

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

VONDELL WILBOURN,)
individually and for)
others similarly situated,)
Plaintiffs,)
vs.) Case No. 23-CV-1782
SHERIFF OF COOK COUNTY)
AND COOK COUNTY, ILLINOIS,)
Defendants.)

The discovery videoconference deposition of
MARK HALT, taken in the above-entitled cause,
before BRIANNA M. STEVENS, a Certified Shorthand
Reporter of Cook County, Illinois, at 1:00 p.m.
on July 16, 2024, via Zoom, pursuant to notice.

Reported by: BRIANNA M. STEVENS, CSR
License No.: 084-004917



1 APPEARANCES:

2 KENNETH FLAXMAN LAW OFFICES, by
3 MR. KENNETH N. FLAXMAN,
4 200 South Michigan Avenue, Suite 201
5 Chicago, Illinois 60604
6 (312) 427-3200
7 knf@kenlaw.com

8 Representing the Plaintiffs;

9
10 JOHNSON & BELL, LTD., by
11 MR. SAMUEL BRANUM,
12 33 West Monroe Street, Suite 2700
13 Chicago, Illinois 60603-5404
14 (312) 372-0770
15 branums@jbltd.com

16 Representing the Defendants.
17
18
19
20
21
22
23
24



I N D E X

WITNESS

EXAMINATION

MARK HALT

By Mr. Flaxman

4

E X H I B I T S

NUMBER

IDENTIFICATION

(NO EXHIBITS WERE MARKED.)



1 (Witness sworn.)

2 MARK HALT,

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

5 EXAMINATION

6 BY MR. FLAXMAN:

7 Q. Good afternoon, sir. Could you state
8 your name and spell your last name for us, please?

9 A. Mark Halt. Last name H-a-l-t.

10 Q. And what's your business or occupation?

11 A. Employed with the Cook County Sheriff's
12 Department as an investigator in the Cook County
13 Sheriff's Electronic Monitoring Unit.

14 Q. So you're not employed by the
15 Department of Corrections; is that correct?

16 A. Well, the Department of Corrections has
17 multi departments. I mean, it's an offshoot of
18 Department of Corrections you could say, but
19 overall, it's Cook County Sheriff's Department.

20 Q. Well, okay, but when you -- am I
21 correct that the sheriff's department is
22 different than corrections is different than
23 court services?

24 A. To put it simply like that, yes, it is.



1 Q. Okay. Did you look at any -- anything
2 to prepare for this deposition?

3 A. Only reviewed the reports that were
4 consistent with this case and some video.

5 Q. Okay. How many videos did you look at?

6 A. Well, there was mine and I narrowly
7 skimmed over maybe five or six other videos.

8 Q. Okay. How long have you been employed
9 by the sheriff?

10 A. With the sheriff's department
11 approximately 26 and a half years.

12 Q. And how long have you been in your
13 present position?

14 A. About -- going over 10 years.

15 Q. Were you working with a partner on
16 March 3rd, 2023? And I think that's -- if
17 that's the wrong date, correct me, when you
18 apprehended or had met Mr. Wilbourn?

19 A. March 3rd, yes. I was working with a
20 partner.

21 Q. Okay. Who was your partner?

22 A. It was Investigator Charles Bledsoe.

23 Q. Who was driving when you went to
24 Mr. Wilbourn's house?



1 A. That was Investigator Bledsoe.

2 Q. Were you the more senior officer that day?

3 A. Hmm, I'm not -- well, me and
4 Investigator Bledsoe, we started electronic
5 monitoring together.

6 Q. Okay.

7 A. So our seniority would be the same.

8 Q. What did you do before you started --
9 before you worked in electronic monitoring?

10 A. I worked in -- directly Cook County
11 Sheriff's boot camp.

12 Q. How long did you work in boot camp?

13 A. Somewhere between eight and nine years.

14 Q. Did you meet an Officer Buchanan in
15 boot camp?

16 A. Yes. I know an Officer Buchanan.

17 Q. Okay. Did you receive any training
18 about the work that you would be doing in EM
19 before you started to work in EM?

20 A. Yes.

21 Q. Could you briefly describe for us what
22 that training consisted of?

23 A. Well, there was a short, I guess,
24 in-service class to start it off, then there was



1 basically on-the-job training and multiple --
2 computer learning as well and maybe some desk --
3 desk learning as well.

