

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

Vondell Wilbourn,)
individually and for)
others similarly)
situated,)
Plaintiffs,)
vs.)
Sheriff of Cook County)
and Cook County,)
Illinois,)
Defendants.)

10 The deposition of RICHARD PASQUEL, called
11 for examination pursuant to the Rules of Civil
12 Procedure for the United States District Courts
13 pertaining to the taking of depositions, taken
14 before NATASHA A. JONES, a Certified Shorthand
15 Reporter, via Zoom videoconference, on the
16 8th day of April, 2025, at the hour of 3:00 p.m.

23 Reported by: NATASHA A. JONES, CSR, RPR
24 license No : 084-004896



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WITNESS

EXAMINATION

RICHARD PASQUEL

BY MR. FLAXMAN

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BY MR. BRANUM

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EXHIBITS

NUMBER

IDENTIFICATION

(NO EXHIBITS MARKED.)

1 (witness sworn.)

2 RICHARD PASQUEL,

3 having been first duly sworn, was examined and
4 testified as follows:

5 EXAMINATION

6 BY MR. FLAXMAN:

7 Q. Okay. Would you state your name and
8 spell your last name for us, please?

9 A. My name is Richard Pasquel. Last name
10 is P-A-S-Q-U-E-L.

11 Q. And could you tell us your business or
12 occupation?

13 A. I am an investigation with the Cook
14 County Sheriff's office with the electronic
15 monitoring community service -- community
16 corrections unit.

17 Q. For how long have you worked for the
18 Sheriff?

19 A. Since 2014. Going on 12 years.

20 Q. Okay. And how long have you worked in
21 electronic monitoring?

22 A. I want to say since 2021.

23 Q. In the course of your work in
24 electronic monitoring, have you been involved in



1 returning a person who was on electronic
2 monitoring to the jail?

3 A. Yes, I have.

4 Q. How would you get that assignment?

5 A. It would be assigned in roll call
6 through a validation of bail bond report, or
7 before the PFA, there would be an on view
8 violation.

9 Q. What's PFA, if I heard that right?

10 A. Pretrial Fairness Act.

11 Q. Okay. But, well, we're talking about
12 the period, at this deposition, before the
13 Pretrial Fairness Act went into effect, which I
14 think was, like, in --

15 A. 2023, I want to say.

16 Q. Okay. Like November or October. But
17 before the Pretrial Fairness Act went into
18 effect, how would you get your assignment to
19 return somebody to the jail?

20 A. It would be assigned at roll call for
21 certain violations. Or like I said, if we show
22 up -- meaning my partner and I -- we see an on
23 view violation, we would contact a supervisor,
24 have him or her give us the order. Depending on



1 the violation, whether we take him back or not.

2 Q. Could you just explain to us what roll
3 call is?

4 A. Roll call is where we as investigators
5 every shift go up in front of the sergeants, and
6 they give us assignments. They let us know what
7 happened prior to our shift, and if there's
8 anything else going on. So it's just
9 information before we hit the streets.

10 Q. How many officers would be assigned to
11 return a particular person to the jail?

12 A. It could be anywhere from two to six
13 depending on the situation, yes, in the area.

14 Q. Did you ever have a warrant to enter
15 someone's home when you were going out to return
16 them to the jail?

17 A. Actually, for community corrections,
18 they signed off on documentation where we could
19 come into their homes. We usually do have --
20 sometimes we have an arrest warrant. But as far
21 as needing a warrant to go into their homes, no,
22 we don't need that because we have to conduct
23 compliance checks on those homes.

24 Q. I understand that that's your position,



1 but my question is not whether you needed one,
2 but whether you ever had a warrant to enter the
3 home aside from cases where someone was wanted
4 in an alive valid arrest warrant?

5 MR. BRANUM: Objection to form.

6 MR. FLAXMAN: I'll rephrase the question.

7 BY MR. FLAXMAN:

8 Q. Was there ever a time when you went out
9 to return somebody to the jail when you had a
10 warrant from the judge authorizing you to enter
11 their home?

12 A. Again, not a warrant to enter their
13 home.

14 Q. Okay. When -- are you familiar with
15 the phrase program violations?

16 A. Yes.

17 Q. What does that mean to you?

18 A. There's different program violations.
19 There's violations where you exit your home
20 without permission. Saying, more or less, when
21 they don't have movement for that -- essential
22 movement, what's called essential movement.
23 They get essential movement two days a week.
24 That's one program violation.



