

# **EXHIBIT 99**

SHANNON MARIE SPALDING  
SPALDING and ECHEVERRIA vs. CITY OF CHICAGO

November 18, 2014

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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE NORTHERN DISTRICT OF ILLINOIS 3 EASTERN DIVISION 4 CHICAGO POLICE OFFICERS ) 5 SHANNON SPALDING and ) 6 DANIEL ECHEVERRIA, ) 7 ) 8 Plaintiffs, ) 9 vs. ) No. 12 C 8777 10 ) 11 CITY OF CHICAGO, Chicago ) 12 Police Chief JUAN ) 13 RIVERA, Chicago Police ) 14 Chief DEBRA KIRBY, ) 15 Chicago Police Commander ) 16 JAMES O'GRADY, Chicago ) 17 Police Chief NICHOLAS ) 18 ROTI, Chicago Police Lt. ) 19 KEVIN SADOWSKI, Chicago ) 20 Police Lt. DEBORAH ) 21 PASCUA, Chicago Police ) 22 Commander ADRIENNE ) 23 STANLEY, Chicago Police ) 24 Sergeant MAURICE BARNES, ) Chicago Police Lt. ) ROBERT CESARIO, Chicago ) Police Commander JOSEPH ) SALEMME, Chicago Police ) Sergeant THOMAS MILLS, ) Defendants. ) The deposition of SHANNON MARIE SPALDING, called for examination, taken pursuant to the provisions of the Code of Civil Procedure and the Rules of the Supreme Court of the State of Illinois pertaining to the taking of depositions for the purpose of discovery taken before SUSAN HASELKAMP, CSR No. 084-004022, Certified Shorthand Reporter of said state, on November 18, 2014, at the hour of 9:26 a.m. at 191 North Wacker Drive, Suite 3700, Chicago, Illinois, pursuant to notice.</p>	<p style="text-align: right;">Page 3</p> <p>1 (Whereupon, the witness was duly 2 sworn.) 3 SHANNON MARIE SPALDING, 4 having been first duly sworn, was examined and 5 testified as follows: 6 EXAMINATION 7 BY MR. KING: 8 Q. Let the record reflect that is this the 9 deposition of one of the Plaintiffs 10 Shannon Spalding being taken pursuant to notice 11 and agreement of the parties and pursuant to 12 applicable rules of the Federal Rules of Civil 13 Procedure and Federal Rules of Evidence. 14 Ms. Spalding, can you state your full 15 name and spell your last name again for the 16 record. 17 A. Shannon Marie Spalding, 18 S-P-A-L-D-I-N-G. 19 Q. And have you ever given a deposition 20 before? 21 A. Once. 22 Q. Once. What kind of case was that? 23 A. It was an accident case. 24 Q. Okay. Were you the plaintiff?</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES: 2 3 CHRISTOPHER SMITH TRIAL GROUP, 4 MR. CHRISTOPHER R. SMITH, 5 One North LaSalle Street 6 Suite 3040 7 Chicago, Illinois 60602 8 (312) 432-0400 9 office@crstrialgroup.com 10 Representing the Plaintiffs; 11 12 DRINKER, BIDDLE &amp; REATH LLP, by 13 MR. ALAN S. KING, 14 191 North Wacker Drive 15 Suite 3700 16 Chicago, Illinois 60606-1698 17 (312) 569-1334 18 alan.king@dbr.com 19 Representing the Defendants. 20 21 ALSO PRESENT: MR. DANIEL ECHEVERRIA 22 23 24</p>	<p style="text-align: right;">Page 4</p> <p>1 A. No. 2 Q. Okay. Well, I'm sure you're pretty 3 familiar with what's going to go on here today 4 but I'll go over -- 5 A. Please. 6 Q. -- a few ground rules. Obviously 7 you've been -- I'll be asking you questions, 8 you've been sworn to tell the truth in response 9 to my questions. If you don't understand any of 10 my questions or if I'm speaking too fast, feel 11 free to let me know. I can try to rephrase the 12 question, I'll be happy to slow down. I see you 13 nodding the head. And another rule that we need 14 to make sure -- 15 A. I understand. 16 Q. -- that your answers are verbal so the 17 court reporter will be able to take them down. 18 Another issue with the court reporter 19 is that it's difficult for her to take down 20 anything if we're both talking at the same time. 21 So I'll do my best to allow you to answer the 22 questions if you'll allow me to get the 23 questions out, this will go a little bit 24 smoother. Okay?</p>

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1 A. Okay. Thank you.  
2 Q. Thank you. And if you need to take a  
3 break at any point, that should be fine. The  
4 only thing that I would ask is that you not take  
5 a break while there's a question pending. Okay?  
6 A. Okay.  
7 Q. Okay. What's your current home  
8 address?  
9 A. [REDACTED],  
10 [REDACTED].  
11 Q. And how long have you lived at that  
12 address?  
13 A. Approximately under two months.  
14 Q. Okay. And where were you living prior  
15 to that?  
16 A. [REDACTED]  
17 Q. Okay. And how long were you at that  
18 address?  
19 A. Almost eight years.  
20 Q. And at your current address, is there  
21 anyone living there with you?  
22 A. Yes.  
23 Q. Who would that be?  
24 A. My daughter.

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1 Q. Okay. I'm sorry.  
2 A. It's my -- my daughter is renting the  
3 house. Her boyfriend.  
4 Q. Okay.  
5 A. And my boyfriend.  
6 Q. Okay. And your boyfriend is?  
7 A. Anthony Hernandez.  
8 Q. Thank you. And you're currently still  
9 employed with the Chicago Police Department?  
10 A. I am currently still employed, yes.  
11 Q. Okay.  
12 A. But not actively at work.  
13 Q. Okay. You're on medical leave?  
14 A. I am on disability leave.  
15 Q. Okay. It's my understanding you had  
16 made an application for injured on duty status;  
17 is that correct?  
18 A. That is correct.  
19 Q. To your knowledge has there been any  
20 determination on that application?  
21 A. Yes. It was denied as an IOD, injured  
22 on duty --  
23 Q. Okay.  
24 A. -- by the committee on finance.

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1 Q. And are you seeking some kind of review  
2 of that?  
3 A. Yes. A grievance was filed by the FOP.  
4 Q. Okay. So am I correct that at some  
5 point, you were on medical leave that was paid  
6 and then you reached a point where it became  
7 unpaid, correct?  
8 A. Yes, correct.  
9 Q. And do you recall when the paid medical  
10 leave ended?  
11 A. Yes. It was in June of this year.  
12 Q. Okay. And since June of this year when  
13 your pay was stopped, have you had any other  
14 sources of income?  
15 A. I was approved for a partial disability  
16 by the pension board until my case can be  
17 reviewed for full duty disability benefits. And  
18 that partial, I believe it is called ordinary  
19 disability, kicked in I'm not sure if it was the  
20 end of July or August.  
21 Q. Okay. And does that pay you a portion  
22 of your regular compensation with the  
23 department?  
24 A. Yes, it does.

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1 Q. And do you know what portion you  
2 received under the ordinary disability?  
3 A. Don't quote me the exact amount, but  
4 it's roughly \$3,200 or \$3,400 a month.  
5 Q. And what was your regular rate of pay  
6 before?  
7 A. I don't even know what we got paid  
8 hourly, but I do know that it is double. That  
9 is what I believe it is. But that's -- and then  
10 taxes. Probably 5 or more, 5,000 or more.  
11 Q. Your regular rate of pay --  
12 A. Yeah.  
13 Q. -- before your pay was stopped --  
14 A. Yeah.  
15 Q. -- is what you believe was  
16 approximately --  
17 A. Yeah.  
18 Q. -- \$5,000 a month?  
19 A. Yeah.  
20 Q. And the -- did I hear you correctly  
21 that the amount you're getting for ordinary  
22 disability --  
23 A. Correct.  
24 Q. -- is half, 50 percent of your pay?

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<p style="text-align: right;">Page 9</p> <p>1 A. I believe it's something like that.</p> <p>2 It's -- the checks I've received are somewhere</p> <p>3 between, I'm guessing the amount, the proximity</p> <p>4 of 3,200 to 3,400 once a month.</p> <p>5 Q. Okay. You don't remember them telling</p> <p>6 you a percentage, like you'll get 50 percent of</p> <p>7 your pay?</p> <p>8 A. I'm not -- I can't be exactly sure. I</p> <p>9 can't recall exactly, and I don't want to guess.</p> <p>10 Q. That's fine, okay.</p> <p>11 And since your pay was initially</p> <p>12 stopped in June, 2014, have you had any other</p> <p>13 employment?</p> <p>14 A. No.</p> <p>15 Q. Okay. Have you had any other sources</p> <p>16 of income other than the ordinary disability</p> <p>17 payments?</p> <p>18 A. Not income but I -- no.</p> <p>19 Q. Okay. You started with the police</p> <p>20 department in 1996; is that correct?</p> <p>21 A. That's correct.</p> <p>22 Q. Okay. Can you, as best as you can,</p> <p>23 just explain sort of your history from when you</p> <p>24 were -- when you started, where you were</p>	<p style="text-align: right;">Page 11</p> <p>1 Housing South.</p> <p>2 Q. Do you remember any of your supervisors</p> <p>3 in the 2nd District?</p> <p>4 A. In the 2nd District, I -- honestly, I</p> <p>5 remember it was the Watch Commander Michael</p> <p>6 Byrne. No, I don't remember the sergeants.</p> <p>7 Q. Okay.</p> <p>8 A. And then I went to work for Commander</p> <p>9 Toliver in Public Housing South. There were</p> <p>10 multiple supervisors there that worked there.</p> <p>11 Glenn Evans was my supervisor at the time. And</p> <p>12 I know there was a supervisor Sergeant Mark</p> <p>13 Moore worked there.</p> <p>14 Q. Okay.</p> <p>15 A. Billy Patterson, William Patterson and</p> <p>16 Anthony Ceja.</p> <p>17 Q. Do you know how to spell Ceja?</p> <p>18 A. Yes, I do. C-E-J-A.</p> <p>19 Q. Thank you.</p> <p>20 A. You're welcome. I don't recall.</p> <p>21 Q. Okay.</p> <p>22 A. I'm missing people.</p> <p>23 Q. Okay. Before we move on, do you know</p> <p>24 approximately how long you were in the 2nd</p>
<p style="text-align: right;">Page 10</p> <p>1 assigned, to the extent you can remember, your</p> <p>2 supervisors. Actually, just go up until the</p> <p>3 point that you were detailed to Detached</p> <p>4 Services. We don't need to get into that now.</p> <p>5 A. Okay.</p> <p>6 Q. But starting when you joined the force,</p> <p>7 as best as you can recall, can you kind of trace</p> <p>8 your history?</p> <p>9 A. Yes. After completing the academy, I</p> <p>10 was assigned to the 5th District. I remember</p> <p>11 supervisor -- the sergeant was Elizabeth Glatz.</p> <p>12 When you are put on the watch, your supervisors</p> <p>13 rotate, and so you don't have a specific</p> <p>14 supervisor that you report to every day. And I</p> <p>15 don't recall who they were. It was a long time</p> <p>16 ago.</p> <p>17 Q. Sure.</p> <p>18 A. And you are a PPO, probationary police</p> <p>19 officer, so you work with different people all</p> <p>20 the time for training purposes. I was not in</p> <p>21 the 5th District very long. I don't recall how</p> <p>22 long it was. From there, I was assigned to the</p> <p>23 2nd District at 51st and Wentworth. And from</p> <p>24 the 2nd District, I went to work in Public</p>	<p style="text-align: right;">Page 12</p> <p>1 District before you went to the Public Housing?</p> <p>2 A. It had to be roughly a year and a half</p> <p>3 to two years.</p> <p>4 Q. Okay.</p> <p>5 A. Roughly. I'm guessing. I don't</p> <p>6 recall.</p> <p>7 Q. Sure. And how long were you in Public</p> <p>8 Housing South?</p> <p>9 A. Until they disbanded, which was</p> <p>10 November of I think 2005. I don't recall the</p> <p>11 year to be exactly.</p> <p>12 Q. Okay.</p> <p>13 A. But the unit disbanded.</p> <p>14 Q. Okay.</p> <p>15 A. Then I went to work on the gang team in</p> <p>16 the 1st District, tactical/gang team in the</p> <p>17 1st District.</p> <p>18 Q. Okay.</p> <p>19 A. I was not there very long, and then I</p> <p>20 went to Organized Crime Narcotic Division. And</p> <p>21 from there, assigned to 543.</p> <p>22 Q. Okay. Do you remember when you started</p> <p>23 in Organized Crime Division?</p> <p>24 A. It was approximately May of -- it was</p>

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<p style="text-align: right;">Page 13</p> <p>1 when the fentanyl operation was going on, and it 2 was in approximately May of 2006 or '07. 3 Q. Okay. 4 A. And then we were -- my partner, 5 Danny Echeverria, and I were borrowed for the 6 fentanyl mission in May of two thousand -- or 7 whatever the year -- 8 Q. Sure. 9 A. And we were the intelligence behind the 10 fentanyl mission. So we were borrowed, we were 11 not assigned to that unit. The mission for 12 Operation Fallout, the fentanyl mission, was 13 completed in October and then we were 14 requested -- we were assigned there. 15 Q. Okay. So when you worked on Operation 16 Fallout, you had essentially been borrowed by 17 the Organized Crime unit -- 18 A. Correct. 19 Q. -- you weren't officially detailed 20 there yet? 21 A. No. And we worked for Sergeant 22 DiCristofano, Anthony DiCristofano and then we 23 went to 543. 24 Q. You mentioned Officer Echeverria being</p>	<p style="text-align: right;">Page 15</p> <p>1 you were separated just for training purposes? 2 A. That's what we were told. 3 Q. Okay. Do you recall about how long you 4 were separated? 5 A. Up until the time -- I'm not sure of 6 exactly when it was. It was maybe February 7 of 2008 I was an undercover officer who was a 8 victim of a battery and a robbery. 9 And after that incident, I received a 10 phone call from Chief Limon who stated, have you 11 been placed back with your partner yet. And I 12 specifically remember stating, if I had been 13 working with my partner, this incident would not 14 have occurred. And he said, well, I'm going to 15 get you back with your partner immediately. 16 Q. Okay. 17 A. And then he put us both on the same 18 team. 19 Q. Okay. 20 A. That was Chief Limon's decision, and he 21 contacted me. 22 Q. Okay. What were the circumstances of 23 the battery and the robbery or do you know who 24 committed it?</p>
<p style="text-align: right;">Page 14</p> <p>1 your partner. When did the two of you become 2 partners? 3 A. We had -- when I went to the 4 1st District, we became partners at that time. 5 But we had crossed paths and worked together 6 within the Public Housing sector prior to that. 7 Q. Okay. And since you and Officer 8 Echeverria first became partners, have you been 9 partners consistently ever since then? 10 A. Except for a period of time in 11 Organized Crime, yes. 12 Q. Do you recall what period of time or 13 why you weren't partners? 14 A. When you first come to Organized Crime, 15 the Narcotic Division, it was explained to us 16 that since I had been from the South Side my 17 entire time, I couldn't go as an undercover 18 officer buying on the South Side where I would 19 be recognized. So I needed to go somewhere 20 different, on the West Side or the North Side. 21 And Officer Echeverria needed to go in a 22 different area and for training purposes for 23 that, they -- that is my understanding of it. 24 Q. So you were -- is it your understanding</p>	<p style="text-align: right;">Page 16</p> <p>1 A. At this time, absolutely not. I don't 2 know their names. 3 Q. Sure. 4 A. No, I did not know them. 5 Q. Okay. 6 A. The incident was that we were going to 7 a particular location on the West Side to 8 purchase a controlled narcotics purchase. The 9 regular sergeant, I'm not even sure at the time 10 who it was, I believe it was Kevin Johnson 11 maybe, wasn't there. I know that a Sergeant Ty 12 Bates I was working for on that particular day. 13 And when he gave the location, I specifically 14 told him prior to going out that I cannot 15 purchase narcotics there because my last 16 controlled buy, I was called out as an 17 undercover officer and it would jeopardize my 18 safety. 19 Q. Okay. 20 A. He said, okay, that's fine. I set up 21 as surveillance. And then he came over the 22 radio and said, you are going to go through and 23 make this purchase. 24 Q. Okay.</p>

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<p style="text-align: right;">Page 17</p> <p>1 A. Which I explained I was extremely 2 uncomfortable with the situation, because I'm 3 going back to a spot I had already been 4 identified at. 5 Q. Sure. 6 A. But he gave me a direct order to go 7 through and buy, so I did. At which point I was 8 immediately identified and was pulled out of the 9 car and they tried to take the car and I began 10 fighting. My surveillance, I should have had 11 two surveillance officers, one was a 12 Robin McGhee, who was supposed to be directly 13 behind me, and another one was Officer Masud, 14 Saud. Saud was his first name, S-A-U-D. 15 Q. That's fine. 16 A. He was my main eyeball and was calling 17 out the actions, so he should have been the 18 first to respond; however, that did not occur. 19 What happen was the enforcement vehicle 20 was the first one on the scene. And enforcement 21 is usually parked multiple blocks away and 22 they're the farthest distance away. So it is 23 very questionable as to where was my backup and 24 where was my surveillance. They were not the</p>	<p style="text-align: right;">Page 19</p> <p>1 A. It's a long time to remember the exact 2 dates. I don't have the documents to review. 3 Q. Okay. 4 (Whereupon, Spalding Deposition 5 Exhibit No. 1 was marked for 6 identification.) 7 BY MR. KING: 8 Q. Ms. Spalding, I'm showing you what's 9 been marked Spalding Deposition Exhibit No. 1, 10 which is a copy of your Amended Complaint in the 11 lawsuit. 12 Can you tell me if you've seen this 13 document before? 14 A. Yes, I believe I have seen this 15 document. 16 Q. Okay. And if I could direct your 17 attention to Paragraph 20 of the Complaint, 18 which is on Page 4. And Paragraph 20 begins, in 19 2007 while working an undercover narcotics 20 investigation, Plaintiffs uncovered evidence of 21 illegal activity being committed by various 22 Chicago Police Officers. 23 A. I'm missing a page. 24 MR. SMITH: Here, we can switch. Oh,</p>
<p style="text-align: right;">Page 18</p> <p>1 first on the scene. 2 Q. Okay. 3 A. Okay. And so it felt like forever that 4 I was fighting this. But Officer Joseph Mirus 5 and Officer Abner Rodriguez were the enforcement 6 car, and they began to pursue the offenders on 7 foot and in vehicle, at which point, you know, 8 multiple offenders, I believe four or five were 9 apprehended. 10 Q. Okay. 11 A. And what happened next was that -- 12 Q. I'm going to cut you off now. I 13 think -- 14 A. Okay. 15 Q. -- you've answered my question. 16 A. Okay. 17 Q. You indicated that that incident where 18 you were subject to the battery and the robbery 19 you thought was February, 2008. Are you pretty 20 sure it was that month or approximately? 21 A. Approximately. 22 Q. Okay. 23 A. I'm just trying to -- 24 Q. Sure.</p>	<p style="text-align: right;">Page 20</p> <p>1 wait, no. 2 THE WITNESS: You're missing it, too. 3 Because it only goes to Chicago Police Officers 4 and then it goes to 21. He's reading 5 Paragraph 20. 6 MR. SMITH: Right. 7 THE WITNESS: There's only two 8 sentences, and then it goes to 21. 9 MR. SMITH: That's fine. 10 THE WITNESS: Am I confused? I'm 11 sorry. 12 BY MR. KING: 13 Q. That's correct. That's okay. 14 Paragraph 20 is just one sentence. 15 A. I'm sorry. 16 Q. Okay. And, again, it indicates that, 17 in 2007 while working an undercover narcotics 18 investigation, Plaintiffs uncovered evidence of 19 illegal activity being committed by various 20 Chicago Police Officers. And then the next 21 Paragraph it says, one of those officers was 22 Sergeant Ronald Watts. Do you see that? 23 A. Yes, I do. 24 Q. Okay. Prior to 2007, as alleged in</p>



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<p style="text-align: right;">Page 21</p> <p>1 Paragraph 20, you had been asked at some point 2 if you had any knowledge of any illegal activity 3 by Sergeant Watts, correct? 4 A. Correct. 5 Q. And when were you first approached 6 about illegal activity involving Sergeant Watts? 7 A. It was while I was assigned to Public 8 Housing South. I was -- 9 Q. So approximately what year? 10 A. It had to be at least ten years prior. 11 Q. Okay. 12 A. About ten years, at least, you know. 13 Q. Okay. 14 A. Maybe it was 9, maybe it was 11. 15 Q. Sure. And did someone discuss 16 Sergeant Watts with you at that time? 17 A. Yes. 18 Q. Who was -- who discussed Sergeant Watts 19 with you? 20 A. FBI Special Agent Ken Samuels. 21 Q. And what did Mr. Samuels say to you? 22 A. He originally contacted me -- let me 23 rephrase that. He contacted me and first asked 24 me about several -- he asked me about multiple</p>	<p style="text-align: right;">Page 23</p> <p>1 between the officer that went to him and 2 Ken Samuels. 3 Q. Okay. Was Sergeant Watts working in 4 the same Public Housing South unit at the time? 5 A. As me? 6 Q. As you. 7 A. Correct. 8 Q. Yes, okay. Who was the other officer 9 who had complained about -- or gone to the FBI? 10 A. Michael Spaargaren, 11 S-P-A-A-R-G-A-R-E-N. 12 Q. And do you know if it was Ken Samuels 13 that Mr. Spaargaren -- 14 A. I do. 15 Q. It was? 16 A. Yes, sir. 17 Q. And you know that based on what 18 Mr. Spaargaren told you? 19 A. Spaargaren, yes. 20 Q. Spaargaren. Sorry. 21 But you weren't present for the 22 conversation between Mr. Spaargaren and 23 Mr. Samuels? 24 A. I had no knowledge of him going to the</p>
<p style="text-align: right;">Page 22</p> <p>1 people, which included Sergeant Watts. He asked 2 me if I had any knowledge to the best of my 3 recollection. 4 Q. Sure. 5 A. The scope of the conversation was my 6 direct firsthand knowledge of any illegal 7 activity that I may have seen or witnessed from 8 these multiple officers, including Sergeant 9 Watts. 10 Q. And was this an in-person meeting with 11 Mr. Samuels or telephone? 12 A. No, it was not. It was telephone. 13 Q. Okay. Do you have any knowledge of how 14 or why Mr. Samuels came to reach out to you 15 about this subject? 16 A. Yes, I do. 17 Q. And why did he reach out to you? 18 A. It was because another officer that I 19 worked with in Public Housing had gone to the 20 FBI regarding the corruption within the Public 21 Housing South units and on multiple officers. 22 Q. Okay. Was Sergeant Watts one of those 23 officers? 24 A. I can't be sure of the conversation</p>	<p style="text-align: right;">Page 24</p> <p>1 FBI until after the fact. 2 Q. Okay. And do you know what 3 Mr. Spaargaren's conversation with Mr. Samuels 4 or anyone else at the FBI before you talked to 5 Mr. Samuels had to do with Ronald Watts? 6 A. I don't know that. 7 Q. Okay. It may have, it may not have? 8 A. I don't know. I wasn't present for 9 their conversations. 10 Q. Okay. So going back to your telephone 11 call with Ken Samuels approximately between 9 or 12 11 years approximately before 2007, tell me 13 again to the best of your recollection what 14 was said by Mr. Samuels and what was said by 15 you. 16 A. Well, he just basically asked me if I 17 had witnessed any illegal activity from 18 several -- he asked me about several different 19 people. 20 Q. Sure. 21 A. At which point I told him that I had 22 not witnessed anything and I was not aware of 23 anything. Because at the time, I had absolutely 24 no knowledge of that.</p>

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<p style="text-align: right;">Page 25</p> <p>1 Q. Okay. So you didn't tell him that you 2 were aware of any -- 3 A. I didn't -- 4 Q. -- illegal activity by Ron Watts? 5 A. No. 6 Q. Okay. 7 A. I did not know that there was illegal 8 activity happening. 9 Q. Okay. But he asked you about several 10 people including Watts, correct? 11 A. I believe so, yes. 12 Q. Okay. 13 A. I don't know if it was during one 14 conversation or another conversation. At some 15 point in time, I was asked. 16 Q. Right. And given that you were 17 contacted by the FBI and asked if you were aware 18 of any illegal activity by officers including 19 Watts, it would be fair to say that you knew at 20 that point that the FBI was investigating Watts, 21 correct? 22 A. Well, I assumed that there would be 23 some type -- I knew that there were allegations 24 that had been made against multiple people.</p>	<p style="text-align: right;">Page 27</p> <p>1 conversation with Ken Samuels on that subject? 2 A. I did. 3 Q. Okay. 4 A. So I don't know if it was the first 5 conversation or at some point later on. 6 Q. Sure. 7 A. I can't tell you at what point Ronald 8 Watts came up, but at some point, he did come 9 up. 10 Q. Okay. Do you recall approximately how 11 many conversations you had with Ken Samuels? 12 A. I don't. 13 Q. Did it ever get to a point where you 14 reported to Ken Samuels yes, I do have 15 information about illegal activity by Officer 16 Watts or anyone else? 17 A. No. 18 Q. Okay. So between your last 19 conversation -- well, let's strike that. 20 And I'm going to butcher his name 21 again. Michael -- 22 A. Spaargaren. 23 Q. -- Spaargaren, okay. 24 Do you know if Mr. Spaargaren is still</p>
<p style="text-align: right;">Page 26</p> <p>1 Now, as I said before, the main person -- that I 2 don't believe Ron Watts was the main person I 3 was asked about initially. 4 Q. Okay. 5 A. There was another officer that I recall 6 specifically. 7 Q. Who was that officer? 8 A. His name was Joe Seinitz, 9 S-E-I-N-I-T-Z. And at the time, I just believed 10 by what these officers were bringing in, that 11 they were just really good officers, including 12 Ronald Watts. 13 Q. Okay. But my question is, would it be 14 fair to say that because you were contacted by 15 the FBI -- 16 A. I'm sorry. 17 Q. -- to ask you questions about certain 18 officers and their illegal activity, including 19 Ron Watts, you understood that the FBI was 20 investigating those officers, including Watts at 21 the time, correct? 22 A. That they were looking into 23 allegations, is what I thought. 24 Q. Okay. And did you have more than one</p>	<p style="text-align: right;">Page 28</p> <p>1 with the police department? 2 A. Yes, he is. 3 Q. Do you know what his current position 4 is? 5 A. I know that he just transferred from 6 the 9th District to a North Side district. I 7 can't be sure. 8 Q. Sure. Do you know what his rank is? 9 A. PO, police officer. 10 Q. Okay. Going back to Paragraph 20 of 11 the Amended Complaint. You indicate that you 12 and your partner uncovered evidence of illegal 13 activity being committed by various Chicago 14 Police Officers. Can you tell me what you 15 uncovered? 16 A. When you are in Narcotics, there is an 17 intelligence debriefing that goes on by the 18 enforcement officers, which was the position of 19 my partner, Danny Echeverria. 20 At the time, you interview the person 21 who sold the narcotics to the undercover officer 22 to gather further intelligence to go up the 23 chain for conspiracy. During his assignment on 24 the South Side, he was unfamiliar with Ronald</p>



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<p style="text-align: right;">Page 29</p> <p>1 Watts and not working with him or these 2 individuals before. 3 Q. Sure. 4 A. During debriefings, these detained 5 individuals, the arrestees, began to always talk 6 about being under arrest but yet you don't 7 prosecute your own, Sergeant Watts. You know, 8 he's out there running a dope line. And they 9 made multiple, multiple allegations. 10 At first it was inconsistent and vague 11 and unbelievable because they couldn't give any 12 hard facts or anything. 13 Q. Sure. 14 A. And a lot of times people will say 15 anything to try to get out of an arrest. There 16 came a point, though, that Danny had -- Officer 17 Echeverria had interviewed a subject that was 18 able to give enough information that he could 19 further investigate and it concerned him that 20 there may be some truth to these allegations 21 that continuously surfaced on the same sworn 22 personnel. It never deviated from the 23 personnel. 24 Q. Sure.</p>	<p style="text-align: right;">Page 31</p> <p>1 individuals that were identified -- 2 Q. Sure. 3 A. -- that I had firsthand knowledge of. 4 Q. Okay. So in Paragraph 20 where it 5 indicates that Plaintiffs uncovered evidence of 6 illegal activity, is it actually more accurate 7 to say that Plaintiff Echeverria uncovered 8 that -- 9 A. Yes. 10 Q. -- and then informed you about it? 11 A. That is correct. 12 Q. Okay. Now, these intelligence 13 briefings where you indicate Officer Echeverria 14 would have learned of the allegations of illegal 15 activity, do you know who attends those 16 intelligence briefings? 17 A. Usually it would be the enforcement 18 officers. And it could be one, two, three, I 19 mean, how many subjects are in the room. 20 Q. Okay. And would sergeants be part of 21 those meetings? 22 A. It was my understanding not usually, 23 unless they would be requested for some reason. 24 Q. Okay. And how about lieutenants?</p>
<p style="text-align: right;">Page 30</p> <p>1 A. It was consistently the same ones. 2 Q. Do you recall, in addition to Watts, 3 what other personnel these arrestees were giving 4 information on that suggested that they were 5 engaging in illegal activity? 6 A. Yes, I do. 7 Q. Who would that be? 8 A. Most of the time they would say his 9 crew, which was referring to his tact team. 10 I -- you would have to ask Officer Echeverria 11 exactly who they did name. 12 Q. Okay. But your understanding, they 13 named at least Watts and his tact team, was your 14 impression? 15 A. During -- yes. 16 Q. Okay. 17 A. During his interrogations -- I was 18 not -- I shouldn't say interrogations. 19 Interviews. I'm sorry. Let me stand corrected. 20 As being an undercover, I would never be in the 21 room with that -- for the conversation. 22 Q. Okay. 23 A. And I don't recall specifically during 24 that. But I know later on down the line,</p>	<p style="text-align: right;">Page 32</p> <p>1 A. I don't believe I've ever known a 2 lieutenant to be in there. 3 Q. Okay. Have you, yourself ever been in 4 a position where you participate in these 5 intelligence briefings that you testified to? 6 A. While working in Narcotics -- 7 Q. Correct. 8 A. -- as an undercover? Not while I was 9 working in an undercover. 10 Q. Okay. So to the best of your 11 knowledge, Officer Echeverria was not the only 12 one in these intelligence briefings who was 13 receiving knowledge about the illegal activity 14 of Watts and others; is that correct? 15 A. That's absolutely correct. I do know 16 of two other officers that were present -- 17 Q. What -- 18 A. -- at some point. 19 Q. Who else was present? 20 A. Trevor Stotts, S-T-O-T-T-S and 21 Ken Herrera. 22 Q. And Trevor Stotts, do you know what his 23 position was at the time? 24 A. He was an officer in Narcotics.</p>

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<p style="text-align: right;">Page 33</p> <p>1 Q. And the same for Ken Herrera?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. Did you ever have any, you</p> <p>4 personally have any conversations with</p> <p>5 Mr. Stotts or Mr. Herrera about this alleged</p> <p>6 illegal activity?</p> <p>7 A. No, I did not.</p> <p>8 Q. Okay. Other than your partner,</p> <p>9 Officer Echeverria, did you ever have any</p> <p>10 discussions prior to going to the FBI with</p> <p>11 anyone within the Chicago Police Department</p> <p>12 about alleged illegal activity by Watts and</p> <p>13 others?</p> <p>14 A. I'm sorry, could you -- I'm not</p> <p>15 understanding.</p> <p>16 Q. Sure. You allege in your Complaint</p> <p>17 later on, and we'll get to this, that in roughly</p> <p>18 August of 2008, you -- well, let's strike that.</p> <p>19 Let's strike that.</p> <p>20 When you learned of the alleged illegal</p> <p>21 activity from your partner, Officer Echeverria,</p> <p>22 did you personally have any conversations with</p> <p>23 anyone else within Chicago Police Department</p> <p>24 about the alleged illegal activity?</p>	<p style="text-align: right;">Page 35</p> <p>1 with Sergeant Roderick Watson about alleged</p> <p>2 illegal activity by Watts or others?</p> <p>3 A. No. I wasn't even on duty the day that</p> <p>4 that occurred.</p> <p>5 Q. Okay. And am I correct that at some</p> <p>6 point after Officer Echeverria contacted</p> <p>7 Roderick Watson, you or Officer Echeverria</p> <p>8 contacted the FBI about this subject?</p> <p>9 A. Yes. The day that Officer Echeverria</p> <p>10 reported this to Roderick Watson, it is Officer</p> <p>11 Echeverria's responsibility to complete the</p> <p>12 intelligence report, the debriefing and he has</p> <p>13 to sign off on that information. So he directly</p> <p>14 asked the sergeant, how do you want me to handle</p> <p>15 this, how do you want me to document this, what</p> <p>16 do I need to do. Because he had not come across</p> <p>17 these circumstances prior.</p> <p>18 And he was given a direct order by</p> <p>19 Sergeant Watson to disregard all that</p> <p>20 information and make the report a negative,</p> <p>21 meaning no intelligence was gathered.</p> <p>22 Q. And what you just testified to about</p> <p>23 this alleged direct order, the basis for your</p> <p>24 information on that is what Officer Echeverria</p>
<p style="text-align: right;">Page 34</p> <p>1 A. No, I did not because I was not present</p> <p>2 for the information. But I did instruct Danny</p> <p>3 to go to his -- go to the supervisor on the</p> <p>4 scene and inform them of this immediately so</p> <p>5 that they could take the appropriate action</p> <p>6 necessary and make a determination how they</p> <p>7 wanted to proceed with this.</p> <p>8 Q. Okay. And to your knowledge, did</p> <p>9 Officer Echeverria do that?</p> <p>10 A. Yes, he did.</p> <p>11 Q. Okay. Do you know who that person he</p> <p>12 went to was?</p> <p>13 A. I do.</p> <p>14 Q. Who was that?</p> <p>15 A. Sergeant Roderick Watson.</p> <p>16 Q. And do you recall -- what was it, the</p> <p>17 first time that Officer Echeverria told you</p> <p>18 about this alleged illegal activity that you</p> <p>19 recommended that he go to the supervising</p> <p>20 officer or was it some point down the line?</p> <p>21 A. It was the first time that he received</p> <p>22 credible information, that it was reported</p> <p>23 immediately.</p> <p>24 Q. Okay. Did you, yourself ever speak</p>	<p style="text-align: right;">Page 36</p> <p>1 told you, correct?</p> <p>2 A. That is correct, because he contacted</p> <p>3 me again --</p> <p>4 Q. Okay.</p> <p>5 A. -- informing me of that.</p> <p>6 Q. Okay. And after that contact that you</p> <p>7 were just speaking of, did you or Officer</p> <p>8 Echeverria contact the FBI at any point?</p> <p>9 A. Well, after that. Because at first, I</p> <p>10 thought that maybe the reasoning for the</p> <p>11 negative debriefing was that maybe Sergeant</p> <p>12 Watson was going to initiate a confidential</p> <p>13 investigation or something. You know, he's a</p> <p>14 supervisor, I was pretty confident that he was</p> <p>15 going to handle it according to department rules</p> <p>16 and regulations.</p> <p>17 But through the, you know, chain of</p> <p>18 events that followed and, you know, the</p> <p>19 information kept flowing in, it became evident</p> <p>20 that the department was not -- I didn't -- I did</p> <p>21 not have the confidence that an investigation, a</p> <p>22 fair investigation would happen within the</p> <p>23 department --</p> <p>24 Q. Okay.</p>

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<p style="text-align: right;">Page 37</p> <p>1 A. -- looking into the allegations.</p> <p>2 Q. Okay. I just move to strike as not</p> <p>3 being responsive to my question, which was</p> <p>4 simply at some point did you contact the FBI</p> <p>5 about --</p> <p>6 A. Yes.</p> <p>7 Q. -- the alleged illegal activity of</p> <p>8 Watts and others.</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And if we look at Paragraph 23</p> <p>11 of your Complaint, your Amended Complaint, it</p> <p>12 indicates that in 2007, Plaintiffs reported to</p> <p>13 FBI Special Agent PS the illegal activity by</p> <p>14 Sergeant Watts and others who worked with him.</p> <p>15 The [REDACTED] is [REDACTED] correct?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And in terms of this reporting</p> <p>18 to [REDACTED] initially, did you make that</p> <p>19 report or did Officer Echeverria make that</p> <p>20 report?</p> <p>21 A. I did.</p> <p>22 Q. Okay.</p> <p>23 A. I contacted Agent -- Special Agent</p> <p>24 [REDACTED] initially and informed him that I</p>	<p style="text-align: right;">Page 39</p> <p>1 could contact him.</p> <p>2 Q. Sure.</p> <p>3 A. Because I knew that at some point so</p> <p>4 long ago, there was an investigation into it;</p> <p>5 however, I did not know if it was closed, if it</p> <p>6 was still open and active, if it was closed with</p> <p>7 negative results.</p> <p>8 Q. And Mr. [REDACTED] told you that he was well</p> <p>9 aware of the Watts investigation?</p> <p>10 A. Correct. And --</p> <p>11 Q. And in this initial phone conversation,</p> <p>12 do you recall Mr. [REDACTED] saying anything else?</p> <p>13 A. I know we had spoke, I don't know if it</p> <p>14 was the same day or again. But we -- at one</p> <p>15 point he did say, when you said you had some</p> <p>16 information, I never thought it would be as big</p> <p>17 as the Watts case. And --</p> <p>18 Q. Okay. Let's just talk about that first</p> <p>19 conversation. And you just said, you're not</p> <p>20 sure if that was in the first conversation.</p> <p>21 You testified that in the first</p> <p>22 conversation he did indicate that he was well</p> <p>23 aware of the Watts investigation. Do you recall</p> <p>24 him saying anything else in that first</p>
<p style="text-align: right;">Page 38</p> <p>1 had information on what I believed was at one</p> <p>2 time an investigation by Special Agent Ken</p> <p>3 Samuels into corrupt activity by Sergeant Ronald</p> <p>4 Watts, and if he could put me in contact with</p> <p>5 Ken Samuels again.</p> <p>6 Q. How did you -- was it random that you</p> <p>7 contacted [REDACTED] or was there a reason</p> <p>8 that you went to him?</p> <p>9 A. Because I had worked with [REDACTED]</p> <p>10 prior to that.</p> <p>11 Q. Okay.</p> <p>12 A. So I just happened to have his number.</p> <p>13 Q. Sure.</p> <p>14 A. And so I contacted him asking him if he</p> <p>15 personally could give me Ken Samuels' number --</p> <p>16 Q. Sure.</p> <p>17 A. -- or if he knew him. And he said that</p> <p>18 he was well aware of the Watts investigation and</p> <p>19 had been involved on a certain level with Ken</p> <p>20 Samuels on it.</p> <p>21 Q. Okay. Now, this initial contact, you</p> <p>22 had a phone conversation with Mr. [REDACTED]</p> <p>23 A. Yes, I did. I called him and was</p> <p>24 requesting to meet with Ken Samuels or how I</p>	<p style="text-align: right;">Page 40</p> <p>1 conversation?</p> <p>2 A. I recall him saying that he knew</p> <p>3 Ken Samuels and knew that Ken Samuels had that</p> <p>4 investigation.</p> <p>5 Q. Okay. Did he say, I'll get you to</p> <p>6 Ken Samuels or you can deal with me on this?</p> <p>7 A. He said he was going to talk to</p> <p>8 Ken Samuels.</p> <p>9 Q. Okay. Was it your understanding that</p> <p>10 Ken Samuels was still in the FBI at that point?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And other than what you've</p> <p>13 already testified to, do you recall anything</p> <p>14 else that you said or that [REDACTED] said in</p> <p>15 that first conversation?</p> <p>16 A. I know that we were going to provide</p> <p>17 the information. I don't know if that was the</p> <p>18 first conversation or the next conversation</p> <p>19 or -- but I know that he was going to have a</p> <p>20 conversation with Ken Samuels.</p> <p>21 I can't be sure if it was the exact</p> <p>22 conversation of -- at some point I was asked.</p> <p>23 Like how I knew Ken Samuels had it and I had</p> <p>24 said I had spoken to him so many years prior --</p>

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<p style="text-align: right;">Page 41</p> <p>1 Q. Sure.</p> <p>2 A. -- and I didn't even know if it was an</p> <p>3 active case or what had happened.</p> <p>4 Q. Sure.</p> <p>5 A. But I can't be 100 percent that that</p> <p>6 was the very initial conversation.</p> <p>7 Q. Sure, sure.</p> <p>8 A. It was just that we were going to come</p> <p>9 in at some point and provide the information.</p> <p>10 Q. Okay. And at some point, did you go</p> <p>11 in --</p> <p>12 A. Yes.</p> <p>13 Q. -- and meet with [REDACTED]</p> <p>14 A. I'm sorry. Yes, we did.</p> <p>15 Q. Was Ken Samuels part of that meeting,</p> <p>16 also?</p> <p>17 A. No, not in the first meeting. He was</p> <p>18 not.</p> <p>19 Q. Okay. And between the first</p> <p>20 conversation you had with [REDACTED] and the</p> <p>21 time you went in to meet, do you recall if you</p> <p>22 had any other conversations with [REDACTED]</p> <p>23 or was there the one phone call and then you had</p> <p>24 a meeting?</p>	<p style="text-align: right;">Page 43</p> <p>1 Q. I know it's been a long time.</p> <p>2 A. It has been.</p> <p>3 Q. What's your best recollection of</p> <p>4 what --</p> <p>5 A. I know that they introduced themselves.</p> <p>6 We went into a small conference room in the FBI</p> <p>7 building, at which point we presented the facts</p> <p>8 that we had, the information that we had to them</p> <p>9 so that an outside investigation -- an</p> <p>10 investigation by an outside agency could be</p> <p>11 conducted. We would provide the information and</p> <p>12 that would be it.</p> <p>13 Q. Okay. Well, what do you recall the</p> <p>14 facts and the information being that you related</p> <p>15 to them in this meeting?</p> <p>16 A. Just what I told you earlier, that</p> <p>17 continuously the same names continuously popped</p> <p>18 up by people from different areas, whether it</p> <p>19 was Englewood or Idabeballs (phonetic) or the</p> <p>20 South Side, all consistently naming Ronald Watts</p> <p>21 and members of his team committing the same</p> <p>22 crimes of robbing the drug dealers, false</p> <p>23 arrests, stealing the money, extortion.</p> <p>24 Q. Sure.</p>
<p style="text-align: right;">Page 42</p> <p>1 A. I don't recall.</p> <p>2 Q. Okay. And at the time that you --</p> <p>3 strike that.</p> <p>4 So at some point you and Officer</p> <p>5 Echeverria, I assume, have a meeting with</p> <p>6 [REDACTED]?</p> <p>7 A. Correct.</p> <p>8 Q. And was anyone else present for that</p> <p>9 initial meeting?</p> <p>10 A. Yes.</p> <p>11 Q. Who else was present?</p> <p>12 A. Special Agent [REDACTED]</p> <p>13 Q. And [REDACTED] was with the FBI?</p> <p>14 A. Correct.</p> <p>15 Q. Anyone else?</p> <p>16 A. No.</p> <p>17 Q. Okay. So it was [REDACTED] you and</p> <p>18 Officer Echeverria and Special Agent [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 A. Correct.</p> <p>21 Q. Okay. What's your best recollection</p> <p>22 chronologically if you can who said what in the</p> <p>23 course of that meeting?</p> <p>24 A. Oh, gosh.</p>	<p style="text-align: right;">Page 44</p> <p>1 A. Just a whole laundry list.</p> <p>2 Q. Okay.</p> <p>3 A. And we provided that information. They</p> <p>4 asked some questions and --</p> <p>5 Q. Do you recall what questions they</p> <p>6 asked?</p> <p>7 A. Well, you know, our names, where we</p> <p>8 worked, where we were assigned, how Danny came</p> <p>9 across the information, asked me previously how</p> <p>10 I knew about -- how I previously knew Ken</p> <p>11 Samuels --</p> <p>12 Q. Sure.</p> <p>13 A. -- had the case. And I told him that I</p> <p>14 had spoke with him so long ago.</p> <p>15 Q. Sure.</p> <p>16 A. And they were just vague, you know,</p> <p>17 conversations. You know, the FBI doesn't give</p> <p>18 you a lot of information when they call you.</p> <p>19 They want information.</p> <p>20 Q. Sure.</p> <p>21 A. And I know we concluded the meeting</p> <p>22 with he was going to pass this information along</p> <p>23 to Ken Samuels and they may be working on the</p> <p>24 investigation with him.</p>



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<p style="text-align: right;">Page 45</p> <p>1 Q. Okay.</p> <p>2 A. And we left the building knowing that</p> <p>3 we had provided the information and --</p> <p>4 Q. Sure.</p> <p>5 A. -- we thought we were out of it.</p> <p>6 Q. Okay.</p> <p>7 A. Because with Ken Samuels, I never heard</p> <p>8 back from him again so.</p> <p>9 Q. Okay. So you never heard from Ken</p> <p>10 Samuels on the investigation?</p> <p>11 A. After he talked to me about it?</p> <p>12 Q. Right.</p> <p>13 A. No, I never did.</p> <p>14 Q. Okay.</p> <p>15 A. And so --</p> <p>16 Q. You've answered my question.</p> <p>17 A. Thank you.</p> <p>18 Q. Okay. But you did have further contact</p> <p>19 with [REDACTED] about the Watts matter?</p> <p>20 A. After that meeting?</p> <p>21 Q. After the initial meeting.</p> <p>22 A. Correct.</p> <p>23 Q. Okay. And did you have any more</p> <p>24 in-person meetings with [REDACTED] or just</p>	<p style="text-align: right;">Page 47</p> <p>1 A. Yes.</p> <p>2 Q. Do you recall how many telephone calls</p> <p>3 you may have had?</p> <p>4 A. I can tell you initially they were</p> <p>5 sporadic and then as time passed, it became more</p> <p>6 frequent.</p> <p>7 Q. Okay.</p> <p>8 A. And more demanding on our part to the</p> <p>9 point that I was a little uncomfortable with</p> <p>10 it.</p> <p>11 Q. You mean it was more demanding in the</p> <p>12 sense that it was encroaching on your work time</p> <p>13 as a Chicago Police Officer?</p> <p>14 A. No. He was requesting us to come in</p> <p>15 during hours that we couldn't or anything like</p> <p>16 that. So we told him, we cannot meet with you</p> <p>17 or talk to you. At one point he called me and</p> <p>18 wanted to know if I could meet him, you know, at</p> <p>19 a certain time and I said, I can't, I'm working</p> <p>20 and -- tomorrow. And he said, well, can't you</p> <p>21 break away. And I said, you know, it doesn't</p> <p>22 work that way. We can't do that.</p> <p>23 Q. Okay.</p> <p>24 A. And that's the point where I became</p>
<p style="text-align: right;">Page 46</p> <p>1 telephone calls?</p> <p>2 A. I believe we did meet in person.</p> <p>3 Again, always when we were off duty, on our own</p> <p>4 time.</p> <p>5 Q. Okay. And how many times do you think</p> <p>6 you met in person with him after that initial</p> <p>7 meeting?</p> <p>8 A. Are you talking through the whole</p> <p>9 investigation?</p> <p>10 Q. Yes.</p> <p>11 A. Well, we went to work directly with</p> <p>12 him, so it would be -- we would see him every --</p> <p>13 I mean, I can't even begin to guess.</p> <p>14 Q. Okay, that's fine.</p> <p>15 Well, let's say prior to August</p> <p>16 of 2008, how many in-person meetings do you</p> <p>17 think you had with [REDACTED] after the first</p> <p>18 one, if any?</p> <p>19 A. I can just tell you multiple, but I</p> <p>20 can't be sure how many.</p> <p>21 Q. Okay. And did you also have any</p> <p>22 telephone calls during that -- with him during</p> <p>23 that period after the first meeting and prior to</p> <p>24 August of 2008?</p>	<p style="text-align: right;">Page 48</p> <p>1 uncomfortable. Because if you're going to call</p> <p>2 me on my day off and ask me if I know if Watts</p> <p>3 is on vacation or not or something, I can say</p> <p>4 yes or no; but to meet with you, no. I -- no.</p> <p>5 Q. Do you recall when -- that conversation</p> <p>6 where he wanted you to meet with him during work</p> <p>7 hours, do you recall when that was?</p> <p>8 A. I recall that it made me so</p> <p>9 uncomfortable that Danny and I decided that we</p> <p>10 needed to go contact the chief of our own IAD.</p> <p>11 And it was -- so it was shortly before we met</p> <p>12 with Chief Tina Skahill of IAD in August</p> <p>13 of 2008.</p> <p>14 Q. And before that meeting with Tina</p> <p>15 Skahill, which we'll talk about in August</p> <p>16 of 2008, is it your testimony that you never met</p> <p>17 with [REDACTED] or talked to [REDACTED] on</p> <p>18 the phone or otherwise provided any information</p> <p>19 to the FBI during your work hours?</p> <p>20 A. I may have taken a phone call and said</p> <p>21 I'll have to call you back or something like</p> <p>22 that. Everybody answers, you know, their phone.</p> <p>23 Q. Okay.</p> <p>24 A. But no. We would always meet with</p>



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<p style="text-align: right;">Page 49</p> <p>1 [REDACTED] or provide information or 2 something like that on our own time. 3 Q. Okay. If you take a look at 4 Paragraph 26 of the Amended Complaint. This 5 August, 2008 meeting, is that the meeting you 6 just testified to where Tina Skahill was 7 present? 8 A. Correct. 9 Q. Okay. Who else was present at that 10 meeting? 11 A. Unbeknownst to us -- Officer Echeverria 12 and I had a scheduled meeting. Unbeknownst to 13 us when we walk in, Special Agent [REDACTED] 14 was there along with Sergeant Tom Chester and 15 commanding officer of IAD at the time Barbara 16 West. 17 Q. Okay. 18 A. Along with Chief Skahill, of course. 19 Q. And was Tom Chester with Internal 20 Affairs Division, also? 21 A. Yes. 22 Q. Okay. 23 A. He's the FBI liaison of the 24 confidential investigation section for Chicago</p>	<p style="text-align: right;">Page 51</p> <p>1 just back up. Prior to the meeting with Chief 2 Skahill, I had -- I believe it was Officer 3 Echeverria notified [REDACTED] that we 4 intended on going to the chief of IAD because he 5 was requesting our involvement and it made us 6 uncomfortable. So when we walked in and saw 7 [REDACTED] there, we were floored. 8 Q. Okay. 9 A. And we had no idea who any of these 10 individuals were. Tina Skahill was very 11 welcoming, very professional, made you feel like 12 you were coming to the right place. She 13 introduced everybody in the room, she told us to 14 have a seat. 15 She said that they had had a meeting 16 prior to us coming in. They, meaning the other 17 people present, Barb West, Tom Chester, [REDACTED] 18 [REDACTED] At which point they had determined that 19 the Watts investigation, that we had enough 20 intelligence, that we had enough credible 21 information, that they could revive the current 22 investigation that was stalled. 23 Q. Who said this? 24 A. Tina Skahill.</p>
<p style="text-align: right;">Page 50</p> <p>1 Police. 2 Q. And had you been under the impression 3 that you were only going to meet with Tina 4 Skahill? 5 A. Yes. 6 Q. Okay. How did you set up the meeting 7 with Tina Skahill? 8 A. Officer Echeverria called and made an 9 appointment. 10 Q. Okay. What do you recall being said by 11 you and everyone else in this August, 2008 12 meeting? 13 A. The short version? 14 Q. I'm afraid to say I think I need the 15 long version. 16 A. Oh, no. 17 Q. I need your best recollection of 18 everything that was said in that meeting -- 19 A. Okay. 20 Q. -- from the beginning until the end, as 21 best you can recall. 22 A. I can recall. 23 Q. Okay. 24 A. We walked in the door -- and let me</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Okay. 2 A. With our involvement in the 3 investigation. 4 Q. Okay. 5 A. We were told that the investigation 6 under Ken Samuels was not closed out, but -- I 7 forgot the FBI term that they use. 8 Q. Okay. 9 A. But just dormant, like stalled. 10 Q. Okay. 11 A. Because they were unable to gather any 12 current information on activity to -- 13 Q. Okay. I just want to make sure you're 14 telling me what was said in this meeting. 15 A. Yes. 16 Q. Okay. 17 A. And so then we were told that what we 18 were going to do is be detailed to 543. 19 Q. Let me stop you for a second. Did 20 anyone other than Tina Skahill say anything in 21 the meeting? 22 A. I know that [REDACTED] -- everyone 23 was talking at some point. 24 Q. Okay.</p>

