

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

Khalid Ali,)
)
 Plaintiff,)
) No. 19-cv-00022
 -vs-)
)
 City of Chicago, Chicago Police) (Judge Chang)
 Officers Nora Valdes, #8413, John)
 K. Kelyana, #7717, and Lieutenant)
 Kevin D. Reppen, #355,)
)
)
 Defendants.)

PLAINTIFF'S LOCAL RULE 56.1(b) STATEMENT

Plaintiff submits the following pursuant to Local Rule 56.1(b):

1. Plaintiff Khalid Ali ("Plaintiff") brought this action pursuant
to 42 U.S.C. § 1983. See Plaintiff's Second Amended Complaint
("Complaint") ECF. No. 26, attached hereto as Exhibit A, ¶ 1. The
Court has original jurisdiction of this action pursuant to 28
U.S.C. § 1333 & 1337. *Id.*

Response: Agreed.

2. Plaintiff filed his Complaint, which is the operative complaint, on July 11, 2019 against Defendants alleging that he was deprived of his rights secured by the Fourth and Fourteenth Amendments to the Constitution of the United States. *Id.* at ¶ 29.

Response: Agreed.

3. Plaintiff's Complaint alleges that he was wrongfully arrested and detained overnight based upon an arrest warrant issued by a court in DuPage County. Id. ¶¶ 5-28.

Response: Objection: Plaintiff's legal theories, which are discussed in his memorandum, are not "material facts."

4. Plaintiff's Complaint alleges that although his name is the same as the person identified in the warrant, Defendants failed to take the appropriate steps to verify that Plaintiff was the subject of the warrant. Id. According to Plaintiff, had Defendants taken the

appropriate steps, they would have discovered that Plaintiff was not subject of the warrant. Id.

Response: Objection: Plaintiff's legal theories, which are discussed in his memorandum, are not "material facts."

5. During his deposition, Plaintiff explicitly stated that he was told by some unknown officers that they could not accept his money to post bond and that he would have to go to court. See Exhibit C at 34:5-20, 41:5-20.

Response: Disputed as to "unknown officers." (Ali Dep. 34:5-13, ECF 79-3 at 11) (police officer with the blue shirt); Ali Dep. 34:14-20 (tall officer with white shirt); (Ali Dep. 41:17-20, ECF 79-3 at 12) ("police officer with the uniform, he told me [we cannot take money here, so you have to go to court] while the white shirt police officer was there").

6. At all times relevant, Defendants were employed by the City of Chicago as sworn police officers, were acting in their official capacity within the scope of their employment, and under color of law. Id. at ¶ 4.

Response: Agreed.

7. On June 12, 2017, a judge in the Circuit Court of the Eighteenth Judicial Circuit of DuPage County in the State of Illinois issued a body attachment for indirect civil contempt directed at an individual named Khalid Ali. (hereinafter "warrant"). See Warrant for the arrest of Khalid Ali, attached hereto as Ex. B, See Exhibit A at ¶¶5-9.

Response: Agreed.

8. On April 15, 2018, Plaintiff was driving his vehicle on Michigan Avenue when he committed an illegal U-turn. See Exhibit A at ¶ 10. See Deposition of Khalid Ali, attached hereto as Exhibit C at 16:10-18. See Deposition of Defendant Valdes, attached hereto as Exhibit D at 5:21-24, 6:1-9. See Traffic Ticket, attached hereto as Exhibit E.

Response: Agreed.

9. On April 15, 2018, Defendant Valdes, who was on routine patrol at that time, observed Plaintiff make the illegal U-Turn and initiated a traffic stop of Plaintiff's vehicle for the purposes of issuing a traffic citation. See Exhibit D at 5:18-24, 6:1-15. 8:1-10.

Response: Agreed.

10. During the traffic stop Plaintiff provided his driver's license to Defendant Valdes. See Exhibit C at 19:16-22; See Exhibit D at

7:14-17. See Body Camera Video, attached hereto as Exhibit J-1 at 2:00-2:12.

Response: Agreed,

11. During the traffic stop, Defendant Valdes conducted a routine Law Enforcement Agencies Data System (hereinafter "LEADS") inquiry by inputting the information on Plaintiff's driver's license into her squad car's computer. See Exhibit D at 13:4-7. See Exhibit A at ¶ 9; See Exhibit J-1 at. 2:12-9:04.

Response: Disputed. Valdes did not make a LEADS query during the traffic stop; she asked the dispatcher to do a check on plaintiff's driver's license number. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, at 4 minutes and 29 seconds after she turned on her recorder. See Plaintiff's Exhibit 1 at 2.) The LEADS query was made at 2:35 p.m. on April 15, 2018. (LEADS Report, ECF No. 79-8 at 2.) Valdes left the scene of the traffic stop at 2:24 p.m., 45 minutes and 13 seconds after she began recording at 1:39 p.m. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10.)

12. LEADS is a nationwide database containing the status of driver's licenses and other information, including active warrants. See Deposition of Defendant Vogt, attached hereto as Exhibit F at 18:18-22, 47:14-17; See Deposition of 30(b) (6) Witness, Curtis G. Mullenix, attached hereto as Exhibit G at 24:1-24-26:1-9.

Response: Objection: This contention is not supported by the cited material. Lieutenant Vogt explained his understanding of the information contained in LEADS, as appears in the cited portion of his deposition: "The issuing agency, as I understand it, when a warrant is issued in a court, they put it into a national database with all the particular information of the person who is wanted." (Vogt Dep. 18:18-22, ECF 79-6 at 6.) Vogt also stated his understanding of the person who inputs the information into the LEADS report: "As I understand it, it is the issuing court system." (Vogt Dep. 47:16-18, ECF 79-6 at 13.) Nothing in the cited material shows that Vogt has personal knowledge of LEADS.

Lieutenant Mullenix testified in the cited portion of his deposition in response to the question: "How do you determine if the person shown you have in custody is the person sought in the warrant?" (Mullenix Dep. 24:3-5, ECF No. 79-7 at 12.) Nothing in Mullenix's lengthy answer (Mullenix Dep. 24:6-26:9, ECF No. 79-7 at 12-13) provides any information about LEADS.

13. When a warrant is issued by a court, the issuing court puts that warrant as well as the person's identifying information into

LEADS. See Exhibit F at 18:18-22, 47:14-17; See Exhibit G at 24:1-26:9.

Response: Objection: This contention is not supported by the cited material. Nothing in the record shows that the court, rather than the Sheriff, places warrant information into LEADS. See *Vasquez v. Will Cty. Sheriff's Office*, No. 18 C 3137, 2019 WL 4189477, at *1 (N.D. Ill. Sept. 4, 2019) ("The Will County Sheriff's Office is the agency that enters all warrants issued in Will County into the LEADS system, and it is responsible for editing and deleting those warrants as necessary.")

14. The results of that LEADS inquiry indicated that there was an active warrant for Plaintiff's arrest issued by DuPage County for contempt of court; See Exhibit D at 13:4-7, 14:6-7; See LEADS Report, attached hereto as Exhibit H; See Exhibit A at ¶16.

Response: Disputed. The LEADS query was made at 2:35 p.m. on April 15, 2018. (LEADS Report, ECF No. 79-8 at 2.) Valdes left the scene of the traffic stop at 2:24 p.m., 45 minutes and 13 seconds after she began recording at 1:39 p.m. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10.) All that Valdes knew while she was at the scene was that plaintiff "may have a warrant." (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10 at 5:48, Plaintiff's Exhibit 1 at 2.)

15. The LEADS report contained the same identifying information that is on Plaintiff's driver's license, which included the same: name, date of birth, driver's license number, sex, height, and hair and eye color. See Exhibit H; See Exhibit C at 9:11-17; See Exhibit A at ¶ 11; See Exhibit F at 16:15-24; See Exhibit D at 8:15- 24 See Plaintiff's Arrest Report, attached hereto as Exhibit I at 1; See Exhibit E.

Response: Disputed insofar as this paragraph is a contention that the LEADS report was available to defendants during the traffic stop. The LEADS query was made at 2:35 p.m. on April 15, 2018. (LEADS Report, ECF No. 79-8 at 2.) Valdes left the scene of the traffic stop at 2:24 p.m., 45 minutes and 13 seconds after she began recording at 1:39 p.m. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10.)

16. During the traffic stop, Defendant Valdes attempted further to verify that Plaintiff was the subject of the warrant by calling DuPage County who would not release the information to her over the phone. See Exhibit D at 17:7-18; See Exhibit J-1 at 9:19-14:49; 15:52-16:30; 18:56-23:00, 24:05-25:00.

Response: Agreed.

17. During the traffic stop, to further to verify that Plaintiff was the subject of the warrant several additional LEADS inquiries

were made again. See Exhibit D at 17:15-22; See J-1 at 16:30-21:00, 24:05-25:00, 26:00-32:00.

Response: Disputed. Valdes did not make a LEADS inquiry while at the scene. The first LEADS inquiry was initiated at 2:45 p.m., after Valdes arrived at the police station with plaintiff. See response to paragraph 11 above. The cited portion of the deposition of Defendant Valdes (Valdes Dep. 17:15-22, ECF N. 79-4 at 6) does not provide any evidence of a LEADS inquiry. The same is true for the cited excerpts of the bodycam recording. For example, Valdes states as follows at 24 minutes into the recording:

Hey. Okay. I need your help. Okay. So I stopped this fucking cabbie. He comes back with a possible warrant. Dispatch told me to call Dupage. Dupage says they can't tell me anything over the phone. [inaudible]

(Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10; Plaintiff's Exhibit 1 at 8.)

18. If a LEADS inquiry returns results of an active warrant the police officer usually calls OEMC to verify that the information that they inputted for the LEADS inquiry matches the information that OEMC has. See Exhibit G at 24:1-26:9.

Response: Objection. Valdes did not make a LEADS inquiry while at the scene. See Response to Contention 17. Evidence about what an officer "usually" does is not material.

19. During the traffic stop, Defendant Valdes attempted further to verify that Plaintiff was the subject of the warrant by contacting a dispatcher to confirm the warrant and informed the dispatcher that she was not able to receive information directly from DuPage County. See Exhibit D at 17:23-18:1; See J-1 at 14:49-15:52, 24:05-25:00.

Response: Agreed.

20. During the traffic stop, Defendant Kelyana arrived on scene to assist Defendant Valdes. See Exhibit D at 30:8-9; See Deposition of John Kelyana, attached hereto as Exhibit L at 7:5-16; See Exhibit J-1 at 28:29; See Body Camera Video, attached hereto as Exhibit J-2 at 00:01- 00:29.

Response: Agreed.

21. Based upon the information she received from LEADS and to further investigate the warrant, Defendant Valdes arrested Plaintiff at approximately 1:42 pm and transported him to the eighteenth district police station at 2:25 pm. Exhibit D at 22:17-

24, 23:1-7, 29:17-22; 52:19-22; See Exhibit I at 1,4; See Exhibit H; See Exhibit J-1 at 40:00-44:00.

