

Exhibit 9



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

☎ 877.808.5856 | 502.589.2273

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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

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10 IN RE: WATTS COORDINATED
11 PRETRIAL PROCEEDINGS
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23 DEPONENT: KENNETH YOUNG JUNIOR
24 DATE: DECEMBER 15, 2021
25 REPORTER: KORTNEY CHASE

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1 and then we'll come back to Mr. Starr's completion of
 2 his questioning after I'm done. Do you understand that?
 3 A Yes.

4 Q Okay. And you understand that like Mr. Starr,
 5 I represent some of the plaintiffs in these coordinated
 6 proceedings?

7 A Yes.

8 Q All right. The first person I want to ask you
 9 about is a man named William Carter. Do you have a
 10 recollection of William Carter?

11 A I do not have a recollection.

12 Q Okay. Did you review any documents about
 13 William Carter to prepare for today's deposition?

14 A Just the arrest report and the case report.

15 Q Okay. Did you see an arrest report that you
 16 prepared about Mr. Carter?

17 A No. I see an arrest report that I -- that
 18 Mohammed prepared.

19 Q Okay. And did you review more than one arrest
 20 report related to Mr. Carter?

21 A I'd have to go back and look and see. I've
 22 seen so many documents.

23 Q Well, I'll go through the documents one by
 24 one, but I -- it's fair to say you looked at more than
 25 one report about William Carter, correct?

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1 A Yes.

2 Q Okay. And having reviewed the reports that
 3 you reviewed, it did not refresh your recollection about
 4 William Carter, correct?

5 A Correct.

6 Q Okay. Well, let me then ask you to look at
 7 the exhibit that is marked as Carter Exhibit 1, which is
 8 the arrest report from March 3, 2004.

9 (PLAINTIFF'S CARTER EXHIBIT 1 MARKED FOR
 10 IDENTIFICATION)

11 A Okay.

12 Q So you have it in front of you at the top of
 13 the exhibit, it says Plaintiff's Exhibit Carter 1?

14 A Yes.

15 Q Okay. Do you recognize this as an arrest
 16 report of the Chicago Police Department?

17 A Yes.

18 Q Okay. And is your name listed on this report?

19 A It's in box two.

20 Q Okay. And --

21 A Well, what would be considered box two.

22 Q Okay. It's considered two. Does it also have
 23 the number 45?

24 A Yes.

25 Q And then it says -- and it also says, "Second

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1 arresting officer"?

2 A Yes.

3 Q And is the box that's numbered 44, "First
 4 arresting officer," considered box one?

5 A We would consider that box one of the officers
 6 -- that's the arrest -- the number one officer that will
 7 be going to court. So we, even though it's 44, we --
 8 box one or box two.

9 Q Okay. Was there ever a form that had the
 10 number one in it or was it just always the way you
 11 referred to it?

12 A Number one is always going to be the
 13 offender's name.

14 Q Okay. And which police officer is listed in
 15 the box one?

16 A Well, box 44 would be Kallat Mohammed.

17 Q Okay. And is it your -- I'm sorry, let me
 18 start that again. Was Officer Mohammed your partner?

19 A That particular day, if I'm -- based on the --
 20 based on this report.

21 Q And at this time in 2004, was it the practice
 22 that the officer who was listed in box one was the
 23 officer who prepared the arrest report?

24 A Yes.

25 Q And that was also the officer who was expected

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1 to testify if necessary?

2 A Yes.

3 Q Do you recognize the signature above Officer
 4 Mohammed's name?

5 A Do I recognize it?

6 Q Yes.

7 A No.

8 Q Okay. When you were completing reports and
 9 you were in box one, was it your practice to sign your
 10 name above that?

11 A Yes.

12 Q Okay. But you just don't know Officer
 13 Mohammed's signature to say whether this is his or not,
 14 right?

15 A I do not.

16 Q Okay. The -- going back up to the top of this
 17 report, it's actually a little hard to read the name. Do
 18 you see that it says, "Carter," up there at the top?

