

# Exhibit 1

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

JAMES RANDOLPH, )  
Plaintiff, )  
v. ) No. 22 CV 05845  
CITY OF CHICAGO, PHILLIP CLINE, )  
DEBRA KIRBY, RONALD WATTS, BRIAN )  
BOLTON, MATTHEW CADMAN, DARRYL )  
EDWARDS, ROBERT GONZALEZ, ALVIN )  
JONES, MANUEL LEANO, KALLATT )  
MOHAMMED, CALVIN RIDGELL, )  
MICHAEL SPAARGAREN, GEROME )  
SUMMERS JR., and KENNETH YOUNG )  
JR., )  
Defendants. )

**DEFENDANT MOHAMMED AMENDED ANSWER TO PLAINTIFF'S COMPLAINT**

Defendant Kallatt Mohammed (“Mohammed”), by and through one of his attorneys, Special Assistant Corporation Eric S. Palles of Mohan Groble Scolaro, P.C., respectfully submits his Amended Answer to Plaintiff James Randolph’s Complaint, and states as follows:

1. This is a civil action arising under 42 U.S.C. § 1983. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1333 and 1337.

**ANSWER:** Defendant Mohammed admits that this action purports to be brought pursuant to 42 U.S.C. §1983 and admits to the jurisdiction of this Court but denies any allegation of wrongdoing or other misconduct alleged herein.

## I. Parties

2. Plaintiff James Randolph is a resident of the Northern District of Illinois.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

3. Defendant City of Chicago is an Illinois municipal corporation.

**ANSWER: Upon information and belief, Defendant Mohammed admits the allegations contained in this paragraph.**

4. Defendants Ronald Watts, Brian Bolton, Matthew Cadman, Darryl Edwards, Robert Gonzalez, Alvin Jones, Manuel Leano, Kallatt Mohammed, Calvin Ridgell, Michael Spaargaren, Jerome Summers Jr., and Kenneth Young Jr. (the “individual officer defendants”) were at all relevant times acting under color of their offices as Chicago police officers. Plaintiff sues the individual officer defendants in their individual capacities only.

**ANSWER: Defendant Mohammed admits that he was employed by the City of Chicago as a police officer during certain time periods alleged in plaintiff’s Complaint and admits that he acted within the scope of his employment at those times. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

5. Defendant Philip Cline was at all relevant times Superintendent of the Chicago Police Department. Plaintiff sues Cline in his individual capacity only.

**ANSWER: Upon information and belief, Defendant Mohammed admits that Philip Cline was Superintendent of the Chicago Police Department. He lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

6. Defendant Debra Kirby was at all relevant times the Assistant Deputy Superintendent of the Chicago Police Department, acting as head of the Chicago Police Department Internal Affairs Division. Plaintiff sues Kirby in her individual capacity only.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

## **II. Overview**

7. Plaintiff Randolph is one of many victims of the criminal enterprise run by convicted felon and former Chicago Police Sergeant Ronald Watts and his tactical team at the Ida B. Wells Homes in the 2000's.

**ANSWER: Defendant Mohammed denies each of the allegations contained in this paragraph.**

8. As of the date of filing, more than 150 individuals who were framed by the Watts Gang have had their convictions vacated by the Circuit Court of Cook County.

**ANSWER: Defendant Mohammed admits that many individuals have had their convictions vacated by the Circuit Court of Cook County. Defendant Mohammed denies that those individuals were "framed" and denies each of the remaining allegations contained in this paragraph.**

9. Many victims of the Watts Gang are currently prosecuting federal lawsuits. Pursuant to an order of the Court's Executive Committee dated July 12, 2018, these cases have been coordinated for pretrial proceedings under the caption, In Re: Watts Coordinated Pretrial Proceedings, 19-cv-01717.