Response: Disputed. Valdes did not receive any information from LEADS at the scene of the traffic stop. See response to paragraph 11 above. **Objection:** This contention is not material because plaintiff does not challenge his detention before he arrived at the police station.

22. The bottom of the LEADS response states "confirm with ORA." See Exhibit H.23. "Confirm with ORA" means that the officer should confirm the information contained in the LEADS response with the originating agency. See Deposition of Kevin Reppen, attached hereto as Exhibit K at 13:16-24, 17:1.

Response: Disputed as to "should." Reppen testified "To my knowledge, it [confirm with ORA] means confirm with the originating agency." (Reppen Dep. 13:23-14:1, ECF No. 79-11 at 5.) **Objection:** This contention is not material because plaintiff does not challenge his detention before he arrived at the police station.

24. To "confirm with ORA" an officer provides the LEADS desk with the information contained in the initial response from the LEADS inquiry in order to confirm that the results were accurate. See *Id.* at 14:5-10.

Response: Objection for lack of foundation: Reppen did not explain the basis for his "understanding." (Reppen Dep. 14:5, ECF No. 79-11 at 5.)

25. It is the responsibility of the person at the LEADS desk to contact the originating agency to confirm the validity of the LEADS response. See *Id.* at 14:16-24, 15:1-3.

Response: Objection for lack of foundation: Reppen did not explain the basis for his "understanding." (Reppen Dep. 14:16, ECF No. 79-11 at 5.)

26. Defendant Vogt received a facsimile of the warrant on April 15, 2018. *Id.* at 18:1-6.

Response: Agreed.

27. The top portion of the warrant contains Plaintiff's name as the person that is the subject of the warrant, and the bottom portion of the warrant contains an address, weight and date of birth, and an inch height that differs from the information on Plaintiff's driver's license. See Exhibit B. See Exhibit H; See Exhibit C at 9:11-17; See Exhibit A at ¶ 11; See Exhibit F at 16:15-24; See Exhibit D at 8:15- 24; I at 1; See Exhibit E.

Response: Agreed.

28. The warrant did not contain an I.R. number. *Id.*; See Exhibit F at 19:14- 20:1-4. An I.R. number is a record that identifies an

individual by their fingerprints and other demographics. See Exhibit F at 20-15.

Response: Agreed.

29. The warrant set a cash bond for \$150 and states that if bond is not able to be posted then arrestee should be taken before any judge within 24 hours following the arrest. See Exhibit B.

Response: Agreed.

30. [a] Defendant Vogt only looked at the name on the top portion of the warrant [b] because he believed that the LEADS printout accurately reflected the content of the warrant. See Exhibit F at 18:1-17.

Response: [a] Agreed.

[b] Objection: Vogt's subjective beliefs are not relevant to plaintiff's Fourth Amendment claims.

31. Neither Defendant Kelyana, Defendant Valdes, nor Defendant Reppen ever saw a copy of the actual warrant. See Exhibit L at 11:11-13, 12:15-19; See Exhibit D at 32:3-7, 42:18-21; See Exhibit K at 7:7-16.

Response: Disputed. (Ali Dep. 33:6-14, ECF No. 79-3 at 10) ("everyone was seeing" the warrant). Ali Dep. (47:11-21, ECF No. 79-3 at 14) (uniformed officers and two white shirt officers asking questions indicative of having seen the warrant).

32. At the police station, Defendant Kelyana contacted a representative from LEADS to confirm that the warrant for Plaintiff's arrest was valid. See Exhibit D at 31:19-32:1-2, 37:14-16; See Exhibit L at 10:19-24; 11:1-10; See Declaration of John Keylana, attached hereto as Exhibit M at ¶ 3.

Response: Objection: The Court should strike the Declaration of John Kelyana as an impermissible "patch-up" declaration, as plaintiff explains in his memorandum in opposition to the motion for summary judgment. Plaintiff does not otherwise dispute this contention.

33. The representative from LEADS did not tell Defendant Kelyana that the warrant had to be confirmed with DuPage County. See Exhibit L at 11:11-13, 12:15-19; See Exhibit D at 32:3-7.

Response: Objection. While information received by Kelyana might be relevant, the fact that the LEADS desk may not have provided specific information is not material.

34. Defendant Valdes wrote the arrest report and traffic citation for Plaintiff. See Exhibit D at 31:19-22, 37:17-18, 44:20-45:1; See Exhibit I at 3; See Exhibit E.

Response: Agreed.

35. The arrest report was completed at approximately 4:11 p.m. See Exhibit I at 3; See Exhibit D at 14:16; See Exhibit L at 13:11-14.

Response: Agreed.

36. Defendant Valdes submitted the completed arrest report to her supervisor, Defendant Reppen, for his review and approval. See Exhibit D at 37:23-24; 38:1-1-12; See Exhibit K at 5:8-20; Exhibit F at 39:12-13; See Exhibit I at 3.

Response: Agreed.

37. Defendant Reppen was working as watch operations commander at the time Plaintiff was brought to the police station on April 15, 2018. See Exhibit K at 4:24, 5:8-12.

Response: Agreed.

38. At 4:14 pm, Defendant Reppen approved the initial approval of probable cause to arrest Plaintiff pursuant to the warrant. See Exhibit I at 3; See Exhibit K at 5:5-20.

Response: Agreed.

39. The initial approval of probable cause to arrest Plaintiff was determined by reviewing the arrest report submitted to Defendant Reppen by the arresting officers and determining whether there was probable cause to detain Plaintiff pending the outcome of his processing. See Exhibit K at 5:8-20.

Response: Disputed. (Ali Dep. 47:11-21, ECF No. 79-3 at 14) (Reppen is one of the two white shirt officers who asked plaintiff questions indicative of having seen the warrant, which had arrived at the police station at 3:04 p.m., as appears in the fax header on the warrant, ECF No. 79-2 at 2.)

40. Plaintiff was received in lockup at 4:19 p.m. See Exhibit I at 4. See Exhibit D at 40:10-12.

Response: Agreed.

41. Plaintiff's booking photo was taken at 4:25 pm and his fingerprints were taken at 4:29 pm. See Exhibit I at 4.

Response: Agreed.

42. On April 15, 2018, Defendant Vogt was the Desk Sergeant on duty. See Exhibit F at 4:12-14, 8:18-9:1

Response: Agreed.

43. Defendant Vogt conducted the final approval of charges against Plaintiff at approximately 7:01 p.m. See Exhibit F at 12: 9-16, 16:11-14.

Response: Agreed.

44. Defendant Vogt approved the final charges based upon the LEADS report that he received which named Plaintiff as the person that was the subject of the warrant and that had all of Plaintiff's identifying information. *Id.* at 16:22-24, 17:1. See Declaration of Vincent Vogt attached hereto as Exhibit Q at ¶4.

Response: Objection: The Court should strike the "patch-up" declaration of Vogt for the reasons set out in plaintiff's memorandum in opposition to summary judgment. Otherwise, disputed: (Ali Dep. 47:11-21, ECF No. 79-3 at 14) (Vogt is one of the two white shirt officers who asked plaintiff questions indicative of having seen the warrant, which had arrived at the police station at 3:04 p.m., as appears in the fax header on the warrant, Warrant, ECF No. 79-2 at 2.)

45. [a] Defendant Vogt relied upon the LEADS printout [b] because it contained all of Plaintiff's identifying information and he therefore believed that it accurately reflected the information contained in the warrant. *Id.* at 16:22-24, 17:1-6; See Exhibit Q at ¶4.

Response: [a] Agreed.

[b] Objection: Vogt's subjective beliefs are not relevant to plaintiff's Fourth Amendment claims.

46. Plaintiff was arrested for the first time on April 15, 2018, therefore, he had no fingerprints on record or an I.R. number prior to his arrest on April 15, 2018. See Exhibit C at 28:16-23; 67:9-10; 77:12-14; See Exhibit G at 20:11-24 See Exhibit F at 6-15. See Plaintiff's Criminal History Report attached hereto as Exhibit N.

Response: Agreed.

47. Final approval of probable cause for an arrest on a warrant cannot occur until the fingerprints clear through the system, because fingerprints determine if the person arrested is the person that is subject of the warrant. See Exhibit F at 43:19-44:2. See Exhibit G at 37:12-21.

Response: Disputed. (Chicago Police Department Special Order S06-01, II(B)5, Plaintiff's Exhibit 2) (station supervisor may waive results of fingerprint check).

48. Defendant Vogt does not have a recollection as to what time the fingerprints cleared. See Exhibit F at 44:2-5.

Response: Agreed.

49. [a] Plaintiff had the cash to post bond, however, [b] Plaintiff was not entitled to post bond until the processing of his arrest is complete and [c] a court date is issued for his appearance. See Exhibit F at 11:12-22, 48:17-49:5; See Exhibit J-1 at 40:00-40:42; See Exhibit J-2 at 00:40-58.

Response: [a] Agreed.

[b] Agreed.

[c] This contention is not supported by any written rule or regulation of the Chicago police department. (Mullenix Dep. 32:11-13, ECF No. 79-7 at 32.) Lieutenant Mullenix, testifying as a Rule 30(b)(6) witness, claimed that there was such a rule, but he was unable to explain the basis for that belief. (Mullenix Dep. 35:20-36:4, ECF No. 79-7 at 15.)

50. The processing of Plaintiff's arrest was not complete until after 7:00 p.m. See Exhibit F at 11:12-22.

Response: Agreed.

51. On April 15, 2018, the courts would have been closed at approximately 4 p.m. and prior to 5 p.m. See Exhibit F at 48:23-49:24.

Response: Objection: This contention is not supported by the cited material. Vogt stated that he did not attempt to obtain a court date for plaintiff. (Vogt Dep. 24:23-24:2, ECF No. 79-6 at 7.)

52. Defendant Kelyana told Plaintiff that he believed he would be able to post bond. See Exhibit L at 15:21-23; See Exhibit L at C at 25:18-26:9; See Exhibit J-1 at 40:00-40:42; See Exhibit J-2 at 00:40-58.

Response: Agreed.

53. Defendant Vogt does not have a recollection that Plaintiff was not permitted to post bond on April 15, 2018. See Exhibit F at 11:12-22

Response: Vogt's claims of lack of recollection is immaterial and this contention should be stricken.

54. Defendant Valdes, Defendant Kelyana, and Defendant Reppen [a] did not tell Plaintiff he would not be able to post bond and [b] had no involvement in any decision of whether Plaintiff would be permitted to post bond. See Exhibit M at ¶4. [c] Nor did Defendant Valdes or Defendant Kelyana have the authority to permit or refuse a bond to be posted by or on behalf of an arrestee. See Exhibit M at ¶4; See Declaration of Nora Valdes attached hereto as Exhibit O at ¶3; See Declaration of Kevin Reppen attached hereto as Exhibit P at ¶4; See Exhibit D at 38:4-39:8; See Exhibit J-1 at 39:20-

39:36, 40:00-40:42; See Exhibit J-2 at 00:40-58; See Exhibit K at 5:21-23.