1 Returning home late from a movement.
2 Deviating from movement, meaning if they have
3 work or school movement, and they deviate and go
4 somewhere else. That's also a program
5 violation.

6 Q. And have you ever been assigned to
7 return somebody to the jail because of a program
8 violation?

9 A. That I can recall, yes.

10 Q. And on any of those occasions when you
11 were assigned to return somebody to the jail
12 because of a program violation, would you
13 discuss with the person whether or not they in
14 fact had committed a program violation?

15 A. Yes.

16 Q. And did you ever recall an occasion
17 where you had that discussion and the person
18 convinced you that they had not in fact
19 committed a program violation?

20 A. Well, prior to going to their homes, an
21 investigation is conducted to see if they did or
22 not commit those violations.

23 Q. Does that investigation involve talking
24 with the person who's on electronic monitoring?



1 A. Part of the investigation would be
2 talking and asking them whether or not -- to see
3 what happened on that certain day.

4 Q. And how -- would that take place in
5 person?

6 A. Yes.

7 Q. So you'd go out to the home and have a
8 discussion with the person?

9 A. Yes.

10 Q. Okay. Let me ask you to look at some
11 papers that I'm going to share on the screen
12 with you, and I'll give you a hint that these
13 are excerpts from reports of -- which have your
14 name in them. And I just excerpted part of the
15 report, and I'm not trying to be unfair, it's
16 just I just copied what we received. Let me
17 share. And do you see the -- are you able to
18 read it on the shared screen?

19 A. Yes. I see something on the other
20 screen now, yes.

21 Q. Are you able to read it, or should I
22 make it bigger?

23 A. No. It's fine.

24 Q. Okay. Do you recall, this is



1 EM2023-20334. Do you recall going out to a
2 Participant Davis' home on September 9th, 2023,
3 at about 10:25 a.m.?

4 MR. BRANUM: Investigator Pasquel, you can
5 take as much time as you need to read the
6 incident, the narrative.

7 THE WITNESS: Yes. I don't recall the -- but
8 I'll read it. Okay.

9 BY MR. FLAXMAN:

10 Q. Do you have any recollection of this
11 incident after having read the report?

12 A. Somewhat.

13 Q. Had you ever met Participant Davis
14 before you went out to his home?

15 A. I don't recall if we ever met before,
16 no.

17 Q. Okay. Do you remember where the
18 conversation you had with Participant Davis took
19 place? In the home? Out of the home?
20 Someplace else?

21 A. From what I recall, no. And I see
22 there's a few investigators there. A lot of
23 times the contact investigators would have the
24 interview with that subject. In this case, from



1 what I recall, we were a backup unit, so we had
2 no contact with the participant. No verbal
3 contact with him.

4 Q. Well, let's go to the next one, if it
5 works. No. Oh, there we go.

6 All right. We're now looking at Page 2,
7 EM-2022-24299. And let me ask you to read it
8 and take as much time as you want.

9 A. Okay. Okay.

10 Q. Do you recall this event?

11 A. Yes, sir, I do.

12 Q. The report says that you entered the
13 garden apartment A. Do you remember that?

14 A. Yes.

15 Q. Do you remember how you got into the
16 garden apartment A?

17 A. Yes. We knocked on the door.

18 Q. And somebody let you in?

19 A. Yes. The host.

20 Q. Okay. And you went to the bedroom of
21 Mr. R-H-O-N-E.

22 A. We were directed to the bedroom. The
23 host said he was in there.

24 Q. Okay. And did you have a search



1 warrant when you did that?

2 A. Again, sir, we don't need a search
3 warrant because both the host and the
4 participant sign off on a document stating that
5 they -- we are allowed to go into their house.

6 Q. So you did not have a search warrant,
7 did you?

8 A. Pardon me?

9 Q. You did not have a search warrant; is
10 that correct?

11 A. We had consent.

12 Q. No. My question is, did you have a
13 search warrant? Yes or --

14 A. We did not have a search warrant. We
15 had consent.

16 Q. Did you have an arrest warrant?

17 A. No, we did not.

18 Q. Okay. Let's look at the next one,
19 which is EM-20238-8198 April 13th, 2023. Let me
20 ask you to read it over, then I'll ask you some
21 questions.

