

EXHIBIT 88

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re: WATTS COORDINATED	)	No. 19 C 1717
PRETRIAL PROCEEDINGS	)	
	)	Judge Valderrama
	)	
	)	Magistrate Judge Finnegan

DECLARATION OF CRAIG HENDERSON

I, Craig Henderson, hereby state and declare as follows, pursuant to 28 U.S.C. § 1746:

1. I am a Special Agent assigned to the Chicago Division of the Federal Bureau of Investigation ("FBI"). I entered on duty with the FBI on or about May 7, 1989, and was appointed a Special Agent of the FBI on or about July 10, 1994. During my tenure as a Special Agent, I have worked on numerous investigative matters in the FBI Headquarters Laboratory Division and in the FBI's Chicago Division, including within the areas of organized crime and public corruption. I am currently assigned to the Public Corruption Squad in the Chicago Division.
2. This Declaration is based upon my personal knowledge, upon information provided to me in my official capacity, and upon conclusions and determinations reached and made in accordance therewith.
3. The purpose of this Declaration is to provide the Court with information concerning material maintained as electronic evidence by the FBI Chicago Division.
4. Specifically, on or about September 26, 2004, an investigation concerning Chicago Police Department Sergeant Ronald Watts was initiated by the Public Corruption Squad in the FBI Chicago Division. The investigation was predicated on information shared with the FBI by an Assistant U.S. Attorney concerning a pending joint investigation by the Chicago Police

Department Internal Affairs Division (“CPD-IAD”), the Drug Enforcement Agency (“DEA”), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) concerning alleged criminal activity of Mr. Watts.

5. At that time, it was agreed that information relating to possible drug violations was to be investigated by DEA; information concerning possible firearms violations was to be investigated by ATF; and information relating to possible police corruption was to be investigated by CPD-IAD and the FBI. Specific to the latter category of criminal activity, Mr. Watts was alleged to be receiving bribe payments from individuals involved in drug trafficking in exchange for protection from police interference with the dealers’ continued criminal activity.

6. Subsequent to the FBI case opening, Chicago Police Officer Kallatt Mohammed also became a subject of the same investigation, based on information that he too was receiving bribe payments from drug dealers.

7. From the inception of the case, it was anticipated that the FBI would seek to obtain evidence through, among other investigative techniques, the cooperation of individuals who might be willing to assist the FBI by recording their communications with the subjects of the investigation.

8. I was not assigned to the investigation when it was opened. I became assigned to the investigation on or about September 2, 2011, as a participating Agent, and on or about September 16, 2011, as one of two FBI co-Case Agents with primarily responsibility for the investigation. I was assigned to this investigation based on my experience in working police corruption investigations.

9. As of September 15, 2011, approximately 180 items¹ of electronic material had been collected as evidence by Agents assigned to the case prior to me, to include recordings of telephone communications monitored by the FBI pursuant to Court Orders issued under authority of Title III; audio recordings of telephone communications that were made by Confidential Human Sources or other individuals who cooperated with the FBI based on an assurance of confidentiality (collectively, “sources”); video or audio recordings captured by sources using body-worn equipment; video recordings captured by FBI surveillance cameras in various locations; and surveillance photographs.

10. Upon my assignment to the case as co-Case Agent, I reviewed all of the electronic recordings which had previously been entered into evidence in the investigation.

11. Subsequent to my assignment to the case as co-Case Agent, approximately 26 additional items of electronic material were collected by the FBI as evidence, to include audio recordings made by sources and video recordings captured by FBI surveillance cameras and privately operated security cameras. I have reviewed those recordings, as well.

12. In total, as described above, the FBI collected a total of approximately 206 items of electronic material in the Public Corruption investigation of Mr. Watts and Mr. Mohammed, and those items are currently still in the possession of the FBI Chicago Division.

13. In total, the voices, identities, and/or physical appearances of eight (8) sources and two (2) FBI Undercover Employees (“UCEs”) are recorded in these 206 items of electronic material.

¹ Some of these items, as well as the items referenced in paragraph 12, below, contain more than one and up to 15 individual recording “sessions.” Some of the sessions contain no content or no substantive content, *e.g.*, where a call was placed but not received or where the only recorded communication is a voice mail.

14. During my review of the items of electronic material collected by the FBI in its investigation of Mr. Watts and Mr. Mohammed, I did not perceive anything that indicated that the subjects of the investigation were engaged in falsification of criminal charges against any individual.

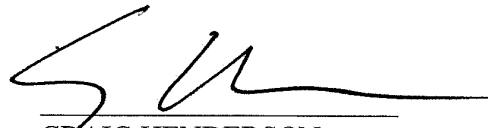
15. Per FBI protocol and my standard practice, if I had perceived anything that indicated that a subject of the investigation was engaged in falsification of criminal charges against an individual, I would have documented that information into the existing investigative file and either incorporated that information into the existing investigation or referred the information to the appropriate investigative squad in the FBI Chicago Division for initiation of a separate investigation. As stated, I did not perceive such information in my review of the electronic material collected by the FBI in the Public Corruption investigation of Mr. Watts and Mr. Mohammed, and I did not make any such record or referral.

16. The electronic material collected by the FBI in the Public Corruption investigation of Mr. Watts and Mr. Mohammed did, however, evidence that Mr. Watts and Mr. Mohammed were engaged in the bribe taking which was the subject of the investigation, as well as theft of government funds that they believed to be drug courier proceeds.

17. Based upon evidence collected by the FBI during the course of its investigation, including some of the above-referenced electronic evidence, in 2012, Mr. Watts and Mr. Mohammed were federally charged with theft of government property in violation of 18 U.S.C. §§ 641 and 642 in the Northern District of Illinois, and both subsequently entered guilty pleas.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 15th day of March 2023.


CRAIG HENDERSON
Special Agent
Federal Bureau of Investigation
Chicago, Illinois