Response: [a] Objection: what these defendants told plaintiff about posting bond is not material to the questions at issue on summary judgment. Plaintiff also objects to the impermissible “patch-up” declarations for the reasons set out in plaintiff’s memorandum in opposition to summary judgment.

[b] Disputed. Valdes and Kelyana had the power to release plaintiff at the traffic stop.

[c] Agreed.

55. The Circuit Court of Cook County of Illinois General Administrative Order No. 2015-06 (hereinafter “Circuit Court Policy”) provides that “Defendants taken into custody by an arresting agency located within Cook County on an arrest warrant issued by an Illinois state court outside of Cook County shall be required to appear in bond court in the appropriate district or division of this court.” See Exhibit K at 5:21- 6:2; See Exhibit G at 16:14-17:6, 21:19-22:4, 22:17-23:1; See Exhibit F at 50:6-23. See Circuit Court Policy attached hereto as Exhibit R.

Response: Agreed.

56. All arresting agencies are required to comply with the Circuit Court Policy. See Exhibit R.

Response: Disputed. “The GAO is not equivalent to a court order and violation of the GAO is not punishable by contempt of court.” *Alcorn v. City of Chicago*, No. 17 C 5859, 2018 WL 3614010, at *8 (N.D. Ill. July 27, 2018).

57. Plaintiff was held in custody overnight. See Exhibit C 56:15-17.

Response: Agreed.

58. The morning of April 16, 2018 at 6:25, Plaintiff was transported to a Cook County court and released on bond and given a date to appear in court in DuPage County. See Exhibit C 58:3-59:4, 60: 17-62:12, 64:10-66:18; See Exhibit I at 4.

Response: Agreed.

59. Plaintiff appeared in court in DuPage County on the warrant and the court determined that Plaintiff was not the subject of the warrant and his bond was returned to him. See Exhibit C at 71:10-73:24. See Receipt from Clerk of the 18th Judicial Circuit Court DuPage County, IL attached hereto as Exhibit S; See Circuit Court of the Eighteenth Judicial Circuit of DuPage County in the State of Illinois Court Order attached hereto as Exhibit T.

Response: Agreed.

60. [a] Defendant Vogt had no involvement or contact with Plaintiff after my (sic) tour of duty ended on April 15, 2018 and [b] had no involvement in any claims regarding the warrant on which Plaintiff was held. See Exhibit Q at ¶5.

Response: [a] Agreed.

[b] Disputed. Vogt made a decision to detain plaintiff. See Response to Contentions 44-45 above.

61. On April 15, 2018, [a] Defendant Valdes and Defendant Keylana had no involvement or contact with Plaintiff after his arrest was processed and [b] had no involvement in any claims regarding the warrant on which Plaintiff was held. See Exhibit O at ¶5; See Exhibit M at ¶5. See Exhibit 39:6-11, 40:7-12

Response: [a] Agreed.

[b] Plaintiff is unable to respond to this contention because the meaning of “had no involvement in any claims regarding the warrant on which Plaintiff was held” is unclear. Valdes and Keylana were responsible for detaining plaintiff at the scene of the arrest for nearly 45 minutes and thereafter at the police station.

62. On April 15, 2018, [a] Defendant Reppen had no personal contact with Plaintiff and [b] had no involvement in any claims regarding the warrant on which Plaintiff was held. See Exhibit P at ¶5.

Response: [a] Agreed.

[b] Disputed. Reppen made a decision to detain plaintiff. See Contention 38 above.

63. On April 15, 2018, Defendant Reppen’s only involvement in Plaintiff’s arrest was administrative in nature. See Exhibit P at ¶3.

Response: The Court should strike the “patch-up” declaration. Plaintiff is unable to respond to this contention because the meaning of “administrative in nature” is unclear. Otherwise: Disputed. Reppen made a decision to detain plaintiff. See Contention 38 above (“At 4:14 pm, Defendant Reppen approved the initial approval of probable cause to arrest Plaintiff pursuant to the warrant.”)

64. On April 15, 2018, Defendant Vogt’s only involvement in Plaintiff’s arrest was administrative in nature. See Exhibit Q at ¶3; 8:18-9:1

Response: The Court should strike the “patch-up” declaration. Plaintiff is unable to respond to this contention because the meaning of “administrative in nature” is unclear. Otherwise: Disputed. Vogt made a decision to detain plaintiff on the warrant. See Contentions 44-45 above.

Plaintiff's Additional Facts

1. Defendant Chicago Police Officer Nora Valdes stopped plaintiff, who was driving a Chicago taxicab, for making an illegal U-turn on April 15, 2018 at about 1:39 p.m. when she began recording on her bodycam. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10.)

2. The interactions between plaintiff and defendants Valdes and Kelyana during the traffic stop are preserved on the officers' body cameras, filed by defendants in digital format as Exhibit J, ECF 79-10, and transcribed (as an aid to the Court) as Plaintiff's Exhibit 1.

3. Defendants Valdes and Kelyana inspected plaintiff's valid Illinois driver's license and determined that he lived in the City of Chicago at a specified address in the 5000 block of North Harding Avenue, that he had been born on a specified date in April of 1972, that he was five feet eight inches tall, and that he weighed 200 pounds. (Answer to Amended Complaint, admitting ¶ 11, ECF No. 32 at 3.) Plaintiff also provided Valdes with his City of Chicago Chauffeur's license. (Ali Dep. 19:18-22, ECF No. 79-3 at 7; Plaintiff's Exhibit 3, frame grab of AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10.)

4. Defendant Valdes detained plaintiff while she asked the dispatcher to run a check on plaintiff's driver's license. (Video,

AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 4:29, Plaintiff's Exhibit 1 at 2.)

5. The dispatcher responded to the query and reported that there was a "possible hit" (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 14:03, Plaintiff's Exhibit 1 at 4), and that plaintiff may be the subject of a warrant for contempt of court from DuPage County. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 5:48, Plaintiff's Exhibit 1 at 2.)

6. Valdes then telephoned DuPage County to attempt to confirm the warrant, (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 12:06, Plaintiff's Exhibit 1 at 4), but DuPage County refused to confirm the warrant over the telephone. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 16:17, 17:39, Plaintiff's Exhibit 1 at 5.)

7. Valdes referred to the LEADS response as showing a "possible hit" in her conversation with DuPage County. (Valdes Dep. 16:8-17:6, ECF No. 79-4 at 5-6.)

8. Valdes telephoned the police department's Law Enforcement Agencies Data System ("LEADS") desk (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 19:52,

Plaintiff's Exhibit 1 at 6.) Valdes explained her plight to another officer as follows:

Hey. Okay. I need your help. Okay. So I stopped this fucking cabbie. He comes back with a possible warrant. Dispatch told me to call DuPage. DuPage says they can't tell me anything over the phone. [inaudible]

That they can't tell me if it's a good warrant over the phone. That I will have to go through dispatch to send them a request, a LEADS request. I called LEADS. They're saying I will have to call dispatch which I did over the air and I'm like, "Hey, can you put in a request?" [inaudible]

(Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 24:00, Plaintiff's Exhibit 1 at 8.)

9. Valdes then spoke with her sergeant, who told Valdes to bring plaintiff to the police station. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 26:59, Plaintiff's Exhibit 1 at 9.)

10. Defendant Kelyana suggested to Valdes that she ask plaintiff if he knew about the warrant. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 31:05, Plaintiff's Exhibit 1 at 10.)

11. Plaintiff denied all knowledge of any warrant (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 33:36, Plaintiff's Exhibit 1 at 11), and stated that he had never been to DuPage County. (*Id.* at 33:41, Plaintiff's Exhibit 1 at 11.)

12. Defendant Kelyana encouraged Valdes to forget about the warrant (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 34:46, Plaintiff's Exhibit 1 at 11), but Valdes refused: "Dude, I'm not going to release somebody that's wanted in a fucking –" (*Id. at 34:48, Exhibit 1 at 12.*)

13. Valdes left the scene of the traffic stop at 2:24 p.m., 45 minutes and 13 seconds after she began recording at 1:39 p.m. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10.)

14. Before Valdes took plaintiff to the station, she and Kelyana learned that plaintiff had more than four hundred dollars in cash. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 41:19, Plaintiff's Exhibit 1 at 14.)

15. Kelyana continued to question plaintiff about the warrant while she drove to the station. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 42:38, Plaintiff's Exhibit 1 at 15.)

16. Plaintiff repeatedly asserted that he had never been to DuPage County, that he did not know anything about a warrant, and that he had not missed court anywhere, including DuPage County. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 43:28, Plaintiff's Exhibit 1 at 15.)

17. Plaintiff also told Valdes that he had never been arrested in Illinois. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 47:30, Plaintiff's Exhibit 1 at 17.)

18. The officers verified that plaintiff had never before been arrested when they secured plaintiff's "rap sheet," filed as Defendants' Exhibit N, ECF No. 79-14 at 2, which is part of the "court packet" that defendant Vogt prepared. (Vogt Dep. 9:6-15, ECF No. 79-6 at 4.)

19. Valdes knew that the warrant "[m]akes no sense" (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 47:35, Plaintiff's Exhibit 1 at 17), and asked plaintiff if he had been stopped by the police for anything. (*Id.* at 47:54)

20. Plaintiff continued to deny that he had missed court in DuPage County. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 48:52, Plaintiff's Exhibit 1 at 17.)

21. Plaintiff arrived at the police station at 2:34 p.m. on April 15, 2018. (Video, AXON_Body_2_Video_2018-04-15_1339.mp4, ECF No. 79-10, at 55:30.)

22. The City of Chicago requires its police to verify that a person arrested because of a computer "name check" is the person named in a warrant. *Hernandez v. Sheahan*, 455 F.3d 772, 774 (7th Cir. 2006).

23. The standard operating procedure of the Chicago Police Department following the arrest of person on a warrant is for “the station supervisor” to “verify that the arrestee and person wanted on the warrant are the same person.” (Chicago Police Department Special Order S06-01-04(IV)(C)(1), Exhibit 2 at 4; Mullenix Dep. 27:22-24, ECF No. 79-7 at 13.)

24. Defendant Vogt was the desk sergeant (or “station supervisor”) at the 18th District Police Station from 1:00 p.m. to 10:00 p.m. on April 15, 2018. (Vogt Dep. 40:3-11, ECF No. 79-6 at 7; Vogt Dep. 4:10, ECF No. 79-6 at 7.)

25. Part of Vogt’s responsibility on April 15, 2018 was to review incoming faxes. (Reppen Dep. 18:13-15, ECF No. 79-11 at 4.)

26. Vogt received the fax of the warrant on April 15, 2018. (Vogt Dep. 18:18:1-4, ECF No. 79-6 at 6.)

27. The fax of the warrant arrived at the 18th District police station at 3:04 p.m. on April 15, 2018. (Fax Header, ECF No. 79-2 at 2.)

