

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

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Master Docket Case No. 19-cv-1717  
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In re: WATTS COORDINATED  
PRETRIAL PROCEEDINGS ) Judge Valderrama  
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Magistrate Judge Finnegan  
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)  
JURY DEMANDED  
)  
)

This Document Relates to *William Carter v. City of Chicago*, No. 17-CV-7241

**ANSWER TO PLAINTIFFS' COMPLAINT**

Defendant Kallatt Mohammed (“Mohammed”), by and through one of his attorneys, Eric S. Palles of Mohan Groble Scolaro, P.C., respectfully submits the following answer to the Complaint filed by Plaintiff, William Carter, as well as his defenses and jury demand, and states as follows:

**I. Introduction**

1. Plaintiff William Carter is one of many victims of the criminal enterprise run by convicted felon and former Chicago Police Sergeant Ronald Watts and his tactical team at the Ida B. Wells Homes in the 2000’s.

**ANSWER: Defendant Mohammed objects to the term “criminal enterprise” as vague, argumentative, and undefined. Without waiver, and to the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

2. The Watts Gang of officers engaged in robbery and extortion, used excessive force, planted evidence, fabricated evidence, and manufactured false charges.

**ANSWER:** Defendant Mohammed objects to the undefined and prejudicial term “Watts Gang.” Without waiver, except for those offenses specifically admitted in United States v. Mohammed, 12 CR 87-2 and to the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

3. High ranking officials within the Chicago Police Department were aware of the Watts Gang’s criminal enterprise, but failed to take any action to stop it.

**ANSWER:** Defendant Mohammed objects to the undefined and prejudicial terms “Watts Gang” and “criminal enterprise.” Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

4. The Chicago Police Department’s official policies or customs of failing to discipline, supervise, and control its officers, as well as its a “code of silence,” were a proximate cause of the Watts Gang’s criminal enterprise.

**ANSWER:** Defendant Mohammed objects to the undefined and prejudicial terms “Watts Gang” and “criminal enterprise.” Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

5. The facts of this case provide a striking example of these official policies and customs and of the Watts Gang’s criminal enterprise: Carter was falsely arrested and falsely charged by Watts and his Gang three times. Although Carter pleaded guilty to the first two false charges, he also filed formal contemporaneous complaints with the Chicago Police Department.

**ANSWER:** Defendant Mohammed objects to the undefined and prejudicial terms “Watts Gang” and “criminal enterprise.” Without waiver, and to the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant

**Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

6. In response to Carter's complaints, Watts and his Gang falsely arrested Carter a third time and again framed him for selling drugs. A jury convicted Carter based on the wrongful acts of officers in the Watts Gang and he received a nine-year sentence.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term "gang."**  
**Without waiver, and to the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

7. As a result of these three wrongful convictions, Carter was wrongfully incarcerated for a total of more than four years between his nineteenth and twenty-fourth birthdays.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

8. Based on the powerful evidence that has become known about the Watts Gang's nearly decade-long criminal enterprise, on July 10, 2017, the Circuit Court of Cook County granted the State's motion for a new trial and dismissed the charges against Carter in all three cases.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

9. On September 14, 2017, the Circuit Court of Cook County granted Carter certificates of innocence in all three cases.

**ANSWER: Defendant Mohammed admits that plaintiff was granted certificates of innocence but denies the remaining allegations in this paragraph.**

10. Carter brings this lawsuit to secure a remedy for his illegal incarceration, which was caused by: the Watts Gang officers, the failure of high-ranking officials within the Chicago Police Department to stop the Watts Gang, the code of silence within the Chicago Police Department, and the Chicago Police Department's defective discipline policy.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term "Watts**

Gang.” Without waiver, this paragraph contains no factual allegations and, consequently, Defendant Mohammed makes no answer thereto.

## II. Parties and Jurisdiction

11. This is a civil action arising under 42 U.S.C. § 1983. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1343 and 1367.