**ANSWER: Defendant Mohammed admits that numerous federal civil cases filed by other individuals have been coordinated for pretrial proceedings under the caption In Re: Watts Coordinated Pretrial Proceedings, 19-CV-01717. Defendant Mohammed denies each of the remaining allegations contained in this paragraph.**

10. The Executive Committee's Order states that additional cases, such as this one, filed with similar claims and the same defendants shall be part of these coordinated pretrial proceedings.

**ANSWER: Defendant Mohammed admits the allegations contained in this paragraph.**

11. The Watts Gang of officers engaged in robbery and extortion, used excessive force, planted evidence, fabricated evidence, and manufactured false charges.

**ANSWER:** Defendant Mohammed denies each of the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

12. High-ranking officials within the Chicago Police Department, including but not limited to defendants Cline and Kirby, were aware of the Watts Gang's criminal enterprise but failed to take any action to stop it.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

13. The Chicago Police Department's official policies and customs of failing to discipline, supervise, and control its officers, as well as its code of silence, were a proximate cause of the Watts Gang's criminal enterprise.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

14. On two separate occasions, Watts Gang officers arrested plaintiff without probable cause, fabricated evidence, and framed plaintiff for a drug offense.

**ANSWER:** Defendant Mohammed denies each of the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

15. Based on the powerful evidence that has become known about the Watts Gang's nearly decade-long criminal enterprise, the Circuit Court of Cook County vacated plaintiff's conviction and granted plaintiff a certificate of innocence.

**ANSWER:** Defendant Mohammed admits that plaintiff's convictions were vacated by the Circuit Court of Cook County but lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

16. Plaintiff brings this lawsuit to secure a remedy for illegal incarceration, illegal restraints on liberty, and other injuries, all of which were caused by: the Watts Gang officers, the failure of high-ranking officials within the Chicago Police Department to stop the Watts Gang, the code of silence within the Chicago Police Department, and the Chicago Police Department's defective discipline policy.

**ANSWER:** Defendant Mohammed admits plaintiff brings this lawsuit to seek money damages for alleged injuries he claims to have suffered. Defendant Mohammed denies he caused any injury to plaintiff, denies any allegation of misconduct or other wrongdoing alleged herein, and, therefore, denies plaintiff is entitled to money damages or any other relief whatsoever.

### **III. The First False Arrest and Illegal Prosecution of Plaintiff**

17. On July 19, 2003, plaintiff was arrested by defendants Watts, Bolton, Cadman, Edwards, Gonzalez, Jones, Mohammed, Ridgell, Spaargaren, Summers, and Young (the "July 19, 2003 Arresting Officers") near the Ida B. Wells Homes.

**ANSWER:** Defendant Mohammed admits that Plaintiff was arrested on July 19, 2003, but lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

18. At the time the officers arrested plaintiff:

- a. None of the July 19, 2003 Arresting Officers had a warrant authorizing the arrest of plaintiff;
- b. None of the July 19, 2003 Arresting Officers believed that a warrant had been issued authorizing the arrest of plaintiff;
- c. None of the July 19, 2003 Arresting Officers had observed plaintiff commit any offense; and
- d. None of the July 19, 2003 Arresting Officers had received information from any source that plaintiff had committed an offense.

**ANSWER:** Upon information and belief, Defendant Mohammed admits the allegation contained in subparagraph (a) of this paragraph. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in subparagraphs (b)-(d) of this paragraph as they apply to other defendants.

19. After arresting plaintiff, the July 19, 2003 Arresting Officers conspired, confederated, and agreed to fabricate a false story in an attempt to justify the unlawful arrest, to cover-up their wrongdoing, and to cause plaintiff to be wrongfully detained and prosecuted.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

20. The false story fabricated by the July 19, 2003 Arresting Officers included their concocted claim that they saw plaintiff selling drugs and found drugs on plaintiff's person.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

21. The acts of the July 19, 2003 Arresting Officers in furtherance of their scheme to frame plaintiff include the following:

- a. One or more of the July 19, 2003 Arresting Officers prepared police reports containing the false story, and each of the other July 19, 2003 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;
- b. One or more of the July 19, 2003 Arresting Officers attested to the false story through the official police reports, and each of the other July 19, 2003 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;
- c. Defendant Watts formally approved one or more of the official police reports, knowing that the story set out therein was false; and
- d. One or more of the July 19, 2003 Arresting Officers communicated the false story to prosecutors, and each of the other July 19, 2003 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph that are directed against him, including subparagraphs (a)-(d). Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

22. The July 19, 2003 Arresting Officers committed the above-described wrongful acts knowing that the acts would cause plaintiff to be held in custody and falsely prosecuted for an offense that had never occurred.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

23. Defendant Watts was one cause of the above-described wrongful acts through his direction, encouragement, and facilitation of similar wrongful acts by the other July 19, 2003 Arresting Officers.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

24. As the leader of the above-described criminal enterprise, Watts trained the other July 19, 2003 Arresting Officers to commit the above-described wrongful acts, encouraged the other July 19, 2003 Arresting Officers to commit the above-described wrongful acts, and failed to intervene to prevent the violation of plaintiff's rights.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

25. Plaintiff was charged with a drug offense because of the wrongful acts of the July 19, 2003 Arresting Officers.

**ANSWER:** Defendant Mohammed admits that Plaintiff was charged with a drug offense. Defendant Mohammed denies the allegations contained in this paragraph that are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

26. Plaintiff knew that it would be impossible to prove that the July 19, 2003 Arresting Officers had concocted the charges.

**ANSWER:** Defendant Mohammed denies he falsified or otherwise “concocted” the criminal charges against Plaintiff. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

27. Accordingly, even though he was innocent, plaintiff pleaded guilty to a drug offense on March 10, 2004, and was sentenced to serve 6 years in the Illinois Department of Corrections.

**ANSWER:** Upon information and belief, Defendant Mohammed admits that Plaintiff pleaded guilty to the drug offense and received a sentence in the Illinois Department of Corrections but denies to the truth of the remaining allegations contained in this paragraph.

28. Plaintiff was deprived of liberty because of the above-described wrongful acts of the July 19, 2003 Arresting Officers.

**ANSWER:** Defendant Mohammed denies he engaged in the wrongful acts alleged by plaintiff and, therefore, denies the allegations contained in this paragraph as directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

#### **IV. The Second False Arrest and Illegal Prosecution of Plaintiff**

29. On November 14, 2006, plaintiff was arrested by defendants Watts, Bolton, Gonzalez, and Leano (the “November 14, 2006 Arresting Officers”) at the Ida B. Wells Homes.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

30. At the time of his arrest, plaintiff was outside asking passersby to sign the nominating petition for Toni Preckwinkle's reelection campaign for alderman of the Fourth Ward.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

31. At the time the November 14, 2006 Arresting Officers arrested plaintiff:

- a. None of the November 14, 2006 Arresting Officers had a warrant authorizing the arrest of plaintiff;
- b. None of the November 14, 2006 Arresting Officers believed that a warrant had been issued authorizing the arrest of plaintiff;
- c. None of the November 14, 2006 Arresting Officers had observed plaintiff commit any offense; and
- d. None of the November 14, 2006 Arresting Officers had received information from any source that plaintiff had committed an offense. .

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in subparagraphs (a)-(d) of this paragraph.**

32. After arresting plaintiff, the November 14, 2006 Arresting Officers conspired, confederated, and agreed to fabricate a false story in an at-temp to justify the unlawful arrest, to cover-up their wrongdoing, and to cause plaintiff to be wrongfully detained and prosecuted.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

33. The false story fabricated by the November 14, 2006 Arresting Officers included their concocted claim that they saw plaintiff drop a bag of drugs to the ground.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

34. The acts of the November 14, 2006 Arresting Officers in furtherance of their scheme to frame plaintiff include the following:

- a. One or more of the November 14, 2006 Arresting Officers prepared police reports containing the false story, and each of the other November 14, 2006 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;
- b. One or more of the November 14, 2006 Arresting Officers attested to the false story through the official police reports, and each of the other November 14, 2006 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights;
- c. Defendant Watts formally approved one or more of the official police reports, knowing that the story set out therein was false; and
- d. One or more of the November 14, 2006 Arresting Officers communicated the false story to prosecutors, and each of the other November 14, 2006 Arresting Officers failed to intervene to prevent the violation of plaintiff's rights.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

35. The November 14, 2006 Arresting Officers committed the above-described wrongful acts knowing that the acts would cause plaintiff to be held in custody and falsely prosecuted for an offense that had never occurred.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

36. Defendant Watts was one cause of the above-described wrongful acts through his direction, encouragement, and facilitation of similar wrongful acts by the other November 14, 2006 Arresting Officers.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

37. As the leader of the above-described criminal enterprise, Watts trained the other November 14, 2006 Arresting Officers to commit the above-described wrongful acts, encouraged the other November 14, 2006 Arresting Officers to commit the above-described wrongful acts, and failed to intervene to prevent the violation of plaintiff's rights.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

38. Plaintiff was charged with a drug offense because of the wrongful acts of the November 14, 2006 Arresting Officers.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

39. Plaintiff knew that it would be impossible to prove that the November 14, 2006 Arresting Officers had concocted the charges.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

40. Accordingly, even though he was innocent, plaintiff pleaded guilty to a drug offense on December 27, 2006, and was sentenced to serve 3 years in the Illinois Department of Corrections.

**ANSWER: Upon information and belief, Defendant Mohammed admits that Plaintiff pleaded guilty to the drug offense and received a sentence in the Illinois Department of Corrections but denies to the truth of the remaining allegations contained in this paragraph.**

41. Plaintiff was deprived of liberty because of the above-described wrongful acts of the November 14, 2006 Arresting Officers.

**ANSWER: Defendant Mohammed denies he engaged in the wrongful acts alleged by plaintiff and, therefore, denies the allegations contained in this paragraph to the extent that they are directed against him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

## **V. Plaintiff's Exoneration**

42. Plaintiff challenged the above-described wrongful convictions after learning that federal prosecutors and lawyers for other wrongfully convicted individuals had discovered the Watts Gang's criminal enterprise.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

43. On February 8, 2022, the Circuit Court of Cook County vacated plaintiff's convictions and granted the State's request to nolle prosequi the cases.

**ANSWER: Upon information and belief, Defendant Mohammed admits that plaintiff's conviction was vacated but lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

44. On March 30, 2022, the Circuit Court of Cook County granted plaintiff a certificate of innocence in each case.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

**VI. Plaintiff's Arrest and Prosecution Were Part of a Long-Running Pattern Known to High-Ranking Officials within the Chicago Police Department**

45. Before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, the Chicago Police Department had received many civilian complaints that defendant Watts and the Watts Gang were engaging in robbery, extortion, the use of excessive force, planting evidence, fabricating evidence, and manufacturing false charges against persons at the Ida B. Wells Homes.

**ANSWER: Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

46. Criminal investigators corroborated these civilian complaints with information they obtained from multiple cooperating witnesses.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

47. Before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, defendants Cline and Kirby knew about the above-described credible allegations of serious wrongdoing by Watts and the Watts Gang and knew that criminal investigators had corroborated these allegations.

**ANSWER: Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

48. Defendants Cline and Kirby also knew, before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, that, absent intervention by the Chicago Police Department, Watts and his gang would continue to engage

in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges.

**ANSWER: Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

49. The Internal Affairs Division of the Chicago Police knew about the lawlessness of Watts and his gang by 2004.

**ANSWER: Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

50. Defendants Cline and Kirby had the power and the opportunity to prevent Watts and his gang from continuing to engage in the above-described wrongdoing.