28. The contents of the warrant that were included in the fax did not match the LEADS printout. (Vogt Dep. 19:10-13, ECF No. 79-6 at 6.)

29. Another part of Vogt’s job on April 15, 2018 was to determine whether an arrestee was being erroneously held on a warrant. (Reppen Dep. 18:16-19, ECF No. 79-11 at 4.)

30. The warrant shows that it had been issued on June 13, 2017 in a civil lawsuit captioned *Nesbitt v. Klean Motors, Inc.* and described the person sought (named “Khalid Ali”) as 58 years of age, with a date of birth in 1957, five feet seven inches tall, and weighing 250 pounds. (ECF 79-2 at 2.)

31. Defendants had accepted the correctness of plaintiff’s 1972 date of birth, his employment as a Chicago taxicab driver, and his home address in the 5000 block of North Harding Avenue in Chicago in the traffic ticket (ECF 79-5 at 2) and the arrest report (ECF No. 79-9 at 2), which defendant Vogt approved at 7:01 p.m. on April 15, 2018. (ECF No. 79-9 at 6.)

32. The 15 year discrepancy between plaintiff’s date of birth and the date of birth of the person sought in the warrant was so great that more information would be needed to determine if the plaintiff was the person sought in the warrant. (Mullenix Dep. 30:2-14, ECF No. 79-7 at 14.)

33. The warrant stated that the person sought resided in Skokie, Illinois and was then employed at S.A. Auto, also in Skokie. (ECF No. 79-2 at 2.)

34. The warrant did not contain any information about the driver’s license number of the person sought. (ECF No. 79-2 at 2.)

35. Defendant Vogt based his decision to find probable cause (Answer to Amended Complaint, ¶ 21, ECF No. 32 at 4), solely on the information contained in the LEADS printout (Vogt Declaration, ¶ 4, ECF No. 79-17 at 2), which identified the person sought as five feet eight inches tall, weighing 167 pounds, with plaintiff's date of birth and plaintiff's driver's license; Vogt did not consider the discrepancies between the LEADS printout and the actual warrant (Vogt Dep. 18:13-17, ECF No. 79-6 at 6) when he approved holding Mr. Ali on the warrant at 7:01 p.m. on April 15, 2018. (Vogt Dep. 16:11-14, ECF No. 79-6 at 5.)

36. Defendant Reppen was the "watch operations lieutenant" or "watch commander" at the 18th District on April 15, 2018. (Reppen Dep. 5:2-7, ECF No. 79-11 at 3; Reppen Dep. 12:11-13, ECF No. 79-11 at 4.)

37. As the watch commander on April 15, 2018, defendant Reppen had the power to conclude that a person being held on a warrant was not the person sought in that warrant and to order the release of that person. (Reppen Dep. 19:20-20:13, ECF No. 79-11 at 6.)

38. Reppen approved the continued detention of plaintiff at 4:14 p.m. on April 15, 2018. (Reppen Dep. 8:18, ECF No. 79-3; Arrest Report at 3, ECF No. 79-9 at 4; Answer to Amended Complaint, ¶ 21, ECF No. 32 at 4.)

39. At the police station, two white shirted officers repeatedly asked plaintiff about his age, trying to reconcile plaintiff's date of birth in 1972 with the much older person sought in the warrant. (Ali Dep. 42:6-7, ECF No. 79-3 at 10.)

40. Sergeants and lieutenants in the Chicago police department, wear white shirts if not working in an undercover position. (Kelyana Dep. 13:24-14:9, ECF No. 79-12 at 5.)

/s/ Kenneth N. Flaxman
Kenneth N. Flaxman
ARDC No. 0830399
Joel A. Flaxman
200 S Michigan Ave, Ste 201
Chicago, IL 60604
Attorneys for Plaintiff

LIST OF EXHIBITS

- 1 Transcript of Bodycam Audio, AXON_Body_2_Video_2018-04-15_1339
- 2 Chicago Police Department Special Order S06-12-02
- 3 Frame grab of AXON_Body_2_Video_2018-04-15_1339, showing driver's license and chauffeur's license

Exhibit 1

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Dispatcher	00:32	We got a unit in route with the [form?].
[inaudible]	00:36	[inaudible]
Dispatcher	00:42	All right. [inaudible]
Valdes	00:48	Officer Valdez, just to make you aware, you are being recorded through the [inaudible].
[inaudible]	00:54	Yes. [Once I get a ticket, step it up, that'd be good?]. [inaudible] people [inaudible].
Valdes	01:00	You know why I'm stopping you, sir?
Ali	01:02	Yes.
Valdes	01:03	What was that?
Ali	01:05	U-turn.
Valdes	01:06	Don't you drive for a living, sir?
Ali	01:08	Huh?
Valdes	01:08	Don't you drive for a living?
Ali	01:10	Yes, I do. I drive, six kids.
Valdes	01:14	Six. Are you doing something else but that?
Ali	01:20	I mean do [inaudible].
Valdes	01:23	No. Watch TV, leave your wife alone. No more kids. It's a joke.
Ali	01:32	I understand. I understand.
Valdes	01:33	It's a joke. All right. Let me see your stuff.
Ali	01:36	Forgive me this time. I'm driving for 14 years, driving taxi. Driving 14 year as taxi and [inaudible].
Valdes	01:45	I can't hear you.
Ali	01:46	I said I was driving taxi 14 years.
Valdes	01:49	Okay.
Ali	01:51	I'm going to behave very well but give me a break this time.
Valdes	01:53	Have you gotten tickets before?
Ali	01:55	I got tickets before. Driving 14 years, a lot but--
Valdes	02:02	What are you going to give me?
Ali	02:04	Just my driver license, [inaudible] insurance, and [inaudible].
Valdes	02:08	Your what?
Ali	02:09	And I have my lease also.
Valdes	02:11	Oh, okay. Don't worry about it. I'm going to give you a break.
Ali	02:13	Thank you.
Speaker2	02:25	[inaudible]