**ANSWER:** Defendant Mohammed admits to the jurisdiction of this Court.

12. Plaintiff William Carter is a resident of the Northern District of Illinois.

**ANSWER:** Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

13. Defendant City of Chicago is an Illinois municipal corporation.

**ANSWER:** Upon information and belief, Defendant Mohammed admits the allegations contained in this paragraph.

14. Defendants Ronald Watts, Darryl Edwards, Alvin Jones, Kallatt Mohammed, John Rodriguez, Calvin Ridgell, Jr., Elsworth J. Smith, Jr., Gerome Summers, Jr., and Kenneth Young, Jr., (the “individual officer defendants”), were at all relevant times acting under color of their offices as Chicago police officers. Plaintiff sues the individual officer defendants in their individual capacities.

**ANSWER:** Defendant Mohammed objects to the term “color of their offices” as vague and ambiguous. Without waiver, Defendant Mohammed admits that he was employed and performing his duties as a Chicago police officer at the time of this incident. He lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

15. Defendant Philip Cline was at all relevant times Superintendent of the Chicago Police Department. Plaintiff sues Cline in his individual capacity.

**ANSWER:** Upon information and belief, Defendant Mohammed admits that Philip Cline was Superintendent of the Chicago Police Department. He lacks sufficient knowledge upon which

**to form a belief as to the truth of the remaining allegations contained in this paragraph.**

16. Defendant Debra Kirby was at all relevant times the Assistant Deputy Superintendent of the Chicago Police Department, acting as head of the Chicago Police Department Internal Affairs Division. Plaintiff sues Kirby in her individual capacity.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

### **III. The First False Arrest and Illegal Prosecution of Plaintiff**

17. On March 3, 2004, plaintiff was arrested by defendants Mohammed, Young, and Edwards (the “March 3, 2004 Arresting Officers”) inside a building at the Ida B. Wells Homes.

**ANSWER: Based on police department reports, Defendant Mohammed admits the allegations contained in this paragraph.**

18. At the time of plaintiff’s arrest on March 3, 2004:

- a. None of the March 3, 2004 Arresting Officers had a warrant authorizing the arrest of plaintiff;
- b. None of the March 3, 2004 Arresting Officers believed that a warrant had been issued authorizing the arrest of plaintiff;
- c. None of the March 3, 2004 Arresting Officers had observed plaintiff commit any offense; and
- d. None of the March 3, 2004 Arresting Officers had received information from any source that plaintiff had committed an offense.

**ANSWER: Based on police department reports, Defendant Mohammed admits the allegations contained in subparagraphs 18 (a) and (b) and denies those contained in subparagraphs 18 (c) and (d).**

19. One or more of the March 3, 2004 Arresting Officers used excessive and unreasonable force while placing plaintiff under arrest.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge**

**upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

20. After arresting plaintiff, the March 3, 2004 Arresting Officers conspired, confederated, and agreed to fabricate a false story in an attempt to justify the unlawful arrest, to cover-up their wrongdoing, and to cause plaintiff to be wrongfully detained and prosecuted.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

21. The false story fabricated by the March 3, 2004 Arresting Officers included their false claim that they had arrested plaintiff after seeing him with a clear plastic bag containing drugs.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

22. The acts of the March 3, 2004 Arresting Officers in furtherance of their scheme to frame plaintiff included the following:

- a. One or more of the March 3, 2004 Arresting Officers prepared police reports containing the false story, and the others each failed to intervene to prevent the violation of plaintiff's rights;
- b. One or more of the March 3, 2004 Arresting Officers attested through the official police reports that they witnessed the false story, and the others each failed to intervene to prevent the violation of plaintiff's rights;
- c. Defendant Watts formally approved the official police reports, knowing that they contained the false story; and
- d. One or more of the March 3, 2004 Arresting Officers communicated the false story to prosecutors, and the others each failed to intervene to prevent the violation of plaintiff's rights.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him,**

**Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

23. Each of the wrongful acts of the March 3, 2004 Arresting Officers was performed with knowledge that the acts would cause plaintiff to be wrongfully held in custody and falsely prosecuted for an offense that had never occurred.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

24. On March 8, 2004, five days after his first false arrest, plaintiff made a formal complaint to the Chicago Police Department about the wrongful acts of the March 3, 2004 Arresting Officers.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

25. Defendants Mohammed, Edwards, and Young all made false statements as part of the Department's investigation into plaintiff's complaint.

