



NO. 22-CV-4337

DENNIS JACKSON

V.

CITY OF CHICAGO, ET AL.

DEPONENT:

MATTHEW EVANS

DATE:

December 19, 2023

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ILLINOIS
3 EASTERN DIVISION
4 JUDGE ALONSO
5 NO. 22-CV-4337

6
7 DENNIS JACKSON,
8 Plaintiff

9
10 v.

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12 CITY OF CHICAGO, ET AL.,
13 Defendants

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23 DEPONENT: MATTHEW EVANS
24 DATE: DECEMBER 19, 2023
25 REPORTER: TALIA JACKSON

1	APPEARANCES	Page 2	1	STIPULATION	Page 4
2			2		
3	ON BEHALF OF THE PLAINTIFF, DENNIS JACKSON:		3	The deposition of MATTHEW EVANS was taken at KENNETH N.	
4	Joel A. Flaxman, Esquire		4	FLAXMAN, P.C., 200 SOUTH MICHIGAN AVENUE, SUITE 201,	
5	Kenneth N. Flaxman, P.C.		5	CHICAGO, ILLINOIS 60604 on TUESDAY the 19TH day of	
6	200 South Michigan Avenue		6	DECEMBER 2023 at 9:53 a.m. (CT); said deposition was	
7	Suite 201		7	taken pursuant to the FEDERAL Rules of Civil Procedure.	
8	Chicago, Illinois 60604		8		
9	Telephone No.: (312) 427-3200		9		
10	E-mail: jaf@kenlaw.com		10	It is agreed that TALIA JACKSON, being a Notary Public	
11			11	and Digital Reporter for the State of ILLINOIS, may	
12	ON BEHALF OF THE DEFENDANT, MATTHEW EVANS:		12	swear the witness.	
13	Alexander Michelini, Esquire		13		
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20			20		
21			21		
22			22		
23			23		
24			24		
25			25		
1	INDEX	Page 3	1	PROCEEDINGS	Page 5
2		Page	2	THE REPORTER: We are now on the record. Mr.	
3	PROCEEDINGS	5	3	Evans will you raise your right hand, please? Do	
4	DIRECT EXAMINATION BY MR. FLAXMAN	5	4	you solemnly swear or affirm the testimony you're	
5			5	about to give will be the truth, the whole truth,	
6	EXHIBITS		6	and nothing but the truth?	
7	Exhibit	Page	7	THE WITNESS: Yes, I do.	
8	1 Arrest Report of Nathaniel		8	THE REPORTER: Thank you. Counsel, you may	
9	Johnson	13	9	begin.	
10	2 Inventory Sheets	25	10	DIRECT EXAMINATION	
11			11	BY MR. FLAXMAN:	
12			12	Q. Okay. Can you please state and spell your	
13			13	name for the record?	
14			14	A. Matthew Evans, M-A-T-T-H-E-W, last name	
15			15	E-V-A-N-S.	
16			16	Q. And how are you currently employed?	
17			17	A. City of Chicago, detective.	
18			18	Q. How long have you been a detective?	
19			19	A. About 2018, late in the year, I became a	
20			20	detective.	
21			21	Q. And before that, what was your -- before that	
22			22	you were a police officer?	
23			23	A. Yes.	
24			24	Q. Okay. And how long were you an officer?	
25			25	A. My appointment date was 27th August 2007.	

