

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

Goleather Jefferson,)	
)	
<i>Plaintiff</i>)	
)	No. 18-cv-8182
-vs-)	
)	<i>(Jury Demand)</i>
City of Chicago, Ronald Watts, Phillip)	
Cline, Debra Kirby, Alvin Jones, Manuel)	
Leano, Kallatt Mohammed, Douglas)	
Nichols, Jr., and Elsworth J. Smith Jr.,)	
)	
)	
<i>Defendants</i>)	

ANSWER

Plaintiff, by counsel, alleges as follows:

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: Ronald Watts admits plaintiff's complaint purports to assert claims pursuant to federal statutes and Illinois law that seek to invoke the jurisdiction of this court.

I. Parties

2. Plaintiff Goleather Jefferson is a resident of the Northern District of Illinois.

ANSWER: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 2.

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

ANSWER: Ronald Watts admits the allegations contained in paragraph 3.

4. Defendants Ronald Watts, Alvin Jones, Manuel Leano, Kallatt Mohammed, Douglas Nichols, Jr., and Elsworth J. 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: Ronald Watts admits that on September 12, 2006, Ronald Watts, Alvin Jones, Manuel Leano, Kallatt Mohammed, Douglas Nichols, Jr., and Elsworth J. Smith Jr. were police officers employed by the City of Chicago. The plaintiff has failed to specify what period constitute “all times relevant,” thus Ronald Watts is without knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations 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: The plaintiff has failed to specify what period constitute “all times relevant,” thus Ronald Watts is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations 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: The plaintiff has failed to specify what period constitute “all times relevant,” thus Ronald Watts is without knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations in this paragraph.

II. Overview

7. Plaintiff Goleather Jefferson 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

8. As of the date of filing, fifty individuals who were framed by the Watts Gang have had their convictions vacated by the Circuit Court of Cook County.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

9. Several of these other victims of the Watts Gang are currently prosecuting federal lawsuits. Pursuant to an order of the Court's Executive Committee dated July 12, 2018, these cases have been coordinated for pretrial proceedings with the lead case *Baker v. City of Chicago*, 16-cv-8940.

ANSWER: Ronald Watts admits only that pursuant to an order of the Court's Executive Committee dated July 12, 2018, certain cases have been coordinated for pretrial proceedings with the lead case *Baker v. City of Chicago*, 16-cv-8940. Ronald Watts denies that the plaintiffs in said cases were "victims" or that a "Watts Gang" existed.

10. The Executive Committee's Order states that additional cases, such as this one, filed with similar claims and the same defendants shall be part of these coordinated pretrial proceedings.

ANSWER: Admit.

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

12. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

13. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

14. Watts Gang officers arrested Jefferson without probable cause, fabricated evidence against him, and framed him for drug possession, a charge for which he served about six months.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

15. Based on the powerful evidence that has become known about the Watts Gang's nearly decade-long criminal enterprise, the Circuit Court of Cook County has vacated plaintiff's conviction and granted him a certificate of innocence.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

16. Goleather Jefferson 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

III. False Arrest and Illegal Prosecution of Plaintiff

17. On September 12, 2006, plaintiff was arrested by the individual officer defendants in a common area of a building at the Ida B. Wells Homes.

ANSWER: Plaintiff has failed to identify which of the individual officer defendants arrested him and arrest is a legal conclusion thus Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

18. At the time of plaintiff's arrest:

- a. None of the individual officer defendants had a warrant authorizing the arrest of plaintiff;

- b. None of the individual officer defendants believed that a warrant had been issued authorizing the arrest of plaintiff;
- c. None of the individual officer defendants had observed plaintiff commit any offense; and
- d. None of the individual officer defendants had received information from any source that plaintiff had committed an offense.

ANSWER: Based on information and belief, Ronald Watts admits subsection a, b, and d. Based on information and belief Ronald Watts denies the allegations in subsection c and demands strict proof thereof.

19. After arresting plaintiff, the individual officer defendants 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

20. The false story fabricated by the individual officer defendants included their false claim that *they had arrested plaintiff after seeing him holding United States currency in one hand and four bags of drugs in the other hand.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

21. The acts of the individual officer defendants in furtherance of their scheme to frame plaintiff included the following:

- a. One or more of the individual officer defendants prepared police reports containing the false story, and each of the other individual officer defendants failed to intervene to prevent the violation of plaintiff's rights;
- b. One or more of the individual officer defendants attested through the official police reports that they witnessed the false story, and each of the other individual officer defendants 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 individual officer defendants communicated the false story to prosecutors, and each of the other individual officer defendants failed to intervene to prevent the violation of plaintiff's rights.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

22. The wrongful acts of the individual officer defendants 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

23. Plaintiff was charged with a drug offense because of the wrongful acts of the individual officer defendants.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

24. Plaintiff knew that proving that the individual officer defendants had concocted the charges against him would not be possible.

ANSWER: Ronald Watts denies that the charges were concocted and demands strict proof thereof.

25. Accordingly, even though he was innocent, plaintiff, pleaded guilty to one charge of drug possession on October 30, 2006, and received a sentence of twenty four

months probation. Plaintiff later violated his probation and was sentenced to one year of imprisonment on January 11, 2008.

ANSWER: Based on information and belief, Ronald Watts admits that plaintiff admitted guilt to drug possession on October 30, 2006 and received a sentence of twenty four months' probation. Plaintiff later violated his probation and was sentenced to one year of imprisonment on January 11, 2008. Based on information and belief, Ronald Watts denies that plaintiff was innocent.

