

# Exhibit 9



**KENTUCKIANA**  
— COURT REPORTERS —

**MASTER DOCKET CASE NO. CASE NO. 19-CV-01717**  
**IN RE: WATTS COORDINATED PRETRIAL PROCEEDINGS**

**DEPONENT:**  
**KENNETH YOUNG JUNIOR**

**DATE:**  
**December 15, 2021**



✉ [schedule@kentuckianareporters.com](mailto:schedule@kentuckianareporters.com)

☎ 877.808.5856 | 502.589.2273

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF  
3                   ILLINOIS EASTERN DIVISION  
4                   MASTER DOCKET CASE NO. 19-CV-01717  
5  
6  
7  
8  
9

10                   IN RE: WATTS COORDINATED  
11                   PRETRIAL PROCEEDINGS  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

23   DEPONENT:   KENNETH YOUNG JUNIOR

24   DATE:        DECEMBER 15, 2021

25   REPORTER:   KORTNEY CHASE

<p style="text-align: right;">Page 178</p> <p>1 and then we'll come back to Mr. Starr's completion of</p> <p>2 his questioning after I'm done. Do you understand that?</p> <p>3 A Yes.</p> <p>4 Q Okay. And you understand that like Mr. Starr,</p> <p>5 I represent some of the plaintiffs in these coordinated</p> <p>6 proceedings?</p> <p>7 A Yes.</p> <p>8 Q All right. The first person I want to ask you</p> <p>9 about is a man named William Carter. Do you have a</p> <p>10 recollection of William Carter?</p> <p>11 A I do not have a recollection.</p> <p>12 Q Okay. Did you review any documents about</p> <p>13 William Carter to prepare for today's deposition?</p> <p>14 A Just the arrest report and the case report.</p> <p>15 Q Okay. Did you see an arrest report that you</p> <p>16 prepared about Mr. Carter?</p> <p>17 A No. I see an arrest report that I -- that</p> <p>18 Mohammed prepared.</p> <p>19 Q Okay. And did you review more than one arrest</p> <p>20 report related to Mr. Carter?</p> <p>21 A I'd have to go back and look and see. I've</p> <p>22 seen so many documents.</p> <p>23 Q Well, I'll go through the documents one by</p> <p>24 one, but I -- it's fair to say you looked at more than</p> <p>25 one report about William Carter, correct?</p>	<p style="text-align: right;">Page 180</p> <p>1 arresting officer"?</p> <p>2 A Yes.</p> <p>3 Q And is the box that's numbered 44, "First</p> <p>4 arresting officer," considered box one?</p> <p>5 A We would consider that box one of the officers</p> <p>6 -- that's the arrest -- the number one officer that will</p> <p>7 be going to court. So we, even though it's 44, we --</p> <p>8 box one or box two.</p> <p>9 Q Okay. Was there ever a form that had the</p> <p>10 number one in it or was it just always the way you</p> <p>11 referred to it?</p> <p>12 A Number one is always going to be the</p> <p>13 offender's name.</p> <p>14 Q Okay. And which police officer is listed in</p> <p>15 the box one?</p> <p>16 A Well, box 44 would be Kallat Mohammed.</p> <p>17 Q Okay. And is it your -- I'm sorry, let me</p> <p>18 start that again. Was Officer Mohammed your partner?</p> <p>19 A That particular day, if I'm -- based on the --</p> <p>20 based on this report.</p> <p>21 Q And at this time in 2004, was it the practice</p> <p>22 that the officer who was listed in box one was the</p> <p>23 officer who prepared the arrest report?</p> <p>24 A Yes.</p> <p>25 Q And that was also the officer who was expected</p>
<p style="text-align: right;">Page 179</p> <p>1 A Yes.</p> <p>2 Q Okay. And having reviewed the reports that</p> <p>3 you reviewed, it did not refresh your recollection about</p> <p>4 William Carter, correct?</p> <p>5 A Correct.</p> <p>6 Q Okay. Well, let me then ask you to look at</p> <p>7 the exhibit that is marked as Carter Exhibit 1, which is</p> <p>8 the arrest report from March 3, 2004.</p> <p>9 (PLAINTIFF'S CARTER EXHIBIT 1 MARKED FOR</p> <p>10 IDENTIFICATION)</p> <p>11 A Okay.</p> <p>12 Q So you have it in front of you at the top of</p> <p>13 the exhibit, it says Plaintiff's Exhibit Carter 1?</p> <p>14 A Yes.</p> <p>15 Q Okay. Do you recognize this as an arrest</p> <p>16 report of the Chicago Police Department?</p> <p>17 A Yes.</p> <p>18 Q Okay. And is your name listed on this report?</p> <p>19 A It's in box two.</p> <p>20 Q Okay. And --</p> <p>21 A Well, what would be considered box two.</p> <p>22 Q Okay. It's considered two. Does it also have</p> <p>23 the number 45?</p> <p>24 A Yes.</p> <p>25 Q And then it says -- and it also says, "Second</p>	<p style="text-align: right;">Page 181</p> <p>1 to testify if necessary?</p> <p>2 A Yes.</p> <p>3 Q Do you recognize the signature above Officer</p> <p>4 Mohammed's name?</p> <p>5 A Do I recognize it?</p> <p>6 Q Yes.</p> <p>7 A No.</p> <p>8 Q Okay. When you were completing reports and</p> <p>9 you were in box one, was it your practice to sign your</p> <p>10 name above that?</p> <p>11 A Yes.</p> <p>12 Q Okay. But you just don't know Officer</p> <p>13 Mohammed's signature to say whether this is his or not,</p> <p>14 right?</p> <p>15 A I do not.</p> <p>16 Q Okay. The -- going back up to the top of this</p> <p>17 report, it's actually a little hard to read the name. Do</p> <p>18 you see that it says, "Carter," up there at the top?</p> <p>19 A Yes.</p> <p>20 Q Okay. And underneath that, there's a box for</p> <p>21 alias or nickname. Do you see that?</p> <p>22 A Yes.</p> <p>23 Q And do you see that it says, "Yayo," Y-A-Y-O?</p> <p>24 A Yes.</p> <p>25 Q When you prepared reports, how would you</p>