4 Q. Okay. Did you learn about any written
5 policies of the sheriff that related to
6 electronic monitoring?

7 A. Yes.

8 Q. Okay. How did you learn about them?

9 A. Those policies are usually handed out
10 at roll call.

11 Q. Okay. In your training when you
12 started working at EM, was there any instruction
13 about the regulation -- the policies relating to
14 electronic -- your work in electronic monitoring?

15 A. Well, yes.

16 Q. Is there a policy about the use of
17 force that you could use in reapprehending a
18 person who is on electronic monitoring?

19 A. Yes, there is.

20 Q. Do you happen to know the number or the
21 name of that policy?

22 A. I do not. I cannot recall the exact
23 number.

24 Q. Do you recall learning about any



1 written policy about use of leg shackles when
2 you were apprehending a person on EM?

3 A. I know there is -- there is some policy
4 covering leg shackles. Yes.

5 Q. Okay. Do you know if there's a policy
6 about using lights and siren when you were
7 returning with an apprehending EM person?

8 A. Yes, there is.

9 Q. And what is that policy?

10 A. I don't re- -- yeah, I don't recall the
11 exact number to the policy.

12 Q. But could you tell us as best as you
13 can the substance of that policy?

14 A. I think it's about, you know, securing
15 the scene depending on -- really depending on a
16 situation and the supervisor's instruction.

17 Q. Well, is it the policy that you should
18 use your lights and sirens to avoid stopping at
19 red lights?

20 A. Well, at times lights and sirens are
21 just to avoid traffic jams.

22 Q. Do you recall any written policy that
23 speaks to whether and under what circumstances
24 you may enter a dwelling to apprehend a person



1 who is on EM?

2 A. Yes, there is a policy to cover that.

3 Correct. Yes.

4 Q. Could you tell us as best you can what
5 that policy is?

6 A. Well, based on -- well, in short -- I
7 can't repeat it word for word, but in short,
8 it's based on the electronic monitoring
9 participants' consent and our ability to ensure
10 compliance with the electronic monitoring
11 program. I mean, that's --

12 Q. And as -- am I correct the policy as
13 you understand it is that when you're
14 apprehending a person who is on EM you can enter
15 a dwelling to apprehend them?

16 A. Yes.

17 Q. Okay. Is there a policy about the
18 extent, if any, to which you can search that
19 dwelling when you enter it to apprehend who is
20 on EM who you're returning to the jail?

21 A. Well, the consent to search is provided
22 by the EM participant. In this case, it would
23 have been Vondell Wilbourn. He would have given
24 the consent.



1 Q. Right. But my question is about the
2 sheriff's written policies about searching the
3 dwelling once you've entered the dwelling to
4 return an EM person to the jail. Is there a
5 policy about the extent, if any, to which you
6 can search the dwelling?

7 A. Well, the policy -- well, I think it
8 coincides with the contracts -- that similar
9 language as the electronic monitoring program
10 contracts that the participant signs.

11 Q. Is there a written policy that you can
12 recall as you sit here today about what an
13 officer should do when he's returning a person
14 on EM to the jail and discovers that there are
15 minor children in the home and no other adult
16 watching the children?

17 A. There is a -- there is a policy, but I
18 can't speak to the number or exactly what it
19 entails.

20 Q. Okay. How did you learn or how did you
21 receive the assignment to bring Mr. Wilbourn
22 back to the jail on March 3rd of 2023?

23 A. Well, on that day that was a desk
24 assignment that was given either by the in-field



1 supervisor or the monitoring desk that was
2 relayed by the supervisor.

3 Q. Could you explain to us what you meant
4 by desk assignment?

5 A. That is -- that's the internal office.
6 They handle all the computer work and they have
7 a -- they're closer communication with the
8 sergeants, lieutenants and other supervisors.

9 Q. And when you received that desk
10 assignment to return Mr. Wilbourn to the jail,
11 were you told why he was being returned to the
12 jail?

