?</p> <p>13 A When I first joined it was -- my</p> <p>14 supervisor was Ron Watts. Then there was Officer</p> <p>15 Young, Officer Jones, Bolton, Gonzalez, myself,</p> <p>16 Leano, Smith, and I believe Torres when I first --</p> <p>17 I got assigned to the 2nd District tactical.</p> <p>18 Q Torres, is that T-o-r-r-e-s?</p> <p>19 A I'm not 100 per- -- I don't know.</p> <p>20 Q Okay. What's Torres's first name?</p> <p>21 A I believe it's Cynthia, and it might be</p> <p>22 Tornes. I'm not 100 percent sure what -- it's</p> <p>23 Torres or Tornes.</p> <p>24 Q Okay. Other than Ron Watts, who on that</p>	<p style="text-align: right;">32</p> <p>1 were already on it; right?</p> <p>2 A Yes.</p> <p>3 Q Okay. Who was the next person who was</p> <p>4 added to the team?</p> <p>5 A I don't know.</p> <p>6 Q Who was your partner when you were first</p> <p>7 assigned to the tactical team?</p> <p>8 A My -- I got assigned to Officer Leano.</p> <p>9 That was my partner.</p> <p>10 Q Okay. Did he remain your partner</p> <p>11 throughout the time that you were on the tactical</p> <p>12 team?</p> <p>13 A Yes. And then I went back to the patrol</p> <p>14 for a couple months; and then when I went back to</p> <p>15 the tactical team, he was my partner.</p> <p>16 Q When did you go back to patrol for a</p> <p>17 couple months?</p> <p>18 A I believe it was sometime in 2008.</p> <p>19 Q And why did you go back to patrol in 2008?</p> <p>20 A To the best of my knowledge of why I did</p> <p>21 go back to patrol, because I didn't follow the</p> <p>22 chain of command.</p> <p>23 Q Was it a form of discipline that you were</p> <p>24 put back in patrol?</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

9 (33 to 36)

33	<p>1 A I really don't know. The reason that I</p> <p>2 think I went back to patrol, I had a trip booked</p> <p>3 and I had my airlines booked and everything. I</p> <p>4 went to my tactical lieutenant at the time, and I</p> <p>5 asked -- well, before that -- strike that. Before</p> <p>6 that I tried to put in time, and I got denied.</p> <p>7 So I went to my tactical lieutenant, asked</p> <p>8 him if I could get the time granted.</p> <p>9 He said, No.</p> <p>10 And I said, Okay. I'll talk to the</p> <p>11 district commander at the time.</p> <p>12 And he said, Don't worry about it. She is</p> <p>13 on my side. She is already aware of the</p> <p>14 situation. You're just going to waste your time.</p> <p>15 So I didn't know what to do. So I went to</p> <p>16 the first deputy at the time, spoke to him, and my</p> <p>17 time was granted. To the best of my knowledge, I</p> <p>18 thought that I got replaced and went back to</p> <p>19 patrol because I didn't follow the chain of</p> <p>20 command.</p> <p>21 Q Okay. When you say you didn't follow the</p> <p>22 chain of command, you mean because you skipped</p> <p>23 talking to the commander?</p> <p>24 A That's correct.</p>	35	<p>1 Sergeant Jones was, and I don't recall who the</p> <p>2 other sergeants were at the time.</p> <p>3 Q And that's Sergeant Jones -- that's not Al</p> <p>4 Jones; right?</p> <p>5 A No.</p> <p>6 Q What's the first name of that Sergeant</p> <p>7 Jones that you're referring to?</p> <p>8 A Donald Jones.</p> <p>9 Q How long were you reassigned to patrol</p> <p>10 in 2008?</p> <p>11 A If I had to guess, maybe six months or</p> <p>12 less, I would think. I'm guessing.</p> <p>13 Q Did you want to return to the tactical</p> <p>14 team?</p> <p>15 A I did.</p> <p>16 Q And why was that?</p> <p>17 A Because I liked the hours. I liked what I</p> <p>18 was doing back there. I felt comfortable with my</p> <p>19 partner, working with my partner, and I liked what</p> <p>20 I was doing. I thought I was a good officer and I</p> <p>21 liked -- I really liked what I was doing.</p> <p>22 Q What did you like about it?</p> <p>23 A I liked making a difference out there. I</p> <p>24 liked talking to citizens. I liked interacting</p>
34	<p>1 Q Who was the lieutenant that you spoke</p> <p>2 with?</p> <p>3 A That was Lieutenant Anthony Carothers.</p> <p>4 Q And who was the commander that he said was</p> <p>5 already aware and on his side?</p> <p>6 A That was Commander Genessa Lewis.</p> <p>7 Q And who was the first deputy that you</p> <p>8 spoke with?</p> <p>9 A I believe that was Joe Patterson.</p> <p>10 Q How did you find out that you were being</p> <p>11 moved back to patrol?</p> <p>12 A It was a to/from printed up in the CO</p> <p>13 book, and I believe my sergeant at the time</p> <p>14 informed me that I was going back to patrol.</p> <p>15 Q Was that Sergeant Watts?</p> <p>16 A No. I don't believe Sergeant Watts was</p> <p>17 there at the time.</p> <p>18 Q Who told -- which supervisor told you?</p> <p>19 A I do not know which supervisor it was. It</p> <p>20 was one of the supervisors that were in the</p> <p>21 tactical unit at the time.</p> <p>22 Q Who were the other supervisors in the</p> <p>23 tactical unit at the time?</p> <p>24 A I don't remember all of them. I know</p>	36	<p>1 with people. If a person was doing something</p> <p>2 wrong, I would enforce the law, and I would arrest</p> <p>3 that person.</p> <p>4 Q And how was that -- how was it different</p> <p>5 on the patrol side in terms of what you were doing</p> <p>6 or your interactions with citizens?</p> <p>7 A Basically, no different interactions with</p> <p>8 citizens.</p> <p>9 Q How did you get switched back into the</p> <p>10 tactical team?</p> <p>11 A I talked to the commander at the time, met</p> <p>12 with her, explained the situation. We talked, and</p> <p>13 then she reassigned me back to the tactical unit.</p> <p>14 Q Was that Commander Lewis?</p> <p>15 A Yes, it was.</p> <p>16 Q Did she tell you that you had been moved</p> <p>17 to patrol because you skipped a portion of the</p> <p>18 chain of command?</p> <p>19 A I don't recall. I don't know.</p> <p>20 Q When you were assigned to the tactical</p> <p>21 team, what areas of the 2nd District were you</p> <p>22 assigned to?</p> <p>23 A Could you repeat that question, ma'am.</p> <p>24 Q Sure. Let me try and ask it better.</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