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<p style="text-align: right;">Page 53</p> <p>1 A. It was an interactive conversation.</p> <p>2 Q. Okay. I'm sorry, continue. What else</p> <p>3 do you recall being said and by whom in the</p> <p>4 meeting?</p> <p>5 A. Okay. Well, then Tina Skahill wanted</p> <p>6 to hear our story, like what had happened. And</p> <p>7 I believe Officer Echeverria, since he's the one</p> <p>8 that made the appointment, laid the facts on the</p> <p>9 table and told them, this is the information I</p> <p>10 got, this is how I got it, this is who I</p> <p>11 reported it to, this is additional information I</p> <p>12 learned.</p> <p>13 I -- you know, we learned that there's</p> <p>14 been so many open CR numbers against these same</p> <p>15 individuals and, you know, all this time has</p> <p>16 gone by from the first time I was contacted and</p> <p>17 we decided to go on our own to FBI and, you</p> <p>18 know.</p> <p>19 Q. Was the conversation just about Officer</p> <p>20 Watts or other individuals, as well?</p> <p>21 A. No. The member of his tact team, as</p> <p>22 well.</p> <p>23 Q. Okay. Were the specific names --</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 55</p> <p>1 Q. Okay. Was it your point of going to</p> <p>2 the FBI to get approval to work on this with --</p> <p>3 during your regular work hours?</p> <p>4 A. Going to the FBI?</p> <p>5 Q. Going to the department. I'm sorry.</p> <p>6 A. No. It was to inform Tina Skahill that</p> <p>7 we had gone to the FBI and that this agent was</p> <p>8 now contacting us and wanting us to break away</p> <p>9 and -- or meet with him and we informed him that</p> <p>10 we couldn't.</p> <p>11 Q. Okay. So were you trying to get</p> <p>12 Officer Skahill to protect you from having to</p> <p>13 work on this investigation or get authorization</p> <p>14 to work on it during work hours?</p> <p>15 A. No. It was to inform her of the action</p> <p>16 that we had taken and we didn't know -- you</p> <p>17 know, we work for Chicago Police Department --</p> <p>18 Q. Yes.</p> <p>19 A. -- we're unfamiliar with the rules and</p> <p>20 regulations on what exactly you can and cannot</p> <p>21 do with these agents.</p> <p>22 Q. Okay.</p> <p>23 A. And in order for this to remain</p> <p>24 confidential -- because I do recall now that</p>
<p style="text-align: right;">Page 54</p> <p>1 Q. -- discussed in that meeting?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And Officer Mohammed was one of</p> <p>4 them?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. What else do you recall, if</p> <p>7 anything, you or anyone else saying in the</p> <p>8 meeting?</p> <p>9 A. I remember that we were being told that</p> <p>10 we were going -- we're not asking you to go to</p> <p>11 this investigation. I remember that I voiced</p> <p>12 extreme concern because I worked with these</p> <p>13 individuals from the start of my career, one of</p> <p>14 the named targets I actually graduated the</p> <p>15 academy with and I also knew the allegations</p> <p>16 that were made against Sergeant Watts --</p> <p>17 Q. Sure.</p> <p>18 A. -- and they're serious allegations.</p> <p>19 And not only is he working with -- allegedly</p> <p>20 working with these gang members and committing</p> <p>21 these crimes, he also has the ability to look</p> <p>22 into who's investigating him and he has the</p> <p>23 ability to use the police systems and it made me</p> <p>24 extremely nervous.</p>	<p style="text-align: right;">Page 56</p> <p>1 [REDACTED] and [REDACTED] said, we must</p> <p>2 keep this confidential, the investigation must</p> <p>3 remain confidential. We cannot talk about this</p> <p>4 to anyone or we would be interfering with the</p> <p>5 investigation and could jeopardize it. So we</p> <p>6 couldn't just go ask our own sergeant.</p> <p>7 Q. Sure.</p> <p>8 A. So we know that IAD does confidential</p> <p>9 investigations.</p> <p>10 Q. Sure.</p> <p>11 A. So we went to get clarification from</p> <p>12 her and make sure that we weren't coloring</p> <p>13 outside the lines in any capacity before, you</p> <p>14 know, [REDACTED] was requesting what I felt</p> <p>15 was too much. And so we just wanted to -- and</p> <p>16 you can't -- with confidential information, you</p> <p>17 don't know who's friends with who --</p> <p>18 Q. Sure.</p> <p>19 A. -- so we went to the chief.</p> <p>20 Q. Sure, sure. And you said you were told</p> <p>21 in that meeting that you needed to keep this</p> <p>22 confidential?</p> <p>23 A. Yes, yes, yes.</p> <p>24 Q. Okay. Other than what you've already</p>

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<p style="text-align: right;">Page 57</p> <p>1 testified to, what do you recall else, if 2 anything, being said in this August, 2008 3 meeting? 4 A. I recall Tina Skahill saying that this 5 is going to be a very good move for you, it is 6 necessary. This is a very important 7 investigation to the department, you have the 8 resources, you have the ability to close this 9 out with positive results, your concerns are 10 unwarranted, we would never just throw you back 11 into patrol, you will be protected, your 12 identity will never be revealed. 13 In fact, you know, you can be made 14 meritorious sergeant from this because -- 15 meritorious means when you go above and beyond. 16 You know it's not -- that's what it's supposed 17 to be for. You can remain on the task force so 18 you don't go right back into patrol and some -- 19 you know, that's I think a three or five-year 20 detail. 21 She said, we protect our people at all 22 costs, it will never come back to you. You have 23 nothing to worry about as long as you don't ever 24 talk about this. Chief Skahill, Tom Chester --</p>	<p style="text-align: right;">Page 59</p> <p>1 A. I did not perceive it as that 2 personally. 3 Q. Okay. Is it your understanding that in 4 that meeting, Tina Skahill was promising you 5 that at the end of this investigation, you would 6 be on some task force? 7 A. I did not perceive it as a promise of 8 exactly where or something, but a promise of you 9 would not be returned here and we will take care 10 of you. 11 Q. Okay. I'm sorry. Other than what 12 you've already testified to, what else do you 13 recall being said in that August, 2008 meeting? 14 A. I recall that it was explained to us 15 why we were going to be detailed to 543 and the 16 structure of how that worked. Because my 17 partner and I were unfamiliar of 543, which is 18 miscellaneous details. She explained that -- 19 Q. I'm sorry. Is Tina Skahill explaining 20 this to you? 21 A. Yes. 22 Q. Okay. 23 A. She explained that there are many 24 different divisions that come out of there, like</p>
<p style="text-align: right;">Page 58</p> <p>1 Q. Go ahead. I'm sorry. 2 A. They then said, this is how we're going 3 to proceed. 4 Q. Let me stop you for a second. When 5 Sergeant -- I'm sorry. When Tina Skahill was 6 saying, this will be a good move for you, you 7 could be made meritorious sergeant, you could 8 remain on the task force, you understood that as 9 she was giving you possible outcomes following 10 this investigation, she wasn't promising you 11 those things, correct? 12 A. She was promising us that we would be 13 one, protected -- 14 Q. Yes. 15 A. -- two, our identity would never be 16 revealed; and three, we would be able to go 17 within a specialized unit of like the FBI Task 18 Force or something so we would not transition 19 right back into the Chicago Police Officers 20 directly or promoted so that you're not back in 21 the rank and files until it's safe to do so. 22 Q. Okay. Is it your understanding that in 23 that meeting, Tina Skahill was promising you a 24 promotion?</p>	<p style="text-align: right;">Page 60</p> <p>1 the Mayor's detail, serving I think summons, the 2 DEA Task Force, FBI Task Force. So you would 3 report to 543. That way if anybody, like 4 Sergeant Watts or someone else, we don't know 5 where the investigation is going -- 6 Q. Sure. 7 A. -- or how far up the chain it's going 8 to lead, we're to look at where -- whoever would 9 question us, it would say 543 miscellaneous 10 detail. And from there -- 11 Q. And 543 was Detached Services, correct? 12 A. I'm sorry, Detached Services. With 13 many miscellaneous details in there, that's 14 correct. 15 Q. Okay. 16 A. And then that would show that we were 17 there and then nobody would be exactly sure what 18 we were doing. We could never be connected 19 specifically to what was then dubbed as 20 Operation Brass Tax, the Ronald Watts case. 21 And we were told that we were under no 22 circumstances no one is allowed to question us 23 about this. We do not talk about it. The only 24 people that would have knowledge were the people</p>

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<p style="text-align: right;">Page 61</p> <p>1 that were in the room. And I believe the people 2 above her at the time was Debra Kirby, Brust and 3 Jodie Wies. And other than that, we were given 4 a story to stick to. 5 Q. Okay. 6 A. No matter who asked us. 7 Q. Okay. And this is Tina Skahill giving 8 you this information? 9 A. Yes. 10 Q. Okay. 11 A. At points Barb West may have been 12 talking and Tom Chester was definitely talking. 13 Q. Okay. 14 A. And they were just breaking it down and 15 explaining, but the majority of the information 16 came from Chief Skahill. 17 Q. Okay. And while I understand they were 18 indicating it would be a confidential 19 investigation, did anyone say that the folks, 20 the people that would know about it would be on 21 a need to know basis? 22 A. Yes. 23 Q. Okay, all right. 24 A. Oh, no.</p>	<p style="text-align: right;">Page 63</p> <p>1 Q. -- or Officer Echeverria, correct? 2 A. No. 3 Q. Correct? 4 A. Correct. 5 Q. Okay. Do you recall anything else 6 being said -- 7 A. Yes, I remember Tina -- 8 Q. -- in the August, 2008 meeting? 9 A. So sorry. 10 Q. That's okay. 11 A. Tina Skahill and [REDACTED] 12 discussed that the FBI was to give us vehicles 13 and we would be using FBI vehicles and that we 14 would complete packets for our credentials so 15 that we would report to 2111 West Roosevelt on a 16 regular basis and we would report our -- the 17 liaison, our direct contact for CPD was Tom 18 Chester. We could go into 543. 19 The only person that would -- in 543 20 that knew what we would be doing was then 21 Lieutenant and Commanding Officer Liz Glatz, 22 G-L-A-T-Z. And if anyone, including a 23 lieutenant or someone, asked us anything, just 24 say you work for Tom Chester and they should</p>
<p style="text-align: right;">Page 62</p> <p>1 Q. Other than what you've already 2 testified to, is there anything else you recall 3 being said in that meeting? 4 A. I have a question. When you say on a 5 need to know basis, are you talking -- I 6 perceive that question to mean that we were not 7 to discuss it with other people. 8 Q. Okay. 9 A. Am I correct? 10 Okay. So my answer to yes is meaning 11 that I am not to discuss it with other people 12 because there's only certain people that need to 13 know about the investigation. 14 Q. Correct. 15 A. Okay. And we do our reports and give 16 them to Tom Chester and Tom Chester briefs, 17 whether it's Tina Skahill -- 18 Q. Sure. 19 A. -- or the superintendent or whoever. 20 But we don't go outside that square. 21 Q. Sure, right. But the certain people 22 who would need to know about the investigation, 23 was not determined by you -- 24 A. No.</p>	<p style="text-align: right;">Page 64</p> <p>1 know immediately not to ask you anything 2 further. 3 Q. Okay. 4 A. And then she said that it was going to 5 happen quick, that we were going to be moved 6 right away. She -- they stressed the importance 7 of keeping our identity confidential -- 8 Q. Okay. 9 A. -- is not to discuss this. 10 Q. Right. 11 A. Gave us the story that we were going to 12 be -- once again, we were detailed to 543 and 13 the story was that we were being borrowed as 14 intelligence to the FBI Narcotics Task Force. 15 So we were to also, you know, along the way have 16 stories ready for -- you know, you're going to 17 run into police personnel. 18 Q. Sure. 19 A. They're going to ask you where are you 20 working, what are you doing. 21 Q. Sure. 22 A. So make sure you're prepared for that. 23 Q. Did they tell you what to say to those 24 people who may ask you what you're doing?</p>



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<p style="text-align: right;">Page 65</p> <p>1 A. Yeah. You're borrowed to the FBI</p> <p>2 Narcotics Task Force and, you know, discuss what</p> <p>3 you want about that but be vague. But questions</p> <p>4 will come up, you know, who are you working for.</p> <p>5 Q. Sure.</p> <p>6 A. Many officers -- when we got to</p> <p>7 2111 West Roosevelt, we realized there was a</p> <p>8 whole lot of CPD personnel in there.</p> <p>9 Q. And that address is the FBI</p> <p>10 headquarters, correct?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Do you recall anything else</p> <p>13 being said at the August, 2008 meeting?</p> <p>14 A. You know, we were given the BlackBerry</p> <p>15 numbers of Barb West, Tom Chester, Tina Skahill</p> <p>16 for direct contact.</p> <p>17 Q. Okay.</p> <p>18 A. We were told that, you know, we weren't</p> <p>19 going to discuss this with anyone from</p> <p>20 Narcotics, that it would be handled at the chief</p> <p>21 level.</p> <p>22 Q. Okay.</p> <p>23 A. We would at some point be told -- how</p> <p>24 it was going to happen is somebody from</p>	<p style="text-align: right;">Page 67</p> <p>1 Q. Okay. And I don't want to hear about</p> <p>2 secrets or no secrets. What else was said in</p> <p>3 the August, 2008 meeting?</p> <p>4 A. I was just about to tell you. I said</p> <p>5 in the meeting, it's no secret that when you go</p> <p>6 against other officers in the department, the</p> <p>7 things that can happen to you.</p> <p>8 Q. Someone said that in the meeting?</p> <p>9 A. I said it.</p> <p>10 Q. Okay. You said it?</p> <p>11 A. Yes.</p> <p>12 Q. Okay.</p> <p>13 A. And I was extremely concerned.</p> <p>14 Q. Okay.</p> <p>15 A. And we were reassured that we were</p> <p>16 doing the right thing and that, you know, we</p> <p>17 would be protected.</p> <p>18 Q. Okay.</p> <p>19 A. And that people come forward and you</p> <p>20 never know about it, we should have no fears.</p> <p>21 Q. Okay. They were basically telling you</p> <p>22 they do things like this all the time, you</p> <p>23 shouldn't worry?</p> <p>24 A. Correct.</p>
<p style="text-align: right;">Page 66</p> <p>1 Narcotics would just tell us that we're on an</p> <p>2 order to go and we just say, okay.</p> <p>3 Q. Okay.</p> <p>4 A. But we don't -- you don't go to work</p> <p>5 and ask or anything, it was just going to be</p> <p>6 handled.</p> <p>7 Q. Okay.</p> <p>8 A. Run silent.</p> <p>9 Q. Okay. Other than what you've already</p> <p>10 testified to, do you recall anything else said</p> <p>11 in the August, 2008 meeting?</p> <p>12 A. I know that we were reassured that we</p> <p>13 were doing the right thing and we were thanked</p> <p>14 for coming forward and that, you know, it's no</p> <p>15 secret in the Chicago Police Department that</p> <p>16 when you go against officers --</p> <p>17 MR. KING: I move to strike the</p> <p>18 response.</p> <p>19 BY MR. KING:</p> <p>20 Q. My question is do you recall anything</p> <p>21 else being said --</p> <p>22 A. Yes.</p> <p>23 Q. -- in the August, 2008 meeting?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. Okay. Anything else you can recall</p> <p>2 being said in that meeting?</p> <p>3 A. I think the major points are covered.</p> <p>4 Q. Okay.</p> <p>5 A. I believe so.</p> <p>6 Q. Okay. Was it your understanding</p> <p>7 that -- well, strike that.</p> <p>8 Just so I'm clear, would you say that</p> <p>9 you and Officer Echeverria agreed to participate</p> <p>10 under these terms, you weren't -- this wasn't</p> <p>11 something you were coerced to do against your</p> <p>12 will, was it?</p> <p>13 A. Well, I can tell you we were told in</p> <p>14 this meeting, we're not asking, we're informing</p> <p>15 you that you will be part of this</p> <p>16 investigation.</p> <p>17 Q. Okay. Did you agree to be part of the</p> <p>18 investigation?</p> <p>19 A. When a chief tells you you're going to</p> <p>20 be part of the investigation, you agree to it.</p> <p>21 Q. Okay.</p> <p>22 A. Yes.</p> <p>23 Q. Okay. My question is did you not want</p> <p>24 to be part of this investigation but you were</p>



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<p style="text-align: right;">Page 69</p> <p>1 ordered to, is that what your testimony is?</p> <p>2 A. I was concerned about being part of</p> <p>3 this investigation and I was reassured that --</p> <p>4 from the chief that it would be fine. And so</p> <p>5 yes, we agreed to be part of the</p> <p>6 investigation --</p> <p>7 Q. Okay.</p> <p>8 A. -- under those conditions.</p> <p>9 Q. Fair enough, okay.</p> <p>10 Was it your understanding that</p> <p>11 immediately after that meeting, you were going</p> <p>12 to Detached Services or would it be some time</p> <p>13 later that you would be told that you were going</p> <p>14 to Detached Services?</p> <p>15 A. She just said that it would happen</p> <p>16 soon.</p> <p>17 Q. Okay. If you'll look at Paragraph 28</p> <p>18 of the Amended Complaint. You say that certain</p> <p>19 CPD command staff knew of your involvement with</p> <p>20 the Watts investigation, including the</p> <p>21 superintendent and former deputy superintendent</p> <p>22 Kirby and the chief of IAD at the time was Tina</p> <p>23 Skahill and later Juan Rivera, correct?</p> <p>24 A. Correct. And also to that list I</p>	<p style="text-align: right;">Page 71</p> <p>1 IAD office, I believe it would be the chief.</p> <p>2 And whether Barb West was present or not, I was</p> <p>3 not at the meetings or the briefings.</p> <p>4 Q. Okay. During the August, 2008 meeting,</p> <p>5 are you -- is it your testimony that you were</p> <p>6 told that the superintendent would be made aware</p> <p>7 of your involvement in Operation Brass Tax?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. During that August, 2008</p> <p>10 meeting, is it your testimony that you were made</p> <p>11 aware that Deputy Superintendent Kirby would be</p> <p>12 made aware of your involvement in the</p> <p>13 investigation?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And obviously Chief Skahill was</p> <p>16 in the meeting, so she knew about your</p> <p>17 involvement of the investigation, correct?</p> <p>18 A. Yes.</p> <p>19 Q. And you think that Mr. Brust, that he</p> <p>20 may or may not have told you that he would also</p> <p>21 be made aware of your involvement in the</p> <p>22 investigation, is that your best recollection?</p> <p>23 A. My recollection is his name came up as</p> <p>24 being a person that had knowledge of it, but I</p>
<p style="text-align: right;">Page 70</p> <p>1 believe was Brust, who worked under Jodie Wies,</p> <p>2 and I cannot tell you --</p> <p>3 Q. Sure.</p> <p>4 A. -- his position or his first name or</p> <p>5 anything. I never met the man.</p> <p>6 Q. That's fine. What's your basis for</p> <p>7 saying Superintendent Wies was aware of your</p> <p>8 participation in the investigation?</p> <p>9 A. Because during that meeting with Chief</p> <p>10 Skahill, Tom Chester, Barb West and [REDACTED]</p> <p>11 [REDACTED] we were told the only people that will</p> <p>12 know about it are the people in the room and</p> <p>13 that list was given to us, these people. And</p> <p>14 nobody else outside this circle, other than</p> <p>15 Liz Glatz.</p> <p>16 MR. KING: I move to strike the answer</p> <p>17 as nonresponsive.</p> <p>18 BY MR. KING:</p> <p>19 Q. What's your basis for saying that the</p> <p>20 superintendent of police Jodie Wies had</p> <p>21 knowledge of your involvement in the Watts</p> <p>22 investigation?</p> <p>23 A. Because the superintendent was briefed</p> <p>24 about Operation Brass Tax by somebody from the</p>	<p style="text-align: right;">Page 72</p> <p>1 don't know if it was in this meeting or later on</p> <p>2 in the investigation.</p> <p>3 Q. Okay. So these individuals,</p> <p>4 Superintendent Kirby and Brust possibly, you</p> <p>5 were being told in the meeting that they already</p> <p>6 had knowledge of this?</p> <p>7 A. That they --</p> <p>8 Q. Correct?</p> <p>9 A. That they -- I was being told that they</p> <p>10 would be the only ones who would have knowledge.</p> <p>11 Whether they already had knowledge or they had</p> <p>12 knowledge after the meeting, I can't say because</p> <p>13 I'm not privilege to those meetings.</p> <p>14 Q. Right, right. So you have no personal</p> <p>15 knowledge of what the superintendent had</p> <p>16 knowledge of with respect to your involvement in</p> <p>17 the investigation, correct?</p> <p>18 MR. SMITH: Objection, are you asking</p> <p>19 at the time of the meeting or subsequent?</p> <p>20 BY MR. KING:</p> <p>21 Q. I'm asking at the time of the meeting.</p> <p>22 A. I have no idea.</p> <p>23 Q. Okay. So after that August, 2008</p> <p>24 meeting, there was a period of time where you</p>

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<p style="text-align: right;">Page 73</p> <p>1 continued to work in Narcotics before you were 2 told that you were being detailed to Detached 3 Services, correct? 4 A. Yeah, about two days. 5 Q. About two days, okay. 6 So on Paragraph 29 of the Amended 7 Complaint, you indicated that you were detailed 8 to Detached Services at a certain point and you 9 then reported directly to FBI headquarters; is 10 that correct? 11 A. Yes. 12 Q. And our records indicate you were 13 detailed to Detached Services early August, 14 2008. Does that sound correct? 15 A. That's what your records reflect? 16 Q. Yes. 17 A. That's -- 18 Q. I'm just asking if that sounds correct 19 to you. 20 A. Yes, because it was immediately after 21 the meeting with Chief Skahill. 22 Q. Okay. 23 A. When I say immediately, days. That 24 fast.</p>	<p style="text-align: right;">Page 75</p> <p>1 Q. Okay. 2 A. -- Tom Chester, Liz Glatz. We reported 3 to her periodically. We would go into 543, but 4 2111 West Roosevelt is where we reported. 5 Q. Okay. Paragraph 30 of the Complaint 6 you say, over the next several years, Plaintiff 7 continued to work on Operation Brass Tax. 8 During that time, you were also encouraged by 9 CPD command staff to develop other Narcotics 10 related cases, which overlapped with their work 11 on Operation Brass Tax. 12 Who encouraged you to develop other 13 Narcotics cases as alleged in Paragraph 30? 14 A. Juan Rivera. 15 Q. Okay. And at the time Juan Rivera was 16 chief of the Internal Affairs Division, correct? 17 A. Correct. 18 Q. And do you know why Chief Rivera asked 19 you to also work on other Narcotics cases? 20 A. Yes. 21 Q. Why? 22 A. Because I told him that during the 23 course of the investigation, we were coming 24 across very credible Narcotics information that</p>
<p style="text-align: right;">Page 74</p> <p>1 Q. Okay. And when you were then detailed 2 to Detached Services and reporting to the FBI, 3 was it your understanding at that point that 4 that was all you were going to do, was work on 5 the Watts case with the FBI or would you work on 6 the Watts case as needed and then you performed 7 other responsibilities in the Detached Services 8 unit? 9 A. Our purpose for being detailed to the 10 FBI was to work on Operation Brass Tax. 11 Q. At the time you were detailed to 12 Detached Services, was it your understanding 13 that you were going to spend all of your work 14 time working on Operation Brass Tax or that you 15 would work on it periodically as needed and also 16 have some responsibilities within Detached 17 Services? 18 A. Work on Operation Brass Tax full time 19 with no responsibility -- other responsibilities 20 within 543. 21 Q. Okay. And what was the basis for that 22 understanding? 23 A. Because that's what we were told we 24 were going to do in that meeting by the chief --</p>	<p style="text-align: right;">Page 76</p> <p>1 did not pertain directly to Operation Brass Tax 2 but that Chicago Police Narcotics Division could 3 use and develop conspiracies or search warrants. 4 And he said, as long as it doesn't compromise 5 Brass Tax or overlap it, by all means, any 6 intelligence that you gather regarding 7 Narcotics, you have my blessing to go back to 8 Narcotics and forward that information to the 9 officers and supervisors there and I will sign 10 off on any overtime that you work with them on 11 cases that you develop. Because if you can 12 kill basically two birds with one stone -- 13 Q. Sure. 14 A. -- by all means, do it, as long as it 15 does not interfere, compromise the integrity of 16 Operation Brass Tax. 17 Q. Okay. 18 A. You can't cross that line. 19 Q. Do you recall how long you were working 20 out of FBI headquarters before you had that 21 conversation with Chief Rivera? 22 A. I don't. 23 Q. Okay. Any sense of whether it was in 24 2008, 2009, 2010?</p>

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<p style="text-align: right;">Page 77</p> <p>1 A. It might have been about 2010.</p> <p>2 Q. Okay. And when you were reporting to</p> <p>3 the FBI to work at that headquarters but were</p> <p>4 also in the Detached Services unit, did you have</p> <p>5 an understanding of there was someone in</p> <p>6 Detached Services that you were supposed to</p> <p>7 report to also?</p> <p>8 A. No.</p> <p>9 Q. During that time when you were in</p> <p>10 Detached Services and reporting to the FBI</p> <p>11 headquarters, do you know if your time, the A&amp;A</p> <p>12 sheets for you were being kept in Detached</p> <p>13 Services?</p> <p>14 A. I believe they would be.</p> <p>15 Q. Okay.</p> <p>16 A. But I never questioned that. I never</p> <p>17 asked that question.</p> <p>18 Q. Okay. And you believe they would be</p> <p>19 because --</p> <p>20 A. Why would the FBI have them.</p> <p>21 Q. Okay. And you were detailed to</p> <p>22 Detached Services Unit 543, right?</p> <p>23 A. Yes.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 79</p> <p>1 Q. Was there any time while you were</p> <p>2 working in Detached Services and working on the</p> <p>3 Watts investigation that you were told to report</p> <p>4 to Lieutenant Cervanka?</p> <p>5 A. No.</p> <p>6 Q. Do you have any knowledge of whether</p> <p>7 Lieutenant Cervanka was aware of your work on</p> <p>8 Operation Brass Tax while you were in Detached</p> <p>9 Services?</p> <p>10 A. No. He was not in that list of who</p> <p>11 would have knowledge of it.</p> <p>12 Q. Okay.</p> <p>13 A. So I don't believe he should have had</p> <p>14 knowledge of it.</p> <p>15 Q. Okay. You don't recall any</p> <p>16 circumstances where you were instructed by</p> <p>17 anyone that on days that you were going to be</p> <p>18 working at the FBI, that you would let</p> <p>19 Lieutenant Cervanka know that you'd be over at</p> <p>20 the FBI and not working at Detached Services?</p> <p>21 A. At no time did anybody tell myself,</p> <p>22 tell me that I was ever to report to anybody</p> <p>23 from Narcotics.</p> <p>24 Q. Okay. You testified earlier that</p>
<p style="text-align: right;">Page 78</p> <p>1 A. To the best of my knowledge, we were.</p> <p>2 That's what we were told.</p> <p>3 Q. Okay.</p> <p>4 A. I can't be sure how they recorded it</p> <p>5 because I'm not privilege to the records.</p> <p>6 Q. Are you familiar with Lieutenant</p> <p>7 Cervanka?</p> <p>8 A. I know who he is, yes.</p> <p>9 Q. Was he ever a lieutenant in your chain</p> <p>10 of command at any point?</p> <p>11 A. He was.</p> <p>12 Q. At what period of time was -- were you</p> <p>13 working ultimately under Lieutenant Cervanka?</p> <p>14 A. When Chief Limon called me after I was</p> <p>15 the victim of the robbery and battery and asked</p> <p>16 me if I had been working with my partner Danny</p> <p>17 Echeverria, set back up with him. And I told</p> <p>18 him, no. And he said, well, I'll adjust that</p> <p>19 and take care of it. He then moved me to work</p> <p>20 on Sergeant Roderick Watson's team with Danny</p> <p>21 Echeverria, which fell under Cervanka's command.</p> <p>22 Q. Okay.</p> <p>23 A. And that was for a brief time prior to</p> <p>24 going to 543.</p>	<p style="text-align: right;">Page 80</p> <p>1 Chief Rivera told you essentially if you came</p> <p>2 across credible Narcotics information that might</p> <p>3 help an investigation, you should report that.</p> <p>4 Did he tell you who you should take that</p> <p>5 information to?</p> <p>6 A. He told me, feel free to pass it on to</p> <p>7 someone that we may have known or worked with in</p> <p>8 Narcotics.</p> <p>9 Q. Okay.</p> <p>10 A. To pass the intelligence on.</p> <p>11 Q. Okay. And were there any situations</p> <p>12 while you were in Detached Services, that you</p> <p>13 did pass intelligence on to anyone in Narcotics?</p> <p>14 A. Yes.</p> <p>15 Q. And whom did you pass that information</p> <p>16 onto?</p> <p>17 A. Sergeant Jay Padar and at the time</p> <p>18 Anthony Hernandez worked on his team.</p> <p>19 Q. And those would be the only two</p> <p>20 individuals?</p> <p>21 A. Other members of the Narcotics team</p> <p>22 would work on the cases, but those were the</p> <p>23 individuals we contacted or we discussed with.</p> <p>24 Q. Okay. How many times do you think you</p>

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<p style="text-align: right;">Page 81</p> <p>1 provided information to Sergeant Padar while you 2 were in Detached Services and working on the 3 Watts investigation about other Narcotics 4 cases? 5 A. Multiple times. I can't be sure of the 6 exact amount. 7 Q. And would that be the same for Officer 8 Hernandez? 9 A. Correct. 10 Q. Okay. But other than you communicating 11 information to them, you didn't talk to anybody 12 else in Narcotics about the information or 13 evidence that you'd come up with? 14 A. Okay. That's -- we would initially 15 speak to one of those individuals being Padar or 16 Hernandez. 17 Q. Sure. 18 A. Once the information was provided and 19 the supervising sergeant Jay Padar decided that 20 they were going to work it, we would then talk 21 to other team members if we were going to go do 22 a search warrant or something. 23 Q. Sure. 24 A. But the initial intelligence was --</p>	<p style="text-align: right;">Page 83</p> <p>1 Watts investigation, you testified that you were 2 also from time to time working on Narcotics 3 cases. 4 Did you have an understanding of who 5 your direct report was, if anyone, while you 6 were working on those Narcotics cases? 7 A. Yeah. We reported directly to Tom 8 Chester and we would inform Tom Chester and also 9 Juan Rivera directly. 10 Q. Okay. During that same period of time, 11 were you ever told that you needed to let 12 someone know on the days that you'd be working 13 on the Watts case, someone within the police 14 department? 15 A. No. We would report to work at the FBI 16 building. What do you -- what do you mean 17 someone? Tom Chester was within the police 18 department, but he was at the FBI building. 19 Q. Okay. So if there were days where you 20 didn't go to the FBI building because you were 21 working on a Narcotics case, were you supposed 22 to report what you were doing for that day, hey, 23 we're not going to be at FBI, we're going to be 24 in Narcotics? Were you supposed to tell someone</p>
<p style="text-align: right;">Page 82</p> <p>1 Q. Right. 2 A. -- given to them and then that was how 3 it flowed to the team. 4 Q. Right. So you mentioned, for example, 5 if you were going to do a search warrant -- so 6 at times while you were in Detached Services and 7 you were working on the Watts investigation with 8 the FBI, at times you were also working on 9 Narcotics cases; is that your testimony? 10 A. Yes. 11 Q. Okay. 12 A. It happened multiple times. 13 Q. Okay. And when you were working on 14 Narcotics cases, did you have an understanding 15 of who you reported to in connection with that 16 work of Narcotics cases? 17 MR. SMITH: I'm just going to object to 18 the form of the question, vague as to reported 19 to. 20 BY MR. KING: 21 Q. Did you understand my question? 22 A. Could you say it again, please? 23 Q. During the period when you were in 24 Detached Services and you were working on the</p>	<p style="text-align: right;">Page 84</p> <p>1 that? 2 A. We weren't, per se, in Narcotics. 3 Q. Right. 4 A. But rather just forwarding the 5 information. 6 Q. Sure. 7 A. And then the search warrants that 8 Officer Echeverria and I participated on were 9 always overtime and we would report directly to 10 Sergeant Padar, who was conducting the search 11 warrants then. 12 Q. Okay. 13 A. And that was with Juan Rivera's 14 consent. 15 Q. Okay. So is it correct that when you 16 were in Detached Services and you provided 17 information to Sergeant Padar or Officer 18 Hernandez and that led to further work, as you 19 just said, was that work always under Sergeant 20 Padar? 21 A. Yes. 22 Q. Okay. I assume the decision to move 23 you to Detached Services so that you could work 24 on the Watts case, you're not claiming that that</p>



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<p style="text-align: right;">Page 85</p> <p>1 decision was part of any retaliation against you</p> <p>2 in this case, are you?</p> <p>3 A. When Tina Skahill moved us?</p> <p>4 Q. Yes.</p> <p>5 A. No.</p> <p>6 Q. And, in fact, you're not alleging, the</p> <p>7 Plaintiffs are not alleging that Tina Skahill</p> <p>8 retaliated against you or harassed you in any</p> <p>9 manner in this case?</p> <p>10 A. Not in any manner whatsoever.</p> <p>11 Q. Okay. If I could direct your attention</p> <p>12 to Paragraph 31 in the Amended Complaint, which</p> <p>13 indicates, on an unknown date, information that</p> <p>14 Plaintiffs had reported criminal misconduct by a</p> <p>15 sworn officer and were working with an outside</p> <p>16 investigation was leaked within the department</p> <p>17 and became known to Defendant Commander O'Grady.</p> <p>18 What's the basis for your allegation</p> <p>19 that information was leaked to Commander</p> <p>20 O'Grady?</p> <p>21 A. Okay. If I may, I need to back you up</p> <p>22 just a little bit because that's really a</p> <p>23 two-part question. How we found out the</p> <p>24 information and then who we addressed it to.</p>	<p style="text-align: right;">Page 87</p> <p>1 or an undercover or assigned to 189, which we</p> <p>2 were, and it has to come from then Commander</p> <p>3 James O'Grady, who I never worked under. I was</p> <p>4 gone before he came, okay.</p> <p>5 Q. Right.</p> <p>6 A. It was submitted. Commander --</p> <p>7 Q. Let me stop you for a second. You said</p> <p>8 you were assigned to 189 and, in fact, at the</p> <p>9 time were detailed to Detached Services,</p> <p>10 correct?</p> <p>11 A. Correct. But the way that works, we're</p> <p>12 assigned and then detailed.</p> <p>13 Q. I understand.</p> <p>14 A. So that is correct.</p> <p>15 Q. Okay. So Padar, Sergeant Padar hands</p> <p>16 you a form, I think you said?</p> <p>17 A. No.</p> <p>18 Q. I'm sorry.</p> <p>19 A. Okay. He hands me back --</p> <p>20 Q. Right.</p> <p>21 A. I completed a file, submitted it, gave</p> <p>22 it to Padar, who submitted it to Commander</p> <p>23 O'Grady. Commander O'Grady then signed off on</p> <p>24 it.</p>
<p style="text-align: right;">Page 86</p> <p>1 Q. My question for now is what's the basis</p> <p>2 for the allegation that information was leaked</p> <p>3 to Commander O'Grady?</p> <p>4 A. Okay.</p> <p>5 Q. How do you know that?</p> <p>6 A. Because on one of the search warrants</p> <p>7 that we were conducting with Sergeant Jay Padar</p> <p>8 and his team, we were in the 7th District</p> <p>9 parking lot after the search warrant. And</p> <p>10 Sergeant Jay Padar handed me back a file that I</p> <p>11 had submitted, along with Officer Echeverria, to</p> <p>12 register our -- register our informants who were</p> <p>13 already registered as FBI informants with the</p> <p>14 Chicago Police Department so they could be</p> <p>15 compensated --</p> <p>16 Q. Okay.</p> <p>17 A. -- for the work that they were now</p> <p>18 doing on these other Narcotic cases that</p> <p>19 were --</p> <p>20 Q. You were trying to get approval for a</p> <p>21 confidential informant to get paid?</p> <p>22 A. Correct, under these.</p> <p>23 Q. Okay.</p> <p>24 A. The approval you have to be assigned --</p>	<p style="text-align: right;">Page 88</p> <p>1 Q. Okay. Just to stop you. The</p> <p>2 information you're testifying to is based on</p> <p>3 what Sergeant Padar told you in the parking lot,</p> <p>4 correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. So did he tell you that</p> <p>7 Commander O'Grady had signed off on it?</p> <p>8 A. He handed me back the file and I looked</p> <p>9 at it and saw that it was signed off.</p> <p>10 Q. Okay.</p> <p>11 A. And then he said that there was a</p> <p>12 yellow Post-it on it for him to go see Commander</p> <p>13 O'Grady.</p> <p>14 Q. Okay. So when you saw the form, it had</p> <p>15 been signed by Commander O'Grady?</p> <p>16 A. Yes.</p> <p>17 Q. And there was a yellow Post-it on it</p> <p>18 telling Sergeant Padar to see Commander O'Grady</p> <p>19 about this?</p> <p>20 A. Yes.</p> <p>21 Q. Okay.</p> <p>22 A. It was -- the Post-it was on the</p> <p>23 outside envelope of the packet. It was multiple</p> <p>24 forms.</p>



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<p style="text-align: right;">Page 89</p> <p>1 Q. Okay. Did Sergeant Padar say anything 2 else to you in that conversation -- 3 A. Yes. 4 Q. -- in the parking lot? 5 A. Yes. 6 Q. What else did he tell you? 7 A. He said -- when I went in there, 8 Commander O'Grady said to me, he said, I will 9 not approve this with these two IAD rats 10 Spalding and Echeverria on here. If you want to 11 remove their names, I will approve the informant 12 for Hernandez only. Furthermore, you are no 13 longer to ever work with them. I don't want 14 them in this building, you never cross their 15 paths. And if you are out there and they call a 16 10-1, which is a police emergency, you or any 17 member of this division is not to respond. 18 And I looked at him and I said, why in 19 the hell would a commander who never met me say 20 something like that. He said, don't kill the 21 messenger, I have no idea. So do you want to 22 remove your names. And I said, no, and I took 23 the file back, which is now in possession of my 24 attorney.</p>	<p style="text-align: right;">Page 91</p> <p>1 won't be anyone from Narcotics. 2 We took our file -- and he said, we 3 have the search warrant for 7:00 tomorrow 4 morning. After that, I have my direct orders, 5 we are to part ways and our paths are never to 6 cross again per Commander O'Grady. 7 Q. Okay. 8 A. With that information -- 9 Q. Let me just stop you. 10 Other than what you've already 11 testified to, was there anything else said in 12 that conversation in the parking lot? 13 A. I remember asking him, you know, why 14 Commander O'Grady would do this and why he 15 thought we were working with IAD. And he said, 16 I'm not sure where his information came from, 17 I'm not privilege to that. I just know that 18 that's what he said. 19 Q. Okay. So you don't know -- if 20 Commander O'Grady had learned that you were 21 working with IAD, you don't know how he learned 22 that or what the source of that information is, 23 correct? 24 A. I do know.</p>
<p style="text-align: right;">Page 90</p> <p>1 Q. Okay. 2 A. Okay. And then I'm -- 3 Q. Are we still talking about with 4 Sergeant Padar, the conversation with you and 5 him in the parking lot? 6 A. Yes. 7 Q. Is your partner, Officer Echeverria, 8 there at this time also? 9 A. Yes. Along with another witness. 10 Q. Okay. Who else was there? 11 A. Anthony Hernandez. 12 Q. Okay. 13 A. Because it was his search warrant. 14 Q. Okay. Was there anything else said in 15 that conversation by either Sergeant Padar or 16 you or Officer Hernandez or Officer Echeverria? 17 A. Yes. 18 Q. What else was said? 19 A. I said, you mean to tell me if Danny 20 and I leave this parking lot and someone has 21 opened fire on us and shooting on us, you will 22 not respond? Sergeant Padar said, I can't and I 23 won't. I have my orders, I can't mess up my 24 job. But someone on the zone will come, it just</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. You know now? 2 A. I do know now. 3 Q. Okay. What's your understanding of the 4 source of that information to Commander O'Grady? 5 A. Once that incident occurred, my partner 6 Echeverria and I went to Juan Rivera and I was 7 absolutely mortified that my -- that somebody 8 may have knowledge of the investigation. It was 9 clear Commander O'Grady had insider information 10 as to what we were doing, because he knew that 11 there was a confidential investigation into 12 other officers, okay. 13 Q. Okay. 14 A. So with that information, I asked Juan 15 Rivera, how in the hell would Commander O'Grady 16 have known this. And he said, that may be my 17 fault. 18 Q. Okay. 19 A. And I asked Juan Rivera, what do you 20 mean, that may be your fault? He said, I might 21 have fucked up. 22 Q. Okay. 23 A. He said, I went to Ernie Brown, the 24 then chief of Organized Crime, and told him you</p>

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<p style="text-align: right;">Page 93</p> <p>1 two were working on Operation Brass Tax and the 2 nature of the investigation. 3 And I asked Juan Rivera, why in the 4 hell would you do something like that when you 5 know there are connected relationships with him 6 and the targets of the investigation that is 7 jeopardizing our safety. He said, I did it with 8 the hopes that Ernie Brown would then put you in 9 place for the FBI Task Force. But instead, he 10 held a meeting and told everybody with his 11 commanding officers over there when he wasn't 12 supposed to do that. 13 Q. Okay. We'll come back to that, that 14 conversation with Rivera. But when you were 15 executing search warrants and doing work for 16 Sergeant Padar -- 17 A. With Sergeant Padar. 18 Q. -- with Sergeant Padar, that was work 19 in the Narcotics unit, correct? 20 A. No. 21 Q. It was Narcotics work? 22 A. It was -- it was us providing, once 23 again, intelligence of narcotics activity -- 24 Q. Okay.</p>	<p style="text-align: right;">Page 95</p> <p>1 doing that, you are assisting with Narcotics 2 cases other than the Watts case, correct? 3 A. On overtime, yes. 4 Q. Okay. And at the time, James O'Grady 5 was the commander of the Narcotics Division, 6 correct? 7 A. Yes. 8 Q. And at the time, Ernie Brown was the 9 chief over Organized Crime that included the 10 Narcotics Division, correct? 11 A. Correct. 12 Q. You testified that when Sergeant Padar 13 told you this information that Commander O'Grady 14 had allegedly said, you had never worked for 15 O'Grady previously, correct? 16 A. Correct. 17 Q. Did you know Commander O'Grady at all? 18 A. No. 19 Q. Okay. And I apologize for interrupting 20 you. Let's go back to the conversation that you 21 had with Juan Rivera once you learned that 22 Commander O'Grady was aware of your work, as you 23 allege, on Operation Brass Tax. 24 Sergeant -- or Chief Rivera indicates</p>
<p style="text-align: right;">Page 94</p> <p>1 A. -- so that the Narcotics officers could 2 then go and -- 3 Q. Sure. 4 A. -- execute the search warrants and 5 build up conspiracies, which we did not work 6 on. 7 Q. Okay. 8 A. We only worked on the information we 9 provided where our informant would be the 10 witness for the search warrant or something -- 11 Q. Right. 12 A. -- and we were necessary to be involved 13 in. 14 Q. My point is you were spending some of 15 your time not on the Watts case but you were 16 spending it on things related to Narcotics 17 investigation, correct? 18 MR. SMITH: Objection to the form of 19 the question, vague and Narcotics is the work. 20 BY MR. KING: 21 Q. You're in the parking lot talking to 22 Padar and you're providing information, you 23 testified, about other Narcotics matters. 24 So I'm just asking you when you're</p>	<p style="text-align: right;">Page 96</p> <p>1 that he told Ernie Brown and you testified that 2 he had done it for a certain reason and instead 3 that Ernie Brown held a meeting. What did 4 Rivera tell you about the meeting that Ernie 5 Brown held? 6 A. He said that instead of keeping the 7 information confidential, it's apparent that he 8 opened his mouth to everyone of his -- you know, 9 at least the command staff, which then obviously 10 trickles down, because now Sergeant James Padar 11 knows about it, too. 12 Q. I just want to know what specifically 13 Rivera told you out of his mouth in this 14 meeting. What -- tell me about that 15 conversation, everything that you can recall. 16 A. Everything I just said. 17 Q. And was Officer Echeverria part of this 18 meeting, as well? 19 A. Yes. And it was in the -- it was not a 20 meeting in a room where we were sitting down. 21 Q. Sure. 22 A. It was a conversation in the hallway 23 outside of his office. 24 Q. Okay.</p>

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<p style="text-align: right;">Page 97</p> <p>1 A. And yes, Officer Echeverria was there. 2 I was very upset. I even -- I said, I wanted to 3 be removed from the investigation, that I didn't 4 feel safe, my identity had been compromised. 5 And these people all have access to where I 6 live, my daughter. And the crimes alleged 7 against these members that we're investigating, 8 are very serious allegations. And I did not 9 feel safe at all. And he -- he violated 10 every -- everything that I was told would never 11 happen. 12 Q. All right. I'm going to move to strike 13 the answer. My question -- and I do apologize 14 for interrupting you when you started talking 15 about the conversation. 16 But I'm going to ask you to start from 17 the beginning. You and Officer Echeverria are 18 in the hallway and you have a conversation with 19 Juan Rivera where he tells you about the fact 20 that he had disclosed it to Ernie Brown. 21 A. Correct. 22 Q. Tell me everything you recall you 23 saying -- 24 A. Okay.</p>	<p style="text-align: right;">Page 99</p> <p>1 Brass Tax and the nature of the investigation, 2 but I did it in hopes that he would then put you 3 on an FBI Task Force. And I told Juan Rivera, 4 why would you tell someone that has 5 relationships with the targets of the 6 investigation? It could compromise the 7 investigation. It definitely compromised our 8 safety. It's supposed to be a confidential 9 investigation. It doesn't make any sense is 10 what I'm telling him. 11 Q. Okay. 12 A. That you're the chief and you would 13 tell this person. I don't feel safe anymore. I 14 want to be removed from the investigation. He 15 said, you can't. This is an important 16 investigation. You have to stay on it. Hang in 17 there. Hang in there. Hang in there when I 18 have people telling me that I could be shot and 19 they're not going to help me in the street. 20 And he said that Ernie Brown was 21 supposed to keep that information confidential, 22 but instead he had a meeting with then Deputy 23 Chief Nick Roti and Commander O'Grady and 24 obviously his command staff. I don't know</p>
<p style="text-align: right;">Page 98</p> <p>1 Q. -- Officer Echeverria saying -- 2 A. Okay. 3 Q. -- or Juan Rivera saying in that 4 hallway conversation. 5 A. I said -- I informed Chief Juan 6 Rivera -- I wanted to know -- 7 Q. Take your time. 8 A. -- how the hell Commander O'Grady knew 9 to the point that a sergeant would tell me that 10 he would go the other way if I was being shot at 11 and that they would not respond. 12 And this is a man I have never met. 13 How the hell did O'Grady find out to the point 14 that you put my life and my partner's life in 15 jeopardy. And Chief Rivera said -- and Chief 16 Rivera said -- 17 Q. Take your time. 18 A. -- that may be my fault, I might have 19 fucked up. 20 Q. Okay. 21 A. And I'm quoting, so I apologize. 22 Q. Sure. 23 A. I went to Ernie Brown and I told him 24 that the two of you were working on Operation</p>	<p style="text-align: right;">Page 100</p> <p>1 everybody. 2 Q. Did he tell -- who did he tell you, who 3 did Rivera tell you that the meeting Brown 4 allegedly had with? Did he -- 5 A. He only named who was then deputy chief 6 was Nick Roti, Nick Roti. I'm sorry. Nicholas 7 Roti, if I'm saying that name correct, and then 8 Commander O'Grady. 9 Q. Okay. 10 A. And then he told me that I had to stay 11 on this investigation. 12 Q. Other than him telling you that Ernie 13 Brown had had a meeting with Nick Roti and 14 O'Grady, did he tell you anything else about it? 15 A. That he was supposed to keep his F-ing 16 mouth shut. 17 Q. Okay. 18 A. He wasn't supposed to do that. 19 Q. And it was your understanding that Juan 20 Rivera was not in this meeting that Ernie Brown 21 allegedly had with Roti and O'Grady, correct? 22 A. I didn't perceive it that he was in the 23 meeting. 24 Q. Okay.</p>

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<p style="text-align: right;">Page 101</p> <p>1 A. But I was not there and I don't know 2 who was there. 3 Q. Right, right. 4 So other than what you've already 5 testified to, do you recall anything else that 6 you, Officer Echeverria or Juan Rivera said in 7 this hallway conversation? 8 A. That we were just to continue working 9 on Operation Brass Tax, lay low, stay off the 10 radar, do not go around, you know, Narcotics and 11 all that. He said -- we obviously can't work 12 with them anymore. But just don't -- steer 13 clear of Narcotics, stay away from them for your 14 own safety. You know, fly under the radar, lay 15 low. You report directly to me, you tell me, 16 you know, what you guys are doing and fly under 17 the radar, unseen, unheard for your own safety. 18 Q. Okay. Do you recall anything else 19 being said? 20 A. I really -- you know, other than me 21 saying several times that I wanted off of this 22 and being told to hang in there. 23 Q. Do you recall if Officer Echeverria 24 said he wanted off of this?</p>	<p style="text-align: right;">Page 103</p> <p>1 take a break? 2 MR. KING: Absolutely. 3 (Whereupon, a discussion was had 4 off the record.) 5 (Whereupon, Spalding Deposition 6 Exhibit No. 2 was marked for 7 identification.) 8 BY MR. KING: 9 Q. Officer Spalding, I'm showing you 10 another document that's been marked as Spalding 11 Deposition Exhibit No. 2. And I would ask you 12 to take a look at this document and let me know 13 if you've ever seen this before. 14 A. This is part of -- yes. The answer is 15 yes. 16 Q. Okay. 17 A. This is part of the informant packet 18 that I and my partner Officer Echeverria 19 submitted to have our informant approved -- 20 Q. All right. 21 A. -- registered with the Chicago Police 22 Department to Sergeant Jay Padar who in turn 23 turned it into Commander O'Grady. 24 Q. Okay. And you say this is part of the</p>
<p style="text-align: right;">Page 102</p> <p>1 A. I know he did. 2 Q. Do you recall if he said that in the 3 meeting? 4 A. I don't know. 5 Q. Okay. 6 A. I'm not sure at this point. 7 Q. Okay. And after that conversation with 8 Juan Rivera, did you, in fact, stop working on 9 any Narcotics cases? 10 A. Yes. We had no choice. 11 Q. My question is -- 12 A. We stopped. 13 Q. -- after the conversation, did you stop 14 working on any Narcotics cases? 15 A. With -- 16 Q. Other than the Watts investigation. 17 A. Watts investigation is a Narcotics. 18 Other than the -- other than the Watts 19 investigation. Do you mean FBI-wise or do you 20 mean CPD-wise? 21 Q. I mean CPD-wise. 22 A. Yes, we stopped. 23 Q. Okay. 24 MR. SMITH: Is this an okay time to</p>	<p style="text-align: right;">Page 104</p> <p>1 packet, correct? 2 A. No, I don't know if -- yes, it is part 3 of the packet. 4 Q. Okay. And if you look on Page 1 of 5 this document, does it appear to be signed by 6 Commander O'Grady? 7 A. Yes. 8 Q. Okay. Where do you see Commander 9 O'Grady's signature? 10 A. Isn't that the second one? Am I 11 mistaken? 12 Q. On the right side of the page under 13 Jay Padar, you believe that's Commander 14 O'Grady's signature; is that correct? 15 A. I thought it was. 16 Q. Okay. 17 A. It's not? 18 Q. Other than -- 19 A. I can't read it. 20 Q. Okay. That's fine. 21 A. I thought it was Commander O'Grady's. 22 Q. Other than not having the yellow 23 Post-it note on Exhibit 2 that you testified to 24 before, does this look like -- is this the</p>