<p style="text-align: right;">Page 6</p> <p>1 That's when I started the academy.</p> <p>2 Q. And where are you currently assigned?</p> <p>3 A. Area 2, detective division.</p> <p>4 Q. Have you been there since 2018?</p> <p>5 A. Yes.</p> <p>6 Q. Do you have an assignment within area 2?</p> <p>7 A. Homicide.</p> <p>8 Q. And what -- which shift do you normally work?</p> <p>9 A. Days. So that'd be second watch, is what we call it.</p> <p>11 Q. And what's the time for second watch?</p> <p>12 A. 7:00 a.m. to 17:30.</p> <p>13 Q. 17:30 meaning 5:30 p.m.?</p> <p>14 A. P.M. Yes.</p> <p>15 Q. Okay. Have you ever been deposed before?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. When was the last time?</p> <p>18 A. A couple years ago.</p> <p>19 Q. Was that in a case about your -- sorry. Was that in a case that involved your position as a police officer?</p> <p>21 A. Yes.</p> <p>23 Q. Okay. Do you remember were you one of the defendants in that case?</p> <p>25 A. Yes, I believe I was.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Okay. And in addition to depositions, have you testified in court?</p> <p>3 A. Yes.</p> <p>4 Q. Many times?</p> <p>5 A. Yes.</p> <p>6 Q. All right. And each time you testify in court, you take an oath to tell the truth, right?</p> <p>8 A. Yes.</p> <p>9 Q. And that's the same oath you took this morning?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And will you tell the truth today, just like you would in court?</p> <p>14 A. Yes, I will.</p> <p>15 Q. Okay. Do you understand that we're -- I want to ask you questions about the arrest of someone named Dennis Jackson on November 6th, 2017?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Do you remember that arrest?</p> <p>20 A. I remember most of the reports.</p> <p>21 Q. Okay. Well, did you look at the reports before --</p> <p>23 A. Yes, I did.</p> <p>24 Q. -- today's deposition? What did you look at?</p> <p>25 A. The arrest report. I looked at inventory</p>
<p style="text-align: right;">Page 7</p> <p>1 Q. What was the -- what was the case about?</p> <p>2 A. It was a search warrant case.</p> <p>3 Q. And do you remember how that case was resolved?</p> <p>5 A. No.</p> <p>6 Q. Did anybody ever tell you, or did you never find out?</p> <p>8 A. So I don't know. I don't know.</p> <p>9 Q. Okay.</p> <p>10 A. I -- after the deposition, I...</p> <p>11 Q. Okay. All right. As you've been doing, please keep answering my questions with verbal answers.</p> <p>12 Is that all right?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And also, please wait until I finish questions and I'll wait until you finish answers so the court reporter can write everything. Is that all right?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And besides giving that deposition -- well, have -- was that the only deposition you've given?</p> <p>23 A. No.</p> <p>24 Q. Okay. How many other ones do you think?</p> <p>25 A. I think one more.</p>	<p style="text-align: right;">Page 9</p> <p>1 reports.</p> <p>2 Q. And did looking at those help you remember what happened during the arrest, or did you just remember what's in the reports?</p> <p>5 A. I remember mostly what's in the reports.</p> <p>6 Q. Okay. Is there anything that's not in the reports that you remember from that arrest?</p> <p>8 A. No.</p> <p>9 Q. Okay. And in 2017, what was your assignment?</p> <p>10 A. I was assigned to the area south gun team.</p> <p>11 Q. Okay. And what is the area south gun team?</p> <p>12 A. It was the unit that I was in. We worked the south side of the city, essentially tasked at trying to find illegal guns.</p> <p>15 Q. Is -- I -- I've also heard about tactical teams. Is that the same thing as the gun team?</p> <p>17 A. So I was on a tactical team before that, and those are essentially the same thing, except the tactical team is designated to a specific district, where the gun team was the south -- the south side districts, which are 4, 5, 6, 7, and 22. And when I was on the tactical team, I was -- I was a 5th District officer, so I strictly worked in the 5th District.</p> <p>24 Q. And when did you go from a tactical -- I'm sorry. So at some point you went from the 5th District</p>

<p style="text-align: right;">Page 10</p> <p>1 tactical team to the area south gun team; is that 2 right?</p> <p>3 A. Yes.</p> <p>4 Q. And when did you make that?</p> <p>5 A. That was in 2012.</p> <p>6 Q. And why did you move to the gun team in 2012?</p> <p>7 A. Just a different job.</p> <p>8 Q. You wanted to do something different?</p> <p>9 A. Yes.</p> <p>10 Q. Maybe just -- you wanted variety; is that 11 right? Or --</p> <p>12 A. Yes. Little something different than the 5th 13 District every day.</p> <p>14 Q. Okay. Okay. And I did mention the arrest of 15 Dennis Jackson. Do you remember that there were two 16 other people arrested on the same night?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And one of them was arrested in a 19 separate place. Do you remember that?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And what do you -- do you remember if 22 that was Nathaniel Johnson?</p> <p>23 A. Yes.</p> <p>24 Q. And what do you remember about the arrest of 25 Mr. Johnson?</p>	<p style="text-align: right;">Page 12</p> <p>1 A. -- that would lead me to believe that, yes, 2 we were the vehicle that stopped him.</p> <p>3 Q. Okay. But you don't remember that?</p> <p>4 A. Right. I mean --</p> <p>5 Q. Yeah. So I mean, you would -- and I just 6 want to make it -- you know, it -- it's a -- it's a 7 fine distinction, but it's, you know, you don't -- you 8 can't picture that happening, but you see it in the 9 report; is that right?</p> <p>10 A. Right. I mean, I remember the approach to 11 the vehicle. I'm sure that we were the ones that 12 pulled --</p> <p>13 Q. Okay.</p> <p>14 A. -- pulled him over.</p> <p>15 Q. Oh, okay. But you do remember walking up to 16 the vehicle?</p> <p>17 A. I mean, I -- I -- I read it in the reports --</p> <p>18 Q. Okay.</p> <p>19 A. -- so I mean, I -- I've done it a hundred 20 times --</p> <p>21 Q. Sure.</p> <p>22 A. -- so I'm just --</p> <p>23 Q. Okay. Okay. Well, why don't I just -- why 24 don't I give you the report?</p> <p>25 A. Sure.</p>
<p style="text-align: right;">Page 11</p> <p>1 A. I remember that it happened a couple blocks 2 from the location where the other gentleman were 3 arrested.</p> <p>4 Q. Okay. And were you involved in stopping Mr. 5 Johnson?</p> <p>6 A. Yes, I was.</p> <p>7 Q. And what do you remember about that?</p> <p>8 A. I remember that he was in a vehicle, and he 9 was subsequently asked out. And that he was arrested 10 with heroin, that he wasn't the only person in the 11 vehicle.</p> <p>12 Q. Do you remember where Mr. Johnson was in the 13 vehicle?</p> <p>14 A. He was the backseat passenger.</p> <p>15 Q. And how many other people were in the car?</p> <p>16 A. I believe it was two females in the -- in the 17 front.</p> <p>18 Q. Okay. And were -- was it your vehicle that 19 stopped Mr. Johnson's vehicle?</p> <p>20 A. So I believe so.</p> <p>21 Q. Okay.</p> <p>22 A. Just the way the report reads and --</p> <p>23 Q. Yeah.</p> <p>24 A. -- that me and my partner approached --</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 13</p> <p>1 Q. We'll look at it. Were you talking about an 2 arrest report of Nathaniel Johnson?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. So I'll mark that as Exhibit number 1. 5 And is Exhibit number 1 the arrest report of Nathaniel 6 Johnson, dated November 6th, 2017?</p> <p>7 (EXHIBIT 1 MARKED FOR IDENTIFICATION)</p> <p>8 A. Yes.</p> <p>9 BY MR. FLAXMAN:</p> <p>10 Q. And is this a -- did you look at this report 11 before the deposition?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And if you go to the very last page, 14 number 5 of 5, see there's a list of assisting 15 arresting officers there?</p> <p>16 A. Yes, I see it.</p> <p>17 Q. Okay. And you see your name?</p> <p>18 A. Yes, I do.</p> <p>19 Q. Okay. And you're listed as beat 4271C; is 20 that right?</p> <p>21 A. Yes.</p> <p>22 Q. And Officer Lau has the same beat number, 23 Officer L-A-U; is that right?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Were you -- the two of you partners</p>