**ANSWER: Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

51. Defendants Cline and Kirby deliberately chose to turn a blind eye to the wrongdoing by Watts and his gang.

**ANSWER: Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

52. As a direct and proximate result of the deliberate indifference of defendants Cline and Kirby, Watts and his gang continued to engage in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges against persons at the Ida B. Wells Homes, including but not limited to the wrongful arrests, detentions, and prosecutions of plaintiff, as described above.

**ANSWER: Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.**

## **VII. Official Policies and Customs of the Chicago Police Department Were the Moving Force behind the Defendants' Misconduct**

53. At all relevant times, the Chicago Police Department maintained official policies and customs that facilitated, encouraged, and condoned the defendants' misconduct.

**ANSWER: Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him.**

### **A. Failure to Discipline**

54. At all relevant times, the Chicago Police Department maintained a policy or custom of failing to discipline, supervise, and control its officers. By maintaining this policy or custom, the City caused its officers to believe that they could engage in misconduct with impunity because their actions would never be thoroughly scrutinized.

**ANSWER: Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him.**

55. Before plaintiff's arrests, policymakers for the City of Chicago knew that the Chicago Police Department's policies or customs for disciplining, supervising, and controlling its officers were inadequate and caused police misconduct.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

56. Despite their knowledge of the City's failed policies and customs for disciplining, supervising, and controlling its officers, the policymakers failed to take action to remedy these problems.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

57. Before the Watts Gang engineered plaintiff's above-described wrongful arrests, detentions, and prosecutions, the individual officer defendants had been the subject of numerous formal complaints of official misconduct.

**ANSWER:** Defendant Mohammed denies that he engineered plaintiff's arrests, detentions or prosecutions and lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

58. As a direct and proximate result of the Chicago Police Department's inadequate policies or customs for disciplining, supervising, and controlling its officers and the policymakers' failure to address these problems, Watts and his gang continued to engage in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges against persons at the Ida B. Wells Homes, including but not limited to the wrongful arrests, detentions, and prosecutions of plaintiff, as described above.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph.

#### **B. Code of Silence**

59. At all relevant times, the Chicago Police Department maintained a code of silence that required police officers to remain silent about police misconduct. An officer who violated the code of silence would be severely penalized by the Department.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him and lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

60. At all relevant times, police officers were trained at the Chicago Police Academy not to break the code of silence. Officers were instructed that "Blue is Blue. You stick together. If something occurs on the street that you don't think is proper, you go with the flow. And after that situation, if you have an issue with that officer or what happened, you can confront them. If you don't feel comfortable working with them anymore, you can go to the watch commander and request a new partner. But you never break the code of silence."

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him and lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

61. This code of silence facilitated, encouraged, and enabled the individual officer defendants to engage in egregious misconduct for many years, knowing that their fellow officers would cover for them and help conceal their widespread wrongdoing.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph.

62. Consistent with this code of silence, the few people within the Chicago Police Department who stood up to Watts and his gang or who attempted to report their misconduct were either ignored or punished, and the Watts Gang was thereby able to engage in misconduct with impunity.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him and lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

63. Watts and his gang are not the first Chicago police officers whom the City of Chicago allowed to abuse citizens with impunity while the City turned a blind eye.

**ANSWER:** Defendant Mohammed denies that he abused citizens and lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

64. One example of this widespread practice is Chicago police officer Jerome Finnigan, who was convicted and sentenced on federal criminal charges in 2011. One of the charges against Finnigan involved his attempt to hire a hitman to kill a police officer whom Finnigan believed would be a witness against him.

**ANSWER:** Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

65. Finnigan was part of a group of officers in the Defendant City's Special Operations Section who carried out robberies, home invasions, unlawful searches and seizures, and other crimes.

**ANSWER:** Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

66. Finnigan and his crew engaged in their misconduct at around the same time that plaintiff was subjected to the abuses described above.

