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

ANGELO SHENAULT SR.,	)	
	)	
Plaintiff,	)	
v.	)	
	)	Judge Steven C. Seeger
CITY OF CHICAGO, RONALD WATTS, PHILLIP CLINE, DEBRA KIRBY, BRIAN BOLTON, ROBERT GONZALEZ, ALVIN JONES, MANUEL LEANO, LAMONICA LEWIS, KALLATT MOHAMMED, DOUGLAS NICHOLS JR., JOHN RODRIGUEZ, ELSWORTH J. SMITH JR., and KENNETH YOUNG JR.,	)	No. 18-cv-3477
Defendants.		

DEFENDANT KALLATT MOHAMMED'S AMENDED ANSWER TO PLAINTIFF'S COMPLAINT

Defendant Kallatt Mohammed ("Mohammed"), by and through one of his attorneys, Special Assistant Corporation Sean M. Sullivan of Mohan Groble Scolaro, P.C., respectfully submits his Amended Answer to Plaintiff Angelo Shenault, Sr.'s Complaint, and states as follows: his attorneys, Ravitz & Palles, P.C., respectfully submits his answer to Plaintiff Angelo Shenault Sr.'s Complaint. In so answering, Mohammed states the following:

1. 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.

I. Parties

2. Plaintiff Angelo Shenault Sr. 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.

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

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

4. Defendants Ronald Watts, Brian Bolton, Robert Gonzalez, Alvin Jones, Manuel Leano, Lamonica Lewis, Kallatt Mohammed, Douglas Nichols Jr., and Elsworth Smith 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 admits that he was employed by the City of Chicago as a police officer during certain time periods alleged in plaintiff's Complaint and admits that he acted within the scope of his employment at those times. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

5. 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 the allegations contained in this paragraph.

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

II. Overview

7. Plaintiff Angelo Shenault Sr. 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 denies each of the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient

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

8. 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 term "Gang." Without waiver, Defendant Mohammed denies each of the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

9. Several other victims of the Watts Gang are currently prosecuting federal lawsuits. *Baker v. City of Chicago*, No. 16-cv-8940; *White v. City of Chicago*, No. 17-cv-2877; *Powell v. City of Chicago*, No. 17-cv-5156; *Carter v. City of Chicago*, No. 17-cv-7241; *Shenault Jr. v. City of Chicago*, Case Number Pending, Shenault Jr. v. City of Chicago, Case Number Pending.

ANSWER: Defendant Mohammed objects to the undefined term "Gang." Without waiver, Defendant Mohammed admits that numerous federal civil cases filed by other individuals were previously coordinated for pretrial proceedings under the caption In Re: Watts Coordinated Pretrial Proceedings, 19-CV-01717. Defendant Mohammed denies each of the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

10. 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 terms "Gang" and "criminal enterprise." Without waiver, Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks

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

11. 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 terms "Gang" and "criminal enterprise." Without waiver, Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

12. Watts Gang officers twice arrested plaintiff without probable cause, fabricated evidence against him, and framed him for drug possession, causing him to serve more than one year in custody.

ANSWER: Defendant Mohammed objects to the undefined term "Gang". Without waiver, Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

13. Based on the powerful evidence that has become known about the Watts Gang's nearly decade-long criminal enterprise, on February 13, 2018, the Circuit Court of Cook County granted the State's motions for a new trial and dismissed both charges against plaintiff.

ANSWER: Defendant Mohammed objects to the undefined and vague nature of the allegation; specifically, the use of the words "powerful," "Gang" and "criminal enterprise." Without waiver, Defendant Mohammed lacks sufficient information upon which to form a belief as to the truth of the allegations contained in this paragraph.

14. The Circuit Court of Cook County granted plaintiff certificates of innocence on March 15, 2018.

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

15. Plaintiff 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 admits plaintiff brings this lawsuit to seek money damages for alleged injuries he claims to have suffered. Defendant Mohammed denies he caused any injury to plaintiff, denies any allegation of misconduct or other wrongdoing alleged herein, and, therefore, denies plaintiff is entitled to money damages or any other relief whatsoever.

III. False Arrest and Illegal Prosecution of Plaintiff

16. On October 29, 2004, plaintiff was arrested by defendants Bolton, Gonzalez, Jones, Mohammed, Rodriguez, Watts, and Young (the "October 29, 2004 Arresting Officers") inside his apartment in the Ida B. Wells Homes.

ANSWER: Upon information and belief, Defendant Mohammed admits that plaintiff was arrested but lacks sufficient information upon which to form a belief as to the truth of the allegations contained in this paragraph.

17. At the time of plaintiff's arrest:

a. None of the October 29, 2004 Arresting Officers had a warrant authorizing the arrest of plaintiff;
b. None of the October 29, 2004 Arresting Officers believed that a warrant had been issued authorizing the arrest of plaintiff;

c. None of the October 29, 2004 Arresting Officers had observed plaintiff commit any offense; and

d. None of the October 29, 2004 Arresting Officers had received information from any source that plaintiff had committed an offense.