**ANSWER: To the extent that the allegations in this paragraph applies to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

26. As a result of these false statements, the Department found plaintiff's complaint to be "Not Sustained."

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

27. Plaintiff was charged with possession of a controlled substance in Case Number 04-CR-09579 as a result of the wrongful acts of the March 3, 2004 Arresting Officers.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him,**

**Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

28. Plaintiff was detained before trial as a result of the wrongful acts of the March 3, 2004 Arresting Officers; this detention including being confined at the Cook County Jail beginning on May 12, 2005.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

29. Plaintiff knew that proving that the March 3, 2004 Arresting Officers had concocted the charges against him would not be possible.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

30. Accordingly, even though he was innocent, plaintiff, pleaded guilty in Case Number 04-CR-09579 on July 8, 2005, and was sentenced to the Cook County Department of Corrections Boot Camp Program.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

31. Plaintiff's sentence require him to remain in custody at the Cook County Jail for over six months.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

32. As a result of the above-described wrongful acts of the March 3, 2004 Arresting Officers, plaintiff was deprived of rights secured by the Fourth and Fourteenth Amendments to the Constitution of the United States while being held as a pre-trial detainee and while serving his sentence.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him,**

**Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

#### **IV. The Second False Arrest and Illegal Prosecution of Plaintiff**

33. On June 18, 2004, plaintiff was arrested by defendants Mohammed, Jones, Edwards, Young, Rodriguez, Summers, Ridgell, and Watts (the “June 18, 2004 Arresting Officers”) inside a building at the Ida B. Wells Homes.

**ANSWER: Upon information and belief, Defendant Mohammed admits the allegations contained in this paragraph.**

34. At the time of plaintiff’s arrest on June 18, 2004:

- a. None of the June 18, 2004 Arresting Officers had a warrant authorizing the arrest of plaintiff;
- b. None of the June 18, 2004 Arresting Officers believed that a warrant had been issued authorizing the arrest of plaintiff;
- c. None of the June 18, 2004 Arresting Officers had observed plaintiff commit any offense; and
- d. None of the June 18, 2004 Arresting Officers had received information from any source that plaintiff had committed an offense.

**ANSWER: Based on police department reports, Defendant Mohammed admits the allegations contained in subparagraphs 34 (a) and (b) and denies those contained in subparagraphs 34 (c) and (d).**

35. One or more of the June 18, 2004 Arresting Officers used excessive and unreasonable force while placing plaintiff under arrest.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

36. After arresting plaintiff, the June 18, 2004 Arresting Officers conspired, confederated, and agreed to fabricate a false story in an attempt to justify the unlawful arrest, to cover-up their wrongdoing, to retaliate against plaintiff for filing a formal complaint, and to cause plaintiff to be wrongfully detained and prosecuted.

**ANSWER:** To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

37. The false story fabricated by the June 18, 2004 Arresting Officers included their false claim that that they had arrested plaintiff after seeing him with a clear plastic bag containing drugs.

**ANSWER:** To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

38. The acts of the June 18, 2004 Arresting Officers in furtherance of their scheme to frame plaintiff included the following:

- a. One or more of the June 18, 2004 Arresting Officers prepared police reports containing the false story, and the others each failed to intervene to prevent the violation of plaintiff's rights;
- b. One or more of the June 18, 2004 Arresting Officers attested through the official police reports that they were witnesses to the false story, and the others each failed to intervene to prevent the violation of plaintiff's rights;
- c. Defendant Watts formally approved the official police reports, knowing that they contained the false story; and
- d. One or more of the June 18, 2004 Arresting Officers communicated the false story to prosecutors, and the others each failed to intervene to prevent the violation of plaintiff's rights.

**ANSWER:** To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge

**upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

39. Each of the wrongful acts of the June 18, 2004 Arresting Officers was performed with knowledge that the acts would cause plaintiff to be wrongfully held in custody and falsely prosecuted for an offense that had never occurred.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

40. On July 1, 2004, thirteen days after his second false arrest, plaintiff made a formal complaint to the Chicago Police Department about the wrongful acts of the June 18, 2004 Arresting Officers.