10 (37 to 40)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

11 (41 to 44)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

12 (45 to 48)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

13 (49 to 52)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

14 (53 to 56)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

15 (57 to 60)

57	59
<p>1 A If I'm thinking of that same person, that</p> <p>2 his name is -- I'm not 100 percent what his last</p> <p>3 name is, yes, I think so, just passing by.</p> <p>4 Q Okay. You think you know who that is?</p> <p>5 A Do you know his first name?</p> <p>6 Q Calvin.</p> <p>7 A Just passing by and met him a couple</p> <p>8 times.</p> <p>9 Q Okay. Who on the 264 team smoked cigars?</p> <p>10 MR. KOSOKO: Objection; form of the</p> <p>11 question, foundation.</p> <p>12 A At work?</p> <p>13 Q Ever.</p> <p>14 MR. KOSOKO: Same objection.</p> <p>15 MR. BAZAREK: I'll join in that objection.</p> <p>16 A I don't understand. When -- have I ever?</p> <p>17 Like have I ever smoked a cigar?</p> <p>18 Q Yes.</p> <p>19 A I don't -- I don't -- okay. I smoked a</p> <p>20 cigar in my life. I've seen Officer Jones smoke a</p> <p>21 cigar before, Officer Watts or Sergeant Watts. I</p> <p>22 believe, I'm not 100 percent sure, Officer Smith</p> <p>23 smoked cigars, and I believe that was it that I've</p> <p>24 seen people smoke a cigar, I do believe.</p>	<p>1 MR. KOSOKO: I'm going to object to the</p> <p>2 form of the question, vague, ambiguous.</p> <p>3 MR. BAZAREK: Join.</p> <p>4 A Yes, I knew some of the residents down --</p> <p>5 we talked to residents down on the Ida B. Wells</p> <p>6 housing complex.</p> <p>7 BY MS. KLEINHAUS:</p> <p>8 Q Okay. Who do you know from the Ida B.</p> <p>9 Wells housing complex?</p> <p>10 A One in particular I know is a lady called</p> <p>11 Ms. Campbell.</p> <p>12 Q Okay. And what do you know about</p> <p>13 Ms. Campbell?</p> <p>14 A I know she is a really nice old lady. God</p> <p>15 rest her soul. She passed away. That's basically</p> <p>16 what I know about Ms. Campbell.</p> <p>17 Q Okay. Anyone else that you knew or know</p> <p>18 who was a resident of Ida B. Wells?</p> <p>19 A I knew other people but -- I talked to</p> <p>20 them, but I didn't talk to them like I talked to</p> <p>21 Ms. Campbell.</p> <p>22 Q Okay. How did you form your relationship</p> <p>23 with Ms. Campbell?</p> <p>24 A From being down there and working down at</p>
58	60
<p>1 Q Have you ever talked to anyone who is a</p> <p>2 former or current member of the 264 team about the</p> <p>3 fact that you're on administrative duty?</p> <p>4 A Could you repeat that question?</p> <p>5 Q Sure. Have you ever talked to anyone who</p> <p>6 is a former member of the 264 team or a current</p> <p>7 member of the 264 team about the fact that you're</p> <p>8 on administrative duty?</p> <p>9 MR. BAZAREK: Again, this is outside of</p> <p>10 conversations when counsel is present.</p> <p>11 Q Right. Don't tell me anything you talked</p> <p>12 about with your attorney.</p> <p>13 A Just basically Officer Gonzalez and</p> <p>14 Officer Leano, and basically, we were saying that</p> <p>15 we don't think it's right that we're in this</p> <p>16 position and we're being treated unfairly, I</p> <p>17 believe.</p> <p>18 Q Did you ever talk to either of them about</p> <p>19 any of the specific cases, lawsuits that have been</p> <p>20 brought against you?</p> <p>21 A No.</p> <p>22 Q When you were assigned to the 264 team,</p> <p>23 did you become familiar with residents of the</p> <p>24 Ida B. Wells housing complex?</p>	<p>1 Ida B. Wells almost every day and just had a</p> <p>2 relationship with her.</p> <p>3 Q Where in Ida B. Wells did Ms. Campbell</p> <p>4 live?</p> <p>5 A When she lived down in Ida B. Wells, she</p> <p>6 lived at 575 East Browning.</p> <p>7 Q Okay. Any particular floor or unit that</p> <p>8 you recall?</p> <p>9 A First floor.</p> <p>10 Q Do you know which apartment she had on the</p> <p>11 first floor?</p> <p>12 A I don't -- don't remember, don't recall</p> <p>13 the apartment number.</p> <p>14 Q Okay. Do you know who lived there with</p> <p>15 her?</p> <p>16 A I know other people lived there. I don't</p> <p>17 know everyone that lived there.</p> <p>18 Q Okay. Who do you know that lived there</p> <p>19 with her?</p> <p>20 A I believe a kid named Kiki. I don't know</p> <p>21 how to spell that. And I believe a female lived</p> <p>22 there, and I don't know her name either, and small</p> <p>23 children that I recall.</p> <p>24 Q Was Kiki male or female?</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

16 (61 to 64)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

17 (65 to 68)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

18 (69 to 72)