<p style="text-align: right;">Page 182</p> <p>1 determine if an arrestee had an alias or a nickname?</p> <p>2 A That's what he would provide.</p> <p>3 Q Would you say to the arrestee, do you have an</p> <p>4 alias or a nickname?</p> <p>5 A Yes.</p> <p>6 Q Was there ever a situation where you knew that</p> <p>7 an arrestee had an alias or a nickname?</p> <p>8 A Yes.</p> <p>9 Q And could you remember when that happened?</p> <p>10 A No.</p> <p>11 Q Did you ever -- was there ever some kind of</p> <p>12 record of nicknames that you might use?</p> <p>13 A I don't remember.</p> <p>14 Q I mean, there wasn't like a database on the</p> <p>15 computer that you recall using?</p> <p>16 A Only what the subject provided upon arrest.</p> <p>17 Q Okay. And this form of arrest report, it is a</p> <p>18 form that you have experience completing, right?</p> <p>19 A Yes.</p> <p>20 Q Even though you didn't complete this one,</p> <p>21 right?</p> <p>22 A Yes.</p> <p>23 Q Let me just quickly ask you about -- starting</p> <p>24 at box number 27, "Location code for nature of</p> <p>25 premises." Do you see that?</p>	<p style="text-align: right;">Page 184</p> <p>1 A Yes.</p> <p>2 Q Okay. The next box to the right is the date</p> <p>3 of arrest and time of arrest. I don't need to ask you</p> <p>4 about that. The next to that is, "Arrestee</p> <p>5 transported." Do you see that?</p> <p>6 A Yes.</p> <p>7 Q Okay. And the first one is, "To unit," and</p> <p>8 it's -- I believe it's a, "002"; is that right?</p> <p>9 A Yes.</p> <p>10 Q What does that mean?</p> <p>11 A Second District.</p> <p>12 Q Meaning that's where the arrestee was taken</p> <p>13 physically; is that right?</p> <p>14 A He was transported to the Second District.</p> <p>15 Q Okay. The Second District is a building where</p> <p>16 he was transported, right?</p> <p>17 A It's a police facility, yes.</p> <p>18 Q Okay. I just want -- I mean, it could also be</p> <p>19 cover the area around that building, right?</p> <p>20 A No. The Second District is located at 5101</p> <p>21 South Wentworth. It's a physical police facility.</p> <p>22 Q Okay. And so what this means is that the</p> <p>23 arrestee was transported to that physical police</p> <p>24 facility, correct?</p> <p>25 A Correct.</p>
<p style="text-align: right;">Page 183</p> <p>1 A Yes.</p> <p>2 Q Okay. Do you know what the code 122 means?</p> <p>3 A One of the codes given for CHA properties, or</p> <p>4 related to CHA in some way.</p> <p>5 Q In the box next to that, box 28 for, "Beat of</p> <p>6 arrest." And it says, "212"; is that right?</p> <p>7 A Yes.</p> <p>8 Q What does a beat of arrest mean?</p> <p>9 A The district is set up by beats and the arrest</p> <p>10 was made on that particular beat, 212.</p> <p>11 Q Okay. Is a beat -- well, I see that lower</p> <p>12 down next Officer Mohammed's name is listed beat,</p> <p>13 "4512C." Do you see that?</p> <p>14 A Yes.</p> <p>15 Q Do you know why there's two different beats</p> <p>16 listed?</p> <p>17 A There's a beat of occurrence, which would be</p> <p>18 the beat 212.</p> <p>19 Q I see.</p> <p>20 A For the district -- within the district, there</p> <p>21 are call signs or beats. Like in this particular case,</p> <p>22 this is a public housing unit and that was our call sign</p> <p>23 4512 Charlie, or beat 4512 Charlie.</p> <p>24 Q Okay. So the 4512 Charlie refers to the</p> <p>25 officers, the 212 refers to the location; is that right?</p>	<p style="text-align: right;">Page 185</p> <p>1 Q And then the -- next to that, it says by,</p> <p>2 "Beat 4512 Charlie," meaning that the arrestee was</p> <p>3 transported by officers with that beat number?</p> <p>4 A Yes.</p> <p>5 Q And then next to that is the time of, "1905</p> <p>6 hours." And does that mean the arrestee was transported</p> <p>7 at about that time?</p> <p>8 A That's what it says, yes.</p> <p>9 Q And would you have completed that part of --</p> <p>10 well, do you have experience completing this part of the</p> <p>11 arrest report?</p> <p>12 A Of this particular arrest report?</p> <p>13 Q No.</p> <p>14 A Or any other arrest report?</p> <p>15 Q No, no, no. And I don't -- I don't want to</p> <p>16 get us tripped up. Do you have experience completing</p> <p>17 other arrest reports, where you put the information in</p> <p>18 this section about arrestee transport?</p> <p>19 A Yes.</p> <p>20 Q And what time would you use in that section?</p> <p>21 A The time that that subject was transported.</p> <p>22 Q Meaning the time that the arrestee arrived at</p> <p>23 the police station?</p> <p>24 A No, the time that that subject was transported</p> <p>25 from one location to another.</p>