19 A Yes.

20 Q Okay. And underneath that, there's a box for
 21 alias or nickname. Do you see that?

22 A Yes.

23 Q And do you see that it says, "Yayo," Y-A-Y-O?

24 A Yes.

25 Q When you prepared reports, how would you

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1 determine if an arrestee had an alias or a nickname?
 2 A That's what he would provide.
 3 Q Would you say to the arrestee, do you have an
 4 alias or a nickname?
 5 A Yes.
 6 Q Was there ever a situation where you knew that
 7 an arrestee had an alias or a nickname?
 8 A Yes.
 9 Q And could you remember when that happened?
 10 A No.
 11 Q Did you ever -- was there ever some kind of
 12 record of nicknames that you might use?
 13 A I don't remember.
 14 Q I mean, there wasn't like a database on the
 15 computer that you recall using?
 16 A Only what the subject provided upon arrest.
 17 Q Okay. And this form of arrest report, it is a
 18 form that you have experience completing, right?
 19 A Yes.
 20 Q Even though you didn't complete this one,
 21 right?
 22 A Yes.
 23 Q Let me just quickly ask you about -- starting
 24 at box number 27, "Location code for nature of
 25 premises." Do you see that?

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1 A Yes.
 2 Q Okay. Do you know what the code 122 means?
 3 A One of the codes given for CHA properties, or
 4 related to CHA in some way.
 5 Q In the box next to that, box 28 for, "Beat of
 6 arrest." And it says, "212"; is that right?
 7 A Yes.
 8 Q What does a beat of arrest mean?
 9 A The district is set up by beats and the arrest
 10 was made on that particular beat, 212.
 11 Q Okay. Is a beat -- well, I see that lower
 12 down next Officer Mohammed's name is listed beat,
 13 "4512C." Do you see that?
 14 A Yes.
 15 Q Do you know why there's two different beats
 16 listed?
 17 A There's a beat of occurrence, which would be
 18 the beat 212.
 19 Q I see.
 20 A For the district -- within the district, there
 21 are call signs or beats. Like in this particular case,
 22 this is a public housing unit and that was our call sign
 23 4512 Charlie, or beat 4512 Charlie.
 24 Q Okay. So the 4512 Charlie refers to the
 25 officers, the 212 refers to the location; is that right?

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1 A Yes.
 2 Q Okay. The next box to the right is the date
 3 of arrest and time of arrest. I don't need to ask you
 4 about that. The next to that is, "Arrestee
 5 transported." Do you see that?
 6 A Yes.
 7 Q Okay. And the first one is, "To unit," and
 8 it's -- I believe it's a, "002"; is that right?
 9 A Yes.
 10 Q What does that mean?
 11 A Second District.
 12 Q Meaning that's where the arrestee was taken
 13 physically; is that right?
 14 A He was transported to the Second District.
 15 Q Okay. The Second District is a building where
 16 he was transported, right?
 17 A It's a police facility, yes.
 18 Q Okay. I just want -- I mean, it could also be
 19 cover the area around that building, right?
 20 A No. The Second District is located at 5101
 21 South Wentworth. It's a physical police facility.
 22 Q Okay. And so what this means is that the
 23 arrestee was transported to that physical police
 24 facility, correct?
 25 A Correct.

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1 Q And then the -- next to that, it says by,
 2 "Beat 4512 Charlie," meaning that the arrestee was
 3 transported by officers with that beat number?
 4 A Yes.
 5 Q And then next to that is the time of, "1905
 6 hours." And does that mean the arrestee was transported
 7 at about that time?
 8 A That's what it says, yes.
 9 Q And would you have completed that part of --
 10 well, do you have experience completing this part of the
 11 arrest report?
 12 A Of this particular arrest report?
 13 Q No.
 14 A Or any other arrest report?
 15 Q No, no, no. And I don't -- I don't want to
 16 get us tripped up. Do you have experience completing
 17 other arrest reports, where you put the information in
 18 this section about arrestee transport?
 19 A Yes.
 20 Q And what time would you use in that section?
 21 A The time that that subject was transported.
 22 Q Meaning the time that the arrestee arrived at
 23 the police station?
 24 A No, the time that that subject was transported
 25 from one location to another.