**ANSWER: Defendant Mohammed admits that the Plaintiff filed a formal complaint to the Chicago Police Department but. to the extent that the allegations in this paragraph purport to apply to him, denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

41. Defendants Mohammed, Edwards, and Jones all made false statements as part of the Department's investigation into plaintiff's second complaint.

**ANSWER: To the extent that the allegations in this paragraph apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

42. As a result of these false statements, the Department again found plaintiff's complaint to be "Not Sustained."

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

43. Plaintiff was charged with possession of a controlled substance in Case Number 04-CR-17677 as a result of the wrongful acts of the June 18, 2004 Arresting Officers.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

44. Plaintiff was detained before trial as a result of the wrongful acts of the March 3, 2004 Arresting Officers; this detention including being confined at the Cook County Jail beginning on May 12, 2005. This detention was concurrent with plaintiff's detention awaiting trial in Case Number 04-CR-09579.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

45. Plaintiff knew that proving that the June 18, 2004 Arresting Officers had concocted the charges against him would not be possible.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

46. Accordingly, even though he was innocent, plaintiff pleaded guilty in Case Number 04-CR-17677 on July 8, 2005, and was sentenced to the Cook County Department of Corrections Boot Camp Program. The sentence was concurrent with plaintiff's sentence in Case Number 04-CR-09579.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

47. Plaintiff's sentence required him to remain in custody at the Cook County Jail for more than six months.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

48. As a result of the above-described wrongful acts of the June 18, 2004 Arresting Officers, plaintiff was deprived of rights secured by the Fourth and Fourteenth Amendments to the Constitution of the United States while being held as a pre-trial detainee and while serving his sentence.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this**

paragraph.

#### **V. The Third False Arrest and Illegal Prosecution of Plaintiff**

49. In May 2006, plaintiff was living at 527 East Browning, Apartment 506 in the Ida B. Wells Homes.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

50. In the evening of May 19, 2006, plaintiff returned to his apartment from another apartment (number 608) in the building.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

51. Damica Nickerson lived in apartment 608 and sold food out of her apartment; plaintiff had been at Nickerson's apartment to order an Italian beef sandwich.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

52. After ordering the sandwich, plaintiff returned to his apartment, one floor below, where he encountered Defendant Jones, who had unlawfully entered and searched the apartment.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

53. Jones was leaving the apartment when plaintiff entered.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

54. As plaintiff entered the apartment, defendant Jones told him "You're just the motherfucker I'm looking for."

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

55. Defendant Jones placed plaintiff in handcuffs and walked him into the hallway where defendant Mohammed joined them.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

56. Defendant Jones did not have any lawful basis to handcuff plaintiff.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

57. Defendant Mohammed knew that Defendant Jones did not have any lawful basis to handcuff plaintiff and could have, but did not, intervene to prevent the violation of plaintiff's rights;

**ANSWER: To the extent that the allegations in this paragraph apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

58. Jones and Mohammed then walked plaintiff down the stairs to the first floor of 527 East Browning.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

59. There, other members of the Watts Gang, including defendants Young and Smith, joined Jones, Mohammed, and plaintiff.

**ANSWER: Defendant Mohammed objects to the term "Watts Gang" as undefined and prejudicial. Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

60. While plaintiff, still in handcuffs, sat on the stairs in the first-floor hallway of 527 East Browning, defendants Jones, Mohammed, Young, and Smith (the "May 19, 2006 Arresting Officers") arrested Sandra Berry.

**ANSWER: Upon information and belief Defendant Mohammed admits that he was among the officers who arrested Sandra Berry on May 19, 2006. Defendant Mohammed lacks**

**sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

61. Plaintiff had never seen Berry before and had not had any contact with her arrest.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

62. The May 19, 2006 Arresting Officers took plaintiff and Berry to the police station, where plaintiff learned for the first time that he was being charged for possession and sale of drugs.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

63. At the time of plaintiff's arrest on May 19, 2006:

- a. None of the May 19, 2006 Arresting Officers had a warrant authorizing the arrest of plaintiff;
- b. None of the May 19, 2006 Arresting Officers believed that a warrant had been issued authorizing the arrest of plaintiff;
- c. None of the May 19, 2006 Arresting Officers had observed plaintiff commit any offense; and
- d. None of the May 19, 2006 Arresting Officers had received information from any source that plaintiff had committed an offense.