<p style="text-align: right;">Page 186</p> <p>1 Q Okay. Meaning that -- so if he left the scene</p> <p>2 of arrest and arrived at the police station 10 minutes</p> <p>3 later, you would put in the time that he left the scene</p> <p>4 of arrest?</p> <p>5 A Yes.</p> <p>6 Q Okay. At this time in 2004, was there a</p> <p>7 police substation at the Ida B. Wells homes?</p> <p>8 A March 2004 -- yes, there was. Yes. Yes.</p> <p>9 Q And when your team made arrests, was it the</p> <p>10 practice to bring an arrestee to that substation first?</p> <p>11 A Yes.</p> <p>12 Q And would the arrestee then be brought to the</p> <p>13 Second District?</p> <p>14 A Yes.</p> <p>15 Q And was that because there was a lockup at the</p> <p>16 Second District and they had to go there to be</p> <p>17 processed?</p> <p>18 A Yes.</p> <p>19 Q If an arrestee was arrested on the scene at</p> <p>20 one time, taken to the substation another time, taken to</p> <p>21 the Second District another time, which time would you</p> <p>22 put in the box for arrestee transported time?</p> <p>23 A If he's taken from the location of processing</p> <p>24 of the arrest itself and transported to lockup, that</p> <p>25 time would be put in.</p>	<p style="text-align: right;">Page 188</p> <p>1 Q Let me ask you to take a look at the next</p> <p>2 exhibit that's marked as Plaintiff's Exhibit Carter 2.</p> <p>3 (PLAINTIFF'S CARTER EXHIBIT 2 MARKED FOR</p> <p>4 IDENTIFICATION)</p> <p>5 COURT REPORTER: Mr. Flaxman, really quick. Did</p> <p>6 you want to actually mark these as exhibits, like 69</p> <p>7 and 70 or...</p> <p>8 MR. FLAXMAN: No, these are premarked. So I'd</p> <p>9 --</p> <p>10 COURT REPORTER: Okay.</p> <p>11 MR. FLAXMAN: -- like to just use the --</p> <p>12 COURT REPORTER: Yeah.</p> <p>13 MR. FLAXMAN: -- markings on them already.</p> <p>14 COURT REPORTER: Uh-huh. Sorry about that.</p> <p>15 MR. BAZAREK: This is --</p> <p>16 MR. FLAXMAN: That's all right.</p> <p>17 MR. BAZAREK: -- this is Plaintiff's Exhibit</p> <p>18 Carter 2?</p> <p>19 MR. FLAXMAN: Yes.</p> <p>20 MR. BAZAREK: Yeah.</p> <p>21 MR. FLAXMAN: And that should be at the top of</p> <p>22 the page that the witness has.</p> <p>23 A Okay.</p> <p>24 BY MR. FLAXMAN:</p> <p>25 Q Do you recognize this as a vice case report?</p>
<p style="text-align: right;">Page 187</p> <p>1 Q Which one? The time of arrest or the time of</p> <p>2 the lockup for processing?</p> <p>3 A The transporting time.</p> <p>4 Q And I just want to make sure I'm</p> <p>5 understanding. Do you mean the time that he was</p> <p>6 arrested on the scene and left that area?</p> <p>7 A No. The time -- no, the time that he was</p> <p>8 transported from one police facility to another. That</p> <p>9 time is put on there.</p> <p>10 Q Okay. And so if an arrestee is arrested on</p> <p>11 the scene at time one, taken to the substation at time</p> <p>12 two, and then taken to the second district at time</p> <p>13 three, which time goes in the box for arrestee</p> <p>14 transported time?</p> <p>15 A The last time that you see recorded.</p> <p>16 Q Meaning the time that he arrived at District</p> <p>17 Two?</p> <p>18 A The time that he's transported from the Wells</p> <p>19 Station to --</p> <p>20 Q Oh, okay.</p> <p>21 A -- the Second District.</p> <p>22 Q Okay. And when you were the one preparing a</p> <p>23 report, would you do it at the substation or at the</p> <p>24 Second District?</p> <p>25 A It would be done at the substation.</p>	<p style="text-align: right;">Page 189</p> <p>1 A Yes.</p> <p>2 Q And is this for the arrest of William Carter</p> <p>3 on March 3, 2004?</p> <p>4 A That's what it says.</p> <p>5 Q Okay. Do you see your name listed on this</p> <p>6 arrest -- on this vice case report?</p> <p>7 A I do.</p> <p>8 Q And are you listed as the second reporting</p> <p>9 officer here?</p> <p>10 A Yes.</p> <p>11 Q And is Officer Mohammed listed as the first</p> <p>12 reporting officer?</p> <p>13 A He is.</p> <p>14 Q And Sergeant Watts is listed as the</p> <p>15 supervisor?</p> <p>16 A He is.</p> <p>17 Q Okay. Is that your signature under your name</p> <p>18 at the bottom?</p> <p>19 A It is.</p> <p>20 Q Was it your practice to review a report before</p> <p>21 signing it?</p> <p>22 A Yes, and sometimes I did, and sometimes I</p> <p>23 didn't.</p> <p>24 Q How would you decide whether to review it or</p> <p>25 not?</p>

