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1 THE CLERK: Dennis Jackson.

2 THE COURT: Mr. Jackson, can you state your
3 name for the record.

4 THE DEFENDANT: Dennis Jackson, your Honor.

5 THE COURT: I need you to do it loud for me,
6 okay?

7 THE DEFENDANT: Dennis Jackson.

8 THE COURT: Thank you. Mr. Jackson, I have
9 in my hand a jury waiver. Is this your signature at
10 the bottom?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: By signing this were you
13 waiving -- by signing this did you understand that
14 you were waiving your right to have a trial by jury?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Do you understand that you are
17 waiving your right to have 12 people make a
18 determination as to guilty or not guilty?

19 THE DEFENDANT: Yes.

20 THE COURT: And you are instead asking that
21 I, the Court, make a determination as to guilty or
22 not guilty?

23 THE DEFENDANT: Yes.

24 THE COURT: And did anyone force you or

1 threaten you to sign this document?

2 THE DEFENDANT: No, ma'am.

3 THE COURT: All right. Jury waiver will be
4 accepted.

5 Are there any preliminary motions from the
6 parties?

7 MR. JANKOVIC: Motion to exclude, Judge.

8 MR. GAEGER: Join.

9 THE COURT: That will be allowed.

10 Also, I need to ask, Mr. Gaeger, and,
11 Mr. Jackson, what is your preference as to whether
12 you wish witnesses to have their faces shown to the
13 Court? I do have clear masks if you want me to see
14 witness' faces or do you have objections to witnesses
15 keeping their masks on?

16 MR. GAEGER: Judge, in this particular
17 circumstance based on the nature of this trial I do
18 not mind that the officers leave whatever face
19 coverings they have on.

20 THE COURT: Mr. Jackson, is that also your
21 desire -- are you waiving your right to have this
22 Court see the actual faces of the officers
23 testifying?

24 THE DEFENDANT: Whatever Mr. Gaeger said.

1 THE COURT: But you have to tell me.

2 THE DEFENDANT: Yes.

3 THE COURT: All right. Does either side wish
4 to give opening?

5 MR. JANKOVIC: Yes, your Honor.

6 On November 6, 2017 at 10:20 p.m. at 313 East
7 120th Place in Chicago, Illinois, Officers Garcia and
8 Carreno were working together. They were conducting
9 surveillance, and in the course of their surveillance
10 they saw the defendant in this case, Mr. Dennis
11 Jackson, working alongside another individual named
12 James McIntyre, and they are performing hand-to-hand
13 drug transactions.

14 Mr. Jackson was sitting in a car taking money
15 from customers who were walking up on the street, and
16 Mr. McIntyre was the one who would go find the
17 narcotics, tender them to the customers, and send
18 them on their way. This was a two man operation as
19 far as surveillance and a two man operation as far as
20 the drug sales on that night.

21 You're going to hear testimony from these two
22 officers, and they are going to explain how clear
23 their vision was, how long they conducted
24 surveillance for, and the amount of effort they went

1 through to confirm what it was that they saw.

2 At the end of the State's case and once we
3 put all of our evidence on we will be asking you to
4 find the defendant guilty. Thank you.

5 THE COURT: Mr. Gaeger.

6 MR. GAEGER: I will waive opening.

7 THE COURT: Thank you.

8 MR. JANKOVIC: State calls our first witness,
9 Officer Carreno.

10 (The witness was duly sworn.)

11 THE CLERK: You may be seated.

12 OFFICER EFRAIN CARRENO,
13 called as a witness herein, having been first duly
14 sworn, was examined and testified as follows:

15 D I R E C T E X A M I N A T I O N

16 BY MR. JANKOVIC:

17 Q. Can you please state and spell your name and
18 give us your star.

19 A. My name is Officer -- first name is Efrain,
20 last name is Carreno, C-a-r-r-e-n-o. My star number
21 is 17367, and I'm currently assigned to the Community
22 Safety Team.

23 Q. And with what police department?

24 A. Chicago Police Department.

1 Q. And how long have you worked as a Chicago
2 police officer for?

3 A. It will be 17 years coming up in November.

4 Q. Now, were you working as a police officer on
5 the night of November 6, 2017 at approximately
6 10:20 p.m.?

7 A. Yes.

8 Q. And were you working alone or with a
9 partner?

10 A. I was with a partner.

11 Q. Can you please tell us your partner's name
12 spelling it and giving us the star.

13 A. Sure. First name is Edward, last name is
14 Garcia. His star number is 13694.

15 Q. Thank you.

16 Now, you and Officer Garcia were working
17 together on that night. What was your assignment?

18 A. We were on patrol.

19 Q. Did you and Officer Garcia find yourselves in
20 the vicinity of 313 East 120th Place in Chicago,
21 Illinois?

22 A. Yes.

23 Q. What brought you and Officer Garcia to that
24 location?

1 A. Myself and my partner went ahead and have the
2 knowledge that there -- there was like narcotics
3 sales going on there, high narcotics area, and we saw
4 a lot of traffic while we were on patrol on previous
5 times. We went ahead and set up surveillance in that
6 location.