**ANSWER: Based on police department reports, Defendant Mohammed admits the allegations contained in subparagraphs 63 (a) and (b) and denies those contained in subparagraphs 63 (c) and (d).**

64. One or more of the May 19, 2006 Arresting Officers used excessive and unreasonable force while placing plaintiff under arrest.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him,**

**Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

65. After arresting plaintiff, the May 19, 2006 Arresting Officers conspired, confederated, and agreed to fabricate a false story in an attempt to justify the unlawful arrest, to cover-up their wrongdoing, to retaliate against plaintiff for filing formal complaints, and to cause plaintiff to be wrongfully detained and prosecuted.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

66. The false story fabricated by the May 19, 2006 Arresting Officers included their false claim that they arrested plaintiff after seeing him sell drugs to Berry and that they then found drugs on plaintiff's person.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

67. The acts of the May 19, 2006 Arresting Officers in furtherance of their scheme to frame plaintiff included the following:

- a. One or more of the May 19, 2006 Arresting Officers prepared police reports containing the false story, and the others each failed to intervene to prevent the violation of plaintiff's rights;
- b. One or more of the May 19, 2006 Arresting Officers attested through the official police reports that they were witnesses to the false story, and the others each failed to intervene to prevent the violation of plaintiff's rights;
- c. Defendant Watts formally approved the official police reports, knowing that they contained the false story; and

d. One or more of the May 19, 2006 Arresting Officers communicated the false story to prosecutors, and the others each failed to intervene to prevent the violation of plaintiff's rights.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

68. Each of the wrongful acts of the May 19, 2006 Arresting Officers was performed with knowledge that the acts would cause plaintiff to be wrongfully held in custody and falsely prosecuted for an offense that had never occurred.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

69. Plaintiff was charged with sale and possession of a controlled substance in Case Number 06-CR-13571 of the wrongful acts of the May 19, 2006 Arresting Officers.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

70. Plaintiff was continuously confined awaiting trial in Case Number 06-CR-13571.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

71. At trial, defendant Smith and Jones testified falsely in furtherance of the conspiracy.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

72. Plaintiff presented witnesses who testified to his innocence, but a jury convicted him on February 1, 2007, and he received a sentence of 9 years of imprisonment.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

73. Plaintiff was continuously confined after trial until he was released on parole on January 21, 2010.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

74. As a result of the above-described wrongful acts of the May 19, 2006 Arresting Officers, plaintiff was deprived of rights secured by the Fourth and Fourteenth Amendments to the Constitution of the United States while being held as a pre-trial detainee and while serving his sentence.

**ANSWER: To the extent that the allegations in this paragraph purport to apply to him, Defendant Mohammed denies them. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

## **VI. Plaintiff's Exonerations**

75. Plaintiff challenged his convictions after he learned that federal prosecutors and lawyers for other wrongfully convicted individuals had uncovered evidence of the Watts Gang's criminal enterprise.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

76. On July 10, 2017, the Circuit Court of Cook County granted the State's motion to set aside plaintiff's convictions in all three cases; immediately thereafter, the Court granted the State's request to *nolle prosequi* the case.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

77. On September 14, 2017, the Circuit Court of Cook County granted plaintiff certificates of innocence in all three cases.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

**VII. Plaintiff's Arrest and Prosecution Were Part of a Long-Running Pattern Known to High Ranking Officials within the Chicago Police Department**

78. Before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, the Chicago Police Department had received numerous civilian complaints that defendant Watts and the Watts Gang were engaging in robbery, extortion, the use of excessive force, planting evidence, fabricating evidence, and manufacturing false charges against persons at the Ida B. Wells Homes.