<p style="text-align: right;">Page 190</p> <p>1 A Nothing -- nothing -- if I wasn't going to</p> <p>2 court, then sometimes I would review it after the fact,</p> <p>3 but at that time, I wouldn't always review it.</p> <p>4 Q Do you know if the police department procedure</p> <p>5 required you to review it before signing it?</p> <p>6 A That I'm not sure about.</p> <p>7 Q Okay. Do you recognize the signature under</p> <p>8 Officer Mohammed's name?</p> <p>9 A It's a signature -- but looks like I signed</p> <p>10 it.</p> <p>11 Q Do you know why you signed Officer Mohammed's</p> <p>12 name?</p> <p>13 A Probably asked him did he want me to sign it</p> <p>14 and I -- did he -- did he want me to sign it? He said,</p> <p>15 yes.</p> <p>16 Q Are you able to tell who wrote the narrative</p> <p>17 that's contained in this report?</p> <p>18 A I don't know.</p> <p>19 Q Could it have been you or Officer Mohammed?</p> <p>20 A Mohammed is in box one, so more than likely he</p> <p>21 was probably the one to write the narrative.</p> <p>22 Q Okay. Do you recognize the signature under</p> <p>23 Sergeant Watts' name?</p> <p>24 A It -- that is probably his signature.</p> <p>25 Q Can you say for sure that's his signature, or</p>	<p style="text-align: right;">Page 192</p> <p>1 A Yes.</p> <p>2 Q And, you know, now that I've asked you a few</p> <p>3 questions about the arrest report and the vice case</p> <p>4 report, are you still unable to remember the arrest of</p> <p>5 William Carter on March 3, 2004?</p> <p>6 A No.</p> <p>7 Q No, meaning you still don't have a memory of</p> <p>8 it, correct?</p> <p>9 A I do not -- no, I do not.</p> <p>10 Q Okay. Do you recall responding to a citizen</p> <p>11 complaint about this arrest?</p> <p>12 A I do not.</p> <p>13 Q Okay. Let me ask you to look at -- oh, you</p> <p>14 know what? We marked Exhibit 3. Why don't you look at</p> <p>15 Carter Exhibit 3 first before we move to that. Do you</p> <p>16 have that in front of you?</p> <p>17 (PLAINTIFF'S CARTER EXHIBIT 3 MARKED FOR</p> <p>18 IDENTIFICATION)</p> <p>19 A Yes.</p> <p>20 Q And that should be three pages with mugshots.</p> <p>21 A Yep.</p> <p>22 Q And the first page says it's a -- mugshots of</p> <p>23 Carter William. Do you see that?</p> <p>24 A Yes.</p> <p>25 Q Okay. Does looking at those pictures refresh</p>
<p style="text-align: right;">Page 191</p> <p>1 you don't know?</p> <p>2 A Just based on what the report said, I can --</p> <p>3 just assume that it was his signature.</p> <p>4 Q Let me just ask you to go to the second page</p> <p>5 where the narrative continues. Are you looking at that</p> <p>6 now?</p> <p>7 A Yes.</p> <p>8 Q And there's a sentence on the third to last</p> <p>9 line that begins, "The offender was advised." Do you see</p> <p>10 that?</p> <p>11 A Yes.</p> <p>12 Q Okay. And it -- I'll just read that sentence.</p> <p>13 "The offender was advised of his legal rights, placed</p> <p>14 into custody, and taken into Unit 715 along with all of</p> <p>15 the recovered items for processing and inventory." Did</p> <p>16 I read that right?</p> <p>17 A Yes.</p> <p>18 Q Okay. What's Unit 715?</p> <p>19 A The Wells station -- Wells substation.</p> <p>20 Q Okay. And that's what we talked about when we</p> <p>21 were looking at the first report, correct?</p> <p>22 A Yes.</p> <p>23 Q Okay. And based on looking at the other</p> <p>24 report, this arrestee was taken to the second district</p> <p>25 after being taken to the Wells substation, right?</p>	<p style="text-align: right;">Page 193</p> <p>1 your recollection about Mr. Carter?</p> <p>2 A It does not.</p> <p>3 (CONFIDENTIAL PORTION II REDACTED)</p> <p>4 Q Okay. The next exhibit is the full CR file,</p> <p>5 but I don't have any questions about that. So I'm going</p> <p>6 to ask you to move on to what's marked as Carter Exhibit</p> <p>7 6.</p> <p>8 (PLAINTIFF'S CARTER EXHIBIT 6 MARKED FOR</p> <p>9 IDENTIFICATION)</p> <p>10 A Uh-huh.</p> <p>11 MR. BAZAREK: Hey, Joe, what's the -- so what</p> <p>12 report are we looking for?</p> <p>13 MR. FLAXMAN: All right. So this is the arrest</p> <p>14 report dated June 18, 2004.</p> <p>15 MR. BAZAREK: Okay. Oh, that's -- yeah. He's</p> <p>16 not looking at the CR. Look at -- put the CR to the</p> <p>17 side. Yeah.</p> <p>18 THE WITNESS: Here's a case report. I don't</p> <p>19 have a 6.</p> <p>20 MR. FLAXMAN: You don't have an arrest report</p> <p>21 dated --</p> <p>22 MR. BAZAREK: Yeah.</p> <p>23 MR. FLAXMAN: -- June 18th?</p> <p>24 MR. MICHALIK: Bill, if it helps, it's page 120</p> <p>25 out of the 145 pages.</p>