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<p style="text-align: right;">Page 105</p> <p>1 document that you were testifying about</p> <p>2 previously?</p> <p>3 A. This is part of it, yes.</p> <p>4 Q. Turning your attention back to</p> <p>5 Exhibit 1 of the Amendment Complaint.</p> <p>6 A. I'm sorry, where are we?</p> <p>7 Q. The Amended Complaint. And we'll look</p> <p>8 at Paragraphs 34 and 35 deal with -- well, take</p> <p>9 a look at 34 and 35. And my question is the</p> <p>10 basis for the information alleged in -- let me</p> <p>11 strike that. Let's just direct your attention</p> <p>12 to Paragraph 35.</p> <p>13 And my question is the basis for what's</p> <p>14 alleged in Paragraph 35 is what Jay Padar told</p> <p>15 you in the parking lot what you've already</p> <p>16 testified to, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Okay.</p> <p>19 MR. SMITH: I object --</p> <p>20 BY MR. KING:</p> <p>21 Q. And directing your attention to</p> <p>22 Paragraph 36, you allege that by interfering</p> <p>23 with your ability to develop Narcotics cases in</p> <p>24 the unit, Defendant O'Grady intentionally</p>	<p style="text-align: right;">Page 107</p> <p>1 A. I have no idea.</p> <p>2 Q. Okay. As you sit here, you don't have</p> <p>3 any idea how much you earned in overtime in any</p> <p>4 of the years between 2006 and 2014; is that fair</p> <p>5 to say?</p> <p>6 A. That's fair to say.</p> <p>7 Q. Okay. Now, directing your attention to</p> <p>8 Paragraph 38 of the Amended Complaint. What's</p> <p>9 the basis of your allegation in Paragraph 38</p> <p>10 that, on one or more dates, multiple Defendants</p> <p>11 discussed the handling or treatment of</p> <p>12 Plaintiffs. At one such meeting, Plaintiffs'</p> <p>13 possible reassignment was discussed. In</p> <p>14 response, Defendant O'Grady referred to</p> <p>15 Plaintiffs as rats and stated he did not want</p> <p>16 Plaintiffs working in his unit.</p> <p>17 Is that also based on what Jay Padar</p> <p>18 told you in that conversation in the parking</p> <p>19 lot?</p> <p>20 A. No.</p> <p>21 Q. Okay. What's the basis for that</p> <p>22 allegation in Paragraph 38?</p> <p>23 A. The basis is -- you're going to ask me</p> <p>24 for the date and I can't tell you the date.</p>
<p style="text-align: right;">Page 106</p> <p>1 prohibited Plaintiffs from earning overtime.</p> <p>2 And that's based on your prior testimony that</p> <p>3 Jay Padar was allowing you to work overtime on</p> <p>4 some Narcotics cases, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. And do you happen to know how</p> <p>7 much you made in overtime in 2008?</p> <p>8 A. Not much. It was stopped.</p> <p>9 Q. Okay.</p> <p>10 A. I have no idea the amount to be honest</p> <p>11 with you.</p> <p>12 Q. Okay. How about let's say 2007, 2006,</p> <p>13 any of those years, do you know the amount of</p> <p>14 overtime you earned?</p> <p>15 A. I have no idea.</p> <p>16 Q. Okay. How about 2009 or 2010, do you</p> <p>17 know the amount of overtime you earned?</p> <p>18 A. No, I don't even know the amount. But</p> <p>19 2010 was much more than the rest of them, I</p> <p>20 believe.</p> <p>21 Q. You believe?</p> <p>22 A. Or maybe it was 2011. The VRI program.</p> <p>23 I don't know.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 108</p> <p>1 Q. So you're about to tell me about a</p> <p>2 meeting that you believe occurred?</p> <p>3 A. That I know occurred.</p> <p>4 Q. Okay. Were you in the meeting?</p> <p>5 A. No, I was not.</p> <p>6 Q. So you're going to tell me about a</p> <p>7 meeting you believe occurred, correct?</p> <p>8 A. I'm going to tell you about a meeting</p> <p>9 Juan Rivera informed me of that occurred.</p> <p>10 Q. Okay. Do you know what year that</p> <p>11 meeting was?</p> <p>12 A. It was right at the time -- the day</p> <p>13 before we were reassigned from 543 to the</p> <p>14 academy. Is that Unit 041? The police academy.</p> <p>15 Q. Okay.</p> <p>16 A. So the day before that.</p> <p>17 Q. Okay. Juan Rivera told you about a</p> <p>18 meeting the day before that or he told you the</p> <p>19 meeting happened the day before?</p> <p>20 A. The meeting occurred the day before.</p> <p>21 Q. Okay. So when did Juan Rivera tell</p> <p>22 you about the meeting, the same day or was it</p> <p>23 later?</p> <p>24 A. It was -- it was the next day, I</p>



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<p style="text-align: right;">Page 109</p> <p>1 believe. It was within a couple of days of the 2 meeting. 3 Q. Okay. 4 A. The day of, the day after. 5 Q. Okay. 6 A. Shortly after the meeting occurred. 7 Q. Okay. And what did Ron -- Juan Rivera 8 tell you about this meeting? 9 A. Juan Rivera stated that in the meeting 10 when we were being reassigned from 543, removed 11 from the Brass Tax investigation, that a meeting 12 was called and present in the meeting was 13 Beatrice Cuello, James Jackson, Nick Roti or 14 Roti. I'm sorry, Nick Roti, James O'Grady, 15 Juan Rivera, and I don't recall if he mentioned 16 anyone else or not. 17 Q. I thought you previously testified that 18 Juan Rivera was not in this meeting. 19 MR. SMITH: Objection, it assumes it's 20 the same meeting. 21 THE WITNESS: That's not the same 22 meeting. This is the meeting on -- are you 23 talk -- this is not the Ernie Brown meeting. 24 BY MR. KING:</p>	<p style="text-align: right;">Page 111</p> <p>1 said, what you said, what Officer Echeverria 2 said in that conversation. 3 A. I believe that 38 is referring to the 4 meeting that occurred the day before we were 5 removed from Operation Brass Tax. So if, in 6 fact, that is the one that we're referencing, he 7 stated shortly after, within the next day or so, 8 that in that meeting -- the individuals that I 9 named -- do you want me to repeat them? No, 10 you're good? Beatrice Cuello, okay. 11 Beatrice Cuello wanted us removed from 12 543. And usually you return to your unit of 13 assignment and she was requesting that we go 14 back to work for O'Grady and Nick Roti. At 15 which point Juan Rivera stated that O'Grady said 16 in the meeting that I'm not taking those F-ing 17 IAD rats back; and furthermore, God help them if 18 they need help on the street, he's not -- it's 19 not going to come. She's going to -- I'll 20 bounce her to the 3rd District on midnights and 21 him, I don't remember if it was the 14th or 13th 22 District on midnights. We're not taking -- 23 under no circumstances are they coming back 24 here. And then --</p>
<p style="text-align: right;">Page 110</p> <p>1 Q. Right. I'm talking about the -- at one 2 such meeting, as you allege in Paragraph 38, 3 that's the meeting we're talking about now, 4 correct? 5 A. Yeah. 6 Q. Okay. 7 A. It's -- I believe -- I believe 38 is 8 referencing a meeting that happened in regards 9 to us being removed from Operation Brass Tax, at 10 which point Beatrice Cuello wanted us returned 11 to Unit 189. 12 Q. And you found out about the content of 13 this meeting from Juan Rivera, correct? 14 A. That is correct. 15 Q. Tell me everything you recall -- strike 16 that. 17 Did Juan Rivera tell you about this 18 meeting in person or in a telephone call? 19 A. In person. 20 Q. And was Officer Echeverria also there? 21 A. Yes. 22 Q. Was anyone else present? 23 A. No. 24 Q. Okay. And tell me what Juan Rivera</p>	<p style="text-align: right;">Page 112</p> <p>1 Q. You mentioned in your description of 2 the meeting, you made a comment that normally 3 you'd go back to your unit, that -- that's your 4 understanding. You weren't relating what Chief 5 Rivera told you about the meeting, correct? 6 A. No, no. He said, normally you would 7 just go back, but they don't want you back. 8 Q. Okay. 9 A. They're not going to take you back 10 because -- 11 Q. I understand. Chief Rivera told you 12 that? 13 A. Yes. 14 Q. So Paragraphs 38 and 39 are both what 15 was -- Paragraph 39 is part of what was said in 16 the meeting, correct? 17 A. I didn't even read that far. But yes. 18 Q. What else -- other than what you've 19 testified to, what else did Juan Rivera tell you 20 was said in the meeting? 21 A. He said that not only did -- not only 22 did they not want to take us back because we 23 assisted on a confidential investigation against 24 other officers, but he'd like to see us fired,</p>

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<p style="text-align: right;">Page 113</p> <p>1 that our careers were over.</p> <p>2 Q. Rivera said -- who said that they'd</p> <p>3 like to see you fired?</p> <p>4 A. O'Grady.</p> <p>5 Q. Okay.</p> <p>6 A. And then --</p> <p>7 Q. Do you recall anything else that Rivera</p> <p>8 said in the meeting?</p> <p>9 A. Yes. At this time, Nick Roti is now</p> <p>10 the chief and Ernie Brown is no longer the</p> <p>11 chief.</p> <p>12 Q. Chief of Organized Crime?</p> <p>13 A. Of Organized Crime, correct. And that</p> <p>14 we would never, ever work in Organized Crime</p> <p>15 again or any task force or anything. It will</p> <p>16 never happen.</p> <p>17 Q. Did Rivera tell you that or did Rivera</p> <p>18 say that someone said that in the meeting?</p> <p>19 A. Rivera said that Nick -- Chief Nick</p> <p>20 Roti said that. And he said, that's a big</p> <p>21 problem because if you are to go to any task</p> <p>22 force after this, Nick Roti is the one who has</p> <p>23 to sign off on it. But because you assisted --</p> <p>24 Q. I understand. I'm just asking you</p>	<p style="text-align: right;">Page 115</p> <p>1 he could help us and that our careers were over.</p> <p>2 Q. Okay.</p> <p>3 A. That was it, basically.</p> <p>4 Q. Okay. And you don't recall anything</p> <p>5 else being said?</p> <p>6 A. Not.</p> <p>7 Q. You don't have to.</p> <p>8 A. Not at this time.</p> <p>9 Q. Okay.</p> <p>10 A. I don't -- I don't know if I will</p> <p>11 later, but I don't now right at this moment.</p> <p>12 Q. Did Rivera tell you at that point that</p> <p>13 the two of you were going to be sent back to</p> <p>14 patrol, meaning you and Officer Echeverria?</p> <p>15 A. Earlier that day, that same day on</p> <p>16 the -- we heard when we reported to the</p> <p>17 academy -- no. To answer your question, at that</p> <p>18 moment in time in that same conversation, no.</p> <p>19 Q. Okay. Let's -- I think this is going</p> <p>20 to get to what you are going to testify about.</p> <p>21 If you look at Paragraph 45 of the Amended</p> <p>22 Complaint, you allege that Chief Kirby caused</p> <p>23 the two of you to be removed from your detail in</p> <p>24 543 Detached Services.</p>
<p style="text-align: right;">Page 114</p> <p>1 about what Rivera said to you.</p> <p>2 A. Rivera is telling me this. But because</p> <p>3 you guys assisted with this, they don't want you</p> <p>4 in their unit.</p> <p>5 Q. Okay.</p> <p>6 A. Juan Rivera also said that it's</p> <p>7 really -- your careers are over.</p> <p>8 Q. Rivera said that, he didn't -- someone</p> <p>9 said that in the meeting?</p> <p>10 A. No. Rivera was -- it was Rivera's</p> <p>11 opinion that our careers were over.</p> <p>12 Q. Okay. Do you recall anything else that</p> <p>13 was said in the meeting with you, Officer</p> <p>14 Echeverria and Juan Rivera?</p> <p>15 A. Yes. I recall that he said that his</p> <p>16 hands were tied because Nick Roti is in bed with</p> <p>17 the superintendent, that's his drinking buddy.</p> <p>18 And whatever he says, Gary McCarthy -- no, that</p> <p>19 was a different time. I'm sorry. That was a</p> <p>20 later time. Please disregard that, because this</p> <p>21 is later. It wasn't that time. This time was</p> <p>22 just about the meeting from 543.</p> <p>23 Q. Right.</p> <p>24 A. No, he said that he was limited in how</p>	<p style="text-align: right;">Page 116</p> <p>1 Can you explain the basis of that</p> <p>2 allegation, why you believe Defendant Kirby</p> <p>3 caused you to be removed?</p> <p>4 A. Yes. On that date in question, which</p> <p>5 was late May of 2011, the person that we were to</p> <p>6 report to in 543 was Lieutenant Liz Glatz. She</p> <p>7 went on furlough and was in Ireland. She was</p> <p>8 the only person within the unit that knew what</p> <p>9 our true assignment was.</p> <p>10 Q. Okay.</p> <p>11 A. Okay. I don't know --</p> <p>12 Q. To the best of your knowledge, she was</p> <p>13 the only person in the Detached Services who</p> <p>14 knew what your true assignment was?</p> <p>15 A. To the best of my knowledge.</p> <p>16 Q. Okay.</p> <p>17 A. Okay. So on the date in question, the</p> <p>18 acting commanding officer in her place while she</p> <p>19 is gone is a Sergeant Jill Stevens.</p> <p>20 Q. Okay.</p> <p>21 A. She calls my partner Echeverria and</p> <p>22 states that --</p> <p>23 Q. And just to stop you for a moment.</p> <p>24 This was a conversation between Jill Stevens --</p>

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<p style="text-align: right;">Page 117</p> <p>1 A. And Echeverria. 2 Q. -- and Echeverria? You were not part 3 of the conversation? 4 A. I was not part of it. She called him 5 on the phone. 6 Q. And what's your understanding of what 7 was said in that conversation? 8 A. What my understanding was is that Jill 9 Stevens related to Officer Echeverria that she 10 needed a specific form and she gave the name of 11 the form, I don't recall what the name was, 12 completed -- completed listing what our exact 13 assignment was, the nature of our investigation, 14 who we reported directly to. And Danny related 15 back -- Officer Echeverria related back to 16 Sergeant Jill Stevens that he would call her 17 back. 18 Q. Go ahead. 19 A. Do you know the form I'm talking about? 20 Q. Go ahead. I do. 21 A. That she -- 22 Q. Okay. So is it your testimony that 23 your understanding is that after Jill Stevens 24 requested whatever she requested, did --</p>	<p style="text-align: right;">Page 119</p> <p>1 question back? 2 (Whereupon, the record was read 3 as requested.) 4 BY MR. KING: 5 Q. Is that correct? 6 A. He was unable to provide the 7 information she requested. So no, he did not 8 provide it. 9 Q. Okay. Well, he knew information about 10 what he was working on and who he was working 11 with, he certainly knew information about the 12 assignment. Your understanding is that he did 13 not provide that to Sergeant Stevens, correct? 14 A. She did not request that. She 15 requested that form be completed with the 16 information. 17 Q. Okay. And what happened next that 18 leads to your allegation in Paragraph 45 that 19 Debra Kirby caused you to be removed from 20 Detached Services? 21 A. What happens next is Danny immediately 22 calls Chief Juan Rivera and states, Jill Stevens 23 is requesting this information on a form that I 24 am unfamiliar with. How do you want us to</p>
<p style="text-align: right;">Page 118</p> <p>1 Echeverria was -- the only thing he said is that 2 he'd called her back or did he say something 3 else? 4 A. He said, can I call you back with that 5 information. I don't know if she was asking if 6 the form had been completed or informing him it 7 needed to be completed or asking him to get the 8 form completed by the supervisor. I do know 9 that she was told that he would call her back 10 and she was okay with that. 11 Q. Okay. 12 A. Is my understanding. 13 Q. It's based on what Officer Echeverria 14 has told you? 15 A. Yes. 16 Q. Okay. Based on that understanding, you 17 would agree that Sergeant Stevens asked for 18 certain information in that phone call and 19 Officer Echeverria did not provide that 20 information in that phone call? 21 A. He told her he did not have that 22 information but he would get that information 23 for her and call her back. 24 MR. KING: Okay. Could you read my</p>	<p style="text-align: right;">Page 120</p> <p>1 proceed with this? 2 Q. Yes. 3 A. Chief Juan Rivera instructed, gave 4 Officer Echeverria a direct order and said, 5 under no circumstances are you to tell Jill 6 Stevens that you received this information from 7 me because you will jeopardize, which was 8 ironic, the confidentiality of the 9 investigation, which -- 10 Q. Now, let me just stop you and ask you. 11 You said Officer Echeverria calls Juan Rivera -- 12 A. That is correct. 13 Q. -- and Rivera tells him some things. 14 Are you part of that conversation or no? 15 A. I am relating what Officer Echeverria 16 stated to me. 17 Q. Okay. 18 A. I was not part of the conversation. 19 Q. Okay. So what else did Officer 20 Echeverria tell you about that conversation with 21 Juan Rivera? 22 A. He stated that Juan Rivera said, I want 23 you to tell her the forms are already taken care 24 of on your behalf and that under no</p>

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<p style="text-align: right;">Page 121</p> <p>1 circumstances are you to tell her that you spoke 2 with me. Because then she will know that you 3 are working with IAD and it will be confirmed. 4 You are to tell her the forms are completed. 5 And should she have any questions, she -- she 6 would need to contact Debra Kirby, who will 7 provide any answers to questions she has. 8 Q. Okay. 9 A. Officer Echeverria said okay, and 10 followed his instructions. 11 Q. Okay. So it's your understanding that 12 Officer Echeverria then calls Jill Stevens back, 13 is that correct? 14 A. That is correct. 15 Q. And you're also not part of that 16 conversation? 17 A. No, sir, I am not. 18 Q. And you learned from Officer Echeverria 19 what's said in that conversation between himself 20 and Jill Stevens? 21 A. That's correct. 22 Q. And what does Officer Echeverria tell 23 you about what was said in that conversation 24 with Jill Stevens?</p>	<p style="text-align: right;">Page 123</p> <p>1 Q. Did she say her or did she say Beatrice 2 Cuello? 3 A. She said, I will let her -- I believe 4 she said, I will let her. Because in the 5 initial conversation, she had stated that per 6 Beatrice Cuello, these forms needed to be 7 completed. 8 Q. Okay. So to the best of your 9 knowledge, it was Echeverria's understanding 10 that Beatrice Cuello had asked Jill Stevens to 11 call him and request this information; is that 12 correct? 13 A. Yes, yes. 14 Q. Okay. 15 A. So when -- 16 Q. And do you know -- do you have any 17 knowledge of the circumstances as to why 18 Beatrice Cuello would have called and asked 19 Jill Stevens to contact Officer Echeverria and 20 get information about his assignment? 21 A. We have information -- I have 22 information as to why and then further 23 information later as to why. 24 But the information immediately stated</p>
<p style="text-align: right;">Page 122</p> <p>1 A. He states that when he called Officer 2 Stevens back, he said words to the effect of, 3 please don't take this as any disrespect, but I 4 was told to tell you that -- by my chief that 5 those forms are completed on our behalf and that 6 should you have any further questions, you would 7 need to contact -- or need further information, 8 that your source of information should come 9 directly from Debra Kirby and that you should 10 contact her and she should be able to answer any 11 questions that you have. 12 Jill Stevens then said, what chief was 13 that. And Danny again said, I apologize, you 14 know, but I cannot give you that information, I 15 am not at liberty to say. And she said, so 16 you're telling me you are refusing to answer my 17 question. Officer Echeverria said, it's not 18 that I'm refusing, I've been given a direct 19 order not to disclose that information. Words 20 to that effect. 21 Q. Okay. 22 A. At which time Jill Stevens says, well, 23 then I will let her, referring to Beatrice 24 Cuello, know. She said I will let her --</p>	<p style="text-align: right;">Page 124</p> <p>1 by Jill Stevens is that the interim 2 superintendent would be leaving and the new 3 superintendent would be coming in and they 4 needed to have these forms completed. 5 Q. Okay. And to your understanding, was 6 that said in the first conversation -- 7 A. Yes. 8 Q. -- between Officer Echeverria and Jill 9 Stevens? 10 A. Yes. 11 Q. Okay. So he understood that she was 12 calling at the direction of Beatrice Cuello to 13 get some information that the new superintendent 14 needed, correct? 15 A. To the best of my knowledge, that is 16 correct. 17 Q. Okay. And now going back to the last 18 conversation you testified about, that Officer 19 Echeverria had with Jill Stevens or the second 20 conversation. Other than what you've already 21 testified to, are you aware of anything else 22 that was said in that conversation? 23 A. She said, well, then I will let her 24 know that you are refusing to provide the</p>



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<p style="text-align: right;">Page 125</p> <p>1 information and hung up on him. 2 Q. Okay. And what, if anything, happened 3 next that leads you to allege that Debra Kirby 4 caused you to be removed from Detached 5 Services? 6 A. Multiple things happened that led me to 7 believe that. One, I received a call, I 8 personally received a call from Sergeant Tom 9 Chester shortly after this saying, what the hell 10 is going on, what happened with Jill Stevens. I 11 relayed the same information to him that we just 12 discussed. 13 Q. Yes. 14 A. Do I need to repeat it? 15 Q. No. 16 A. Okay. At which point he said, Juan 17 Rivera had absolutely no right to put Officer 18 Echeverria in that position. He should have 19 made that call to Debra Kirby himself and had 20 Kirby call. He said, they're in an uproar, 21 they're trying to throw you out of 543 over 22 this. He said, and I've got to get ahold of 23 Juan Rivera, Juan to straighten this out. 24 Q. Okay.</p>	<p style="text-align: right;">Page 127</p> <p>1 is unravelling at a fast pace. 2 Q. Right. 3 A. So I -- you know, a lot of calls are 4 going on, so I don't know if it's this one or 5 the next one. 6 Q. Do you believe you had two 7 conversations that -- with Tom Chester about 8 this subject? 9 A. I don't know if they were on the same 10 day or the next day. 11 Q. Okay. 12 A. But I had multiple conversation with 13 him about this. 14 Q. And it's your testimony that in one of 15 those conversations, Tom Chester told you what 16 about Debra Kirby? 17 A. Tom -- in one of the conversations with 18 Tom Chester, he told me that Debra Kirby had 19 called and -- I mean, that Debra Kirby had been 20 contacted and denied having knowledge, I was 21 also informed by Juan Rivera of the same 22 information. 23 Q. Juan Rivera told you that Debbie -- Deb 24 Kirby had been contacted and denied having</p>
<p style="text-align: right;">Page 126</p> <p>1 A. He said, you should have never been put 2 in that position, never. 3 Q. Okay. 4 A. Okay. 5 Q. Do you recall anything else being said 6 in that conversation with you and Tom Chester? 7 A. I don't know if it was that first 8 conversation, because I talked to him twice that 9 day or the next conversation. 10 Q. Let's stick with the first one. Other 11 than what you just testified to, can you recall 12 anything else said in the first conversation? 13 A. I know that he said he was going to 14 call Chief Rivera to try to straighten this out, 15 that this was a big mess, that Beatrice Cuello 16 was very upset. 17 And, again, I don't -- I don't know if 18 in this first conversation he stated that 19 Beatrice Cuello did call Debra Kirby and she 20 denied having any knowledge of this 21 investigation or that was a conversation -- 22 because I was just hit with a ton of bricks. 23 Q. I understand. 24 A. And so I'm not -- you know, everything</p>	<p style="text-align: right;">Page 128</p> <p>1 knowledge of your involvement in Operation Brass 2 Tax, is that your testimony? 3 A. That's a polite way to put what he 4 said. 5 Q. Tell me what he said. 6 A. Are you sure you want me to quote him? 7 Q. Yeah. Well, before you do that. In 8 the multiple conversations you had with 9 Tom Chester on this subject, other than what 10 you've already testified to, can you recall 11 anything else that was said between you and Tom 12 Chester? 13 A. In the immediately -- following the 14 events of Jill Stevens, not immediately 15 afterward, no. 16 Q. Okay. Did you, around the same time 17 you were having these conversations with 18 Tom Chester, have a conversation with Juan 19 Rivera about this subject? 20 A. We had -- at the same time I had 21 immediately tried to call Juan Rivera, and he 22 was not picking the phone up. 23 Q. Okay. Did you eventually speak with 24 him?</p>



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<p style="text-align: right;">Page 129</p> <p>1 A. Yes. The next -- early the next 2 morning. 3 Q. Okay. And was that a telephone 4 conversation? 5 A. The first time, yes; the next time in 6 person. 7 Q. Was the telephone conversation just 8 between you and Juan Rivera? 9 A. It was between -- one conversation was 10 between Danny, but we passed the phone back and 11 forth. 12 Q. Okay. 13 A. So it was the same conversation -- 14 Q. Okay. 15 A. -- with me and I don't know if it was 16 from -- Danny called him or I called him, but we 17 both spoke on the phone. 18 Q. Sure. There was one telephone 19 conversation, you both spoke at times on the 20 phone and then you had a meeting with Rivera 21 about it; is that correct? 22 A. The same day. We were at the academy 23 that day in the morning and we -- yes. 24 Q. Tell me about the telephone</p>	<p style="text-align: right;">Page 131</p> <p>1 title, Jimmy Jackson. He said, Officer 2 Spalding, this is Deputy Superintendent Jimmy 3 Jackson with the Chicago Police Department, 4 effective immediately today, you are no longer 5 assigned to the FBI and you are being reassigned 6 to Chicago Police Department. You are to report 7 at 0700 to Beatrice Cuello at Unit 543 in 8 uniform effective tomorrow morning. 9 Q. Okay. 10 A. The next morning -- 11 Q. Did the message say you were no longer 12 assigned to the FBI -- 13 A. Correct. 14 Q. -- or no longer assigned to Detached 15 Services? 16 A. You are no longer assigned to the FBI. 17 Q. Do you still have that voicemail 18 message? 19 A. I may. 20 Q. Okay. 21 A. I may. 22 Q. I ask you and your counsel not to 23 delete it to the extent it can be transcribed, I 24 think that's called for in the request for</p>
<p style="text-align: right;">Page 130</p> <p>1 conversation that day you had with Juan Rivera. 2 What do you recall you saying to him or him 3 saying to you in the phone conversation. 4 A. Well, when I -- are you talking about 5 the day I tried to call him -- okay. 6 Q. You told me that the day you were 7 talking to Tom Chester -- 8 A. Yeah, he didn't pick up. So then -- 9 Q. -- he didn't pick up, you spoke to him 10 on the phone the following morning. 11 A. Okay, the next morning. 12 Q. I'm asking you about that telephone 13 conversation that morning. 14 A. That morning -- okay. So I informed 15 him that we were at the academy, the night 16 before we had received a call, I received a 17 message that's from James Jackson that said, 18 this is Deputy Superintendent Jimmy Jackson. 19 Q. You received a voicemail message? 20 A. A voicemail message. 21 Q. Okay. Tell me about what was left on 22 the voicemail. 23 A. Okay. I received a voicemail message 24 from Deputy Superintendent, I believe was his</p>	<p style="text-align: right;">Page 132</p> <p>1 produce in the case. But you can go back and 2 check if you have any. 3 A. I certainly will. 4 Q. Okay. So then the following morning, 5 do you have the phone conversation with Rivera 6 before you report to the police academy? 7 A. While I guess upon arrival of the 8 police academy. Because on the way there, we 9 then received a call from the secretary of 10 Beatrice Cuello that said, do not report here at 11 0700, you and your partner are going to go to a 12 one-day retraining to transition back in or 13 whatever she said. A one-day training at the 14 academy, so report to the academy at 0800 and 15 then -- for a one-day training. 16 Q. Do you know that secretary's name? 17 A. I can't think of it right now, but I do 18 know her name. 19 Q. Did you speak with her or did she also 20 leave you a voicemail message? 21 A. I spoke with her. 22 Q. And to the best of your recollection, 23 she said a one-day training? 24 A. She said, per Deputy Chief Cuello --</p>

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<p style="text-align: right;">Page 133</p> <p>1 Q. Okay.</p> <p>2 A. -- you are not to report here today at</p> <p>3 0700, but rather you will be going to a one-day</p> <p>4 training session at the academy starting 0800,</p> <p>5 so just go straight there.</p> <p>6 Q. Okay. And at that point, you had not</p> <p>7 yet talked to Juan Rivera?</p> <p>8 A. No.</p> <p>9 Q. Okay. And do you talk to Juan Rivera</p> <p>10 before you get to the academy?</p> <p>11 A. I talked to him -- I briefly walked</p> <p>12 into the academy and there was no training</p> <p>13 schedule for the day, at which point we walked</p> <p>14 outside and called Juan Rivera.</p> <p>15 Q. Okay.</p> <p>16 A. I was talking to him and --</p> <p>17 Q. Okay. Tell me your best recollection</p> <p>18 of everything that was said in that conversation</p> <p>19 with Juan Rivera.</p> <p>20 A. I know I said that -- or we were down</p> <p>21 at the academy, that we had received a message</p> <p>22 from Jimmy Jackson to report down there and that</p> <p>23 we were no longer assigned to 543. And he</p> <p>24 didn't seem to know what I was speaking about.</p>	<p style="text-align: right;">Page 135</p> <p>1 you're not fucking here for a one-day training.</p> <p>2 You know what the fuck you did, you fucked up.</p> <p>3 And that's when I'm no longer on the phone.</p> <p>4 He's screaming at us. And Danny is still</p> <p>5 continuing on the phone.</p> <p>6 Q. And what's this individual's name,</p> <p>7 Tom --</p> <p>8 A. Lieutenant Pigott, Pigott or something</p> <p>9 like --</p> <p>10 Q. Okay.</p> <p>11 A. I don't -- my interaction with him was</p> <p>12 very brief.</p> <p>13 Q. Okay. Before we get to Lieutenant</p> <p>14 Pigott, while you have the receiver and you're</p> <p>15 on the phone with Juan Rivera, do you recall</p> <p>16 anything else discussed?</p> <p>17 A. No.</p> <p>18 Q. Okay.</p> <p>19 A. I was briefed and then the lieutenant</p> <p>20 came out and Danny was --</p> <p>21 Q. And what are you alleging that</p> <p>22 Lieutenant Pigott said to you?</p> <p>23 A. He stated, are you Spalding and</p> <p>24 Echeverria, and I said, yes. And he said, you</p>
<p style="text-align: right;">Page 134</p> <p>1 I know that Danny had a much lengthier</p> <p>2 conversation with him --</p> <p>3 Q. Okay.</p> <p>4 A. -- in my presence. I was there. I was</p> <p>5 not the one on the phone.</p> <p>6 Q. But initially you were the one on the</p> <p>7 phone with him?</p> <p>8 A. Yeah, initially I was. I had talked --</p> <p>9 Q. When you reported those circumstances,</p> <p>10 Juan Rivera did not seem to be aware of them,</p> <p>11 correct?</p> <p>12 A. No, no.</p> <p>13 Q. That's correct?</p> <p>14 A. That's correct.</p> <p>15 Q. Okay.</p> <p>16 A. To the best of my recollection.</p> <p>17 Q. Sure.</p> <p>18 A. But then I believe his name was</p> <p>19 Lieutenant Pigott was coming out of the academy.</p> <p>20 And aggressively like and he was saying -- Danny</p> <p>21 was then on the phone with Juan.</p> <p>22 Q. Right.</p> <p>23 A. And he was saying, are you Spalding and</p> <p>24 Echeverria, and I said, yeah. He said, you know</p>	<p style="text-align: right;">Page 136</p> <p>1 know damn -- you know damn well you're not here</p> <p>2 for a one-day training, you know what you did</p> <p>3 and you fucked up. And he said, you're not --</p> <p>4 you, and he points at me, you're going to 3 on</p> <p>5 midnights and Echeverria is going to, I don't</p> <p>6 remember, I think it was 13 on midnights or</p> <p>7 something like that.</p> <p>8 Q. Sure, sure.</p> <p>9 A. And he said and -- he said and you knew</p> <p>10 that, you were informed of this. And I said, we</p> <p>11 did not know that and neither did our chief.</p> <p>12 And he said, I'll take your cell phones, I'll</p> <p>13 write -- and if you think you're going to make a</p> <p>14 fucking phone call to get out of this, I'll get</p> <p>15 a CR number on you. He said, you knew and your</p> <p>16 chief knows.</p> <p>17 I said, no, he doesn't. He said, oh,</p> <p>18 he doesn't or your chief doesn't know? I said,</p> <p>19 no, he's on the phone right now. Do you want to</p> <p>20 talk to him? He's like, sure he's on the phone.</p> <p>21 And Danny goes, here you go, and handed him the</p> <p>22 cell phone. And then all you hear was yes, sir,</p> <p>23 yes, sir. I received an e-mail from Jimmy</p> <p>24 Jackson. I was unaware that you didn't know,</p>

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<p style="text-align: right;">Page 137</p> <p>1 sir. That's all we heard on that end of it.</p> <p>2 Then the phone was hung up and we were ordered</p> <p>3 to go in. And that was the end of the</p> <p>4 conversation with Juan.</p> <p>5 Q. Okay. So the conversation ends and you</p> <p>6 go back in the police academy. Is it your</p> <p>7 understanding at that point that you're going</p> <p>8 back to patrol in these two districts that</p> <p>9 Lieutenant Pigott mentioned?</p> <p>10 A. I had no understanding of anything that</p> <p>11 was happening.</p> <p>12 Q. Okay.</p> <p>13 A. So I understood nothing that was</p> <p>14 happening. We were let into the academy, we</p> <p>15 were put into an empty room why -- obviously now</p> <p>16 the lieutenant is now confused as to what is</p> <p>17 going on, Chief Rivera is confused as to what is</p> <p>18 going on.</p> <p>19 Q. Okay.</p> <p>20 A. It's nothing but mass confusion. I</p> <p>21 have no understanding of anything at that point.</p> <p>22 Q. Okay. Did you have another</p> <p>23 conversation or a meeting with Juan Rivera that</p> <p>24 day?</p>	<p style="text-align: right;">Page 139</p> <p>1 academy?</p> <p>2 A. Well, yes.</p> <p>3 Q. How long was that?</p> <p>4 A. Several months.</p> <p>5 Q. Okay.</p> <p>6 A. To the best of my recollection.</p> <p>7 Q. Ultimately, do you have any personal</p> <p>8 knowledge of whose decision it was to have you</p> <p>9 go report to the police academy?</p> <p>10 A. Well, the voicemail that was left came</p> <p>11 from Jimmy Jackson.</p> <p>12 Q. Okay.</p> <p>13 A. So that's the person who informed me.</p> <p>14 Q. Okay. And are you aware that it's</p> <p>15 police policy when an officer hasn't been in</p> <p>16 patrol for a certain extended period of time,</p> <p>17 that they're typically sent back to the police</p> <p>18 academy for some retraining before they go to</p> <p>19 patrol?</p> <p>20 A. It's my understanding in our</p> <p>21 circumstances that that's not typical.</p> <p>22 MR. KING: Could you read back my</p> <p>23 question?</p> <p>24</p>
<p style="text-align: right;">Page 138</p> <p>1 A. Yeah. We left as soon as we had a</p> <p>2 lunch break and we were right over to his</p> <p>3 office.</p> <p>4 Q. Okay.</p> <p>5 A. And that's the conversation I told you</p> <p>6 about earlier when he told us about the meeting</p> <p>7 that took place the day before where we couldn't</p> <p>8 go back to 189 like we normally would.</p> <p>9 Q. Okay.</p> <p>10 A. And all of that. And that day the --</p> <p>11 Q. That's the meeting you testified to</p> <p>12 previously?</p> <p>13 A. Yes.</p> <p>14 Q. Okay.</p> <p>15 A. And while that meeting --</p> <p>16 Q. You and Officer Echeverria were never,</p> <p>17 in fact, sent back to patrol, correct?</p> <p>18 A. No.</p> <p>19 Q. Is that correct?</p> <p>20 A. Yes.</p> <p>21 Q. Thank you.</p> <p>22 So you spent some time in the -- at the</p> <p>23 police academy. How long did you -- do you</p> <p>24 recall how long you reported to the police</p>	<p style="text-align: right;">Page 140</p> <p>1 (Whereupon, the record was read</p> <p>2 as requested.)</p> <p>3 BY MR. KING:</p> <p>4 Q. Are you aware of that?</p> <p>5 A. No.</p> <p>6 Q. Okay. Ever heard of that, going back</p> <p>7 to the academy for some retraining before you go</p> <p>8 back to patrol, you never heard of that?</p> <p>9 A. I've heard of it if you've been out</p> <p>10 injured or away out of service for a long period</p> <p>11 of time and haven't been actively working, like</p> <p>12 desk duty or on the street, but I have not heard</p> <p>13 of it where you were actively working on the</p> <p>14 street, and then sent for retraining. No, I</p> <p>15 never have heard of that.</p> <p>16 Q. When you say you've heard of it, have</p> <p>17 you seen a policy on that or --</p> <p>18 A. No.</p> <p>19 Q. -- just kind of --</p> <p>20 A. Just from personal knowledge --</p> <p>21 Q. Yeah.</p> <p>22 A. -- of people.</p> <p>23 Q. Okay. And you testified that you, in</p> <p>24 fact, weren't sent back to patrol. In fact,</p>

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<p style="text-align: right;">Page 141</p> <p>1 after the police academy, you were moved to the</p> <p>2 Inspections Division, correct?</p> <p>3 A. While we were -- that's not actually --</p> <p>4 we were under the Inspection Division A&amp;As but</p> <p>5 reported to the police academy for part of the</p> <p>6 time we were at the police academy, to answer</p> <p>7 that question.</p> <p>8 Q. Okay. And the A&amp;As is the attendance</p> <p>9 and assignments sheet, is that --</p> <p>10 A. I think it's attendance and absence or</p> <p>11 maybe it's attendance and assignments.</p> <p>12 Q. Okay. And do you recall who told you</p> <p>13 that you were going on the Inspections Division</p> <p>14 A&amp;As?</p> <p>15 A. Chief Skahill.</p> <p>16 Q. Chief Skahill?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And was that in a meeting or a</p> <p>19 telephone conversation?</p> <p>20 A. I think that it was in person.</p> <p>21 Q. Okay.</p> <p>22 A. Because we met with Chief Skahill</p> <p>23 multiple times when all this was going on. In</p> <p>24 fact, when that meeting was taking place with</p>	<p style="text-align: right;">Page 143</p> <p>1 Q. Tell me what you recall telling her.</p> <p>2 A. I told her that -- first, I said, you</p> <p>3 know, there's a big uproar and there's supposed</p> <p>4 to be a meeting going on right now. They're</p> <p>5 trying to kick us off of 543 and off of</p> <p>6 Operation Brass Tax. And she said, that can't</p> <p>7 happen, this is a very important investigation.</p> <p>8 The superintendent is directly involved with</p> <p>9 this as well as his command staff. This cannot</p> <p>10 happen. She said, what happened? And Danny</p> <p>11 explained the conversation with Jill Stevens</p> <p>12 briefly.</p> <p>13 Q. Yes.</p> <p>14 A. And she said, where is this meeting? I</p> <p>15 said, down there. Because we had just left 543</p> <p>16 so we could speak with Beatrice Cuello. She</p> <p>17 said, wait here, I'm going down there right now.</p> <p>18 This cannot be allowed. We were about to break</p> <p>19 the case the next day and sign on a big witness,</p> <p>20 and she was aware of that.</p> <p>21 Q. Okay.</p> <p>22 A. She went down to the meeting, but she</p> <p>23 shortly returned. And she said, I went down</p> <p>24 there, I couldn't get into the meeting.</p>
<p style="text-align: right;">Page 142</p> <p>1 Jimmy Jackson and I couldn't get ahold of Juan</p> <p>2 Rivera, I went down to Chief Skahill's office</p> <p>3 with Officer Echeverria to inform her of what</p> <p>4 was going on immediately.</p> <p>5 Q. Okay.</p> <p>6 A. And so then the next day when we left</p> <p>7 Rivera's office, we went back to Chief Skahill's</p> <p>8 office, because she's the one who initially</p> <p>9 placed us on the assignment.</p> <p>10 Q. Right. At that point, Chief Skahill</p> <p>11 was no longer in Internal Affairs, correct?</p> <p>12 A. No. But Chief --</p> <p>13 Q. Is that correct?</p> <p>14 A. No. I mean, correct, she was not in</p> <p>15 Internal Affairs.</p> <p>16 Q. Okay. So that day you said the two of</p> <p>17 you went to her office when you couldn't get</p> <p>18 ahold of Juan Rivera?</p> <p>19 A. Correct.</p> <p>20 Q. What do you recall being said in that</p> <p>21 meeting by you or by Officer Echeverria or Tina</p> <p>22 Skahill?</p> <p>23 A. I walked in and I told her the events</p> <p>24 that had occurred.</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. Okay.</p> <p>2 A. She said, I am going to talk to Juan</p> <p>3 Rivera the second that meeting is over, go home.</p> <p>4 We're going to have to straighten this out.</p> <p>5 Q. Okay.</p> <p>6 A. These guys are going to have to</p> <p>7 straighten this out. This can't happen.</p> <p>8 Q. Okay.</p> <p>9 A. I will call you.</p> <p>10 Q. Okay. Did Tina Skahill ever call you</p> <p>11 after that about this subject?</p> <p>12 A. She met with us the next day.</p> <p>13 Q. Okay. And it was just you and she and</p> <p>14 Officer Echeverria?</p> <p>15 A. Yes.</p> <p>16 Q. And in her office?</p> <p>17 A. Correct.</p> <p>18 Q. And what was said in that conversation?</p> <p>19 A. She said that she had spoke to Juan</p> <p>20 Rivera and that -- she had mentioned -- she had</p> <p>21 mentioned Debra Kirby, but I don't remember</p> <p>22 exactly what it was about. I do remember she</p> <p>23 said that Juan was pissed off --</p> <p>24 Q. Okay.</p>



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<p style="text-align: right;">Page 145</p> <p>1 A. -- about Debra Kirby denying everything 2 and starting this whole issue. 3 Q. You recall Tina Skahill saying that in 4 the meeting? 5 A. Yes. Our meeting. 6 Q. In your meeting? 7 A. Not the -- 8 Q. I understand. In your meeting with 9 Tina Skahill, you remember her saying something 10 to the effect that Juan was pissed off? 11 A. That Juan had related to her that he 12 was pissed. 13 Q. Okay. 14 A. Something to those -- 15 Q. Sure. 16 A. It meant the same. Those are not her 17 exact words, but that is the point she was 18 getting across. 19 Q. Sure. 20 A. And that she was going to -- she said, 21 I don't know why Juan doesn't just assign you to 22 Confidentials. That is what he should be doing. 23 He needs to just assign you to Confidentials. 24 He doesn't need anyone's permission, he</p>	<p style="text-align: right;">Page 147</p> <p>1 can't tell you. 2 Q. Sure. 3 A. But I do have subsequent conversations 4 with her. 5 Q. Okay. 6 A. She did tell us -- I'm sorry. In that 7 first meeting, she said -- we told her that we 8 were going back to patrol. She said, they can't 9 do that. 10 Q. Right. 11 A. You'll get killed. That's officer 12 safety. We have to address that immediately. 13 You cannot take officers from this, have their 14 identities compromised and then throw them back 15 to the wolves. That was in the very first 16 meeting. 17 Q. Sure. 18 A. She said we need to get this -- 19 Q. Okay. 20 A. You need to go back to the academy. I 21 do recall now that was said in the first 22 meeting. 23 Q. Sure. 24 A. Later on she reiterated that in another</p>
<p style="text-align: right;">Page 146</p> <p>1 doesn't even need the superintendent's. You 2 know, he should assign you to Confidentials. If 3 I were in IAD, that's exactly what I would do. 4 None of this -- if I were still there, none of 5 this would have happened. 6 Q. Sure. 7 A. And then she said, I need to have a 8 talk with him and he needs to start doing what 9 he's supposed to be doing. Go back to the 10 academy and we'll see what we can do to -- I'll 11 see what I can do to figure this out for you 12 guys. 13 Q. So at that point, it's your 14 understanding Skahill is directing you to go 15 back to the academy while she tries to figure 16 the situation out; is that fair to say? 17 A. That's fair. 18 Q. Okay. And do you have a subsequent 19 conversation with Tina Skahill where she has 20 figured it out or has any resolution for you? 21 A. There are -- as all of this is going on 22 for the next months, we have conversations with 23 Juan and Tina Skahill. Was it the next day, the 24 same day, two hours later, five hours later, I</p>	<p style="text-align: right;">Page 148</p> <p>1 conversation, we don't do our police officers 2 like that. 3 Q. Sure. 4 A. You know, when you do something like 5 this and you come forward, we want to encourage 6 that, not discourage it. We can't let that 7 happen. What does that say going forward to 8 other officers. We can't compromise that. 9 Q. Okay. Let me try to shortcut this. 10 You testified that at some point you're at the 11 academy and you don't physically move to 12 Inspections Division but you're put on 13 Inspections A&amp;A sheets, correct? 14 A. For part of the time. 15 Q. Okay. I'm trying to find out, how did 16 you learn that you were going put -- going to be 17 put on Inspections Division A&amp;A sheets and that 18 you were then going to be reassigned to the 19 Inspections Division? 20 A. From Chief Tina Skahill. 21 Q. Okay. 22 A. We were told at one point when we 23 reported to the academy one morning, we were 24 told by a Sergeant Steve, I don't -- something</p>



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<p style="text-align: right;">Page 149</p> <p>1 with a W, Wosniak (phonetic) or something along 2 those lines. 3 Q. Okay. 4 A. That we were not going to be reassigned 5 to the patrol for officer safety. 6 Q. Okay. 7 A. That Tina Skahill had called Howard 8 something Loading (phonetic) maybe -- 9 Q. Okay. 10 A. -- of the academy and said that it was 11 an officer safety concern and that he is not to 12 put us on the street because it would be 13 detrimental to us. 14 Q. Okay. 15 A. And she then -- the academy then, 16 because she was no longer with IAD, fell under 17 her rank. 18 Q. Yes. 19 A. So then she said that she would put us 20 in Inspection Division on -- we were being moved 21 to the Inspection Division on A&amp;As, but they 22 needed -- but we would report to the academy 23 until we went on furlough for some -- to sit in 24 on in-car camera training. Not that -- that we</p>	<p style="text-align: right;">Page 151</p> <p>1 A. We were borrowed again. 2 Q. And you actually had physically been at 3 126 and then -- for a few days, at least? 4 A. I believe so. 5 Q. And then Tina Skahill asked you to go 6 back to the academy to do this work? 7 A. That is -- 8 Q. Correct? 9 A. That is correct. 10 Q. And is it your understanding that Tina 11 Skahill was the one who made the decision to 12 move you to the Inspections Division? 13 A. Yes. Because she said we should be put 14 in Confidential but Juan wasn't doing that, so 15 this is what -- 16 Q. Okay. 17 A. -- she could do. 18 Q. Okay. Are you okay for a little while 19 longer? 20 A. I'm okay. That's what matters. 21 (Whereupon, a discussion was had 22 off the record.) 23 BY MR. KING: 24 Q. When you were told I guess by Tina</p>
<p style="text-align: right;">Page 150</p> <p>1 would be doing the training, not that we were 2 receiving the training. 3 Q. You were told by Tina Skahill that you 4 were first going to be put on Inspections -- 5 A. Yeah. 6 Q. -- A&amp;A sheets. And then before you 7 actually physically moved to Inspections, you 8 were to stay at the academy for a certain period 9 of time to do some in-car camera training; is 10 that fair? 11 A. No. Let me clarify just a little bit. 12 Q. Okay. 13 A. We were at the academy. At some point 14 while we were there, we went to Inspections for 15 a couple of days. 16 Q. Okay. 17 A. Okay. Maybe a week, two weeks, days. 18 At which point the academy then needed -- they 19 were short people to teach this class. 20 Q. Sure. 21 A. So I guess it would be fair to say we 22 were then on the A&amp;As at 126 and borrowed to the 23 academy. 24 Q. Okay.</p>	<p style="text-align: right;">Page 152</p> <p>1 Skahill that you were going to be moved over to 2 Inspections, did she tell you what you were 3 going to be doing at Inspections or why you were 4 being moved there? 5 A. For officer safety. 6 Q. Okay. 7 A. As we couldn't be just thrown back out 8 there like that. 9 Q. Okay. Did you have an understanding 10 that -- were you still working on the Watts 11 investigation at that point? 12 A. No. 13 Q. It had kind of ended? 14 A. It -- yes. But it had ended at the 15 time for reasons unbeknownst to us beyond the 16 misunderstanding, we later found out there was a 17 bigger situation with it. 18 Q. We'll probably come back to that. 19 A. You ain't going to want to. 20 Q. No, I will. 21 So you went to Inspections ultimately 22 and you were working for Lieutenant Pascua, 23 correct? 24 A. Yes, that's correct.</p>

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<p style="text-align: right;">Page 153</p> <p>1 Q. Okay. When you were there for a few 2 days and then went back to the academy those few 3 days, were you interacting with Lieutenant 4 Pascua? 5 A. Minimum. 6 Q. Okay. Let's go to Paragraph 56 of the 7 Amended Complaint of Deposition Exhibit No. 1. 8 You indicate that you and your partner 9 were detailed to 126 Inspections until March, 10 2012. Do you know when you were first referred 11 to or detailed to Inspections? 12 I'll tell you, our records indicate it 13 was in May of 2011. So you would have been in 14 Inspections from some point in May, 2011 until 15 March, 2012. Does that sound correct? 16 A. I was going to guess the end of May or 17 beginning of June. I thought it was right 18 around Memorial Day. 19 Q. Okay. 20 A. Was that about right when you guys have 21 it? 22 Q. I think that's right. 23 A. That was going to be my guess. 24 Q. Okay. So you allege -- well, strike</p>	<p style="text-align: right;">Page 155</p> <p>1 Inspections Division, correct? 2 A. That's a guesstimation. 3 Q. Okay. Obviously you allege that in 4 Paragraph 56 that you were subjected to 5 harassment and hostility from Lieutenant Pascua. 6 In Paragraph 37 you alleged that she called you, 7 rat, I guess, motherfuckers, didn't want you in 8 the unit. 9 That allegation in Paragraph 57, was 10 that her allegedly referring to you as that, was 11 that the first thing that happened that you 12 consider harassment or retaliation by Lieutenant 13 Pascua? 14 A. No. 15 Q. Okay. What was the first thing that 16 you consider retaliation by Lieutenant Pascua? 17 A. I think -- I think that the first 18 retaliation, I wasn't even there for. 19 Q. Okay. 20 A. It was witnessed by my partner, which 21 was indirectly Lieutenant -- it was Lieutenant 22 Pascua but -- and a Sergeant Jan Barney. 23 Q. What was that incident? 24 A. It was where they -- Jan Barney was the</p>
<p style="text-align: right;">Page 154</p> <p>1 that. 2 For part of the time you were in 3 Inspections you were, for lack of a better term, 4 reporting to Lieutenant Pascua and then that 5 changed at some point and you were reporting to 6 Lieutenant Sadowski, correct? 7 A. Yes. 8 Q. Do you recall how long you were 9 reporting to Lieutenant Sadowski? 10 A. We were there until March. I would say 11 the greater portion of it or at least half of 12 the time. 13 Q. At least half of the time you think you 14 were reporting to Lieutenant Sadowski? 15 A. I think -- I think. 16 Q. Okay. 17 A. Reporting is a vague term. 18 Q. Sure, okay. But at some point you were 19 told either your reporting or your working 20 relationship was moving from Pascua to Sadowski, 21 correct? 22 A. Correct. 23 Q. Okay. And you think that was 24 approximately half way through your time in the</p>	<p style="text-align: right;">Page 156</p> <p>1 one talking but stated that they knew that the 2 only way -- the reason I was in Narcotics is 3 blonde hair blue eyed female, I fucked my way in 4 there. 5 Q. And Officer Echeverria told you that he 6 had heard that being said? 7 A. Yeah. They said it to him. That Jan 8 Barney was doing the talking. 9 Q. Okay. 10 A. And he responded. 11 Q. And what did he say? 12 A. You don't got to be jealous, they sell 13 blond wigs. Because he tried to make light of 14 the subject. 15 Q. Okay. Sure. Was there anything more 16 to that incident that you consider either 17 harassment or retaliation by Lieutenant Pascua? 18 A. Not to that incident. 19 Q. Okay. What was the next incident that 20 you would consider retaliation by Lieutenant 21 Pascua? 22 A. We were put in desks and not given any 23 assignments. Just empty cubicles. Just like an 24 empty wall cubical with no computer, no</p>