13 A. Well, I don't recall that particular
14 time if I was given any information such as that.

15 Q. Okay. So am I correct that you weren't
16 involved in the decision to return Mr. Wilbourn
17 to the jail?

18 A. That's correct.

19 Q. And when you went to his home, am I
20 correct that you were just doing your job?

21 A. Yes.

22 MR. BRANUM: Objection to form, but go ahead.

23 THE WITNESS: Yes, that's correct.
24



1 BY MR. FLAXMAN:

2 Q. okay. when you went to Mr. Wilbourn's
3 house, did you meet him at the front door of his
4 house?

5 MR. BRANUM: Objection to form.

6 THE WITNESS: Yes. Mr. Wilbourn came to the
7 front door at the house.

8 BY MR. FLAXMAN:

9 Q. Did he come to the front door in
10 response to knocking on his windows, knocking on
11 his door?

12 A. I'm going to say yes. It's either
13 windows or doors. Yes.

14 Q. And when he came to the front door, did
15 you handcuff him?

16 A. well, I personally didn't handcuff.
17 That was my partner, Investigator Bledsoe,
18 actually handcuffed.

19 Q. Were you present when your partner
20 handcuffed Mr. Wilbourn?

21 A. Yes, I was.

22 Q. And am I correct that Mr. Wilbourn was
23 still inside the doorway of his home when he was
24 handcuffed?



1 A. Yes, that's correct.

2 Q. And after Mr. Wilbourn was handcuffed,
3 did you go inside the home?

4 A. Yes, we did.

5 Q. What did you do when you went inside
6 the home?

7 A. I think I may have just secured the
8 living room. I think we entered the living
9 room, and I just waited for a supervisor to
10 arrive.

11 Q. Now, when you say secured the living
12 room, what did you do?

13 A. Just stand there. I may have asked a
14 couple questions. I don't recall exactly.

15 Q. Do you remember seeing any small
16 children?

17 A. At that time -- it was later on that I
18 seen two small children.

19 Q. Okay. How much -- when you say later
20 on, how much after -- how much time passed from
21 when you entered the home to when you saw the
22 two small children?

23 A. At that time I can't judge a time.
24 Maybe a minute or two.



1 Q. Okay. Did you ask Mr. Wilbourn to call
2 his wife to come home?

3 A. I may have. I -- upon review of the
4 body cam, I think I was talking to her on the
5 phone.

6 Q. Okay. And did you see her that day
7 come back to the house?

8 A. I'm going to say I don't recall that
9 because I think we left.

10 Q. But you left with Mr. Wilbourn; is that
11 right?

12 A. Correct.

13 Q. When you left the home with Mr. Wilbourn,
14 do you know who, if anyone, was watching the
15 children?

16 A. As far as I know sergeant Price was
17 still there when I left.

18 Q. When Sergeant Price arrived, was he in
19 charge of the scene?

20 A. Yes, he was.

21 Q. Okay. And is a Sergeant a higher rank
22 than an investigator?

23 A. Yes.

24 Q. Okay. Do you know if Sergeant Price



1 still works for the sheriff?

2 A. As far as I know, yes.

3 Q. Okay. Did you see anybody search
4 Mr. Wilbourn's dwelling?

5 A. Can you define search?

6 Q. Well --

7 A. Because we do a cursory search just as
8 a walkthrough.

9 Q. All right. Was this -- in the 10 years
10 that you worked for the sheriff, how many times
11 about, if you can recall, have you been involved
12 in reapprehending persons on EM?

13 A. Exact number I can't recall.

14 Q. Is it more than once a day?

15 A. No. It wouldn't be more.

16 Q. Is it every day?

17 A. Not me personally, no.

18 Q. Well, you work full-time; don't you?

19 A. Uh-hum. Yes.

20 Q. And how many days -- and you get how
21 many weeks vacation after 26 years, four?

22 A. It's four weeks.

23 Q. Okay. So in the 48 weeks that you're
24 working, do you go out once a week?



1 A. It depends on the work week. I average
2 once a week.

3 Q. All right. Did you ever learn the
4 reason why you were there to reapprehend
5 Mr. Wilbourn?

6 MR. BRANUM: Objection. Form.

7 MR. FLAXMAN: You can answer.

8 THE WITNESS: Okay. That was -- from what I
9 understand, that was a -- that was a compliance
10 check.

11 BY MR. FLAXMAN:

12 Q. Was this the first time that you had
13 reapprehended a person on EM for a compliance
14 check?

15 A. No.

16 Q. Is that something that happens frequently?

17 MR. BRANUM: Objection to form.

18 THE WITNESS: Well, I don't know what happens
19 entirely throughout, like, my eight-hour work day.

20 BY MR. FLAXMAN:

21 Q. Well, have you -- in the two years
22 before you reapprehended Mr. Wilbourn, had you --
23 he was -- was he the first person you
24 reapprehended on a compliance check?