ANSWER: Upon information and belief, Defendant Mohammed admits the allegation contained in subparagraph (a) of this paragraph. Defendant Mohammed denies the allegations contained in subparagraphs (b)-(d) of this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in subparagraphs (b)-(d) of this paragraph as they apply to other defendants.

18. After arresting plaintiff, the October 29, 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: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

19. The false story fabricated by the October 29, 2004 Arresting Officers included their false claim that they had arrested plaintiff after seeing him in a common area of the building holding a plastic bag containing drugs.

ANSWER: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

20. The acts of the October 29, 2004 Arresting Officers in furtherance of their scheme to frame plaintiff included the following:

a. One or more of the October 29, 2004 Arresting Officers prepared police reports containing the false story, and each of the other October 29, 2004 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;

b. One or more of the October 29, 2004 Arresting Officers attested through the official police reports that they witnessed the false story, and each of the other October 29, 2004 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;

c. Defendant Watts formally approved one or more of the official police reports, knowing that they contained the false story; and

d. One or more of the October 29, 2004 Arresting Officers communicated the false story to prosecutors, and each of the other October 29, 2004 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights.

ANSWER: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him, including subparagraphs (a)-(d). 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 wrongful acts of the October 29, 2004 Arresting Officers were 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: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

22. Plaintiff was charged with drug possession because of the wrongful acts of the October 29, 2004 Arresting Officers.

ANSWER: Defendant Mohammed admits that Plaintiff was charged with a drug offense. Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

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

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

24. Accordingly, even though he was innocent, plaintiff, pleaded guilty to drug possession on December 8, 2004, and received a three-year prison sentence.

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

25. Plaintiff was deprived of liberty during his incarceration because of the above-described wrongful acts of the October 29, 2004 Arresting Officers.

ANSWER: Defendant Mohammed denies he engaged in the wrongful acts alleged by plaintiff and, therefore, denies the allegations contained in this paragraph as directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

26. Plaintiff was continuously in custody from his arrest on October 29, 2004 until he was released on parole from the Illinois Department of Corrections on October 27, 2005.

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

IV. The Second False Arrest and Illegal Prosecution of Plaintiff

27. On November 26, 2006 plaintiff was arrested by defendants Bolton, Gonzalez, Jones, Leano, Lewis, Mohammed, Nichols, and Smith (the "November 26, 2006 Arresting Officers") while he was lawfully standing outside of the Ida B. Wells Homes. At the time of plaintiff's arrest:

a. None of the November 26, 2006 Arresting Officers had a warrant authorizing the arrest of plaintiff;

b. None of the November 26, 2006 Arresting Officers believed that a warrant had been issued authorizing the arrest of plaintiff;

c. None of the November 26, 2006 Arresting Officers had observed plaintiff commit any offense; and

d. None of the November 26, 2006 Arresting Officers had received information from any source that plaintiff had committed an offense.

ANSWER: Upon information and belief, Defendant Mohammed admits that plaintiff was arrested. Upon information and belief, Defendant Mohammed admits the allegation contained in subparagraph (a) of this paragraph. Defendant Mohammed denies the

allegations contained in subparagraphs (b)-(d) of this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in subparagraphs (b)-(d) of this paragraph as they apply to other defendants.

28. After arresting plaintiff, the November 26, 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, and to cause plaintiff to be wrongfully detained and prosecuted.

ANSWER: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

29. The false story fabricated by the November 26, 2006 Arresting Officers included their false claim that they had arrested plaintiff after seeing him throw a Cheetos bag containing drugs to the ground.

ANSWER: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

30. The acts of the November 26, 2006 Arresting Officers in furtherance of their scheme to frame plaintiff included the following:

a. One or more of the November 26, 2006 Arresting Officers prepared police reports containing the false story, and defendant Watts and each of the other November 26, 2006 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;

b. One or more of the November 26, 2006 Arresting Officers attested through the official police reports that they witnessed the false story, and defendant Watts and each of the other November 26, 2006 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;

c. Defendant Watts formally approved one or more of the official police reports, knowing that they contained the false story; and

d. One or more of the November 26, 2006 Arresting Officers communicated the false story to prosecutors, and defendant Watts and each of the other November

26, 2006 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights.

ANSWER: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him, including subparagraphs (a)-(d). Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

31. The wrongful acts of the November 26, 2006 Arresting Officers and defendant Watts were 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: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

32. Plaintiff was charged with drug possession because of the wrongful acts of defendant Watts and the November 26, 2006 Arresting Officers.

ANSWER: Defendant Mohammed admits that Plaintiff was charged with a drug offense. Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

33. Plaintiff knew that proving that the November 26, 2006 Arresting Officers had concocted the charges against him would not be possible.

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

34. Accordingly, even though he was innocent, plaintiff, pleaded guilty to drug possession on March 28, 2007, and received a fifteen month prison sentence.

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

35. Plaintiff was deprived of liberty during his incarceration because of the above-described wrongful acts of defendant Watts and the November 26, 2006 Arresting Officers.