<p style="text-align: right;">Page 194</p> <p>1 MR. BAZAREK: Sorry guys, hold on a minute.</p> <p>2 Yeah, that -- well, that -- it just wasn't printed</p> <p>3 out for us. So do we want to throw this one up on</p> <p>4 the screen?</p> <p>5 MR. FLAXMAN: Sure.</p> <p>6 MR. BAZAREK: Let's do that to save -- yeah. I</p> <p>7 just -- I don't see it.</p> <p>8 MR. FLAXMAN: Okay. I don't -- we're not going</p> <p>9 to spend too much time with it, so I think it'll be</p> <p>10 all right.</p> <p>11 MR. BAZAREK: He'll put it up on a screen.</p> <p>12 THE WITNESS: Is this -- this it right here?</p> <p>13 THE WITNESS: That's it.</p> <p>14 MR. BAZAREK: Let's see. All right. You're</p> <p>15 looking -- so now he's -- we're looking at the --</p> <p>16 THE WITNESS: Is that it?</p> <p>17 MR. BAZAREK: No, that's the March 3rd.</p> <p>18 THE WITNESS: That's another one?</p> <p>19 MR. BAZAREK: No, no.</p> <p>20 THE WITNESS: Okay. Another one.</p> <p>21 MR. BAZAREK: Yeah.</p> <p>22 THE WITNESS: Okay. No, I don't have it.</p> <p>23 MR. BAZAREK: He'll put it up on the screen.</p> <p>24 BY MR. FLAXMAN:</p> <p>25 Q All right. Do you see it on your screen?</p>	<p style="text-align: right;">Page 196</p> <p>1 that's the vice case report for the arrest of William</p> <p>2 Carter and two other people on June 18, 2004?</p> <p>3 A Yes, that's what it says.</p> <p>4 Q Okay. And do you see your name listed on this</p> <p>5 report?</p> <p>6 A Yes, box 18.</p> <p>7 Q Okay. And what's your understanding of what</p> <p>8 it means for your name to be listed in box 18?</p> <p>9 A Either one of the assisting officers or</p> <p>10 witnessing officers.</p> <p>11 Q And -- and do you know which one of those you</p> <p>12 were in relation to these arrests?</p> <p>13 A I do not.</p> <p>14 Q And were you able -- can you tell from looking</p> <p>15 at the report?</p> <p>16 A No.</p> <p>17 Q Okay. All right. Do you see this vice case</p> <p>18 report lists two other people that were arrested?</p> <p>19 A Yes.</p> <p>20 Q Okay. And the first one is Jamon, J-A-M-O-N</p> <p>21 Walker. Do you see that?</p> <p>22 A Yes.</p> <p>23 Q Do you have any recollection of Mr. Walker?</p> <p>24 A None.</p> <p>25 Q Okay. The next one is Roy C. Tate, Junior. Do</p>
<p style="text-align: right;">Page 195</p> <p>1 A Yes.</p> <p>2 Q And you see at the top it's marked Plaintiff's</p> <p>3 Exhibit Carter 6, 12-15-21?</p> <p>4 A Yeah. Yes.</p> <p>5 Q Do you recognize this as an arrest report of</p> <p>6 William F. Carter on June 18, 2004?</p> <p>7 A It is an arrest report. Yes.</p> <p>8 Q Okay. And did you look at this arrest report</p> <p>9 before the deposition?</p> <p>10 A I did.</p> <p>11 Q Okay. And do you have any recollection of the</p> <p>12 arrest of Mr. Carter on June 18th --</p> <p>13 A None.</p> <p>14 Q -- 2004?</p> <p>15 A None.</p> <p>16 Q Okay. We also marked as Exhibit number 7 the</p> <p>17 vice case report for June 18, 2004. Do you have that</p> <p>18 one on paper?</p> <p>19 (PLAINTIFF'S CARTER EXHIBIT 7 MARKED FOR</p> <p>20 IDENTIFICATION)</p> <p>21 A I do.</p> <p>22 Q Okay. Are you looking at what's marked Carter</p> <p>23 Exhibit 7 now?</p> <p>24 A Yes.</p> <p>25 Q Okay. And as I just -- do you agree that</p>	<p style="text-align: right;">Page 197</p> <p>1 you see that?</p> <p>2 A Yes.</p> <p>3 Q Do you have any recollection of Roy C. Tate</p> <p>4 Junior?</p> <p>5 A None.</p> <p>6 Q The box one on this is Officer Jones. Do you</p> <p>7 see that?</p> <p>8 A Yes.</p> <p>9 Q Do you recognize Officer Jones' signature?</p> <p>10 A I do.</p> <p>11 Q And you recognize that he signed it?</p> <p>12 A Yes.</p> <p>13 Q Okay. Box two is Officer Edwards. Do you see</p> <p>14 that?</p> <p>15 A Yes. And do you know who signed under Officer</p> <p>16 Edwards' name?</p> <p>17 A I can only assume that that's his signature,</p> <p>18 but I don't -- I'm not sure.</p> <p>19 Q Okay. Is it possible it could have been</p> <p>20 Officer Jones' signature?</p> <p>21 A Officer Jones that signed it?</p> <p>22 Q Right. Is it possible that Officer Jones</p> <p>23 could have signed for Officer Edwards?</p> <p>24 A It's possible.</p> <p>25 Q Okay. The next exhibit is Carter Exhibit 8.</p>



Page 198

1 Do you have a copy of that one?

2 (PLAINTIFF'S CARTER EXHIBIT 8 MARKED FOR

3 IDENTIFICATION)

4 A Yep.

5 Q And do you recognize that as a mugshot of

6 William Carter?

7 A That's what it says.

8 Q Okay. Do you recognize the man depicted in

9 Carter Exhibit 8?

10 A I do not recognize him.

11 Q Okay. Can you please take a look at the next

12 exhibit, Carter Exhibit 9?

13 (PLAINTIFF'S CARTER EXHIBIT 9 MARKED FOR

14 IDENTIFICATION)

15 A Okay.

16 Q And do you recognize this as the arrest report

17 of Jamon Walker on June 18, 2004?

18 A Yes.

19 Q And we saw from the vice case report that your

20 name was listed in relation to the arrest of Mr. Walker,

21 right?

22 A On the vice case report, I'm listed as one of

23 the officers, either assisting, or witnessing, or -- or

24 a victim on this particular incident.

25 Q Okay. And that's this -- that's the same

Page 199

1 incident that is on this arrest report. It's marked as

2 Exhibit 9, right?

3 A May 4th [sic], right? Yes.

4 Q Does looking at the arrest report refresh your

5 recollection about these arrests?