7 Q. Now, did you have a body cam affixed to your
8 person on that day?

9 A. No. It was -- I wasn't assigned one yet at
10 the time.

11 Q. When were you assigned a body cam?

12 A. I believe I got my body cam like in the
13 summer of 2020.

14 Q. Okay. Now, as you and Officer Garcia are
15 conducting surveillance did you see anyone that you
16 see in court today?

17 A. Yes.

18 Q. Can you please point to the person that you
19 saw on November 6, 2017 and tell us what that person
20 is wearing right now?

21 A. It would be the male black towards my left
22 with the black and red shirt on with the black mask
23 on.

24 MR. JANKOVIC: Thank you.

1 Judge, I would ask the record to reflect an
2 in court identification of the defendant Mr. Dennis
3 Jackson.

4 THE COURT: Noted.

5 MR. JANKOVIC: Thank you, Judge.

6 BY MR. JANKOVIC:

7 Q. Now, when you saw the defendant where was
8 he?

9 A. I saw the defendant pull up driving a white
10 Chevy Tahoe pull up in front of the address 313.

11 Q. And how close were you to him when he pulled
12 up at that address?

13 A. I would say approximately 25, 35 feet away.

14 Q. And what were lighting conditions like at
15 this time?

16 A. It was artificial light. Actually, there
17 was -- one of the light poles was right above --
18 right almost next to where the SUV was.

19 Q. And how long did you conduct surveillance on
20 the defendant from the location you were in when you
21 first saw him?

22 A. I would say approximately maybe 30, 40
23 minutes maybe.

24 Q. Now, as you're conducting surveillance were

1 you on elevated ground level or below ground level?

2 A. I was ground level at the time.

3 Q. Okay. And were there any obstructions
4 between -- that were in your field of view that would
5 block you from seeing the defendant?

6 A. No.

7 Q. Now, you said that he was in a white
8 vehicle?

9 A. Yes.

10 Q. Was anybody else in that vehicle?

11 A. Yes. There was another male black in the
12 front passenger side of that vehicle.

13 Q. Was anyone else in the back seat?

14 A. No.

15 MR. JANKOVIC: Permission to approach, your
16 Honor.

17 THE COURT: Yes.

18 MR. JANKOVIC: I'm tendering to the
19 Defense -- I'm sorry, to the witness what I have
20 marked for identification purposes as People's 1, 2,
21 3, 4, and 5.

22 BY MR. JANKOVIC:

23 Q. Can you please take a look at these items,
24 and if you recognize what they are tell me that.

1 A. Okay. All right. I would say People's
2 Exhibit 1 --

3 Q. Let me ask you this. Do you recognize those
4 items?

5 A. Yes, I do.

6 Q. What are they?

7 A. It's pictures of the area where the incident
8 occurred.

9 Q. Okay. So starting with number one can you
10 describe what you see in number one?

11 A. Number one I see the location, approximate
12 address where the vehicle was stopped and the
13 defendant was sitting in.

14 Q. And what is in that photograph?

15 A. It's a picture of the house 313 East 120th
16 Place.

17 Q. You said you've seen that picture where the
18 defendant's car was parked?

19 A. Correct. It was parked right almost in front
20 of the house, yes.

21 Q. Is there a car in that photograph?

22 A. No.

23 Q. Now, I'm going to give you a pen, and I'm
24 going to ask you with this pen to draw a circle to

1 indicate where you saw his car on November 6, 2017.

2 A. It's been a while, but I would say
3 approximately right around here (indicating).

4 Q. If you could go over that circle a few times
5 to make sure that it's bold?

6 A. (Indicating).

7 Q. Thank you very much.

8 MR. GAEGER: I'm sorry. Was his response
9 it's been a while?

10 THE COURT: Yes.

11 MR. GAEGER: Thank you.

12 BY MR. JANKOVIC:

13 Q. Now I want to turn your attention to People's
14 No. 2. Can you please tell me --

15 A. No. 2 is a closer picture of the house, and
16 then you're looking eastbound on 120th Place.

17 Q. Thank you very much.

18 Now drawing your attention to People's No. 3.

19 A. No. 3 is almost -- it's a picture of --
20 looking at 120th Place east. It also shows a picture
21 of the property that was almost north of the --
22 across the street from the address.

23 Q. So this is the other side of the street?

24 A. Yes, that's what it is.

1 Q. Thank you.

2 Now, People's No. 4.

3 A. No. 4 same thing. The house across the
4 street and then like a T alley there.

5 Q. And I would ask you to look at People's No. 5
6 as well. What does No. 5 show?

7 A. No. 5 shows a picture of 120th Place by
8 looking at it westbound from farther east.

9 Q. Okay. Thank you.

10 I am withdrawing the exhibits, and I would
11 like you to tell the Court that during your 30 to 40
12 minute surveillance of the defendant from about 25 to
13 35 feet away what did you observe him doing?

14 A. I observed I would say a few times an unknown
15 male -- older male black approach the defendant, and
16 then also the subject that was sitting in the
17 passenger seat they engaged in a brief conversation.
18 That person would tender the defendant what appeared
19 to be U.S. paper currency. Then the person that was
20 sitting next to him in the front passenger would exit
21 the vehicle and go down the east gangway of 313. I
22 could see him go down, and I will lose sight of him
23 as he got to the back of the house.