**ANSWER:** Defendant Mohammed denies he engineered plaintiff's arrests, detentions or prosecutions and denies he otherwise "abused" plaintiff as alleged herein. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

67. Finnigan, like the defendants in this case, had been the subject of many formal complaints of misconduct.

**ANSWER:** Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

68. Finnigan revealed at his criminal sentencing hearing in 2011, "You know, my bosses knew what I was doing out there, and it went on and on. And this wasn't the exception to the rule. This was the rule."

**ANSWER:** Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.

69. Defendants Watts and Mohammed were criminally charged in federal court in February 2012 after shaking down a federal informant they believed was a drug dealer.

**ANSWER:** Defendant Mohammed admits that in 2012, he was criminally charged for violation of 18 U.S.C. §§ 641 and 642. Except as specifically admitted, Defendant Mohammed denies the remaining allegations contained in this paragraph.

70. Defendant Mohammed pleaded guilty in 2012.

**ANSWER:** Defendant Mohammed admits that he pleaded guilty in 2012 to a violation of 18 USC §641. Except as specifically admitted, Defendant Mohammed denies the remaining allegations contained in this paragraph.

71. Defendant Watts pleaded guilty in 2013.

**ANSWER:** Upon information and belief, Defendant Mohammed admits the allegations contained in this paragraph.

72. In the case of *Obrycka v. City of Chicago et al.*, No. 07-cv-2372 (N.D. Ill.), a federal jury found that, as of February 2007, "the City [of Chicago] had a widespread custom and/or practice of failing to investigate and/or discipline its officers and/or code of silence."

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

73. In December 2015, Chicago Mayor Rahm Emanuel acknowledged the continued existence of the code of silence within the Chicago Police Department; Emanuel, speaking in his capacity as Mayor, admitted that the code of silence leads to a culture where extreme acts of abuse are tolerated.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

74. In April 2016, the City's Police Accountability Task Force found that the code of silence "is institutionalized and reinforced by CPD rules and policies that are also baked into the labor agreements between the various police unions and the City."

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

75. In an official government report issued in January 2017, the United States Department of Justice found that "a code of silence exists, and officers and community members know it."

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

76. On March 29, 2019, then-Chicago Police Superintendent Eddie Johnson publicly acknowledged the code of silence, stating that some Chicago police officers "look the other way" when they observe misconduct by other Chicago police officers.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

77. In October 2020, Chicago Police Superintendent David Brown acknowledged in public comments that the code of silence continues to exist.

**ANSWER: Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the allegations contained in this paragraph.**

78. The same code of silence in place during the time period at issue in the *Obrycka* case and recognized by the Mayor, Superintendent Johnson, Superintendent Brown, the Task Force, and the Department of Justice was also in place when plaintiff suffered the wrongful arrests, detentions, and prosecutions described above.

**ANSWER:** Defendant Mohammed denies he engineered plaintiff's arrests, detentions or prosecutions. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

79. As a direct and proximate result of the City's code of silence, Watts and his gang continued to engage in robbery and extortion, use excessive force, plant evidence, fabricate evidence, and manufacture false charges against persons at the Ida B. Wells Homes, including but not limited to the wrongful arrests, detentions, and prosecutions of plaintiff, as described above.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph to the extent those allegations are directed to him. Defendant Mohammed lacks sufficient knowledge upon which to form a belief as to the truth of the remaining allegations contained in this paragraph.

### **VIII. Claims**

80. As a result of the foregoing, all of the defendants caused plaintiff to be deprived of rights secured by the Fourth and Fourteenth Amendments.

**ANSWER:** Defendant Mohammed denies the allegations contained in this paragraph.

81. As a supplemental state law claim against defendant City of Chicago only: as a result of the foregoing, plaintiff was subjected to two malicious prosecutions under Illinois law.

**ANSWER:** Defendant Mohammed makes no answer to the allegations contained in this paragraph which are not directed against him. To the extent any allegation contained in this paragraph can be said to be directed against him, said allegation is denied.