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<p style="text-align: right;">Page 157</p> <p>1 anything, to sit there and do nothing. And I 2 mean absolutely just sit there, okay. 3 Q. Okay. 4 A. And I was -- 5 Q. Lieutenant Pascua would tell you to sit 6 there? 7 A. Well, she was our person we reported to 8 so yeah. 9 Q. She wasn't giving you any assignments 10 to do? 11 A. None, nothing, zero. 12 Q. Okay. 13 A. And then -- 14 Q. Let me just stop you now. Did you have 15 an understanding when you started in Inspections 16 of what your job duties or responsibilities 17 would be working in Inspections? 18 A. Well, I figured work. I would do some 19 type of work. 20 Q. My question is did you have an 21 understanding of what kind of work that would be 22 that you'd be doing in Inspections? 23 A. I understood that Inspection did 24 investigations into -- like audits into</p>	<p style="text-align: right;">Page 159</p> <p>1 of work you would be doing in Inspections? 2 A. No. 3 Q. Okay. Did you or Officer Echeverria at 4 some point when you were detailed to 5 Inspections, do any auditing work, sitting in 6 the office, going through records, that sort of 7 auditing work? Did you do that? 8 A. One time. 9 Q. One time? 10 A. We were given one assignment. 11 Q. Okay. And were you given that 12 assignment by Lieutenant Pascua? 13 A. I remember working with a Sergeant John 14 Stahl on it. And he's the one that gave it to 15 me, so I don't know where ultimately it came 16 from, whether it was Sadowski or Pascua. It was 17 all lieutenants and then Sergeant John Stahl. 18 So I recall working with him, I don't recall who 19 it was for. 20 Q. Okay. And did you do any of the what 21 you believed that Inspections also did field 22 work. Were you asked to do any field work while 23 you were in Inspections? 24 A. One time I went with for -- both Danny</p>
<p style="text-align: right;">Page 158</p> <p>1 overtime. Not criminal stuff but like 2 infractions or -- 3 Q. Sure. 4 A. You don't have plates or something, 5 officers don't. 6 Q. You do a lot of -- you do auditing, 7 right? 8 A. I do? 9 Q. In Inspections. 10 A. In Inspections, they do, yes. 11 Q. Okay. 12 A. Like into investigations that needed 13 auditing. Like there may be some overtime fraud 14 here, so they have to look for that. 15 Q. Sure. 16 A. But they also do the field work where 17 they go out and look for infractions. And I 18 just understood that that was the work that they 19 did. 20 Q. Okay. 21 A. And, again, no understanding through 22 any of this time what was going on and what I 23 would be doing. 24 Q. Nobody told you at any point what kind</p>	<p style="text-align: right;">Page 160</p> <p>1 and I went with to a fire drill at one district. 2 I don't recall. 3 Q. Okay. 4 A. That was about an hour in the morning. 5 And another occasion I went to -- they had me go 6 to the Organized Crime building -- 7 Q. Okay. 8 A. -- to -- for some -- for some equipment 9 inventory from a TRU Unit -- the TRU Unit that 10 had disbanded. And there were something -- it 11 was something involved with the TRU Unit. I 12 know that it was another location. It might 13 have been the old 7th District, I don't know. 14 Q. Okay. 15 A. Again, in almost a year, that was it. 16 Q. Okay. 17 A. That I can recall. 18 Q. Okay. And during that time when you 19 were detailed to Inspections, you started 20 working on the Watts investigation again, 21 correct? 22 A. In October. 23 Q. In October of what? 24 A. Of twenty -- we were there until March</p>

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<p style="text-align: right;">Page 161</p> <p>1 of 2012. Is that what we said?</p> <p>2 Q. Yes.</p> <p>3 A. Then it was October, 2011.</p> <p>4 Q. Okay. And once you started working on</p> <p>5 the Watts investigation again in October, 2011,</p> <p>6 would you say for the remainder of the time that</p> <p>7 you were detailed to Inspections, at least on</p> <p>8 paper, you were spending most of your time</p> <p>9 working on the Watts investigation?</p> <p>10 A. No.</p> <p>11 Q. Okay.</p> <p>12 A. That's not accurate.</p> <p>13 Q. Okay. How much of your time was spent</p> <p>14 on Watts and how much of your time was being</p> <p>15 over at Inspections?</p> <p>16 A. From October until maybe the beginning</p> <p>17 of December, it was divided.</p> <p>18 Q. Okay.</p> <p>19 A. Then we were the -- I believe -- or</p> <p>20 maybe until -- yeah, somewhere around December</p> <p>21 maybe. And then the Operation Brass Tax</p> <p>22 concluded I think in the beginning of February</p> <p>23 and then we were back to sitting at the desk.</p> <p>24 Q. Okay. During the period when you were</p>	<p style="text-align: right;">Page 163</p> <p>1 were going to work on the Watts investigation,</p> <p>2 you just go work on the Watts investigation, you</p> <p>3 wouldn't tell Lieutenant Pascua, hey, we're not</p> <p>4 coming in today, we're going to be working on</p> <p>5 Watts; is that correct?</p> <p>6 A. That was confusing in the beginning.</p> <p>7 Because Juan Rivera, on the day that he had</p> <p>8 contacted -- I'm going to tell you. On the day</p> <p>9 that the investigation was reinitiated --</p> <p>10 Q. Yes.</p> <p>11 A. -- he directly called me and said,</p> <p>12 effective tomorrow, I want you to report at 0900</p> <p>13 to the FBI building. You are going to brief the</p> <p>14 FBI agents about the case for the last several</p> <p>15 years and bring them up to speed.</p> <p>16 Q. Okay.</p> <p>17 A. And then I specifically asked Juan</p> <p>18 Rivera, will you be notifying the personnel over</p> <p>19 here? Because by this time --</p> <p>20 Q. Okay.</p> <p>21 A. -- they were gone for the day. So who</p> <p>22 was going to notify them? Do I go directly</p> <p>23 there? And he said, I am the chief. If I tell</p> <p>24 you and give you a direct order, that is not for</p>
<p style="text-align: right;">Page 162</p> <p>1 at -- when you started working on the Watts</p> <p>2 investigation again when you were in</p> <p>3 Inspections, do you think you were still under</p> <p>4 Lieutenant Pascua when that started up again or</p> <p>5 were you under Lieutenant Sadowski?</p> <p>6 A. I believe it was Sadowski at that</p> <p>7 point.</p> <p>8 Q. Okay.</p> <p>9 A. Somewhere in that -- during that time</p> <p>10 it shifted, right around that time maybe.</p> <p>11 Q. Okay. And on days that you were going</p> <p>12 to spend not at Inspections but working on the</p> <p>13 Watts investigation, were you supposed to tell</p> <p>14 anyone in Inspections where you were going, what</p> <p>15 you were going to be working on?</p> <p>16 A. No. We had -- again, we were under</p> <p>17 Juan Rivera because he is -- they shifted</p> <p>18 everything and now Inspection fell under Juan</p> <p>19 Rivera. They shifted it.</p> <p>20 Q. Okay.</p> <p>21 A. And he instructed us that we only</p> <p>22 report directly to him.</p> <p>23 Q. Okay. So if you were still reporting</p> <p>24 to Lieutenant Pascua and on a particular day you</p>	<p style="text-align: right;">Page 164</p> <p>1 you to worry about.</p> <p>2 Q. Okay. I'm not talking specifically</p> <p>3 about the first day you go to the FBI and brief</p> <p>4 them. My question is while you were working in</p> <p>5 Inspections under Lieutenant Pascua and the</p> <p>6 Watts investigation had started up again, you</p> <p>7 testified you spent some of your time on Watts,</p> <p>8 some of your time in Inspections.</p> <p>9 My question is on the days that you</p> <p>10 were going to work on Watts, did you tell</p> <p>11 Lieutenant Pascua what you were doing or did you</p> <p>12 just go work on Watts?</p> <p>13 A. No. I did not just go work on Watts.</p> <p>14 Whoever I was working under, was notified that</p> <p>15 we would be working on Watts, whether that was</p> <p>16 Pascua or Sadowski, and I don't recall which one</p> <p>17 it was at the time.</p> <p>18 Q. Okay.</p> <p>19 A. And the communication was usually done</p> <p>20 through Officer Echeverria.</p> <p>21 Q. Okay. Are you aware of either yourself</p> <p>22 or Officer Echeverria ever telling Lieutenant</p> <p>23 Pascua personally, we are not coming into</p> <p>24 Inspections, we're working on Watts? Are you</p>



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<p style="text-align: right;">Page 165</p> <p>1 aware of that ever happening?</p> <p>2 A. No.</p> <p>3 Q. Okay. Similarly, are you aware of</p> <p>4 either yourself or Officer Echeverria ever</p> <p>5 telling Lieutenant Sadowski in those situations</p> <p>6 that you were not coming in to Inspections, you</p> <p>7 were going to be off working on Watts?</p> <p>8 A. I recall that when we were told that we</p> <p>9 would be needed to work on Operation Brass Tax,</p> <p>10 that we would inform them that that was going to</p> <p>11 happen. Like on these days, we are going to be</p> <p>12 working on those -- like this week, we'll be</p> <p>13 working on this day, this day and this day prior</p> <p>14 to it happening.</p> <p>15 MR. KING: Okay. Can you read back my</p> <p>16 question?</p> <p>17 (Whereupon, the record was read</p> <p>18 as requested.)</p> <p>19 THE WITNESS: Yes, they were told when</p> <p>20 we would be working on the Watts case.</p> <p>21 BY MR. KING:</p> <p>22 Q. I'm asking about Lieutenant Sadowski.</p> <p>23 You or Officer Echeverria would tell him?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 167</p> <p>1 A. Well, I was escorted to the bathroom</p> <p>2 either by her or Jan Barney every time I would</p> <p>3 get up to use the bathroom. There are cubicles</p> <p>4 in close proximity also and I had to sit right</p> <p>5 there in earshot of her saying comments about me</p> <p>6 as if I'm not there to the other command staff.</p> <p>7 Like I'm an attorney, I know how to put a case</p> <p>8 on a motherfucker and things like that, you</p> <p>9 know. And -- Narcotics officers.</p> <p>10 So we're the only Narcotics officers up</p> <p>11 there, obviously it's referring to myself and my</p> <p>12 partner.</p> <p>13 Q. Let me back up just to maybe move this</p> <p>14 along. Paragraph 57, you allege that Lieutenant</p> <p>15 Pascua called the Plaintiffs rat motherfuckers</p> <p>16 and told them that she did not want them in the</p> <p>17 unit.</p> <p>18 Is that what you just testified to at</p> <p>19 the cubical or when did this occur?</p> <p>20 A. That incident occurred after a meeting,</p> <p>21 a meeting within the unit that was prompted by</p> <p>22 Danny and I going to Commander Adrienne Stanley</p> <p>23 to report the harassment of retaliation of</p> <p>24 Pascua against us.</p>
<p style="text-align: right;">Page 166</p> <p>1 Q. Okay. He had started talking about</p> <p>2 some incidents you felt was retaliation from</p> <p>3 Lieutenant Pascua. Other than what you've</p> <p>4 testified to already, what was the next</p> <p>5 incident, if any?</p> <p>6 A. In the empty cubical that I was sitting</p> <p>7 in, she came up to the corner of it. You know</p> <p>8 how the cubical comes to the corner, and she</p> <p>9 stood over it and she told me, if you want to</p> <p>10 work with Juan Rivera and the rest of those</p> <p>11 fucking rats, you should be sitting across the</p> <p>12 hall. I don't want you over here in this</p> <p>13 fucking unit. Words to that effect.</p> <p>14 Q. Was anyone else present?</p> <p>15 A. No.</p> <p>16 Q. Okay. Do you recall anything else she</p> <p>17 said or you said in that incident?</p> <p>18 A. Not in that incident I didn't -- no.</p> <p>19 Q. Okay. So she said that and you just</p> <p>20 didn't respond?</p> <p>21 A. No.</p> <p>22 Q. Okay. What was the next incident, if</p> <p>23 any, where you felt that Lieutenant Pascua was</p> <p>24 retaliating or harassing you?</p>	<p style="text-align: right;">Page 168</p> <p>1 Q. Okay. So before -- well, let me ask</p> <p>2 you this. Strike that.</p> <p>3 With respect to the allegation in</p> <p>4 Paragraph 57 of her calling you rat</p> <p>5 motherfuckers, did you hear that directly or how</p> <p>6 did you learn about that?</p> <p>7 A. I was sitting in the cubical and she</p> <p>8 said it as she walked by going to her desk.</p> <p>9 Q. Tell me exactly what you recall her</p> <p>10 saying.</p> <p>11 A. Are you talking -- you're talking</p> <p>12 about --</p> <p>13 Q. Paragraph 57.</p> <p>14 A. 57.</p> <p>15 Q. Is it your testimony that you heard her</p> <p>16 saying that as she was walking by?</p> <p>17 A. Yes, she did say that when she was</p> <p>18 walking by.</p> <p>19 Q. Okay. What exactly did you hear her</p> <p>20 say?</p> <p>21 A. That -- just that, that we were rat</p> <p>22 motherfuckers and she didn't want us in the</p> <p>23 unit.</p> <p>24 Q. Okay. Did she say --</p>



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<p style="text-align: right;">Page 169</p> <p>1 A. Are you talking --</p> <p>2 Q. Did she say Spalding and Echeverria,</p> <p>3 did she --</p> <p>4 A. Narcotics officers.</p> <p>5 Q. -- just say rat motherfuckers? What</p> <p>6 did she say?</p> <p>7 A. She said, I don't want those rat</p> <p>8 motherfuckers in the unit. And then she further</p> <p>9 stated, I'm an attorney, I know how to put a</p> <p>10 case on those Narcotics officers. I know how to</p> <p>11 build a case, not put a case on. I know how to</p> <p>12 build a case on those Narcotics officers.</p> <p>13 Q. Okay.</p> <p>14 A. And that comment was made on several</p> <p>15 occasions.</p> <p>16 Q. Okay. But on the one occasion we're</p> <p>17 talking about, you're saying she made both the</p> <p>18 rat motherfuckers reference and said something</p> <p>19 about building a case; is that correct?</p> <p>20 A. Yes. But that building a case was said</p> <p>21 a couple times.</p> <p>22 Q. Okay. On this same time when she</p> <p>23 walked passed -- strike that.</p> <p>24 On this occasion where she walked</p>	<p style="text-align: right;">Page 171</p> <p>1 A. No. This one is the -- this one is</p> <p>2 when we came out of the meeting with the team</p> <p>3 after we went to the commander.</p> <p>4 Q. Okay. Let's talk about when you went</p> <p>5 to the commander. That was you and --</p> <p>6 A. Officer Echeverria.</p> <p>7 Q. -- and Commander Stanley?</p> <p>8 A. Yes.</p> <p>9 Q. And before we get to that, when you</p> <p>10 first moved over to Inspections, Commander</p> <p>11 Stanley was out on medical leave, correct?</p> <p>12 A. Yes, that's correct. She was gone.</p> <p>13 Q. Do you recall approximately how long</p> <p>14 you were in Inspections before she returned from</p> <p>15 medical leave?</p> <p>16 A. No. But I do know that it was -- she</p> <p>17 was back before October --</p> <p>18 Q. Okay.</p> <p>19 A. -- of 2011, because she was there for</p> <p>20 when we started that FBI case again. And I</p> <p>21 think she had been back for a little while</p> <p>22 before that. So maybe a month or so maybe.</p> <p>23 Q. Okay. When do you recall going to</p> <p>24 Commander Stanley to complain about anything?</p>
<p style="text-align: right;">Page 170</p> <p>1 passed and you heard her make reference to the,</p> <p>2 I'm a lawyer, I know how to put on a case, was</p> <p>3 that the first time that she said something</p> <p>4 along those lines and then there were subsequent</p> <p>5 times where she said something about being a</p> <p>6 lawyer and knowing how to put on a case?</p> <p>7 A. Yes. And the correct word was build a</p> <p>8 case. She didn't say put on a case.</p> <p>9 Q. I'm sorry.</p> <p>10 A. I don't want to confuse that, because</p> <p>11 that's a pretty different meaning.</p> <p>12 Q. My question is was that the first</p> <p>13 time --</p> <p>14 A. That I --</p> <p>15 Q. -- when she walked by your cubical that</p> <p>16 you ever heard her make reference to building a</p> <p>17 case?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. You indicated that -- well,</p> <p>20 strike that.</p> <p>21 Directing your attention to</p> <p>22 Paragraph 60 of the Amended Complaint. Is that</p> <p>23 a reference to that same incident where she</p> <p>24 walked by your cubical?</p>	<p style="text-align: right;">Page 172</p> <p>1 A. Well, it would have to be in August or</p> <p>2 September of 2011, if she was back at that time.</p> <p>3 And that was prompted by Lieutenant Sadowski</p> <p>4 stating that we should address the issue of the</p> <p>5 harassment and retaliation from Lieutenant</p> <p>6 Pascua with Adrienne Stanley. He approached us</p> <p>7 and said, I've witnessed it and it's going to</p> <p>8 continue. I see what she does. And I said,</p> <p>9 well, why don't you talk to Adrienne Stanley?</p> <p>10 He said, you need to go and address that issue</p> <p>11 with her.</p> <p>12 Q. Okay. Let's talk now about that</p> <p>13 conversation with Lieutenant Sadowski. Is that</p> <p>14 a conversation that you and he had or is it the</p> <p>15 three of you, you and Echeverria?</p> <p>16 A. The three of us.</p> <p>17 Q. Okay. And where does this conversation</p> <p>18 take place?</p> <p>19 A. In front of his desk in Unit 126.</p> <p>20 Q. And what's your best recollection of</p> <p>21 everything Lieutenant Sadowski says and</p> <p>22 everything that the two of you say in that</p> <p>23 conversation?</p> <p>24 A. In that morning, we would come in</p>

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<p style="text-align: right;">Page 173</p> <p>1 earlier than everyone else and of course we 2 would, you know, say good morning to him and he 3 would be at his desk. And he said that he, you 4 know, was aware of, you know, what's going on 5 and that he witnesses it. He knows I was very 6 distraught going there and I was -- it was very 7 difficult and it was very apparent. It was a 8 very hostile work environment and these are open 9 cubicles. So he's aware of it. He told me 10 that. 11 Q. Okay. 12 A. He said, so the only way it will stop 13 is you need to go report that to the commander. 14 Q. Okay. 15 A. And he said, I've witnessed it but it 16 won't stop. 17 Q. Okay. Do you recall you or Officer 18 Echeverria saying anything else or Lieutenant 19 Sadowski saying anything else? 20 A. I recall I asked him since he's a 21 lieutenant, why couldn't he initiate a CR number 22 or talk to the commander about it. 23 Q. Okay. 24 A. And he said, no, no, it's got to come</p>	<p style="text-align: right;">Page 175</p> <p>1 you know, that we are being harassed by 2 Deborah Pascua and that it's a hostile work 3 environment and this is, you know, negatively 4 affecting us and we want -- and we were 5 requesting her to initiate a CR number. And 6 Adrienne Stanley stated -- you know, and to 7 investigate what we were saying. She said, I'm 8 not trying to hear that, I don't want to hear 9 any of this. I don't want to know. 10 And Danny said, whether you want to 11 know or not, you're our commander and we are 12 requesting you to take action on this. And she 13 said, I refuse. You will never get a CR number 14 from me on one of my own. If you want that, and 15 she points over to the IAD side, because it's 16 one side and the other side, you go over there 17 with Juan and those people and maybe they'll 18 give you a fucking CR -- I'm sorry, she didn't 19 swear. 20 Q. Okay. 21 A. They'll give you a CR number. 22 Q. Okay. Do you recall anything else 23 being said in that meeting? 24 A. She said, we're done, I don't want to</p>
<p style="text-align: right;">Page 174</p> <p>1 from you guys. Which I don't understand, but we 2 followed his advice. 3 Q. Okay. So you then go -- I'm sorry. Is 4 there anything else you recall being discussed 5 in that conversation? 6 A. No, just that we would go see the 7 commander then. 8 Q. Okay. And the two of you then did go 9 see the commander? 10 A. Yes, we did. 11 Q. Okay. And was that a meeting in the 12 commander's office? 13 A. Yes. 14 Q. And the commander and you and Officer 15 Echeverria were present, correct? 16 A. Yes. 17 Q. Okay. And was it that same day as the 18 conversation with Sadowski or shortly after? 19 A. Shortly after. 20 Q. Okay. What do you recall being said in 21 that meeting? 22 A. I know that we walked in and we told 23 her that we wanted to talk to her and address 24 some issues. And Danny had started saying that,</p>	<p style="text-align: right;">Page 176</p> <p>1 hear any more. And we left. 2 Q. Okay. And at some point after that 3 meeting, your assignment was essentially changed 4 from Lieutenant Pascua to Lieutenant Sadowski, 5 correct? 6 A. Yeah. 7 Q. Okay. And to the best of your 8 knowledge, a commander would have made that 9 decision, Commander Stanley, correct? 10 A. Yeah, I -- 11 Q. If you know. 12 A. I don't know who made it. 13 Q. Okay. Other than what you've already 14 testified to, was there anything else that 15 happened that you believe was retaliation or 16 harassment by Lieutenant Pascua? 17 A. Yes. Things got so bad in Unit 126. 18 The commander's office is in the middle and 19 there's cubicles here and cubicles on the other 20 side, just a couple. But Deborah Pascua sits 21 here and my cubical is right here. 22 Q. Right. 23 A. So I'm in earshot of hearing this all 24 the time. So I move to the other side in the</p>

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<p style="text-align: right;">Page 177</p> <p>1 back of a vacant desk. There's two desks here, 2 two desks here, two desks here. 3 Q. Sure. 4 A. These people -- it was a Sandra, I 5 don't remember her last -- Espinoza, Aileen 6 Robinson, they worked for a different 7 department, and then a vacant desk. So I just 8 became -- I was so distraught, I would just come 9 in and sit there. After a few days of that, you 10 know, I began talking to Aileen Robinson and, 11 you know, like good morning, how are you. And, 12 you know, just average small talk that should 13 happen in an office environment. 14 Q. Sure. 15 A. Well, that didn't last too long because 16 a brief time later, a week, two weeks, something 17 like that, when I came in in the morning because 18 we come in before most everyone, Aileen 19 approached me, Robinson, A-I-L-E-E-N, Robinson. 20 And she said, I just want you to know that when 21 you left yesterday, officer George Flores 22 approached me and the women over here are my 23 coworkers and told us that we should not be 24 talking to you, that you are IAD rats, you are</p>	<p style="text-align: right;">Page 179</p> <p>1 don't know her last name. She was Commander 2 Stanley's secretary. She had mentioned in front 3 of Danny and I she had said that she knows that 4 I have a hard time up there and the treatment 5 that I'm getting and how bad it is for me and 6 that she sees it, as well. 7 And it was a conversation that I left 8 crying from because I was hearing all the -- 9 again, you know, I sit at a desk and I don't 10 even talk to anyone and this is just continuing. 11 And you go and you're subjected to that all day 12 long, it's just very difficult. 13 Q. Okay. 14 A. And it doesn't take much. But if you 15 say -- and in Unit 126, there's under 20 people. 16 So if you say a few negative things, we're 17 not -- we're -- 18 Q. Do you recall that secretary Jo saying 19 anything else to you in that incident? 20 A. It wasn't a real short conversation, it 21 just went into how bad things were for me there 22 and that, you know, she felt really bad for me 23 and then she retired. 24 Q. Okay. Other than what you've testified</p>
<p style="text-align: right;">Page 178</p> <p>1 here to fuck us over, you're here to put it -- 2 develop cases against us, don't talk to us, 3 ignore, ignore us, you know. And he said, I 4 know this to be a fact because Lieutenant Pascua 5 told me herself. 6 Q. So Aileen Robinson is telling you about 7 something that George Flores told her and George 8 Flores allegedly told her that Lieutenant 9 Pascua -- 10 A. It's coming from Lieutenant Pascua. 11 Q. Okay. 12 A. And Lieutenant Pascua and George Flores 13 are very close friends. 14 Q. Okay. 15 A. And she just said, I'm just telling you 16 this because I think you should know what's 17 going on behind your back. 18 Q. Okay. Other than that incident, is 19 there anything else that happened that you 20 believe was harassment or retaliation by 21 Lieutenant Pascua, other than what you've 22 already testified to? 23 A. There was one time that a secretary who 24 retired from there, her name was Jo, J-O, I</p>	<p style="text-align: right;">Page 180</p> <p>1 to, was there anything else that -- any other 2 incidents where you believe were evidence of 3 Lieutenant Pascua retaliating against you or 4 harassing you? 5 A. Yes, there is one more incident that is 6 pretty important. 7 Q. Okay. 8 A. The first day that I had to go brief at 9 the FBI under the direct order of Juan Rivera, 10 and he told me it's directly under my command, 11 you are to go there. I was harassed so bad and 12 they would follow me to the bathroom, they were 13 just doing everything. I remember the Jill 14 Stevens incident, and I just didn't trust the 15 communication gap. So even though I didn't have 16 to go into Unit 126, I went in before. 17 There was a sign-in sheet and I signed 18 in. Lieutenant Pascua was there. I walked up 19 to her and said, I don't know if you have been 20 informed by Chief Rivera. I want to make sure 21 everyone here is aware, there's no 22 miscommunication. I've been given a direct 23 order by Chief Rivera to go and report to the 24 FBI building today and that is where I'm going</p>

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<p style="text-align: right;">Page 181</p> <p>1 to be working. Nobody was in yet. She was the 2 only -- she's the lieutenant. 3 Q. Okay. 4 A. Please make sure that if any further 5 notification is -- or the commander has been 6 notified, if she has any questions, to call Juan 7 Rivera. 8 Well, when I'm in that meeting, and I 9 went with Sergeant Tom Chester -- 10 Q. Okay, all right. I'm confused. You 11 signed in at Inspections and saw Lieutenant 12 Pascua before you went -- 13 A. And I didn't have to do that. 14 Q. -- before you went to the meeting at 15 the FBI? 16 A. Yes. 17 Q. And when you told her what you were 18 doing and that this was per Chief Rivera, did 19 Lieutenant Pascua say anything to you at that 20 point in time? 21 A. Fine. 22 Q. Fine, okay. 23 A. And I said, please make sure that the 24 commander is informed when she comes in in case</p>	<p style="text-align: right;">Page 183</p> <p>1 report back here to Unit 126. This is not how 2 we do things. It's not the wild west, a rogue 3 police officer, you just do whatever the hell 4 you want. I've already talked to Eddie Walsh 5 about getting you thrown out of here, getting 6 you dumped out of this unit. Who gave you 7 permission to go over there? And I explained to 8 her that it was a direct order from the chief, I 9 even came in. And she said, that's not how we 10 do things here. I don't know what I'm supposed 11 to do. 12 Q. Sure. 13 A. It's before anyone else is in. She's 14 screaming at me so bad that I hand my phone to 15 Tom Chester and I said, you're a white shirt, 16 I'm following your direct orders, I want you to 17 handle this. 18 Q. Okay. 19 A. He walked out of the conference room, 20 had a conversation with her. And then 21 afterwards, I said, you're going to go back up 22 there with me and we're going to straighten this 23 out. And she said that Deborah Pascua while on 24 the phone -- I said, I notified Lieutenant</p>
<p style="text-align: right;">Page 182</p> <p>1 Juan Rivera did not -- it was a precaution on my 2 end I did not need to take. I did not have to 3 do that. In case Chief Rivera -- 4 Q. Okay. 5 A. -- did not get ahold of her, I knew 6 that they would be like where the hell is she, 7 who gave you permission or whatever. I came in 8 early -- 9 Q. Sure, I understand. 10 A. -- and went there first and then went 11 to the FBI building. While I was there, I was 12 with -- I was sitting here, Tom Chester was 13 sitting here. We both reported as we were 14 directed to. 15 Q. Yes. 16 A. My phone keeps buzzing, buzzing, 17 buzzing. I finally look at it and it's the 18 commander. And I pick it up and she is 19 absolutely livid and screaming at me. 20 Q. This is Commander Stanley? 21 A. Yes. 22 Q. And what did Commander Stanley say to 23 you on the phone? 24 A. She said, Officer Spalding, you are to</p>	<p style="text-align: right;">Page 184</p> <p>1 Pascua. And she said, Lieutenant Pascua said 2 you just came in here for a brief minute and you 3 told her you were just going out. Like she 4 didn't accurately repeat that I had a direct 5 order. She made it -- from that phone call, it 6 was not correctly relayed. It was relayed in a 7 negative manner to the point -- 8 Q. It's your impression from the phone 9 call with Commander Stanley that she did not 10 know that you had received an order from Chief 11 Rivera to report to the FBI, is that fair? 12 A. Well, that -- maybe that she did not 13 receive the order for it or that even if I did, 14 that I was supposed to clear it with someone in 15 126, which I did. I took extra precautions to 16 do that. 17 Q. I understand. 18 A. So I don't know what else I could have 19 done. 20 Q. Okay. 21 A. So whether she was informed or not, I 22 cannot say. 23 Q. Okay. 24 A. But I know that she was angry that I</p>



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<p style="text-align: right;">Page 185</p> <p>1 didn't receive permission. And I did notify --</p> <p>2 Q. Lieutenant Pascua?</p> <p>3 A. -- Lieutenant Pascua.</p> <p>4 Q. Okay. I know you said there was one</p> <p>5 more incident. Was that the only -- other than</p> <p>6 what you've already testified to, was there any</p> <p>7 other incident where you believe Lieutenant</p> <p>8 Pascua retaliated or harassed you?</p> <p>9 A. Not that I can recall at this time.</p> <p>10 Q. Okay. Are you also claiming that</p> <p>11 Commander Stanley engaged in some retaliation</p> <p>12 against you?</p> <p>13 A. Yes.</p> <p>14 Q. What's the basis of that allegation?</p> <p>15 A. Well, the first time would be to fail</p> <p>16 to initiate a CR investigation when I tell you</p> <p>17 that I'm being harassed and retaliated against.</p> <p>18 Q. Okay.</p> <p>19 A. Failing to take action and telling me</p> <p>20 you don't want to hear about that, allowing it</p> <p>21 to continue, basically. To a certain extent,</p> <p>22 I'm entitled to a CR number.</p> <p>23 Q. Okay. Other than Commander Stanley not</p> <p>24 acting on a CR number, is there anything else</p>	<p style="text-align: right;">Page 187</p> <p>1 Juan Rivera said. That is what she said in a</p> <p>2 hostile manner.</p> <p>3 Q. Okay. Commander Stanley said that</p> <p>4 after or before you passed the phone to Tom</p> <p>5 Chester, if you can recall?</p> <p>6 A. See, I don't recall if it was after or</p> <p>7 before.</p> <p>8 Q. Okay.</p> <p>9 A. But I thought it was after.</p> <p>10 Q. All right. You also testified when you</p> <p>11 returned to Inspection, she was hostile. Can</p> <p>12 you explain that?</p> <p>13 A. She was very angry and -- yes. She was</p> <p>14 very angry. The way you talk to someone. I</p> <p>15 mean, Tom Chester said to me, I do not want to</p> <p>16 go up there and deal with this, I don't want to</p> <p>17 get involved. I said, that's too bad. Because</p> <p>18 as, you know -- he did. He said, oh, but I</p> <p>19 don't want to because of how irate she was.</p> <p>20 Q. So Tom Chester went with you back to</p> <p>21 the unit, right?</p> <p>22 A. He said, first we're going to stop --</p> <p>23 first, we're going to go over to Juan Rivera's</p> <p>24 office and let him know about what is going on.</p>
<p style="text-align: right;">Page 186</p> <p>1 that you're alleging was a retaliation by</p> <p>2 Commander Stanley?</p> <p>3 A. Well, hostile I would say is that phone</p> <p>4 call. Even if you thought that I failed to</p> <p>5 report to someone, you don't call screaming and</p> <p>6 swearing at an officer like that that's -- you</p> <p>7 know, like that. Even after the circumstances</p> <p>8 were explained, she was very hostile towards me</p> <p>9 and I'm put in a catch-22.</p> <p>10 Q. You say after the circumstances were</p> <p>11 explained. Are you saying she was hostile to</p> <p>12 you on the telephone after the circumstances</p> <p>13 were explained to her?</p> <p>14 A. Yes. And after I returned to the unit,</p> <p>15 as well.</p> <p>16 Q. Okay. What -- you said you passed the</p> <p>17 phone to Tom Chester, correct?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. After Tom -- it's your testimony</p> <p>20 Tom Chester gives you the phone back and</p> <p>21 Commander Stanley is hostile to you, is that</p> <p>22 your testimony?</p> <p>23 A. She told me I needed to leave the FBI</p> <p>24 building and come in, period, disregarding what</p>	<p style="text-align: right;">Page 188</p> <p>1 And we stopped there first.</p> <p>2 Q. Okay. And what did you tell Juan</p> <p>3 Rivera?</p> <p>4 A. Exactly the events that I just related</p> <p>5 to you about the meeting.</p> <p>6 Q. Okay.</p> <p>7 A. And he said, that's fucking ridiculous.</p> <p>8 He said, Adrienne Stanley doesn't want you in</p> <p>9 the unit, they don't want you there and she's</p> <p>10 looking for any reason to throw you out.</p> <p>11 Q. Okay.</p> <p>12 A. Absolutely any reason. They're not</p> <p>13 comfortable with you being over there because</p> <p>14 you worked with IAD on these confidential cases.</p> <p>15 Q. Juan Rivera said --</p> <p>16 A. Yes.</p> <p>17 Q. -- that because you worked at IAD on</p> <p>18 these confidential cases, is that your</p> <p>19 testimony?</p> <p>20 A. Because you worked with IAD on these</p> <p>21 confidential, with. Because we never worked for</p> <p>22 IAD.</p> <p>23 Q. I understand.</p> <p>24 A. There's a difference. Yes, he did.</p>



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<p style="text-align: right;">Page 189</p> <p>1 Q. Okay.</p> <p>2 A. And he says -- again, dismissed it and</p> <p>3 said, just go back over there it will be fine.</p> <p>4 But I knew from the phone conversation --</p> <p>5 Q. Okay.</p> <p>6 A. -- it's not going to be fine because --</p> <p>7 Q. Did you go back to the commander with</p> <p>8 Tom Chester?</p> <p>9 A. I don't recall if we walked in there</p> <p>10 together. I think he did walk across the hall,</p> <p>11 but when I -- because they're just like right by</p> <p>12 each other, the offices. We went to Rivera's</p> <p>13 and then I do think he walked across the hall.</p> <p>14 And when we approached her office --</p> <p>15 Q. Yes.</p> <p>16 A. -- she didn't want anything to do with</p> <p>17 me. She didn't want to talk to me at all. She</p> <p>18 was so mad, she just walked out of her office</p> <p>19 and said she was going across the hall to deal</p> <p>20 with it, referring to Juan Rivera's office.</p> <p>21 Q. You thought --</p> <p>22 A. And then I think Tom Chester went back</p> <p>23 across the hall, too, I just went back to the</p> <p>24 cubical.</p>	<p style="text-align: right;">Page 191</p> <p>1 ever personally ask Chief Roti if you could come</p> <p>2 back to Narcotics?</p> <p>3 A. I attempted to, yes.</p> <p>4 Q. What do you mean you attempted to?</p> <p>5 A. Officer Echeverria called his office to</p> <p>6 make an appointment with him to talk about it,</p> <p>7 because we are getting all of this information</p> <p>8 from Juan Rivera directly but we're starting to</p> <p>9 question Juan Rivera because he's not doing what</p> <p>10 he's supposed to.</p> <p>11 So we want to hear from our chief</p> <p>12 himself that we can't come back. I want to hear</p> <p>13 him tell me that.</p> <p>14 Q. And did you ever have a meeting with</p> <p>15 Chief Roti?</p> <p>16 A. No.</p> <p>17 Q. Okay. But as you testified, you were</p> <p>18 starting to question whether things that Rivera</p> <p>19 was telling you about not being able to go back</p> <p>20 to Narcotics, were true?</p> <p>21 A. I was questioning everything. Because</p> <p>22 absolutely everybody -- my head was spinning.</p> <p>23 Everybody was all over the map and nobody was</p> <p>24 doing what they were supposed to do.</p>
<p style="text-align: right;">Page 190</p> <p>1 Q. Okay.</p> <p>2 A. It was very stressful.</p> <p>3 Q. Okay. Other than what you've already</p> <p>4 testified to, is there any other incidents of</p> <p>5 alleged retaliation by Commander Stanley against</p> <p>6 you or Officer Echeverria?</p> <p>7 A. No, not at this time.</p> <p>8 Q. When you talked about the meeting with</p> <p>9 Rivera and you and Tom Chester, was Officer</p> <p>10 Echeverria also in that meeting?</p> <p>11 A. He was off that day.</p> <p>12 Q. Okay. So when you were presenting on</p> <p>13 the Operation Brass Tax case that day at the</p> <p>14 FBI, Officer Echeverria was not with you?</p> <p>15 A. No.</p> <p>16 Q. Okay. If I could direct your attention</p> <p>17 to Paragraph 68 of the Complaint. You allege,</p> <p>18 among other things, that Chief Roti had ordered</p> <p>19 that you not be allowed back in the Narcotics</p> <p>20 unit or any other bureau of Organized Crime.</p> <p>21 You've already testified to that conversation,</p> <p>22 correct?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. Did you or Officer Echeverria</p>	<p style="text-align: right;">Page 192</p> <p>1 Q. Okay.</p> <p>2 A. So that -- yes. Because Juan Rivera</p> <p>3 was not putting us in confidential, forcing us</p> <p>4 to stay in 126, which was still under his</p> <p>5 command and allowing us -- refusing to get a CR</p> <p>6 number.</p> <p>7 Q. Okay.</p> <p>8 A. I don't know what's up and what's down.</p> <p>9 Q. I understand.</p> <p>10 When Officer Echeverria made an attempt</p> <p>11 to meet with Chief Roti, was there just no</p> <p>12 response or --</p> <p>13 A. No, there was a response. Officer</p> <p>14 Echeverria called his office. The phone was</p> <p>15 answered by Sue Blauer (phonetic), his</p> <p>16 secretary. At which point she stated, you need</p> <p>17 to be a member of Organized Crime to get a</p> <p>18 meeting with Chief Nick Roti. And he said, I</p> <p>19 am. She said, no, you need to be assigned to</p> <p>20 the unit. He said, I am. And she said, what's</p> <p>21 your name. And he said, Officer Daniel</p> <p>22 Echeverria, I'd like to schedule a meeting.</p> <p>23 And she said, well, what is it about.</p> <p>24 He said, it's of a confidential matter that I</p>

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<p style="text-align: right;">Page 193</p> <p>1 need to discuss directly with the chief. And</p> <p>2 she said, you need to tell me what that's about.</p> <p>3 And then she basically said, you know what, that</p> <p>4 is never going to happen, and hung up on Danny.</p> <p>5 Q. Okay.</p> <p>6 A. Now, we know that Chief Roti got the</p> <p>7 message.</p> <p>8 MR. KING: I move to strike. It's not</p> <p>9 responsive to any question.</p> <p>10 BY MR. KING:</p> <p>11 Q. Well, let's go there. You testified</p> <p>12 that Chief Roti got the message that you and</p> <p>13 Echeverria were trying to have a meeting with</p> <p>14 him. Is that your testimony?</p> <p>15 A. Yes.</p> <p>16 Q. How do you know he got that message?</p> <p>17 A. Juan Rivera.</p> <p>18 Q. Okay. What did Juan tell you about</p> <p>19 that?</p> <p>20 A. Juan Rivera saw us in the hallway and</p> <p>21 he said, what the -- we were both walking</p> <p>22 together. What -- he starts telling me, what</p> <p>23 the fuck is wrong with you, why the fuck did you</p> <p>24 call Nick Roti. I said, I didn't call anyone.</p>	<p style="text-align: right;">Page 195</p> <p>1 BY MR. KING:</p> <p>2 Q. You're good?</p> <p>3 A. I'd rather get this over with. It's up</p> <p>4 to you guys. Let's push through it.</p> <p>5 MR. KING: How do you feel?</p> <p>6 MS. COURT REPORTER: I'm fine.</p> <p>7 Whatever you want to do.</p> <p>8 MR. KING: We'll push through all the</p> <p>9 way to the end. Well, let's keep going for a</p> <p>10 while.</p> <p>11 MR. SMITH: Well, let's just go for a</p> <p>12 little while and we can revisit this in a half</p> <p>13 hour or so?</p> <p>14 MR. KING: Yeah, that's fine.</p> <p>15 BY MR. KING:</p> <p>16 Q. If I can direct your attention to</p> <p>17 Paragraph 64 of the Amended Complaint.</p> <p>18 You indicate that Lieutenant</p> <p>19 Sadowski --</p> <p>20 A. 64, 6-4?</p> <p>21 Q. 64. You indicate that Lieutenant</p> <p>22 Sadowski joined what you refer to as the</p> <p>23 campaign by repeatedly attempting to lodge false</p> <p>24 allegations of wrongdoing against Plaintiffs.</p>
<p style="text-align: right;">Page 194</p> <p>1 Danny said, that was me, boss, I did that. He</p> <p>2 said, why in the fuck did you call Nick Roti.</p> <p>3 He said, he called over here and told</p> <p>4 me, don't you fucking ever have either one of</p> <p>5 those motherfuckers call my office again. You</p> <p>6 tell those motherfucking Spalding and Echeverria</p> <p>7 I've got nothing to say to them, they will never</p> <p>8 work here, that's it.</p> <p>9 Now, Juan Rivera knew this shortly</p> <p>10 after the phone call happened. There is no way</p> <p>11 possible he could have quoted what happened --</p> <p>12 Q. Okay.</p> <p>13 A. -- if Nick Roti did not relay that</p> <p>14 information.</p> <p>15 Q. Okay. Did you or Officer Echeverria</p> <p>16 ever attempt to speak directly with Commander</p> <p>17 O'Grady about returning to Narcotics?</p> <p>18 A. After the higher ranking official told</p> <p>19 us never to contact that unit and we couldn't</p> <p>20 come back, we would be going down. Absolutely</p> <p>21 not.</p> <p>22 MR. KING: Okay. Do you guys want to</p> <p>23 take a short lunch or do you want to --</p> <p>24 THE WITNESS: I'm good.</p>	<p style="text-align: right;">Page 196</p> <p>1 Do you see that?</p> <p>2 A. Yes, I do.</p> <p>3 Q. Okay. So that was after you were</p> <p>4 reassigned to be under Lieutenant Sadowski,</p> <p>5 correct?</p> <p>6 A. Correct.</p> <p>7 Q. Okay. And what are you referring to</p> <p>8 when you say, he attempted to lodge false</p> <p>9 allegations against you?</p> <p>10 A. Well, there are a couple of incidents.</p> <p>11 One of the incidents being that when we would be</p> <p>12 working later than our regular time, we would</p> <p>13 call him and tell him that we were working</p> <p>14 overtime with Operation Brass Tax and then we</p> <p>15 would call him and tell him when we had</p> <p>16 completed that.</p> <p>17 So we were about to leave, be done for</p> <p>18 the day at headquarters with Operation Brass Tax</p> <p>19 and Officer Echeverria called Lieutenant</p> <p>20 Sadowski to tell him that we were leaving. When</p> <p>21 we went to get on the elevators to go, the doors</p> <p>22 open up and Juan Rivera and Commander Klimess</p> <p>23 (phonetic) were there.</p> <p>24 Q. Okay.</p>

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<p style="text-align: right;">Page 197</p> <p>1 A. We were on, you know, the fifth floor 2 where we all, you know, worked out of. And he 3 said, oh, just the two I'm looking for. Come 4 into my -- Chief Rivera said, just the two I'm 5 looking for, come into my office. I need you to 6 bring me up to speed, brief me on where we are 7 with Operation Brass Tax because we, referring 8 to himself and Klimess, Commander Klimess, have 9 to go in to McCarthy's office and brief him. 10 Q. Okay. 11 A. That delayed us an extra hour and a 12 half, approximately. So then we said, okay, 13 boss, well, here's our overtime sheets. Who's 14 going to sign those now? Because we -- 15 Q. Right -- 16 A. -- we signed them out when we were 17 leaving at -- we signed it for like 6:00 and now 18 we're there until 7:30. 19 Q. Sure, sure. 20 A. He said, give them to me, I'll sign 21 them and he signed them. We said, do we need to 22 call Lieutenant Sadowski back. And he said, I'm 23 the fucking chief. 24 Q. Okay.</p>	<p style="text-align: right;">Page 199</p> <p>1 Q. Okay. 2 A. -- at which point it doesn't. 3 Q. Okay. Let me -- 4 (Whereupon, Spalding Deposition 5 Exhibit No. 3 was marked for 6 identification.) 7 BY MR. KING: 8 Q. Ms. Spalding, I'm showing you another 9 document that's marked Deposition Exhibit No. 3, 10 I believe. And it appears to be a counseling 11 session report. The first page is Officer 12 Echeverria's name, the second page is your name 13 and it's a counseling by Lieutenant Sadowski. 14 Have you seen this document before? 15 A. No. I have not seen this at all. 16 Q. Okay. This indicates anyway under the 17 section statement of performance concern and he 18 writes, above is being counseled for two 19 separate incidents. The second incident states, 20 failed to notify a supervisor assigned to 126 21 when above worked overtime on 21, November, 22 2011. Is that the overtime incident that you 23 were just testifying about? 24 MR. SMITH: I object to the</p>
<p style="text-align: right;">Page 198</p> <p>1 A. I signed it, it's done. 2 Well, fast forward, now Lieutenant 3 Sadowski says he wants to file a complaint 4 against us for falsifying our overtime because 5 Danny had called him and said we were leaving 6 and then we didn't. 7 Q. Okay. 8 A. So we explained the situation to him, 9 Danny explained the situation to him over the 10 phone while I was in the car. I heard Danny 11 explain exactly the incident that I just 12 explained to you. 13 Q. Okay. So Danny has a conversation with 14 him when you all are driving back to 15 Inspections? 16 A. This is on another day. This is fast 17 forward. 18 Q. Okay. 19 A. Because it takes about a few weeks or 20 longer for the slips to go through however long. 21 Q. Okay. 22 A. So this is another day he contacts 23 Danny. So we thought the explanation would 24 satisfy the situation --</p>	<p style="text-align: right;">Page 200</p> <p>1 characterization as second incident. I'm sorry, 2 I see the first sentence above this. I withdraw 3 the objection. 4 THE WITNESS: Yes. 5 BY MR. KING: 6 Q. Yes? 7 A. Yes. 8 Q. Okay. So Lieutenant Sadowski had a 9 meeting with you and Officer Echeverria about 10 this overtime incident, correct? 11 A. No, incorrect. 12 Q. Okay. Never had a meeting? 13 A. No. He told us we were going to have a 14 meeting for this counseling report. And the 15 reason I never saw it is when I -- he told us we 16 needed to come -- 17 Q. Right. 18 A. -- we needed to come and you'll see 19 that this -- there is no signature on here. We 20 would have to sign this. 21 Q. I understand. My only question is -- 22 A. Okay. 23 Q. -- did you have a meeting -- 24 A. No.</p>

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<p style="text-align: right;">Page 201</p> <p>1 Q. -- with Lieutenant Sadowski about this 2 overtime issue? 3 A. No. No, I did not. I was not -- I 4 never met with him. 5 Q. Okay. And -- okay. 6 And do you know what the first incident 7 is referencing, failed to notify a supervisor 8 assigned to Unit 126 about the status of 9 eligibility for OPY, Operation Project Youth? 10 A. I have no idea what that even is. 11 Q. Okay. Do you have any recollection of 12 OPY, Operation Project Youth? 13 A. I don't know what that even is. 14 Q. Okay. Do you have any recollection of 15 being asked to participate in OPY, Operation 16 Project Youth? 17 A. I was never asked to participate in it. 18 I don't even know what it is. 19 Q. Okay. Do you ever recall being asked 20 to participate in a police initiative where you 21 would go to one of the schools? 22 A. No. 23 Q. Okay. And Lieutenant Sadowski, to the 24 best of your recollection, never had a</p>	<p style="text-align: right;">Page 203</p> <p>1 document before? 2 A. No. 3 Q. Okay. 4 A. I'm -- no, I haven't. But -- 5 Q. That's fine. 6 A. But it is signed by Juan Rivera. 7 Q. Correct. 8 A. So it would have to be the incident 9 date. 10 Q. Okay. You don't have any reason to 11 doubt that -- 12 A. No. 13 Q. -- this relates to the incident that 14 you were testifying about where Rivera signed 15 the overtimes? 16 A. I have no reason to doubt it. 17 Q. Okay. And Lieutenant Sadowski never 18 sat down and had what you understood to be a 19 counseling with you? 20 A. No. 21 Q. Okay. 22 A. Never. 23 Q. And then I assume you -- 24 MR. SMITH: I'm just going to object to</p>
<p style="text-align: right;">Page 202</p> <p>1 conversation with you about failing to notify a 2 supervisor about the status of your eligibility 3 for OPY? 4 A. With me? 5 Q. Yes. 6 A. Lieutenant Sadowski had this 7 conversation with me? 8 Q. Yes. I'm asking you, yes. 9 A. No, not that I recall at all. No. 10 Q. Okay. And if you look at the third 11 page of this exhibit. Are these the overtime 12 slips that you were testifying about that were 13 signed by Juan Rivera? 14 A. These would not be the ones because -- 15 they can't be because of -- to 1830, yes, they 16 would be the ones because it says Juan Rivera 17 down there, doesn't it, at the bottom? 18 Q. It appears to. 19 A. If that's his signature. I can't see. 20 I can't read it, either, any of this. 21 Q. Okay. 22 A. And it's signed seven days later, isn't 23 it, by Juan -- is that Juan Rivera? 24 Q. Let me just -- have you seen this</p>	<p style="text-align: right;">Page 204</p> <p>1 the vagueness of counseling with you. 2 THE WITNESS: I could tell you why. 3 BY MR. KING: 4 Q. I was asking you if you felt that there 5 was any retaliation by Lieutenant Sadowski, you 6 mentioned this overtime incident. 7 A. Uh-huh. 8 Q. Other than that, are you alleging that 9 there are any other incidents where Lieutenant 10 Sadowski retaliated against you or harassed you? 11 A. The overtime incident where he was 12 calling us in for the meeting, to go into -- for 13 our counseling meeting that never happened 14 between him and I. 15 Q. Okay. 16 A. Okay. And then there was another 17 incident -- 18 Q. Let me just stop you for a second. So 19 you understood you were going to be called in 20 for a counseling meeting with Lieutenant 21 Sadowski but that, in fact, never happened? 22 A. He talked to me on the phone and yes, 23 he said you're going to come in and you're going 24 to come in at this time in the morning. And we,</p>