24 Q. Now, I'm going to tender to you again

1 People's No. 1. Do you see on this photograph the
2 gangway you just referred to?

3 A. Yes, right here (indicating).

4 Q. I'm going to give you a pen, and I'm going to
5 ask you to mark with an arrow where that gangway is.

6 A. (Indicating).

7 Q. Thank you.

8 Now, as you are conducting your surveillance
9 what is your partner doing?

10 A. He was also doing surveillance with me,
11 yes.

12 Q. And how close was he to you during your
13 surveillance period?

14 A. Nearby. We were close, you know. Obviously
15 he is looking at whatever he is looking at and I'm
16 looking at what I'm looking at but we're close by.

17 Q. About how many feet was he from you?

18 A. I would say that he could have been from two
19 to eight feet, you know.

20 Q. Okay. Now, as you saw the other passenger in
21 the vehicle going down into the gangway did you see
22 him re-emerge from the gangway?

23 A. Yes.

24 Q. And once he would re-emerge from the gangway

1 where would he go?

2 A. He would then go ahead and tender like a
3 small item -- I was able to see what it was -- to
4 either the male or female black that were waiting on
5 the sidewalk.

6 Q. How many times did you see this process occur
7 on the night of November 6, 2017?

8 A. The total amount approximately a good ten
9 times maybe.

10 Q. And when you saw this happen about ten times
11 was the defendant always sitting in the driver's seat
12 of that vehicle?

13 A. Yes, he was.

14 Q. Was he always being tendered what appeared to
15 you to be U.S. currency?

16 A. Yes.

17 Q. Did he ever get out of the vehicle?

18 A. No.

19 Q. Was the passenger in that vehicle the one
20 that got out every time?

21 A. Yes.

22 Q. Did the passenger always go down that
23 gangway?

24 A. Yes.

1 Q. Could you see down the gangway from where you
2 were standing?

3 A. I could see down the gangway, but I couldn't
4 see once he was like towards the end of the gangway,
5 and once he faded away I couldn't see anymore.

6 Q. Now, there was -- so did you have an
7 opportunity to relocate from your initial
8 surveillance point?

9 A. Yes.

10 Q. And when you relocated where did you go?

11 A. Well, I went to get a better view of where
12 the passenger -- the male black that was sitting in
13 the passenger seat was going.

14 Q. And so to get a better view where did you end
15 up walking to?

16 A. I ended up behind that property in the
17 vicinity of 313 but in the back.

18 Q. Okay. So you relocated from your
19 surveillance point to behind 313 East 120th Place?

20 A. Correct.

21 Q. And once you relocated to the back where were
22 you in the back of the residence?

23 A. I was close by.

24 Q. If you could describe it.

1 A. Well, you have the railroad tracks behind
2 that residence. There is no garage, and there was a
3 vehicle parked in the lot there behind the house.

4 Q. Now, I'm showing you again People's No. 4.

5 A. Okay.

6 Q. And No. 5. Can you indicate on No. 4 where
7 your surveillance point was with the marker by
8 drawing a circle?

9 A. Okay. I was in this area here
10 (indicating).

11 Q. And can you indicate on People's No. 5 as
12 best as you can where you ended up moving to.

13 A. Right over here (indicating).

14 Q. Okay. I'm going to ask that you draw a line
15 just so that we can see it.

16 A. (Indicating).

17 Q. Thank you.

18 MR. GAEGER: Judge, if I can see it.

19 MR. JANKOVIC: Sure.

20 BY MR. JANKOVIC:

21 Q. Now, as you relocated behind the residence at
22 313 did your partner come with you?

23 A. No.

24 Q. Were you there by yourself?

1 A. Yes.

2 Q. And how long did you maintain surveillance
3 behind that residence at 313?

4 A. I would say maybe a good 25 minutes or so
5 approximately.

6 Q. As you are surveilling 313 from the back
7 could you see the defendant?

8 A. No, I couldn't see him.

9 Q. Did you see the passenger in the vehicle?

10 A. Yes.

11 Q. And did the passenger in the vehicle -- how
12 did you see him? Describe what he was doing.

13 A. I saw the passenger emerge from the gangway.
14 He relocated towards the vehicle that was parked in
15 the back. He opened the door to the vehicle, and I
16 could see the light come on inside the vehicle, the
17 dome light, and then he would retrieve an item or
18 something out of the car right around the front
19 passenger -- the front driver's seat, right around
20 that area. He would open the door, get something,
21 and then walk away.

22 Q. Which door would he open when he opened the
23 door?

24 A. The driver's side door.

1 Q. The driver's side door?

2 A. Yes.

3 Q. And was there -- describe lighting conditions
4 in the back of the residence.

5 A. There was I would say some light but not --
6 there was no -- no artificial light back there.

7 Q. Except for the dome light?

8 A. The dome light, yes, and obviously the light
9 you get from the sky from the moon.

10 Q. How close were you to the car from your
11 surveillance point behind the house?

12 A. I would say it was a good 10, 15 feet, if
13 that maybe.

14 Q. And did you see anyone else in the back of
15 the house?

16 A. No.

17 Q. And how do you know that it was the passenger
18 in the vehicle you saw that was relocating to the
19 back of the house?

20 A. Because I can see his -- what he was wearing
21 at the time, and I could get kind of a look at his
22 facial features, you know.