69	<p>1 now.</p> <p>2 MR. PALLES: I join in the objection on</p> <p>3 the grounds that it's abusive of the discovery</p> <p>4 process and disproportionate to the needs of the</p> <p>5 case.</p> <p>6 MR. KOSOKO: Watts will join in that</p> <p>7 objection also.</p> <p>8 MR. NOLAND: Join.</p> <p>9 A I forgot where we were, ma'am.</p> <p>10 BY MS. KLEINHAUS:</p> <p>11 Q The next stolen car incident that you</p> <p>12 recall.</p> <p>13 A Just that it was a stolen vehicle also.</p> <p>14 Q Anything different about that memory than</p> <p>15 the other stolen car you just told us about?</p> <p>16 MR. BAZAREK: Object to the form of the</p> <p>17 question --</p> <p>18 MR. KOSOKO: Join.</p> <p>19 MR. BAZAREK: -- vague, ambiguous,</p> <p>20 confusing.</p> <p>21 A Not that I recall.</p> <p>22 Q So how many separate stolen car incidents</p> <p>23 do you recall?</p> <p>24 MR. KOSOKO: Again, standing objection,</p>	71	<p>1 Q Okay. Can you describe the other cases in</p> <p>2 your career that you do recall, even if you can't</p> <p>3 remember the names?</p> <p>4 A I know I've had incidents where --</p> <p>5 MR. NOLAND: So I'm going to object just</p> <p>6 for the record that I think we're potentially</p> <p>7 leading to -- it's almost like setting him up for</p> <p>8 potentially inaccurate testimony when you're not</p> <p>9 nailing down specific cases or incidents and just</p> <p>10 randomly saying what did you do in your life. It</p> <p>11 just doesn't seem like an appropriate use of</p> <p>12 questions or the process.</p> <p>13 MR. BAZAREK: And there's an unfairness to</p> <p>14 it, I'll add, that I guess if you want to question</p> <p>15 him about every arrest he has ever had in his</p> <p>16 career, that, you know, he have the opportunity to</p> <p>17 review every arrest if you want to ask questions</p> <p>18 about it. So I'm not saying to do that, but it is</p> <p>19 unfair in terms of this line of questioning. I</p> <p>20 have already made my objection.</p> <p>21 MS. KLEINHAUS: Okay. You all have made</p> <p>22 your standing objection. It's on the record. I'm</p> <p>23 permitted to test his memory, so we're going to</p> <p>24 proceed.</p>
70	<p>1 along with the Hale firm regarding this line of</p> <p>2 questioning.</p> <p>3 MR. BAZAREK: Yeah. There's a standing</p> <p>4 objection to all these questions.</p> <p>5 A I remember probably a handful of stolen</p> <p>6 cars that I was on. I remember -- just remember</p> <p>7 that it was a stolen car arrest.</p> <p>8 BY MS. KLEINHAUS:</p> <p>9 Q Okay. How are you distinguishing one</p> <p>10 stolen car arrest from another in your memory?</p> <p>11 MR. KOSOKO: Object to the form of the</p> <p>12 question.</p> <p>13 A I'm not. I just remember that it was a</p> <p>14 stolen vehicle.</p> <p>15 Q Okay. So your memory is that you know you</p> <p>16 were involved in some stolen car arrests.</p> <p>17 A That's correct.</p> <p>18 Q Okay. Other than the incidents you've</p> <p>19 told us about, what other arrests do you recall?</p> <p>20 A On these particular cases, I remember the</p> <p>21 Ben Baker case. I remember the Anthony McDaniels</p> <p>22 case and I don't remember -- I don't -- I'm sure</p> <p>23 there's other cases that I've been involved in,</p> <p>24 but I don't remember their names.</p>	72	<p>1 MR. BAZAREK: I want to take a break.</p> <p>2 MR. PALLES: Yeah.</p> <p>3 THE VIDEOGRAPHER: Off the record, 11:33.</p> <p>4 (A recess was taken from 11:33 a.m. to</p> <p>5 11:47 a.m.)</p> <p>6 THE VIDEOGRAPHER: Back on the record,</p> <p>7 11:47.</p> <p>8 MR. BAZAREK: I'd like to state that if</p> <p>9 this same line of questioning continues, I believe</p> <p>10 we're going to need to speak with the Judge. I</p> <p>11 can't imagine where if I was deposing your clients</p> <p>12 and asking questions about every day in their life</p> <p>13 that they sold cocaine or heroin or ingested</p> <p>14 heroin or cocaine, and let's start over from the</p> <p>15 first time they took drugs until the last time.</p> <p>16 You probably would agree that that's</p> <p>17 abusive-type questioning which is -- I think</p> <p>18 that's what we have here. So I think we need to</p> <p>19 talk with the Judge.</p> <p>20 MS. KLEINHAUS: Okay. I take offense at</p> <p>21 your characterization of my clients. I also take</p> <p>22 offense to the characterization of the line of</p> <p>23 questioning. I haven't asked him about every day.</p> <p>24 I'm simply testing his memory of what he remembers</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

19 (73 to 76)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

20 (77 to 80)