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<p style="text-align: right;">Page 205</p> <p>1 you know -- but no, the meeting with me and 2 Sadowski never happened. 3 Q. Okay. Do you know if there was a 4 meeting between Echeverria and Sadowski -- 5 A. Yes. 6 Q. -- about the overtime? 7 A. Yes. 8 Q. Okay. And you weren't present for 9 that? 10 A. I was on my way up when Juan Rivera 11 stopped me and said, what the hell are you doing 12 here. 13 Q. I see. 14 A. You're supposed to be on the street. 15 Q. Okay, that's fine. 16 And I'm sorry, you were testifying to 17 any other incidents of alleged retaliation by 18 Lieutenant Sadowski. 19 A. There was another time on a day we were 20 not working Operation Brass Tax, you can ask me 21 when, I don't recall when exactly it was. It 22 was in the middle of sometime when he became our 23 lieutenant -- 24 Q. Sure.</p>	<p style="text-align: right;">Page 207</p> <p>1 A. I don't recall because I wasn't even 2 there. 3 Q. Sure. So you were upset that -- 4 A. How am I going to -- 5 Q. -- he was faulting you for some 6 incident on a day when you weren't even at work? 7 A. Correct. 8 Q. Okay. Other than what you already 9 testified to, is there anything else that 10 happened that you believe is retaliation or 11 harassment by Lieutenant Sadowski? 12 A. Not that I recall at this time. 13 Q. Okay. And would I be correct that 14 everything that you're alleging was retaliation 15 by Lieutenant Pascua, Lieutenant Sadowski or 16 Commander Stanley occurred during the time that 17 you were assigned to the Inspection Division? 18 A. Correct. 19 Q. Okay. Did you ever complain to Tina 20 Skahill about anything that you believed was -- 21 that you were being retaliated against or 22 harassed? 23 A. I did -- we did tell her like when we 24 were being thrown out of 543, as we discussed --</p>
<p style="text-align: right;">Page 206</p> <p>1 A. -- and before we left the unit. That 2 he was talking about an incident that happened 3 and he was going over it with Danny and I. And 4 I said, wait a minute, on what date? And I 5 don't recall the incident. But I said, 6 lieutenant, I don't even know what you're 7 talking about and I wasn't even at work that 8 day. And he said, it doesn't matter, partners 9 go down in pairs. You're getting written up for 10 it, too. 11 Q. Okay. Do you recall what the incident 12 was that you were getting written up for? 13 A. No, because I had no idea. And then I 14 couldn't recall. I'm like, what is he talking 15 about. And so then I asked him the date. And 16 said, I wasn't here that day, that's why I have 17 no knowledge of what you're talking about. 18 Q. But did Lieutenant Sadowski tell you 19 what the incident was? 20 A. At the time he did, I don't recall what 21 it is now. 22 Q. You don't recall what it was? 23 A. Yes. He did state it at the time. 24 Q. Okay.</p>	<p style="text-align: right;">Page 208</p> <p>1 Q. Okay. 2 A. -- and, you know, how we were being 3 thrown out and that we were going to go back to 4 the district. 5 Q. Other than what you've already 6 testified to, did you ever complain to Tina 7 Skahill about any alleged retaliation or 8 harassment? 9 A. During the course of Operation Brass 10 Tax, of course with the permission of Juan 11 Rivera, he was well informed of it, we would 12 continue to keep her up on date when we would 13 see her -- up to date on Operation Brass Tax. 14 Q. Okay. 15 A. And during the course of those 16 conversations, I would say, you know, this -- 17 you know, like I would mention things that had 18 happened. And she said she would talk to Juan 19 because Juan needed to just assign us to 20 Confidential and then everybody in IAD 21 Confidential does the same work as us and the 22 harassment would stop. 23 And she said she didn't understand why 24 Juan wasn't doing that, but she would talk to</p>



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<p style="text-align: right;">Page 209</p> <p>1 him. She offered to talk to Juan multiple times 2 on our behalf -- 3 Q. Okay. 4 A. -- about that. 5 Q. Okay. And all of these occasions where 6 you were just testifying about were when Juan 7 Rivera was the chief and Tina Skahill was no 8 longer the chief, correct? 9 A. Correct. 10 Q. Okay. You never specifically asked 11 Tina Skahill to pull a CR number for you, did 12 you? 13 A. No, because she wasn't -- no. We 14 weren't reporting directly to her anymore, so we 15 would ask Juan. 16 Q. Okay. Do you have any recollection of 17 ever discussing with Tina Skahill any alleged 18 retaliation that you believe was happening in 19 Inspections at the hands of Lieutenant Pascua or 20 Sadowski or Commander Stanley? 21 A. You mean while it was under her 22 authority? 23 Q. At any time. 24 A. No.</p>	<p style="text-align: right;">Page 211</p> <p>1 Q. Okay. 2 A. So we did. 3 Q. So let me stop you. 4 So when you testified that you were, at 5 certain points, trying to get out -- or at a 6 certain point trying to get out of Operation 7 Brass Tax and you told that to Juan Rivera, you 8 were trying to move to Fugitive Apprehension; is 9 that correct? 10 A. Well, at -- no, not at all times. At 11 one point, I didn't care where he put me, I just 12 wanted off. And at one point he said, I could 13 put you in Confidentials -- I'll move you, I'll 14 move you to Confidentials or I'll move you back 15 to the academy. And I said, I'll gladly go to 16 Confidentials and it never happened. So we 17 didn't know where it would be. 18 Q. Okay. So prior -- is it your testimony 19 that prior to you and Officer Echeverria putting 20 in applications to go to Fugitive Apprehension, 21 you had a conversation with Chief Tom Byrne 22 about Fugitive Apprehension? 23 A. It was a conversation in passing. 24 Q. Okay.</p>
<p style="text-align: right;">Page 210</p> <p>1 Q. Okay. And after the Inspections 2 Division, your next detail was Fugitive 3 Apprehension, correct? 4 A. Correct. 5 Q. Okay. And are you alleging that there 6 was anything retaliatory about your move to 7 Fugitive Apprehension? 8 A. No. 9 Q. Okay. In fact, you applied to get into 10 that unit, correct? 11 A. In fact, Danny and I went and had a 12 conversation with Chief Tom Byrne. He was our 13 former boss when we were in the 1st District and 14 he had -- he knew that we were really good 15 officers and he had, in fact, asked us to come 16 to Fugitives while we were in Operation Brass 17 Tax and I had told Juan Rivera I wanted off and 18 I wanted to go, but we were denied. 19 Q. Okay. 20 A. And during the course of the 21 conversations with Juan when all of this was 22 happening, he said, my hands are tied, I can't 23 help you, maybe you can go back and talk to Tom 24 Byrne, maybe he can help you.</p>	<p style="text-align: right;">Page 212</p> <p>1 A. Where he said, you know, you guys being 2 inside is a really big waste of talent and you 3 guys should go work with me. We knew that 4 wasn't going to happen because we weren't -- 5 Q. When he's saying, you guys should come 6 work for me, is he referring to Fugitive 7 Apprehension? 8 A. That's how I took it. 9 Q. Okay. And when did this conversation 10 take place in relation to when you submitted an 11 application to go to Fugitive Apprehension? 12 A. It had to be at least a year or so 13 before. 14 Q. Okay. Thank you. 15 (Whereupon, Spalding Deposition 16 Exhibit No. 4 was marked for 17 identification.) 18 BY MR. KING: 19 Q. Ms. Spalding, I'm showing you another 20 document that's been marked Deposition Exhibit 21 No. 4, which is an e-mail -- or a couple of 22 e-mails. At the top, an e-mail from Officer 23 Echeverria to Juan Rivera. Have you ever seen 24 this e-mail before?</p>

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<p style="text-align: right;">Page 213</p> <p>1 A. No.</p> <p>2 Q. Okay. Were you aware that Juan Rivera</p> <p>3 was providing you information and suggesting</p> <p>4 that you apply to the Fugitive Apprehension</p> <p>5 unit?</p> <p>6 A. What -- again, I will state that what</p> <p>7 he said was it would be our best bet to go and</p> <p>8 see if Tom Byrne could help us get into there.</p> <p>9 Because Nick Roti was the one that would have to</p> <p>10 sign off on any of the other units and it was</p> <p>11 impossible.</p> <p>12 Q. Okay. There are three different</p> <p>13 e-mails reprinted on Exhibit 4. Is it your</p> <p>14 testimony you've never seen any of them?</p> <p>15 A. I did not see the actual e-mail.</p> <p>16 Q. Okay.</p> <p>17 A. But I do know that -- hold on, there's</p> <p>18 more down here. Hold on a second. This was --</p> <p>19 no, I never saw these documents before.</p> <p>20 Q. Okay, that's fine.</p> <p>21 You were aware, obviously, that you and</p> <p>22 Officer Echeverria decided to submit</p> <p>23 applications for the Fugitive Apprehension unit,</p> <p>24 correct?</p>	<p style="text-align: right;">Page 215</p> <p>1 Q. Okay. And you were reassigned to</p> <p>2 Fugitive Apprehension, by my records, effective</p> <p>3 on or about March 18, 2012. Does that sound</p> <p>4 correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. If I could now direct your</p> <p>7 attention back to Exhibit 1, the Amended</p> <p>8 Complaint, Paragraph 73.</p> <p>9 You allege that on March 20th, you are</p> <p>10 detailed to Fugitive Apprehension Unit 606. And</p> <p>11 you allege, within that unit, Plaintiffs were</p> <p>12 assigned to the United States Marshal's Task</p> <p>13 Force. Do you see that?</p> <p>14 A. I see that.</p> <p>15 Q. Is that your understanding that when</p> <p>16 you first joined Fugitive Apprehension, that you</p> <p>17 were a part of the United States Marshal's Task</p> <p>18 Force, yes or no?</p> <p>19 A. United States Marshal's Task Force,</p> <p>20 no.</p> <p>21 Q. Okay. Is it your understanding at any</p> <p>22 time since you've been detailed to Fugitive</p> <p>23 Apprehension, that you've been a member of the</p> <p>24 United States Marshal's Task Force?</p>
<p style="text-align: right;">Page 214</p> <p>1 A. Okay. This is referring to a night</p> <p>2 task force that is going to start that was not</p> <p>3 up and running at the time. But yes, for</p> <p>4 Fugitive Apprehension unit, the task force, yes.</p> <p>5 Q. Okay. You're saying what this is</p> <p>6 referring to but you've never seen the e-mail?</p> <p>7 A. No, I haven't seen the actual e-mails.</p> <p>8 No, I have not.</p> <p>9 Q. Okay.</p> <p>10 A. I have not seen these e-mails. It's</p> <p>11 the first time I'm seeing them.</p> <p>12 Q. Okay. At some point, you and Officer</p> <p>13 Echeverria --</p> <p>14 A. I must be failing to understand.</p> <p>15 Q. -- decided to apply for a reassignment</p> <p>16 to Unit 606 Fugitive Apprehension, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. And in connection with that</p> <p>19 application, you asked both Chief Rivera and</p> <p>20 Tina Skahill to provide letters of</p> <p>21 recommendation for the two of you, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And both of them did, correct?</p> <p>24 A. Correct.</p>	<p style="text-align: right;">Page 216</p> <p>1 A. Since we were in Fugitives?</p> <p>2 Q. Yes.</p> <p>3 A. No.</p> <p>4 Q. And in order to do that, you'd need to</p> <p>5 be deputized --</p> <p>6 A. Correct.</p> <p>7 Q. -- by the U.S. Marshals, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Okay. And when you first went to</p> <p>10 Fugitive Apprehension, your first immediate</p> <p>11 supervisor was Sergeant Barnes, correct?</p> <p>12 A. Correct.</p> <p>13 Q. Looking at Paragraph 75 of the Amended</p> <p>14 Complaint. You allege upon information and</p> <p>15 belief on or around the day of your initial</p> <p>16 detail, it says to the U.S. Marshal's Task</p> <p>17 Force, Defendant O'Grady went out of his way to</p> <p>18 personally inform Plaintiffs' new supervisors</p> <p>19 that they were rats and should be treated</p> <p>20 accordingly.</p> <p>21 Do you have any personal knowledge of</p> <p>22 Defendant O'Grady telling anyone in Fugitive</p> <p>23 Apprehension that you were rats and should be</p> <p>24 treated accordingly?</p>

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<p style="text-align: right;">Page 217</p> <p>1 A. Yes.</p> <p>2 Q. And what's the basis of that knowledge?</p> <p>3 A. On the first day that Officer</p> <p>4 Echeverria and I reported to the unit, we met</p> <p>5 with Salemme and Cesario, at which point, you</p> <p>6 know, they asked us if we had come -- you know,</p> <p>7 where our background, if we worked -- you know,</p> <p>8 worked with IAD before, things like that.</p> <p>9 Q. Okay.</p> <p>10 A. And were we assigned. And I said, at</p> <p>11 no time were we assigned to IAD. And then when</p> <p>12 we left the office after the brief meeting, he</p> <p>13 walked us over to the two secretaries, Jan</p> <p>14 Hannah and Colleen Dugan, and he said, you'll</p> <p>15 talk to them about getting, you know, your</p> <p>16 radios, your equipment, whatever.</p> <p>17 Q. Sure.</p> <p>18 A. And they walked away. At which point,</p> <p>19 they stated, oh --</p> <p>20 Q. Who is they?</p> <p>21 A. Jan Hannah and Colleen Dugan.</p> <p>22 Q. Are both of them talking or one of</p> <p>23 them?</p> <p>24 A. At one point, each one of them talked.</p>	<p style="text-align: right;">Page 219</p> <p>1 notified that we were going to Fugitive</p> <p>2 Apprehension, we had to contact them to find out</p> <p>3 when do we start and general information, where</p> <p>4 do we report. And the secretary Maureen,</p> <p>5 something with an S, answered the phone. She</p> <p>6 used to be -- work down in Narcotics at the</p> <p>7 24-hour desk, so I was familiar with who she</p> <p>8 was. And she said, okay, Officer Spalding, so</p> <p>9 you and your partner -- and she said, so you're</p> <p>10 coming from Unit -- so you're assigned to 126.</p> <p>11 And I said, no, actually we're assigned</p> <p>12 to Unit 189 Narcotics. She said, oh, that</p> <p>13 explains why Commander O'Grady is up here for</p> <p>14 the last couple of hours so upset. He's</p> <p>15 probably mad that we're taking two of his</p> <p>16 officers away. That was my first heads-up that</p> <p>17 things weren't going to go so well.</p> <p>18 Q. Okay.</p> <p>19 A. That's probably why he's upset.</p> <p>20 Q. Did Maureen S. say anything else in</p> <p>21 that conversation?</p> <p>22 A. After that, I can't recall what she</p> <p>23 said because I was just so shaken to the core.</p> <p>24 Q. Okay. You don't have any personal</p>
<p style="text-align: right;">Page 218</p> <p>1 Q. Okay. What did you hear Jan Hannah and</p> <p>2 Colleen Dugan, the secretaries, say?</p> <p>3 A. Jan Hannah said, oh, so you guys are</p> <p>4 the IAD rats that we heard about and Colleen</p> <p>5 said -- echoed the same thing.</p> <p>6 Q. Okay.</p> <p>7 A. Within ten minutes of being in the</p> <p>8 unit.</p> <p>9 Q. Okay. And that's the basis for your</p> <p>10 allegation in Paragraph 75 of the Amended</p> <p>11 Complaint?</p> <p>12 A. That was my second heads-up that</p> <p>13 something was going on. The first time, there</p> <p>14 was --</p> <p>15 Q. Okay. My question is you allege on the</p> <p>16 information and belief that O'Grady personally</p> <p>17 informed your new supervisors that you were rats</p> <p>18 and should be treated accordingly. One basis</p> <p>19 for that is what you testified to that Jan</p> <p>20 Hannah and Colleen Dugan said. Is there any</p> <p>21 other basis for your allegation in Paragraph 75?</p> <p>22 A. Yes.</p> <p>23 Q. And what is that?</p> <p>24 A. Prior to -- on the day that we were</p>	<p style="text-align: right;">Page 220</p> <p>1 knowledge, do you, of Defendant O'Grady saying</p> <p>2 anything about you to anyone in the Fugitive</p> <p>3 Apprehension unit, do you?</p> <p>4 A. Yes.</p> <p>5 Q. Is that based on what you already</p> <p>6 testified to?</p> <p>7 A. No.</p> <p>8 Q. Okay. What is that based on?</p> <p>9 A. That's based on July of 2011 when I was</p> <p>10 called in to Lieutenant Cesario's office in the</p> <p>11 presence of Sergeant Mills and was told that --</p> <p>12 Q. Okay. Before we -- I don't mean to</p> <p>13 interrupt you. But before we get to the July,</p> <p>14 2011 meeting.</p> <p>15 A. Okay.</p> <p>16 Q. Prior to that, did you have any</p> <p>17 personal knowledge that Commander O'Grady spoke</p> <p>18 negatively about you or Officer Echeverria to</p> <p>19 anyone in the Fugitive Apprehension unit?</p> <p>20 MR. SMITH: Objection, vague as to</p> <p>21 meaning of personal knowledge.</p> <p>22 Go ahead.</p> <p>23 THE WITNESS: I'm confused now.</p> <p>24</p>

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<p style="text-align: right;">Page 221</p> <p>1 BY MR. KING:</p> <p>2 Q. Do you have any knowledge based on</p> <p>3 anything other than what you've already</p> <p>4 testified to --</p> <p>5 A. Prior to.</p> <p>6 Q. -- that prior to this July, 2011</p> <p>7 meeting, Commander O'Grady spoke to anyone in</p> <p>8 the Fugitive Apprehension unit negatively about</p> <p>9 you or Officer Echeverria?</p> <p>10 A. Not that I can recall at this time.</p> <p>11 Q. Okay. And you have no personal</p> <p>12 knowledge that -- prior to you starting in</p> <p>13 Fugitive Apprehension, you have no personal</p> <p>14 knowledge of Commander O'Grady speaking to</p> <p>15 Sergeant Barnes about anything, correct?</p> <p>16 A. Prior to me starting?</p> <p>17 Q. Yes.</p> <p>18 A. No.</p> <p>19 Q. And likewise, you have no personal</p> <p>20 knowledge of Defendant O'Grady speaking to</p> <p>21 Commander Salemme or Lieutenant Cesario in a</p> <p>22 negative manner about you or Officer Echeverria,</p> <p>23 do you?</p> <p>24 A. Other than the indication from Maureen</p>	<p style="text-align: right;">Page 223</p> <p>1 that?</p> <p>2 A. Robert Walker and Loren, L-O-R-E-N,</p> <p>3 Guishnere, G-U-I-S-H-N-E-R-E, I believe.</p> <p>4 Q. And was Guishnere and Walker on your</p> <p>5 team under Sergeant Barnes?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And were both you -- strike</p> <p>8 that.</p> <p>9 Was this in a single conversation with</p> <p>10 both Walker and Guishnere or were these separate</p> <p>11 conversations?</p> <p>12 A. Separate.</p> <p>13 Q. And were you present for both of those</p> <p>14 conversations?</p> <p>15 A. Yes.</p> <p>16 Q. Was Officer Echeverria present for both</p> <p>17 of those conversations?</p> <p>18 A. Yes.</p> <p>19 Q. Who told you this first?</p> <p>20 A. Walker.</p> <p>21 Q. In person or on the phone?</p> <p>22 A. In person.</p> <p>23 Q. What did Walker say to you and what did</p> <p>24 you or Officer Echeverria say to Walker?</p>
<p style="text-align: right;">Page 222</p> <p>1 saying that O'Grady was up there very upset with</p> <p>2 the commanders over us coming there, no.</p> <p>3 Q. Okay. You were testifying about</p> <p>4 Paragraph 75, what you base your belief on that</p> <p>5 O'Grady had informed new supervisors that you</p> <p>6 were rats and should be treated accordingly.</p> <p>7 Have you testified about everything</p> <p>8 that allegation in Paragraph 75 was based on?</p> <p>9 A. I believe so.</p> <p>10 Q. Okay. In the next paragraph, you</p> <p>11 indicate that your first sergeant in Fugitive</p> <p>12 Apprehension, Sergeant Barnes thereafter</p> <p>13 informed your new team that you were rats, that</p> <p>14 you were not to be trusted or backed up by the</p> <p>15 team; is that correct?</p> <p>16 A. Correct.</p> <p>17 Q. And what's the basis for that</p> <p>18 allegation?</p> <p>19 A. Team members informing us of that.</p> <p>20 Q. Okay. And when did they inform you of</p> <p>21 that?</p> <p>22 A. Shortly after our assignment to work</p> <p>23 with them.</p> <p>24 Q. And what team members informed you of</p>	<p style="text-align: right;">Page 224</p> <p>1 A. He said, after working with you guys</p> <p>2 for a while, I just think it's fair that you</p> <p>3 know what's going on. He said, you know, we</p> <p>4 heard about you prior to you getting here. The</p> <p>5 sergeant told us that, you know, you're coming</p> <p>6 from IAD and that we shouldn't be working with</p> <p>7 you or back you up, you know, that I just think</p> <p>8 you should know. I base my judgment on the</p> <p>9 individuals and you guys are good cops and maybe</p> <p>10 you should address this issue with the sergeant</p> <p>11 and see if, you know, you can resolve the</p> <p>12 issues.</p> <p>13 Q. Do you recall Robert Walker saying</p> <p>14 anything else in that conversation?</p> <p>15 A. I mean, the conversation wasn't just</p> <p>16 that simple. I mean, of course we were floored.</p> <p>17 And I think he said that he had mentioned, and I</p> <p>18 don't recall his exact wording, that Sergeant</p> <p>19 Barnes was very good friends with Jim O'Grady.</p> <p>20 I believe he mentioned that he was good friends</p> <p>21 with the boss. I don't know who told us that it</p> <p>22 was -- actually, that he was friends with, you</p> <p>23 know, O'Grady and that it had come from the</p> <p>24 Narcotic Division is what he said.</p>



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<p style="text-align: right;">Page 225</p> <p>1 Q. Okay. Do you recall Walker saying 2 anything else? 3 A. No. 4 Q. Okay. And was the conversation with 5 Loren Guishnere in person? 6 A. Yes. 7 Q. And is that a male or female? 8 A. It's a male. 9 Q. Okay. What do you recall Mr. Guishnere 10 saying to you and you and Officer Echeverria 11 saying in the conversation that you say supports 12 your allegation in Paragraph 76? 13 A. Guishnere stated that they were 14 instructed not to work with us and the same -- 15 basically the same information that Walker -- 16 you know, that we're from IAD, not to work with 17 us and -- or back us up. And Guishnere said, 18 you know, that he personally cannot treat an 19 officer in a negative manner, unless he has his 20 own specific personal reasons to do so. 21 Q. Okay. Other than that, do you remember 22 Officer Guishnere saying anything else? 23 A. Since then, Guishnere has had multiple 24 conversations with my partner directly regarding</p>	<p style="text-align: right;">Page 227</p> <p>1 We -- I got the assignment, we hurried 2 up, we pulled out all the information, made 3 contact with a possible witness and we're en 4 route to handle this when Sergeant Barnes had 5 called and said that he was taking the case away 6 from me. 7 Every one of the cases that I had prior 8 to that had been like turnstile jumpers for CTA 9 or something like that in -- 10 Q. So you were en route to working on the 11 case -- 12 A. Yes. 13 Q. -- and Sergeant Barnes calls you and 14 says he's taking the case away from you? 15 A. Correct. 16 Q. Okay. Did he say anything else other 17 than he's taking the case away from you? 18 A. No. I know I told him that we were 19 already en route and we had already worked it 20 up. And, you know, he said, it's being 21 reassigned to somebody else, and then I received 22 turnstile jumpers and things like that. 23 Q. Do you recall him saying anything else 24 in that conversation?</p>
<p style="text-align: right;">Page 226</p> <p>1 the same situation. 2 Q. Okay. Have you personally had any 3 other conversations with Guishnere about this 4 situation? 5 A. You know, it may have come up in 6 passing, but not a direct, you know, 7 conversation like that. 8 Q. Okay. If I could direct your attention 9 to Paragraph 77 in the Complaint. You allege 10 that at one point Sergeant Barnes removed the 11 Plaintiffs from a high profile case to which 12 they had been assigned because they were rats. 13 Plaintiff would not be allowed to work on the 14 case. Can you explain what that incident was 15 about? 16 A. Yes. I had been given a high profile 17 homicide case that was all over the media. And 18 I was working with my partner Echeverria, Kevin 19 Williams and Larry Odem, O-D-E-M, and we had 20 been working together on cases. And on this 21 particular day, it was Officer Echeverria, 22 myself, and I believe Larry Odem was there. I 23 don't believe Kevin Williams was present for 24 this.</p>	<p style="text-align: right;">Page 228</p> <p>1 A. Not in that conversation. 2 Q. Okay. So you're en route to work on 3 the case that you worked up. Do you continue on 4 to do that? 5 A. No. 6 Q. Do you stop and get out of the car or 7 what happens? 8 A. We pick up the next file and start 9 working on that one. 10 Q. So you stopped working on the case that 11 you -- 12 A. I was ordered to. 13 Q. Okay. And was that just you and 14 Officer Echeverria in the car? I'm sorry. 15 A. It was Larry Odem, as well. 16 Q. Right. Was Kevin Williams also in the 17 car? 18 A. I don't believe Kevin Williams was in 19 the car at the time this happened. 20 Q. Okay. If I can direct your attention 21 to Paragraph 78 of the Complaint. You allege 22 that when you tried to talk to Sergeant Barnes, 23 he repeatedly referenced that you had brought 24 down a sergeant, referring to Watts; is that</p>

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<p style="text-align: right;">Page 229</p> <p>1 correct?</p> <p>2 A. Correct.</p> <p>3 Q. How many times did Sergeant Barnes</p> <p>4 reference to you that you had brought down a</p> <p>5 sergeant?</p> <p>6 A. Multiple times.</p> <p>7 Q. Okay. Any recollection of when the</p> <p>8 first time was?</p> <p>9 A. This is during one conversation, I</p> <p>10 believe. You're saying -- you are referring to</p> <p>11 the time that I tried to talk to --</p> <p>12 Q. I'm referring to whatever you're</p> <p>13 referring to in Paragraph 78.</p> <p>14 A. Okay. This was after I was informed,</p> <p>15 we, my partner and I, were informed by Robert</p> <p>16 Walker of the situation. He had said, why don't</p> <p>17 you try to talk to Sergeant Barnes.</p> <p>18 Q. Okay.</p> <p>19 A. So I was working with Kevin Williams</p> <p>20 that day and Sergeant Barnes had come in. And</p> <p>21 he was being -- he was -- he just -- he was</p> <p>22 really being -- I don't even know the right</p> <p>23 word, other than very aggressively hostile</p> <p>24 towards me.</p>	<p style="text-align: right;">Page 231</p> <p>1 he leans all the way over in my ear and puts the</p> <p>2 radio down and turns it up. He says, you</p> <p>3 fucking hear that? Do you hear that? That's</p> <p>4 the 3rd fucking District. Do you now how fast I</p> <p>5 could fucking have you back there? Do you want</p> <p>6 to go back to that fucking district? Do you</p> <p>7 want to go back to the district? He was being</p> <p>8 so aggressive that a female detective turned</p> <p>9 around and said, Sergeant Barnes, I don't like</p> <p>10 the way you're talking to her. This is</p> <p>11 inappropriate and this is hostile. You need to</p> <p>12 stop immediately.</p> <p>13 Q. And who was the female detective?</p> <p>14 A. I don't know who she was.</p> <p>15 Q. Okay.</p> <p>16 A. But I would know her if I saw her</p> <p>17 again.</p> <p>18 Q. Okay.</p> <p>19 A. It was upstairs in Area South on 111th</p> <p>20 and Ellis.</p> <p>21 Q. Okay.</p> <p>22 A. 711 East 111th Street.</p> <p>23 Q. Other than what you've already</p> <p>24 testified to, did Sergeant Barnes do or say</p>
<p style="text-align: right;">Page 230</p> <p>1 First when he came in, they had just</p> <p>2 come in from apprehending someone for I believe</p> <p>3 homicide. And Guishnere had -- it was actually</p> <p>4 his case and everybody was out on it but not</p> <p>5 myself, Danny or Kevin. And he told me, well,</p> <p>6 we just got this guy, you're going to get on the</p> <p>7 computer and you're going to write up, start the</p> <p>8 arrest report. I can't start the arrest report,</p> <p>9 I wasn't even on scene. I'm not the arresting</p> <p>10 officer. So he said, you're going to start it.</p> <p>11 So I called Guishnere and I said,</p> <p>12 Guish, how do you want me to do your report.</p> <p>13 And he said, absolutely not, you can't. Don't</p> <p>14 do it, you'll ruin the whole case. I said,</p> <p>15 yeah, I'm confused. Can I start something else</p> <p>16 for you. So Barnes became very upset that I</p> <p>17 wouldn't go ahead and start this arrest report.</p> <p>18 I'm not even on the scene, I don't even know</p> <p>19 where you guys were.</p> <p>20 Q. Sure.</p> <p>21 A. That's not even -- I can't. It's</p> <p>22 illegal.</p> <p>23 Q. Sure.</p> <p>24 A. So he sits down next to me right here,</p>	<p style="text-align: right;">Page 232</p> <p>1 anything else to you in that incident?</p> <p>2 A. Yes.</p> <p>3 Q. What did he do or say?</p> <p>4 A. After that incident, he walked away and</p> <p>5 he sat down at this desk. And I figured, this</p> <p>6 is escalating, maybe I should try to talk to him</p> <p>7 and see if we could quash this. I mean, we're</p> <p>8 in Fugitives, we're working with really good</p> <p>9 officers on this team. I'm so tired of this,</p> <p>10 I'm desperate to make it work. We did what I</p> <p>11 think is the right thing with Watts. So I</p> <p>12 approached --</p> <p>13 Q. What did Sergeant Barnes say or do?</p> <p>14 A. I approached Sergeant Watts and</p> <p>15 asked -- Sergeant Barnes and asked him if I</p> <p>16 could speak to him and he said, okay. We</p> <p>17 started talking and I said, you know, it's my</p> <p>18 understanding that, you know, you have some</p> <p>19 preconceived ideas about my partner and I and</p> <p>20 that maybe you're concerned about our reasons</p> <p>21 for being here. And these are issues that I</p> <p>22 would -- if you have concerns about, I would</p> <p>23 like to attempt to address and rectify so that</p> <p>24 we don't have any future problems.</p>

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<p style="text-align: right;">Page 233</p> <p>1 Q. Okay.</p> <p>2 A. And so Sergeant Barnes said, we're</p> <p>3 going to go, you know, talk and he led me to</p> <p>4 this back like storage room area, I don't know</p> <p>5 what it was, up in the Detective Division.</p> <p>6 And I basically, without naming who, I</p> <p>7 told him what information I had heard. And, you</p> <p>8 know, he said, you know, I know that, you know,</p> <p>9 you worked for IAD, you brought a sergeant down.</p> <p>10 And I said -- he said, you're going to deny you</p> <p>11 worked for IAD?</p> <p>12 I said, well, there's a difference</p> <p>13 between working for IAD or working on, you know,</p> <p>14 a case that IAD is involved in, a Narcotics</p> <p>15 case, you know, with wrongful stuff. I said</p> <p>16 does -- yes, does IAD become involved, you know,</p> <p>17 once you learn of some kind of allegations and</p> <p>18 stuff, absolutely. What are you supposed to do,</p> <p>19 you know, but it happens.</p> <p>20 And he's like, so you like to bring</p> <p>21 sergeants down, huh? You like to have sergeants</p> <p>22 arrested? And he's like, you like to do that</p> <p>23 stuff? And I'm like nobody, you know --</p> <p>24 Q. Just tell me what he said and what you</p>	<p style="text-align: right;">Page 235</p> <p>1 they're not going to back you up. You're not</p> <p>2 safe out here. He said, to be honest with you,</p> <p>3 I'd hate to one of these days have to be the one</p> <p>4 to knock on your door and tell your daughter</p> <p>5 you're coming home in a box. That's how serious</p> <p>6 it is.</p> <p>7 He said, if you want to address the</p> <p>8 issue, I'll tell you what, the next time we have</p> <p>9 a -- I call a team meeting, feel free to stand</p> <p>10 up and address the issues, but I'm not going to</p> <p>11 do it.</p> <p>12 Q. Okay.</p> <p>13 A. So I said, okay. On that particular</p> <p>14 day, I said, okay.</p> <p>15 Q. Okay.</p> <p>16 A. During the course of that meeting,</p> <p>17 Officer Echeverria and Williams walked in.</p> <p>18 Q. Okay. During the course of the meeting</p> <p>19 you were just testifying to that you were having</p> <p>20 with Barnes, Officer Echeverria and Kevin</p> <p>21 Williams walk in?</p> <p>22 A. Yes.</p> <p>23 Q. Are they part of the conversation?</p> <p>24 A. They come in and they say, what's going</p>
<p style="text-align: right;">Page 234</p> <p>1 said.</p> <p>2 A. -- likes to do that. And he's like,</p> <p>3 well, you know what the problem is, the team</p> <p>4 doesn't -- the team doesn't like you. They're</p> <p>5 not going to back you up, they don't trust you.</p> <p>6 I said, they don't? They don't trust us? And</p> <p>7 why is that? Because my understanding is</p> <p>8 they're being ordered by you. They don't have a</p> <p>9 problem with us. He said, yes, they do.</p> <p>10 I said, well, do you think it's</p> <p>11 possible we could have a team meeting to</p> <p>12 clarify? Let's put all the cards on the table,</p> <p>13 we'll answer any questions. I don't want any</p> <p>14 problems. And he said -- again, he would</p> <p>15 continue to bring up, you like to bring</p> <p>16 sergeants down, you like to put sergeants in</p> <p>17 prison, over and over again.</p> <p>18 Q. Okay.</p> <p>19 A. And then he said, well, you know what,</p> <p>20 you're not -- you're not social, you don't</p> <p>21 even -- you don't socialize with the guys. I</p> <p>22 said, I didn't know socializing with the guys</p> <p>23 was part of my job requirement.</p> <p>24 And he's like, well, you know, and</p>	<p style="text-align: right;">Page 236</p> <p>1 on, you know. And I said, well, Danny, maybe</p> <p>2 you should have a seat because Sergeant Barnes</p> <p>3 says this is an issue with both of us, it</p> <p>4 concerns both of us.</p> <p>5 Q. Does Officer Echeverria sit down?</p> <p>6 A. He walks in to sit down and Sergeant</p> <p>7 Barnes says, no, Danny, you get to play with her</p> <p>8 all day. I'll send her back when I'm finished.</p> <p>9 Q. Okay.</p> <p>10 A. And tells Danny to leave the room.</p> <p>11 Q. Okay.</p> <p>12 A. And Kevin Williams walked out, as well.</p> <p>13 Q. Okay. Other than what you just</p> <p>14 testified to you saying and then Barnes saying,</p> <p>15 Officer Echeverria was not present for the rest</p> <p>16 of the conversation with Barnes, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. Am I correct that the</p> <p>19 conversation that you just testified to with</p> <p>20 Sergeant Barnes is what you're referring to in</p> <p>21 Paragraphs 78 and 79 of the Complaint?</p> <p>22 A. Correct.</p> <p>23 Q. Okay. Other than what you've already</p> <p>24 testified to, is there any other alleged</p>

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<p style="text-align: right;">Page 237</p> <p>1 retaliation or harassment by Sergeant Barnes 2 that you're alleging? 3 A. From these paragraphs, no. 4 Q. Other than anything you've already 5 testified to, is there anything else that you're 6 alleging is retaliation or harassment by 7 Sergeant Barnes? 8 A. Yes. 9 Q. What else? 10 A. After that -- after that meeting with 11 Sergeant Barnes, a few days later, he calls a 12 team meeting. During that meeting, Officer 13 Echeverria stood up and said, I'd like to 14 address an issue. You know, does anybody here 15 seem to have a problem with my partner and I? 16 There's -- we're seeming to receive information 17 that people are questioning our intentions here 18 and whether we could be trusted. And it seems 19 to be we've been -- you know, my partner has 20 been informed that, you know, it's a problem, 21 the team has a problem working with us. Does 22 anyone have a problem working with either my 23 partner or I? And everyone said, no, we don't 24 have a problem.</p>	<p style="text-align: right;">Page 239</p> <p>1 A. Yes. 2 Q. What else? 3 A. Shortly after that, my partner and I 4 were called into a meeting with Sergeant Barnes, 5 Salemme and Cesario, at which point we were 6 removed from Sergeant Barnes' team. 7 Q. Okay. Let me stop you there. 8 MR. KING: I've got to eat. 9 MR. SMITH: Okay. 10 MR. KING: Can we do a short maybe 11 30 minutes? 12 MR. SMITH: Sounds good. 13 (Whereupon, a short break for 14 lunch was taken.) 15 BY MR. KING: 16 Q. Officer Spalding, if I could direct 17 your attention back to the Amended Complaint in 18 Paragraphs 33 and 34. In Paragraph 33, you make 19 the allegation that Defendant O'Grady began a 20 campaign of harassment, and then the next 21 paragraph you talked about the situation where 22 he refused to sign the confidential informant, 23 correct? 24 A. Correct.</p>
<p style="text-align: right;">Page 238</p> <p>1 And Sergeant Barnes said, you know, no, 2 you're misunderstanding. I said, I'm not 3 misunderstanding anything. Yesterday or two 4 days ago you stated that the team has a problem 5 working with us and that that's not safe -- and 6 that we're not safe out here. 7 And he tried to backpedal. And then 8 he's like, well, you said somebody told you that 9 I said this. Who told you? I said, I'm not 10 going to divulge that information. I want to 11 know who told you that. I said, Sergeant -- 12 Robert Walker stood up and said, I told her 13 Serge, I'm the one that told her because that's 14 what happened. 15 Q. Okay. 16 A. Ever then after that -- 17 Q. Do you recall anything else being said 18 in that conversation about this subject? 19 A. No. That meeting -- Sergeant Barnes 20 was very mad and that meeting was over very 21 quick after that. 22 Q. Okay. Other than what you already 23 testified to, is there anything else that you 24 consider retaliation by Sergeant Barnes?</p>	<p style="text-align: right;">Page 240</p> <p>1 Q. Okay. My question is am I correct, 2 that this confidential informant incident on or 3 about August 17, 2010 was the first incident of 4 alleged retaliation that you're claiming by 5 either the City of Chicago or any of the 6 Defendants in this case? 7 A. That I'm aware of. 8 Q. Okay. That's the first incident? 9 You're not aware of any other incident? 10 A. With O'Grady, that's the first 11 incident. 12 Q. Okay. And my question was, am I 13 correct that this first incident with O'Grady on 14 or about August 17th is the first incident of 15 alleged retaliation that you're claiming in this 16 lawsuit either by the City of Chicago or any of 17 the Defendants -- individual Defendants in the 18 case? 19 MR. SMITH: I'm going to object, legal 20 conclusion. 21 BY MR. KING: 22 Q. Can you answer the question? 23 A. August of 2010. No, I don't think that 24 would be the first with the whole City of</p>



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<p style="text-align: right;">Page 241</p> <p>1 Chicago. Because there's incidents that 2 happened before O'Grady. I mean, just -- 3 correct. 4 Q. Plaintiff Spalding, you allege that 5 Commander O'Grady began a campaign of harassment 6 and retaliation against you in August 2010. 7 Isn't it correct that you're not alleging that 8 there was any retaliation against you or your 9 partner, Officer Echeverria, prior to Defendant 10 O'Grady as you allege beginning that campaign of 11 harassment, you're not alleging that there was 12 any other retaliation against you for your 13 participation in Operation Brass Tax prior to 14 August, 2010? 15 MR. SMITH: I'm going to the object to 16 the form of the question, a legal conclusion. 17 Go ahead. 18 THE WITNESS: We were there in 2008, 19 and that's two years later. That is the first 20 incident that alerted me to -- I'm sorry, I have 21 to look at this, because you're asking me in a 22 two years' time span. Do have the timeline? 23 BY MR. KING: 24 Q. You can't ask questions. I'm sorry.</p>	<p style="text-align: right;">Page 243</p> <p>1 Deb Kirby based on your involvement with 2 Operation Brass Tax? 3 A. Yes. 4 Q. Okay. What else did Deb Kirby do that 5 you're alleging was retaliation? 6 A. We were informed by Chief Juan Rivera 7 that after the incident occurred, that Deb Kirby 8 admitted to him that she -- you know, that she 9 had denied knowing it and that these two are 10 going to have to be the fall guys now because 11 it's -- I'm not going to go back. 12 Q. I understand that. And that relates to 13 Debbie -- Deb Kirby allegedly denying the 14 knowledge that you were involved in Operation 15 Brass Tax. 16 Other than that subject, Deb Kirby 17 allegedly denying knowing that you were involved 18 in that Operation Brass Tax, are you alleging 19 that there was any other retaliation by Deb 20 Kirby? 21 A. No. 22 Q. Okay. Am I correct that Lieutenant 23 Pascua never disciplined you in any fashion? 24 A. Not that I'm aware of.</p>
<p style="text-align: right;">Page 242</p> <p>1 Okay. 2 A. Well -- 3 Q. My question is I am correct, aren't I, 4 that the first incident of alleged retaliation 5 that you're claiming in this lawsuit against you 6 or your partner, Officer Echeverria, which you 7 allege was retaliation for your reporting or 8 your work on Operation Brass Tax, was the 9 August 17, 2010 incident where you allege that 10 O'Grady wouldn't approve your confidential 11 informant, correct? 12 A. To the best of my recollection at this 13 time, I believe you are correct. 14 Q. Okay. Ms. Spalding, you also testified 15 earlier about an incident where you came to 16 understand that Deb Kirby had denied knowing 17 about your involvement in Operation Brass Tax. 18 Do you recall that testimony? 19 A. Yes, sir. 20 Q. Okay. Other than that allegation that 21 in connection with that incident, Deb Kirby 22 denied -- allegedly denied knowing about your 23 involvement in Operation Brass Tax, are you 24 alleging that there was any other retaliation by</p>	<p style="text-align: right;">Page 244</p> <p>1 Q. Okay. And you're also not aware of 2 Lieutenant Sadowski ever disciplining you in any 3 fashion, correct? 4 A. I was aware that he stated that we were 5 going to have a meeting for it, which never 6 occurred between himself and I. 7 Q. Okay. So to the best of your 8 knowledge, Plaintiff Spalding, you're not aware 9 of Lieutenant Sadowski ever disciplining you in 10 any fashion, correct? 11 A. Other than stating that he was going 12 to, what he did with that, to my knowledge, I 13 don't know. 14 Q. Okay. Now, if I can direct your 15 attention back to the Amended Complaint, 16 Exhibit 1, and Paragraph 80 of the Complaint. 17 As alleged in Paragraph 80, who ordered 18 you to meet with Salemme, Cesario and Barnes? 19 A. Sergeant Barnes informed us that. 20 Q. And did he inform you the same day of 21 the meeting? 22 A. No. 23 Q. What did Sergeant Barnes inform you 24 about that meeting?</p>

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<p style="text-align: right;">Page 245</p> <p>1 A. Nothing, other than a few days prior, 2 he stated on this date that we were to meet him, 3 the commander and the lieutenant in the unit for 4 a meeting. 5 Q. Okay. 6 A. That's all he said. 7 Q. Okay. And this meeting did take place? 8 A. Yes, sir. 9 Q. And were you, Officer Echeverria, 10 Lieutenant Cesario, Sergeant Barnes and 11 Commander Salemme present? 12 A. Yes. 13 Q. Okay. What do you recall being said in 14 that meeting by you or by any of the 15 participants in the meeting? 16 A. Well, I know that we were called in and 17 we sat down. And at first, Lieutenant Cesario 18 attempted to challenge our -- attempted to cite 19 our performance as a reason that he was going to 20 be kicking us off of the day team, which is a 21 CPD/marshal's team where CPD officers are 22 deputized. 23 Q. Right. But you and Officer Echeverria 24 were not deputized?</p>	<p style="text-align: right;">Page 247</p> <p>1 Q. Okay. What did he say about the 2 activity report? 3 A. You know, this is your activity and 4 what do you think of that. And I said, well, 5 activity is -- in a Detective Division, which 6 falls under the Detective Division, the Fugitive 7 Apprehension is based on your assignments. So 8 your assignments are assigned to you. So your 9 activity can be only what your assignments are. 10 Q. Okay. 11 A. So we can't -- if we don't get the 12 assignments, there -- we have to be assigned the 13 cases. 14 Q. Okay. 15 A. So then -- continue. 16 Q. Sure. 17 A. So then Commander Salemme stated, did 18 you or did you not ever work for IAD. You work 19 for IAD? And, you know, at that point we said, 20 at no time were we ever assigned to IAD; but did 21 we work investigations with IAD, yes. 22 Q. Okay. 23 A. Regarding internal corruption, yes. 24 But those are two very different subjects. He</p>
<p style="text-align: right;">Page 246</p> <p>1 A. No, not at that time. No, we were not. 2 Absolutely not. 3 Q. Okay. So Cesario indicated that he was 4 moving you from Barnes' team, day team, 5 correct? 6 A. Correct. 7 Q. And you said he attempted to cite your 8 performance. By that, he mentioned your arrest 9 activity, correct? 10 A. Well, that's what he said. 11 Q. Okay. 12 A. We challenged that. 13 Q. Okay. 14 A. And then Commander -- 15 Q. Tell me what you specifically recall 16 Cesario saying and -- 17 A. He pushed a paper and said, look at 18 this, these -- activity report. And it was 19 based -- activity is -- 20 Q. I just want to know what was said in 21 meeting, I don't want to know anything else. 22 Okay. He had some Activity Reports in 23 the meeting, correct? 24 A. Correct.</p>	<p style="text-align: right;">Page 248</p> <p>1 said, you should have known better. If you want 2 to go against other sworn personnel, you should 3 have known this shit was going to happen to you. 4 You brought this baggage here with you. I 5 didn't give it to you, you came here with it. 6 Q. Okay. Commander Salemme said that? 7 A. Yeah, Commander Salemme said that. 8 Q. Do you recall anything else said in 9 this meeting by any participants? 10 A. Yes. Sergeant -- I mean, Lieutenant 11 Cesario said that he was taking us -- we were 12 being removed from Sergeant Barnes' day team. 13 And he said, you want to go against officers, 14 you want to do this type of activity, you are 15 going to be put on the night team way up north. 16 He stated, you will no longer work south, you 17 will no longer work days, you will no longer 18 have a take home car and if I can help it, you 19 will never be deputized. 20 Q. Okay. 21 A. And he said to me, you will never have 22 any of these things as long as you are here. 23 And then lieutenant -- the commander said, 24 you're still in the unit for now because we</p>

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<p style="text-align: right;">Page 249</p> <p>1 couldn't get you out just yet. Meaning to me --</p> <p>2 Q. Commander Salemme said that?</p> <p>3 A. Yes, Commander Salemme said that.</p> <p>4 Q. Okay. Do you recall anything else that</p> <p>5 was said in the meeting?</p> <p>6 A. There was so much said. It was a -- it</p> <p>7 was a fairly long meeting. They continued -- I</p> <p>8 mean, the questioning about our involvement with</p> <p>9 IAD and our working with IAD and what we had</p> <p>10 done with them, was fairly extensive by the</p> <p>11 commander and Cesario, the questionings into --</p> <p>12 Q. Other than what you've already</p> <p>13 testified to, do you specifically remember</p> <p>14 anything else said in the meeting?</p> <p>15 A. I remember that, you know -- I remember</p> <p>16 that I asked -- I openly said, so if we had</p> <p>17 never been assigned to work this case with IAD,</p> <p>18 if we had never been involved with any of this,</p> <p>19 would any of this be happening at all right now.</p> <p>20 And I was told by Lieutenant Cesario, no.</p> <p>21 Q. Okay.</p> <p>22 A. Okay. I was also -- I then also said,</p> <p>23 you know, is it possible that I can go anywhere</p> <p>24 else and work days, anywhere else. And he said,</p>	<p style="text-align: right;">Page 251</p> <p>1 believe, I believe that -- I don't know if it</p> <p>2 was Barnes or -- I believe it was Cesario that</p> <p>3 brought that up. I believe that Lieutenant --</p> <p>4 Q. What do you recall Lieutenant Cesario</p> <p>5 saying about that subject?</p> <p>6 A. I do recall Lieutenant Cesario saying</p> <p>7 that in addition to that --</p> <p>8 Q. He said in addition to your activity,</p> <p>9 right?</p> <p>10 A. Yes.</p> <p>11 Q. Okay.</p> <p>12 A. In addition to, meaning referring to</p> <p>13 everything that I have previously stated --</p> <p>14 Q. Okay.</p> <p>15 A. In addition to that, you know, Officer</p> <p>16 Hernandez -- he said, are you dating Officer</p> <p>17 Hernandez. And I said what does that have to do</p> <p>18 with any of this. I don't understand that. And</p> <p>19 he said, well, Officer Hernandez came over to</p> <p>20 Barnes and talked -- had a confrontation with</p> <p>21 him.</p> <p>22 Q. Okay.</p> <p>23 A. I don't know if he said confrontation</p> <p>24 or communication with him. I may not be using</p>
<p style="text-align: right;">Page 250</p> <p>1 for you, never. You'll never see days again.</p> <p>2 Q. Okay. You inquired about working days.</p> <p>3 Did Officer Echeverria say anything about</p> <p>4 wanting to work days?</p> <p>5 A. Well, he -- yes. He stated, you know,</p> <p>6 we're not asking to be moved to another shift or</p> <p>7 the other side of the City, you know. We don't</p> <p>8 want this. And Lieutenant Cesario said, well,</p> <p>9 I'm the one that makes these decisions and</p> <p>10 you're going.</p> <p>11 Q. Okay. Other than what you've already</p> <p>12 testified to, do you recall anything else that</p> <p>13 was said by anyone in that meeting?</p> <p>14 A. You know, there was so much said, I</p> <p>15 don't recall specifics. There were -- there are</p> <p>16 additional specifics, but I can't recall what</p> <p>17 they are right now.</p> <p>18 Q. Okay. Isn't it true that in that</p> <p>19 meeting, somebody mentioned the fact that your</p> <p>20 boyfriend, Anthony Hernandez, had had a</p> <p>21 confrontation with Sergeant Barnes?</p> <p>22 A. Yes, yes.</p> <p>23 Q. Okay. Who brought that up?</p> <p>24 A. It is true. Now, I'm not sure if -- I</p>	<p style="text-align: right;">Page 252</p> <p>1 the word --</p> <p>2 Q. Okay.</p> <p>3 A. He may not have used the word</p> <p>4 confrontation.</p> <p>5 Q. He may have, he may not have?</p> <p>6 A. Yeah. He came over to talk to Sergeant</p> <p>7 Barnes regarding some other -- the rumors of</p> <p>8 sergeants, the rumors of the sergeants, me being</p> <p>9 IAD, taking down the sergeants, you know, those</p> <p>10 rumors. Because now that you say that, it</p> <p>11 reminds me that Sergeant Barnes, when we had our</p> <p>12 meeting when I asked him about can we clear the</p> <p>13 air with any of your concerns --</p> <p>14 Q. Yes.</p> <p>15 A. -- he had also brought up Sergeant Jay</p> <p>16 Padar from Narcotics and an allegation against</p> <p>17 him and said I was responsible for that.</p> <p>18 Q. Okay.</p> <p>19 A. And I stated that I was not responsible</p> <p>20 for that. And then --</p> <p>21 Q. Okay. Let's go back to the meeting</p> <p>22 that you're testifying about. Cesario brings up</p> <p>23 the fact that there was a confrontation or</p> <p>24 communication between Anthony Hernandez and</p>