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Dispatcher	02:27	And units 19, we had a theft just occur, Hubbard and Rush. Rush and Hubbard, billygoats, two males, black hoodie, blue jeans, red shoes, just stole a delivery bag from the Apple store heading towards I don't know. [inaudible] in front of the Billy Goat Tavern.
Speaker2	02:50	[inaudible]
Valdes	02:57	Take a walk.
Dispatcher	03:02	Is there anyone in the area of Hubbard and Rush? Two males, black hoodie, blue jeans, red shoes, just stole the delivery bag from Apple store by Billy Goats, Hubbard and Rush. No further info at this time.
Valdes	03:19	1882 Adam.
Dispatcher	03:22	1882 Adam.
Valdes	03:23	Can you put me down on traffic stop 505 North Michigan?
Dispatcher	03:29	505 North Michigan. So far you okay ma'am?
Valdes	03:33	I'm fine. If you also get a noise complaint for [inaudible] 500 North Michigan, you can make it a [inaudible].
Dispatcher	03:42	Okay. Your traffic stop will be 7187, 7187.
Speaker5	03:53	120
Dispatcher	03:57	120
Speaker5	03:59	Building has just one entrance on Stetson open for entrance and exit. We're going to keep our [inaudible] wait for a little while longer see if it improves and then we'll recheck with the building security
Dispatcher	04:15	okay. 10-4. Keep the [inaudible] closure in effect till further.
Valdes	04:22	18-82 Adam.
Dispatcher	04:27	18-82 Adam.
Valdes	04:29	Ma'am, can you please run [inaudible] on a DL by you?
Dispatcher	04:36	Yeah. Go ahead.
Valdes	04:37	Adam XXX50172115.
Dispatcher	04:48	10-4.
[silence]		
Speaker5	05:21	Do you have a direction of flight?
Dispatcher	05:25	Negative. Negative. It's heading towards and then it said nothing after that, but he confronted the complainant in front of [inaudible].
[silence]		
Valdes	05:48	He has a warrant. He may have a warrant. Unbelievable.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Speaker6	06:01	What's wrong?
Valdes	06:02	I want to slap myself right now.
Dispatcher	06:03	1861 Charlie.
Speaker6	06:09	[inaudible] troublemaker has gone already, so you can disregard 702.
Dispatcher	06:20	18-72.
Speaker6	06:23	[inaudible].
Dispatcher	06:34	All right, [inaudible] 19 [inaudible] or [inaudible], whatever.
Speaker6	06:40	[inaudible].
Speaker7	06:53	105 Adam.
Dispatcher	06:58	105 Adam.
Speaker7	07:00	Good afternoon, [inaudible].
Dispatcher	07:08	105 Adam, getting gas. 10-4.
[silence]		
Speaker8	07:22	1834
Dispatcher	07:26	1834
Speaker8	07:30	The victim was down here on the lower part of Hubbard, right here at Rush, at the bottom of the stairs, and the individual-- so, the offenders, they ran back up the stairs and got on Michigan Avenue.
Dispatcher	07:46	All right. Upper Michigan Avenue is where the offenders were last seen from Hubbard and Rush. They went up the stairs [inaudible] Michigan Avenue. Two males, bright hoodies, blue jeans, red shoes that stole the delivery bags from the apple store, now on Michigan Avenue or the Michigan Avenue [inaudible]. Let us know. And 18-82 Adam, I'm not sure what I have [inaudible]. Let me know when you're read to copy.
Valdes	08:18	I'm ready.
Dispatcher	08:21	Okay. I saw him with a [inaudible] from 1638 North Harding in Chicago I see a contempt of court issued but it's from DuPage county, and I don't know if it's servable, it says confirm with origin. It is him, but it says confirm with origin.
Valdes	09:04	99
Dispatcher	09:08	Do you need another car over there?
Valdes	09:11	1882 [inaudible] I'm fine, thanks. What the fuck does that mean?
Kelyana	09:20	Contempt of court was from DuPage, we got to call DuPage? I'm sure fucking DuPage will take it.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	09:33	Okay. DuPage. So call their police department, just run it through them?
Kelyana	09:53	Yeah. Confirm it with them. The Sheriffs Department.
Valdes	10:00	Where the fuck is DuPage?
Speaker10	11:53	One moment, please.
Valdes	12:06	Hello, how are you? This is Chicago police officer Valdes. I have a quick question for you guys. So I stopped this guy, he came with a possible hit of contempt of court, I ran it over there with our dispatch and she stated I will have to call you guys to confirm with [inaudible] thank you.
Speaker11	12:39	1-8-3-0.
Dispatcher	12:44	I guess that would be a Pace bus number? 18-30 coming in, I guess?
Valdes	12:47	Yes. I almost actually transferred this to Officer Valdes from Chicago Police Department. I have to run a contempt of court by you guys?
Dispatcher	13:02	Okay. Unfortunately, it says that it was [crosstalk]--
Valdes	13:04	So I made a stop, I ran a guy. He came back with a possible hit for contempt of court. They told me to call this number to see if you guys want him? Is this the correct number? Well yeah. They said I will have to call to DuPage County, run it by you guys.
Dispatcher	13:29	[inaudible] copy all that.
Valdes	13:35	I have him on traffic stop.
Dispatcher	13:38	18-40. 18-42?
Valdes	13:42	This is the number that popped up, so--
Dispatcher	13:45	7-57--
Valdes	13:45	--I don't know. I've never had one of these. So I'm running it by you.
Dispatcher	13:49	7-77 North Michigan, 18-42. Item [inaudible] or I would just call her, see if she has any updates.
Valdes	13:57	I'm sorry?
Dispatcher	13:58	Any further [inaudible] do some tests is stolen credit cards [inaudible]--
Valdes	14:03	Well, that's what dispatch said. To call you guys, cause it says-- when it says, "Possible hit", I'm there to say it's confirmed with ORA. Which would be your police department. You want to get a LEADS message?
Dispatcher	14:27	It says it's going to be [crosstalk]--
Valdes	14:28	So can you send it to our dispatch?
Dispatcher	14:32	--RDs for lost property.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	14:39	Okay, that makes no sense. But I guess I'll ask dispatch to request it from you guys.
Dispatcher	14:47	It's 3-1-2? 4-9-8-3-0-2-2.- 3-1-2-4-9-8-0-2-2.
[silence]		
Dispatcher	15:12	18-12-- and 18-41 for the backup. Oh, wait. 41 here, [inaudible]. 12, let me know if you see anything-- just give a--
Valdes	15:25	Hello. This is Officer Valdes from the Chicago Police Department. How are you? So I am in a traffic stop and ran a name, it came back with a possible hit. For contempt of court. And this is the number that popped out. Do you guys want him [laughter]? Oh. Did I just talk to you? Oh, okay. Well, okay, thank you.
[silence]		
Valdes	16:17	So I called them, and they say they can't tell me anything over the phone. That dispatch has to send a LEADS request to DuPage.
Kelyana	16:30	They want me to say if it's good?
Valdes	16:31	Yep.
[silence]		
Valdes	16:43	1882 Adam.
Dispatcher	16:46	Please stand by for one second for the shift change unless you have an emergency.
[silence]		
Valdes	17:02	This is some bullshit. Might have told her over the phone. I mean, what else can I do, right?
Kelyana	17:20	I don't know. What are you going to do with it [laughter]?
Valdes	17:29	I am going to ask her, see what she thinks.
Kelyana	17:34	[Dez?] asked her. It doesn't seem like she knew.
Valdes	17:36	Right. I'm going to ask him, see if he knows.
Kelyana	17:39	The dispatcher didn't seem like she knew if it was good or not though.
Valdes	17:42	No, because it says--
Kelyana	17:45	Usually, it says adjoining counties or some shit.
Valdes	17:49	No, it just says confirm with Aura.
Kelyana	17:52	Yeah. See? So that's the original agency. But if they're not going to fucking [inaudible].
Valdes	17:57	She's like, "I can't tell you over the phone."
Kelyana	18:00	[inaudible].
Speaker12	18:06	172
Dispatcher	18:09	172, go ahead.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	18:13	Do you know--
Speaker12	18:14	I need mileage 71193.
Dispatcher	18:19	Okay. 13:57 for the time.
Kelyana	18:24	Thank you.
Speaker13	18:27	193
Dispatcher	18:30	193?
Speaker13	18:32	[inaudible] first district. I see him walking towards the end of the road over there as well. And thanks to 165 Charlie for dropping off that [inaudible]. Appreciate it.
Dispatcher	18:44	I'm sorry. Where are you guys? You said you were [inaudible]?
Valdes	18:47	I'm going to ask her and see.
Speaker13	18:49	First district.
Dispatcher	18:52	I didn't even copy that part. Okay. You guys go to the first district.
Kelyana	18:53	[inaudible].
Valdes	18:58	Do you know the number for LEADS?
Kelyana	19:01	[inaudible].
Valdes	19:10	[All of her?].
Kelyana	19:12	[inaudible].
Speaker14	19:28	30
Dispatcher	19:32	30?
Speaker14	19:33	Is there a CO number on any of these parking meters over there by water tower?
Kelyana	19:38	5200
Valdes	19:40	Thank you.
Dispatcher	19:42	I am sorry. What kind of number are you looking over on the parking meters?
Valdes	19:43	Take it. I had just found it. Thank you.
Speaker14	19:45	The number that you made you reference to, is that actually posted on any of the meters over by the water tower?
Valdes	19:51	Hi. How are you? This is Officer Valdez in the 18th district. So ma'am, hopefully you can help me. I did a traffic stop and contempt of court possible hit came up. I called DuPage. DuPage says they cannot confirm anything with me over the phone. That LEADS will have to send a request to them.
Speaker14	20:14	[inaudible] side of each. I'm going to go check one of the meter boxes now. But that's just the number generated on the [inaudible].
Valdes	20:21	Thank you.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Speaker14	20:22	[crosstalk] something on it.
Kelyana	20:25	They're long gone now. All right. Thanks.
Valdes	20:34	Hello, this is Officer Valdes with CPD. So I need to verify contempt, possibly, [inaudible] with you guys? Add a new page?
Speaker15	20:47	[inaudible]
Valdes	20:47	I did. I just talked to LEADS and they transferred me to you.
Speaker15	20:55	[inaudible]
Valdes	20:57	Oh, my-- see, I just talked to her in LEADS but thank you. I'm going to call again and tell them the same thing.
[silence]		
Speaker15	21:35	[inaudible]
Valdes	21:36	Oh, you know what? Okay. So you want me to bring him in? Because I'm on a traffic stop.
Speaker15	21:42	[inaudible]
Dispatcher	21:44	Okay.
Speaker15	21:46	[inaudible]
Dispatcher	21:46	Spoke with security there. They were never notified.
Valdes	21:48	Okay, thank you.
Dispatcher	21:49	[inaudible] of any fraudulent car to car being used at any register so I'm not sure how she was notified.
Valdes	21:55	Awesome. Thank you so much.
Dispatcher	21:57	Further, went and checked another parking meter. The meter ID is nothing remotely close. The only number that's close on there is the phone number for Chicago Meters except for that it's missing the zero one at the end of it on the parking meter number. Seems like there's not really much foundation for it or anything to go off of to even begin to investigate further. You can give this a 19 call.
Dispatcher	22:20	10-4.
Valdes	22:21	1882 Adam.
Dispatcher	22:25	1882 Adam.
Valdes	22:26	Ma'am, I contacted DuPage. They say that you will have to send them a LEADS request to verify that this warrant is good.
Dispatcher	22:37	You would have to send a LEADS request [inaudible].
Speaker8	22:48	[inaudible]
Dispatcher	22:50	[inaudible]
Speaker8	22:52	Can you put that flash over here?

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	22:54	I don't understand [inaudible].
Speaker8	22:54	[crosstalk] that [crosstalk] robbery from [crosstalk].
Valdes	22:56	They said I will have to call dispatch.
Kelyana	22:59	Leads said that?
Valdes	23:00	Yes. I just talked to them.
Speaker8	23:02	A male, black, black hoodie, blue jeans. One had on red shoes so [inaudible] had on red shoes.
Kelyana	23:07	[inaudible]
Valdes	23:08	Okay. I'm just going to bring him in. I mean--
Speaker8	23:13	In an unknown direction back up on Michigan Avenue.
Kelyana	23:15	[inaudible]
Valdes	23:16	Yeah.
Dispatcher	23:17	[inaudible] Rush? Theft just occurred. Two male blacks, black hoodies, blue jeans, one or possibly both had red shoes, stole delivery bag from the Apple store heading towards or unknown direction.
Kelyana	23:30	[inaudible].
Speaker8	23:30	You said they both had dreads also and possibly they were--
Valdes	23:35	I'm so lost.
Speaker8	23:37	--[inaudible] boys.
Dispatcher	23:39	They both had dreads possibly [bucket?] boys.
Kelyana	23:47	There is a leads request that you got to fax to leads and then they fax back in for [warrant info?].
Valdes	23:55	Hey.
Kelyana	23:55	But usually, [inaudible].
Valdes	23:55	You hear the [bucket?] boys?
Kelyana	23:58	Yeah. [inaudible]
Valdes	24:00	Hey. Okay. I need your help. Okay. So I stopped this fucking cabbie. He comes back with a possible warrant. Dispatch told me to call Dupage. Dupage says they can't tell me anything over the phone. [inaudible]
Valdes	24:17	That they can't tell me if it's a good warrant over the phone. That I will have to go through dispatch to send them a request, a leads request. I called leads. They're saying I will have to call dispatch which I did over the air and I'm like, "Hey, can you put in a request?" [inaudible]
Valdes	24:43	Can I 19 call this? [inaudible] Contempt of court. Contempt of court. [inaudible] Hey. Can you send McDonalds over here, please? Are you with McDonalds over there?

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Speaker16	25:03	[No?].
Valdes	25:09	You know what. I'm going to give him a call. Bye. So I will have to bring him in because John said I could 19 call this since nobody wants anything to do with this [laughter]. I'm like, "Are you fucking retarded [laughter]?"
Kelyana	25:26	That's what I'd do [laughter].
Valdes	25:29	I can't do that. Can I?
Kelyana	25:32	[inaudible] Contempt of court?
Valdes	25:39	Yeah. I need [inaudible] this shit out.
Kelyana	25:45	[inaudible]
Valdes	25:46	Huh?
Kelyana	25:47	6, 12, 17.
Valdes	25:51	Hey, Sarge. This is Valdes. Can I ask you a question? So I stopped this cabbie. He comes back with a contempt court. I ran it over the--
Valdes	26:04	[inaudible] I said I stopped this cabbie. [inaudible] Yeah, a warrant. I run it over the air and dispatch said that I will have to run it with DuPage. I called DuPage. They stated that I will have to have our dispatch send a LEADS to request. I called LEADS and they said, "That's not true." So I mean, what do I do?"
Valdes	26:37	[inaudible] Yes. [inaudible]
[silence]		
Valdes	26:59	It doesn't say. It says Ora So Dupage County, Illinois. Oh, yeah, county. CO would be county, right? [inaudible] Hello? [inaudible] So bring him in? Sorry. [inaudible] It says DuPage. [inaudible] I was going to write him a ticket and then that's what popped out on his DL. [inaudible] Thank you. [inaudible] Okay, thank you. Oh.
[silence]		
Speaker17	28:15	[165?] [inaudible].
Dispatcher	28:18	[165?] [inaudible].
Speaker17	28:20	[inaudible] [to the?] [inaudible].
[silence]		
Valdes	28:56	Yes. Yes. Well, I was actually going to run them over his system. Wait, I need that.
Kelyana	29:09	What?
Valdes	29:10	This, real quick.
Kelyana	29:10	I'm going to run them right quick.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	29:12	Okay. Let me [inaudible]
Speaker18	29:15	[144?] we've got a [inaudible].
Valdes	29:17	No. John pulled up.
Dispatcher	29:20	[inaudible]. Thank you. It looks like [inaudible] is [around?] as well.
Kelyana	29:35	What's [inaudible]?
Valdes	29:36	Ali.
Kelyana	29:39	Your first name is Ali?
Valdes	29:40	No.
Kelyana	29:42	No?
Valdes	29:43	The [K?].
Kelyana	29:45	[so?] your first name.
Valdes	29:50	No. He said he doesn't know it. It's definitely him. Ali, A-L-I, K-H-A-L-I-D. Middle, A for Adam, 42272.
Kelyana	30:29	[inaudible] DuPage County [inaudible] DuPage County.
Valdes	30:31	What?
Kelyana	30:32	DuPage County. [inaudible]. DuPage County [inaudible] DuPage County [inaudible].
Valdes	30:44	No. John was saying that when he ran it, it doesn't say that county.
Kelyana	30:50	It doesn't geographical limits, DuPage County.
Valdes	30:51	It doesn't geographic limits.
Kelyana	30:54	So it's just DuPage County.
Valdes	30:54	It just comes out as DuPage County, DuPage.
Kelyana	31:00	Did you call DuPage County?
Valdes	31:01	Yeah, they won't fucking tell me anything on the phone.
Kelyana	31:05	Great, [inaudible]. I mean, does he know about the warrant? You got to tell me you got to go to a [inaudible] in DuPage County and get [inaudible].
Valdes	31:18	Right [laughter]. What was that, Sarge?
Kelyana	31:29	[inaudible].
Valdes	31:31	422
Kelyana	31:33	72
Valdes	31:34	72
[silence]		
Valdes	31:46	Hold on one second. I'll ask him right now. Ali, what's your social?
Ali	31:59	643
Valdes	31:59	What?