**ANSWER: Defendant Mohammed objects to the term "Watts Gang" as undefined and prejudicial. Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

79. Criminal investigators corroborated these civilian complaints with information they obtained from multiple cooperating witnesses.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

80. Before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, defendants Cline and Kirby knew about the above-described credible allegations of serious wrongdoing by Watts and the Watts Gang and knew that criminal investigators had corroborated these allegations.

**ANSWER: Defendant Mohammed objects to the term "Watts Gang" as undefined and prejudicial. Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

81. Defendants Cline and Kirby also knew, before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, that, absent intervention by the Chicago Police Department, Watts and his gang would continue to engage in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges.

**ANSWER: Defendant Mohammed objects to the terms "Watts Gang" and "gang" as**

**undefined and prejudicial. Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

82. The Internal Affairs Division of the Chicago Police knew about the lawlessness of Watts and his gang by 2004.

**ANSWER: Defendant Mohammed objects to the term “gang” as undefined and prejudicial. Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

83. Defendants Cline and Kirby had the power and the opportunity to prevent Watts and his gang from continuing to engage in the above-described wrongdoing.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term “gang.” This paragraph makes no claims against Defendant Mohammed and therefore he makes no answer thereto.**

84. Defendants Cline and Kirby deliberately chose to turn a blind eye to the pattern of wrongdoing by Watts and his gang.

**ANSWER: This paragraph makes no claims against Defendant Mohammed and therefore he makes no answer thereto.**

85. As a direct and proximate result of the deliberate indifference of defendants Cline and Kirby, Watts and his gang continued to engage in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges against persons at the Ida B. Wells Homes, including but not limited to the wrongful arrests, detentions, and prosecutions of plaintiff, as described above.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term “gang.” This paragraph makes no claims against Defendant Mohammed and therefore he makes no answer thereto.**

**VIII. Official Policies and Customs of the Chicago Police Department Were the Moving Force behind the Defendants' Misconduct**

86. At all relevant times, the Chicago Police Department maintained official policies and customs that facilitated and condoned the Defendants' misconduct.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

**A. Failure to Discipline**

87. At all relevant times, the Chicago Police Department maintained a policy or custom of failing to discipline, supervise, and control its officers. By maintaining this policy or custom, the City caused its officers to believe that they could engage in misconduct with impunity because their actions would never be thoroughly scrutinized.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

88. Before plaintiff's arrests, policymakers for the City of Chicago knew that the Chicago Police Department's policies or customs for disciplining, supervising, and controlling its officers were inadequate and caused police misconduct.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

89. Despite their knowledge of the City's failed policies and customs for disciplining, supervising, and controlling its officers, the policymakers failed to take action to remedy these problems.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

90. Before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, all of the individual officer defendants had been the subject of formal complaints of official misconduct.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term "Watts Gang." Without waiver, to the extent that such allegations purport to apply to him, Defendant Mohammed denies he engineered plaintiff's arrest, detention or prosecution.**

**Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

91. Defendants Watts, Jones, and Young had each been the subject of more than fifteen formal complaints of official misconduct.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

92. As a direct and proximate result of the Chicago Police Department's inadequate policies or customs for disciplining, supervising, and controlling its officers and the policymakers' failure to address these problems, Watts and his gang continued to engage in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges against persons at the Ida B. Wells Homes, including but not limited to the wrongful arrests, detentions, and prosecutions of plaintiff, as described above.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term "gang."**  
**Without waiver, Defendant Mohammed denies the allegations contained in this paragraph.**

#### **B. Code of Silence**

93. At all relevant times, the Chicago Police Department maintained a "code of silence" that required police officers to remain silent about police misconduct. An officer who violated the code of silence would be severely penalized by the Department.

**ANSWER: Defendant Mohammed lacks sufficient information upon which to form a belief as to the truth of the allegations contained in this paragraph.**

94. At all relevant times, police officers were trained at the Chicago Police Academy not to break the code of silence. Officers were instructed that "Blue is Blue. You stick together. If something occurs on the street that you don't think is proper, you go with the flow. And after that situation, if you have an issue with that officer or what happened, you can confront them. If you don't feel comfortable working with them anymore, you can go to the watch commander and request a new partner. But you never break the code of silence."