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1 Q Okay. Meaning that -- so if he left the scene
 2 of arrest and arrived at the police station 10 minutes
 3 later, you would put in the time that he left the scene
 4 of arrest?

5 A Yes.

6 Q Okay. At this time in 2004, was there a
 7 police substation at the Ida B. Wells homes?

8 A March 2004 -- yes, there was. Yes. Yes.

9 Q And when your team made arrests, was it the
 10 practice to bring an arrestee to that substation first?

11 A Yes.

12 Q And would the arrestee then be brought to the
 13 Second District?

14 A Yes.

15 Q And was that because there was a lockup at the
 16 Second District and they had to go there to be
 17 processed?

18 A Yes.

19 Q If an arrestee was arrested on the scene at
 20 one time, taken to the substation another time, taken to
 21 the Second District another time, which time would you
 22 put in the box for arrestee transported time?

23 A If he's taken from the location of processing
 24 of the arrest itself and transported to lockup, that
 25 time would be put in.

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1 Q Which one? The time of arrest or the time of
 2 the lockup for processing?

3 A The transporting time.

4 Q And I just want to make sure I'm
 5 understanding. Do you mean the time that he was
 6 arrested on the scene and left that area?

7 A No. The time -- no, the time that he was
 8 transported from one police facility to another. That
 9 time is put on there.

10 Q Okay. And so if an arrestee is arrested on
 11 the scene at time one, taken to the substation at time
 12 two, and then taken to the second district at time
 13 three, which time goes in the box for arrestee
 14 transported time?

15 A The last time that you see recorded.

16 Q Meaning the time that he arrived at District
 17 Two?

18 A The time that he's transported from the Wells
 19 Station to --

20 Q Oh, okay.

21 A -- the Second District.

22 Q Okay. And when you were the one preparing a
 23 report, would you do it at the substation or at the
 24 Second District?

25 A It would be done at the substation.

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1 Q Let me ask you to take a look at the next
 2 exhibit that's marked as Plaintiff's Exhibit Carter 2.
 3 (PLAINTIFF'S CARTER EXHIBIT 2 MARKED FOR
 4 IDENTIFICATION)

5 COURT REPORTER: Mr. Flaxman, really quick. Did
 6 you want to actually mark these as exhibits, like 69
 7 and 70 or...

8 MR. FLAXMAN: No, these are premarked. So I'd
 9 --

10 COURT REPORTER: Okay.

11 MR. FLAXMAN: -- like to just use the --

12 COURT REPORTER: Yeah.

13 MR. FLAXMAN: -- markings on them already.

14 COURT REPORTER: Uh-huh. Sorry about that.

15 MR. BAZAREK: This is --

16 MR. FLAXMAN: That's all right.

17 MR. BAZAREK: -- this is Plaintiff's Exhibit
 18 Carter 2?

19 MR. FLAXMAN: Yes.

20 MR. BAZAREK: Yeah.

21 MR. FLAXMAN: And that should be at the top of
 22 the page that the witness has.

23 A Okay.

24 BY MR. FLAXMAN:

25 Q Do you recognize this as a vice case report?

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1 A Yes.