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Ali	32:00	643
Valdes	32:01	6-4-3--
Ali	32:02	6-8.
Valdes	32:03	6-8.
Ali	32:05	7-6.
Valdes	32:05	7-6.
Ali	32:07	5-3.
Valdes	32:07	5-3. I'm sorry? It's Adam 4-0-0-5-0-1-7-2-1-1-5. Tell Mike I'll be fine.
Kelyana	32:30	What?
Valdes	32:31	Tell Mike I'll be fine.
Kelyana	32:33	I can't hear you.
Valdes	32:34	Tell Mike I'll be fine.
Kelyana	32:36	Yeah, I understand. But this is-- I don't think it's [inaudible].
Speaker19	32:46	1-8-3?
Dispatcher	32:50	[inaudible] come in?
Speaker19	32:55	4-1-8-3.
Dispatcher	32:58	1-8-3?
Speaker19	33:00	4-1-8-3. I've got an event number for [inaudible] at the regional ORA.
Dispatcher	33:11	That number 7-5-5-3-0-7-5-5-3?
Speaker19	33:16	Perfect.
Valdes	33:32	You know this is all because you have a warrant?
Ali	33:34	Huh?
Valdes	33:35	You have a warrant.
Ali	33:36	What's that?
Valdes	33:38	You're wanted in DuPage.
Ali	33:41	DuPage? Where's that, DuPage? What I did? You know, on which DuPage?
Valdes	33:51	DuPage County.
Ali	33:54	DuPage County? DuPage Count--
Valdes	33:57	I did, and they said they cannot release any information to me over the phone that-- LEADS will have to send them a request. I call LEADS, and they say that's not true, that I will have to call them and run it through them. I'm sorry, Sarge.
[silence]		
Valdes	34:41	What? I don't know what the fuck-- nobody's telling me what to do with this and I can't--
Kelyana	34:46	I already told you.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	34:48	Dude, I'm not going to release somebody that's wanted in a fucking--
Kelyana	34:51	It's in DuPage County.
Valdes	34:53	They're not telling me that over the air.
Kelyana	34:56	Me either but [inaudible]. And you've been wasting all the bullshit, and you're going to release him. And you're going to have to do an arrest report, and the dude's released without charge. We'll see.
Valdes	35:06	Oh my God.
[silence]		
Speaker20	35:40	--put it over the air, the dispatcher will tell you it's in DuPage County.
Valdes	35:44	I did! She said I will have to go back. Senate-- hold on.
Speaker20	35:49	No, it's better to open it here.
Valdes	35:51	I can't!
Speaker20	35:51	And what did she say?
Valdes	35:55	I will have to verify through DuPage.
Speaker20	35:58	Okay, you called them. And what'd they say?
Valdes	36:01	Police will have I've sent them a request to release [that?] information.
Speaker20	36:04	Okay. Well, guess what? We're on the street. So, do I have [another problem?] [inaudible] that you don't want them? Okay, fine. Then I can call and advise them of a warrant. Tell them he's got to go through DuPage and get it taken care of.
[silence]		
Dispatcher	36:48	[inaudible] can you head over to [inaudible] [call back?] 1009 [orange crest?], 1009 [orange crest?]. [inaudible] male [inaudible] wearing a black backpack, black [jacket?], black pants, and black Adidas shoes. [inaudible].
[silence]		
Dispatcher	37:33	[inaudible].
Valdes	37:41	Yes.
Speaker	37:44	[inaudible].
Valdes	37:54	I'm sorry?
Kelyana	37:55	There's been a lot of turn-around or turnover [in directors?] [inaudible].
Speaker	37:59	Yeah.
[silence]		
Speaker	38:13	[inaudible].

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	38:33	Oh, Jesus. I guess you're going to-- this is my first warrant, Sergeant. You're going to have to help me understand this. Okay, thank you. I'm going to request to my unit to bring a-- yes.
[silence]		
Valdes	38:54	But he's driving a cab. Yes. I'll have him-- yes.
[silence]		
Valdes	39:09	Okay, thank you. All right. Thanks, Sarg. What was that? Okay, thank you. Okay. It is serve-able. Sarg.
Speaker20	39:29	What did he do?
Valdes	39:30	He called DuPage. I don't know if he called the DuPage or LEADS. But the good thing is he'll be able to pull [a spot?] from the district. Can you go in [with me?]?
Speaker20	39:42	No, I don't want nothing to do with this. I'm tired as fuck.
Valdes	39:47	Right. You could leave from there. Never mind. I'll figure it out. 1882 Adam.
Dispatcher	39:57	1882 Adam.
Valdes	39:59	Can you send over to my unit to help me bring in this warrant?
[silence]		
Dispatcher	40:10	Yeah. 1872
Valdes	40:13	Yeah. I just called it over. I need you to put your window up. Turn off the car [ma'am?] Put it all the way up. You're going to--
Kelyana	40:28	You've got to come to the station, okay?
Ali	40:30	Yeah. But what kind of warrant do they have?
Kelyana	40:32	I don't know. It's from DuPage. But you'd be able to get an I bond. So we've got to go there, do the paperwork, and you'll be able to get an I bond. You can get up and you can go. You'll have to get the court date.
Ali	40:41	Okay. [inaudible].
Kelyana	40:43	I'm going to bring you to the station.
Valdes	40:44	I'm not going to impound it. Somebody can pick it up.
Ali	40:49	Can I drive with you and then go to the station?
Valdes	40:51	No.
Kelyana	40:53	You don't have anything on you?
Valdes	40:54	No. No.
Kelyana	40:55	Let me pat you down really quick.
Valdes	40:56	Just leave your jacket there. You don't need it.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Ali	41:02	[inaudible] money inside.
Valdes	41:03	Okay.
Ali	41:05	Can I take this one?
Kelyana	41:08	No, no, no, just leave that one. Just leave this one. Leave this one, okay? Because you can't bring a lot of stuff with you. You're going to have to leave it in the car. How much money is that?
Ali	41:18	\$400.00
Kelyana	41:19	Okay. Total \$400?
Valdes	41:21	Total \$400, yeah.
Kelyana	41:21	You don't have any other money in here?
Ali	41:23	No. I have--
Kelyana	41:25	Okay, listen. Listen. We're going to take care of it, okay? We're going to leave the stuff you've covered. There's a lot of stuff we have to inventory.
Ali	41:33	[inaudible].
Kelyana	41:33	Okay. That's all right. Leave it all there. Don't worry about that. Let me pat you down. Make sure you don't have no guns or anything like that?
Ali	41:39	Nothing [inaudible].
Kelyana	41:49	Come back over here.
Ali	41:51	[inaudible]?
Valdes	41:52	You're not going to cuff him?
Kelyana	41:54	Yeah, double.
Valdes	41:56	Oh, yeah. I'm going to cuff you, okay? I'm going to cuff you. Okay.
Kelyana	41:59	We have to put the cuffs on you because you're under arrest technically. Okay?
Valdes	42:02	[inaudible].
Valdes	42:04	All right. Turn around.
Kelyana	42:06	If you want to just-- it's not going to be. We've got to just take him to the station.
Ali	42:08	[inaudible].
Valdes	42:10	All right. Hold on. Hold on.
Kelyana	42:14	[inaudible] taxi [inaudible]. You're going to go in the car. You have a warrant. You have a warrant for arrest.
Valdes	42:25	You are arrested.
Kelyana	42:27	But it's okay because we're going to go to the station, do the paperwork. They'll be able to give you an I Bond. So you'll be able to come out, okay?
Ali	42:33	Okay. No problem.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	42:35	You locked the keys in there?
Ali	42:37	Yes, I locked the keys.
Kelyana	42:38	Do you know when you've been in DuPage? In DuPage County?
Ali	42:40	I've never been there ever. Just DuPage County?
Kelyana	42:42	DuPage.
Ali	42:44	Where is that, DuPage County?
Kelyana	42:45	DuPage, I don't know. I mean, it's not Cook County, it's DuPage County.
Ali	42:48	I never. I have never been there.
Kelyana	42:50	Contempt of court. Did you have court or something in DuPage County?
Ali	42:53	Never. Never. I never had to go to court. I don't have six even. I have three tickets.
Kelyana	43:00	Was that the birthday that was coming up? And everything, huh?
Valdes	43:04	I mean, let me double-check . Dispatch said it was him. She ran him.
Kelyana	43:10	Okay. [inaudible] we got to go to the station and double-check . We have to check. But we're not going to take your car or anything. We're going to drive the car there. And then if everything's okay, they give you an I Bond, and you come out, and you can get your car and you can go. But you're going to have-- they're going to give you a court date.
Valdes	43:23	Yeah. That's him. That's his birthday.
Kelyana	43:25	You've never been to DuPage County?
Ali	43:28	Where's DuPage County?
Kelyana	43:29	I don't know where DuPage-- DuPage County. Not Cook County. DuPage County.
Ali	43:32	Yeah. I never had-- I only work always in downtown. I never [inaudible] in summer.
Kelyana	43:37	Nothing, huh?
Ali	43:38	Nothing.
Valdes	43:40	Contempt of order.
Ali	43:42	What was it, contempt of court?
Valdes	43:43	Yeah.
Ali	43:44	[inaudible].
Valdes	43:45	I'll call it in. And can you stay with the car?
Kelyana	43:48	Is somebody coming?
Valdes	43:49	Yeah. 1872.
Kelyana	43:50	All right.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Valdes	43:52	Please.
Kelyana	43:53	Because you're going to have to get-- whatever stuff he doesn't have with him, you can't bring in. You can just put it in the car instead of inventorying it. All right?
Valdes	44:02	He had a warrant. Oh, Mister [Ali?] you see what happens when you do a u-turn?
Ali	44:21	[inaudible].
Valdes	44:23	Where's the key fob?
Ali	44:25	The key?
Valdes	44:26	Yeah.
Ali	44:26	It's in the case.
Valdes	44:28	It's in the case.
Kelyana	44:29	Huh?
Valdes	44:30	Where at?
Kelyana	44:31	Where's the key to the car?
Ali	44:32	It's inside. I think [inaudible], Sir.
Valdes	44:35	It doesn't need to be in here.
Kelyana	44:37	Yeah, I know. But where's that module?
Valdes	44:39	Where's the fob?
Ali	44:40	Huh?
Valdes	44:41	Where'd you leave the key fob?
Ali	44:44	[inaudible]. It's inside [inaudible]. I don't know.
Valdes	44:46	On the passenger--?
Ali	44:48	[inaudible]. I don't know. [inaudible].
Valdes	44:51	Oh my God. On the left side, John. John, on the left side.
Ali	45:02	[inaudible].
[silence]		
Valdes	45:15	He said on the left side, John. You got it?
Kelyana	45:22	No.
Valdes	45:23	Oh, right here.
Kelyana	45:25	Oh, that's a [inaudible].
Valdes	45:44	You okay, [inaudible]?
Ali	45:46	[inaudible].
Valdes	45:48	John?
Ali	45:50	[inaudible].
Valdes	45:51	Yeah, he got it. John?
Kelyana	45:54	[inaudible]. We're coming.
Valdes	45:59	1872. Love ya. 1882 Adam [inaudible].
Dispatcher	46:13	1882 Adam.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Ali	46:15	1882, Charlie's going to be with the car. I'm going to be heading into 18 with one.
Dispatcher	46:23	10-4.
[silence]		
Valdes	46:56	This is unbelievable.
[silence]		
Valdes	47:22	So you've never been arrested, [inaudible]?
Ali	47:24	I know [inaudible] this place, I'm sitting right now.
Valdes	47:28	Have you ever been arrested in Illinois?
Ali	47:30	No, no, no. Never, never.
Valdes	47:32	Never?
Ali	47:32	Never,
Valdes	47:35	This makes no sense. Why would you have an order to contempt. Why would you have a court order, a warrant? You're wanted in DuPage, that's you. It's linked to your driver's license. Have you been stopped this year?
Ali	47:53	[inaudible].
Valdes	47:54	Were you stopped by the police at all this year?
Ali	47:57	[inaudible]
Valdes	48:03	When was this?
Ali	48:06	I mean, maybe it was at the end of last week. I went to the [inaudible] and then the When was this? In [inaudible].
Valdes	48:15	I understand that, but that warrant has been on your record for a year.
Ali	48:20	For a year?
Valdes	48:22	Mm-hmm.
Ali	48:24	For a year? But I got it was maybe it was January or December. It was not a year ago.
Valdes	48:35	You're 45? You're 45 years old, right?
Ali	48:40	I was born 72, 1972.
Valdes	48:42	This is what it says. This is you. You have a possible hit for a contempt of court, meaning you didn't show up for court.
Ali	48:52	I didn't show up for court?
Valdes	48:53	[inaudible]
Ali	48:59	And what [inaudible]?
Valdes	49:00	I don't know. DuPage won't tell me until I process you. I have to get a-- go, go, go, go, go. Don't answer that, okay? Don't answer that.