<p style="text-align: right;">Page 14</p> <p>1 that night?</p> <p>2 A. Yes.</p> <p>3 Q. Was Officer Lau your regular partner?</p> <p>4 A. Yes, he was.</p> <p>5 Q. Let me just -- if you go back to the second</p> <p>6 page where the narrative of this report is, and what</p> <p>7 this says -- I don't think we need to read the whole</p> <p>8 thing, but that Officer Carreno informed Officer Lau</p> <p>9 about somebody who had -- who Officer Carreno had seen</p> <p>10 buy drugs; is that right?</p> <p>11 A. Yes.</p> <p>12 Q. And it was based on that report that you and</p> <p>13 -- that you and Officer Lau stopped this gold Chevrolet</p> <p>14 Impala?</p> <p>15 A. Yes.</p> <p>16 Q. Do you remember who was driving in the car</p> <p>17 with you and Officer Lau?</p> <p>18 A. I don't.</p> <p>19 Q. And do you remember if you were driving a</p> <p>20 marked or unmarked vehicle?</p> <p>21 A. Unmarked.</p> <p>22 Q. Do you know what kind of -- unmarked vehicles</p> <p>23 you used in 2017?</p> <p>24 A. A Crown Vic.</p> <p>25 Q. And if you wanted to stop a car, what would</p>	<p style="text-align: right;">Page 16</p> <p>1 A. I know what you're talking about, though.</p> <p>2 Q. Okay. And this report says that beat 4271C</p> <p>3 stopped the gold Chevrolet Impala, right?</p> <p>4 A. Yes.</p> <p>5 Q. And that was you and Officer Lau, right?</p> <p>6 A. Yes.</p> <p>7 Q. Lower down, it says that you -- that "Officer</p> <p>8 Evans illuminated the vehicle with a flashlight and the</p> <p>9 backseat passenger was observed moving around and</p> <p>10 fidgeting." Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And that's -- do you remember doing</p> <p>13 that, or would you just rely on the report for that?</p> <p>14 A. I would rely on the report for that.</p> <p>15 Q. Okay. Do you know what it means for somebody</p> <p>16 to be moving around and fidgeting?</p> <p>17 A. Yes.</p> <p>18 Q. And what does what do you take that to mean?</p> <p>19 A. I mean, that -- that's what I take it to</p> <p>20 mean.</p> <p>21 Q. Okay. And what -- you said this is a</p> <p>22 situation you've been in many times, right?</p> <p>23 A. Yes.</p> <p>24 Q. And if you see somebody in a car moving</p> <p>25 around and fidgeting, what conclusion would you -- what</p>
<p style="text-align: right;">Page 15</p> <p>1 you -- did you have lights that you could turn on in</p> <p>2 the Crown Vic?</p> <p>3 A. Yes, we did.</p> <p>4 Q. Okay. Were they lights in front? On top?</p> <p>5 A. Like, on the vehicle or, like, where the</p> <p>6 handles are, you mean?</p> <p>7 Q. Yeah. I'm sorry --</p> <p>8 A. So --</p> <p>9 Q. Where were the lights?</p> <p>10 A. So the dashboard or in the middle is where</p> <p>11 you flick them on, and then the lights were either on -</p> <p>12 - were on the sides usually. And then the headlights,</p> <p>13 when you turn them on, actually flicker, the rear</p> <p>14 lights. Nothing on top, though.</p> <p>15 Q. Okay. And does it also make a noise to alert</p> <p>16 the driver?</p> <p>17 A. Yes.</p> <p>18 Q. Are those -- do people call those lights</p> <p>19 wigwag lights?</p> <p>20 A. So I -- I don't know.</p> <p>21 Q. Okay.</p> <p>22 A. I think wigwag lights are, like -- I think</p> <p>23 it's a certain way that they go, you know, like,</p> <p>24 different pattern. I don't know.</p> <p>25 Q. Oh, okay.</p>	<p style="text-align: right;">Page 17</p> <p>1 would you suspect was going on?</p> <p>2 A. I would suspect attempting to conceal</p> <p>3 something.</p> <p>4 Q. Okay. The next sentence says that "PO" --</p> <p>5 does PO mean police officer?</p> <p>6 A. Yes.</p> <p>7 Q. It says, "PO Lau asked the arrestee, the</p> <p>8 backseat passenger, to exit the vehicle." Do you see</p> <p>9 that?</p> <p>10 A. Yes, I do.</p> <p>11 Q. Do you know what you were doing when Officer</p> <p>12 Lau was asking the backseat passenger to exit the</p> <p>13 vehicle?</p> <p>14 A. No, I don't, but I know I would be on the</p> <p>15 other side of the car from him.</p> <p>16 Q. Okay.</p> <p>17 A. Whichever side that was.</p> <p>18 Q. And was that a safety measure?</p> <p>19 A. Yes.</p> <p>20 Q. And did you use -- I think you told me before</p> <p>21 there were two females in the front seat of the car?</p> <p>22 A. Yes.</p> <p>23 Q. And did you talk to those passengers?</p> <p>24 A. I'm sure I did.</p> <p>25 Q. Okay. Do you have any recollection of what</p>

