

Exhibit 6

From: [FABIO VALENTINI \(States Attorney\)](#)
To: [CELESTE STACK \(States Attorney\)](#); [JOSEPH MAGATS \(States Attorney\)](#)
Subject: Fwd: New Filing in Baker case
Date: Monday, March 21, 2016 5:16:26 PM
Attachments: [2-1401 petition - 06 CR 810 - FINAL -- 3.16.16.pdf](#)
[ATT00001.htm](#)
[Ex. OO People v. Baker and Glenn 09.18.06.pdf](#)
[ATT00002.htm](#)

We should also agree to this on Wednesday. No objection.

Sent from my iPhone

Begin forwarded message:

From: Joshua Tepfer <josh@exonerationproject.org>
Date: March 17, 2016 at 12:34:33 CDT
To: "FABIO VALENTINI (States Attorney)"
<fabio.valentini@cookcountyil.gov>, "CELESTE STACK (States Attorney)"
<celeste.stack@cookcountyil.gov>
Cc: Jon Brayman <john.brayman@gmail.com>
Subject: New Filing in Baker case

Fabio/Celeste --

We filed the attached motion today on behalf of Ben Baker and his wife, Clarissa Baker. Clarissa is represented by Jon Brayman, from Breen & Pugh, who is also copied here. I dropped off a hard copy of the motion, which includes the exhibits, for Celeste this morning. We noticed it up for Chief Judge Martin on Wednesday morning.

Our motion seeks to vacate Mr. Baker's and Ms. Glenn's convictions via guilty plea on September 18, 2006 in Case No. 06 CR 810. Our substantive allegations requesting this relief essentially mirror my claims on behalf of Mr. Baker in the previous case, 05 CR 8982, which was vacated upon your motion on January 14, 2016 and which Baker received a certificate of innocence a few weeks later. The police reports for this arrest in Case No. 06 CR 810 include the federally-convicted Sergeant Watts, Kallatt Mohammed, as well as several of the officers working for Sergeant Watts and involved in the arrest and conviction of Mr. Baker in the other, since-dismissed, case (05 CR 8982).

The pleading outlines a number of telling statements from Judge Toomin during the plea hearing, a couple of which I reproduce here (the hearing transcript is an exhibit to the pleading, but I include it as an attachment here as well):

Let me say this to both of you. I know through your lawyer what your position has been with regard to these police officers. I'm keenly aware of that. I know how you feel. I know what your defenses were earlier, Mr. Baker. There has not been [a] sufficient showing [to] me that these are renegade police officer[s]. That they

are bad police that they are outlaws. **If something should happen in the future where has happened before as you may have read about in the paper in the last few weeks police officers do get charged with doing things that are wrong, breaking the law. If that should happen here in this case I would have no hesitation to vacate all of the guilty findings, judgments, sentences including the 14 years that you're doing now. . . . If something should later develop, then I think your lawyer has told you my position and I would vacate these findings and I would toss out these convictions.**

-- Statement of the Honorable Michael P. Toomin during plea hearing, Sept. 18, 2006, at 29-30, Sept. 18, 2006 (attached as Ex. OO).

[L]et's just assume that [] your suspicions, your conjecture has some merit here and that at some point down the line Sergeant Watts and his team are shown to be bad cops and if they have done all the things you have said they did, don't you think that if Mr. Baker suffered a conviction in this case and in the other case where I have found them to be credible **don't you think that I would vacate those convictions. I mean I have to and I certainly would.**

-- Id. at 7

I can't conceive of a situation where if things should develop down the line where it turned out that your suspicions are correct and that this guy [Sergeant Ronald Watts] is tagged at some point that there is a judge in the building **I can't conceive the state would object to vacating pleas and even convictions. It just would not be right to allow convictions [] if they were based upon outlaw police.**

Id. at 9-10

In light of recent revelations--and these comments from Judge Toomin--I hope you will consider joining our motion for relief for Mr. Baker and Ms. Glenn. I also hope you are able to reach this decision quickly.

Please feel free to call me if you'd like to discuss.

All the best,
Josh

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Joshua Tepfer
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