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<p style="text-align: right;">Page 253</p> <p>1 Sergeant Barnes?</p> <p>2 A. Yes, yes.</p> <p>3 Q. What else is said about that?</p> <p>4 A. He said that because of that, because</p> <p>5 of -- Sergeant Barnes said that he didn't like</p> <p>6 the way that he approached him and that he</p> <p>7 had -- I said, approached him? Because I</p> <p>8 actually now -- now that you bring this up --</p> <p>9 Q. Please only tell me what was said in</p> <p>10 the meeting.</p> <p>11 A. Okay. I'm sorry.</p> <p>12 Q. Do you recall anything else?</p> <p>13 A. Sergeant Barnes said -- Sergeant Barnes</p> <p>14 said that it was -- maybe Sergeant Barnes said</p> <p>15 it was a confrontation or something along the</p> <p>16 lines of he didn't like the way he was</p> <p>17 approached. And I said, well, when I --</p> <p>18 Q. When Sergeant Barnes said he didn't</p> <p>19 like the way he was approached, he meant by</p> <p>20 Anthony Hernandez?</p> <p>21 A. Anthony Hernandez.</p> <p>22 Q. Correct?</p> <p>23 A. Yes, he did.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 255</p> <p>1 A. Yes.</p> <p>2 Q. -- the confrontation between Anthony</p> <p>3 Hernandez and Sergeant Barnes?</p> <p>4 A. Yes.</p> <p>5 Q. What else was said?</p> <p>6 A. Then I said, so if you are unhappy with</p> <p>7 the actions of another officer, why don't you</p> <p>8 take disciplinary action against that officer</p> <p>9 and speak to his supervisors? I don't see -- I</p> <p>10 don't control a conversation between another</p> <p>11 officer, especially when their offices are right</p> <p>12 next door to each other and they cross paths, if</p> <p>13 they happen to have a conversation --</p> <p>14 Q. Okay.</p> <p>15 A. -- and they work, the computers are</p> <p>16 next to each other.</p> <p>17 Q. Please just tell me what was said in</p> <p>18 the meeting.</p> <p>19 A. I said, I don't control that and I</p> <p>20 don't feel that I should be accountable for some</p> <p>21 other officer's actions, that he should be -- if</p> <p>22 he has done something wrong, you should be</p> <p>23 initiating disciplinary action against him for</p> <p>24 that. I said that in the meeting.</p>
<p style="text-align: right;">Page 254</p> <p>1 A. And I said, when I talked to yesterday</p> <p>2 after the conversation with Anthony Hernandez,</p> <p>3 you guys exchanged phone numbers, you were</p> <p>4 talking fine. That's not the impression you</p> <p>5 gave me yesterday. It was just a conversation.</p> <p>6 And he said, well, you know, he came up behind</p> <p>7 me and it startled me. And, you know, Loren</p> <p>8 Guishnere is a witness to that.</p> <p>9 Q. Okay. Let's just talk about the</p> <p>10 meeting.</p> <p>11 A. That's what he said. That's the</p> <p>12 meeting.</p> <p>13 Q. No. Loren Guishnere is not in the</p> <p>14 meeting we're testifying about.</p> <p>15 A. Sergeant Barnes said Loren Guishnere is</p> <p>16 a witness to the conversation between --</p> <p>17 Q. Sorry.</p> <p>18 A. -- me and Hernandez. It was not --</p> <p>19 Q. Okay.</p> <p>20 A. You know, it was a little more than</p> <p>21 friendly. That was said in the meeting.</p> <p>22 Q. Okay. Other than what you've testified</p> <p>23 to, do you recall anything else said in the</p> <p>24 meeting about --</p>	<p style="text-align: right;">Page 256</p> <p>1 Q. Okay. Do you recall that you</p> <p>2 apologized in the meeting for Officer Hernandez'</p> <p>3 actions?</p> <p>4 A. I told him I wasn't responsible for</p> <p>5 that. And Sergeant Barnes said, well, for a</p> <p>6 minute there I thought you might have told him</p> <p>7 to do that. And I told him I'm sorry that you</p> <p>8 feel that way.</p> <p>9 Q. Okay.</p> <p>10 A. And -- something else in the meeting.</p> <p>11 Q. Do you recall anything else said in the</p> <p>12 meeting?</p> <p>13 A. Yes, I do.</p> <p>14 Q. Okay.</p> <p>15 A. Sergeant Barnes stated before we left,</p> <p>16 he said, you know what, he said, give me a call,</p> <p>17 we can talk about this.</p> <p>18 Q. Okay. And other than what you've</p> <p>19 already testified to, do you recall anything</p> <p>20 else said in that meeting?</p> <p>21 A. I believe that Danny and I -- the</p> <p>22 meeting was concluded with us being told, you</p> <p>23 know, when we were going to start nights and all</p> <p>24 of that information was provided to us.</p>



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<p style="text-align: right;">Page 257</p> <p>1 Q. Okay.</p> <p>2 A. And then Danny and I exited the</p> <p>3 meeting, and Danny was not comfortable with the</p> <p>4 way it was left. He said, do you know what, I</p> <p>5 have something else to say.</p> <p>6 Q. Okay.</p> <p>7 A. And we walked back into the room.</p> <p>8 Q. Okay. And after you walked back in the</p> <p>9 room, what do you recall being said?</p> <p>10 A. I remember Danny stating, you know</p> <p>11 what, this is not right, this is all because of</p> <p>12 retaliation for something and we did the right</p> <p>13 thing and we wouldn't be getting kicked off by</p> <p>14 Commander -- Lieutenant Cesario's own words, we</p> <p>15 wouldn't be getting kicked off if we didn't do</p> <p>16 this investigation and it wasn't right and we</p> <p>17 didn't want this to happen and we were not</p> <p>18 requesting this and --</p> <p>19 Q. Okay. Do you recall anything else</p> <p>20 being said in that second part of the meeting?</p> <p>21 A. No. We exited -- we exited the office</p> <p>22 and then Barnes follows us out and says, can I</p> <p>23 talk to you.</p> <p>24 Q. Okay. Did Barnes talk to you?</p>	<p style="text-align: right;">Page 259</p> <p>1 A. Correct.</p> <p>2 Q. Okay. And that third watch had to</p> <p>3 obviously be staffed with officers, correct?</p> <p>4 A. Correct.</p> <p>5 Q. And at that time, when you were moved</p> <p>6 to the third watch, you had only been in</p> <p>7 Fugitive Apprehension for -- do you know how</p> <p>8 long?</p> <p>9 A. Well, March to June.</p> <p>10 Q. Okay. So a couple months?</p> <p>11 A. Correct.</p> <p>12 Q. A few months, okay. And there were</p> <p>13 other officers that were moved from the second</p> <p>14 watch to the third watch, also, correct?</p> <p>15 A. I don't know about that.</p> <p>16 Q. Okay. But on the third watch, you were</p> <p>17 still in Fugitive Apprehension, you were just</p> <p>18 working on the North Side and different hours</p> <p>19 instead of the South Side, correct?</p> <p>20 A. It's not just that, no.</p> <p>21 Q. Okay. At the time were you reassigned</p> <p>22 to the third watch on the North Side, you were</p> <p>23 living on the South Side, correct?</p> <p>24 A. Extreme South Side.</p>
<p style="text-align: right;">Page 258</p> <p>1 A. Yes, he did talk to Danny and I.</p> <p>2 Q. Okay. And where did this conversation</p> <p>3 take place?</p> <p>4 A. In the hallway in the building.</p> <p>5 Q. Okay. And what do you recall said by</p> <p>6 any of the participants in that conversation?</p> <p>7 A. Sergeant Barnes said, do you know what,</p> <p>8 why don't you call me, we'll see what we can do</p> <p>9 about this. I said, for what, you already did</p> <p>10 it? You went up there and made me guilty for</p> <p>11 whatever you felt, you know, and it's already</p> <p>12 done. There's -- you know, fix what? It should</p> <p>13 have never happened.</p> <p>14 Q. Okay. Do you recall anything else</p> <p>15 being said in that conversation?</p> <p>16 A. No, I don't.</p> <p>17 Q. Okay. Did you ever have any further</p> <p>18 conversations with Sergeant Barnes about that</p> <p>19 subject of you been moved off of his team onto</p> <p>20 another team?</p> <p>21 A. No, I don't think so.</p> <p>22 Q. Okay. Now, at the time Fugitive</p> <p>23 Apprehension was starting a new third watch,</p> <p>24 correct?</p>	<p style="text-align: right;">Page 260</p> <p>1 Q. Okay. And Officer Echeverria was</p> <p>2 living on the North Side, correct?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. What was his address at the</p> <p>5 time?</p> <p>6 A. I don't know his exact address, but I</p> <p>7 think it's 56 something North Mulligan.</p> <p>8 Q. Okay. And your assignments out of the</p> <p>9 third watch on the North Side were typically</p> <p>10 chasing fugitives on the North Side, would that</p> <p>11 be fair to say?</p> <p>12 A. It would be looking for offenders on</p> <p>13 the North Side.</p> <p>14 Q. Okay.</p> <p>15 (Whereupon, Spalding Deposition</p> <p>16 Exhibit No. 5 was marked for</p> <p>17 identification.)</p> <p>18 BY MR. KING:</p> <p>19 Q. Officer Spalding, I'm showing you</p> <p>20 another document that's been marked as</p> <p>21 Deposition Exhibit No. 5. I'll ask you if</p> <p>22 you've seen it before. But it appears to be</p> <p>23 some arrest records for yourself between</p> <p>24 March 22, 2012 and June, 21, 2012. Take a look</p>

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<p style="text-align: right;">Page 261</p> <p>1 at the first and the second pages. Do you think</p> <p>2 you've ever seen this document before?</p> <p>3 A. I know I have never seen it before.</p> <p>4 Q. Okay. Do you know one way or another</p> <p>5 whether this was the document that Lieutenant --</p> <p>6 Lieutenant Cesario had with him in the meeting</p> <p>7 that you were just testifying to that took place</p> <p>8 on or about June 20, 2012?</p> <p>9 A. No. I -- it could be.</p> <p>10 Q. It could be, okay.</p> <p>11 A. It might not be.</p> <p>12 Q. That's good enough.</p> <p>13 And as you sit here today, do you have</p> <p>14 any reason to believe this report is inaccurate</p> <p>15 in terms of your arrest activity between</p> <p>16 March 22, 2012 and June 21, 2012?</p> <p>17 A. I would have absolutely no way to know</p> <p>18 if this is accurate or not.</p> <p>19 Q. Okay. Now, when you were told that you</p> <p>20 were moving to the night team on the North Side,</p> <p>21 in that meeting, were you told that you were --</p> <p>22 that you'd be assigned to Sergeant Mills or</p> <p>23 when did you learn you'd be assigned to Sergeant</p> <p>24 Mills?</p>	<p style="text-align: right;">Page 263</p> <p>1 Q. And what do you recall being said in</p> <p>2 that initial conversation with Sergeant Mills?</p> <p>3 A. Following the advice of Juan Rivera, we</p> <p>4 decided to talk to Mills about the way that we</p> <p>5 were moved and the reasons why we were moved</p> <p>6 from Sergeant Barnes' team and explain the</p> <p>7 situation to him. As I said, we were told that,</p> <p>8 you know, maybe he would, you know -- we</p> <p>9 wanted -- we are tired of the trouble, we wanted</p> <p>10 upfront here's the deal, this is what's going</p> <p>11 on, we don't know what you were being told.</p> <p>12 Q. Sure.</p> <p>13 A. I said, you know, we don't know what</p> <p>14 you were told --</p> <p>15 Q. Sure.</p> <p>16 A. -- but this is what happened on our</p> <p>17 side and, you know. He said, you know, fair</p> <p>18 enough. He said he was going to actually give</p> <p>19 Juan Rivera a call and talk to him about us.</p> <p>20 Q. Okay. Do you recall him saying</p> <p>21 something along the lines of, you'd get a fresh</p> <p>22 start with him, he wasn't going to hold anything</p> <p>23 against you from the past?</p> <p>24 A. I remember him saying that he was going</p>
<p style="text-align: right;">Page 262</p> <p>1 A. I don't know if it was in that meeting</p> <p>2 or afterwards. I'm sorry, should I continue?</p> <p>3 Q. Sure.</p> <p>4 A. Yes, as a matter of fact, it was in</p> <p>5 that meeting, now that you say that.</p> <p>6 Q. Okay.</p> <p>7 A. Because Commander Salemme said, we're</p> <p>8 going to put you on Sergeant Mills' team. He</p> <p>9 came from IAD, maybe he can help you learn how</p> <p>10 to deal with that baggage you brought with</p> <p>11 yourselves since you came from IAD, as well.</p> <p>12 Q. Okay. And when you first reported to</p> <p>13 the third watch working for Sergeant Mills, do</p> <p>14 you recall having an initial meeting, initial</p> <p>15 conversation with Sergeant Mills?</p> <p>16 A. Yes.</p> <p>17 Q. And where did that take place?</p> <p>18 A. Outside the Fugitive unit in the</p> <p>19 hallway.</p> <p>20 Q. Okay. And were you and Officer</p> <p>21 Echeverria present?</p> <p>22 A. Yes.</p> <p>23 Q. And just Sergeant Mills?</p> <p>24 A. Correct.</p>	<p style="text-align: right;">Page 264</p> <p>1 to contact Juan Rivera and then -- I don't know</p> <p>2 if it was in that meeting or after he called</p> <p>3 Juan that he did say something along those</p> <p>4 lines.</p> <p>5 Q. Okay.</p> <p>6 A. But he did say it.</p> <p>7 Q. Okay.</p> <p>8 A. If it was at that time or a couple days</p> <p>9 later, I'm not.</p> <p>10 Q. Okay. Between the time you were told</p> <p>11 you were going from Barnes' team to Mills' team,</p> <p>12 did you contact Juan Rivera?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And was that one conversation</p> <p>15 before you reported to Mills or do you think</p> <p>16 multiple conversations?</p> <p>17 A. I know Officer Echeverria had called</p> <p>18 him.</p> <p>19 Q. Okay.</p> <p>20 A. And then I know that he called Officer</p> <p>21 Echeverria back. I also know that I contacted</p> <p>22 him. He said he was going into a meeting and</p> <p>23 that he would call me back.</p> <p>24 Q. Okay.</p>

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<p style="text-align: right;">Page 265</p> <p>1 A. But then he failed to do so. So I then 2 called Tom Chester and said, this is what's 3 going on, you know. I mean, this retaliation 4 that isn't supposed to be happening that we were 5 guaranteed by Tom Byrne would not happen in his 6 unit because it won't -- he wouldn't tolerate 7 it, is happening. And Tom Chester said, I will 8 reach out to Chief Rivera and get him to call 9 you. 10 Q. Okay. 11 A. Juan's a good guy, but he doesn't 12 always do what he's supposed to do. And then 13 Chief Rivera called me back after Tom Chester 14 reached out to him. 15 Q. Okay. So you had a phone conversation 16 with Chief Rivera before you met Sergeant 17 Mills? 18 A. Yes, I did. 19 Q. And what was said during that 20 conversation? 21 A. During the conversation -- now, I 22 don't -- I don't know if it was -- I don't know 23 if -- the conversation was that -- and now I 24 don't know if he had this conversation with</p>	<p style="text-align: right;">Page 267</p> <p>1 doing in Fugitive Apprehension is building -- 2 this is how they build a case against you. He 3 said, so what I'm going to tell you to do is 4 document and record every incident that happens 5 and I will take it to the next level, obviously, 6 if it's necessary. 7 Q. Okay. Do you recall anything else 8 being said in that conversation with Juan 9 Rivera? 10 A. I think that's the majority of the 11 ground that was covered. 12 Q. Okay. You can't recall anything else? 13 I'm not suggesting there was anything else. 14 A. I mean, I think that covers the gist of 15 the conversation. 16 Q. Okay. 17 A. I could be forgetting something. 18 Q. Okay. 19 A. There's a lot of stuff to remember. 20 Q. Okay. So you have an initial meeting 21 with Sergeant Mills that goes okay, as far as 22 you're concerned? 23 A. Yeah. 24 Q. You indicate you have a subsequent</p>
<p style="text-align: right;">Page 266</p> <p>1 Danny and he was on speakerphone or I was on the 2 phone with him by myself. 3 Q. Okay. 4 A. Okay. He said that Sergeant Mills, you 5 know, he knows him personally and that he made 6 him meritorious sergeant. And he said that just 7 go to him and let him know what's going on. 8 Q. Okay. 9 A. And that was basically it. He said -- 10 Q. Did he tell you that Sergeant Mills had 11 worked for him, Juan Rivera in IAD? 12 A. Yes. And that's why he meritoriously 13 promoted him from there. I'm sorry, yes. 14 Q. So he had a positive impression of 15 Sergeant Mills, is that fair to say? 16 MR. SMITH: Objection. 17 THE WITNESS: I don't know. Because he 18 said we'll see -- after you reach out to him, 19 we'll see what kind of individual he is or where 20 his loyalties lie now. That's what Juan Rivera 21 said, we'll see where his loyalties lie now. 22 BY MR. KING: 23 Q. Okay. 24 A. And then he also said, what they're</p>	<p style="text-align: right;">Page 268</p> <p>1 meeting. He said something along the lines of 2 you've got a fresh start with me, correct? 3 A. Between one of those two times -- 4 Q. Sure, one of those two times. 5 A. -- that conversation happened. 6 Q. Okay. My understanding is that you 7 allege in the Complaint that after you filed 8 your lawsuit and you and Officer Echeverria 9 spoke to the media, that Sergeant Mills 10 retaliated against you. My question is, is it 11 your claim that Sergeant Mills engaged in any 12 retaliation against you or Officer Echeverria 13 before you filed your lawsuit? 14 A. No. Not -- no. 15 Q. After you filed your lawsuit, is it 16 your allegation that Sergeant Mills engaged in 17 some retaliation against you? 18 A. Yes. 19 Q. And what retaliation are you alleging 20 that Sergeant Mills engaged in? 21 A. Well, after the lawsuit was filed, it 22 was a whole different atmosphere when you return 23 back to work and a whole different attitude with 24 Sergeant Mills. You absolutely could feel the</p>

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<p style="text-align: right;">Page 269</p> <p>1 tension.</p> <p>2 You -- Sergeant Mills, I pulled him to</p> <p>3 the side as soon as we came to work the next</p> <p>4 day. And I said, obviously you're aware of the</p> <p>5 situation and obviously no, I couldn't tell you</p> <p>6 ahead of time that this was going to happen.</p> <p>7 And, you know, I'm curious as to how this is</p> <p>8 going to, you know, affect us working here. And</p> <p>9 he said, it is what it is.</p> <p>10 You know, at some point he informed me</p> <p>11 that, you know, Juan Rivera and him were in the</p> <p>12 Marines together. I believe he said the</p> <p>13 Marines. It was the military.</p> <p>14 Q. Okay.</p> <p>15 A. And that him and Salemmie have been</p> <p>16 friends forever, they go golfing all the time</p> <p>17 and that they've been friends for over 20 years</p> <p>18 and the ties to these individuals run deep.</p> <p>19 Q. Okay. Are you testifying to what</p> <p>20 Sergeant Mills said in that first post-lawsuit</p> <p>21 conversation?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Do you recall anything else said</p> <p>24 in that conversation?</p>	<p style="text-align: right;">Page 271</p> <p>1 testified to, do you remember anything else</p> <p>2 being said in that conversation?</p> <p>3 A. Yes.</p> <p>4 Q. What else?</p> <p>5 A. He said -- I said, what happened during</p> <p>6 the team meeting. He said, well, some people</p> <p>7 hate you, you know, some people don't really</p> <p>8 give a shit. And he even said, one person said</p> <p>9 Danny should have gotten a haircut before going</p> <p>10 on TV.</p> <p>11 He said, but different people have</p> <p>12 different amounts of time on the job. People</p> <p>13 with more time, they're not really too concerned</p> <p>14 about it.</p> <p>15 Q. Sure.</p> <p>16 A. But our team is a young team, a lot of</p> <p>17 people with not a lot of time and they hate you</p> <p>18 and maybe they don't even know why they hate</p> <p>19 you.</p> <p>20 Q. Okay.</p> <p>21 A. He said, but, you know, it is what it</p> <p>22 is. I said, well, it's not easy, it was</p> <p>23 something that was a very last resort where we</p> <p>24 tried to resolve it internally. And he said,</p>
<p style="text-align: right;">Page 270</p> <p>1 A. I know he said it is what it is. He</p> <p>2 said, you know -- I said, well, can you tell me,</p> <p>3 you know, how you were notified or what the team</p> <p>4 thinks about this.</p> <p>5 And he said, well, you know, I was</p> <p>6 notified by the commander that you guys were</p> <p>7 going to have a news conference and so I told</p> <p>8 all the members of the team to come in, watch</p> <p>9 the conference, we were going to see what's on</p> <p>10 the news and see what happens and then we had a</p> <p>11 team meeting about it.</p> <p>12 Q. Okay. So you had a team meeting --</p> <p>13 A. Mills is telling me that they had a</p> <p>14 team meeting about it.</p> <p>15 Q. Okay. I see, okay.</p> <p>16 A. That night after the media aired.</p> <p>17 Q. And this post-lawsuit conversation</p> <p>18 you're testifying to, was Officer Echeverria</p> <p>19 also part of that conversation?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. It's just the two of you and</p> <p>22 Sergeant Mills?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Other than what you've already</p>	<p style="text-align: right;">Page 272</p> <p>1 I'm sure it's not easy. He said -- I said, it's</p> <p>2 nothing we wanted to do. It's not a place we</p> <p>3 wanted to be. And we just wanted to come to</p> <p>4 work and do our job and be left alone.</p> <p>5 And he said, I understand that. I'm</p> <p>6 sure it's not easy. I can't think that anybody</p> <p>7 that would go to this extreme, it would be easy</p> <p>8 for.</p> <p>9 Q. Sure.</p> <p>10 A. He said, I'm sure it's very difficult</p> <p>11 and, you know. So that's what happened and, you</p> <p>12 know, that's it. And that was the five minutes</p> <p>13 after we walked in, the day after we hit the</p> <p>14 media.</p> <p>15 Q. Okay. And what retaliation are you</p> <p>16 claiming that Sergeant Mills engaged in?</p> <p>17 A. Well, as time went on, Sergeant Mills</p> <p>18 went from being -- from stating that -- at one</p> <p>19 point he said, it's evident to me that they do</p> <p>20 treat you differently and that they are working</p> <p>21 against you and retaliating against you. At one</p> <p>22 point, he was completely on our side and --</p> <p>23 Q. When did Sergeant Mills --</p> <p>24 A. I'm explaining that.</p>



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<p style="text-align: right;">Page 273</p> <p>1 Q. -- say that to you?</p> <p>2 A. When did he make that comment?</p> <p>3 Q. Yes.</p> <p>4 A. Sergeant Mills made that comment in</p> <p>5 about July when I was banned from the building</p> <p>6 by Commander O'Grady.</p> <p>7 Q. Okay. We'll come back to that.</p> <p>8 Okay. I'm sorry for interrupting you.</p> <p>9 My question was what retaliation are you</p> <p>10 claiming that Sergeant Mills engaged in.</p> <p>11 A. Okay. He did a 360 from the way he</p> <p>12 used to be. From the way that he would talk to</p> <p>13 us, from the way that he would just throw the</p> <p>14 keys down, from the point that he would send us,</p> <p>15 you know, text messages not to come in until the</p> <p>16 end of the tour. At one point I went into the</p> <p>17 unit to use the bathroom and he said, you know,</p> <p>18 I told you don't come in from off the street</p> <p>19 until the end of the tour, you know, you've got</p> <p>20 to be out on the street.</p> <p>21 I became so intimidated that every time</p> <p>22 I was going to walk in there, I was going to be</p> <p>23 yelled at like I was called into the principal's</p> <p>24 office, that I started going to the McDonalds on</p>	<p style="text-align: right;">Page 275</p> <p>1 A. So I don't know who assigned it. So we</p> <p>2 switched our hours to go -- the victim was</p> <p>3 cooperating, telling us where he was during the</p> <p>4 day. So we switched our hours.</p> <p>5 Q. Sure.</p> <p>6 A. Okay. We came in during the day to</p> <p>7 help other team members during the day, the day</p> <p>8 before. When we went to go leave that night, we</p> <p>9 said in the presence of everyone, are you going</p> <p>10 to be here for our case tomorrow morning. Yes.</p> <p>11 Q. Okay.</p> <p>12 A. We're going to have the backup we need.</p> <p>13 Because this guy, obviously, is violent.</p> <p>14 Q. And who do you recall being present</p> <p>15 when you --</p> <p>16 A. We --</p> <p>17 Q. -- stated that you said in the presence</p> <p>18 of everyone, you said, are you guys going to be</p> <p>19 there tomorrow morning, who was present?</p> <p>20 A. Officer Chris Dingle, D-I-N-G-L-E.</p> <p>21 Q. Yes.</p> <p>22 A. Officer Roxanne Blarcheck (phonetic), I</p> <p>23 don't know how you spell Blarcheck.</p> <p>24 Q. Okay.</p>
<p style="text-align: right;">Page 274</p> <p>1 the West Side to use the bathroom rather than</p> <p>2 walking into the facilities and being screamed</p> <p>3 at for just wanting to use the bathroom.</p> <p>4 Q. Okay.</p> <p>5 A. Okay. So that's just part of it. He</p> <p>6 would send us out and switch our hours when we</p> <p>7 needed to, to go work days, you know, whatever.</p> <p>8 And there was a time that I had to get</p> <p>9 this guy, I don't recall his name. It was</p> <p>10 around Valentine's Day. But his previous</p> <p>11 record, he had to be tased multiple times, it</p> <p>12 was a chase, a foot pursuit, battery to PO or</p> <p>13 some kind of, you know, incident where it took</p> <p>14 multiple officers to take him down and</p> <p>15 everything. So now I've got to go get this guy</p> <p>16 for battery or something, a domestic battery</p> <p>17 and --</p> <p>18 Q. So Sergeant Mills gave you an</p> <p>19 assignment to go and get this guy that you're</p> <p>20 testifying?</p> <p>21 A. I don't know that Sergeant Mills gave</p> <p>22 me the assignment, it came in an e-mail from the</p> <p>23 unit.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 276</p> <p>1 A. A female detective, I don't know her</p> <p>2 name. She works up there --</p> <p>3 Q. Okay.</p> <p>4 A. -- in the financial crimes.</p> <p>5 Q. Okay.</p> <p>6 A. Officer Echeverria.</p> <p>7 Q. Okay.</p> <p>8 A. Myself and I don't know if -- I want to</p> <p>9 say Sergeant Mills was there, as well.</p> <p>10 Q. Okay. But you're not sure?</p> <p>11 A. No, I'm not 100 percent sure right</p> <p>12 now.</p> <p>13 Q. Okay. So you indicate, you asked</p> <p>14 people that are going to be there to back you</p> <p>15 up. What happens next?</p> <p>16 A. Well, Sergeant Mills told me that Chris</p> <p>17 Dingle and Roxanne were going to be coming in</p> <p>18 the next day.</p> <p>19 Q. Okay.</p> <p>20 A. So we arrive on the scene and they're</p> <p>21 not there.</p> <p>22 Q. Okay.</p> <p>23 A. Nobody is there to back us up. Now, I</p> <p>24 know that I either spoke or had a text message</p>

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<p style="text-align: right;">Page 277</p> <p>1 with Sergeant Mills. I believe I talked to him 2 during that day where, you know, he said it's 3 just going to be the two of you, you know, be 4 careful with this guy. 5 Q. Okay. 6 A. But nobody else is coming. I believe 7 at some point that I may have received a text 8 either that day -- we worked multiple days on 9 the same offender, but at some point of working 10 on this offender of, you know, be careful, but 11 it's just the two of us against this person. 12 Q. Okay. But you don't know why Dingle 13 and Roxanne didn't show up, do you? 14 A. No. 15 Q. Okay. 16 A. But when the sergeant tells you that 17 you're going to switch your hours and you're 18 going to have backup -- 19 Q. I understand, I understand. 20 But you testified you were expecting 21 that Dingle and Roxanne would be there to back 22 you up. Am I correct that you do not know why 23 Dingle and Roxanne weren't there to back you up, 24 correct?</p>	<p style="text-align: right;">Page 279</p> <p>1 pointing at Lieutenant Cesario's office, is 2 going to be the one that handles that for you. 3 How do you think that's going to go for you? 4 It's not going to go fucking well. 5 He said, the people on the team don't 6 want to work with you, they don't trust you. 7 For all we know, you could still be working IAD 8 investigating them. They don't want to work 9 with you guys after all of this came out. 10 Q. Okay. 11 A. He said, I'm not here to -- I 12 requested, well, then maybe we can have a 13 meeting. As a supervisor, is there anything you 14 can do to intervene on our behalf? How would 15 you suggest that we handle this? And he said, 16 I'm not here to be your social mediator. That's 17 your problem, not mine. 18 Q. Okay. 19 A. How -- 20 Q. Statements along the lines that you 21 just testified to, did Sergeant Mills make them 22 once or approximately how many times? 23 A. It continued from the time that we 24 filed the lawsuit until I went on the medical</p>
<p style="text-align: right;">Page 278</p> <p>1 A. I know there were no officers there to 2 back me up -- 3 Q. Can you answer my question? 4 A. I don't know why. 5 Q. Okay, thank you. 6 Okay. Other than what you've already 7 testified to, is there anything else that 8 Sergeant Mills did that you believe was 9 retaliation against you? 10 A. There's a very long list. I'm going to 11 have trouble remembering every absolutely 12 incident -- every single incident. 13 Q. Well, do your best. 14 A. I'm going to do my best. 15 Q. Okay. 16 A. The lawsuit became a topic of 17 conversation almost on a daily basis. Comments 18 would be made to me like, what are you going to 19 do when you lose this lawsuit, what the fuck do 20 you think is going to happen to you then? I 21 don't even know why you're still in this unit. 22 Why are you still in the unit? 23 What do you think is going to happen if 24 you get in a police involved shooting? He,</p>	<p style="text-align: right;">Page 280</p> <p>1 and did not return back to work. 2 Q. Okay. 3 A. And it progressively became worse. 4 Q. Okay. 5 A. To the point that I couldn't go back to 6 work. 7 Q. Okay. Have you testified to everything 8 that you believe Sergeant Mills did that was 9 retaliation against you? 10 A. No. 11 Q. What else? 12 A. We would work what's called VRI, which 13 is overtime, and that is seniority based. 14 Usually everything that is done in Fugitive 15 Apprehension is based on your seniority number 16 of years on the job, not your time in the unit. 17 Q. Okay. Who told you that overtime would 18 be based on your seniority on the job? 19 A. Sergeant Mills. 20 Q. Okay. 21 A. And it's -- it's definite -- 22 Q. Okay. 23 A. And it's a fact. Because everybody 24 would apply and they would take the people by</p>

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<p style="text-align: right;">Page 281</p> <p>1 the top of seniority. 2 Q. Okay. Among those who apply, it's your 3 testimony that they would take them by 4 seniority? 5 A. Yes, that's correct. 6 Q. Okay. And if two people were needed 7 for overtime and you didn't get your application 8 for overtime in before two other people did, 9 then you wouldn't get overtime, right? 10 A. No. There was -- you would have to 11 submit your applications to the secretary, one 12 of the secretaries, usually Jan Hannah. 13 Q. Okay. 14 A. And as long as you got it to her by a 15 specific date, it had to be in by that date. It 16 didn't mean if he turned -- someone turned 17 theirs in three days ahead of me, that they got 18 it. It wasn't by the date, it was by the 19 deadline. 20 Q. Sure, sure. How many times when you 21 were working on the third watch in Fugitive 22 Apprehension are you alleging that you put in 23 overtime requests on the time and individuals 24 with less seniority than you got the overtime</p>	<p style="text-align: right;">Page 283</p> <p>1 work on your days off? 2 A. Correct. 3 Q. Okay. And who would control whether 4 you got to do that? 5 A. Well, it was the U.S. Marshal's 6 program. 7 Q. Okay. 8 A. So they would control it, I suppose. 9 Q. Okay. So you'd put in your request for 10 VRI to the U.S. Marshals? 11 A. No. To the secretary. 12 Q. The secretary? 13 A. Jan Hannah. 14 Q. Okay. The secretary in Fugitive 15 Apprehension? 16 A. Correct. 17 Q. Okay. And are you alleging that 18 somehow Sergeant Mills retaliated against you in 19 connection with VRI? 20 A. What I'm saying is he happened to be my 21 sergeant on that day we were working VRI. He 22 put in to work on his day off, as well. 23 Q. Okay. I see. 24 A. And while we were working for the VRI</p>
<p style="text-align: right;">Page 282</p> <p>1 and you didn't? 2 A. I'm not -- 3 Q. How many times did that happen, if at 4 all? 5 A. I'm not alleging that at all. 6 Q. Okay, fair enough. 7 Okay. You were testifying something 8 about VRI? 9 A. Yes. 10 Q. What was the point of that? 11 A. So we were -- we were working that one 12 day on VRI, which was around March or April. It 13 ended up being the last day that I would -- 14 maybe the beginning of March. It would end up 15 being the last day that I would put in for VRI, 16 because Sergeant Mills was very, very hard, very 17 retaliatory that day. 18 Q. Can you explain what VRI is? 19 A. Violent reduction initiative. 20 Q. Okay. 21 A. And it's funded by the U.S. Marshals 22 for people who are assigned to the U.S. Marshals 23 Apprehension unit to work on their days off. 24 Q. So you're saying at times you put in to</p>	<p style="text-align: right;">Page 284</p> <p>1 program on our day off, Sergeant Mills was 2 working on his day off and was our supervisor. 3 Q. I see. 4 A. It was on a Sunday. 5 Q. Okay. 6 A. After we worked this overtime, okay, we 7 had -- we had been assigned to work in a South 8 Side district with Kevin Williams, Larry Odem, 9 multiple people. And you got assigned wherever 10 you got assigned and we were under Sergeant 11 Mills for that day. 12 Q. Sure. 13 A. And on previous occasions, Sergeant 14 Mills had said, you know, this is federally 15 allocated money and we're in Fugitives. So all 16 of our cases are Fugitive Apprehension related. 17 Q. Okay. 18 A. It's not like we're coming over from 19 Bomb and Arson where we can't work our cases. 20 If you have a fugitive that wants to turn 21 themselves in or somebody that you can pick up 22 on your regular case, we would get a list of 23 other cases. He said, we're going to get him 24 because you're getting paid time and a half on</p>

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<p style="text-align: right;">Page 285</p> <p>1 federal money and it's still a -- it falls under 2 the Marshal's guidelines. 3 So if it wasn't on your assignment list 4 but it was an assignment -- 5 Q. Is he telling you this on the day that 6 you're working the Sunday, the VRI -- 7 A. Yes. 8 Q. -- where you're under his supervision? 9 A. No. He told us this previously -- 10 Q. Previously? 11 A. -- when we were under his supervision. 12 Q. Okay. 13 A. And subsequently after that, it had -- 14 that is -- he instructed us that and he never 15 instructed us that it ever change. 16 Q. Okay. On this Sunday when you're 17 working under his supervision, are you alleging 18 that there was some sort of retaliation? 19 A. Yes. 20 Q. What was the retaliation? 21 A. Okay. When we first arrived to work, 22 one of Danny Echeverria's wanted subjects, who 23 was going to turn themselves in the night 24 before, had called and said I couldn't make it</p>	<p style="text-align: right;">Page 287</p> <p>1 A. Called screaming, yelling, what the 2 fuck are you doing over there in this 11th 3 District. You're supposed to be in the 4 4th District. You're misappropriating federal 5 funds, blah, blah, blah, blah. I said, Serge -- 6 Q. This is a telephone conversation? 7 A. Yes. 8 Q. Okay. 9 A. I said, Serge, I said, you are the one 10 who directed us to do this previously. 11 Q. Okay. 12 A. Everybody -- everyone does this. 13 Q. Okay. 14 A. No, you know, and I -- he started to 15 just really yell. And I said, well, you know 16 what, this is Danny's case, I think you'll need 17 to talk to Danny. 18 Q. Okay. 19 A. And then he talked to Danny and, you 20 know, I can hear from Danny's end of the 21 conversation, it was the same thing, it was no 22 better. 23 Q. Okay. 24 A. Danny hung up the phone, we got in the</p>
<p style="text-align: right;">Page 286</p> <p>1 but you can come pick me up now. We were 2 reporting to work in the 11th District out of 3 the 11th District that day, and this person was 4 right down the street in the 11th District. 5 Q. Okay. 6 A. So based on the fact that Sergeant 7 Mills had told us that while we're working this 8 program, that as long as it is a Fugitive 9 Apprehension case, you can work it. 10 Q. Okay. 11 A. Because it's still fugitives. 12 Q. Okay. 13 A. So we went in to -- we went to pick the 14 offender up who said, come and get me. I'm 15 wanted, come and get me. Processed that 16 offender, we sent Sergeant Mills that 17 information. 18 Q. Okay. 19 A. And then we proceeded to our area that 20 we were assigned to for that day, which was the 21 4th District. 22 Q. Okay. 23 A. Sergeant Mills lost his mind. 24 Q. Okay.</p>	<p style="text-align: right;">Page 288</p> <p>1 car. He said, I don't know what he's losing his 2 mind about. He's absolutely -- Danny said, he's 3 hostile, and I don't -- we're doing our job, we 4 made the arrest. 5 Q. Sure. 6 A. So we went up there, we went to do our 7 sheet to go look for people. After our tour was 8 over, Sergeant Mills sent us a text telling us 9 to report back to him in the 11th District, 10 which we normally would anyway. But then he 11 called us in to the secretary's office and shut 12 the door. 13 Q. Okay. 14 A. I believe it was the secretary's office 15 in the Fugitive Apprehension unit in the 11th 16 District. 17 Q. Okay. 18 A. And, you know, in one of those offices. 19 And he just said that, you know, I don't know 20 what the hell you think you're doing, you guys 21 just go out there and do whatever you the fuck 22 you want to do. 23 And Danny says, well, wait a minute. 24 You've got all these other officers here that</p>



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<p style="text-align: right;">Page 289</p> <p>1 are doing exactly the same different -- as the 2 same thing, why is our arrests treated 3 differently than anybody else's. Don't worry 4 about what I do with other people. Because 5 Danny specifically named officers. Well, what 6 about this officer, and what about this officer. 7 How dare you bring up other officers. 8 Danny said, I'm not bringing them up, 9 I'm questioning why you are treating us 10 differently than you'd treat these officers. 11 Q. Do you recall which officers Officer 12 Echeverria brought up in the meeting? 13 A. I recall that it was -- his name will 14 come to me. Lopez, Joe Lopez. 15 Q. Okay. 16 A. And I don't know if it's -- I can't 17 recall the other ones. 18 Q. Okay. 19 A. Okay. So -- 20 Q. Do you think he brought up other 21 officers' names and you can't recall or the only 22 one you recall is Joe Lopez? 23 A. Well, the only one I recall is Joe -- I 24 remember him specifically saying Joe Lopez.</p>	<p style="text-align: right;">Page 291</p> <p>1 that he dropped the paper or it was the day 2 before or another day. 3 But he said that Chris -- he told me 4 that Chris Dingle dropped paper on me because 5 another sergeant walked in, Sergeant Mason 6 walked and said to Chris Dingle, hey, have you 7 seen your sergeant today yet, you're working for 8 Sergeant Barnes. And he said, no, I haven't -- 9 not today, do you want me to call him. And 10 Mason said, well, it's 6:30, he's sleeping off 11 somewhere, he'll get here when he gets here. 12 Okay. So little bit -- this is what 13 happened in this meeting. I'm telling Sergeant 14 Mills this. 15 Q. You're telling Sergeant Mills about 16 this? 17 A. Yes. 18 Q. Okay. 19 A. So then I said, then -- all I said to 20 Chris was, well, that was the one good thing 21 about working on Barnes' team is that, you know, 22 you get your cases, you know, you go work your 23 cases, you're treated like an adult. You go 24 out, you work it, you know, Sergeant Barnes is</p>
<p style="text-align: right;">Page 290</p> <p>1 Q. Okay. 2 A. Okay. 3 Q. What else is said in this meeting with 4 Sergeant Mills? 5 A. Well, Sergeant Mills once again 6 reiterates the whole thing about, I don't know 7 why the fuck they left you in this unit, you 8 shouldn't have been left here, you know. 9 He told me, in fact, Chris Dingle 10 dropped paper on you this morning. And I said, 11 dropped paper on me this morning? Meaning did a 12 report. He said because of your comments about 13 Barnes. I said, what comments are you referring 14 to? He said, I don't know, you tell me. And I 15 said, do you want to know what the conversation 16 was? And he said, yeah, why don't you tell me. 17 I said at 6:00 when we start, we're 18 sitting here at our desk, Danny is sitting here. 19 There's about five of us. Chris Dingle sitting 20 there next to whoever. Oh, this is another 21 time. He says, Chris Dingle even dropped paper 22 on you. I don't know if it was that day. 23 Q. Okay. 24 A. Yeah, I don't know if it was that day</p>	<p style="text-align: right;">Page 292</p> <p>1 not hovering over you every minute, what are you 2 doing. That was my comment, along those lines. 3 Q. Sure. 4 A. That wasn't my exact wording. 5 Q. Sure. 6 A. So how in the hell are you going to 7 drop paper on me for a negative comment? And 8 Danny says, drop paper on her? If anything, why 9 don't you drop paper on Sergeant Barnes for not 10 being here when he's being paid by the Fugitive 11 Apprehension U.S. Marshals or Sergeant Mason for 12 not reporting him? 13 Q. Okay. But to your understanding, Chris 14 Dingle is the one that dropped paper on you? 15 A. That's what he told me. 16 Q. Back to your conversation with Sergeant 17 Mills. Do you recall anything else being said 18 in that conversation? 19 A. Yeah. He continued to say that people 20 don't want you in the car, we don't know if 21 you're -- you know, they think that you're 22 recording them. For all we know, you could 23 still be -- how do we know you're not working 24 with IAD? You could be working with them and</p>

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<p style="text-align: right;">Page 293</p> <p>1 recording us now. I said --</p> <p>2 Q. Okay.</p> <p>3 A. -- I could be, you know. Okay, you</p> <p>4 know, you could be. But if I was, I couldn't</p> <p>5 tell you that anyway. But you could be. For</p> <p>6 all I know, you are.</p> <p>7 Q. Okay.</p> <p>8 A. But who cares. I mean, what does that</p> <p>9 have to do with anything, you know?</p> <p>10 Q. Do you recall anything else being said</p> <p>11 in that conversation?</p> <p>12 A. Yeah. He said we weren't going to be</p> <p>13 backed up and the team doesn't like us and he</p> <p>14 doesn't know why we're there, he doesn't know</p> <p>15 why we leave, he doesn't know how we're going to</p> <p>16 have a career when this is over.</p> <p>17 He said, do you know what the fuck is</p> <p>18 going to happen to you when this is over? I</p> <p>19 said, I know what's not going to happen. You're</p> <p>20 not going to continue to retaliate against me.</p> <p>21 Q. Okay.</p> <p>22 A. And then I said, you have kept us here</p> <p>23 an hour and a half past the time I'm supposed to</p> <p>24 get off. Unless you're going to pay me, I'm</p>	<p style="text-align: right;">Page 295</p> <p>1 the unit.</p> <p>2 Q. Let me just stop you for a second. I</p> <p>3 know you're about to testify about another</p> <p>4 incident. My question is other than what you've</p> <p>5 testified to so far, is there anything else that</p> <p>6 you are claiming that was retaliation against</p> <p>7 you by Sergeant Mills?</p> <p>8 A. Yes.</p> <p>9 Q. What else?</p> <p>10 A. I after -- and every one of these are</p> <p>11 going to intertwine into another incident,</p> <p>12 another incident, so you --</p> <p>13 Q. Okay.</p> <p>14 A. Okay. So in July the day that</p> <p>15 Commander O'Grady banned me from coming into the</p> <p>16 building after Lieutenant Cesario had that</p> <p>17 meeting with me and Mills present, I went</p> <p>18 outside and I was so distraught and so shaken up</p> <p>19 that I called Sergeant Mills and said, can you</p> <p>20 meet, I need to talk to you. So we went -- he</p> <p>21 told us to meet him in the parking lot over at</p> <p>22 Fugitives up on the roof.</p> <p>23 So Danny, Sergeant Mills and I got out</p> <p>24 of our vehicle. It was summertime and we were</p>
<p style="text-align: right;">Page 294</p> <p>1 leaving.</p> <p>2 Q. Okay. And did you leave?</p> <p>3 A. He said, okay, I'm done here. I'm not</p> <p>4 going to stop you.</p> <p>5 Q. Okay.</p> <p>6 A. And I left.</p> <p>7 Q. Okay. And I think you were testifying</p> <p>8 that this was shortly before you went out on</p> <p>9 medical leave, that incident?</p> <p>10 A. Yeah. It was somewhere shortly before</p> <p>11 that.</p> <p>12 Q. Okay.</p> <p>13 A. You know, within a month or two or</p> <p>14 sooner.</p> <p>15 Q. Okay. Do you recall how soon that was</p> <p>16 before you went out on medical leave?</p> <p>17 A. I could tell you that incident</p> <p>18 happened -- after that incident happened, about</p> <p>19 a week later, IAD supervisor Mike Barz and --</p> <p>20 Sergeant Mike Barz and Sergeant -- and Sergeant</p> <p>21 Moscolino, I don't know his first name. Robert</p> <p>22 Moscolino, came up to the unit.</p> <p>23 Q. Okay.</p> <p>24 A. I had received a -- no. I walked into</p>	<p style="text-align: right;">Page 296</p> <p>1 out there. And I said to Sergeant Mills, you</p> <p>2 know, what just happened in there? I mean, I</p> <p>3 don't understand that. How can you ban an</p> <p>4 officer in good standing out of a building that</p> <p>5 they're assigned to? I don't understand how you</p> <p>6 can do that.</p> <p>7 He said, you know, I don't know, I</p> <p>8 don't know what the fuck is wrong with that</p> <p>9 lieutenant or the commander. I was here when</p> <p>10 O'Grady called in to Commander Salemme, he said,</p> <p>11 and then Commander Salemme came in and told</p> <p>12 Cesario, I want you to talk to her, have a</p> <p>13 meeting with her. You're to tell her she's to</p> <p>14 stay the fuck out of that building, we're</p> <p>15 banning her from the building, blah, blah, blah,</p> <p>16 blah, blah.</p> <p>17 Q. You're telling me that Sergeant Mills</p> <p>18 told you he heard what O'Grady said to Salemme</p> <p>19 and then Salemme said to Cesario, is that what</p> <p>20 you're saying?</p> <p>21 A. No. I'm telling -- he said he was at</p> <p>22 work when Commander O'Grady called Salemme and</p> <p>23 then Salemme came into -- and then Salemme went</p> <p>24 to Cesario and said -- you've got to remember,</p>

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<p style="text-align: right;">Page 297</p> <p>1 it's one big office and then there's a door. 2 Q. I understand. 3 A. And then Salemme said -- he told -- he 4 instructed Cesario to have a meeting with me and 5 ban me from the building. 6 He said, after that, I went to 7 Lieutenant Cesario and I said, listen, 8 Lieutenant, I don't think you can legally ban 9 her from that building. I said, I thought I 10 questioned on my level, he said, and they put me 11 in a compromising position. Because at this 12 point, I've got nothing I can do if this ends up 13 in a federal lawsuit except testify and tell the 14 truth that that's what the fuck they did. 15 But I'm going to tell you this much. 16 You need to be very concerned. Commander 17 O'Grady hates you so much that if he could pop 18 you off, meaning shoot you, across the parking 19 lot while you're walking to or from your car to 20 work, he's going to take that shot. So I advise 21 you, you need to wear your vest. 22 Q. Sergeant Mills told you this? 23 A. Sergeant Mills told me that. 24 Q. Okay.</p>	<p style="text-align: right;">Page 299</p> <p>1 the lawsuit. 2 Q. Okay. 3 A. The day that Commander O'Grady banned 4 me from the building, whatever day that was, 5 July or whatever, 2011. 6 Q. Let's -- why don't we look at 7 Paragraph 90 of the Amended Complaint. You 8 allege that Defendant Commander O'Grady banned 9 you from the Chicago Police Headquarters at 10 Homan Square where you were assigned a locker. 11 How did you come to know that O'Grady 12 so-called banned you from that facility? 13 A. Sergeant Mills told me and Lieutenant 14 Cesario told me in that meeting that we just 15 discussed. 16 Q. Okay. I'm sorry, just so I'm clear. 17 There was a meeting with just you and Mills and 18 Cesario? 19 A. Correct. 20 Q. And was the only subject of that 21 meeting this allege ban of you -- how did that 22 meeting -- how were you told to meet with them 23 about that subject? 24 A. Sergeant Mills called me and he said,</p>
<p style="text-align: right;">Page 298</p> <p>1 A. I was so distraught and so upset. I 2 took time off until I went on vacation, however 3 many days that was. And I told Sergeant Mills, 4 how can you stand here and tell me, knowing all 5 of this, and you don't initiate any action 6 against these supervisors for doing this. How 7 can you stand here and tell me this? 8 You are mandated to get a CR number. 9 You come from IAD, you know this. You're 10 supposed to take some kind of action on my 11 behalf. 12 Q. Okay. 13 A. And he said, you know what, just put 14 your time due slips in, don't worry about all of 15 this. By the time you get back from furlough, 16 maybe things will resolve themselves. He would 17 not take any supervisor action to protect me at 18 all. Nothing. You're going to stand on the 19 rooftop and tell me that that's what you're 20 going to do? 21 Q. And this rooftop conversation was 22 shortly before you went on furlough and then 23 medical leave, correct? 24 A. No. This was in July before I filed</p>	<p style="text-align: right;">Page 300</p> <p>1 hey, where are you at. I said, Danny and I are 2 in the car. We already left to get our 3 subjects, our offenders. 4 Q. Okay. 5 A. He said, well, can you come back in, 6 the lieutenant wants to meet with you. 7 Q. Okay. 8 A. So I told Danny in the car, here we go 9 again. But when I walked in that day, I sent 10 Danny a text. I said, something's in the air. 11 Because when I walked in, the commander and the 12 lieutenant were standing there waiting for me 13 and they were just -- the lieutenant's veins 14 were popping in his neck. And the way they 15 looked at me, and the way they glared at me and 16 the tension in the air, I became extremely 17 nervous -- 18 Q. Okay. 19 A. -- because this is going on constantly, 20 so I know that something is going to happen. 21 It's just walking in behind enemy lines. So I 22 text Danny. Now Mills calls me in and says, the 23 lieutenant wants to talk to me. So now I'm 24 extremely nervous because I know that --</p>

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<p style="text-align: right;">Page 301</p> <p>1 Q. Okay.</p> <p>2 A. -- something terribly negative is going</p> <p>3 to happen.</p> <p>4 Q. And at that point, you don't know what</p> <p>5 the meeting is about?</p> <p>6 A. I have no idea. But all kinds of</p> <p>7 things are happening that shouldn't be</p> <p>8 happening.</p> <p>9 Q. Okay. Did you call Officer Echeverria?</p> <p>10 A. I asked if I could -- we were together.</p> <p>11 We both walked in.</p> <p>12 Q. Okay.</p> <p>13 A. And I said, can I have a witness in</p> <p>14 this meeting and they said, no, you can't. Only</p> <p>15 Lieutenant Cesario can.</p> <p>16 Q. Okay. So who's in the meeting?</p> <p>17 A. Lieutenant Cesario, Sergeant Mills and</p> <p>18 me.</p> <p>19 Q. And what is said in this meeting that</p> <p>20 you're basing your allegation in Paragraph 90?</p> <p>21 A. Lieutenant Cesario said, what did you</p> <p>22 do before work today. Could you be a little</p> <p>23 more specific? Like what did you do before</p> <p>24 work. Did you go over to Homan Square. I said,</p>	<p style="text-align: right;">Page 303</p> <p>1 for all I know, you know.</p> <p>2 Q. Okay.</p> <p>3 A. Yes. But you're assigned to 189,</p> <p>4 detailed to Fugitives.</p> <p>5 Q. Okay.</p> <p>6 A. So instead of assignment, detailed.</p> <p>7 And so --</p> <p>8 Q. In your detail to Fugitive</p> <p>9 Apprehension, you weren't -- your work location</p> <p>10 was not Homan Square, correct?</p> <p>11 A. No. We moved out of Homan. It was at</p> <p>12 Homan Square for part of the time up on the</p> <p>13 fifth floor.</p> <p>14 Q. Okay.</p> <p>15 A. And then we moved out and we had just</p> <p>16 moved into the 11th District.</p> <p>17 Q. Okay. So at the time that you had this</p> <p>18 meeting with Cesario and Mills, your work</p> <p>19 location was no longer Homan Square, correct?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. What else, other than what</p> <p>22 you've testified to, do you recall being said in</p> <p>23 this meeting with Cesario and Mills?</p> <p>24 A. He said, I strongly -- Lieutenant</p>
<p style="text-align: right;">Page 302</p> <p>1 yes, I did. What are you -- what the -- what</p> <p>2 are you doing in that building? I said, I'm</p> <p>3 assigned to that building, I don't understand</p> <p>4 where this is coming from.</p> <p>5 Q. Okay.</p> <p>6 A. Did you see Commander O'Grady in there?</p> <p>7 No, I never saw Commander O'Grady in there.</p> <p>8 Q. Okay.</p> <p>9 A. You know, he said, well -- he said,</p> <p>10 Commander O'Grady doesn't want you in that</p> <p>11 building.</p> <p>12 Q. Okay.</p> <p>13 A. He doesn't want you going in that</p> <p>14 facility. I said, it's a facility that has a</p> <p>15 gym that is open to all officers in good</p> <p>16 standing. Anybody can go in there, use the</p> <p>17 washroom, you know, park your car there. I'm</p> <p>18 assigned there anyway, you know.</p> <p>19 Q. And when you say you're assigned there,</p> <p>20 you had a locker there, correct?</p> <p>21 A. At one point I had a locker there, I</p> <p>22 don't know if I still had the locker.</p> <p>23 Q. Okay.</p> <p>24 A. I could still have a locker there now,</p>	<p style="text-align: right;">Page 304</p> <p>1 Cesario said, I strongly encourage you for your</p> <p>2 own benefit that you do not go back into that</p> <p>3 building. You be advised that you are banned</p> <p>4 from that building.</p> <p>5 Q. Okay. Do you recall anything else</p> <p>6 being said in that meeting?</p> <p>7 A. It was a little bit longer meeting than</p> <p>8 that so I'm sure that there was more that I just</p> <p>9 can't recall at this moment.</p> <p>10 Q. Okay. If you look at your Complaint,</p> <p>11 Paragraph 89, you say, on August 17th, Sergeant</p> <p>12 Watts and Officer Mohammed pled guilty. And</p> <p>13 then in Paragraph 90, you say around the same</p> <p>14 time, Defendant O'Grady banned you from Homan</p> <p>15 Square.</p> <p>16 Do you have a recollection of whether</p> <p>17 this alleged banning was after August 17, 2012?</p> <p>18 A. No. I thought it was closer to July.</p> <p>19 Q. Okay. Are you sure of when it was?</p> <p>20 A. No.</p> <p>21 Q. It could have been July, it could have</p> <p>22 been August?</p> <p>23 A. Yeah. I'm basing it on the fact that I</p> <p>24 took time off until I went on vacation. And I</p>