<p>1 you talked about?</p> <p>2 A. No.</p> <p>3 Q. All right. Do you know if they ever were</p> <p>4 asked out of the vehicle?</p> <p>5 A. I don't remember.</p> <p>6 Q. Okay. If they were asked out of the vehicle,</p> <p>7 would you have made any report about that?</p> <p>8 MR. MICHELINI: Objection to speculation.</p> <p>9 Calls for hypothetical. You can answer.</p> <p>10 THE WITNESS: Would we have made a report? I</p> <p>11 would think so.</p> <p>12 BY MR. FLAXMAN:</p> <p>13 Q. But if they were not asked out of the</p> <p>14 vehicle, would there be any reason to make a report?</p> <p>15 MR. MICHELINI: Same objection. Hypothetical.</p> <p>16 You can answer.</p> <p>17 THE WITNESS: Yes. We could still make a</p> <p>18 report even if they weren't asked out.</p> <p>19 BY MR. FLAXMAN:</p> <p>20 Q. And then are you required to make a report in</p> <p>21 either of those cases?</p> <p>22 A. I believe for the driver we would have to</p> <p>23 make a report. For the passenger, I don't think so.</p> <p>24 Q. What kind of report would you have to make</p> <p>25 for the driver?</p>	<p>Page 18</p> <p>1 heroin?</p> <p>2 A. I don't recall if I saw him pull it out or</p> <p>3 not.</p> <p>4 Q. Okay. And the -- okay. And after Officer</p> <p>5 Lau found the heroin, Mr. Johnson was arrested, right?</p> <p>6 A. Yes.</p> <p>7 Q. And according to this report, "Arrestee</p> <p>8 placed into custody and transported to 5th District for</p> <p>9 processing." Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. And is the 5th District that where -- that's</p> <p>12 where the gun team's office was?</p> <p>13 A. So at that time, we had, like, two offices.</p> <p>14 We had -- that office was a -- where we processed</p> <p>15 arrestees in the 5th District. Yes.</p> <p>16 Q. Where was the other office at?</p> <p>17 A. 116th and Indiana.</p> <p>18 Q. Is that a district?</p> <p>19 A. No. It's, like, a satellite office.</p> <p>20 Q. And what was that office used for?</p> <p>21 A. Roll calls. That's where we received our</p> <p>22 radios, started our day.</p> <p>23 Q. Okay. Do you know who transported Mr.</p> <p>24 Johnson to the station?</p> <p>25 A. I don't based off memory, and I don't --</p>
<p>Page 19</p> <p>1 A. They were called back then, I think, like,</p> <p>2 blue cards.</p> <p>3 Q. Is a contact card the same thing as that?</p> <p>4 A. I think contact cards were different.</p> <p>5 Q. Okay.</p> <p>6 A. Blue card was just, like, a traffic one, but</p> <p>7 with the -- the arrest, I don't know if a blue card was</p> <p>8 required or not.</p> <p>9 Q. So this report is about the arrest of the</p> <p>10 backseat passenger, right?</p> <p>11 A. Yes.</p> <p>12 Q. And if you or your partner had asked the</p> <p>13 front -- the driver of the car out, you think you would</p> <p>14 have made a blue card?</p> <p>15 A. Yes. I --</p> <p>16 MR. MICHELINI: Object to the hypothetical.</p> <p>17 You can answer.</p> <p>18 THE WITNESS: Yes. I believe a blue card</p> <p>19 could have been made.</p> <p>20 BY MR. FLAXMAN:</p> <p>21 Q. Okay. And the next thing this says is that</p> <p>22 Officer Lau found some heroin on that backseat</p> <p>23 passenger, Mr. Johnson, right?</p> <p>24 A. Yes.</p> <p>25 Q. Do -- did you see when Officer Lau found that</p>	<p>Page 21</p> <p>1 Q. Can you look at the fourth page of the</p> <p>2 report?</p> <p>3 A. Fourth page?</p> <p>4 Q. On the -- on that top left, yeah.</p> <p>5 A. Okay. So looks like 4271 David transported.</p> <p>6 Q. Okay. And that's -- you're looking at the</p> <p>7 transport details in the report?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And if you look at the next page, you</p> <p>10 see that that's Officer Higgins and Officer Foertsch?</p> <p>11 A. Yes.</p> <p>12 Q. And is Foertsch spelled F-O-E-R-T-S-C-H?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know why those officers transported</p> <p>15 Mr. Johnson?</p> <p>16 A. No.</p> <p>17 Q. Okay.</p> <p>18 A. Just tasked with that job.</p> <p>19 Q. Who tasked him with the job?</p> <p>20 A. I don't know.</p> <p>21 Q. Okay. What did you do after the arrest of</p> <p>22 Mr. Johnson?</p> <p>23 A. Just went back doing what we were doing,</p> <p>24 which is probably being in the area, that same area</p> <p>25 where we were.</p>