22 A. Okay.

23 Q. This says you were dispatched on a
24 re-incarceration. What does that mean?



1 A. It means the participant failed to
2 comply with the rules of electronic monitoring.
3 And according to this report, he was on
4 unauthorized movement.

5 Q. When you're dispatched on a
6 re-incarceration, does that mean that you are
7 going to investigate whether or not the
8 participant had violated the conditions? Or you
9 were there to re-incarcerate the person?

10 A. Well, it's always to investigate. We
11 first -- again, with this case I don't recall it
12 as much -- as much because, again, I think on
13 this one, we were backup. We weren't the
14 original arresting investigators.

15 Q. Do you remember Mr. Lewis telling you
16 that the -- that the GPS information was wrong
17 and that he had not deviated from his approved
18 movement?

19 A. I don't recall him telling me that
20 because we were just the backup investigators.
21 I'm sure he told the primary investigators that.

22 Q. Let's go to the next one which is
23 EM-2023-8272. Let me ask you to look at the --
24 read the details of incident and then I'll ask



1 you some questions.

2 A. Okay.

3 Q. Now, do you have any recollection of
4 this incident?

5 A. Yes. Somewhat, yes.

6 Q. All right. Could you explain to us
7 what failing to charge the GPS unit, how
8 that's -- how that's detected?

9 A. Prior from -- prior before the
10 participants going on EM, they are given a
11 packet of rules and regulations. Part of that
12 is charging the device. They are told and it's
13 written that they have to charge the device two
14 hours a day every day to stay in compliance.

15 Q. When you say charging the device, does
16 that mean charging a battery?

17 A. Yes, sir.

18 Q. Has any participant in EM ever told you
19 that they tried to charge a device for two
20 hours, but it wouldn't keep a charge?

21 A. Yes. We would investigate that
22 situation. And when that does happen -- and it
23 does happen -- we either give them a new charger
24 or replace the device.



1 Q. How would you investigate that?

2 A. I don't understand the question.

3 Q. Well, would you take the person into
4 custody and investigate back at the jail whether
5 the charger was defective?

6 A. No. Well, when we ride to the home, if
7 the charger's defective, we carry spare
8 equipment with us, and we'll test it at the host
9 site.

10 Q. How do you determine whether a charger
11 is defective or not?

12 A. Well, we use a new charger and see if
13 that works. A lot of times, if it does work,
14 then we know it's the charger, and we'll give
15 them a new one.

16 Q. Do you remember doing that at Mr.
17 Howard Jones' host site?

18 A. I don't recall doing that, but that's
19 the practice that we do.

20 Q. Okay. Am I correct that you did not
21 have a search warrant when you entered Mr. Jones'
22 host site back in April of 2023?

23 A. Yes, you are correct. We had consent.

24 Q. Okay. Well, and by having consent, you



1 mean whatever was signed on the documents that
2 were executed before Mr. Jones joined the
3 electronic monitoring program?

4 A. Correct.

5 Q. Okay. Let's look at the next one,
6 which is EM-2023-8277. Again, I'll ask you to
7 read the details of incident and see if that --
8 then I'll ask you some questions.

9 A. Okay.

10 Q. Do you recall this incident that
11 appears to have -- that occurred on April 14th
12 of 2023?

13 A. I recall some of it, yes.

14 Q. Did you prepare the report about the
15 incident?

16 A. No. My partner Investigator Perez did.

17 Q. When you prepared -- have you ever
18 prepared reports?

19 A. Yes, I have.

20 Q. When you prepare a report, would you
21 include a reference to testing the battery
22 charger when that was the nature of the
23 complaint?

24 A. Can you repeat the question?



1 Q. Well, let me ask you a different
2 question. One of the complaints against Mr. --
3 Mr. Fields is that he did not -- was not
4 charging his machine; is that correct?

5 A. According to the report, yes.

6 Q. And do you have a recollection of
7 talking with Mr. Fields about whether or not his
8 machine was defective?

9 A. Whether I did or my partner did, that's
10 what we are there to ask questions and make sure
11 that they are complying with the rules and
12 regulations with the program.