26. Plaintiff was deprived of liberty during his incarceration because of the above-described wrongful acts of the individual officer defendants.

ANSWER: Ronald Watts denies that the individual officer defendants committed any wrongful acts that deprived plaintiff of his liberty.

27. Plaintiff was continuously in custody from his arrest on September 12, 2006 until he was sentenced to probation on October 30, 2006.

ANSWER: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 27.

28. Plaintiff served additional time in custody before he received his one-year prison sentence on January 11, 2008, for which he was confined in the Illinois Department of Corrections from January 14, 2008 until he paroled out on March 17, 2008.

ANSWER: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 28.

IV. Plaintiff's Exoneration

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

30. On September 24, 2018, the Circuit Court of Cook County granted the State's motion to set aside plaintiff's conviction; immediately thereafter, the Court granted the State's request to *nolle prosequi* the case.

ANSWER: Admit.

31. On November 2, 2008, the Circuit Court of Cook County granted plaintiff a certificate of innocence.

ANSWER: Admit.

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

32. Before the Watts Gang engineered plaintiff's above-described wrongful arrest, detention, and prosecution, 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

34. Before the Watts Gang engineered plaintiff's above-described wrongful arrest, detention, and prosecution, 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

35. Defendants Cline and Kirby also knew, before the Watts Gang engineered plaintiff's above-described wrongful arrest, detention, and prosecution, 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

37. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

39. 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 arrest, detention, and prosecution of plaintiff, as described above.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

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

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

A. Failure to Discipline

41. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

42. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 42.

43. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 43.

44. Before the Watts Gang engineered plaintiff's above-described wrongful arrest, detention, and prosecution, the individual officer defendants had been the subject of numerous formal complaints of official misconduct.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

45. 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 arrest, detention, and prosecution of plaintiff, as described above.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

B. Code of Silence

46. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

47. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

48. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

49. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

50. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

51. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 51.

52. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 52.

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

55. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in this paragraph.

56. 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: Ronald Watts pled guilty to theft of government funds based on evidence from an undercover operation involving a cooperating witness working with the FBI. Ronald Watts denies the remaining allegations in this paragraph.

57. Defendant Mohammed pleaded guilty in 2012.

ANSWER: Admit.

58. Defendant Watts pleaded guilty in 2013.

ANSWER: Admit.

59. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 59.

60. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 60.

61. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 61.

62. 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: Ronald Watts lacks knowledge or information sufficient to form a belief as to the truth or falsity the allegations in paragraph 62.

63. 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 arrest, detention, and prosecution described above.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

64. 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 arrest, detention, and prosecution of plaintiff, as described above.

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

VII. Claims

65. 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: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

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

ANSWER: Ronald Watts denies the allegations in this paragraph and demands strict proof thereof.

67. Plaintiff hereby demands trial by jury.

ANSWER: Ronald Watts admits plaintiff's complaint includes a jury demand.

WHEREFORE. . .

AFFIRMATIVE DEFENSES

1. Plaintiff's arrest was reasonable and therefore satisfies the Fourth Amendment and Fourteenth Amendment where it was reasonable to believed Plaintiff had committed a crime.
2. Plaintiff cannot establish that Ronald Watts had the requisite level of personal involvement in is arrest and prosecution.
3. Plaintiff's claims in the complaint are barred by the applicable statutes of limitations.
4. Plaintiff's claims in the complaint are barred by the doctrines of *res judicata* and collateral estoppel.
5. Ronald Watts is entitled to qualified immunity.
6. Ronald Watts is absolutely immune for any testimony he may have given in Plaintiff's underlying criminal case.
7. To the extent any injuries or damages claimed by Plaintiff were proximately caused, in whole or in part, by negligent, willful, wanton and/or wrongful conduct on the part of Plaintiff as reflected in the public record, including but not limited to police reports, any verdict or judgment obtained by Plaintiff must be reduced to any amount commensurate with the degree of fault attributed to Plaintiff by the jury in this case
8. To the extent plaintiff failed to mitigate any of his claimed injuries or damages, any verdict or judgment obtained by plaintiff must be reduced by

application of the principle that a plaintiff has a duty to mitigate his or her damages.

Defendant, RONALD WATTS, respectfully requests that this Honorable Court enter judgment in his favor and against the Plaintiff, and further requests any additional relief that this Honorable Court deems equitable and just.

Defendant reserves the right to amend his existing affirmative defenses, and/or assert additional affirmative defenses, as more information becomes available during the course of discovery.

JURY DEMAND

The Defendant requests a trial by jury.

Respectfully submitted, this 30th day of

August 2021

/s/ Ahmed A. Kosoko
Special Assistant Corporation Counsel
One of the attorneys for Ronald Watts

Ahmed A. Kosoko
JOHNSON & BELL, LTD.
33 W. Monroe, Ste. 2700
Chicago, Illinois 60603
Tel: (312) 372 0770
Fax: (312) 372-9818

CERTIFICATE OF SERVICE

I, Ahmed Kosoko, an attorney, hereby certify that, on August 30, 2021, I electronically filed the foregoing RONALD WATTS' ANSWER AND AFFIRMATIVE DEFENSES TO PLAINTIFF'S COMPLAINT with the Court's CM/ECF system, which sent electronic notification of the filing on the same day to all counsel of record.

/s/ Ahmed Kosoko