77	<p>1 what you're doing.</p> <p>2 You're asking him tell me every arrest</p> <p>3 that you have had since you've been a Chicago</p> <p>4 police officer that you recall. Is that not what</p> <p>5 you're asking him or not?</p> <p>6 MS. KLEINHAUS: The record speaks for</p> <p>7 itself. So are you going to file something right</p> <p>8 now on an expedited basis or not?</p> <p>9 MR. NOLAND: Why not -- maybe this would</p> <p>10 be a solution is that you move on now. You give</p> <p>11 Mr. Nichols' counsel time to evaluate the</p> <p>12 questions and then -- we're back here tomorrow,</p> <p>13 aren't we?</p> <p>14 And so that if this -- it would then --</p> <p>15 this does affect, I think, all parties too because</p> <p>16 he's a witness in these cases, that we could</p> <p>17 evaluate it and put something on file tonight, if</p> <p>18 necessary, and hopefully, have a review -- a</p> <p>19 resolution by tomorrow, and then you can get back</p> <p>20 into the topic tomorrow.</p> <p>21 MS. KLEINHAUS: I'm going to finish the</p> <p>22 line of questions about what he remembers. If you</p> <p>23 want to file something tonight, obviously, you're</p> <p>24 welcome to do that.</p>	79	<p>1 MS. KLEINHAUS: I would prefer to finish</p> <p>2 my questioning today, and that's what I intend</p> <p>3 to do.</p> <p>4 MR. PALLES: Okay.</p> <p>5 MR. NOLAND: Should we take a break?</p> <p>6 MR. BAZAREK: Yeah. Let's take another</p> <p>7 break.</p> <p>8 MS. KLEINHAUS: Okay. Let's go off the</p> <p>9 record.</p> <p>10 THE VIDEOGRAPHER: Off the record at</p> <p>11 11:59.</p> <p>12 (A recess was taken from 11:59 a.m. to</p> <p>13 1:04 p.m.)</p> <p>14 THE VIDEOGRAPHER: Back on the record,</p> <p>15 1:04.</p> <p>16 MS. KLEINHAUS: Okay. Prior to the break,</p> <p>17 we agreed to take a lunch break so that counsel</p> <p>18 could get the transcript of the last line of</p> <p>19 questioning and can decide this afternoon whether</p> <p>20 to file an expedited motion.</p> <p>21 We're going to proceed this afternoon</p> <p>22 avoiding that line of questioning, and we can come</p> <p>23 back to it after you've made a decision on whether</p> <p>24 you're going to file; is that fair?</p>
78	<p>1 MR. NOLAND: Why can't you wait? The</p> <p>2 Court just told us that she couldn't take it now.</p> <p>3 MR. BAZAREK: Ms. Court Reporter, could</p> <p>4 you right now where this line of questioning</p> <p>5 began -- are you able to send that transcript via</p> <p>6 e-mail to me right now? Are you able to do that,</p> <p>7 and we can take a break?</p> <p>8 THE REPORTER: I need to read through it.</p> <p>9 MR. BAZAREK: How long would that take?</p> <p>10 MS. KLEINHAUS: Under Rule 30, you get to</p> <p>11 make your objections. I get to keep asking</p> <p>12 questions. If you want to file for a protective</p> <p>13 order, you can do that tonight.</p> <p>14 This is a perfectly reasonable line of</p> <p>15 questioning, and I'm going to finish it up, and</p> <p>16 you can do standing objections or you can object</p> <p>17 every time. It's up to you.</p> <p>18 MR. PALLES: May I ask this? First of</p> <p>19 all, expedited doesn't mean it has to be filed</p> <p>20 tonight. So if everybody were to walk out here</p> <p>21 and say that we're going to bring it -- we're</p> <p>22 going to get a transcript over the next week or</p> <p>23 two, and you could reschedule him sometime in</p> <p>24 February or March, would you prefer to do that?</p>	80	<p>1 MR. BAZAREK: Yeah, I appreciate that,</p> <p>2 Counsel.</p> <p>3 MS. KLEINHAUS: Okay.</p> <p>4 BY MS. KLEINHAUS:</p> <p>5 Q Are you familiar with the term "reverse</p> <p>6 sting"?</p> <p>7 A Yes.</p> <p>8 Q Okay. What is a reverse sting?</p> <p>9 A A reverse sting is where you have officers</p> <p>10 outside the building or wherever you are, the</p> <p>11 location, and you have officers acting as drug</p> <p>12 dealers trying to sell narcotics to passers-by or</p> <p>13 whomever comes to purchase narcotics.</p> <p>14 Q Were you part of reverse sting operations</p> <p>15 at the Ida B. Wells housing complex?</p> <p>16 A I have.</p> <p>17 Q Okay. And what was your role in reverse</p> <p>18 stings?</p> <p>19 A My role is an enforcement officer or a</p> <p>20 takedown officer. It depends on where we were.</p> <p>21 Q Okay. What does an enforcement officer</p> <p>22 do?</p> <p>23 A An enforcement officer is just</p> <p>24 basically -- we're in a secure -- or not secure,</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

21 (81 to 84)