23 Q. Were you in contact with your partner Garcia
24 during this process?

1 A. Yes.

2 Q. How were you in contact with him?

3 A. I was with him car to car almost like a
4 walkie-talkie.

5 Q. Okay. Now, as you're watching him come to
6 that car approximately how many times did you see him
7 come through the gangway to the back of the house,
8 enter the car, and then go back to the front of the
9 house or the gangway?

10 A. To the best of my recollection I would say
11 maybe three times back there.

12 Q. What did you do after seeing this?

13 A. Everything that I was seeing I was relating
14 it to my partner Garcia.

15 Q. Okay. Did Garcia eventually join you behind
16 the residence?

17 A. Yes.

18 Q. At what point did he join you?

19 A. A good -- like I said a good maybe 20, 25
20 minutes later he joined me back to the other
21 location.

22 Q. Once Garcia joined you what did you and
23 Garcia do next?

24 A. He related to me like he like -- he had

1 called for --

2 MR. GAEGER: Objection.

3 THE COURT: Sustained.

4 BY MR. JANKOVIC:

5 Q. At any point did other officers arrive on the
6 scene?

7 A. Yes.

8 Q. And who were the other officers that arrived
9 on the scene?

10 A. I believe it was Officer Evans, Officer
11 Lisle, my sergeant, Sergeant Boyle, Officer
12 Burmistrz.

13 Q. How do you spell Burmistrz?

14 A. B-u-r-m-i I believe it's t-r-z.

15 Q. Is it spelled B-u-r-m-i-s-t-r-z?

16 A. Yes.

17 Q. Thank you.

18 And how do you know they arrived on scene?

19 A. My partner relayed to myself that --

20 MR. GAEGER: Objection.

21 THE WITNESS: That he had called --

22 THE COURT: Sustained.

23 THE WITNESS: For enforcement.

24

1 BY MR. JANKOVIC:

2 Q. Did you eventually relocate to the front of
3 the residence from the back of the residence?

4 A. Yes.

5 Q. Once you did this did you see other officers
6 in the front of the residence?

7 A. Yes.

8 Q. Was Officer Evans at the front of the
9 residence?

10 A. Yes.

11 Q. What was he doing?

12 A. He was -- had the defendant detained. They
13 had him detained at the front of that location.

14 Q. Was -- did you see the front seat passenger
15 who had been walking through the gangway once you
16 relocated to the front of the residence?

17 A. Yes. He was also detained in the front
18 there.

19 Q. And did you arrest these individuals?

20 A. Yes.

21 Q. Did anyone go to the vehicle that was parked
22 in the back?

23 A. I did. Before I went to the front I went to
24 the vehicle. I looked inside the vehicle with my

1 light -- with my flashlight utilizing my flashlight,
2 and I could see on the front driver's seat two clear
3 plastic bags containing multiple smaller baggies all
4 containing suspect crack cocaine.

5 Q. You have been a police officer for 17
6 years?

7 A. It will be November 17 years, yes.

8 Q. And have you made arrests in the past where
9 you recovered suspect crack cocaine?

10 A. Yes.

11 Q. Approximately how many throughout --

12 A. Hundreds.

13 Q. I'm sorry?

14 A. Hundreds I would say.

15 Q. Hundreds.

16 And was what you saw in that vehicle on
17 November 6, 2017 consistent with what you've seen in
18 the past and what you known to be consistent -- what
19 you've known to be crack cocaine?

20 A. Yes.

21 Q. Did you recover it?

22 A. Yes, I did.

23 Q. And how did you recover it?

24 A. I wasn't sure initially if he was utilizing a

1 key, but actually the door to the vehicle was open.
2 It was unlocked. I'm sorry. So I opened it and I
3 recovered the suspect narcotics.

4 Q. Did you keep it in your care, control, and
5 custody?

6 A. Yes, I did.

7 Q. And did you eventually relocate to the police
8 station?

9 A. Yes.

10 Q. Once you relocated to the police station did
11 you have the suspect crack cocaine with you?

12 A. Yes.

13 Q. What did you do with it?

14 A. I handed it over to Officer Evans, who
15 created an inventory for it.

16 Q. And how did he create an inventory for it?

17 A. He goes on ICLEAR --

18 Q. How do you know that he did?

19 A. I was there.

20 Q. Now, did you see anyone else besides the
21 front seat passenger come through that gangway into
22 the back yard by that car?

23 A. No.

24 Q. Now, during the period that you were doing

1 surveillance to the front of the house as you're
2 seeing individuals walk up to the defendant in the
3 front seat of the vehicle did you see him engage with
4 the front seat passenger at all?

5 A. Yes. Throughout the time I was doing
6 surveillance it appeared to me they were having a
7 conversation.

8 Q. Could you hear the words they were saying?

9 A. No, I couldn't hear what they were saying
10 but --

11 Q. Can you describe how you know they were
12 having a conversation?

13 A. I could hear the voices. I couldn't tell
14 exactly what they were talking about.

15 Q. And when the front seat passenger would come
16 back from the gangway of the residence at 313 what
17 would the defendant be doing when he was making a
18 transaction with people that were walking up to
19 him?

20 MR. GAEGER: Objection.

21 THE COURT: Sustained as to the form of the
22 question.

23 BY MR. JANKOVIC:

24 Q. You stated that you saw the front seat

1 passenger walk up through the gangway back towards
2 the vehicle that he exited, correct?