6 A None.

7 Q Okay. And do you have a Carter Exhibit 10 in

8 front of you?

9 (PLAINTIFF'S CARTER EXHIBIT 10 MARKED FOR

10 IDENTIFICATION)

11 A Yes.

12 Q And is that the first page of the rap sheet

13 for Jamon Walker?

14 A Yes.

15 Q Okay. Does looking at his picture refresh

16 your recollection at all?

17 A No.

18 Q Let me ask you to look at Carter Exhibit 11.

19 (PLAINTIFF'S CARTER EXHIBIT 11 MARKED FOR

20 IDENTIFICATION)

21 A Okay.

22 Q And do you recognize that as the arrest report

23 of Roy C. Tate, Junior, from June 18, 2004?

24 A It states that it's the arrest report for Roy

25 Tate.

Page 200

1 Q Okay. And again, this is related to the -- I

2 mean, this is the same arrest that's on that vice case

3 report, which listed you as having some involvement,

4 right?

5 A Yes.

6 Q Okay. Does looking at this arrest report help

7 you recall what your involvement was?

8 A It does not.

9 Q And the last exhibit about this is Carter

10 Exhibit 12. Do you have that?

11 (PLAINTIFF'S CARTER EXHIBIT 12 MARKED FOR

12 IDENTIFICATION)

13 A Yes.

14 Q And do you -- does that state that it's the

15 rap sheet for Roy Tate?

16 A On the first page of it, yes.

17 Q Okay. And does, does just looking at that

18 picture refresh your recollection about Mr. Tate?

19 A It does -- it does not.

20 Q Let me ask you to look at what's marked as

21 Carter Exhibit 13, please.

22 (PLAINTIFF'S CARTER EXHIBIT 13 MARKED FOR

23 IDENTIFICATION)

24 A Yes.

25 Q And do you recognize that as an arrest report

Page 201

1 of William F. Carter on May 19, 2006?

2 A It's a printout, yes.

3 Q And this is a different format for an arrest

4 report, right?

5 A The -- I think this is probably when it all

6 went computerized.

7 Q So sometime between 2004 and 2006, reports

8 started being computerized?

9 A Yes.

10 Q If you go all the way to the last page of this

11 arrest report, page 5 of five -- do you see that you're

12 listed as an assisting arresting officer?

13 A Yes.

14 Q And do you see that Officer Mohammed is also

15 listed as an assisting arresting officer?

16 A Yes.

17 Q Have you -- did you review this report before

18 the deposition?

19 A I did.

20 Q Okay. And do you have any recollection of

21 this arrest from May 19, 2006?

22 A I do not.

23 Q Okay. Are you able to say why you're listed

24 as an assisting arresting officer?

25 A I do not.

<p style="text-align: right;">Page 202</p> <p>1 Q You don't know why you're listed there, right?</p> <p>2 A I don't.</p> <p>3 Q Okay. Let me just ask you on the -- the third</p> <p>4 page of this document lists the arresting officers. Do</p> <p>5 you see that?</p> <p>6 A Yes.</p> <p>7 Q And it lists Officer Jones is the first</p> <p>8 arresting officer?</p> <p>9 A Yes.</p> <p>10 Q And Officer Smith is the second?</p> <p>11 A Yes.</p> <p>12 Q Would you consider Jones as box one and Smith</p> <p>13 as box two?</p> <p>14 A Yes.</p> <p>15 Q Okay. I see that Jones and Smith are both</p> <p>16 listed as beat 264A. Do you see that?</p> <p>17 A Yes.</p> <p>18 Q Does that mean they were partners on this day?</p> <p>19 A They were on the car that same day.</p> <p>20 Q That means they were working in the same car?</p> <p>21 A Yes.</p> <p>22 Q Okay. On that last page that listed you, it</p> <p>23 lists you as 264D. Do you see that?</p> <p>24 A Yes.</p> <p>25 Q Does that mean you were in a separate car?</p>	<p style="text-align: right;">Page 204</p> <p>1 transport arrestees?</p> <p>2 A Yes.</p> <p>3 Q Were there ever times where you called a</p> <p>4 marked car to transport an arrestee?</p> <p>5 A Yes.</p> <p>6 Q And how would you decide which one to do?</p> <p>7 A Depending upon the status of the cars that are</p> <p>8 working that particular -- at that particular time,</p> <p>9 whether there is a car available. If there's no car</p> <p>10 available or we may be in a rap at that particular time,</p> <p>11 we'll just take it ourselves.</p> <p>12 Q And I misunderstood the word you said. If</p> <p>13 there's no car available and we may be --</p> <p>14 A May be in a rap, where there are jobs pending,</p> <p>15 but there are no cars to give those jobs to.</p> <p>16 Q Okay. I just -- what's that word, in a rap?</p> <p>17 A Rap. Yes.</p> <p>18 Q How do you spell that?</p> <p>19 A R-A-P.</p> <p>20 Q Okay. And what does that mean?</p> <p>21 A That there are no cars available and there are</p> <p>22 jobs pending via OEMC.</p> <p>23 Q Okay. Sorry, it's just not a -- it wasn't a</p> <p>24 phrase that I'm familiar with. Let me ask you to look</p> <p>25 on page 4 of this arrest report. Can you tell me when</p>
<p style="text-align: right;">Page 203</p> <p>1 A Yes.</p> <p>2 Q Okay. And it lists Mohammed as 264A. Does</p> <p>3 that mean he was in the same car as Jones and Smith?</p> <p>4 A May have been.</p> <p>5 Q I'm sorry?</p> <p>6 A He may have been.</p> <p>7 Q Oh, okay. It doesn't mean that for sure?</p> <p>8 A No.</p> <p>9 Q Why would he be also be 264A, if he was in a</p> <p>10 different car?</p> <p>11 A We were all, we -- how can I explain this?</p> <p>12 We're all on one team. There were many times where,</p> <p>13 depending on the close proximity to where we need to go</p> <p>14 and what we need to do, we'll just jump in the car with</p> <p>15 each other. It's not anything that we had to be held</p> <p>16 to, if you're with your partner, you have to be in this</p> <p>17 particular car with this partner all the time. We were</p> <p>18 a team.</p> <p>19 Q And when we're talking about cars that the</p> <p>20 tactical team used, were they marked cars?</p> <p>21 A Unmarked.</p> <p>22 Q Okay. And could those cars be used to</p> <p>23 transport an arrestee?</p> <p>24 A They can be.</p> <p>25 Q Okay. Was it your practice to use them to</p>	<p style="text-align: right;">Page 205</p> <p>1 you're there?</p> <p>2 A Yep.</p> <p>3 Q The top box on the right has line for,</p> <p>4 "Transport details." Do you see that?</p> <p>5 A You said page 4, right?</p> <p>6 Q Yes. It says, "Arrest processing report."</p> <p>7 A Yes. Yes.</p> <p>8 Q Okay. And do you see the section for</p> <p>9 transport details?</p> <p>10 A Yes.</p> <p>11 Q Okay. Do you know what, "2PO," means for</p> <p>12 transport details?</p> <p>13 A Two POs -- two police officers.</p> <p>14 Q And so two police officers transported this</p> <p>15 arrestee; is that right?</p> <p>16 A Yes.</p> <p>17 Q Okay. And next to that, it says, "0264D." Do</p> <p>18 you know what that means?</p> <p>19 A That's the beat.</p> <p>20 Q Okay. And -- and is that you? You're listed</p> <p>21 as 264D on the next page of this arrest report?</p> <p>22 A That's what's listed. I can't remember.</p> <p>23 Q Right.</p> <p>24 A But yeah, that --</p> <p>25 Q I understand this --</p>