<p style="text-align: right;">81</p> <p>1 in a place, and we watch the individuals that come</p> <p>2 in that tried to purchase narcotics.</p> <p>3 Q Okay. And in Ida B. Wells, where would</p> <p>4 you be physically if you were acting as the</p> <p>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</p> <p>8 the form of the question, vague, and ambiguous.</p> <p>9 A In Ida B. Wells, I'd be located inside the</p> <p>10 building.</p> <p>11 Q And where inside the building would you be</p> <p>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</p> <p>16 in, but I'd be on the first floor.</p> <p>17 Q Okay. Would you be hidden from view in</p> <p>18 some way?</p> <p>19 A Yes. I wouldn't be in plain view for</p> <p>20 outside people to see me inside the building.</p> <p>21 Q Okay. Can you describe what the first</p> <p>22 floor in Ida B. Wells -- what the layout of that</p> <p>23 space was?</p> <p>24 A I'm not 100 percent, but I know there's a</p>	<p style="text-align: right;">83</p> <p>1 Ida B. Wells housing complex.</p> <p>2 Q So were you thinking of one of those</p> <p>3 buildings in particular when you described the</p> <p>4 layout of the first floor?</p> <p>5 A If I remember right, the building that I</p> <p>6 described was -- they were basically similar to</p> <p>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 --</p> <p>10 511, 527, 540, 559, 574, and 575, if I'm not</p> <p>11 mistaken, were all similar.</p> <p>12 Q Okay. What were some of the places on the</p> <p>13 first floor of those buildings where you could be</p> <p>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</p> <p>20 now.</p> <p>21 Q Okay. And you mentioned another role that</p> <p>22 you would sometimes play in the reverse stings</p> <p>23 besides the enforcement officer.</p> <p>24 What was that role?</p>
<p style="text-align: right;">82</p> <p>1 front door and a back door. There's two different</p> <p>2 stairwells going up. There was -- I believe there</p> <p>3 was two elevators inside the lobby area, and then</p> <p>4 there was, like, maybe a hallway leading to</p> <p>5 another apartment, I believe. I'm not 100 percent</p> <p>6 sure exactly.</p> <p>7 MR. KOSOKO: And I'm sorry to do this, but</p> <p>8 I do have an objection regarding foundation,</p> <p>9 ambiguous, and vague question.</p> <p>10 BY MS. KLEINHAUS:</p> <p>11 Q When you -- the description that you just</p> <p>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</p> <p>15 gave for an Ida B. Wells high rise type building?</p> <p>16 A I wouldn't call the Ida B. Wells housing</p> <p>17 complex a high-rise.</p> <p>18 Q Okay. What buildings are you familiar</p> <p>19 with that were part of the Ida B. Wells housing</p> <p>20 complex?</p> <p>21 A Well, there was 511 East Browning, 527</p> <p>22 East Browning, 540 East 36th Street, 559 East</p> <p>23 Browning, 575 East Browning, 574 East 36th Street,</p> <p>24 and then there was scattered sites in the</p>	<p style="text-align: right;">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</p> <p>4 they -- tried to purchase narcotics, and get them</p> <p>5 out of the area.</p> <p>6 Q Okay. Would it be the responsibility of</p> <p>7 the takedown officer to put handcuffs on the</p> <p>8 person being arrested?</p> <p>9 MR. KOSOKO: I'm going to object, just</p> <p>10 form, foundation.</p> <p>11 A Maybe, sometimes, yes.</p> <p>12 Q What's the difference between what the</p> <p>13 enforcement officer would do and what the takedown</p> <p>14 officer would do?</p> <p>15 A Basically, a takedown officer, like I</p> <p>16 said, if we didn't have a secure location, we'd</p> <p>17 come in there in a squad car or maybe on foot,</p> <p>18 grab the person and get him out of the area.</p> <p>19 The enforcement officers were just in the</p> <p>20 secure area watching the offenders.</p> <p>21 Q Other than the enforcement officer and the</p> <p>22 takedown officer, what were the other typical</p> <p>23 roles in a reverse sting?</p> <p>24 A For me personally or --</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

22 (85 to 88)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

23 (89 to 92)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

24 (93 to 96)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

25 (97 to 100)

97	<p>1 Q Have you ever been aware of another police 2 officer fabricating a police report?</p> <p>3 A No. I never saw anyone -- absolutely not 4 have I ever witnessed that.</p> <p>5 Q Have you ever witnessed another officer 6 plant drugs on someone?</p> <p>7 A No.</p> <p>8 Q Have you ever arrested someone because 9 they would not give you information about the drug 10 trade?</p> <p>11 MR. KOSOKO: I object to the form of the 12 question, vague, and ambiguous.</p> <p>13 A No, I have never not arrested someone that 14 would not give me information.</p> <p>15 Q Have you ever observed another officer 16 arrest someone because the person refused to give 17 information about the drug trade?</p> <p>18 A No, never, absolutely not, no.</p> <p>19 Q I want to talk to you about my client 20 Andre McNairy.</p> <p>21 Do you know Mr. McNairy?</p> <p>22 A I believe I heard his name before, and 23 that's about the extent I know Andre McNairy.</p> <p>24 Q Okay. Have you reviewed the complaint</p>	99	<p>1 Q Okay. Did you review any testimony from 2 that trial in preparation for your deposition 3 today?</p> <p>4 A I don't believe so, no.</p> <p>5 (Nichols Deposition Exhibit 3 marked for 6 identification and attached to the transcript.)</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>16 THE VIDEOGRAPHER: Off the record, 1:30. 17 (A recess was taken from 1:30 p.m. to 18 1:41 p.m.)</p> <p>19 THE VIDEOGRAPHER: Back on the record, 20 1:41.</p> <p>21 BY MS. KLEINHAUS:</p> <p>22 Q Okay. Sir, having reviewed Exhibit 3, did 23 that refresh your recollection at all about the 24 arrest of Andre McNairy?</p>
98	<p>1 that he filed in this lawsuit?</p> <p>2 A No, I don't believe I have.</p> <p>3 (Nichols Deposition Exhibit 2 marked for 4 identification and attached to the transcript.)</p> <p>5 BY MS. KLEINHAUS:</p> <p>6 Q I'm going to show you what we'll mark as 7 Exhibit 2. If you could look at that, please.</p> <p>8 It's a photo of Mr. McNairy, and it's 9 marked with his name there.</p> <p>10 Does seeing that photo refresh your 11 recollection at all as to who Mr. McNairy is?</p> <p>12 A No.</p> <p>13 Q You can put that to the side.</p> <p>14 Did you review documents related to the 15 arrest of Mr. McNairy as part of your preparation 16 for the deposition today?</p> <p>17 A I might have briefly looked at his arrest 18 report and case report.</p> <p>19 Q Okay. Did that allow you to remember 20 anything about his arrest?</p> <p>21 A No.</p> <p>22 Q Okay. Do you recall testifying in 23 Mr. McNairy's criminal trial?</p> <p>24 A I don't.</p>	100	<p>1 A No, it does not.</p> <p>2 (Nichols Deposition Exhibit 4 marked for 3 identification and attached to the transcript.)</p> <p>4 BY MS. KLEINHAUS:</p> <p>5 Q Okay. I'm going to show you the arrest 6 report from that arrest. We'll mark it as 7 Exhibit 4.</p> <p>8 A Do you want me to put this off to the 9 side?</p> <p>10 Q Yes, please.</p> <p>11 Okay. Turn please to the narrative 12 section.</p> <p>13 Is this one of the reports that you 14 reviewed in preparation for your deposition today?</p> <p>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.</p> <p>19 Q Okay. Read the narrative section, please, 20 and then I'm going to ask you some questions about 21 it.</p> <p>22 A Okay.</p> <p>23 Q Did reviewing that narrative help you 24 recall this arrest at all?</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