3 A. Yes.

4 Q. And when he did that what was he doing after
5 he came back?

6 A. He would -- after the front passenger came
7 back?

8 Q. Correct.

9 A. He would go ahead and tender the item to the
10 waiting person.

11 Q. Okay.

12 A. That was waiting there on the sidewalk and,
13 you know, he was -- also I could hear him talking to
14 the defendant.

15 Q. Could you hear the words that he was
16 saying?

17 A. No.

18 Q. How close was he to the defendant as he was
19 doing these transactions in feet?

20 A. Well, he was outside on the sidewalk right
21 where -- the vehicle is parked on the street, and he
22 was on the sidewalk.

23 Q. So these are numerous transactions that
24 you're talking about. During any of these

1 transactions was he in front of the defendant while
2 he was in the vehicle?

3 MR. GAEGER: Judge, I'm just going to object
4 as to who he is.

5 THE COURT: I don't understand either. So
6 I'm not going to sustain your objection. I'm just
7 going to tell the State that nobody knows who he
8 is.

9 MR. JANKOVIC: Okay.

10 BY MR. JANKOVIC:

11 Q. As the front seat passenger would come to do
12 hand-to-hand transactions would the front seat
13 passenger be -- was he ever in front of the vehicle
14 that the defendant was sitting in?

15 A. No, he would be to the side of him.

16 Q. So when you say to the side can you describe
17 more in detail what that means?

18 A. If the vehicle is parked on the street he
19 exits on the side of the sidewalk pretty much. He
20 would get out and he would go down the gangway, come
21 back, and tender the item to the person that was
22 waiting there.

23 Q. So would he be on the driver's -- I'm sorry.
24 Is it accurate then that he would be on the passenger

1 side?

2 A. Yes, of the defendant, yes.

3 Q. And would he be in front or behind the
4 defendant when he was doing these things?

5 A. Almost -- not in front of him. Next to him I
6 would say.

7 Q. So was it directly outside of the passenger
8 door?

9 A. Not directly because then you have between
10 the sidewalk and the street. You have the -- what do
11 you call it? Easement part of it. He was still on
12 the sidewalk.

13 Q. Okay. About how many feet away?

14 A. I would say maybe ten feet away
15 approximately.

16 Q. Now, can you describe the neighborhood or at
17 least the street that this was all taking place on?

18 A. It's residential. There is not that many
19 homes there, and then going east it's kind of like a
20 dead-end and, you know, there is like a street going
21 north. There are some factories back there too.

22 Q. And was there a lot of traffic, vehicle
23 traffic during the course of your surveillance?

24 A. No, not a lot of vehicle traffic.

1 Q. Was there a lot of foot traffic during the
2 course of your surveillance?

3 A. Yes, there was a lot of foot traffic.

4 MR. JANKOVIC: Judge, if I can have a moment,
5 please.

6 THE COURT: Sure. I'm going to step away for
7 just a second, and I mean just a second.

8 (Whereupon, a recess was
9 taken.)

10 MR. JANKOVIC: Judge, I have no further
11 questions for the witness. The State tenders the
12 witness.

13 THE COURT: Cross.

14 C R O S S E X A M I N A T I O N

15 BY MR. GAEGER:

16 Q. Officer, how are you doing?

17 A. Hey. How are you doing?

18 Q. Officer, on the date that you were working
19 that we were just discussing were you in uniform?
20 Were you in a marked car? Let's talk about how you
21 were dressed that day.

22 A. I believe I was -- to the best of my
23 recollection I was in civilian dress at the time.

24 Q. Okay. And in your civilian dress did you

1 have a Chicago police vest on?

2 A. Yes.

3 Q. Okay. And it says police on the back,
4 right?

5 A. Yes.

6 Q. And how about your partner? Was he dressed
7 the same?

8 A. I would say, yes, close to the same, yes.

9 Q. How about the car you were in? Do you recall
10 what kind of car it was?

11 A. No, I don't recall. Most likely it was an
12 unmarked vehicle.

13 Q. Well, you remember how you were working back
14 then in general, correct?

15 A. Yes.

16 Q. Was this like one of those Crown Vics or
17 Explorers that oftentimes unmarked cars are assigned
18 to officers that are on routine patrol are given?

19 A. Yes.

20 Q. This wasn't like some specific design covert
21 vehicle, correct?

22 A. You know what, I don't remember. I don't
23 recall, but I know we set up surveillance at that
24 location.

1 Q. Right. I'm sure you did, but my question is
2 the type of vehicle you were in. It was not a
3 specifically designated vehicle designed to be covert
4 during drug sting operations, was it?

5 A. It wasn't -- it was an unmarked vehicle that
6 we were assigned.

7 Q. Okay. So you and your partner were in the
8 same car, right?

9 A. We were in the same car, yes.

10 Q. You set up this surveillance somewhere around
11 313 East 120th, right?

12 A. Correct.

13 Q. Now, without telling me exactly where you
14 were I just want to talk about some of the
15 generalities that you just made. You set up
16 surveillance. Did you pull the car over some
17 place?

18 A. I'm sorry. Can you repeat that?

19 Q. When you set up your surveillance did you
20 pull the car over some place? Did you park the
21 car?

22 A. Our car? Our vehicle?

23 Q. Yes.

24 A. See, that's the thing. I don't remember

1 if -- I don't recall if we parked it far away or we
2 got dropped off. I don't recall.