PLAINTIFF'S EXHIBIT 1
Transcript of Bodycam Audio, Officer Valdes

Ali	49:21	No, no-no . Well, I can't.
S?	49:26	[inaudible]
Ali	49:46	[crosstalk] on the sixth or seventh last year?
Valdes	49:59	Hold on.
		Unrelated radio traffic
Valdes	52:41	That's not what they're saying. [inaudible radio traffic] Hold on.
Valdes	53:06	Have you ever been arrested?
Ali	53:09	No.
		Unrelated radio traffic

Exhibit 2



Chicago Police Department

Special Order S06-12-02

NON-TRAFFIC ARREST WARRANT PROCEDURES

ISSUE DATE:	26 August 2019	EFFECTIVE DATE:	26 August 2019
RESCINDS:	13 June 2013 Version		
INDEX CATEGORY:	Processing Persons		

I. PURPOSE

This directive:

- A. outlines Department procedures for requesting, processing, and servicing non-traffic arrest warrants.
- B. continues the:
 - 1. the use of the IntraState Hold Affidavit.
 - 2. requirements for bond forfeiture notifications by the court sergeant / officer.
 - 3. direct recall procedures to expedite the removal of criminal warrants from the Department's computer system.
 - 4. procedures for processing persons arrested by outside agencies.
- C. outlines procedures for the completion of the Cook County Arrest Warrant Execution Verification (CCG0657) form, available on the Department Directives Systems.
- D. establishes responsibilities for the Central Warrant Unit, relative to processing an offender on a failure-to-appear, nontraffic arrest warrant, whether in or outside of Cook County.
- E. introduces the Negative Identification Notification form (CPD-31.218) and the Arrest Warrant and Return Verification form (CPD-31.219).

II. REQUEST FOR NONTRAFFIC WARRANTS

- A. Persons seeking a summons or an arrest warrant for misdemeanor or ordinance offenses **other than domestic-violence-related offenses** will be directed to apply to the police officer / warrant clerk assigned to Court Branches 23, 29, 35, or 43, Monday through Friday (excluding court holidays) between 0830 and 1130 hours. The summons / warrant will be made returnable to the court branch where the case would normally be assigned as outlined in the Department directive entitled "Court Call Schedule."
- B. Persons seeking a summons or an arrest warrant for **misdemeanor domestic-violence-related offenses** are to be directed to apply to the police officer / warrant clerk assigned to the Domestic Violence Court Warrant Office, Monday through Friday (excluding court holidays) between 0830 and 1130 hours.
- C. Police officers may request misdemeanor nontraffic arrest warrants from the police officer / warrant clerk assigned to any branch of the First Municipal District, Circuit Court of Cook County (Municipal Court of Chicago). However, the warrant will be made returnable to the court branch where the case would normally be assigned as outlined in the Department directive entitled "Court Call Schedule."
- D. Requests for felony warrants will be processed in accordance with the provisions of the Department directive entitled "Felony Review by Cook County State's Attorney."
- E. Upon request for an arrest warrant, the police officer / warrant clerk will:
 - 1. ensure that probable cause exists for the complaint to apply for a warrant or summons and, when probable cause exists, prepare a formal complaint, an arrest warrant, and a summons.
 - 2. accurately record as much personal information as possible for the person named in the warrant (name, address, sex, race, height, weight, date of birth, age, complexion, etc.) in the

Information and Description of Defendant section of the warrant. If available, record the Identification Record (IR) number and/or Central Booking (CB) number of the person named in the warrant.

3. have the Assistant State's Attorney assigned to the court branch review the warrant, summons, complaint, and any other related documents for approval before they are presented to the court.
4. inform the officer obtaining a warrant that prior to an immediate execution of the warrant, the officer **must first deposit** the warrant with the Central Warrant Unit and **obtain a warrant number before the warrant can be served**. Unserved warrants or copies of unserved warrants will not be retained or circulated in the field.
5. complete the unshaded portion of a Court Complaint Transmittal Listing ([CPD-11.551](#)) for each warrant and forward it to the court clerk assigned to the court hearing the complaint.

F. A police officer / warrant clerk who ascertains that the person named in the warrant is a Department member will follow the provisions of the Department directive entitled "[Complaint and Disciplinary Procedures](#)".

III. PROCESSING NON-TRAFFIC ARREST WARRANTS

- A. The Information Services Division (ISD) will maintain a computer system to process pertinent information regarding arrest warrants.
- B. The Central Warrant Unit will:
 1. upon receipt of an arrest warrant from the Cook County Clerk of the Circuit Court of Cook County, obtain a current Chicago Police Department (CPD) criminal history record of the person named on the warrant. If the IR number is listed on the warrant, verify the demographic information contained in the warrant and enter it into the computer system. Warrants that do not contain sufficient information to distinguish the person named in the warrant from others of similar names will be returned to the issuing court.
 2. stamp the warrant number assigned by the computer on the BACK of the warrant document.
 3. file the warrant and the complaint until served or returned to the Clerk of the Circuit Court of Cook County.
 4. enter criminal warrant data into the Law Enforcement Agency Data Systems (LEADS) computer only when the charge is a felony or a class A or B misdemeanor charge and enter criminal warrant data into the National Crime Information Center (NCIC) system when the charge is for a Class "X" felony (homicide, armed robbery, aggravated arson, etc.).

NOTE: In exceptional cases and upon the approval of the States Attorney or Chief, Bureau of Detectives, a felony warrant may be placed in the LEADS and NCIC systems for an offense other than those enumerated above.

5. when notified that a person named in a warrant has been taken into custody:
 - a. retrieve the warrant packet from the warrant file and ensure there are no additional warrants listed on the back of the warrant copy.
 - b. verify the validity of the warrant via Chicago Hot Desk and confirm the warrant using the docket number through the Clerk of the Circuit Court of Cook County System and ensure that no additional warrants are listed in the miscellaneous field of the hot desk.
 - c. after verifying the validity of the warrant, record in the miscellaneous field of the hot desk:
 - (1) the name and star number of the Department member making the notification,
 - (2) the district of arrest,

- (3) the district the arrestee will be held,
- (4) the name and star number or employee number of the Department member verifying the warrant, and
- (5) how the warrant was verified through the Clerk of the Circuit Court of Cook County's System.
- d. immediately notify the arresting officer(s) or, when not available, station supervisor of the detention facility when it is determined that the warrant is invalid.
- e. if the warrant contains an available IR number, will:
 - (1) not complete the processing and serving of the warrant until the arrestee's fingerprints are verified.
 - (2) once the arrestee's status is in "IR warrant check pending," complete the automated arrest procedure by ensuring the IR number which the arrestee is clearing under matches the IR number and, if included, the central booking (CB) number on the warrant being served. If the numbers do not match, have the two IR numbers compared by a fingerprint technician.
- NOTE:** If the person in custody is determined through fingerprint comparison to not be the individual named on the warrant, immediately notify the station supervisor of the detention facility via PAX and send a completed Negative Identification Notification form (CPD-31.218) via fax, to the unit of detention.
- (3) serve the warrant in the hot desk by updating the status to "served" and notate the arrestee's corresponding central booking (CB) in the appropriate section.
- f. when no IR is attached to the warrant, serve the warrant in the hot desk by updating the status to "served" and notate the arrestee's corresponding CB number in the appropriate section.
- g. upon completion of the warrant processing procedure, forward copies, via Department email or facsimile, to the district of detention, of the following:
 - (1) the warrant(s),
 - (2) the complaint(s), when available,
 - (3) the hot desk page, and
 - (4) the Arrest Warrant Execution Verification Cook County (CCG0657) form, for bond forfeiture warrants (BFWs) only.
- 6. update warrant status in the computer system when a warrant is to be removed from the active file.
- 7. upon return of a facsimile copy of a warrant by a unit consistent with Item V of this directive, ensure that the original is reinstated to the active file.
- 8. upon notification that the person named in the warrant is already in the custody of an outside agency, take appropriate action to ensure that the warrant is served.