2 Q And is this for the arrest of William Carter
 3 on March 3, 2004?

4 A That's what it says.

5 Q Okay. Do you see your name listed on this
 6 arrest -- on this vice case report?

7 A I do.

8 Q And are you listed as the second reporting
 9 officer here?

10 A Yes.

11 Q And is Officer Mohammed listed as the first
 12 reporting officer?

13 A He is.

14 Q And Sergeant Watts is listed as the
 15 supervisor?

16 A He is.

17 Q Okay. Is that your signature under your name
 18 at the bottom?

19 A It is.

20 Q Was it your practice to review a report before
 21 signing it?

22 A Yes, and sometimes I did, and sometimes I
 23 didn't.

24 Q How would you decide whether to review it or
 25 not?

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1 A Nothing -- nothing -- if I wasn't going to
 2 court, then sometimes I would review it after the fact,
 3 but at that time, I wouldn't always review it.

4 Q Do you know if the police department procedure
 5 required you to review it before signing it?

6 A That I'm not sure about.

7 Q Okay. Do you recognize the signature under
 8 Officer Mohammed's name?

9 A It's a signature -- but looks like I signed
 10 it.

11 Q Do you know why you signed Officer Mohammed's
 12 name?

13 A Probably asked him did he want me to sign it
 14 and I -- did he -- did he want me to sign it? He said,
 15 yes.

16 Q Are you able to tell who wrote the narrative
 17 that's contained in this report?

18 A I don't know.

19 Q Could it have been you or Officer Mohammed?

20 A Mohammed is in box one, so more than likely he
 21 was probably the one to write the narrative.

22 Q Okay. Do you recognize the signature under
 23 Sergeant Watts' name?

24 A It -- that is probably his signature.

25 Q Can you say for sure that's his signature, or

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1 A Yes.

2 Q And, you know, now that I've asked you a few
 3 questions about the arrest report and the vice case
 4 report, are you still unable to remember the arrest of
 5 William Carter on March 3, 2004?

6 A No.

7 Q No, meaning you still don't have a memory of
 8 it, correct?

9 A I do not -- no, I do not.

10 Q Okay. Do you recall responding to a citizen
 11 complaint about this arrest?

12 A I do not.

13 Q Okay. Let me ask you to look at -- oh, you
 14 know what? We marked Exhibit 3. Why don't you look at
 15 Carter Exhibit 3 first before we move to that. Do you
 16 have that in front of you?

17 (PLAINTIFF'S CARTER EXHIBIT 3 MARKED FOR
 18 IDENTIFICATION)

19 A Yes.

20 Q And that should be three pages with mugshots.

21 A Yep.

22 Q And the first page says it's a -- mugshots of
 23 Carter William. Do you see that?

24 A Yes.

25 Q Okay. Does looking at those pictures refresh

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1 you don't know?

2 A Just based on what the report said, I can --
 3 just assume that it was his signature.

4 Q Let me just ask you to go to the second page
 5 where the narrative continues. Are you looking at that
 6 now?

7 A Yes.

8 Q And there's a sentence on the third to last
 9 line that begins, "The offender was advised." Do you see
 10 that?

11 A Yes.

12 Q Okay. And it -- I'll just read that sentence.
 13 "The offender was advised of his legal rights, placed
 14 into custody, and taken into Unit 715 along with all of
 15 the recovered items for processing and inventory." Did
 16 I read that right?

17 A Yes.

18 Q Okay. What's Unit 715?

19 A The Wells station -- Wells substation.

20 Q Okay. And that's what we talked about when we
 21 were looking at the first report, correct?

22 A Yes.

23 Q Okay. And based on looking at the other
 24 report, this arrestee was taken to the second district
 25 after being taken to the Wells substation, right?

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1 your recollection about Mr. Carter?

2 A It does not.

3 (CONFIDENTIAL PORTION II REDACTED)

4 Q Okay. The next exhibit is the full CR file,
 5 but I don't have any questions about that. So I'm going
 6 to ask you to move on to what's marked as Carter Exhibit
 7 6.