<p style="text-align: right;">Page 22</p> <p>1 Q. Okay. Were you working enforcement? 2 A. Yes. 3 Q. Okay. And at some point, did you -- were you 4 called to arrest anybody? 5 A. Different than this one? 6 Q. Right. Yes. 7 A. Yes. 8 Q. And what was that for Mr. Jackson? 9 A. Yes. 10 Q. And was that -- you got information over the 11 radio from Officers Garcia and Carreno? 12 A. Yes. 13 Q. And after you got that information, you 14 relocated and went to a car where Mr. Jackson and 15 another man were sitting; is that right? 16 A. Yes. 17 Q. Okay. And just to be clear, you didn't see 18 any of the drug transactions that Carreno and Garcia 19 saw, right? 20 A. Correct. 21 Q. So you were relying on their observations, 22 which were relayed over the radio? 23 A. Yes. 24 Q. Okay. And -- well, what did you do when you 25 went to arrest Mr. Jackson and the other man in the</p>	<p style="text-align: right;">Page 24</p> <p>1 A. Yes, I did. 2 Q. And do you -- did you have any conversation 3 with him in the car? 4 A. I don't recall. 5 Q. Did your car -- does your unmarked car have a 6 divider between the front and the back? 7 A. No, it does not. 8 Q. Okay. And back at the station, did you have 9 any conversation with Mr. Jackson? 10 A. I don't recall one. 11 Q. Okay. Is -- I mean, is there any time that 12 you can recall anything you said to Mr. Jackson? 13 A. No. 14 Q. And is there any time at which you can recall 15 what Mr. Jackson had said to you? 16 A. No. 17 Q. The -- and the -- there was another man 18 arrested named James McIntyre? 19 A. Yes. 20 Q. Can you remember any conversation you had 21 with Mr. McIntyre? 22 A. No. 23 Q. And did you say you looked at some inventory 24 sheets that you prepared related to these arrests? 25 A. Yes.</p>
<p style="text-align: right;">Page 23</p> <p>1 car? 2 A. Approached in our -- in our vehicle, asked 3 them out. 4 Q. And did they cooperate? 5 A. Yes. 6 Q. And did you talk to either of them at the 7 scene? 8 A. I'm sure I did. 9 Q. Okay. Do you remember any of that 10 conversation? 11 A. No. I don't remember the content of it. 12 Q. You don't remember what you said? You don't 13 remember what they said? 14 A. No. 15 Q. Okay. And at some point did you find out 16 that Carreno or Garcia had found drugs into the 17 vicinity? 18 A. Yes, I did. 19 Q. And how did you find that out? 20 A. One of them told us. 21 Q. Okay. And you didn't see them finding the 22 drugs, right? 23 A. No. 24 Q. All right. And did you transport Mr. Jackson 25 to the police station?</p>	<p style="text-align: right;">Page 25</p> <p>1 Q. And -- all right. Well, I'll mark those as 2 the next exhibit. All right. This is what I marked as 3 Exhibit number 2. It is -- for the record, its first 4 two pages are FCRL 25 to 26, followed by FCRL 164 5 through 175. Looking at that first page, is that an 6 inventory sheet with inventory number 14037693? 7 (EXHIBIT 2 MARKED FOR IDENTIFICATION) 8 A. Yes. 9 BY MR. FLAXMAN: 10 Q. And that's for -- well, the first line is for 11 nine bags containing white, rocklike substance, suspect 12 cracked cocaine. And the second line is for 13 bags; 13 is that right? 14 A. Yes. 15 Q. And this is the drugs that we talked about 16 before, that Carreno or Garcia found, right? 17 A. Yes. 18 Q. Okay. Did you create this inventory sheet? 19 A. Yes, I did. 20 Q. Okay. And can you tell that by your PC 21 number at the bottom left? 22 A. Correct. 23 Q. And it -- it's PC07681? 24 A. Zero, yes. 25 Q. Okay. PC07 -- you know what, I said it</p>