26 (101 to 104)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

27 (105 to 108)

105	<p>1 (Nichols Deposition Exhibit 7 marked for 2 identification and attached to the transcript.) 3 BY MS. KLEINHAUS: 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. 7 Have you reviewed his affidavit before? 8 A I don't believe so, no. 9 Q Okay. Go ahead and take a moment to 10 review it, please. 11 MR. PALLES: This is 6 or 7? 12 MS. KLEINHAUS: No. 7. 13 A Okay. 14 Q Okay. Having reviewed this affidavit, 15 does that allow you to recall who Mr. McNairy is? 16 A No, it does not. 17 Q Does it refresh your recollection at all 18 about the arrest of Mr. McNairy? 19 A No, it does not. 20 Q Okay. I want to turn your attention to 21 the third paragraph in this affidavit. It's at 22 the bottom of the first page. It says -- this is 23 talking about something that happened a few weeks 24 before the arrest that we just -- I just showed</p>	107	<p>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? 6 A Yes. 7 MR. PALLES: I object. 8 BY MS. KLEINHAUS: 9 Q Okay. That would be a violation of his 10 rights, wouldn't it? 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. 14 MR. PALLES: I'm going to object to laying 15 a foundation. 16 MR. BAZAREK: Further object to the 17 hypothetical. 18 A If they didn't have any other reason to 19 bring him into the station, that's correct. 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." 24 Do you know whether that happened or not?</p>
106	<p>1 you all the reports for. Okay. 2 It says that Mr. McNairy was by himself at 3 40th and Oakwood when you and Officer Gonzalez 4 stopped him and asked about drugs. 5 Do you know whether that encounter 6 happened or not? 7 A I don't know if I had any encounter with 8 him that day, no. 9 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." 12 Do you see that? 13 A Yes. 14 Q Okay. Do you know whether that discussion 15 or conversation happened or not? 16 A I know that conversation never happened. 17 Q And how do you know that? 18 A Because I never asked him that. 19 Q And why do you think you never asked him 20 that? 21 A Because I wouldn't bring him in the 22 station and ask him for heroin if I didn't observe 23 it. 24 Q Okay. And if you had -- I know you're</p>	108	<p>1 A That did not happen. 2 Q Okay. Why do you believe that did not 3 happen? 4 A Because I never strip searched him or did 5 I observe anyone strip search him. 6 Q How do you know that? 7 A Because I never strip searched someone in 8 my career. 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? 12 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. 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? 19 A Yes. 20 MR. PALLES: Object. Lay a foundation. 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</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

28 (109 to 112)

<p style="text-align: right;">109</p> <p>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." 4 Do you know whether or not that happened? 5 A I don't know. I don't recall this 6 incident. 7 Q Okay. Turn with me, please, to 8 paragraph 11. 9 Mr. McNairy mentions a Mohammed Blanden. 10 He was also mentioned in some of the previous 11 reports I showed you. 12 Do you know who Mr. Blanden is? 13 A No. I can't say that I do. 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." 19 Did you ever observe that conversation? 20 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. 24 Q Okay. You can put that exhibit to the</p>	<p style="text-align: right;">111</p> <p>1 today? 2 A Maybe briefly, yes. 3 Q Okay. Do you know which reports you 4 reviewed? 5 A Maybe a general case report -- or a vice 6 case report, a booking photo, and the arrest 7 report, if any. 8 Q Okay. You said you may have looked at 9 those or you looked at them? 10 A I don't recall. I believe I did. I can't 11 recall if I did or didn't. 12 (Nichols Deposition Exhibit 9 marked for 13 identification and attached to the transcript.) 14 Q Okay. I'll hand you what we'll mark as 15 Exhibit 9. It's the arrest report for Chris 16 Scott. 17 MR. KOSOKO: Do you mean to give me the 18 vice case report for this? 19 MS. KLEINHAUS: I didn't, but hang on to 20 it. You'll need it in a second. 21 Q Review the narrative portion of this 22 report, please. 23 A Okay. 24 Q Okay. Did reviewing that narrative</p>
<p style="text-align: right;">110</p> <p>1 side. 2 I'd like to talk to you about my client 3 Christopher Scott. 4 Do you know who Mr. Scott is? 5 A I think I heard of the name before, yes. 6 Q Okay. Other than having heard the name 7 before, do you know anything about Mr. Scott? 8 A Not that I recall, no. 9 Q Okay. Do you know of any nicknames for 10 Mr. Scott? 11 A No. Not that I recall, no. 12 Q Okay. Do you recall anyone in the 13 Ida B. Wells housing complex with the nickname 14 Greedy? 15 A Greedy? No. 16 (Nichols Deposition Exhibit 8 marked for 17 identification and attached to the transcript.) 18 Q I'm going to show you what we'll mark as 19 Exhibit 14. Sorry, my bad, Exhibit 8. 20 Do you recognize the person that you see 21 in Exhibit 8? 22 A No, I don't. 23 Q Did you review reports related to 24 Mr. Scott in preparation for your deposition</p>	<p style="text-align: right;">112</p> <p>1 portion of the report refresh your recollection at 2 all about the arrest of Chris Scott? 3 A No, it does not. 4 Q Okay. Turn with me to the fifth page of 5 this exhibit. You're listed there as an assisting 6 arresting officer. 7 Do you know what you did to assist with 8 this arrest? 9 A No, I do not. 10 Q Can you think of anything that you could 11 review that would tell you what you did? 12 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. 17 Q Right. Do you know of anything -- any 18 documents that would tell us what your role was 19 specifically? 20 MR. BAZAREK: Other than what he just 21 testified to? 22 A Other than maybe the vice -- or the 23 inventory slip, maybe. 24 Q Okay. Other than the inventory slip, is</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