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<p style="text-align: right;">Page 305</p> <p>1 always took vacation in July, so I could be 2 wrong. 3 Q. Okay. 4 A. But I don't have those records. 5 Q. Okay. And after that Homan Square 6 incident, is it your testimony that you shortly 7 thereafter took vacation or furlough and then 8 went right into medical leave? 9 A. No. 10 Q. Okay. 11 A. I took time off using my comp time. 12 Q. Okay. 13 A. And I went on my assigned scheduled 14 furlough that I picked the previous November. 15 Q. Okay. 16 A. I believe that it was -- that's when 17 the incident occurred. 18 Q. Okay. 19 A. To the best of my recollection. 20 Q. Okay. I think where we were in this 21 whole thing, I was asking you if there was 22 anything else that Sergeant Mills did that you 23 believe was retaliatory. 24 You've told me about a lot of things.</p>	<p style="text-align: right;">Page 307</p> <p>1 A. So I was afraid. 2 Q. Did you, in fact, go to Homan Square on 3 that occasion? 4 A. On the day that Sergeant Mills said, 5 you guys need to go there now and pick it up, I 6 did follow his order. 7 Q. Okay. And you didn't have any problem 8 that day when you went there and picked up your 9 star or whatever you needed to pick up? 10 A. No. Because everybody was gone. We 11 went there at night when it was closed up. 12 Q. Okay. 13 (Whereupon, Spalding Deposition 14 Exhibit No. 6 was marked for 15 identification.) 16 BY MR. KING: 17 Q. Officer Spalding, I'm showing you 18 what's been marked as Deposition Exhibit No. 6 19 and ask you to take a look at these. And we can 20 actually just take this page by page. 21 So if you take a look at the first page 22 of Exhibit 6, which indicates it's a Portfolio 23 Report. The subject is you, Shannon Spalding, 24 created by Thomas Mills. Have you ever seen</p>
<p style="text-align: right;">Page 306</p> <p>1 Is there anything else that you're alleging that 2 Sergeant Mills did that was retaliatory? 3 A. There were things that occurred on a 4 daily basis almost and I just at this point 5 can't recall anything further specific at this 6 time. 7 Q. Okay. After you found out that 8 Commander O'Grady didn't want you in Homan 9 Square, did you make any further attempts to go 10 in the Homan Square building before you went out 11 on medical leave? 12 A. I only went there one other time when I 13 was told, given an instruction by Sergeant Mills 14 that I had to go in there because we were issued 15 new stars or badges or something. 16 Q. Sure. 17 A. And that's where we had to go pick them 18 up. And I even told them, Sergeant Mills that I 19 did not want to go into that building without a 20 supervisor escorting me. 21 Q. Okay. 22 A. Because Commander O'Grady had made 23 comments to other officers I would be arrested. 24 Q. Okay.</p>	<p style="text-align: right;">Page 308</p> <p>1 this first page of Exhibit 6 before? 2 A. No. 3 Q. Okay. In the report, Sergeant Mills 4 indicates that he checked the activity of the 5 team and the involved member had low arrest 6 numbers for the time period of January 13, 2001 7 to February 13, 2001. The involved member 8 worked 14 days and had only 2 arrests. 9 As you sit here, do you know if that 10 was correct in terms of your arrest activity 11 during that period? 12 A. I have no idea to know if it's correct. 13 Q. Okay. But you don't recall ever 14 seeing -- well, strike that. 15 Sergeant Mills goes on to say that he 16 will provide the involved member with his 17 activity report. Do you -- did Sergeant Mills 18 regularly provide you with Activity Reports? 19 A. After we started -- after we filed the 20 lawsuit, he began to retaliate against us with 21 activity. 22 MR. KING: Okay. I move to strike that 23 response as nonresponsive. 24</p>

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<p style="text-align: right;">Page 309</p> <p>1 BY MR. KING: 2 Q. Did Sergeant Mills regularly provide 3 you with Activity Reports on your activity? 4 A. Not regularly, no. 5 Q. Okay. If you take a look at the second 6 page of Exhibit 6. It indicates, again, it's a 7 Portfolio Report created by Sergeant Mills and 8 you are the subject. Do you recall ever seeing 9 this document? 10 A. I never saw any of these documents 11 before. 12 Q. Okay. Well, he writes that he spoke 13 with the involved member on March 19, 2013 about 14 spending excessive time in the Unit 606. I 15 believe you testified to this, perhaps. 16 Do you recall that Sergeant Mills would 17 tell you that he felt that you were spending 18 excessive time in the unit and should be out on 19 the streets? 20 A. I recall that he did not word it that 21 way. I recall him saying that we should not be 22 in the building, that we, specifically us, 23 should not be in the building and that we should 24 not come in until 11:30.</p>	<p style="text-align: right;">Page 311</p> <p>1 incident may or may not have been on what's 2 documented in this Portfolio Report? 3 A. It was close to that time. 4 Q. Okay. 5 A. It is more than likely this incident. 6 Q. Okay. If you look at the third page, 7 it indicates another Portfolio Report on -- the 8 subject is you, created by Sergeant Mills. 9 This is the incident that you 10 previously testified to, correct? That you made 11 an arrest in the 11th District when you were not 12 assigned to the 11th District, correct? 13 A. This is on the VRI program that I was 14 telling you about, yes. 15 Q. Okay. The next page, another Portfolio 16 Report dated March 24, 2013 says, the involved 17 member failed to make any arrests from the dates 18 of 19 March 2013 until 23 March 2013. 19 As you sit here, do you know whether 20 that's, in fact, correct or not? 21 A. I don't know if those -- if that 22 information is correct or not. 23 Q. Okay. 24</p>
<p style="text-align: right;">Page 310</p> <p>1 Q. Okay. 2 A. And that was his conversation. 3 Q. Okay. As you sit here, do you know 4 whether, in fact, he spoke to you on March 19, 5 2013 about spending excessive time in the unit? 6 A. I know that -- I can't say that it was 7 March 19th, but I can say that one day we left 8 and we did return a couple of hours later 9 because my partner, Officer Echeverria, who had 10 recently been hospitalized and everything, was 11 feeling really ill and wasn't going to be able 12 to remain on the street. 13 Q. Okay. 14 A. But before we could even get a chance 15 to tell him why we were back in the unit, he 16 became very irate and exploded verbally at us 17 screaming at us what were we doing back in the 18 unit and why aren't we out on the street. 19 Q. Okay. 20 A. And at that point, Danny decided not to 21 tell him anything. And I let him finish his 22 rant and then said that he was sick and couldn't 23 continue to work. 24 Q. Okay. And as far as you know, that</p>	<p style="text-align: right;">Page 312</p> <p>1 (Whereupon, Spalding Deposition 2 Exhibit No. 7 was marked for 3 identification.) 4 BY MR. KING: 5 Q. Officer Spalding, I'm showing you 6 another group of documents that's marked as 7 Deposition Exhibit No. 7. And I'll just try to 8 identify them and I'll ask you if you've ever 9 seen these reports before. 10 They appear to be Officer Activity 11 Reports for you, Shannon Spalding, between 12 6/20/2012 and 4/30/2013. Do you recall seeing 13 these documents before or Activity Reports like 14 this? 15 A. I have seen Activity Reports, but I 16 don't know if they were exactly these same 17 reports. 18 Q. Okay. 19 A. Where are you seeing the dates? Okay. 20 Q. And the arrest totals that are listed 21 in Deposition Exhibit 7, you have no basis for 22 knowing whether they're correct or incorrect? 23 Let me strike that. That's a bad question. 24 Do you know whether the arrest activity</p>

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<p style="text-align: right;">Page 313</p> <p>1 that's reflected in Deposition 7 is correct or 2 incorrect? 3 A. I have no way of knowing that. 4 Q. Okay. 5 (Whereupon, Spalding Deposition 6 Exhibit No. 8 was marked for 7 identification.) 8 BY MR. KING: 9 Q. Officer Spalding, I'm showing you 10 another document that's been marked Deposition 11 Exhibit No. 8, which indicates anyway that it is 12 a report listing of arrests for Shannon Spalding 13 for January 1, 2013 until the end of the year, 14 December 31, 2013. 15 Are you able to tell me whether or not 16 these arrest reports are correct or incorrect? 17 A. I have no idea. I've never even seen 18 this report before. 19 Q. Okay. You've never seen this report? 20 A. No. 21 Q. Okay. That's fine. 22 If you'll direct your attention to 23 Paragraph 104 of the Complaint, Deposition 24 Exhibit No. 1, and Paragraph 105 and 106. My</p>	<p style="text-align: right;">Page 315</p> <p>1 anyone about the subject of you recording 2 conversations with Sergeant Mills or Sergeant 3 Mills' belief that you were recording 4 conversations with him? 5 A. Only in regards to a CR number with 6 IAD. 7 Q. Okay. Who -- 8 A. It was more -- yeah, a discussion. I 9 wouldn't say a discussion. 10 Q. Okay. Who did you have a discussion 11 with that related to either recording 12 conversations with Sergeant Mills or his belief 13 that you were recording conversations? 14 A. I didn't have a discussion, I was 15 working in -- I reported to work, along with 16 Officer Echeverria, shortly before I went on the 17 medical. 18 Q. Okay. 19 A. And Sergeant Mills stated that two 20 people of the team, Sergeant Steve -- or I'm 21 sorry, Detective Steve Becker and that Roxanne 22 Blarcheck would be in the unit late and that him 23 and the rest of the team were going north. And 24 that he -- and ironically after telling us to be</p>
<p style="text-align: right;">Page 314</p> <p>1 question is this is the incident that you 2 previously testified to, correct? 3 A. Correct. 4 Q. Okay. You mentioned something about 5 secretly recording conversations. Was there 6 some point when you were secretly recording -- 7 MR. SMITH: Objection to the form of 8 the question. 9 MR. KING: Okay. I don't need -- I 10 don't need to allude to the prior question. 11 I'll just ask you. 12 BY MR. KING: 13 Q. Was there any point where you were 14 secretly recording any conversations that you 15 were having with Sergeant Mills? 16 A. No. 17 Q. Okay. Is it your understanding that at 18 some point Sergeant Mills was under the 19 impression that you were recording conversations 20 with him? 21 A. I don't know what Sergeant Mills' 22 impression was of anything. 23 Q. Okay. You never had a -- strike that. 24 Did you ever have a conversation with</p>	<p style="text-align: right;">Page 316</p> <p>1 out on the street more, instructed Danny and I 2 to stay inside the building. 3 Q. Okay. 4 A. Okay. So we followed his instructions 5 and we didn't leave. 6 Q. Okay. 7 A. Shortly after Sergeant Mills left, 8 Sergeant Mike Barz and Sergeant Robert Moscolino 9 from IAD confidential section, approached me. 10 Now, Sergeant Mike Barz was a sergeant involved 11 with Operation Brass Tax with the Ronald Watts 12 situation. 13 Q. Yes. 14 A. So at first when I saw them, I thought 15 that he was coming to talk to us with something 16 with the operation -- 17 Q. Sure. 18 A. -- because that has happened in the 19 past. 20 Q. Okay. 21 A. So when he approached me, he said to 22 me -- I said, oh, hey, you know, Serge, what's 23 going on. Do you need to talk to us about the 24 Watts case? And he said, no. If I told you</p>

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<p style="text-align: right;">Page 317</p> <p>1 that you were under arrest right now, are you 2 going to come with me peacefully or not. 3 Q. Sergeant Barz said this? 4 A. Yes. Yes, he did. 5 Q. Okay. And then what else was said? 6 A. I said, no. He said, okay, then we're 7 going to fucking do this here. And he said, get 8 up. And him and the other sergeant escorted me 9 into a room and shut the door and put me between 10 some desks, one sat here, one stood there and I 11 was between two desks like this. 12 And he said, we have criminal federal 13 allegations that you are illegally recording. 14 And he said, these are allegations that you're 15 going to be arrested and charged for and will 16 lose your job over. This is serious. 17 Q. Okay. Did they say anything else in 18 this meeting? 19 A. They said a whole lot for whole long -- 20 a long time. 21 Q. Okay. Did they indicate who you were 22 alleged to be recording? 23 A. Yes. 24 Q. Who?</p>	<p style="text-align: right;">Page 319</p> <p>1 you've already testified to, what else was said 2 in this meeting? 3 A. He said -- I said, I need to know 4 specifically what are you asking me. He said, 5 that you were recording conversations. I said, 6 well, there's different versions of recording. 7 Are you referring to recording as writing down 8 and documenting or are you referring to like 9 tape-recording, video recording. He said, let's 10 just say using your cell phone or using a 11 recording device. 12 Q. Okay. 13 A. I said, no, you know, I have no idea 14 what are you talking about. 15 Q. Okay. 16 A. They continued to question me. And 17 then he said, I'll tell you what, he said, give 18 us your phone right now, which by the way they 19 had out of my reach, and we'll go through it. 20 We'll go through it right now. He goes, I'll 21 tell you what, I have an affidavit here for your 22 phone. I said, an affidavit? You better get a 23 fucking search warrant. 24 Q. Okay.</p>
<p style="text-align: right;">Page 318</p> <p>1 A. Sergeant Mills. 2 Q. Okay. What else was said in this 3 conversation? 4 A. He said to me that -- I said, well, 5 what are the charges? He said, you're not 6 allowed to know that at this time. I can't know 7 specifically what the charges are? He said, no, 8 not at this time, you cannot. 9 Q. By the way, was Officer Echeverria 10 present? 11 A. No, no. 12 Q. Okay. That's my only question. 13 A. Okay. 14 Q. Okay. What else was said in the 15 meeting? 16 A. I was going to tell you. Sorry. 17 As I was walking in the meeting, I was 18 able to get a text off that said, they're 19 arresting me, call our attorney. 20 Q. Okay. 21 A. To Danny Echeverria, okay. 22 Q. Okay. 23 A. But he was not in the room at any time. 24 Q. Okay. What else was -- other than what</p>	<p style="text-align: right;">Page 320</p> <p>1 A. Because now I'm in a corner. You've 2 got me trapped like a rat. 3 Q. Okay. 4 A. And you're alleging all of this stuff. 5 And I said, you want this phone? I said if I 6 walk out of this room without giving you this 7 phone, you will swear there's something 8 incriminating on it and I got rid of it. 9 So I'll tell you what, you can have 10 this phone, but I want you to call my lawyer or 11 let me call my lawyer. And as soon as my lawyer 12 gets here, you can go through the phone with his 13 permission. 14 Q. Okay. 15 A. And he said, okay. He said, all right. 16 Let me ask you something -- 17 Q. So he -- so Barz and Moscolino did not 18 go through your phone, correct? 19 A. No. 20 Q. Is that correct? 21 A. It is correct, they did not go through 22 the phone. 23 Q. Okay. They asked you if you were using 24 any kind of recording device to record Officer</p>



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<p style="text-align: right;">Page 321</p> <p>1 Mills. What was your answer to that?</p> <p>2 A. No.</p> <p>3 Q. Okay. What else was said in the</p> <p>4 meeting?</p> <p>5 A. He said -- okay. He said, we have a</p> <p>6 Complaint here. He said, do you have any</p> <p>7 knowledge of anybody that would be dropping</p> <p>8 paper on you. And I immediately thought about</p> <p>9 that whole last day that we walked -- worked VRI</p> <p>10 and Mills saying, the people don't want to work</p> <p>11 with you, they're dropping paper on you, in</p> <p>12 fact, even Chris Dingle dropped paper on you.</p> <p>13 So I said, well, Sergeant Mills had</p> <p>14 mentioned last, and at the time, I knew the</p> <p>15 date, I was able to say the date off the top of</p> <p>16 my head, on such and such a date, it was a</p> <p>17 Sunday we were working, Sergeant Mills had told</p> <p>18 me that people were dropping paper on me.</p> <p>19 He said, Sergeant Mills fucking told</p> <p>20 you that? And I said, yeah. He said, why in</p> <p>21 the fuck would Sergeant Mills give you a</p> <p>22 heads-up and tell you that. I said, what are</p> <p>23 you talking about? Like I said -- he said, why</p> <p>24 would he tell you something like that? I said,</p>	<p style="text-align: right;">Page 323</p> <p>1 said that fucking might have been -- I could</p> <p>2 have been listening to a saved voicemail, I</p> <p>3 could have had Sergeant Mills on speakerphone.</p> <p>4 Q. Sure.</p> <p>5 A. You don't even know that it was</p> <p>6 Sergeant fucking Mills. I said, are you kidding</p> <p>7 me? You've got criminals like the rest of</p> <p>8 Ronald Watts' team still out there not under</p> <p>9 arrest for the crimes they've committed, and you</p> <p>10 have this completely false made-up allegation</p> <p>11 that you're going to detain me for and go to</p> <p>12 prison for?</p> <p>13 Q. Okay.</p> <p>14 A. Okay. And then he said -- I said, did</p> <p>15 you approach Sergeant Mills with this?</p> <p>16 Q. Yes.</p> <p>17 A. And he said, yes, Sergeant Mills is the</p> <p>18 victim. I said, the victim? So you've already</p> <p>19 made a final conclusion on this and you haven't</p> <p>20 even done the investigation, so I'm already</p> <p>21 guilty? And he said, well, of course, he's the</p> <p>22 victim, so I did approach him.</p> <p>23 Q. Okay.</p> <p>24 A. And he said -- I said, you know what,</p>
<p style="text-align: right;">Page 322</p> <p>1 you'll have to go ask Sergeant Mills. And he</p> <p>2 said, well -- he said, okay, with that being</p> <p>3 said --</p> <p>4 Q. Okay. Did you ever learn in that</p> <p>5 meeting or any time after that, who had accused</p> <p>6 you of secretly using a recording device with</p> <p>7 Sergeant Mills?</p> <p>8 A. Yes.</p> <p>9 Q. Who did?</p> <p>10 A. He said, with that being said, I will</p> <p>11 now tell you Colleen Dugan along with -- no, I</p> <p>12 think he just mentioned Colleen at the time, has</p> <p>13 filed a CR number against you --</p> <p>14 Q. Okay.</p> <p>15 A. -- stating that on Monday, on such and</p> <p>16 such a date on a Monday, she observed you in the</p> <p>17 hallway with a recording device that she</p> <p>18 believed could possibly be your cell phone and</p> <p>19 she heard a man's voice coming from the cell</p> <p>20 phone that she believed to be Sergeant Mills.</p> <p>21 Q. Okay.</p> <p>22 A. And she believed that it was a recorded</p> <p>23 conversation. And I said, that's what you're</p> <p>24 detaining me here for? And he said, yes. I</p>	<p style="text-align: right;">Page 324</p> <p>1 this is further fucking retaliation. Because</p> <p>2 Sergeant Mills just told me in that VRI meeting</p> <p>3 that people think that we might still be working</p> <p>4 for IAD. And now you two IAD bosses come up</p> <p>5 here and you pull me in here in front of all</p> <p>6 these coworkers and you're detaining me in here</p> <p>7 and you're just going to solidify their</p> <p>8 thoughts.</p> <p>9 Q. What coworkers were in the office when</p> <p>10 Sergeant Barz and Sergeant Moscolino came and</p> <p>11 took you in the room and interrogated you?</p> <p>12 A. Multiple members of the Bomb and Arson</p> <p>13 team.</p> <p>14 Q. Okay.</p> <p>15 A. Steve Becker, Roxanne Blarcheck was</p> <p>16 there. She walked out, she walked in. I don't</p> <p>17 know if she was there at the exact moment,</p> <p>18 because I was paying attention to them.</p> <p>19 Q. That's fine.</p> <p>20 A. Officer Echeverria. And I don't know</p> <p>21 the names of the people from Bomb and Arson, but</p> <p>22 they were there, as well.</p> <p>23 Q. So Sergeant Barnes informed you that he</p> <p>24 had shared this with Sergeant Mills?</p>

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<p style="text-align: right;">Page 325</p> <p>1 A. Yes.</p> <p>2 Q. That there had been a Complaint that</p> <p>3 you were secretly using a recording device</p> <p>4 recording conversations with him; is that fair?</p> <p>5 A. He said that he approached him because</p> <p>6 he was the victim.</p> <p>7 Q. Okay.</p> <p>8 A. And I said, well --</p> <p>9 Q. Other than what you've already</p> <p>10 testified to, do you recall anything else being</p> <p>11 said in that meeting?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. What else?</p> <p>14 A. I said, well, that's great. I said, I</p> <p>15 have a rough enough time with this sergeant</p> <p>16 already, okay, ever since this lawsuit was</p> <p>17 filed. I said, and now you're going to go to</p> <p>18 him and state this false allegation and make my</p> <p>19 work situation 100 times worse.</p> <p>20 You guys worked with me on this</p> <p>21 operation, you were supposed to help me and</p> <p>22 protect me and instead you're make it 100 times</p> <p>23 worse. And I said, now, what was Sergeant</p> <p>24 Mills' reaction? He said, Sergeant Mills stated</p>	<p style="text-align: right;">Page 327</p> <p>1 I'm so close.</p> <p>2 Q. Okay.</p> <p>3 A. And he said, yeah, he said, we are</p> <p>4 holding her, we do have her. I'm questioning</p> <p>5 her regarding these federal charges that I have.</p> <p>6 Q. Yes.</p> <p>7 A. Mike Barz then continued and said, hey,</p> <p>8 listen, listen -- in front of me. He said</p> <p>9 listen, Dan, where are you at, you out of town?</p> <p>10 You're in Washington? We're going to see you</p> <p>11 for the game on Saturday or whatever? Okay,</p> <p>12 I'll see you then. This is my attorney talking</p> <p>13 to the guy that's detaining me, okay.</p> <p>14 Q. Okay.</p> <p>15 A. So now I said -- he said, okay, he</p> <p>16 said, listen, buddy, do my a favor, don't make</p> <p>17 this part of the retaliation in the lawsuit and</p> <p>18 I'll make these charges disappear.</p> <p>19 Q. Who said that?</p> <p>20 A. Mike Barz said that.</p> <p>21 Q. Okay.</p> <p>22 A. To Dan Herbert.</p> <p>23 Q. Okay.</p> <p>24 A. And you're laughing.</p>
<p style="text-align: right;">Page 326</p> <p>1 at no time did he have any knowledge nor did he</p> <p>2 believe that you have ever recorded him at any</p> <p>3 time.</p> <p>4 Q. Okay.</p> <p>5 A. He said that was Sergeant Mills'</p> <p>6 response. So I didn't make your sergeant think</p> <p>7 worse of you.</p> <p>8 The conversation continued and I told</p> <p>9 him, this is just further retaliation. This --</p> <p>10 you guys are coming after me. You know, this is</p> <p>11 a fishing expedition because my conversation</p> <p>12 with the VRI. And I wouldn't elaborate on</p> <p>13 anything. This is a fishing expedition because</p> <p>14 I have a lawsuit filed and people are trying to</p> <p>15 find out if I have recordings that are going to</p> <p>16 surface in the lawsuit or not. I said, that's</p> <p>17 all that this is.</p> <p>18 Q. Okay.</p> <p>19 A. At some point in between this</p> <p>20 conversation, my lawyer Dan Herbert at the</p> <p>21 time called Mike Barz on his cell phone.</p> <p>22 Q. Okay.</p> <p>23 A. And said, I understand you have her.</p> <p>24 And I could hear both sides of the -- because</p>	<p style="text-align: right;">Page 328</p> <p>1 Q. I'm sorry. Go ahead.</p> <p>2 A. Like it's a joke, like something like</p> <p>3 that is funny.</p> <p>4 Q. I'm sorry. I apologize. I was not</p> <p>5 laughing at you.</p> <p>6 A. Yeah, you were.</p> <p>7 And then Mike Barz handed me the phone.</p> <p>8 And my attorney said, don't say another word to</p> <p>9 them. I said you're about 45 minutes too late.</p> <p>10 I want to get the fuck out of here, they're not</p> <p>11 letting me leave.</p> <p>12 Q. Okay.</p> <p>13 A. So when he hung up, I said, am I free</p> <p>14 to go now? And Mike Barz said, no, not yet.</p> <p>15 Sit down.</p> <p>16 Q. Okay.</p> <p>17 A. He said, look, I'm sorry I came at you</p> <p>18 the wrong way. I said, you're right. This</p> <p>19 could be perceived as retaliation.</p> <p>20 He said, you know what, I came here as</p> <p>21 your friend. My intention was to give you a</p> <p>22 heads-up and let you know that I know that these</p> <p>23 are false allegations and let you know that</p> <p>24 these are not going to go anywhere. We know</p>

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<p style="text-align: right;">Page 329</p> <p>1 that these are falls allegations. I came here 2 so that you would not be concerned about these 3 because we know that they're going nowhere, we 4 know they're false. 5 Q. Okay. 6 A. And he said and if you're having such a 7 hard time with everything, I'll tell you what, 8 isn't there a way to expedite this whole 9 situation and make it easier on you? I said, I 10 have no idea. Do you know of a way to expedite 11 a federal lawsuit? He said -- I said, oh, you 12 mean drop the lawsuit? And he said, if it makes 13 it easier. 14 I said, I can't and I fucking won't. 15 Am I free to leave now? He said, no. He said, 16 do you have Sergeant Mills' phone number? And I 17 said, yeah. He said, call him. I said, no, you 18 call him. He said, give me his phone number. 19 He said, you are distraught and psychologically 20 not fit to go out for duty. He said, you are 21 too distraught, you are too historical and -- 22 Q. Sergeant Barz said this? 23 A. Yes. He said -- I said, I wasn't 24 before you guys came and did all this to me for</p>	<p style="text-align: right;">Page 331</p> <p>1 McCarthy. He said, you have a great case. He 2 said, they should not have done that to you. 3 That was an arrest and it was completely 4 illegal. However, the problem is the people 5 that would discipline him and make sure that 6 this is corrected is Juan Rivera and you're 7 suing Juan Rivera. 8 He said, in your best interest and for 9 safety reasons, you do have a benefit called 10 medical. And in your extreme situation, you can 11 go on medical because of the stress. It's a 12 stress leave. And I was unfamiliar with that. 13 Because I told him, I'm now to the point that I 14 can't even get in a car without shaking. I 15 don't know what's going to happen next. 16 How can I go chase wanted offenders in 17 that condition? I'm jeopardizing my partner's 18 safety and I'm mentally not able to do this 19 anymore. And he said, for your own good, I 20 advise you not to. I came, we worked days, like 21 the next day on that Sunday. It was like a 22 Thursday. Friday I went to FOP. I worked days 23 on Saturday. Sunday Danny started furlough. I 24 put in time, too for two weeks. Half way</p>
<p style="text-align: right;">Page 330</p> <p>1 the last hour and something. 2 Q. Okay. 3 A. And he said, listen, this is going to 4 disappear. There's going to be no criminal 5 charges, we're going to make this disappear, 6 okay. He called Sergeant Mills and he said, I 7 am -- Sergeant Mills I want to inform you that 8 Officer Spalding is not fit for duty, she's too 9 distraught over this situation and I am sending 10 her home. She is not fit to work the streets. 11 Q. Okay. Was that the last day that you 12 actually worked -- 13 A. No. 14 Q. -- in Fugitive Apprehension? 15 A. No. I worked I believe two more days. 16 Q. Okay. 17 A. But I changed my duty hours to days and 18 I went to FOP the next day to inform them that I 19 was detained, wasn't read my rights -- 20 Q. Okay. 21 A. -- wasn't given the charges and wasn't 22 free to leave even after my attorney called and 23 when I requested my attorney to be called. And 24 I talked to a lawyer there at the time named</p>	<p style="text-align: right;">Page 332</p> <p>1 through that, I went to a therapist. I was just 2 so distraught and everything -- 3 Q. Okay. 4 A. -- and then I went on the medical. 5 Q. Okay. So after the incident with 6 Sergeant Barz, you worked -- well, the following 7 day, you went to FOP? 8 A. Yes. 9 Q. And you worked days? 10 A. Yes, so I could go to FOP. 11 Q. And you're saying there was one more 12 day that -- 13 A. I believe there was like one more day. 14 Q. Okay. So after the incident with -- 15 well, after the incident with Sergeant Barz, did 16 you ever have a conversation with Sergeant Mills 17 about that incident? 18 A. No, I never had a conversation with 19 Sergeant Mills about it. 20 Q. Okay. And at the time of that incident 21 with Sergeant Barz, you had been reassigned from 22 nights to days at that point, correct? 23 A. But I never got to work days because of 24 the incidents that occurred. I never ever</p>

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<p style="text-align: right;">Page 333</p> <p>1 worked one day on days. 2 Q. Okay. But you had requested you and 3 your partner to go back to days in Fugitive 4 Apprehension and you were ultimately sent back 5 to days with Sergeant Stack, correct? 6 A. Yes. 7 Q. Okay. But you actually never reported 8 for duty on days with Sergeant Stack, correct? 9 A. Correct. 10 Q. Okay. 11 MR. ECHEVERRIA: Do you want to take a 12 break? 13 MR. SMITH: Why don't we take a break. 14 MR. KING: Yeah, why don't we take a 15 break. 16 (Whereupon, a short break was 17 taken.) 18 BY MR. KING: 19 Q. Officer Spalding, am I correct that 20 your allegations that Sergeant Barnes and 21 Sergeant Mills engaged in some retaliation 22 against you was all within the time period that 23 you were assigned to Fugitive Apprehension? 24 A. Correct.</p>	<p style="text-align: right;">Page 335</p> <p>1 great officers, you worked for me before. He 2 said, I am about to start a night team; however, 3 with your experience, your resource and your 4 talents, I believe that it would be a waste to 5 put you on the night team. I think you're 6 better suited for the day team to work in 7 fugitives with the U.S. Marshals on one of the 8 teams. Right now, I don't have any openings to 9 have you deputized. 10 Q. Okay. 11 A. However, when the openings come up, I 12 will get you -- you will be deputized. He said, 13 I'm not saying that you're better than the 14 officers that will go on -- that will go on 15 night, it's just at this point in your career, 16 it's going to be a completely different concept. 17 For you, it would be a glorified tact team and 18 it would be a big step back in your career. 19 Q. Okay. Let me ask it this way. Did you 20 understand that in order to be deputized for the 21 U.S. Marshals Task Force, your sergeant had to 22 recommend you for deputization? 23 A. No. I -- later on being -- after I 24 have gotten -- at the time with Tom Barnes -- it</p>
<p style="text-align: right;">Page 334</p> <p>1 Q. And since you never reported to work 2 with Sergeant Stack, I assume you're not 3 alleging that Sergeant Stack retaliated against 4 you in any fashion? 5 A. Correct. 6 Q. When you were in Fugitive Apprehension, 7 did you have any understanding of what the 8 process was for officers such as yourself to get 9 recommended for the U.S. Marshal's Task Force? 10 A. Prior to going to Fugitive 11 Apprehension, we met with Chief Tom Barnes, as I 12 stated earlier. During that time, we met with 13 him to tell him what we were involved with with 14 Operation Brass Tax since it had concluded. 15 Because we wanted to lay all of the 16 cards on the table and let him know that we're 17 looking to go to a unit where there will be no 18 further retaliation and nothing else like this 19 will happen anymore. 20 Q. Okay. Did he tell you about this 21 process, is my question? 22 A. Yes, yes. 23 Q. Okay. And what did he say about it? 24 A. What he said to us is, you two are</p>	<p style="text-align: right;">Page 336</p> <p>1 wasn't explained that way. 2 Q. Okay. 3 A. He said, I will -- you guys -- I will 4 have you guys -- him, being the chief, I think 5 he could recommend it. 6 Q. Okay. 7 A. But after being in Fugitives, on the 8 night team, I did learn from Jan Hannah that 9 when they picked the people to be deputized on 10 that night team, that they did ask the 11 sergeants; however, when I did ask Sergeant 12 Mills about that -- 13 Q. Yes. 14 A. -- he said that sergeants don't have 15 anything to do with that. 16 Q. Okay. Sergeant Mills told you 17 sergeants don't have anything to do with 18 recommending who gets deputized for the U.S. 19 Marshal's Task Force? 20 A. Yeah. He said with him -- that's what 21 he said when we first got to the night team. 22 But Jan Hannah told me later that that's not 23 accurate. 24 Q. Okay. To the best of your knowledge,</p>



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<p style="text-align: right;">Page 337</p> <p>1 did Sergeant Barnes or Sergeant Mills ever 2 recommend you and Officer Echeverria for the 3 U.S. Marshal's Task Force? 4 A. Well, I -- I don't -- I didn't even -- 5 when I was in Sergeant Barnes' team, I didn't 6 even have that information or know what it was, 7 so I would have no knowledge. 8 Q. Right. 9 A. And when I asked Sergeant Mills, he 10 said that he -- it wasn't done that way, so I 11 didn't even know. 12 Q. Okay. I assume that's a no? 13 A. No. 14 Q. To the best of your knowledge -- 15 A. No. 16 Q. -- you're not aware of Sergeant Barnes 17 or Sergeant mills recommending you for the U.S. 18 Marshal's Task Force, correct? 19 A. That's correct. 20 Q. Okay. And -- strike that. 21 So we've gotten to the point where you 22 go out on medical leave and you have talked 23 about certain people you complained to about 24 certain things.</p>	<p style="text-align: right;">Page 339</p> <p>1 THE WITNESS: Can you say that again? 2 I'm misunderstanding what you said. Am I what? 3 MR. KING: You can read back the 4 question to her. 5 THE WITNESS: Please. 6 (Whereupon, the record was read 7 as requested.) 8 THE WITNESS: No. As a -- he filed a 9 CR number? 10 (Whereupon, Spalding Deposition 11 Exhibit No. 9 was marked for 12 identification.) 13 BY MR. KING: 14 Q. Let me show you Deposition Exhibit 15 No. 9 and ask you to take a look at that 16 document. It's a Summary Report Digest of the 17 Chicago Police Department. Have you ever seen 18 this document before? 19 A. No, I've never seen this. Is this what 20 my attorney filed? 21 Q. If you look in the allegation section 22 on the first page, it says, the Complainant 23 Attorney Patrick Walsh alleged that at an 24 unknown date, time and location, Chicago Police</p>
<p style="text-align: right;">Page 338</p> <p>1 My question is, did you ever make any 2 Complaint in writing to anyone that you believed 3 you were retaliated against for working on 4 Operation Brass Tax? 5 A. That's not -- you usually talk to a 6 supervisor. No. 7 MR. KING: Okay. Can you read back the 8 question. 9 (Whereupon, the record was read 10 as requested.) 11 THE WITNESS: I don't believe I did. 12 BY MR. KING: 13 Q. Okay. Are you aware that your attorney 14 at the time Patrick Walsh made a Complaint on 15 your and Officer Echeverria's behalf that did 16 result in a CR number being issued? 17 A. No. 18 MR. SMITH: I'm going to object to the 19 form of the question, it assumes facts not in 20 evidence. 21 MR. KING: Well, let's see if we can 22 put it into evidence. 23 MR. SMITH: Complaints that are Civil 24 lawsuits, generate CRs automatically.</p>	<p style="text-align: right;">Page 340</p> <p>1 Officers you and Dan Echeverria were subjected 2 to retaliation from unknown Chicago Police 3 Officers because of their cooperation in an FBI 4 investigation that resulted in the arrest and 5 prosecution of Chicago Police Officers. 6 Is it your testimony that you're not 7 aware of your attorney -- 8 MR. SMITH: I'll object. This is 9 misleading as to the process of how these claims 10 are initiated. 11 MR. KING: Okay. 12 MR. SMITH: I'm going to ask for my 13 client to have a minute to read -- review the 14 materials. 15 MR. KING: Sure. 16 THE WITNESS: I can't even see the 17 materials. Can I talk to you for a minute? 18 MR. SMITH: Can we take a break now or 19 do you want her to finish answering this 20 question? 21 MR. KING: And I don't want to ask an 22 unfair question. I'm not trying to do that. 23 Let me try to ask a better question. 24 THE WITNESS: Well, if you could read</p>

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<p style="text-align: right;">Page 341</p> <p>1 this whole thing. My eyes are so blurry from 2 all this crying. If you want to read that to 3 me, then I can answer your question. 4 BY MR. KING: 5 Q. Let me ask it this way. Are you aware 6 that at some point after you filed your lawsuit, 7 there was a CR number that was opened relating 8 to your allegations of retaliation? 9 A. No. This is the first I'm hearing of 10 it. 11 Q. Okay. Do you -- so you don't recall 12 having to make a decision at some point if you 13 wanted to pursue the CR or you just pursued your 14 lawsuit? 15 A. No, never. 16 Q. Okay. Fair enough. 17 (Whereupon, Spalding Deposition 18 Exhibit No. 10 was marked for 19 identification.) 20 BY MR. KING: 21 Q. Officer Spalding, are you familiar with 22 the Independent Police Review Authority? 23 A. I know who they are. 24 Q. Okay. And is it your understanding</p>	<p style="text-align: right;">Page 343</p> <p>1 know. 2 Q. Let me show you another document that's 3 been marked as Deposition Exhibit No. 10 and ask 4 you to take a look at that. 5 Take a look at this first page of 6 Exhibit 10 and just let me know if you've ever 7 seen this e-mail before. 8 A. No. 9 Q. Okay. And as of April 13, 2008, you 10 were still working in Narcotics, correct? 11 A. As of -- yes. 12 Q. And are you familiar with Kevin 13 Navarro? 14 A. Yes. 15 Q. Who was Kevin Navarro? 16 A. He was a lieutenant in Narcotics. 17 Q. Okay. And to the best of your 18 knowledge, was he your lieutenant as of 19 April 13, 2008? 20 A. Yes, I believe he was. 21 Q. And was your sergeant at that time 22 Kevin Johnson? 23 A. In April? 24 Q. In April of 2008.</p>
<p style="text-align: right;">Page 342</p> <p>1 that they investigate complaints of misconduct 2 by police officers? 3 A. Yes. 4 Q. Okay. And when did you -- have you 5 known that your whole career essentially that 6 who IPRA is and that they investigate 7 complaints? 8 A. I don't know that I've known that my 9 whole career. I don't think IPRA has been in 10 existence my whole career. I don't know much 11 about them. You know, I've only had to deal 12 with IAD. 13 Q. Okay. So I'm assuming you never made 14 a -- you or as far as you know, Officer 15 Echeverria never made a Complaint to the 16 Independent Police Review Authority about any of 17 the retaliation that you allege you were 18 subjected to? 19 A. No, I never did. 20 Q. Okay. 21 A. Not that I'm aware of. 22 Q. And as far as you know, Officer 23 Echeverria did not, either, correct? 24 A. No. He didn't, either, as far as I</p>	<p style="text-align: right;">Page 344</p> <p>1 A. Do your records reflect that? I'm not 2 sure who was my sergeant at that time. 3 Q. Okay. But it may have been Kevin 4 Johnson? 5 A. It could have been, yes. 6 Q. Okay. If you would -- if you look at 7 the first line of the e-mail, Page 1 of 8 Exhibit 10, it says, from Kevin Navarro to Nick 9 Roti. It says, boss, here are the personnel 10 assessments. Sergeants were done by me and 11 their personnel were done by them. Do you see 12 that? 13 A. Yes. 14 Q. Okay. And then if you turn to 15 Page 149 -- at the bottom right, it's Page 1495, 16 which says, Lieutenant Kevin Navarro at the top 17 and then Sergeant Kevin Johnson underneath that. 18 Do you see that? 19 A. I do. 20 Q. Okay. And if you turn to the next 21 page, you're identified on the next page 22 correct? 23 A. Correct. 24 Q. Okay. And have you ever seen these</p>

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<p style="text-align: right;">Page 345</p> <p>1 pages, 1495 and 1496 before?</p> <p>2 A. I've never seen any of these pages.</p> <p>3 Q. Okay. And during the time that you</p> <p>4 were under Sergeant Kevin Johnson, were these</p> <p>5 the individuals that were also under Sergeant</p> <p>6 Johnson, as far as you know?</p> <p>7 A. Yes.</p> <p>8 Q. Officer -- those listed on Page 1495?</p> <p>9 A. Yes.</p> <p>10 Q. Yes?</p> <p>11 A. Uh-huh.</p> <p>12 Q. Okay, thank you.</p> <p>13 And do you have any knowledge or</p> <p>14 information that as of April 13, 2008 Kevin</p> <p>15 Navarro was aware of your work with the FBI on</p> <p>16 the Watts investigation?</p> <p>17 A. You know, I don't know who knew what at</p> <p>18 what point.</p> <p>19 Q. Do you have any basis for believing</p> <p>20 Kevin Navarro was aware of that as of April 13,</p> <p>21 2008?</p> <p>22 A. I have no proof of that.</p> <p>23 Q. Do you have any basis for believing</p> <p>24 that as of April, 2008, Kevin Johnson was aware</p>	<p style="text-align: right;">Page 347</p> <p>1 yes, with the -- did we talk about that, with</p> <p>2 Bates, where I was told to go out and make the</p> <p>3 drug buy when I didn't feel comfortable?</p> <p>4 Q. Well, why don't you tell me what</p> <p>5 this --</p> <p>6 A. Okay.</p> <p>7 Q. -- your understanding of the incident</p> <p>8 was when you were robbed and --</p> <p>9 A. I was working under Bates, Tyron Bates.</p> <p>10 Q. Okay.</p> <p>11 A. And I don't know and I don't recall if</p> <p>12 we did discuss this today already. But we were</p> <p>13 going to make a narcotics purchase on the West</p> <p>14 Side. We went over this, correct? And I</p> <p>15 explained that I wasn't comfortable going back</p> <p>16 to the situation because my identity had already</p> <p>17 been revealed?</p> <p>18 Q. Yes.</p> <p>19 A. Yes, this is the same subject that we</p> <p>20 talked about.</p> <p>21 Q. Okay. This is the same subject we</p> <p>22 talked about?</p> <p>23 A. Yes.</p> <p>24 Q. And obviously by the date of this</p>
<p style="text-align: right;">Page 346</p> <p>1 of your work on the Watts investigation?</p> <p>2 A. No. I don't know what Kevin Johnson</p> <p>3 may or may not have known, but he was working in</p> <p>4 the FBI building.</p> <p>5 Q. Okay.</p> <p>6 A. So it's possible, I don't know.</p> <p>7 Q. Okay. Do you have any personal</p> <p>8 knowledge of whether Kevin Johnson was aware of</p> <p>9 as of April, 2008 that you were working on the</p> <p>10 Watts investigation?</p> <p>11 A. No personal knowledge.</p> <p>12 Q. Okay. You don't have any knowledge?</p> <p>13 You don't have any knowledge that he was aware</p> <p>14 of that, correct?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. If you look at the first page,</p> <p>17 the e-mail from Kevin Navarro to Nick Roti, the</p> <p>18 second paragraph starts to talk about a robbery</p> <p>19 and battery of you, P.O. Spalding. Is that what</p> <p>20 you previously testified to, that incident?</p> <p>21 A. No.</p> <p>22 Q. Okay. Do you recall what that incident</p> <p>23 was about?</p> <p>24 A. Yes. I was robbed and -- oh, with --</p>	<p style="text-align: right;">Page 348</p> <p>1 e-mail, that incident occurred sometime prior to</p> <p>2 April 13, 2008, would you agree?</p> <p>3 A. I believe it was in February.</p> <p>4 Q. Okay. Of 2008?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. That's fine.</p> <p>7 And later on in the e-mail, Kevin</p> <p>8 Navarro writes, I'm definitely going to have a</p> <p>9 team meeting because there's animosity over this</p> <p>10 incident, a split among team members including</p> <p>11 P.O. Spalding going around the unit bad mouthing</p> <p>12 the team for not backing her up. I don't know</p> <p>13 if you'd agree to bad mouthing, but would you</p> <p>14 agree that you were expressing concern about the</p> <p>15 team not backing you up in that situation?</p> <p>16 A. I was asked by multiple supervisors</p> <p>17 about the incident, and I did express the -- I</p> <p>18 did tell them the incident that did happen and</p> <p>19 they expressed more concern than I did --</p> <p>20 Q. Okay.</p> <p>21 A. -- for the incident and related back to</p> <p>22 me that they were trying to cover that up.</p> <p>23 Q. Okay. Did you express concern in</p> <p>24 connection with that incident about team members</p>

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<p style="text-align: right;">Page 349</p> <p>1 not being there to back you up?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And then Kevin Navarro goes on</p> <p>4 to write, quote, I talked to her personally on</p> <p>5 the phone with her from Peoria and asked the</p> <p>6 question specifically about backup and she told</p> <p>7 me she had no problems. Do you believe that's</p> <p>8 correct?</p> <p>9 A. What I do know is that the</p> <p>10 conversations took place when Kevin Navarro --</p> <p>11 prior to his phone call. I don't believe he was</p> <p>12 informed immediately of the situation.</p> <p>13 Q. Okay.</p> <p>14 A. I think it was a day or the next day.</p> <p>15 Q. Okay.</p> <p>16 A. And so these conversations took place</p> <p>17 immediately after the incident.</p> <p>18 Q. I understand. I'm just asking if you</p> <p>19 remember a phone conversation with Kevin</p> <p>20 Navarro.</p> <p>21 A. I do remember Kevin Navarro calling.</p> <p>22 Q. Do you recall that you told him you</p> <p>23 weren't concerned about the team members not</p> <p>24 backing you up or do you not recall that?</p>	<p style="text-align: right;">Page 351</p> <p>1 Q. And we can just look at the first page.</p> <p>2 A. Okay.</p> <p>3 Q. It appears to be what's called a</p> <p>4 Summary Report Digest. It indicates in the</p> <p>5 allegation section that the allegation was that</p> <p>6 a complainant Michael Murphy had made some</p> <p>7 allegations relating to some actions by you and</p> <p>8 Officer Echeverria relating to a dog. Do you</p> <p>9 recall that incident?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And you are aware that as a</p> <p>12 result of that incident, there was a CR number</p> <p>13 and investigation was done, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And do you recall that Joseph</p> <p>16 Stehlik with the Internal Affairs Division was</p> <p>17 the one who conducted that investigation?</p> <p>18 A. I don't recall who conducted it.</p> <p>19 Q. Okay. If you could turn -- strike</p> <p>20 that.</p> <p>21 To the best of your recollection, you</p> <p>22 have not seen this document before?</p> <p>23 A. Well, I was just looking at the front</p> <p>24 page and I don't ever recall seeing a Summary</p>
<p style="text-align: right;">Page 350</p> <p>1 A. I don't recall telling him that I</p> <p>2 wasn't concerned. I remember telling him that I</p> <p>3 was okay.</p> <p>4 Q. Okay. That's fine, that's fine.</p> <p>5 And Tyron Bates, I assume you don't</p> <p>6 have any knowledge that as of when that incident</p> <p>7 occurred, he had any knowledge of your working</p> <p>8 on the Watts investigation?</p> <p>9 A. I have no knowledge of him having</p> <p>10 knowledge.</p> <p>11 Q. Okay.</p> <p>12 (Whereupon, Spalding Deposition</p> <p>13 Exhibit No. 11 was marked for</p> <p>14 identification.)</p> <p>15 BY MR. KING:</p> <p>16 Q. Officer Spalding, I'm showing you</p> <p>17 another document that's been marked Deposition</p> <p>18 Exhibit No. 11 and I will ask you to -- it's a</p> <p>19 lengthy document. But if you could tell me</p> <p>20 whether or not you believe you've seen this</p> <p>21 document before.</p> <p>22 A. I don't think I've ever seen this</p> <p>23 document, the first page of it. I don't know.</p> <p>24 Hold on a second.</p>	<p style="text-align: right;">Page 352</p> <p>1 Report Digest.</p> <p>2 Q. Okay. Do you ever recall seeing any</p> <p>3 report concerning the investigation of this</p> <p>4 incident?</p> <p>5 A. Well, these are the investigator's log,</p> <p>6 so I wouldn't be privilege to this.</p> <p>7 Q. Okay.</p> <p>8 A. I wouldn't have any of this.</p> <p>9 Q. Okay.</p> <p>10 A. This is not what we would see.</p> <p>11 Q. I understand. I'm just checking.</p> <p>12 Just let me know if you think you've</p> <p>13 seen any of these documents before.</p> <p>14 A. Well, I know that I would -- I know</p> <p>15 that I saw a CR number for that.</p> <p>16 Q. Okay.</p> <p>17 A. But I don't -- it's not the same as</p> <p>18 this, I don't believe. But I did see CR</p> <p>19 documents for that.</p> <p>20 Q. Okay. And if you turn to the page at</p> <p>21 the bottom, it's Number 923. And do you see</p> <p>22 that?</p> <p>23 A. Yes.</p> <p>24 Q. It says findings on this page. And it</p>



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<p style="text-align: right;">Page 353</p> <p>1 indicates with respect to you, the accused, 2 Shannon Spalding, that allegation that's written 3 here anyway is sustained a violation of Rule 4 4 and sustained a violation of Rule 2. Do you 5 remember learning at some point that the 6 violations against you, in what I'll refer to as 7 the dog incident, had been sustained? 8 A. Yes. 9 Q. Okay. And if you turn to the next 10 page, it indicates that the violations or the 11 allegations against Officer Echeverria were 12 likewise sustained. You learned of that, as 13 well, correct? 14 A. Yes. 15 Q. And if you turn to the following page, 16 which is the recommendation page, you learned 17 that at least -- did you learn at some point 18 that at least the recommendation was a 19 suspension for you and for Officer Echeverria? 20 Did you recall learning that a 21 suspension had been recommended for the both of 22 you? 23 A. I recalled them sustaining that, 24 sustaining it. I don't recall -- I know that we</p>	<p style="text-align: right;">Page 355</p> <p>1 that we were upset and we wanted to file a 2 grievance -- 3 Q. Sure. 4 A. -- because it was sustained. And now 5 that -- I mean, I'm looking at this and four 6 days when you've never -- you know, usually it 7 doesn't -- 8 Q. That's fine. 9 A. -- start out at four days. So we 10 filed -- when we went to file the grievance -- 11 Q. Yes. 12 A. -- we were informed by Kathy, who works 13 at FOP, she said, well, this -- 14 Q. I'm sorry. Go ahead. 15 A. We were informed by Kathy at some point 16 when we were talking to FOP about filing the 17 grievance, that this CR number was made by -- 18 was called in as a favor to the complainant's 19 mother, who actually worked either for Nick Roti 20 or O'Grady as their secretary or something for 21 years. So that is the kid's mother. And so 22 they called it in and then they took the CR 23 number and we were told by -- 24 MR. KING: Okay. I'm just going to</p>
<p style="text-align: right;">Page 354</p> <p>1 filed a grievance on it, so I know it was 2 sustained. 3 Q. Okay. 4 A. But I don't recall the specific -- 5 Q. You don't recall knowing -- 6 A. Yes. 7 Q. -- what the recommended penalty would 8 be? 9 A. Time. Yeah, exactly. But it says it 10 right here. 11 Q. Sure, okay. And ultimately is it your 12 understanding that those findings were changed 13 to not sustained? 14 A. Yeah. We filed a grievance with FOP. 15 Q. Okay. So my question is -- 16 A. Yes. 17 Q. -- ultimately, did you learn that 18 these -- these findings were changed or 19 overruled such that they were not sustained? 20 A. Correct. Ultimately. 21 Q. Okay. And do you have any knowledge of 22 what happened to cause the findings to be 23 changed from sustained to not sustained? 24 A. Yeah. We went to FOP and I remember</p>	<p style="text-align: right;">Page 356</p> <p>1 move to strike that entire answer as 2 nonresponsive to my question. 3 THE WITNESS: Okay. 4 MR. SMITH: Not that striking testimony 5 in a deposition has any meaning at all. It's 6 part of her answer. If you don't want her to 7 answer your question about what they did and why 8 they did it -- 9 MR. KING: Okay. 10 MR. SMITH: -- she could continue. If 11 you want to withdraw the question, then withdraw 12 the question and ask another one. 13 MR. KING: That's a good idea. I'll 14 withdraw the question and I'm moving to strike 15 her answer. 16 MR. SMITH: Again, that has no meaning 17 in a deposition. 18 MR. KING: I appreciate the Civil 19 Procedure lesson. I'll ask -- I'll rephrase my 20 question. 21 BY MR. KING: 22 Q. Are you aware of whether someone 23 intervened on your behalf to change the finding 24 of sustained to not sustained? Do you have any</p>