8 (PLAINTIFF'S CARTER EXHIBIT 6 MARKED FOR
 9 IDENTIFICATION)

10 A Uh-huh.

11 MR. BAZAREK: Hey, Joe, what's the -- so what
 12 report are we looking for?

13 MR. FLAXMAN: All right. So this is the arrest
 14 report dated June 18, 2004.

15 MR. BAZAREK: Okay. Oh, that's -- yeah. He's
 16 not looking at the CR. Look at -- put the CR to the
 17 side. Yeah.

18 THE WITNESS: Here's a case report. I don't
 19 have a 6.

20 MR. FLAXMAN: You don't have an arrest report
 21 dated --

22 MR. BAZAREK: Yeah.

23 MR. FLAXMAN: -- June 18th?

24 MR. MICHALIK: Bill, If it helps, it's page 120
 25 out of the 145 pages.

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

<p style="text-align: right;">Page 198</p> <p>1 Do you have a copy of that one?</p> <p>2 (PLAINTIFF'S CARTER EXHIBIT 8 MARKED FOR</p> <p>3 IDENTIFICATION)</p> <p>4 A Yep.</p> <p>5 Q And do you recognize that as a mugshot of</p> <p>6 William Carter?</p> <p>7 A That's what it says.</p> <p>8 Q Okay. Do you recognize the man depicted in</p> <p>9 Carter Exhibit 8?</p> <p>10 A I do not recognize him.</p> <p>11 Q Okay. Can you please take a look at the next</p> <p>12 exhibit, Carter Exhibit 9?</p> <p>13 (PLAINTIFF'S CARTER EXHIBIT 9 MARKED FOR</p> <p>14 IDENTIFICATION)</p> <p>15 A Okay.</p> <p>16 Q And do you recognize this as the arrest report</p> <p>17 of Jamon Walker on June 18, 2004?</p> <p>18 A Yes.</p> <p>19 Q And we saw from the vice case report that your</p> <p>20 name was listed in relation to the arrest of Mr. Walker,</p> <p>21 right?</p> <p>22 A On the vice case report, I'm listed as one of</p> <p>23 the officers, either assisting, or witnessing, or -- or</p> <p>24 a victim on this particular incident.</p> <p>25 Q Okay. And that's this -- that's the same</p>	<p style="text-align: right;">Page 200</p> <p>1 Q Okay. And again, this is related to the -- I</p> <p>2 mean, this is the same arrest that's on that vice case</p> <p>3 report, which listed you as having some involvement,</p> <p>4 right?</p> <p>5 A Yes.</p> <p>6 Q Okay. Does looking at this arrest report help</p> <p>7 you recall what your involvement was?</p> <p>8 A It does not.</p> <p>9 Q And the last exhibit about this is Carter</p> <p>10 Exhibit 12. Do you have that?</p> <p>11 (PLAINTIFF'S CARTER EXHIBIT 12 MARKED FOR</p> <p>12 IDENTIFICATION)</p> <p>13 A Yes.</p> <p>14 Q And do you -- does that state that it's the</p> <p>15 rap sheet for Roy Tate?</p> <p>16 A On the first page of it, yes.</p> <p>17 Q Okay. And does, does just looking at that</p> <p>18 picture refresh your recollection about Mr. Tate?</p> <p>19 A It does -- it does not.</p> <p>20 Q Let me ask you to look at what's marked as</p> <p>21 Carter Exhibit 13, please.</p> <p>22 (PLAINTIFF'S CARTER EXHIBIT 13 MARKED FOR</p> <p>23 IDENTIFICATION)</p> <p>24 A Yes.</p> <p>25 Q And do you recognize that as an arrest report</p>
<p style="text-align: right;">Page 199</p> <p>1 incident that is on this arrest report. It's marked as</p> <p>2 Exhibit 9, right?</p> <p>3 A May 4th [sic], right? Yes.</p> <p>4 Q Does looking at the arrest report refresh your</p> <p>5 recollection about these arrests?</p> <p>6 A None.</p> <p>7 Q Okay. And do you have a Carter Exhibit 10 in</p> <p>8 front of you?</p> <p>9 (PLAINTIFF'S CARTER EXHIBIT 10 MARKED FOR</p> <p>10 IDENTIFICATION)</p> <p>11 A Yes.</p> <p>12 Q And is that the first page of the rap sheet</p> <p>13 for Jamon Walker?</p> <p>14 A Yes.</p> <p>15 Q Okay. Does looking at his picture refresh</p> <p>16 your recollection at all?</p> <p>17 A No.</p> <p>18 Q Let me ask you to look at Carter Exhibit 11.</p> <p>19 (PLAINTIFF'S CARTER EXHIBIT 11 MARKED FOR</p> <p>20 IDENTIFICATION)</p> <p>21 A Okay.</p> <p>22 Q And do you recognize that as the arrest report</p> <p>23 of Roy C. Tate, Junior, from June 18, 2004?</p> <p>24 A It states that it's the arrest report for Roy</p> <p>25 Tate.</p>	<p style="text-align: right;">Page 201</p> <p>1 of William F. Carter on May 19, 2006?</p> <p>2 A It's a printout, yes.</p> <p>3 Q And this is a different format for an arrest</p> <p>4 report, right?</p> <p>5 A The -- I think this is probably when it all</p> <p>6 went computerized.</p> <p>7 Q So sometime between 2004 and 2006, reports</p> <p>8 started being computerized?</p> <p>9 A Yes.</p> <p>10 Q If you go all the way to the last page of this</p> <p>11 arrest report, page 5 of five -- do you see that you're</p> <p>12 listed as an assisting arresting officer?</p> <p>13 A Yes.</p> <p>14 Q And do you see that Officer Mohammed is also</p> <p>15 listed as an assisting arresting officer?</p> <p>16 A Yes.</p> <p>17 Q Have you -- did you review this report before</p> <p>18 the deposition?</p> <p>19 A I did.</p> <p>20 Q Okay. And do you have any recollection of</p> <p>21 this arrest from May 19, 2006?</p> <p>22 A I do not.</p> <p>23 Q Okay. Are you able to say why you're listed</p> <p>24 as an assisting arresting officer?</p> <p>25 A I do not.</p>