13 Q. Is there any reference in this portion
14 of the report that -- that says you did that?

15 A. I do not see that in the report, no.

16 Q. Is that something that you would
17 include when you would write a report?

18 A. Again, everything's also on body-worn
19 camera, so if it was an issue, that could be
20 brought up as well.

21 Q. Do you know how long those body-worn
22 camera videos are retained?

23 A. I do not.

24 Q. Okay. Let's look at the next one,



1 which is EM-2023-14580, July 1, 2023.

2 If you read the first -- or the first
3 two sentences, is it correct that you were one
4 of the officers who received the assignment,
5 rather than a backup officer?

6 A. Yes, sir.

7 Q. All right. Let me ask you to read the
8 rest of the details of incident before I ask you
9 another question.

10 A. Okay.

11 Q. Is this one of those cases where the
12 supervisor at the scene consulted with his or
13 her supervisors about whether the person should
14 be re-incarcerated?

15 A. Yes. And from what I recall with this
16 particular case, the participant had a court
17 order to stay away from any CTA properties.

18 Q. And the participant admitted that he
19 had not followed that court order; is that
20 correct?

21 A. Yes.

22 Q. It says that you were -- that you were
23 at the host site. Does that mean you went into
24 the home?



1 A. Yes, sir.

2 Q. And again, you didn't have a search
3 warrant to enter the home, did you? That's a
4 yes or no question.

5 MR. BRANUM: Well, he can answer the
6 question -- he's the one who's under oath.

7 So investigator Pasquel, answer the
8 question that you feel is your answer, not his
9 answer.

10 THE WITNESS: Yes. We had consent.

11 BY MR. FLAXMAN:

12 Q. But did you have a warrant of any sort?

13 A. Oh, no. We -- no, no. We had consent.

14 Q. And at one point, you referred to a
15 violation of bail bond. Is that an order that's
16 signed by a judge or a petition? What did you
17 mean by that?

18 A. Violation of bail bond is a -- yes.
19 It's a court order violation. In this
20 particular instance, it was ordered that he stay
21 away from CTA properties.

22 Q. And had the judge been presented with
23 the allegation that he had been on CTA property
24 and then said that's a violation of bail bond,



1 you are to be re-incarcerated?

2 A. I don't know what that phone call
3 was that the sergeant made. I don't know who it
4 was made to, so I don't know.

5 Q. Let's look at the last page which is
6 EM-2023-20334. Let me ask you to read over the
7 details of incident.

8 MR. BRANUM: Is this one that was already
9 reviewed?

10 THE WITNESS: I think -- I think it was.

11 MR. FLAXMAN: Okay.

12 MR. BRANUM: I think this is the one you
13 started with.

14 BY MR. FLAXMAN:

15 Q. I won't ask you about it again unless
16 you have different answers than you did the
17 first time.

18 A. No, sir.

19 Q. How has your work in returning people
20 to the jail on electronic monitoring changed
21 since the adoption of the Pretrial Fairness Act?

22 A. Well, now we need a court order to
23 return anybody back to department of
24 corrections.



MR. FLAXMAN: All right. Thank you. I have nothing further. Signature?

MR. BRANUM: I have just a few questions,
Investigator Pasquel.

EXAMINATION

BY MR. BRANUM:

Q. Can you tell me how many times you have been involved in returning a participant back to the correction -- department of corrections?

A. I can't give you a specific number. It has been quite a few.

Q. And would you say it was more than 10 participants?

A. Probably, yes.

Q. Do you think it was more than 50?

A. No.

Q. So in those more than 10 times that you've returned a participant back to the department of corrections, out of all of those returns, how many times have you entered the participant's residence?

A. Most all of them.

Q. And in any of those instances where you've entered a participant's residence, have



1 you ever used forced entry to enter the
2 residence?

3 A. Never.

4 Q. And why not?

5 A. Because we are given consent by the
6 host and participant to enter those locations.

7 MR. BRANUM: Thank you. I have no more
8 questions.

9 MR. FLAXMAN: Okay. Signature.

10 MR. BRANUM: We'll reserve signature.

11 MR. FLAXMAN: Okay. Thank you very much,
12 Officer -- Investigator.

13 (Proceedings concluded at 3:31 p.m.)