3 Q. Okay. So my question is when you were doing
4 this -- setting up this surveillance were you on foot
5 or were you in a car?

6 A. No, we were on foot.

7 Q. Okay. And you said that when you set up this
8 surveillance you were about 25 or 30 feet away from
9 where you saw this white Tahoe pull up, right?

10 A. Approximately, yes.

11 Q. Okay, approximately.

12 Do you recall were you secreting yourself?
13 Were you hiding? Were you standing on the street?
14 Where were you exactly?

15 A. I mean, I was hiding, yes.

16 Q. Okay. Like behind cars? Behind trees?

17 A. I was hiding not far, you know. Across the
18 street let's say.

19 Q. Okay. We will talk about distance then. You
20 said you were about 25 to 30 feet away, right?

21 A. Correct.

22 Q. Okay. And it's about football season. So we
23 will use that analogy. That's about ten yards away,
24 right?

1 A. Approximately, yes.

2 Q. 3 feet a yard. 25 to 30 feet. Between 7 and
3 10 yards away?

4 A. 30, 35 feet maybe, 25, 35 feet.

5 MR. JANKOVIC: I will object, Judge.

6 THE COURT: What's your objection?

7 MR. JANKOVIC: It's vague. I mean, he
8 answered he was 25 to 35 feet away. I believe that's
9 pretty specific.

10 THE COURT: Overruled.

11 BY MR. GAEGER:

12 Q. So 25 to 30 feet is about as far away as we
13 are right now.

14 A. No, further away.

15 Q. Further away? End of the room maybe?

16 A. Yeah, maybe to the door. Not this door, the
17 next door (indicating).

18 Q. And your partner he was where at this time?

19 A. He was in the same area where I was.

20 Q. And that's when you said you saw the vehicle
21 that my client was driving pull up?

22 A. Yes.

23 Q. Okay. And did it park?

24 A. Yes.

1 Q. All right. Talk to me about what was going
2 on in that street. Were there any other cars parked
3 out there?

4 A. I don't recall how many cars. I know where
5 he pulled up there was no cars in front of him, and
6 if there was a car behind him it must have been
7 farther back. I don't remember exactly. I didn't
8 really pay attention to how far apart -- if there
9 were any other parked cars how far apart they were.

10 Q. And you said that you watched him at this
11 point for what was it? About 20 something minutes
12 you said?

13 A. I would say approximately 30 minutes, 35
14 minutes, 25 to 35 minutes or so. Maybe longer
15 because I was already there in that location before
16 the defendant arrived.

17 Q. Okay. And during that 30 minute period you
18 said that you saw people come up to the driver's side
19 of my client's vehicle?

20 A. They would come up to the vehicle and reach
21 in and tender the defendant what looked like U.S.
22 paper currency. I couldn't tell the denominations,
23 but I could tell it was paper currency.

24 Q. I believe on direct examination you called it

1 a small item, correct?

2 A. No. It was the small item that I referred to
3 is what the front passenger -- the male black he was
4 with would tender to the waiting person on the
5 sidewalk.

6 Q. So let's go through this a little more
7 chronologically.

8 People would come up to the passenger side of
9 the vehicle. They would talk to my client. You
10 don't know what they were discussing, right?

11 A. No, I could hear -- like I said, I could hear
12 the voices. I couldn't hear -- exactly make out what
13 they were talking about, but they would engage in a
14 conversation. Not long after that the male black
15 that was sitting with him in the vehicle would exit
16 the vehicle and go down that east gangway.

17 Q. They would go down the east gangway, right?

18 A. Right.

19 Q. And that's where you would lose sight of
20 him?

21 A. I would lose sight of him once he got farther
22 down the gangway towards the back of the house?

23 Q. Okay. And so while that was going on you
24 don't know where he was going to and what he was

1 doing when he was in the back, correct?

2 A. That's correct.

3 Q. And you saw this happen a couple of times,
4 and then did you then decide to break your point of
5 surveillance to go some place else?

6 A. Yes.

7 Q. Okay. And that's when you went to the back,
8 right?

9 A. I relocated somewhere near the back, yes.

10 Q. How did you get there?

11 A. I walked over there.

12 Q. And how did you walk? Did you walk down the
13 gangway? Did you walk in front of the street? How
14 did you walk back down there?

15 A. I took a way around it you can say.

16 Q. Do you recall?

17 A. I walked -- yeah, I walked north, east, and
18 around the tracks.

19 Q. When --

20 A. All the way to I got to the point where I
21 could actually see, have a view of that area.

22 Q. Okay. And while you were back there you said
23 that you got about ten feet away from this vehicle
24 that you saw parked back there, correct?

1 A. I would say about 10, 15 feet away or so.

2 Q. And that is when you say you saw the
3 passenger from the vehicle come back to that car you
4 said a couple times, correct?

5 A. Yeah, like three times.

6 Q. And when he was doing that you couldn't see
7 what was going on in the front at all, right?

8 A. That's correct.

9 Q. So is it fair to say that every time you saw
10 that individual in the back of the residence go to
11 the car you had no idea what had been going on in the
12 front of the residence at that time because you
13 weren't up there, right?