1 A. Well, no.

2 Q. Had you done 10 -- more than 10 other
3 people for compliance check reasons?

4 A. That's a reasonable number. Like, more
5 than 10.

6 Q. Okay. Is it more than 20?

7 A. It could be more than 20.

8 Q. Okay. And did you prepare any reports
9 about this incident?

10 A. I was assigned to write that report.
11 Yes.

12 Q. And when you wrote the report, did you
13 write it in a -- on a computer?

14 A. Yes, I did.

15 Q. Is that -- did you use the computer
16 that was in your police vehicle?

17 A. Yes.

18 Q. Does the system that you're using
19 correct typos and spelling and grammar?

20 A. I -- it may or it may not. I'm not
21 quite sure.

22 Q. Have you ever met Mr. Wilbourn before?

23 A. If I have, I do not recall any
24 encounter.



1 Q. Okay. Have you ever met him afterwards?

2 A. After, no.

3 Q. Do you recall something unusual --
4 anything unusual happening when Mr. Wilbourn was
5 being taken down the steps?

6 MR. BRANUM: Objection to form.

7 MR. FLAXMAN: All right. Let me reask the
8 question.

9 BY MR. FLAXMAN:

10 Q. Were you present when Mr. Wilbourn was
11 taken out of the house?

12 A. Yes.

13 Q. Were you with him when he was taken out
14 of the house?

15 A. I was somewhere in the back -- the back
16 field.

17 Q. Yeah. To get from the front door to
18 Mr. Wilbourn's house to the street, was there a
19 staircase?

20 A. Yes, there was.

21 Q. And do you remember anything unusual
22 happening when Mr. Wilbourn was walking down the
23 staircase?

24 MR. BRANUM: Objection to form.



1 THE WITNESS: Well, I -- I think he fell down
2 or tripped down the stairs.

3 BY MR. FLAXMAN:

4 Q. Okay. And were his legs shackled when
5 he tripped down the stairs?

6 A. Yes, they were shackled.

7 Q. Do you know why they were shackled?

8 A. I think Sergeant Price called for the
9 shackles due to him resisting. He was resisting
10 arrest.

11 Q. Did you -- were you present when
12 Sergeant Price called for the shackles?

13 A. I may have been in the same room.

14 Q. Did you see Mr. Wilbourn do anything
15 that appeared to you to be resisting arrest?

16 A. Well, on some of the video that I
17 reviewed it appeared that he either lunged at
18 one of the investigators or -- he lunged or
19 tried to hit them with his shoulder or something
20 to that effect.

21 Q. And did Mr. Wilbourn do that when he
22 was sitting in a chair?

23 MR. BRANUM: Objection to form.

24 THE WITNESS: I think he wasn't complying



1 with verbal commands to stay seated and he kept
2 wanting to stand up --

3 BY MR. FLAXMAN:

4 Q. Okay. And --

5 A. He was being argumentative. I think
6 that he was either -- yeah, I think he was
7 yelling about something and he just wouldn't --
8 he was not listening to verbal commands.

9 BY MR. FLAXMAN:

10 Q. Was that the first time you had seen a
11 person who was being reapprehended to EM who was
12 shackled on his legs?

13 A. No, not the first.

14 Q. Was that the first time you had seen
15 someone who was being reapprehended for EM who
16 was shackled trip walking down stairs?

17 A. I don't recall. I may have. It's not
18 in my memory.

19 Q. Was Mr. Wilbourn seat belted when he
20 was placed in your vehicle?

21 A. Yes.

22 Q. Okay. Did you seatbelt him?

23 A. In conjunction with my partner,
24 Investigator Bledsoe, I think we both applied



1 the seatbelt. That's the only way you can apply
2 the seatbelt, with two people.

3 Q. Now, when you left the home with
4 Mr. Wilbourn in your vehicle you went to the
5 jail building; is that right?

6 A. Yes.

7 Q. And when you got to the jail building,
8 did you place your firearms in gun safes?

9 A. Yes.

10 Q. Is that pursuant to a written policy of
11 the sheriff?

12 A. Yes. It's common practice.

13 Q. Did Mr. Wilbourn complain about
14 physical injury when he got to the jail?

15 A. If he has, I don't personally recall.

16 Q. Okay. Now, other than reapprehending
17 people to take them to the jail, have you ever
18 been assigned to conduct something called a home
19 compliance check?

20 A. Yes.

21 Q. Could you tell us for the record what a
22 home compliance check is?

23 A. It's usually just make contact with the
24 participant, apply handcuffs, check the



1 equipment, ask a few questions, ask him who else
2 is in the house. You know, check water,
3 electric. Again, if anybody is in the house.
4 Do a cursory search maybe depending on his
5 charges. Just a quick walkthrough through the
6 house and that's about all.