ANSWER: Defendant Mohammed denies he engaged in the wrongful acts alleged by plaintiff and, therefore, denies the allegations contained in this paragraph as directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

36. Before pleading guilty, plaintiff was in custody for 12 days and subjected to home confinement for several months.

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

37. After pleading guilty on March 28, 2007, plaintiff was continuously in custody until he was released on parole from the Illinois Department of Corrections on June 11, 2007.

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

V. Plaintiff's Exonerations

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

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

39. On February 13, 2018, the Circuit Court of Cook County granted the State's motion to set aside plaintiff's convictions; immediately thereafter, the Court granted the State's request to nolle prosequi both cases.

ANSWER: Upon information and belief, Defendant Mohammed admits that plaintiff's conviction was vacated but lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

40. On March 15, 2018, the Circuit Court of Cook County granted plaintiff two certificates of innocence.

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

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

41. 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 denies that he engineered plaintiff's arrest, detention or prosecution or engaged in any in the conduct alleged 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.

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

ANSWER: Defendant objects to the undefined "civilian complaints" referenced. Subject to and without waiver, Defendant Mohammed lacks sufficient information upon which to form a belief as to the truth of the allegations contained in this paragraph.

43. 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 undefined term "Gang". Without waiver, Defendant Mohammed denies that he engineered plaintiff's arrest, detention or prosecution or engaged in any in the conduct alleged 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.

44. 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 undefined term "Gang". Without waiver, Defendant Mohammed denies that he engineered plaintiff's arrest, detention or prosecution or engaged in any in the conduct alleged 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.

45. 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 undefined term "gang". Without waiver, Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

46. 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 term "gang". Without waiver, Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

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

ANSWER: Defendant Mohammed objects to the undefined term "gang". Without waiver, Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

48. 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 term "gang". Without waiver, Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

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

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

ANSWER: Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

A. Failure to Discipline

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

51. Before plaintiff's arrest, 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: Defendant Mohammed lacks sufficient information upon which to form a belief as to the truth of the allegations contained in this paragraph.

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

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

ANSWER: Defendant Mohammed objects to the undefined term "Gang." Without waiver, Defendant Mohammed denies he engineered plaintiff's arrest, detention or prosecution or engaged in the conduct alleged 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.

54. 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 term "gang." Without waiver, Defendant Mohammed denies he engineered plaintiff's arrest, detention or prosecution or engaged in the conduct alleged 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.

B. Code of Silence

55. 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 denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

56. 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 denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

57. 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 that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

58. 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 terms "Gang" and "gang". Without waiver, Defendant Mohammed denies the allegations contained in this paragraph

that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

59. 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 term "gang". Without waiver, Defendant Mohammed denies that he abused citizens or engaged in the conduct alleged 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.

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

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

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

ANSWER: Defendant Mohammed lacks sufficient information upon which to form a belief as to the truth of the allegations contained in Paragraph 62.

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

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

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

65. 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 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.

66. 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 allegation contained in this paragraph.

67. Defendant Watts pleaded guilty in 2013.

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

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

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

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

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

72. 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: Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

73. 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 term "gang." Without waiver, Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

VIII. Claims

74. 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 denies the allegations contained in this paragraph.

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

ANSWER: Defendant Mohammed makes no answer to the allegations contained in this paragraph which are not directed against him. To the extent any allegation contained in this paragraph can be said to be directed against him, said allegation is denied.

76. Plaintiff hereby demands trial by jury.

ANSWER: Defendant Mohammed admits that Plaintiff demands 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. Defendant Mohammed cannot be held liable for Plaintiff's 42 U.S.C. § 1983 claims unless he individually caused or participated in an alleged constitutional deprivation because

individual liability for damages under 42 U.S.C. § 1983 is predicated upon personal responsibility. *See Wolf-Lillie v. Sonquist*, 699 F.2d 864, 869 (7th Cir. 1983).

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.

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.

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 him, Defendant Mohammed is absolutely immune from liability. *Rehberg v. Paulk*, 132 S. Ct. 1497 (2012); *Briscoe v. LaHue*, 460 U.S. 325, 330-31, 103 S. Ct. 1108, 1113 (1983); *Jurgensen v. Haslinger*, 295 Ill. App. 3d 139, 141-42, 692 N.E.2d 347, 349-50 (3d Dist. 1998)

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 Angelo Shenault, Jr. 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/ Sean M. Sullivan
SEAN M. SULLIVAN
Special Assistant Corporation Counsel

Eric S. Palles
Sean M. Sullivan
Yelyzaveta (Lisa) Altukhova
Mohan Groble Scolaro, P.C.
55 W. Monroe St., Suite 1600
Chicago, IL 60603
(312) 422-9999
epalles@mohangroble.com
ssullivan@mohangroble.com
laltukhova@mohangroble.com
Counsel for Defendant Kallatt Mohammed

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2025, I caused the foregoing Defendant Kallatt Mohammed's Amended Answer to Plaintiff's 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/ Sean M. Sullivan
Special Assistant Corporation Counsel
One of the attorneys for Kallatt Mohammed