<p style="text-align: right;">Page 26</p> <p>1 wrong. What is your PC number?</p> <p>2 A. My PC number is PC0Z681.</p> <p>3 Q. Okay. Thanks. Do you know why you are the</p> <p>4 one who created this inventory sheet?</p> <p>5 A. It was just tasked to me, just a -- work as a</p> <p>6 group to -- different job.</p> <p>7 Q. Yeah.</p> <p>8 A. I'll do the inventory. Somebody else does</p> <p>9 whatever else.</p> <p>10 Q. And did you create the inventory sheet based</p> <p>11 on information from another officer, or were you</p> <p>12 looking at these baggies that's -- that are described</p> <p>13 in the sheet when you made it?</p> <p>14 A. I mean, both. I -- I'm --</p> <p>15 Q. Okay.</p> <p>16 A. -- sure I -- I saw the crack, and I also got</p> <p>17 the information from other officers.</p> <p>18 Q. Okay. So the -- there's a section for the</p> <p>19 found by officer, that's Officer Carreno. Do you see</p> <p>20 that?</p> <p>21 A. Yes.</p> <p>22 Q. And you knew that these items were found by</p> <p>23 Officer Carreno because he or Officer Garcia told you</p> <p>24 that, right?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 28</p> <p>1 officer who created this report, right?</p> <p>2 A. Yes, it does.</p> <p>3 Q. All right. You can go two more pages. The</p> <p>4 next inventory is number 14037663. Do you see that?</p> <p>5 A. Yes, I do.</p> <p>6 Q. Okay. And this lists some prisoner personal</p> <p>7 property that was taken from Mr. Jackson?</p> <p>8 A. Yes.</p> <p>9 Q. And was this your responsibility -- I'm</p> <p>10 sorry. Were you the one who took this property from Mr.</p> <p>11 Jackson?</p> <p>12 A. Yes.</p> <p>13 Q. And that was, again, the standard procedure</p> <p>14 before an arrestee goes into lockup?</p> <p>15 A. Yes.</p> <p>16 Q. And based on the PC number listed here, are</p> <p>17 you the one who created this inventory sheet?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. You can go more pages. The next one</p> <p>20 is 14037666. You see that?</p> <p>21 A. Yes, I do.</p> <p>22 Q. Okay. And does this inventory sheet report</p> <p>23 that you took \$790 that Mr. Jackson had on his person?</p> <p>24 A. Yes.</p> <p>25 Q. And does it state that the money is being</p>
<p style="text-align: right;">Page 27</p> <p>1 Q. And you didn't see Officer Carreno finding</p> <p>2 these bags, right?</p> <p>3 A. No.</p> <p>4 Q. And to be extra clear, you mean, no, you did</p> <p>5 not see that, right?</p> <p>6 A. No, I did not see that.</p> <p>7 Q. Okay. Thanks. The -- if you go two pages</p> <p>8 forward in this report, there's an inventory sheet,</p> <p>9 which is number 14037658. Do you -- are you looking at</p> <p>10 that?</p> <p>11 A. Yes, I am.</p> <p>12 Q. And that lists jewelry that was taken from</p> <p>13 Mr. Jackson?</p> <p>14 A. Yes.</p> <p>15 Q. And that's standard practice that -- to take</p> <p>16 personal items like that before an arrestee goes into</p> <p>17 the lockup?</p> <p>18 A. Yes.</p> <p>19 Q. And this one lists you as the found by</p> <p>20 officer; is that right?</p> <p>21 A. Yes.</p> <p>22 Q. And does that mean that you were the one who</p> <p>23 took this jewelry from Mr. Jackson?</p> <p>24 A. Yes.</p> <p>25 Q. And this one also lists your PC number as the</p>	<p style="text-align: right;">Page 29</p> <p>1 seized as narcotics proceeds?</p> <p>2 A. Yes.</p> <p>3 Q. And does the inventory sheet state that</p> <p>4 you're the one who created it?</p> <p>5 A. Yes.</p> <p>6 Q. Do you know, did you take the money from Mr.</p> <p>7 Jackson on the scene or at the station?</p> <p>8 A. I don't remember.</p> <p>9 Q. Before Mr. Jackson -- I'm sorry. Let me ask</p> <p>10 the question the right way. You said you -- Mr.</p> <p>11 Jackson was transported in your police vehicle to the</p> <p>12 station, correct?</p> <p>13 A. Yes.</p> <p>14 Q. And before he was put into the vehicle, would</p> <p>15 you or your partner have patted him down to see if he</p> <p>16 had any weapons on him?</p> <p>17 A. Yes.</p> <p>18 Q. And would he be in handcuffs while he was</p> <p>19 being transported?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. All right. You can go two more pages.</p> <p>22 The next one is inventory sheet 14037674. Is that what</p> <p>23 you're looking at?</p> <p>24 A. Yes.</p> <p>25 Q. And this lists prisoner personal property</p>