29 (113 to 116)

113	<p>1 there anything that could tell us what you did?</p> <p>2 A Not that I'm aware of, no.</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 A Maybe the narrative in the arrest report</p> <p>17 or the case report of what I did.</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 A Other than the case report and the arrest</p> <p>24 report, I don't believe so, no.</p>	115	<p>1 the arrest of Christopher Scott?</p> <p>2 A No.</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 A Where the -- could you repeat that</p> <p>13 question, ma'am.</p> <p>14 Q Sure. You've read paragraph 3; right?</p> <p>15 A Yes.</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 A No, never.</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>
114	<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 A Okay.</p> <p>10 Q Does reviewing this vice case report</p> <p>11 refresh your recollection about this arrest?</p> <p>12 A It does not.</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 A Okay.</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 A No.</p> <p>24 Q Does it refresh your recollection about</p>	116	<p>1 A No, never, no.</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 A I don't know.</p> <p>7 Q Would it be more than 10 times?</p> <p>8 A Like I said, I don't know. I don't know.</p> <p>9 I'd be guessing. I don't know.</p> <p>10 Q You have no idea if it's 2 times or 100</p> <p>11 times?</p> <p>12 A Like I said, I don't know an exact number.</p> <p>13 I don't know.</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 A No, I don't know. I don't know.</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 A Excuse me?</p> <p>20 Q Where would the reverse stings take place?</p> <p>21 A Like I stated before, the reverse stings,</p> <p>22 I would be inside the building, and then the</p> <p>23 officers would be outside the building.</p> <p>24 Q The officers posing as drug dealers would</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

30 (117 to 120)

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

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Transcript of Douglas Nichols
Conducted on December 19, 2019

31 (121 to 124)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

32 (125 to 128)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

33 (129 to 132)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

34 (133 to 136)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

35 (137 to 140)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

36 (141 to 144)

<p style="text-align: right;">141</p> <p>1 A Not that I can recall, no.</p> <p>2 Q Okay. Do you know whether you have</p> <p>3 reviewed a lawsuit -- a complaint filed by Brian</p> <p>4 Hunt in these cases?</p> <p>5 A Not that I'm aware of, no.</p> <p>6 (Nichols Deposition Exhibit 22 marked for</p> <p>7 identification and attached to the transcript.)</p> <p>8 Q I'm going to show you a photo -- an</p> <p>9 exhibit that we'll mark as Exhibit 22.</p> <p>10 Do you recognize the person depicted in</p> <p>11 that photo?</p> <p>12 A I don't.</p> <p>13 Q You can put that to the side.</p> <p>14 (Nichols Deposition Exhibit 23 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 23. This is the arrest report of Brian</p> <p>18 Hunt.</p> <p>19 Did you review reports related to an</p> <p>20 arrest of Brian Hunt in preparation for your</p> <p>21 deposition today?</p> <p>22 A Probably, briefly, yes.</p> <p>23 Okay.</p> <p>24 Q Having reviewed the arrest report, does</p>	<p style="text-align: right;">143</p> <p>1 A No, I don't. That I recall, no.</p> <p>2 Q Okay. Turning your attention to the third</p> <p>3 paragraph of this affidavit, do you know whether</p> <p>4 or not what's described there happened or not?</p> <p>5 A No. It did not happen. Because reading</p> <p>6 the case report, I believe it did not happen, and</p> <p>7 I would say it didn't happen.</p> <p>8 Q Okay. Is there something in the case</p> <p>9 report that you think contradicts what's in</p> <p>10 paragraph 3?</p> <p>11 A It doesn't -- the narrative in the case</p> <p>12 report doesn't say they were ever in a bathroom.</p> <p>13 Q Okay. Is that something that you</p> <p>14 typically would include in the narrative of a case</p> <p>15 report?</p> <p>16 A Most definitely.</p> <p>17 Q And why is that?</p> <p>18 A If it was pertinent to the case, yes, you</p> <p>19 would -- to this, yes.</p> <p>20 Q Okay. And why would it be pertinent to</p> <p>21 the case that you questioned someone in the</p> <p>22 bathroom?</p> <p>23 A Why would you -- why would you question</p> <p>24 him? Like how he states, why would you say where</p>
<p style="text-align: right;">142</p> <p>1 that refresh your recollection about the arrest of</p> <p>2 Mr. Hunt?</p> <p>3 A It does not.</p> <p>4 Q Put that to the side.</p> <p>5 (Nichols Deposition Exhibit 24 marked for</p> <p>6 identification and attached to the transcript.)</p> <p>7 Q I'm going to show you what we'll mark as</p> <p>8 Exhibit 24. This is the vice case report of the</p> <p>9 arrest of Mr. Hunt.</p> <p>10 A Okay.</p> <p>11 Q Having reviewed the vice case report, does</p> <p>12 that refresh your recollection about the arrest of</p> <p>13 Mr. Hunt?</p> <p>14 A Does not.</p> <p>15 (Nichols Deposition Exhibit 25 marked for</p> <p>16 identification and attached to the transcript.)</p> <p>17 Q I'm going to show you what we'll mark as</p> <p>18 Exhibit 25. This is the affidavit of Mr. Hunt.</p> <p>19 A Okay.</p> <p>20 Q Having reviewed the affidavit of Mr. Hunt,</p> <p>21 does that refresh your recollection at all about</p> <p>22 any encounters you've had with him?</p> <p>23 A No, it does not.</p> <p>24 Q Do you know who Deonta Smith is?</p>	<p style="text-align: right;">144</p> <p>1 are the drugs in a bathroom? Why?</p> <p>2 Q Okay. So other than the fact that a</p> <p>3 description of questioning in the bathroom isn't</p> <p>4 in the narrative section of the report, do you</p> <p>5 have any other reason that you believe what's</p> <p>6 described in paragraph 3 didn't happen?</p> <p>7 A Yes. Because I believe I had no other</p> <p>8 facts stating otherwise, that it would -- all</p> <p>9 that's true on the case report and the arrest</p> <p>10 report is not factual.</p> <p>11 Q Okay. Other than those reports, are you</p> <p>12 relying on anything else, in your opinion, that</p> <p>13 what's described in paragraph 3 didn't happen?</p> <p>14 A Just on the reports, no.</p> <p>15 Q Okay. I think I may have asked a bad</p> <p>16 question.</p> <p>17 Are you relying on anything else besides</p> <p>18 the reports to come to your conclusion that what's</p> <p>19 described in paragraph 3 didn't happen?</p> <p>20 A I'm just relying on the reports.</p> <p>21 Q Okay. You can put that exhibit to the</p> <p>22 side.</p> <p>23 Do you know who Willie Martin is?</p> <p>24 A Not that I recall, no.</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