- C. The Field Services Section will notify the appropriate station supervisor via the telephone of any alias warrant hits discovered by the Instant Update Unit. The member making the notification will obtain the station supervisor's name and star number.
- D. When a person in custody is found to be wanted on a warrant issued by an Illinois court, the LEADS Desk in the Field Services Section will immediately notify the extradition officer. In instances when a warrant is discovered during the identification processing, the notification will be made immediately by the Identification Section / Instant Update Unit.

E. The extradition officer will complete the initial top sections of the Cook County Intrastate Hold Affidavit sections from the top of the document down to, but not including, the section labeled "IDENTIFICATION / DESCRIPTION OF PERSON IN CUSTODY" for each warrant issued by an Illinois court after a determination of identity has been made and will send the partially completed Intrastate Hold Affidavit, for each warrant, to the district of detention station supervisor via facsimile.

EXCEPTION: An Interstate Hold Affidavit is not required if the original warrant or a copy of the original warrant is available.

IV. PROCESSING PERSONS ARRESTED ON WARRANTS

A. The arresting officer will:

1. in addition to the procedures outlined below, process arrestees in accordance with the procedures outlined in the Department directive entitled "Processing Persons Under Department Control."
2. contact via PAX:
 - a. the Central Warrant Unit for initial verification, providing the Chicago warrant number, for warrants originating from the City of Chicago.
 - b. the LEADS Desk for initial verification, providing the LEADS warrant number, for Illinois warrants originating from outside the City of Chicago.
3. indicated on the Arrest Report the warrant charge and local charges for each warrant, if any. In addition, the following information for each warrant is to be listed on the Arrest Report:
 - a. Warrant number
 - b. Warrant charge
 - c. Court branch
 - d. Amount of bond
 - e. Judge's name
 - f. Identification Record (IR) number listed on the warrant, if any
 - g. Docket number, if known.
4. follow procedures for charging a fugitive apprehended on a warrant issued in another state in compliance with the Department directive entitled "Extradition Procedures." All fugitive warrant arrests go to Court Branch 98, even with local charges.
5. process persons apprehended on warrants issued within the State of Illinois:
 - a. The original signature of the arresting officer should appear on the Intrastate Hold Affidavit whenever possible. However, the processing and/or transporting of arrestees to the Central Detention Section, when required, will not be delayed in order to obtain the partially completed affidavit from the extradition officer or the original signature of the arresting officer. Instead, the Intrastate Hold Affidavit will be completed by the station supervisor at the district of detention or by the 001 District station supervisor when the Intrastate Hold Affidavit is hand-delivered by the extradition officer, who will ensure the LEADS hit printout is attached to the affidavit.

REMINDER: An Interstate Hold Affidavit is not required if the original warrant or a copy of the original warrant is available.

- b. If further information is needed to complete the affidavit, the station supervisor will verify the required information via the extradition officer (e.g., a fingerprint or photograph comparison if significant discrepancies between the physical description of the person in custody and the person named in the warrant are noted).

6. verify the information and physical description of the subject named in the warrant matches the subject in custody.

NOTE: If significant discrepancies between the physical description of the arrestee and the person named in the warrant are noted, the watch operations lieutenant of the detention facility has the final authority of determining whether or not the arrestee will be processed for the warrant.

7. include the original charges on the warrant, stated in the narrative section of the arrest report.

B. The station supervisor will ensure that:

1. all persons arrested on a Cook County Sheriff's warrant returnable to the First Municipal District are transported from the district of arrest to the court of issuance (the local Branch Court, Traffic Court, or 26th and California, as appropriate).
2. all persons arrested on a warrant issued outside of the first Municipal District and who have local charges are transported from the district of arrest to the local branch court according to the Case Priority Listing Unit Matrix outlined in the Department Directive entitled "**Court Call Schedule**".
3. the following will be transported to Central Bond Court:
 - a. all persons arrested on a warrant outside of the First Municipal District and no local charges,
 - b. all persons arrested on a warrant issued from Criminal Trial Court and no local charges, and
 - c. all persons arrested on all warrants on Saturday, Sunday, and court holidays.
4. all persons arrested on all Illinois Department of Corrections Warrant without local charges are transported to the Central Detention Section.
5. all persons arrested on serviceable Child Support Warrants are transported to the Central Detention Section.
6. arrestees are processed in accordance with the procedures outlined in this directive and the Department directive entitled "**Processing Persons Under Department Control**".
7. the arrestee's IR number, if available, and the IR number listed on the facsimile copy of the warrant are the same before the arrestee is let to bail or sent to court.
8. the Cook County Arrest Warrant Execution Verification (CCG0657) form is completed and ensure the form is included in the documents that comprise the court package for the arrestee.
9. all facsimile copies of local warrant(s) and complaint(s), if available, have been received. If a copy of the warrant is not received by the time the booking process is completed, immediately:
 - a. notify the Central Warrant Unit;
 - b. request that a copy of the warrant be transmitted immediately; and
 - c. at the end of the tour of duty, inform the oncoming station supervisor that the Intrastate Hold Affidavit has not been received.

REMINDER: An Interstate Hold Affidavit is not required if the original warrant or a copy of the original warrant is available.

10. the documents identified in the Checklist of Required Court Documents for Prisoner Transfer to Cook County Sheriff Personnel (CPD-34.441) are attached to the remaining court papers.

11. if at the end of the tour of duty, a facsimile copy of the warrant, complaint, and, if applicable, the Intrastate Hold Affidavit have not been received, the oncoming station supervisor is informed. The oncoming station supervisor will then be responsible for ensuring that the facsimile copies of the warrant, complaint, Intrastate Hold Affidavit, and copies of the computer-generated printouts of the LEADS hit are received and attached to the appropriate court papers.
- C. The 001 District station supervisor will ensure that:
 1. in cases where the arrestee is not picked up by the demanding agency, the arrestee is sent to the next regularly scheduled court session as outlined in the Department directive entitled "Court Call Schedule" for persons detained on fugitive warrants and warrants issued in other Illinois counties.
 2. if applicable, the Intrastate Hold Affidavit is received, completed, signed, clerked, and has a LEADS hit printout attached to the Intrastate Hold Affidavit and that the documents are attached to the Court Complaint Transmittal Listing (CPD-11.551).

NOTE: The original arrest warrant or a copy of the original arrest warrant will be used in lieu of the Intrastate Hold Affidavit, if available.

- D. the LEADS Operator, Field Services Section, will make proper notifications to the affected police agency when an arrestee is being held on an outside warrant.

V. WARRANTS RETURNED BY UNITS

When a facsimile copy of a warrant is **not** served and is returned to the Central Warrant Unit (i.e., the wanted person is no longer in custody), the station supervisor of the unit of detention will **immediately** make a telephonic notification to the Fields Services Section and, in addition, submit a To-From-Subject Report along with the copy of the returned warrant, indicating the reason(s) why the warrant was not served.

VI. BOND FORFEITURE PROCEDURE

- A. Whenever a bond forfeiture warrant is issued the Clerk of the Circuit Court of Cook County personnel will forward a copy of the warrant to the Central Warrant Unit for processing.
- B. When a bond forfeiture order is vacated and a bond is reinstated, Court Section personnel will notify the arresting officer's unit of assignment of the continued court date in cases where the arresting officer's court appearance is required.

VII. DIRECT RECALL PROCEDURES

Upon receipt of the transmittal listing of warrants from a judge of the Circuit Court of Cook County, the Central Warrant Unit will:

- A. update the warrants in the computer system to "inactive" status.
- B. pull the respective warrants from their files.
- C. complete the transmittal listing of warrants.
- D. send a completed facsimile copy of the transmittal listing of warrants back to the Circuit Court's Office.
- E. return the recalled warrants to the Chief Clerk of the Circuit Court of Cook County's office with the Warrant-Recall Order.

VIII. PERSONS ARRESTED BY OUTSIDE AGENCIES

Central Warrant Unit Responsibilities

- A. Upon receiving notification from an outside agency that a person wanted on a Chicago warrant is in their custody, the Central Warrant Unit will:
 1. verify the status of the warrant and the identity of the arrestee.
 2. contact the agency to determine whether or not the arrestee will make bond and will be detained on other local charges.
 3. if the wanted person will not make bond and will not be detained on other local charges, advise the arresting agency of arrangements being made for return of the wanted person to Chicago.
- B. When the agency holding the arrestee is within Cook County, the Central Warrant Unit will notify the Office of Emergency Management and Communications (OEMC) and request assignment of a two-officer car or squadrol from the district nearest to the holding agency be assigned to return the arrestee.
- C. When the agency holding the arrestee is outside Cook County, the Central Warrant Unit will notify the appropriate unit having the responsibility for the follow-up investigation or the issuance of the warrant and request that they assign personnel to return the arrestee. Furthermore:
 1. A supervisor from the unit having the responsibility for the follow up-investigation or the issuance of the warrant will inform the Central Warrant Unit within 24 hours of being notified and complete the Arrest Warrant and Return Verification form (CPD-31.219) form indicating if personnel will respond to the arresting agency outside of Cook County to return and process the arrestee. The supervisor will forward the completed form to the Central Warrant Unit.

NOTE: Department members must respond without unnecessary delay to the agency outside of Cook County to return and process the arrestee.

2. If no unit has follow-up responsibility for the investigation or the appropriate unit is unable to return the arrestee from the agency outside of Cook County, the Central Warrant Unit will notify the area Bureau of Detectives unit nearest the holding agency or the Fugitive Apprehension Unit and request that they assign personnel to return the arrestee.

NOTE: Department members responsible for the issuance of an original warrant for a subject that is arrested by an agency that is outside of Cook County and no longer wants the warrant served will have the responsibility of having the warrant quashed with the appropriate court branch without unnecessary delay. This will not apply to bond forfeiture warrants.

(Item indicated by italics/double underline were revised)

Authenticated by: KC

Eddie T. Johnson
Superintendent of Police

19-004 RCL

Exhibit 3

2018-07-15 11:41:47Z
AXON BODY 2 X81053672