<p>1 from James McIntyre; is that right?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And this says it was found by Officer</p> <p>4 Burmistrz; is that right?</p> <p>5 A. Yes.</p> <p>6 MR. FLAXMAN: All right. And for the court</p> <p>7 reporter, that's B-U-R-M-I-S-T-R-Z.</p> <p>8 BY MR. FLAXMAN:</p> <p>9 Q. And this report states that you're the one</p> <p>10 who created it, right?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Do you know why you created these</p> <p>13 reports for Mr. McIntyre?</p> <p>14 A. Same thing. I was probably just inventorying</p> <p>15 all the property back at the police station.</p> <p>16 Q. And were you doing that while you were</p> <p>17 looking at the property?</p> <p>18 A. Yes.</p> <p>19 Q. All right. Okay. Then you can go two more</p> <p>20 pages. The next one is inventory sheet number</p> <p>21 14037678. Do you see that?</p> <p>22 A. Yes, I do.</p> <p>23 Q. Okay. And this is more personal property</p> <p>24 that Officer Burmistrz took from Mr. McIntyre and that</p> <p>25 you created a property inventory sheet for, correct?</p>	<p>Page 30</p> <p>1 created, correct?</p> <p>2 A. Yes.</p> <p>3 Q. Is it your practice to create inventory</p> <p>4 sheets before an arrestee goes into the lockup?</p> <p>5 A. Yes.</p> <p>6 Q. And why is that?</p> <p>7 A. So for the personal property, we'll give them</p> <p>8 -- this could essentially be a receipt. They could</p> <p>9 hang onto it.</p> <p>10 Q. They take it with them to the lockup?</p> <p>11 A. Yes.</p> <p>12 Q. Now, the -- before the arrest of Mr. Jackson</p> <p>13 on November 6th, 2017, had you ever interacted with Mr.</p> <p>14 Jackson?</p> <p>15 A. I believe so, yes.</p> <p>16 Q. Yeah. When was that?</p> <p>17 A. I don't remember.</p> <p>18 Q. Okay. Do you remember what the interaction</p> <p>19 was about?</p> <p>20 A. No.</p> <p>21 Q. Okay. What about the other man, Mr.</p> <p>22 McIntyre? Had you interacted with him before this</p> <p>23 arrest?</p> <p>24 A. Yes, (Inaudible).</p> <p>25 Q. And what was that interaction about?</p>
<p>1 A. Yes.</p> <p>2 Q. And the first thing listed here is a back</p> <p>3 brace. Do you see that?</p> <p>4 A. I do.</p> <p>5 Q. Okay. Do you remember what that back brace</p> <p>6 looked like?</p> <p>7 A. No.</p> <p>8 Q. But you could tell from how it appeared that</p> <p>9 it was a brace for his back?</p> <p>10 A. I'm sure I did, yes.</p> <p>11 Q. Okay. Okay. And to be clear, you don't</p> <p>12 remember looking at that item, right?</p> <p>13 A. No.</p> <p>14 Q. All right. You can go two more pages. The</p> <p>15 last inventory sheet here, which is number 14037680.</p> <p>16 Are you looking at that?</p> <p>17 A. Yes, I am.</p> <p>18 Q. Okay. And that is an inventory sheet for</p> <p>19 \$531 that Officer Burmistrz took from Mr. McIntyre,</p> <p>20 correct?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And that's also listed as money seized</p> <p>23 as narcotic proceeds, right?</p> <p>24 A. Yes.</p> <p>25 Q. And this is another inventory sheet that you</p>	<p>Page 31</p> <p>1 A. I don't remember.</p> <p>2 Q. Okay. Do you know if either of them were</p> <p>3 arrested before?</p> <p>4 A. I don't think I arrested either of them. I'm</p> <p>5 not positive, but I don't think I have.</p> <p>6 Q. And after November 6th, 2017, did you ever</p> <p>7 interact with Mr. Jackson again?</p> <p>8 A. I don't think so, but I -- I could have.</p> <p>9 Q. Okay. And what about Mr. McIntyre?</p> <p>10 A. Same. I don't know if I have or have not.</p> <p>11 Q. Do you remember testifying at Mr. Jackson's</p> <p>12 trial?</p> <p>13 A. No.</p> <p>14 Q. Have you looked at your testimony from the</p> <p>15 trial?</p> <p>16 A. No.</p> <p>17 Q. Is it always your practice when you testify</p> <p>18 in court to tell the truth?</p> <p>19 A. Yes.</p> <p>20 Q. After -- going back to Mr. Johnson, did you</p> <p>21 ever interact with Mr. Johnson after he was taken to</p> <p>22 the station?</p> <p>23 A. I don't think so.</p> <p>24 Q. And do you have any memory of any</p> <p>25 conversation with Mr. Johnson at any time?</p>