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<p style="text-align: right;">Page 357</p> <p>1 knowledge of that?</p> <p>2 A. I understand that when you file a</p> <p>3 grievance, that there will be a hearing and that</p> <p>4 somebody will review it and make a decision on</p> <p>5 that. That is my understanding.</p> <p>6 Q. Do you know in this particular case how</p> <p>7 the initial finding of sustained came to be</p> <p>8 changed to unsustainable?</p> <p>9 A. I was never told by FOP.</p> <p>10 Q. Okay. So you don't know?</p> <p>11 A. No.</p> <p>12 Q. Okay. If I could turn your attention</p> <p>13 to Paragraph 116 of the Amended Complaint of</p> <p>14 Exhibit 1. Paragraph 116 indicates that the</p> <p>15 allegation is that the Defendants -- let me</p> <p>16 strike that.</p> <p>17 Paragraph 116 alleges that as described</p> <p>18 in the preceding paragraphs, Defendants acting</p> <p>19 in concert with known and unknown conspirators,</p> <p>20 reached an understanding to deprive Plaintiffs</p> <p>21 of their Constitutional rights.</p> <p>22 What Defendants are you alleging</p> <p>23 reached an understanding, I guess, to retaliate</p> <p>24 against you?</p>	<p style="text-align: right;">Page 359</p> <p>1 aware of each other's actions, you know.</p> <p>2 Q. Okay.</p> <p>3 A. And Lieutenant Cesario, Barnes, Mills,</p> <p>4 Salemme from 606, they have at different moments</p> <p>5 been witnesses or there when things have taken</p> <p>6 place.</p> <p>7 Q. Okay. So is it your testimony that</p> <p>8 your allegation that the Defendants reached an</p> <p>9 understanding to retaliate against you, that's</p> <p>10 based on your allegation that certain Defendants</p> <p>11 knew about the alleged retaliation of other</p> <p>12 Defendants, is that fair to say?</p> <p>13 A. Yes, they knew about it and failed to</p> <p>14 stop it or report it or engaged in it.</p> <p>15 Q. Okay. Is it your position in the case</p> <p>16 that the Defendants that retaliated against you,</p> <p>17 did they retaliate against you because you spoke</p> <p>18 to the FBI specifically or simply because you</p> <p>19 reported illegal activity on behalf of --</p> <p>20 illegal activity by Watts and others?</p> <p>21 MR. SMITH: I'm going to object, it's a</p> <p>22 compound question as to all the Defendants and</p> <p>23 then --</p> <p>24</p>
<p style="text-align: right;">Page 358</p> <p>1 A. The Defendants named in the lawsuit.</p> <p>2 Q. Okay. So it's your allegation that all</p> <p>3 of the Defendants named in the lawsuit reached</p> <p>4 an understanding to deprive you of your rights,</p> <p>5 is that your testimony?</p> <p>6 A. I'm not sure I understand the question.</p> <p>7 Q. Okay. Well, you testified that all of</p> <p>8 the Defendants named in the case --</p> <p>9 A. The Defendants named in the case.</p> <p>10 Q. The Defendants named in the case you're</p> <p>11 alleging reached an understanding to deprive you</p> <p>12 of your rights. I assume that means to</p> <p>13 retaliate against you, correct?</p> <p>14 A. All the Defendants listed did engage in</p> <p>15 retaliation at some point.</p> <p>16 Q. Okay. You've testified as to all of</p> <p>17 the Defendants engaging in some sort of</p> <p>18 retaliation against you. Is it also your</p> <p>19 testimony that they all reached some</p> <p>20 understanding to engage in this retaliation or</p> <p>21 they -- or they just, on their own, engaged in</p> <p>22 retaliation, if you know?</p> <p>23 A. I don't -- well, like Nick Roti and the</p> <p>24 people from Organized Crime, obviously were</p>	<p style="text-align: right;">Page 360</p> <p>1 BY MR. KING:</p> <p>2 Q. My question is, is it your belief that</p> <p>3 they retaliated against you because you went to</p> <p>4 the FBI or simply because you had,</p> <p>5 quote-unquote, ratted on fellow police officers?</p> <p>6 A. I believe that they retaliated against</p> <p>7 my partner and myself because we went to an</p> <p>8 outside agency to report criminal conduct within</p> <p>9 the department that wasn't being addressed by</p> <p>10 the department and we broke the code of silence</p> <p>11 and reported supervisors within the department</p> <p>12 to outside agencies so --</p> <p>13 Q. Okay. And were you finished with your</p> <p>14 answer?</p> <p>15 A. I could be.</p> <p>16 Q. Okay. You mentioned this code of</p> <p>17 silence. As you understand the code of silence,</p> <p>18 it's that you're -- I guess tell me what's your</p> <p>19 understanding of what that means, the code of</p> <p>20 silence?</p> <p>21 A. Well, I'm sure it's not the first time</p> <p>22 that you've heard of the code of silence. But</p> <p>23 even when you're in the academy, they tell you</p> <p>24 the fastest way to ruin your career is go</p>

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<p style="text-align: right;">Page 361</p> <p>1 against another police officer. So you know 2 that from the minute you walk in, that is taboo 3 within the department. Look the other way or 4 whatever. 5 Q. Okay. 6 A. And if you don't, it will cost you your 7 career, as we are examples of. 8 Q. Okay. So your understanding of the 9 code of silence is that you're not supposed to 10 report criminal or illegal activity by other 11 officers; is that correct? 12 A. My understanding of it is it is not 13 looked favorably by other officers or 14 supervisors if you are going against other 15 officers or reporting it. It's not -- it 16 doesn't make you popular. It will damage you 17 and make you an outsider. 18 Q. Okay. And that -- your understanding 19 is the same whether they're -- you know, I'll 20 strike that. 21 If I could turn your attention to 22 Paragraph 120 of the Complaint. And just have 23 you take a look at Paragraph 112(a). Are you 24 aware of any authority, any particular authority</p>	<p style="text-align: right;">Page 363</p> <p>1 documents, are you aware of specifically what 2 authority the superintendent of police has 3 delegated to individuals at the chief level? 4 A. I have not seen any documents from the 5 superintendent to the chiefs. 6 Q. Okay. You -- there's an allegation in 7 Paragraph 112(c) that -- strike that. 8 Is it your allegation in this case that 9 the superintendent of police, whoever the 10 superintendent was at any particular time, was 11 personally involved in any retaliation against 12 you? 13 A. Did the superintendent -- 14 Q. Yes. 15 A. -- retaliate against me personally? 16 Q. Yes. 17 A. No. 18 Q. Or the same for Officer Echeverria, as 19 far as you know? 20 A. As far as I know. 21 Q. Okay. And -- 22 MR. KING: Can we take a quick a break? 23 MR. SMITH: Sure. 24</p>
<p style="text-align: right;">Page 362</p> <p>1 that the Chicago City Council has delegated to 2 the superintendent of police? 3 A. Personally? 4 Q. Yes. 5 A. No. 6 Q. Okay. Are you personally aware of any 7 authority that the superintendent of police may 8 have delegated to chiefs? 9 A. What do you mean by that? Like what, 10 the authority he allows them to have in their 11 position? 12 Q. My question is, are you aware of any 13 authority that the superintendent of police, 14 specific authority that a superintendent has 15 delegated to chiefs? 16 A. I know the authority that the chiefs 17 have under their position. 18 Q. Well, what's your understanding of the 19 authority that the chiefs have? 20 A. What division are you talking about? 21 Do I know what the superintendent personally 22 assign to chiefs or authorize them to do 23 personally, no. 24 Q. Either personally or based on</p>	<p style="text-align: right;">Page 364</p> <p>1 (Whereupon, a discussion was had 2 off the record.) 3 BY MR. KING: 4 Q. I don't think I asked this. Am I 5 correct that the alleged retaliation that you 6 say was engaged in by Commander Salemmme and 7 Lieutenant Cesario was all during the period 8 that you were assigned the Fugitive 9 Apprehension? 10 A. You're correct. 11 Q. And with respect to Nick Roti, other 12 than your allegation that he did not allow you 13 to come back to work in Narcotics, is that the 14 extent of the alleged retaliation by Nick Roti? 15 A. No. 16 Q. Okay. How else did Nick Roti retaliate 17 against you? 18 A. By allowing Commander O'Grady to 19 continue his retaliation against me, you know. 20 Q. Okay. So other than not allowing you 21 back in the unit and to your knowledge Roti 22 allowing O'Grady to continue to retaliate, was 23 that the extent of the retaliation that you're 24 alleging by Nick Roti?</p>

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<p style="text-align: right;">Page 365</p> <p>1 A. No.</p> <p>2 Q. Okay. What else?</p> <p>3 A. After Echeverria tried to make attempts</p> <p>4 to make the phone call, his conversation with</p> <p>5 Juan Rivera telling us, you know, never to</p> <p>6 contact him, we're never going to be allowed in</p> <p>7 Organized Crime, we'll never go to any task</p> <p>8 force, that conversation.</p> <p>9 Q. Okay.</p> <p>10 A. Other than that --</p> <p>11 Q. Maybe I'll ask it this way.</p> <p>12 A. Other than that --</p> <p>13 Q. Other than what you've already</p> <p>14 testified to, is there anything else that you're</p> <p>15 alleging is a retaliation by Nick Roti?</p> <p>16 A. No.</p> <p>17 Q. Okay. You testified that the</p> <p>18 superintendent you didn't believe was engaged in</p> <p>19 retaliation. Is it your position in this case</p> <p>20 that the superintendent of police is somehow</p> <p>21 responsible for the retaliation that you</p> <p>22 suffered?</p> <p>23 A. The superintendent never engaged in</p> <p>24 retaliation against --</p>	<p style="text-align: right;">Page 367</p> <p>1 any personal knowledge of the superintendent of</p> <p>2 police being aware of any of the alleged</p> <p>3 retaliation against you before you filed the</p> <p>4 lawsuit and it became public?</p> <p>5 A. No.</p> <p>6 Q. Okay. You talked about this code of</p> <p>7 silence. And my question to you is other than</p> <p>8 what you allege has happened to you and your</p> <p>9 partner, Dan Echeverria, are you aware of any</p> <p>10 other officers whom you believe have been</p> <p>11 retaliated against for violating this so-called</p> <p>12 code of silence?</p> <p>13 A. Michael Spaargaren.</p> <p>14 Q. Okay.</p> <p>15 A. S-P-A-A-R-G-A-R-E-N.</p> <p>16 Q. And what's your understanding of what</p> <p>17 Michael Spaargaren did? Is this what you</p> <p>18 previously testified to?</p> <p>19 A. It's in addition to.</p> <p>20 Q. Okay. What's your understanding of</p> <p>21 what Michael Spaargaren did to violate or breach</p> <p>22 the code of silence and what retaliation do you</p> <p>23 believe happened to him?</p> <p>24 A. When we were in Public Housing South,</p>
<p style="text-align: right;">Page 366</p> <p>1 Q. I understand.</p> <p>2 A. -- my partner or I.</p> <p>3 Q. And I'm asking is it your position that</p> <p>4 nevertheless -- and I'm not saying that it is.</p> <p>5 Is it your position that nevertheless the</p> <p>6 superintendent is somehow responsible for those</p> <p>7 under him who engaged in retaliation?</p> <p>8 MR. SMITH: I object it calls for a</p> <p>9 legal conclusion.</p> <p>10 THE WITNESS: I think that the</p> <p>11 superintendent is responsible for his chiefs</p> <p>12 underneath him and the actions that they do.</p> <p>13 And when there is retaliation to this extent and</p> <p>14 he was involved in the operation, that it -- you</p> <p>15 know with the -- all of -- all of this, that,</p> <p>16 you know, once he becomes aware of this, you</p> <p>17 know, it is his responsibility to address it.</p> <p>18 BY MR. KING:</p> <p>19 Q. Okay. And are you aware of any of the</p> <p>20 retaliation that the superintendent was actually</p> <p>21 aware of?</p> <p>22 A. I'm sure he was made aware of the</p> <p>23 lawsuit.</p> <p>24 Q. My question is, are you -- do you have</p>	<p style="text-align: right;">Page 368</p> <p>1 at one point he was placed on Sergeant Ronald</p> <p>2 Watts' team. And he began to personally observe</p> <p>3 activity that he believed was not according to</p> <p>4 the rules and regulation of the police</p> <p>5 department and he started to question their</p> <p>6 conduct.</p> <p>7 He had a -- he confronted Sergeant</p> <p>8 Watts about it, at which point Sergeant Watts</p> <p>9 then told him that -- Sergeant Watts threatened</p> <p>10 him and told him that he needs to keep his mouth</p> <p>11 shut and you know what, you'll be the one that I</p> <p>12 do the paper on. Don't -- you know, you're not</p> <p>13 going to question what I do. I'm the</p> <p>14 supervisor.</p> <p>15 Q. Okay.</p> <p>16 A. And they got into a verbal altercation</p> <p>17 over it, to the point that Michael Spaargaren</p> <p>18 then went to lieutenant -- the lieutenant of</p> <p>19 Public Housing at the time.</p> <p>20 Q. Do you recall who that was?</p> <p>21 A. Yes. It was Spratt, S-P-R-A-T-T. At</p> <p>22 which point the lieutenant told Michael</p> <p>23 Spaargaren that he better not go to IAD and</p> <p>24 report any of this, that basically he would be</p>



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<p style="text-align: right;">Page 369</p> <p>1 done and he better keep his mouth shut.</p> <p>2 Q. Okay.</p> <p>3 A. And at that point, Michael Spaargaren</p> <p>4 began to fear that he would get a false case put</p> <p>5 on him or false papers. So he turned in his</p> <p>6 papers -- he went down to headquarters to take a</p> <p>7 leave of absence in fear of what would happen.</p> <p>8 Q. Okay. And what you just testified to</p> <p>9 that Lieutenant Spratt allegedly said to Michael</p> <p>10 Spaargaren, you got that from Michael</p> <p>11 Spaargaren, correct?</p> <p>12 A. I got that from Michael Spaargaren.</p> <p>13 But also I heard them arguing upstairs.</p> <p>14 Q. Okay.</p> <p>15 A. I heard them screaming, so I could hear</p> <p>16 part of that argument and I heard Spratt yelling</p> <p>17 at him.</p> <p>18 Q. I understand Michael feared that there</p> <p>19 might be some retaliation against him. He went</p> <p>20 on leave, I think you said?</p> <p>21 A. Yeah.</p> <p>22 Q. Okay. Are you aware of any actual</p> <p>23 retaliation that happened to Michael Spaargaren?</p> <p>24 A. No. He left -- he left the job then.</p>	<p style="text-align: right;">Page 371</p> <p>1 A. Well, I do know that like they told me</p> <p>2 their brief story.</p> <p>3 Q. Okay.</p> <p>4 A. And so I knew their incident. One</p> <p>5 person said that he had worked with Ronnie Watts</p> <p>6 and when he complained about him in the 2nd</p> <p>7 District, he was launched off. And I don't</p> <p>8 remember if he said he was put on midnights</p> <p>9 somewhere on foot patrol or something, but he</p> <p>10 had made it to traffic or something now. But,</p> <p>11 you know, situations like that.</p> <p>12 Q. Okay.</p> <p>13 A. But, you know, these officers would</p> <p>14 know me from media and come up to me.</p> <p>15 Q. Sure.</p> <p>16 A. And I don't know these officers. I</p> <p>17 don't remember their names.</p> <p>18 Q. Other than what you've already</p> <p>19 testified to, are you aware of any other</p> <p>20 officers who to your knowledge breached the code</p> <p>21 of silence and suffered some kind of</p> <p>22 retaliation?</p> <p>23 A. I could possibly be aware of incidents</p> <p>24 that I don't recall right now.</p>
<p style="text-align: right;">Page 370</p> <p>1 Q. Okay.</p> <p>2 A. And then they changed the rules after</p> <p>3 about a year and a half or two years, and he</p> <p>4 came back.</p> <p>5 Q. Okay. And he came back?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And since Michael Spaargaren has</p> <p>8 come back to work, are you aware of any</p> <p>9 retaliation that he suffered?</p> <p>10 A. I'm not aware.</p> <p>11 Q. Okay. Other than you and your partner</p> <p>12 and Michael Spaargaren, are you aware of any</p> <p>13 other officers who to your understanding</p> <p>14 breached this code of silence and suffered any</p> <p>15 retaliation?</p> <p>16 A. You know, a couple officers, after I</p> <p>17 became public with this, did approach me and I</p> <p>18 don't -- I don't know their names now.</p> <p>19 Q. Okay.</p> <p>20 A. And did approach me with their</p> <p>21 situations, but I don't know their names.</p> <p>22 Q. Okay. You don't know -- it's fair to</p> <p>23 say you don't know their names or the details of</p> <p>24 their situations?</p>	<p style="text-align: right;">Page 372</p> <p>1 Q. Okay. At any time that you were</p> <p>2 suffering alleged retaliation, am I correct that</p> <p>3 your pay was not cut, correct?</p> <p>4 A. No. My salary?</p> <p>5 Q. Was your salary ever cut?</p> <p>6 A. No.</p> <p>7 Q. And, in fact, did you receive any</p> <p>8 salary increases during the period of time that</p> <p>9 you allege you were suffering retaliation?</p> <p>10 A. To be honest, I don't know. I have</p> <p>11 direct deposit, I never looked at my checks. If</p> <p>12 there was an increase, I didn't notice it.</p> <p>13 Q. Okay. Do you know what your last</p> <p>14 salary was before your pay was stopped?</p> <p>15 A. I don't even open up my W2s. I just</p> <p>16 bring them to the accountant.</p> <p>17 Q. So you don't know?</p> <p>18 A. No.</p> <p>19 Q. Okay. And I assume also -- well,</p> <p>20 strike that.</p> <p>21 And during the period that you</p> <p>22 allegedly suffered retaliation, none of your</p> <p>23 employment benefits were cut, correct?</p> <p>24 A. Correct.</p>

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<p style="text-align: right;">Page 373</p> <p>1 Q. Okay. And are you alleging that you</p> <p>2 suffered any monetary losses as a result of the</p> <p>3 alleged retaliation?</p> <p>4 A. Well, I did -- you know, the</p> <p>5 retaliation resulted in me not being able to</p> <p>6 come to work now, it's resulted in me applying</p> <p>7 for disability because of the post-traumatic</p> <p>8 stress disorder, it's resulted in the City</p> <p>9 doctor saying that me ever returning to legal</p> <p>10 work -- I mean, to law enforcement, is very</p> <p>11 unlikely. So it's negatively effected my income</p> <p>12 ultimately, yes.</p> <p>13 Q. So at this point, the monetary loss</p> <p>14 that has been the result of the alleged</p> <p>15 retaliation, would you agree that it is the fact</p> <p>16 that you're no longer getting your full salary</p> <p>17 while you're on disability?</p> <p>18 A. Or allowed to work overtime or have the</p> <p>19 chance to advance or any of that.</p> <p>20 Q. Okay. And with respect to overtime,</p> <p>21 are you alleging that the retaliation impacted</p> <p>22 your ability to work overtime just in Fugitive</p> <p>23 Apprehension or in any other units?</p> <p>24 A. Well, there --</p>	<p style="text-align: right;">Page 375</p> <p>1 how much overtime you may have lost or believe</p> <p>2 you lost as a result of the alleged retaliation?</p> <p>3 A. I can't guess what I would have been --</p> <p>4 worked or not worked.</p> <p>5 Q. Sure, that's fair.</p> <p>6 Is it true that when you were working</p> <p>7 on the third watch in Fugitive Apprehension,</p> <p>8 you -- did you ever have to also go to court</p> <p>9 during the days?</p> <p>10 A. No.</p> <p>11 Q. Okay. You've alluded to that you've</p> <p>12 seen some medical professionals in connection</p> <p>13 with I guess medical conditions that you're</p> <p>14 alleging were the result of the retaliation; is</p> <p>15 that correct?</p> <p>16 A. I'm not alleging. They are a result of</p> <p>17 the retaliation.</p> <p>18 Q. Okay. And can you tell me who each of</p> <p>19 those medical providers were?</p> <p>20 A. The Therapist Deborah Weaver.</p> <p>21 Q. Okay.</p> <p>22 A. Psychiatrist Dr. Kaiser, Psychiatrist</p> <p>23 Nancy Landre.</p> <p>24 Q. Okay. Anyone else?</p>
<p style="text-align: right;">Page 374</p> <p>1 Q. Well, strike that. Let me ask you.</p> <p>2 With respect to the -- your claim that</p> <p>3 the retaliation, are you alleging that that</p> <p>4 caused you to lose overtime opportunities?</p> <p>5 A. The retaliation?</p> <p>6 Q. Yes.</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Do you have any knowledge as you</p> <p>9 sit here of how much overtime you claim that</p> <p>10 you've lost as a result of alleged retaliation?</p> <p>11 A. I lost the possibility to working</p> <p>12 overtime. There was no overtime in the units I</p> <p>13 was put in like 126 or things like that. For us</p> <p>14 like to work later investigations or things like</p> <p>15 that, like that was limited.</p> <p>16 Q. It was limited overtime opportunities?</p> <p>17 A. Yeah, in some of the units. Like in</p> <p>18 606, we weren't going to be working overtime</p> <p>19 unless we worked our days off.</p> <p>20 Q. Okay.</p> <p>21 A. So it was limited where you couldn't</p> <p>22 stay late. We couldn't stay late.</p> <p>23 Q. Sure, okay.</p> <p>24 Do you have any knowledge of in dollars</p>	<p style="text-align: right;">Page 376</p> <p>1 A. Yes. I saw a doctor at the University</p> <p>2 of Chicago for some stress-related testing for</p> <p>3 the physical effects. I don't remember his</p> <p>4 name. If you said the name --</p> <p>5 Q. Is that Dr. Robert Sargis?</p> <p>6 A. Yes.</p> <p>7 Q. Okay.</p> <p>8 A. If you say the names, I could tell you</p> <p>9 what they did.</p> <p>10 Q. Okay. Do you recall anyone else who</p> <p>11 provided any treatment to you?</p> <p>12 A. Dr. Jessica Dietheim from Rush.</p> <p>13 Q. Okay.</p> <p>14 A. And then I went to see a cardiologist</p> <p>15 at Rush, Dr. Jolly.</p> <p>16 Q. Okay. Do you recall visiting at any</p> <p>17 time -- does the name Joleen Hartland or Genesis</p> <p>18 ring a bell to you?</p> <p>19 A. Yes, I did. I did go see her at times</p> <p>20 for -- she's a therapist, as well.</p> <p>21 Q. Okay.</p> <p>22 A. I'm trying to think. There may be one</p> <p>23 other name that you have on the list that I</p> <p>24 can't --</p>

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<p style="text-align: right;">Page 377</p> <p>1 Q. Okay. I'll just ask you a few 2 questions. Our records, and we've obtained 3 records from all these providers, of course, 4 indicate that your first visit with Deborah 5 Weaver was on April 4, 2013. Do you have any 6 reason to doubt that? 7 A. No. 8 Q. Okay. And we've seen records that 9 indicate that you visited Joleen Hartland on 10 May 11, 2013. Do you have any reason to doubt 11 that? 12 A. No, no. 13 Q. Do you recall having just that one 14 visit with Joleen Hartland or more than one? 15 A. No. I went to her multiple times, but 16 I don't recall how many times. 17 Q. Okay. And do you have any reason to 18 doubt that May 11, 2013 was the first time you 19 visited her? 20 A. No. 21 Q. Okay. And our records indicate a visit 22 to the doctor you mentioned, Jessica at Rush 23 University Medical Center on June 5, 2013. Do 24 you have any reason to question that?</p>	<p style="text-align: right;">Page 379</p> <p>1 first visit with him was on February 3, 2014. 2 Do you have any reason to doubt that? 3 A. No. For some strange reason, I 4 remember that day. 5 Q. Okay. And Nancy Landre you testified 6 to, you visited her on one occasion, correct? 7 A. Correct. 8 Q. Okay. And our records indicate that 9 that evaluation was done on July 15, 2014. Does 10 that sound correct? 11 A. That is correct. 12 Q. Okay. And the only other person I 13 think you mentioned was a Dr. Jolly? 14 A. Yes. I went to see him once. He was a 15 cardiologist. But I was having chest pains. 16 Q. Do you recall when you visited 17 Dr. Jolly? 18 A. I was -- no, I don't. 19 Q. Okay. In the other visits we've talked 20 about with medical professionals, the first one 21 appears to be the visit with Deborah Weaver on 22 April 4, 2013. Do you know if your visit to 23 Dr. Jolly was after that date? 24 A. After that? You know what, I believe</p>
<p style="text-align: right;">Page 378</p> <p>1 A. No. 2 Q. Do you know if you had the one visit 3 with Dr. Jessica, I guess it's, Dietheim -- 4 A. Yeah. 5 Q. -- or multiple visits? 6 A. One visit. 7 Q. Okay. And Dr. Robert Sargis at the U 8 of C Medical Center, our records indicate you 9 visited on December 5th of 2013. Any reason to 10 doubt that? 11 A. No. 12 Q. Did you have one visit with Dr. Sargis 13 or multiple? 14 A. I had one visit with Dr. Sargis and 15 then one return visit, but that was for labs, 16 for Dr. Sargis. And then two phone 17 consultations over the phone with Dr. Sargis. 18 Q. Any reason to doubt that the one main 19 visit with Dr. Sargis was on December 5, 2013? 20 A. No. 21 Q. Okay. And you mentioned Dr. David 22 Kaiser. 23 A. Kaiser. 24 Q. Kaiser. Our records indicate that your</p>	<p style="text-align: right;">Page 380</p> <p>1 it was before that. 2 Q. Okay. 3 A. I believe I was still working at the 4 time in Fugitives, but I would have to check 5 that date for you. 6 Q. Okay. 7 A. I believe I was working at Fugitives 8 but -- 9 Q. But you're not positive? 10 A. I can't be positive. I'd have to check 11 for you. 12 Q. Okay. And you went to Dr. Jolly 13 because you were having chest pains? 14 A. Yeah, I was having chest pains. It was 15 from anxiety, but I didn't know they were 16 increasing. 17 Q. Okay. And do you recall where 18 Dr. Jolly's office is or what the address is? 19 A. Yeah. He's at Rush Professional 20 Building. 21 Q. Okay. 22 A. And that's like 1340 West Harrison or 23 something. 24 Q. Okay. Was he the one that referred you</p>

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<p style="text-align: right;">Page 381</p> <p>1 to Deborah Weaver?</p> <p>2 A. Did he refer me to Deborah Weaver?</p> <p>3 Q. Yes.</p> <p>4 A. No. Jessica Dietheim said that I</p> <p>5 should see somebody.</p> <p>6 Q. Okay. You don't know when you visited</p> <p>7 Dr. Jolly, whether it was before you went on</p> <p>8 medical leave or after?</p> <p>9 A. I want to say it was before, but as I</p> <p>10 stated, I'm not 100 percent positive.</p> <p>11 Q. Okay. And is he located in the same</p> <p>12 building as Jessica Dietheim at Rush?</p> <p>13 A. I think they are in the same building.</p> <p>14 Q. Okay. And did you have just one visit</p> <p>15 with Dr. Jolly or multiple?</p> <p>16 A. No, just one.</p> <p>17 Q. Okay. And you indicated that it was</p> <p>18 his diagnosis that you were having chest pains</p> <p>19 from stress?</p> <p>20 A. It was his diagnosis that he believed</p> <p>21 that it was not a heart attack or heart related,</p> <p>22 but it was anxiety, stress related.</p> <p>23 Q. Okay. Would I be correct to say that</p> <p>24 all of the medical professionals that you</p>	<p style="text-align: right;">Page 383</p> <p>1 A. Dr. Sargis said that my condition is</p> <p>2 stress-related and recommended that I see a</p> <p>3 psychiatrist.</p> <p>4 Q. Okay. You referred to Nancy Landre as</p> <p>5 the City of Chicago's doctor. Who referred you</p> <p>6 to see Nancy Landre?</p> <p>7 A. That came -- I don't -- I don't</p> <p>8 remember her name, but she is like a medical</p> <p>9 caseworker for the City.</p> <p>10 Q. Okay.</p> <p>11 A. And she notified me that an appointment</p> <p>12 was made on that date and that I needed to go</p> <p>13 there for an evaluation.</p> <p>14 Q. Okay. And the person that sent you for</p> <p>15 the evaluation with Nancy Landre, do you recall</p> <p>16 were they with the pension board?</p> <p>17 A. Yes, I think it was the case management</p> <p>18 for -- I don't know if they worked at the</p> <p>19 pension board or it's a company that -- it's</p> <p>20 somebody that the pension board uses.</p> <p>21 Q. Okay.</p> <p>22 A. Or I don't know if they are employed at</p> <p>23 the pension board.</p> <p>24 Q. Okay. And you were -- other than what</p>
<p style="text-align: right;">Page 382</p> <p>1 visited, all of the information that they</p> <p>2 received as to what was allegedly happening to</p> <p>3 you at work at the Chicago Police Department was</p> <p>4 provided to them by you?</p> <p>5 THE WITNESS: Well, yeah.</p> <p>6 MR. SMITH: Objection, foundation.</p> <p>7 BY MR. KING:</p> <p>8 Q. And that would have been both things</p> <p>9 that you told them verbally and in some cases</p> <p>10 you provided some documents to some of the</p> <p>11 medical professionals, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And were you at some point</p> <p>14 diagnosed with any particular condition by any</p> <p>15 of the medical professionals that we've talked</p> <p>16 about?</p> <p>17 A. Yes.</p> <p>18 Q. And who diagnosed you with what?</p> <p>19 A. Deborah Weaver with post-traumatic</p> <p>20 stress disorder; Dr. Kaiser post-traumatic</p> <p>21 stress disorder, anxiety disorder; the City of</p> <p>22 Chicago's Dr. Nancy Landre, post-traumatic</p> <p>23 stress disorder, anxiety, mood disorder.</p> <p>24 Q. Anything else?</p>	<p style="text-align: right;">Page 384</p> <p>1 you've testified to, are there any other</p> <p>2 conditions that you've been diagnosed with that</p> <p>3 you're claiming is a result of the retaliation</p> <p>4 in this case?</p> <p>5 A. No, not that I recall. No.</p> <p>6 Q. Okay. Did any of the medical</p> <p>7 professionals you saw prescribe any medications</p> <p>8 for you?</p> <p>9 A. Yes, they did.</p> <p>10 Q. Okay. Who prescribed what medication</p> <p>11 for you?</p> <p>12 A. I don't remember the names of the</p> <p>13 medication that Dr. Sargis -- it was anxiety</p> <p>14 medicine.</p> <p>15 Q. Okay.</p> <p>16 A. And I don't remember the names of the</p> <p>17 medicine that Jessica Dietheim prescribed, but</p> <p>18 it was also for anxiety.</p> <p>19 Q. Okay.</p> <p>20 A. And Dr. Kaiser has given me Clonazepam.</p> <p>21 I know I'm going to get it wrong. It's tromp --</p> <p>22 they're -- there's three different anxiety</p> <p>23 medicines.</p> <p>24 Q. Okay. Have all of the medicines to</p>



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<p style="text-align: right;">Page 385</p> <p>1 your knowledge that have been prescribed to you</p> <p>2 anti-anxiety medications?</p> <p>3 A. They are supposed to help alleviate the</p> <p>4 anxiety and post-traumatic stress disorder. So</p> <p>5 if they're classified as anti-anxiety or</p> <p>6 something else, but they're for that reason.</p> <p>7 Q. Okay. So all the medications that</p> <p>8 you've been prescribed, it's your understanding</p> <p>9 that they were to help with the anxiety --</p> <p>10 A. Related to the --</p> <p>11 Q. -- related to the post-traumatic stress</p> <p>12 disorder?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. And have you consistently taken</p> <p>15 all of the medications that have been prescribed</p> <p>16 for you by each of your doctors?</p> <p>17 A. With Dr. Sargis he said to try it and</p> <p>18 see how it worked and then to see a</p> <p>19 psychiatrist. And the medicine he gave me, did</p> <p>20 not work. And I do take the medicine that I'm</p> <p>21 prescribed from my psychiatrist regularly, yes.</p> <p>22 Q. And that's Deborah Weaver?</p> <p>23 A. No. Dr. Kaiser.</p> <p>24 Q. Dr. Kaiser, okay. So at this point,</p>	<p style="text-align: right;">Page 387</p> <p>1 MR. KING: I'm sorry, yes.</p> <p>2 MR. SMITH: Thank you.</p> <p>3 MR. KING: There you go. Yeah.</p> <p>4 MR. SMITH: Thank you.</p> <p>5 BY MR. KING:</p> <p>6 Q. And they seem to be according to date</p> <p>7 or some dates beginning on November 1, 2012.</p> <p>8 Did you keep these on some kind of calendar?</p> <p>9 A. On the Gmail calendar.</p> <p>10 Q. Explain that to me.</p> <p>11 A. You know how you can just go onto your</p> <p>12 phone calendar --</p> <p>13 Q. Okay.</p> <p>14 A. -- and type it in? That's what I would</p> <p>15 do. Or you could do it from your computer.</p> <p>16 Q. Okay. And would you always do it on</p> <p>17 your phone or sometimes on the computer?</p> <p>18 A. I would do it at different times.</p> <p>19 Q. Okay. My question to you is did you</p> <p>20 always type this information in on the dates</p> <p>21 that's indicated or would you sometimes do it</p> <p>22 later and go back and type it in?</p> <p>23 A. These notes would pretty much be taken</p> <p>24 like it would depend on the day. I might write</p>
<p style="text-align: right;">Page 386</p> <p>1 are you taking any medication?</p> <p>2 A. Yes, I am on three medicines and I</p> <p>3 don't recall the names of all of them.</p> <p>4 Q. Okay. And those are medications that</p> <p>5 Dr. Kaiser prescribed for you?</p> <p>6 A. Yes.</p> <p>7 Q. Okay.</p> <p>8 (Whereupon, Spalding Deposition</p> <p>9 Exhibit No. 12 was marked for</p> <p>10 identification.)</p> <p>11 BY MR. KING:</p> <p>12 Q. Ms. Spalding, I'm showing you now</p> <p>13 what's been marked as Deposition Exhibit</p> <p>14 No. 12 and ask you to take a look at this and</p> <p>15 let me know if you've seen these documents</p> <p>16 before.</p> <p>17 A. Well, of course I have.</p> <p>18 Q. Okay. And what is Deposition Exhibit</p> <p>19 No. 12?</p> <p>20 A. They are notes that I had made for</p> <p>21 myself.</p> <p>22 Q. Okay.</p> <p>23 MR. SMITH: Do you have another copy of</p> <p>24 that one?</p>	<p style="text-align: right;">Page 388</p> <p>1 them like at the end of the day or I might write</p> <p>2 them part way through the day or, you know, or</p> <p>3 maybe the next day.</p> <p>4 Q. Okay.</p> <p>5 A. But they were always done --</p> <p>6 Q. Fairly soon after the day?</p> <p>7 A. Yeah, so I wouldn't forget.</p> <p>8 Q. Okay. And did you first keep any</p> <p>9 handwritten notes that you then used to type</p> <p>10 this in or no?</p> <p>11 A. Yes, I did.</p> <p>12 Q. Okay. Would that be true for all of</p> <p>13 the entries on this exhibit, that originally</p> <p>14 they were handwritten notes that you then typed</p> <p>15 in?</p> <p>16 A. I have had handwritten notes that I</p> <p>17 kept before, yes.</p> <p>18 Q. Do you still have any of those</p> <p>19 handwritten notes?</p> <p>20 A. No, I don't.</p> <p>21 Q. Okay. If I could direct your attention</p> <p>22 to the page that is numbered 656 at the bottom.</p> <p>23 If you look at the entry at 4:00 p.m. on</p> <p>24 March 21, 2013. And I'll just ask you, right in</p>

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<p style="text-align: right;">Page 389</p> <p>1 the middle of that entry, you write, quote, but 2 I was just reminded again by Mills that the 3 activity have is unacceptable and I was also 4 informed that I should not be working cases 5 other than the ones assigned to me. Do you see 6 that? 7 A. This is on March 21st you're saying or 8 March 22nd? 9 Q. Yeah. 10 A. Okay. 11 Q. It appears based on the document that 12 on Thursday, March 21, 2013 at 4:00 p.m., you've 13 typed in, among other things, that you were just 14 informed by Mills that you should not be working 15 cases other than the ones assigned to you. Do 16 you see that? 17 A. Yes, I do. 18 Q. Okay. And do you have any reason to 19 believe that Mills did not inform you of that on 20 that date? 21 A. No, if I put it in there. 22 Q. Okay. And if you turn to the next 23 page, the entry for Sunday March 24, 2013. Do 24 you see that?</p>	<p style="text-align: right;">Page 391</p> <p>1 it would. Do you see that? 2 A. Uh-huh. 3 Q. Is that accurate -- is that a yes? 4 A. Yes. 5 Q. Does that accurately reflect a part of 6 the discussion you had with Sergeant Barz? 7 A. Yes. 8 Q. Okay. So you were acknowledging that 9 you could understand that it would negatively 10 affect your working relationship with Sergeant 11 Mills if he believed you were secretly recording 12 him, correct? 13 A. Yes. 14 Q. Okay. If you turn to the page that's 15 Numbered 667. Do you see your entry for 16 Tuesday, April 16th at 2013, at 4:00 p.m. Do 17 you see that? 18 A. Yes. 19 Q. Okay. And a few lines in, you say, 20 quote, I'm not sure if Mills believes I have 21 recorded him or if Mills his part of this 22 make-up scheme. Do you see that? 23 A. Or his part in this make-up scheme. 24 Yeah.</p>
<p style="text-align: right;">Page 390</p> <p>1 A. Sunday, March 24th. Yes. 2 Q. And that, in fact, is the VRI incident 3 that you previously testified to where Mills got 4 upset because you made an arrest in the 11th 5 District, correct? 6 A. Uh-huh. 7 Q. Is that a yes? 8 A. Yes, yes. 9 Q. Okay. If you turn now to the page 10 marked 664, and your entries for Thursday, 11 April 11, 2013. Do you see that? 12 A. Yes. 13 Q. Okay. And here you're talking about 14 the situation with Mark Barz where you thought 15 you were going to be arrested, correct? 16 A. Yes. 17 Q. And you write -- in part, you say, 18 quote, I said now Mills will think I'm an idiot, 19 how would you feel Barz if you were told a 20 police officer who worked for you was recording 21 you? Barz said, yeah, I know. I, meaning you, 22 Shannon Spalding said, you mean to tell me it 23 wouldn't negatively affect the work situation 24 Barz. Barz says, yeah, I know, I understand how</p>	<p style="text-align: right;">Page 392</p> <p>1 Q. Okay. So would it be fair to say that 2 as of that point, you weren't sure whether Mills 3 believed you actually recording him, correct? 4 A. No, I have no idea what he believed. 5 Q. Okay. 6 A. Even though Mike Barz said that he 7 didn't believe it. 8 Q. Okay. You typed in on April 16, 2013 9 that you weren't sure at that point if Mills 10 believed that you recorded him; is that correct? 11 A. That's correct. 12 Q. Okay. So at that point, you didn't 13 know whether Mills believed it, that you were 14 recording him or not, correct? 15 A. Yeah. But I don't -- but I don't know 16 about -- 17 Q. I think you answered the question. 18 A. April 8, 2013, okay. Go ahead. 19 Q. Okay. On the page numbered 670, 6-7-0, 20 on April 25, 2013 under the heading all day, one 21 of the things that you indicated is that, quote, 22 Dan and I told Mills that due to our situation, 23 we were not comfortable going to the Marshal's 24 training. Do you see that?</p>

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<p style="text-align: right;">Page 393</p> <p>1 A. I'm sorry, where are you at? The first 2 one? 3 Q. Under all -- the second paragraph, I'm 4 sorry, that says all day, which begins, Mills 5 had informed and later on in that paragraph. 6 A. Yes, I see that. 7 Q. Okay. And so there was some Marshal 8 training that you and Officer Echeverria 9 declined to go to, correct? 10 A. At this point, yes. 11 Q. Okay. Do you have a recollection of 12 what that Marshal's training was about? 13 A. No. 14 Q. Okay. That's fine. 15 A. I think I do recall. 16 Q. If you turn to Page 673. 17 A. Yes. 18 Q. Under Thursday, March 2, 2013, the 19 second paragraph under all day. Well, one of 20 the things you say is you're beyond sorry to see 21 Tina Skahill leave. As far as your concerned, 22 she's the only ethical boss in this God forsaken 23 department. Do you recall typing that? 24 A. Where are you at, 673?</p>	<p style="text-align: right;">Page 395</p> <p>1 you call the code of silence? 2 A. I know that Kevin Williams was 3 suspicious to some people because his brother 4 was chief of IAD for a while, so they wondered 5 what his position was. But breaching the code 6 of silence, I have no knowledge of them doing 7 that. 8 Q. Okay. Do you have any knowledge of why 9 these four officers were so called launched from 10 the district? 11 A. No. 12 Q. Okay. 13 A. But I wasn't -- 14 Q. Okay. 15 A. I wasn't even at work any longer. 16 Q. Okay. 17 A. I don't think. 18 Q. If you turn to the next page, 674, 19 which is still under May 2, 2013. You say that 20 you spoke with Guishnere who you've testified 21 about previously, correct? 22 A. Yes. 23 Q. And you say that, Guishnere said that 24 he would ask Barnes how come you and Danny</p>
<p style="text-align: right;">Page 394</p> <p>1 Q. Yes. 2 A. Okay. Are you under the first 3 paragraph? 4 Q. The second paragraph. It begins, I'm 5 beyond sorry. We can strike that. I don't need 6 to ask you about that. 7 In that paragraph, that second 8 paragraph under May 2, 2013, you say, quote, 9 Danny also said that unit launched four POs to 10 the district. Ryan and Brian from Barnes' team 11 and Williams and Odem from Mason's team. Wow 12 the four clout heavy officers. Do you see that? 13 A. Yes. 14 Q. Okay. And then you say, and Williams 15 and Odem are great officers, they're hardworking 16 in the unit since day one, tons of activity, but 17 they always treated the two of them like 18 outcasts, never included them in team activities 19 cases or overtime. The nicest guys ever. Do 20 you recall that? 21 A. I do. 22 Q. Okay. And do you have any knowledge of 23 these four officers, Ryan and Brian from Barnes 24 team or Williams or Odem, ever breaching what</p>	<p style="text-align: right;">Page 396</p> <p>1 didn't come back to Barnes' team, correct? 2 A. On the first paragraph? 3 Q. Yes. 4 A. Yes. 5 Q. Okay. Then you write that you told 6 Gush that you wouldn't be mad if he said that to 7 Barnes but just don't say that I wanted you to 8 ask, correct? 9 A. Yeah, that's correct. Because I didn't 10 want Barnes to think I was the one inquiring, 11 because I wasn't. 12 Q. Okay. And was Guishnere on Barnes' 13 team at that point? 14 A. He still is, as far as I know. 15 Q. Okay. And at this point, he was on 16 Barnes' team, correct? 17 A. Yes. 18 Q. Okay. And then you write, quote, Gush 19 is a great guy, that is why we should be back on 20 that team. They are the only officers that 21 treat me and Danny like officers with no 22 retaliation, period. And they would back us up 23 100 percent. It's the safest place for us, 24 that's why we were not put back there. You're</p>

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<p style="text-align: right;">Page 397</p> <p>1 referring to being put back on Barnes' team, 2 correct? 3 A. I'm -- 4 Q. Are you referring to being put back in 5 Barnes' team -- 6 A. No. 7 Q. -- in the sentence I just read? 8 A. No. 9 Q. All right. Let's break this down. You 10 write, quote, Gush is a great guy, that is why 11 we should be back on that team. Were you 12 referring to Barnes' team? 13 A. I was referring to the officers that 14 worked for Barnes, not Barnes. To clarify. 15 Q. Were you referring -- you said -- 16 A. I wrote this from my personal notes. 17 Q. I understand. 18 A. And I was referring to myself saying 19 that the guys were great and they were officers 20 that would back us up. I was not referencing 21 Barnes in any capacity. 22 Q. Okay. So when you wrote, Gush is a 23 great guy, that is why we should be put back on 24 that team, you weren't referring to the existing</p>	<p style="text-align: right;">Page 399</p> <p>1 Q. Okay. 2 A. But you're taking one sentence out of 3 context of an entire conversation. And these 4 are summary notes. 5 Q. Okay. 6 MR. KING: I'm going to take a very 7 short break. 8 MR. SMITH: Sure. 9 (Whereupon, a short break was 10 taken.) 11 BY MR. KING: 12 Q. Officer Spalding, you testified that 13 during the period that you felt you were being 14 subjected to retaliation and you had a number of 15 conversations with Juan Rivera, correct? 16 A. Yes. 17 Q. Okay. Do you recall whether you ever 18 specifically asked Juan Rivera to open a CR 19 investigation? 20 A. Multiple times. 21 Q. Okay. And -- okay. And do you recall 22 what his responses would be to that inquiry? 23 A. Hang in there, it's going to get 24 better.</p>
<p style="text-align: right;">Page 398</p> <p>1 team under Sergeant Barnes? 2 A. Not under Sergeant Barnes. To work 3 with the team, not the supervisor. 4 Q. So your desire was to work on a team 5 with all of Sergeant Barnes' officers, but not 6 under Sergeant Barnes? 7 A. I would have loved to work with those 8 guys again, but not with Sergeant Barnes. 9 Q. Okay. 10 A. Correct. 11 Q. And when you say, it's the safest place 12 for us, that's why we were not put back there, 13 you were talking about Sergeant Barnes' team, 14 correct? 15 A. I was talking about the officers from 16 Sergeant Barnes' team. 17 Q. Okay. 18 A. And that was my personal opinion. 19 Q. Okay. But you indicated in here that 20 you told Guishnere that you wouldn't be mad if 21 he asked Sergeant Barnes how come you and Danny 22 didn't come back to Sergeant Barnes' team, 23 correct? 24 A. Correct.</p>	<p style="text-align: right;">Page 400</p> <p>1 Q. Okay. Do you -- strike that. 2 A question about Lieutenant Pascua. Do 3 you ever recall anyone suggesting to you that 4 Lieutenant Pascua might have a problem with you 5 because you were a female police officer? 6 A. No, that's inaccurate. They said she 7 had a problem with anybody female. 8 Q. Okay. So someone told you that 9 Lieutenant Pascua had a problem with females? 10 A. With -- in general. 11 Q. Okay. Who do you recall -- 12 A. I don't recall. 13 Q. -- telling you that? 14 A. I don't recall at this moment, I don't. 15 Q. Is it your belief that any of the 16 issues you had with Lieutenant Pascua was 17 because you were a female? 18 A. No. I believe that they were because 19 of the investigation. 20 Q. Okay. I think I've asked you with 21 respect to each of the individual Defendants, 22 but I will ask you an overall question. With -- 23 with respect to each of the individual 24 Defendants, Rivera, Kirby, O'Grady, Roti,</p>



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<p style="text-align: right;">Page 401</p> <p>1 Sadowski, Pascua, Stanley, Barnes, Cesario, 2 Salemme and Mills, other than what you've 3 already testified to, is there -- are there any 4 incidents of alleged retaliation that you're 5 claiming in this lawsuit that were engaged in by 6 any of those individual Defendants? 7 A. Like I stated throughout this 8 deposition, there are so many incidents. But at 9 this time to the best of my recollection, I have 10 given you all the information. 11 Q. Okay. 12 MR. KING: I don't believe I have any 13 further questions. 14 THE WITNESS: Are you kidding me? All 15 right. 16 MR. SMITH: No questions. I think we 17 will reserve. 18 FURTHER DEPONENT SAITH NOT. 19 (The deposition concluded at 20 6:43 p.m.) 21 22 23 24</p>	<p style="text-align: right;">Page 403</p> <p>1 indirectly in the outcome of this action. 2 3 IN WITNESS WHEREOF, I do hereunto set my 4 hand at Chicago, Illinois, this 24th day of 5 November, 2014. 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 _____ 22 Certified Shorthand Reporter 23 CSR Certificate No. 084-004022 24</p>
<p style="text-align: right;">Page 402</p> <p>1 CERTIFICATE OF OFFICER 2 3 I, SUSAN HASELKAMP, a Certified Shorthand 4 Reporter of the State of Illinois, do hereby 5 certify: 6 7 That previous to the commencement of the 8 examination of the witness, the witness was duly 9 sworn to testify the whole truth concerning the 10 matters herein; 11 12 That the foregoing deposition transcript 13 was reported stenographically by me, was 14 thereafter reduced to typewriting under my 15 personal direction and constitutes a true record 16 of the testimony given and the proceedings had; 17 18 That the said deposition was taken before 19 me at the time and place specified; 20 21 That I am not a relative or employee or 22 attorney or counsel, nor a relative or employee 23 of such attorney or counsel for any of the 24 parties hereto, nor interested directly or</p>	<p style="text-align: right;">Page 404</p> <p>1 2 INDEX 3 WITNESS EXAMINATION 4 SHANNON MARIE SPALDING, 5 By Mr. King.....3 6 7 8 9 10 EXHIBITS 11 NUMBER MARKED FOR ID 12 Spalding Deposition Exhibit 13 14 1.....19 15 2.....103 16 3.....199 17 4.....212 18 5.....260 19 6.....307 20 7.....312 21 8.....313 22 9.....339 23 10.....341 24 11.....350 12.....386</p>

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405-406**

<p>1 DEPOSITION ERRATA SHEET</p> <p>2 Assignment No. 239697</p> <p>3 Chicago Police Officers Shannon Spalding and</p> <p>4 Daniel Echeverria vs. City of Chicago, et al.</p> <p>5 DECLARATION UNDER PENALTY OF PERJURY</p> <p>6</p> <p>7 I declare under penalty of perjury that I</p> <p>8 have read the entire transcript of my Deposition</p> <p>9 taken in the captioned matter or the same has</p> <p>10 been read to me, and the same is true and</p> <p>11 accurate, save and except for changes and/or</p> <p>12 corrections, if any, as indicated by me on the</p> <p>13 DEPOSITION ERRATA SHEET hereof, with the</p> <p>14 understanding that I offer these changes as if</p> <p>15 still under oath.</p> <p>16</p> <p>17 Signed on the _____ day of</p> <p>18 _____, 2014.</p> <p>19</p> <p>20 _____</p> <p>21 SHANNON MARIE SPALDING</p> <p>22</p> <p>23</p> <p>24</p>	<p>Page 405</p>
<p>1 DEPOSITION ERRATA SHEET</p> <p>2 Page No. _____ Line No. _____ Change to: _____</p> <p>3 _____</p> <p>4 Reason for change: _____</p> <p>5 Page No. _____ Line No. _____ Change to: _____</p> <p>6 _____</p> <p>7 Reason for change: _____</p> <p>8 Page No. _____ Line No. _____ Change to: _____</p> <p>9 _____</p> <p>10 Reason for change: _____</p> <p>11 Page No. _____ Line No. _____ Change to: _____</p> <p>12 _____</p> <p>13 Reason for change: _____</p> <p>14 Page No. _____ Line No. _____ Change to: _____</p> <p>15 _____</p> <p>16 Reason for change: _____</p> <p>17 Page No. _____ Line No. _____ Change to: _____</p> <p>18 _____</p> <p>19 Reason for change: _____</p> <p>20 Page No. _____ Line No. _____ Change to: _____</p> <p>21 _____</p> <p>22 Reason for change: _____</p> <p>23 SIGNATURE: _____ DATE: _____</p> <p>24 SHANNON MARIE SPALDING</p>	<p>Page 406</p>