

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

In re: WATTS COORDINATED
PRETRIAL PROCEEDINGS

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Master Docket Case No. 19-cv-01717

Judge Franklin U. Valderrama

Magistrate Judge Sheila M. Finnegan

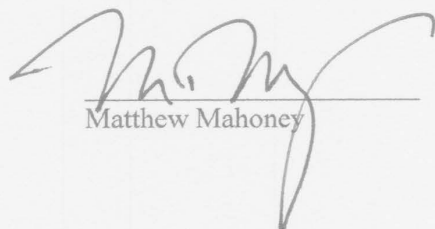
THIS DOCUMENT RELATES TO CASE NO. 16-CV-8940

Declaration of Matthew Mahoney

1. I have reviewed the September 18, 2006, plea transcript in the matter of *People v. Ben Baker/Clarissa Glenn*. I represented both individuals at that plea hearing.
2. Neither Ben Baker nor Clarissa Glenn were sworn in to testify under oath during that hearing. On page 20 of that transcript, or what is marked PL Joint 5002, there is an indication that I stated "No objection, waive reswearing, and reexecution" in response to the State telling the court that it would amend count three.
3. My reference to waiving reswearing was to waive the duty of the State to have the bringer of the charges resworn and the charges re-executed. It does not indicate that either of my clients were sworn previously to the factual basis for the plea, or to any facts of the case, or that I was agreeing to waive the necessity of swearing or reswearing them under oath to the facts of the case.
4. I know for certain that to be the case because I have practiced as a criminal defense attorney for 35 years, and never once have I waived a client being sworn in this or any other context. That would be improper for me to do so, and I cannot imagine a judge would even allow me to do so even if I offered. In my experience, if a client needs to be sworn under oath, they are sworn under oath and that is not something that can be waived. Regardless, I have never once in my career attempted to waive a client being sworn under oath, and I did not do so for Mr. Baker or Ms. Glenn.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6/4/2024
Date


Matthew Mahoney