Page 206

1 A -- that's what's listed, but -- yeah, that's  
2 what's listed, but I can't remember. We never do  
3 transports by ourselves.

4 Q Okay.

5 A So if there was a transport, it was me and  
6 someone else.

7 Q Okay. And is the reason you'd never do it by  
8 yourself for your safety?

9 A Always.

10 Q And then it has a date of May 19, 2006. And  
11 the time, "19:45." Do you see that?

12 A Yes.

13 Q And what does that time refer to?

14 A 7:45.

15 Q Okay. And what happened at 7:45?

16 A He was transported at -- at that particular  
17 time.

18 Q That's the time he left the scene for the  
19 police station?

20 A I'm not sure what that depicts.

21 Q Okay. All right. Can I ask you to look at  
22 Carter Exhibit 14?

23 (PLAINTIFF'S CARTER EXHIBIT 14 MARKED FOR  
24 IDENTIFICATION)

25 A Yeah. Okay.

Page 207

1 Q And do you recognize this as the vice case  
2 report for the arrest of William Carter and one other  
3 person on May 19, 2006?

4 A Yes.

5 Q Okay. Do you see your name listed on this  
6 report?

7 A Box 18, along with Ellsworth Smith, Kallat  
8 Mohammed, and Sergeant Watts.

9 Q And do you know why you're listed in box 18?

10 A I was at some form assisting the arresting  
11 officers with this particular arrest.

12 Q The arresting officers being Jones and Smith?

13 A Yes.

14 Q And do you know why Mohammed is listed in box  
15 18?

16 A I do not.

17 Q Do you know why Watts is listed in box 18?

18 A I do not.

19 Q Are those -- are those two listed for the same  
20 reason that you are, because they had something -- some  
21 kind of involvement in the arrest?

22 A Yes.

23 Q And have you looked at this vice case report  
24 before the deposition?

25 A Yes.

Page 208

1 Q Okay. And having looked at the report and the  
2 arrest report, you still have no recollection of this  
3 arrest?

4 A None.

5 Q Let me ask you to take a look at what's marked  
6 as exhibit -- Carter Exhibit 15.

7 (PLAINTIFF'S CARTER EXHIBIT 15 MARKED FOR  
8 IDENTIFICATION)

9 A Okay.

10 Q You see that's three pages of mugshots that  
11 state they're of, "Carter, William F."?

12 A Yep.

13 Q Okay. Does looking at those pictures help you  
14 remember Mr. Carter?

15 A No.

16 Q I'm sorry. I didn't hear your answer.

17 A No.

18 Q Okay. The last exhibit for Carter is Carter  
19 Exhibit 16. Do you have that in front of you?

20 (PLAINTIFF'S CARTER EXHIBIT 16 MARKED FOR  
21 IDENTIFICATION)

22 A I do.

23 Q And is that the arrest -- arrest report for  
24 Sandra Berry for May 19, 2006?

25 A Yes.

Page 209

1 Q Do you have any recollection of this arrest of  
2 Sandra Berry?

3 A I do not.

4 Q Okay. And do you have any recollection of  
5 Sandra Berry?

6 A None.

7 Q And are you listed as an assisting officer on  
8 this report?

9 A I am.

10 Q And I wanted to ask you on the -- the fourth  
11 page of this report, it also contains, "Transport  
12 details." Do you see that?

13 A Yep.

14 Q And let me know if you want to go back and  
15 look, but do you recognize that -- those details as the  
16 same as what's on the arrest report for Mr. Carter?