14 A. Well, I wouldn't say that. I was in constant
15 communication via the radio with my partner. So he
16 would relay to me he is getting out of the car or I
17 saw this, the subject is getting out of the car.

18 Q. I don't want to know about what someone
19 relayed to you. I'm just asking you that you didn't
20 see anything, right?

21 A. I didn't see in the front --

22 Q. And I'm sorry. You were having these radio
23 communications?

24 A. Yes.

1 Q. And that's like the chirp through your police
2 vest, right?

3 A. No. It's car to car. It's on a radio that's
4 been set up car to car, meaning we were just talking
5 to each other.

6 Q. Okay. But I'm saying it was on your chest,
7 right? You weren't seated in a vehicle, right?

8 A. No. I had my radio with me, yes.

9 Q. So you were ten feet away from this car and
10 you were having conversations into a radio?

11 A. 10, 15 feet away, yes.

12 Q. Now, when this person went back to the
13 vehicle and retrieved -- went into that car could you
14 see what he was grabbing?

15 A. No. I could see him open the door. The dome
16 light came on in the car. He would reach into the
17 driver's seat somewhere. It appeared that he grabbed
18 something out of the car, got out, closed the door,
19 and walked away down the same gangway.

20 Q. Now, you never saw my client go to that car,
21 right?

22 A. No.

23 Q. And you never saw my client take possession
24 of any of the items that this individual got from

1 that vehicle, correct?

2 A. That's correct.

3 Q. That car that was in the back of the house
4 wasn't registered to my client, was it?

5 A. That I don't recall who it was registered to.
6 I don't recall.

7 Q. And it's fair to say that every time you saw
8 this individual take items from the vehicle in the
9 back and then head back out front you lost sight of
10 him again, right?

11 A. Yes.

12 Q. When you came around from the back you said
13 that some of your fellow officers had detained my
14 client?

15 A. Yes.

16 Q. Did you approach my client at that time?

17 A. I walked up there after I had recovered the
18 suspect narcotics.

19 Q. Did you perform a search of my client?

20 A. No, I don't recall searching him.

21 Q. To the best of your knowledge were any
22 narcotics ever found on my client?

23 A. No.

24 Q. And each of the times that the individual --

1 this other individual went to that back car my client
2 never went with him, right?

3 A. That's correct.

4 Q. He never was able to see him in the back
5 taking anything or going into that car, right?

6 A. I would assume he wouldn't be able to see
7 him.

8 MR. GAEGER: Nothing further, Judge.

9 THE COURT: Redirect?

10 MR. JANKOVIC: Judge, I have no further for
11 this witness.

12 THE COURT: Thank you. There is a motion to
13 exclude, Officer. So please don't have any
14 conversations with anyone regarding this case.

15 Is this witness excused by both sides?

16 MR. GAEGER: He is excused.

17 MR. JANKOVIC: Yes, Judge.

18 THE COURT: Thank you.

19 THE WITNESS: Thank you.

20 MR. JANKOVIC: Judge, at this time I would
21 seek to have identifying marks stricken from Exhibits
22 1 through 5 and have them entered into evidence.

23 THE COURT: People's 1 through 5 will be
24 admitted. I'm sorry. Is there any objection?

1 MR. GAEGER: No objection, Judge.

2 THE COURT: People's 1 through 5 is
3 admitted.

4 MR. JANKOVIC: Thank you, Judge.

5 (Whereupon, People's Exhibit
6 Nos. 1 through 5 were admitted
7 into evidence.)

8 MR. JANKOVIC: The State would call Officer
9 Evans.

10 THE CLERK: You may be seated.

11 THE WITNESS: Thank you.

12 DETECTIVE MATTHEW EVANS,
13 called as a witness herein, having been first duly
14 sworn, was examined and testified as follows:

15 D I R E C T E X A M I N A T I O N

16 BY MR. JANKOVIC:

17 Q. Officer, can you please state and spell your
18 name and give us your star and tell us who you work
19 for.

20 A. Detective Matthew Evans, E-v-a-n-s. My star
21 number is 20279. I am currently assigned to the Area
22 2 Detective Division, Chicago Police.

23 Q. Turning your attention to -- sorry. Go
24 ahead.

1 A. All done.

2 Q. Did I interrupt you?

3 A. No, go ahead.

4 Q. You work for the Chicago Police?

5 A. Yes.

6 Q. Turning your attention to November 6, 2017 on
7 that day were you employed as a police officer?

8 A. Yes.

9 Q. And did you find yourself in the vicinity of
10 13 -- I'm sorry, 313 East 120th Place in Chicago,
11 Illinois?

12 A. Yes.

13 Q. What brought you to that location?

14 A. I was assisting officers that I was on the
15 same team with.

16 Q. And were those Officers Carreno and Garcia?

17 A. Yes.

18 Q. Now, on that date did you have a body worn
19 camera?

20 A. No.

21 Q. Why not?

22 A. We were not issued body worn cameras at that
23 time.

24 Q. Were you eventually issued a body worn

1 camera?