37 (145 to 148)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

38 (149 to 152)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

39 (153 to 156)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

40 (157 to 160)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

41 (161 to 164)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

42 (165 to 168)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

43 (169 to 172)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

44 (173 to 176)

<p style="text-align: right;">173</p> <p>1 (Nichols Deposition Exhibit 35 marked for 2 identification and attached to the transcript.) 3 Q Exhibit 35 is the affidavit of Lionel 4 White, Jr. 5 A Okay. 6 Q Okay. Having reviewed the affidavit of 7 Lionel White, Jr., does that refresh your 8 recollection about any encounters with him? 9 A No, it does not. 10 Q Okay. Looking to the second paragraph it 11 refers to officers Mohammed, Jones, and Smitty. 12 Do you see that? 13 A I do. 14 Q Do you know Officer Smith to go by the 15 nickname Smitty? 16 A Yes. 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." 24 Do you see that?</p>	<p style="text-align: right;">175</p> <p>1 Q You can put that to the side. 2 (Nichols Deposition Exhibit 37 marked for 3 identification and attached to the transcript.) 4 Q Showing you what's been marked as 5 Exhibit 37, it's the arrest report for Frank 6 Saunders. 7 A Okay. 8 Q Having reviewed that report, does that 9 refresh your recollection at all about the arrest 10 of Frank Saunders? 11 A It does not. 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? 16 A If I was -- I don't know if I completed 17 the first headings, but I'm almost positive I did. 18 Q Okay. If you were the person assigned to 19 complete the headings, what on the first 20 page would you complete? 21 A I could have completed the narrative too. 22 I don't know. 23 Q Okay. And putting aside the narrative, 24 just focusing on the first page, what do we see</p>
<p style="text-align: right;">174</p> <p>1 A I do. 2 Q Do you have any basis on which to dispute 3 that paragraph? 4 A I think it's a complete lie; and reading 5 the arrest report, it did not happen. 6 Q Okay. And that's based on your reliance 7 on the reports; right? 8 A That's correct. 9 Q Okay. You can put that to the side. 10 Do you know who Frank Saunders is? 11 A No, I don't. 12 Q Have you ever read the complaint and the 13 lawsuit that Frank Saunders filed against you? 14 A I'm not sure if I read the complaint. 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 A Okay. 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 A No, it does not.</p>	<p style="text-align: right;">176</p> <p>1 there that are headings that you would have 2 completed if you were the one assigned to complete 3 the headings? 4 A Well, if you're assigned -- his name, 5 address, date of birth. Do you want me to go 6 through the whole thing? 7 Q Yes, please. 8 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. 16 Q Let me stop you there. 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? 20 A Normally, yes. 21 Q Okay. And would you get the date of birth 22 from the arrestee? 23 A Normally, yes. 24 Q Okay. And if I understood you correctly,</p>

Transcript of Douglas Nichols
Conducted on December 19, 2019

45 (177 to 180)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

46 (181 to 184)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

47 (185 to 188)

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


Transcript of Douglas Nichols
Conducted on December 19, 2019

48 (189 to 192)

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

Transcript of Douglas Nichols
Conducted on December 19, 2019

49 (193 to 196)

<p style="text-align: right; margin-right: 50px;">193</p> <p>1 ACKNOWLEDGMENT OF DEPONENT</p> <p>2</p> <p>3 I, DOUGLAS NICHOLS, do hereby acknowledge</p> <p>4 that I have read and examined the foregoing</p> <p>5 testimony, and the same is a true, correct, and</p> <p>6 complete transcription of the testimony given by</p> <p>7 me and any corrections appear on the attached</p> <p>8 errata sheet signed by me.</p> <p>9</p> <p>10</p> <p>11</p> <p>12 _____</p> <p>13 (DATE) (SIGNATURE)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	
<p style="text-align: right; margin-right: 50px;">194</p> <p>1 CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC</p> <p>2</p> <p>3 I, Joanne Ely, Certified Shorthand</p> <p>4 Reporter No. 84-4169, CSR, RPR, and a Notary</p> <p>5 Public in and for the County of Kane, State of</p> <p>6 Illinois, the officer before whom the foregoing</p> <p>7 deposition was taken, do hereby certify that the</p> <p>8 foregoing transcript is a true and correct record</p> <p>9 of the testimony given; that said testimony was</p> <p>10 taken by me stenographically and thereafter</p> <p>11 reduced to typewriting under my direction; that</p> <p>12 review was requested; and that I am neither</p> <p>13 counsel for, related to, nor employed by any of</p> <p>14 the parties to this case and have no interest,</p> <p>15 financial or otherwise, in its outcome.</p> <p>16 IN WITNESS WHEREOF I have hereunto set my</p> <p>17 hand and affixed my notarial seal this 22nd day of</p> <p>18 February, 2020.</p> <p>19</p> <p>20 My commission expires: May 16, 2020</p> <p>21</p> <p>22 <u>Joanne E. Ely</u> </p> <p>23 Notary Public in and for the</p> <p>24 State of Illinois</p>	