17 A Yes.

18 Q And does that mean that Mr. Carter and Ms.  
19 Berry were transported to the police station together?

20 A Not together, but at the same time. We don't  
21 -- we don't transport male and females together.

22 Q Okay. So they -- they would have been  
23 transported in different vehicles?

24 A Yes.

25 Q Do you know why they have the same beat

<p style="text-align: right;">Page 210</p> <p>1 number, and date, and time for their transport details?</p> <p>2 A I do not. But we don't -- we don't put male</p> <p>3 and females together.</p> <p>4 Q Okay. If -- if there were two males arrested</p> <p>5 at the same time, would it be appropriate to transport</p> <p>6 them to the station together?</p> <p>7 A Yes.</p> <p>8 Q All right. Having looked at all these</p> <p>9 documents related to Mr. Carter, are you still unable to</p> <p>10 remember Mr. Carter?</p> <p>11 A I am unable to remember him.</p> <p>12 Q Okay. And you don't remember any of the three</p> <p>13 arrests that we looked at reports for, correct?</p> <p>14 A I do not, no.</p> <p>15 Q You do not -- no, you don't remember?</p> <p>16 A I don't remember.</p> <p>17 Q Okay. I just wanted to make sure you didn't</p> <p>18 say, I don't know if I can't remember?</p> <p>19 A No, I -- I don't remember.</p> <p>20 Q I don't remember. Okay. Do you know that</p> <p>21 Sandra Berry says that she was falsely arrested on May</p> <p>22 19, 2006?</p> <p>23 A I'm not aware of that.</p> <p>24 Q Okay. Do you disagree with her claim that she</p> <p>25 was false arrested?</p>	<p style="text-align: right;">Page 212</p> <p>1 A He was arrested.</p> <p>2 Q Okay. But -- but I just want to be clear. You</p> <p>3 don't have any independent recollection of Mr. Carter,</p> <p>4 correct?</p> <p>5 A Independent recollection? No. But based on</p> <p>6 the reports that I've seen.</p> <p>7 Q Right.</p> <p>8 A And based on the -- the totality of all the</p> <p>9 information that I've seen, and the reports that I've</p> <p>10 seen, this subject was arrested lawfully, and there was</p> <p>11 no ill or false arrest of this individual.</p> <p>12 Q And that's because you trust the report that</p> <p>13 was prepared by your team members, right?</p> <p>14 A I trust the report that this -- these</p> <p>15 individual were arrested lawfully.</p> <p>16 Q Okay. Is there something other than the</p> <p>17 reports that you're relying on, to say that Mr. Carter</p> <p>18 is a drug dealer?</p> <p>19 A Other than he was arrested for narcotics.</p> <p>20 Q Okay. So somebody who was arrested three</p> <p>21 times for narcotics is a drug dealer, correct?</p> <p>22 A In my experience, yes.</p> <p>23 Q Do you remember being interviewed by the</p> <p>24 Civilian Office of Police Accountability?</p> <p>25 A Yes.</p>
<p style="text-align: right;">Page 211</p> <p>1 A I do.</p> <p>2 Q Why do you disagree?</p> <p>3 A She was lawfully arrested.</p> <p>4 Q And how do you know that she was lawfully</p> <p>5 arrested?</p> <p>6 A Based on the report that I've seen, that</p> <p>7 actually -- the information is factual.</p> <p>8 Q So you -- you trust your team members who</p> <p>9 prepared the reports; is that right?</p> <p>10 A Yes.</p> <p>11 Q Okay. And do you know that Mr. Carter says he</p> <p>12 was falsely arrested, in the three arrests that we</p> <p>13 looked at?</p> <p>14 A Yes.</p> <p>15 Q Okay. Do you disagree with that?</p> <p>16 A Yes.</p> <p>17 Q Why do you disagree with that?</p> <p>18 A He was lawfully arrested.</p> <p>19 Q That's -- again, you're relying on the reports</p> <p>20 of your team members?</p> <p>21 A Yes. I mean, he was a drug dealer. He was</p> <p>22 illegally selling narcotics --</p> <p>23 Q Okay. How do you --</p> <p>24 A -- at the location where he was arrested.</p> <p>25 Q And how do you know that?</p>	<p style="text-align: right;">Page 213</p> <p>1 Q Okay. Did they ever ask you about Mr. Carter?</p> <p>2 A If they did, I don't remember.</p> <p>3 Q All right. I'm ready to turn to the -- the</p> <p>4 next one. Is it okay to keep going?</p> <p>5 MR. BAZAREK: Yep.</p> <p>6 Q All right. Do you remember the arrest of --</p> <p>7 MR. KOSOKO: Joel, could I have one minute</p> <p>8 please? Just real quick.</p> <p>9 MR. FLAXMAN: Just one minute?</p> <p>10 MR. KOSOKO: Yeah, just one minute. I'll be</p> <p>11 right back.</p> <p>12 MR. FLAXMAN: Sure.</p> <p>13 COURT REPORTER: Did we want to officially go</p> <p>14 off the -- oh, you're back. Okay.</p> <p>15 MR. KOSOKO: Thank you.</p> <p>16 MR. FLAXMAN: Okay to keep going?</p> <p>17 MR. KOSOKO: Yeah.</p> <p>18 MR. BAZAREK: Yep.</p> <p>19 (CONFIDENTIAL PORTION III REDACTED)</p> <p>20 Q All right. The next exhibit is exhibit -- is</p> <p>21 Lewis Exhibit 4. I actually want to suggest that we</p> <p>22 look at Lewis Exhibit 5 first. Can you pull that one</p> <p>23 up?</p> <p>24 (PLAINTIFF'S LEWIS EXHIBIT 4 MARKED FOR</p> <p>25 IDENTIFICATION)</p>