2 A. I have not been, no.

3 Q. Now, you said that you were responding to
4 assist Officers Carreno and Garcia?

5 A. Yes.

6 Q. What was the nature of the assist?

7 A. They were doing narcotics surveillance.

8 Q. And when you arrived to that location what
9 did you see?

10 A. I saw the defendant was sitting in a white
11 Chevy SUV.

12 Q. And just to be clear you mentioned the
13 defendant. Do you see him in court today?

14 A. Yes.

15 Q. Can you please point to him and tell us what
16 he is wearing right now?

17 A. Sitting over there with a black shirt with a
18 red collar (indicating).

19 MR. JANKOVIC: I would ask the record to
20 reflect an in court I.D. by Officer Evans.

21 THE COURT: Noted.

22 MR. JANKOVIC: Thank you very much.

23 BY MR. JANKOVIC:

24 Q. You said he was sitting in a white vehicle?

1 A. Yes.

2 Q. Did you see anyone else in that vehicle?

3 A. Yes.

4 Q. And where was the other individual sitting?

5 A. He was in the passenger seat.

6 Q. And once you saw these two individuals -- I'm
7 sorry. Were you by yourself or were you with a
8 partner when you arrived for the assist?

9 A. I was with a partner.

10 Q. Who was your partner?

11 A. His name is Officer Lau, L-a-u.

12 Q. And what were you and Officer Lau wearing?

13 A. We were in civilian dress.

14 Q. And what kind of vehicle were you in?

15 A. Unmarked.

16 Q. Did you have a vest indicating that you were
17 a Chicago police officer on it?

18 A. Yes.

19 Q. Did you approach the defendant?

20 A. Yes.

21 Q. And when you approached him what did you
22 do?

23 A. I asked him to step out of the vehicle, and
24 he was detained for the narcotics investigation.

1 Q. Did you also ask the passenger of that
2 vehicle to step out?

3 A. Yes.

4 Q. Did that individual step out?

5 A. Yes.

6 Q. Was that person also detained?

7 A. Yes.

8 Q. Did you eventually talk on scene with
9 Officers Carreno and Garcia?

10 A. Yes.

11 Q. And after having a conversation with Officers
12 Carreno and Garcia did you place the defendant -- I'm
13 sorry. Was he placed under arrest?

14 A. Yes.

15 Q. By who?

16 A. By me.

17 Q. And once he was arrested was he taken to the
18 station?

19 A. Yes.

20 Q. Once he was at the station did you conduct a
21 custodial search of the defendant?

22 A. Yes.

23 Q. What did you find on his person?

24 A. He had money on him, cash.

1 Q. And do you recall how much was on him?

2 A. \$790.

3 Q. Do you recall the denominations -- the
4 variety of the denominations that were -- that
5 comprised that \$790?

6 A. No.

7 Q. Did you inventory that?

8 A. Yes.

9 Q. And was it inventoried under 14037666?

10 A. Yes.

11 Q. And did you inventory anything else while you
12 were at the station?

13 A. Yes.

14 Q. What else did you inventory?

15 A. I inventoried narcotics as well.

16 Q. And where did these narcotics come from?

17 A. Those were located by Officers Carreno and
18 Garcia in the back yard of the residence.

19 Q. And were these -- was this item given to you
20 at the station by Officer Carreno?

21 A. Yes.

22 Q. And did you inventory it at the station?

23 A. Yes.

24 Q. Did you assign it Inventory Number 14037693?

1 A. Yes.

2 Q. And what did you do once it was assigned this
3 inventory number?

4 A. It was turned over through our standard
5 evidence procedures where it gets inventoried, and it
6 subsequently goes to the State police for testing and
7 analysis.

8 MR. JANKOVIC: Judge, if I could have a
9 moment, please.

10 THE COURT: Yes.

11 MR. JANKOVIC: Judge, I have no further
12 questions for this witness.

13 THE COURT: Cross?

14 MR. GAEGER: None.

15 THE COURT: Thank you, Officer -- Detective.
16 I'm sorry.

17 THE WITNESS: Thank you.

18 MR. JANKOVIC: If I can have one moment, your
19 Honor.

20 THE COURT: Sure.

21 MR. JANKOVIC: Judge, we have no further
22 witnesses to call. We just ask to enter a
23 stipulation between myself and Mr. Gaeger.

24 If called to testify Joseph Gillono,

1 G-i-l-l-o-n-o, would testify that he is employed as a
2 forensic scientist by the Illinois State Police
3 Division of Forensic Sciences.

4 That he received Inventory Number 14037693.

5 That within that inventory there were items
6 that he tested, and the results of the test was 2.7
7 grams of cocaine from nine plastic bags.

8 So stipulated?

9 MR. GAEGER: So stipulated.

10 MR. JANKOVIC: The State has no further
11 witnesses. The State would rest their case. Thank
12 you.

13 THE COURT: Mr. Gaeger.

14 MR. GAEGER: Motion for directed finding.

15 THE COURT: Do you wish to be heard?

16 MR. GAEGER: No.

17 THE COURT: Granted.

18 MR. GAEGER: Thank you.

19 THE COURT: The Court cannot figure out how I
20 am suppose to connect Mr. Jackson to whatever
21 happened in the back. There is no connection.
22 Finding of not guilty. Anything else today?

23 A finding of not guilty is not innocent.
24 It's just a finding of not guilty.

1 Anything else today?

2 THE DEFENDANT: Enjoy your day, your Honor.

3 (Whereupon, the above-entitled
4 cause was concluded.)

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