<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>

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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.

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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.

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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.

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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 3 and females together.</p> <p>4 Q Okay. If -- if there were two males arrested 5 at the same time, would it be appropriate to transport 6 them to the station together?</p> <p>7 A Yes.</p> <p>8 Q All right. Having looked at all these 9 documents related to Mr. Carter, are you still unable to 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 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 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 21 Sandra Berry says that she was falsely arrested on May 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 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 3 don't have any independent recollection of Mr. Carter, 4 correct?</p> <p>5 A Independent recollection? No. But based on 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 9 information that I've seen, and the reports that I've 10 seen, this subject was arrested lawfully, and there was 11 no ill or false arrest of this individual.</p> <p>12 Q And that's because you trust the report that 13 was prepared by your team members, right?</p> <p>14 A I trust the report that this -- these 15 individual were arrested lawfully.</p> <p>16 Q Okay. Is there something other than the 17 reports that you're relying on, to say that Mr. Carter 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 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 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 5 arrested?</p> <p>6 A Based on the report that I've seen, that 7 actually -- the information is factual.</p> <p>8 Q So you -- you trust your team members who 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 12 was falsely arrested, in the three arrests that we 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 20 of your team members?</p> <p>21 A Yes. I mean, he was a drug dealer. He was 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 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 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 11 right back.</p> <p>12 MR. FLAXMAN: Sure.</p> <p>13 COURT REPORTER: Did we want to officially go 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 21 Lewis Exhibit 4. I actually want to suggest that we 22 look at Lewis Exhibit 5 first. Can you pull that one 23 up?</p> <p>24 (PLAINTIFF'S LEWIS EXHIBIT 4 MARKED FOR 25 IDENTIFICATION)</p>