**ANSWER: Defendant Mohammed lacks sufficient information upon which to form a belief as to the truth of the allegations contained in this paragraph.**

95. This "code of silence" facilitated, encouraged, and enabled the individual officer defendants to engage in egregious misconduct for many years, knowing that their fellow officers would cover for them and help conceal their widespread wrongdoing.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph.

96. Consistent with this “code of silence,” the few people within the Chicago Police Department who stood up to Watts and his gang or who attempted to report their misconduct were either ignored or punished, and the Watts Gang was thereby able to engage in misconduct with impunity.

**ANSWER:** Defendant Mohammed objects to the undefined and prejudicial terms “gang,” “Watts Gang,” and “misconduct.” Without waiver, to the extent that such allegations purport to apply to him, Defendant Mohammed denies the allegations contained in this paragraph. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

97. Watts and his gang are not the first Chicago police officers whom the City of Chicago allowed to abuse citizens with impunity while the City turned a blind eye.

**ANSWER:** Defendant Mohammed objects to the undefined and prejudicial term “gang.” Without waiver, Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

98. One example of this widespread practice is Chicago police officer Jerome Finnigan, who was convicted and sentenced on federal criminal charges in 2011. One of the charges against Finnigan involved his attempt to hire a hitman to kill a police officer whom Finnigan believed would be a witness against him.

**ANSWER:** The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.

99. Finnigan was part of a group of officers in the Defendant City’s Special Operations Section who carried out robberies, home invasions, unlawful searches and seizures, and other crimes.

**ANSWER:** The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.

100. Finnigan and his crew engaged in their misconduct at around the same time that plaintiff was subjected to the abuses described above.

**ANSWER:** The allegations in this paragraph are not directed to Defendant Mohammed

**and therefore he makes no answer thereto.**

101. Finnigan, like the defendants in this case, had been the subject of many formal complaints of misconduct.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

102. Finnigan revealed at his criminal sentencing hearing in 2011, “You know, my bosses knew what I was doing out there, and it went on and on. And this wasn’t the exception to the rule. This was the rule.”

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

103. Defendants Watts and Mohammed were criminally charged in federal court in February 2012 after shaking down a federal informant they believed was a drug dealer.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term “shaking down.” Without waiver, Defendant Mohammed admits that in 2012, he was criminally charged for violation of 18 U.S.C. §§ 641 and 642. Except as specifically admitted, Defendant Mohammed denies the remaining allegations contained in this paragraph.**

104. Defendant Mohammed pleaded guilty in 2012.

**ANSWER: Defendant Mohammed admits that he pleaded guilty in 2012 to a violation of 18 USC §641. Except as specifically admitted, Defendant Mohammed denies the remaining allegations contained in this paragraph.**

105. Defendant Watts pleaded guilty in 2013.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

106. In the case of *Obrycka v. City of Chicago et al.*, No. 07-cv-2372 (N.D. Ill.), a federal jury found that as of February 2007, “the City [of Chicago] had a widespread custom and/or practice of failing to investigate and/or discipline its officers and/or code of silence.”

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

107. In December 2015, Chicago Mayor Rahm Emanuel acknowledged the continued existence of the code of silence within the Chicago Police Department; Emanuel, speaking in his capacity as Mayor, admitted that the code of silence leads to a culture where extreme acts of abuse are tolerated.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

108. In April 2016, the City's Police Accountability Task Force found that the code of silence "is institutionalized and reinforced by CPD rules and policies that are also baked into the labor agreements between the various police unions and the City."

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

109. In an official government report issued in January 2017, the United States Department of Justice found that "a code of silence exists, and officers and community members know it."

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

110. The same code of silence in place during the time period at issue in the *Obrycka* case and recognized by the Mayor, the Task Force, and the Department of Justice was also in place when plaintiff suffered the wrongful arrests, detentions, and prosecutions described above.

**ANSWER: The allegations in this paragraph are not directed to Defendant Mohammed and therefore he makes no answer thereto.**

111. As a direct and proximate result of the City's code of silence, Watts and his gang continued to engage in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges against persons at the Ida B. Wells Homes, including but not limited to the wrongful arrests, detentions, and prosecutions of plaintiff, as described above.