<p>1 A. No.</p> <p>2 Q. You said that the gun team had an office at</p> <p>3 the 5th District where you would process arrestees; is</p> <p>4 that right?</p> <p>5 A. Yes.</p> <p>6 Q. So is that where you and your teammates would</p> <p>7 be located while you were writing the reports for this</p> <p>8 case?</p> <p>9 A. Yes.</p> <p>10 Q. And is there a separate place where arrestees</p> <p>11 were held while you were writing your reports?</p> <p>12 A. Yes.</p> <p>13 Q. What were -- where were arrestees held?</p> <p>14 A. We have holding cells in the station.</p> <p>15 Q. And so that -- a holding cell is where</p> <p>16 someone is held before they go into a lockup?</p> <p>17 A. Yes.</p> <p>18 MR. FLAXMAN: I'm going to take a quick break</p> <p>19 --</p> <p>20 THE REPORTER: All right.</p> <p>21 MR. FLAXMAN: -- but I think I'm done.</p> <p>22 (OFF THE RECORD)</p> <p>23 THE REPORTER: We are on the record.</p> <p>24 MR. FLAXMAN: I don't have any more questions.</p> <p>25 Thanks for your time.</p>	<p>Page 34</p> <p>1 CERTIFICATE OF DIGITAL REPORTER</p> <p>2 STATE OF ILLINOIS</p> <p>3</p> <p>4 I do hereby certify that the witness in the foregoing</p> <p>5 transcript was taken on the date, and at the time and</p> <p>6 place set out on the Title page hereof by me after first</p> <p>7 being duly sworn to testify the truth, the whole truth,</p> <p>8 and nothing but the truth; and that the said matter was</p> <p>9 recorded digitally by me and then reduced to typewritten</p> <p>10 form under my direction, and constitutes a true record</p> <p>11 of the transcript as taken, all to the best of my skills</p> <p>12 and ability. I certify that I am not a relative or</p> <p>13 employee of either counsel, and that I am in no way</p> <p>14 interested financially, directly or indirectly, in this</p> <p>15 action.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 </p> <p>21</p> <p>22 TALIA JACKSON,</p> <p>23 DIGITAL REPORTER / NOTARY</p> <p>24 COMMISSION EXPIRES ON: 11/28/2027</p> <p>25 SUBMITTED ON: 12/28/2023</p>
<p>1 MR. MICHELINI: I have nothing based on that.</p> <p>2 THE REPORTER: Okay. Just real quickly before</p> <p>3 I take us off, how would you like a copy of the</p> <p>4 transcript?</p> <p>5 MR. FLAXMAN: We'll take a PDF, please.</p> <p>6 THE REPORTER: Okay. And read or waive?</p> <p>7 MR. MICHELINI: Do you want to reserve your</p> <p>8 signature, where you can get an opportunity to</p> <p>9 review the transcript before signing off on it, or</p> <p>10 trust that -- or you can trust that she took it</p> <p>11 down -- everything accurately?</p> <p>12 THE WITNESS: Trust --</p> <p>13 MR. MICHELINI: Okay. So we'll waive.</p> <p>14 THE REPORTER: Thank you.</p> <p>15 (DEPOSITION CONCLUDED AT 10:30 A.M. CT)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

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