82. Plaintiff hereby demands trial by jury.

**ANSWER:** Defendant Mohammed admits that plaintiff demands a trial by jury and joins in said demand.

### **AFFIRMATIVE DEFENSES**

1. To the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed is entitled to qualified immunity. He is a government official who performed discretionary functions. At the time of the incidents referenced in Plaintiff's Complaint, Defendant Mohammed was an on-duty member of the Chicago Police Department who was executing and enforcing the law. At all times relevant to Plaintiff's Complaint, a reasonable police officer objectively viewing the facts and circumstances that confronted Defendant Mohammed could have believed his actions to be lawful, in light of clearly established law and the information the officers possessed at the time.

2. Defendant Mohammed cannot be held liable for Plaintiff's 42 U.S.C. § 1983 claims unless he individually caused or participated in an alleged constitutional deprivation because individual liability for damages under 42 U.S.C. § 1983 is predicated upon personal responsibility. *See Wolf-Lillie v. Sonquist*, 699 F.2d 864, 869 (7th Cir. 1983).

2. To the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed is not liable for his individual participation in the arrest because, as a public employee, his actions were discretionary, and he is immune from liability. 745 ILCS 10/2-201.

3. A public employee is not liable for his act or omission in the execution of any law unless such act or omission constitutes willful or wanton misconduct. 745 ILCS 10/2-202. To the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed was acting in the execution and enforcement of the law at the time of any interactions with Plaintiff and Defendant Mohammed's individual acts were neither willful nor wanton. As a result, Defendant Mohammed is not liable to Plaintiff.

4. To the extent Plaintiff failed to mitigate any of his claimed damages, any verdict or judgment obtained by Plaintiff must be reduced by application of the principle that Plaintiff

had a duty to mitigate his damages, commensurate with the degree of failure to mitigate attributed to Plaintiff.

5. Under the Tort Immunity Act, to the extent Defendant Mohammed was in fact involved in Plaintiff's arrest at issue, Defendant Mohammed is not liable for any injury allegedly caused by the instituting or prosecuting of any judicial or administrative proceeding when done within the scope of his employment, unless such action was done maliciously and without probable cause. 745 ILCS 10/2-208.

6. Under the Tort Immunity Act, Defendant Mohammed is not liable for any injury caused by the action or omission of another public employee. 745 ILCS 10/2-204.

7. To the extent Plaintiff seeks to impose liability based on testimony given by Defendant Mohammed, if any was in fact given by him, Defendant Mohammed is absolutely immune from liability. *Rehberg v. Paulk*, 132 S. Ct. 1497 (2012); *Briscoe v. LaHue*, 460 U.S. 325, 330-31, 103 S. Ct. 1108, 1113 (1983); *Jurgensen v. Haslinger*, 295 Ill. App. 3d 139, 141-42, 692 N.E.2d 347, 349-50 (3d Dist. 1998)

8. Plaintiff's claims in the Complaint are barred by the doctrines of *res judicata* and collateral estoppel.

**WHEREFORE**, Defendant, Kallatt Mohammed, denies that Plaintiff James Randolph is entitled to the relief requested in the Complaint, or to any relief whatsoever, against Mohammed and demands: 1) entry of a judgment dismissing Plaintiff's Complaint in its entirety as to Defendant Mohammed; 2) for an award of the costs incurred in defending this action; and 3) for such other relief as the Court deems appropriate.

**JURY DEMAND**

Defendant, Kallatt Mohammed, hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

/s/ Eric S. Palles #2136473

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*Counsel for Defendant Kallatt Mohammed*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 25, 2024, I caused the foregoing Defendant Kallatt Mohammed's Answer to Plaintiff's Complaint to be served on all counsel of record using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Eric S. Palles  
Special Assistant Corporation Counsel  
One of the attorneys for Kallatt Mohammed