**ANSWER: Defendant Mohammed objects to the undefined and prejudicial term "gang." Without waiver, to the extent that such allegations purport to apply to him, Defendant Mohammed denies the allegations contained in this paragraph. Defendant Mohammed lacks**

**sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

## **IX. Claims**

112. As a result of the foregoing, all of the defendants caused plaintiff to be deprived of rights secured by the Fourth and Fourteenth Amendments.

**ANSWER: Defendant Mohammed objects to the term “foregoing” as vague and overly broad. Without waiver, Defendant Mohammed denies the allegations contained in this paragraph.**

113. As a supplemental state law claim against defendant City of Chicago only: as a result of the foregoing, plaintiff was subjected to three malicious prosecutions under Illinois law.

**ANSWER: Defendant Mohammed objects to the term “foregoing” as vague and overly broad. Without waiver, Defendant Mohammed denies the allegations contained in this paragraph.**

114. Plaintiff hereby demands trial by jury.

**ANSWER: Defendant Mohammed admits that Plaintiff demand a trial by jury and joins in said demand.**

## **AFFIRMATIVE DEFENSES**

1. To the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed is entitled to qualified immunity. He is a government official who performed discretionary functions. At the time of the incidents referenced in Plaintiff's Complaint, Defendant Mohammed was an on-duty member of the Chicago Police Department who was executing and enforcing the law. At all times relevant to Plaintiff's Complaint, a reasonable police officer objectively viewing the facts and circumstances that confronted Defendant Mohammed could have believed his actions to be lawful, in light of clearly established law and the information

the officers possessed at the time.

2. To the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed is not liable for his individual participation in the arrest because, as a public employee, his actions were discretionary and he is immune from liability. 745 ILCS 10/2-201. As a result, the City of Chicago is also not liable to Plaintiff. 745 ILCS 10/2-109.

3. A public employee is not liable for his act or omission in the execution of any law unless such act or omission constitutes willful or wanton misconduct. 745 ILCS 10/2-202. To the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed was acting in the execution and enforcement of the law at the time of any interactions with Plaintiff and Defendant Mohammed's individual acts were neither willful nor wanton. As a result, Defendant Mohammed is not liable to Plaintiff. 745 ILCS 10/2-109.

4. To the extent Plaintiff failed to mitigate any of his claimed damages, any verdict or judgment obtained by Plaintiff must be reduced by application of the principle that Plaintiff had a duty to mitigate his damages, commensurate with the degree of failure to mitigate attributed to Plaintiff.

5. Under the Tort Immunity Act, to the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed is not liable for any injury allegedly caused by the instituting or prosecuting of any judicial or administrative proceeding when done within the scope of his employment, unless such action was done maliciously and without probable cause. 745 ILCS 10/2-208.

6. Under the Tort Immunity Act, Defendant Mohammed is not liable for any injury caused by the action or omission of another public employee. 745 ILCS 10/2-204.

7. To the extent Plaintiff seeks to impose liability based on testimony given by

Defendant Mohammed, if any was in fact given by Mohammed, the officer is absolutely immune from liability. *Rehberg v. Paulk*, 132 S. Ct. 1497 (2012);

8. Plaintiff's claims in the Complaint are barred by the doctrines of *res judicata* and collateral estoppel.

**WHEREFORE**, Defendant, Kallatt Mohammed, denies that Plaintiff William Carter is entitled to the relief requested in the Complaint, or to any relief whatsoever, against Mohammed and demands: 1) entry of a judgment dismissing Plaintiff's Complaint in its entirety as to Defendant Mohammed; 2) for an award of the costs incurred in defending this action; and 3) for such other relief as the Court deems appropriate.

**JURY DEMAND**

Defendant, Kallatt Mohammed, hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

/s/ Eric S. Palles #2136473  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 21st, 2024, I caused the foregoing Defendant Kallatt Mohammed's Answer to Plaintiffs' Complaint to be served on all counsel of record using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Eric S. Palles  
Special Assistant Corporation Counsel  
One of the attorneys for Kallatt Mohammed