7 Q. And is that something -- a home
8 compliance check something that you're assigned
9 to do by the desk or by a supervisor?

10 A. Well, those are initiated and
11 uninitiated. Those are self-initiated as well.

12 Q. Oh. How do you -- well, Mr. Wilbourn
13 was not a self-initiated compliance check, was he?

14 A. No.

15 Q. And was -- and as a matter of fact,
16 Mr. Wilbourn was not a compliance check at all;
17 is that right?

18 A. No, that's not right.

19 Q. Well, did you go out to Mr. Wilbourn's
20 house to bring him back to the jail?

21 A. Well, any visit to an electronic
22 monitoring participant is to ensure compliance
23 with the program. That's why you had an
24 on-scene supervisor, which was Sergeant Price.



1 Q. well, did you see Mr. wilbourn do
2 anything that was not in compliance with the
3 program?

4 A. well, that -- that wasn't my task that
5 day. I was just called for an assist.

6 Q. whose task was it -- whose task would
7 it have been that day?

8 A. I'm going to say it was Sergeant Price
9 because he was the on-scene supervisor.

10 Q. So did Sergeant Price give you the
11 assignment to go out there or did somebody else
12 do that?

13 A. well, the exact route it took -- I'm
14 going to say it came -- it came down from
15 Sergeant Price probably just through a different
16 pathway.

17 Q. Now, do you know why it is that when
18 you do a home compliance check you handcuff the
19 subject?

20 A. Could you repeat that question?

21 Q. Could you -- do you know why it is that
22 when you're doing a home compliance check you
23 handcuff the person who is on EM?

24 A. well, those are safety concerns. I



1 mean, it's common practice to make contact.
2 You're entering the unknown. You know, you ask
3 questions. These participants, they don't
4 exactly tell you the truth, so if we just secure
5 one participant and then there might be other
6 people in the house, might not be. At least one
7 person is secure, you know, then we can move
8 forward.

9 Q. Do you handcuff everybody who is in the
10 house?

11 A. Yes.

12 Q. When you do a compliance check, what
13 are you checking?

14 A. Compliance. Check out the residence.

15 Q. Well, when you say compliance, do you
16 mean you're determining that the person on EM is
17 at the home?

18 A. Yes, that's one.

19 Q. And what else are you checking?

20 A. Well, based on if there's any
21 additional court orders. You know, I would not
22 know. We have to follow those. No contact
23 orders. Make sure they're not in the house.
24 There's -- there's a lot -- I can't name them



1 all, but there's a lot of things on a
2 case-by-case basis you have to conduct.

3 Q. So am I correct that every time you do
4 a home compliance check you don't return the
5 person who is on EM to the jail?

6 A. That is correct.

7 Q. Is that the majority or most of the
8 time you don't -- you do the compliance check
9 and leave the person where you found them?

10 A. I would say yes, majority of the time.

11 Q. How long does a compliance check take?

12 A. Case-by-case basis. You know, two,
13 three, four, five minutes.

14 Q. Okay. All right. Did you ever learn
15 the name of the judge before whom Mr. Wilbourn's
16 case was pending?

17 A. No, I did not.

18 Q. Did you ever learn what Mr. Wilbourn
19 had been charged with? What his -- what the
20 criminal case was about?

21 A. Well, at the time, no.

22 Q. When did you learn about it?

23 A. When I was reviewing my report.

24 Q. Was that after the lawsuit was filed or



1 back -- after you came back to the jail?

2 A. Well, the time -- well, the time frame
3 I had to refresh my memory on this case.

4 Q. So that was --

5 A. So --

6 Q. I don't want to interrupt. Go ahead.

7 A. I guess -- well, based on your
8 question, I guess it would be after the lawsuit.

9 Q. Do you know the policy number that
10 relates to having to conduct a home compliance
11 check?

12 A. I do not recall the number. No.

13 MR. FLAXMAN: Okay. I have nothing further.

14 MR. BRANUM: I have no questions.

15 MR. FLAXMAN: Signature is?

16 MR. BRANUM: We'll reserve signature.

17 MR. FLAXMAN: All right. Thank you very
18 much. I'll be ordering this in a PDF.

19 MR. BRANUM: Yeah, we'll get a copy. Regular
20 delivery.

21 MR. FLAXMAN: Thank you very much, sir, and
22 have a good day.

23 THE WITNESS: Thank you.

24 (Proceedings concluded at 1:32 p.m.)

