

1 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
2 COUNTY DEPARTMENT - LAW DIVISION

3
4 DELBERT J. CHARLES, as)
 Independent Administrator)
5 of the Estate of ABNERD)
 JOSEPH, deceased,)
6 Plaintiff,) Case No.
 vs.) 2024L005346
7 SUDLER AND COMPANY d/b/a) Cons w/
 SUDLER PROPERTY MANAGEMENT) 2024L010547
8 LEGACY AT MILLENNIUM PARK)
 CONDOMINIUM ASSOCIATION,)
9 DEBORAH ROMERO, DOMINIC)
 TEDALDI, GARRET MARK)
10 SMITH, YOUNAN "JOSEPH")
 NENA, ANDREW CLEMENT,)
11 ROBERT JOHN BISHOPP, JR.,)
 and NATALIE BISHOPP,)
12 Defendants.)

13
14 The deposition of DANIEL DOWLING, called for
15 examination, taken pursuant to the provisions of
16 the Code of Civil Procedure and the Rules of the
17 Supreme Court of the State of Illinois pertaining
18 to the taking of depositions for the purpose of
19 discovery, taken before CARIANN WAGNER, CSR
20 No. 084-003836 a Certified Shorthand reporter
21 within and for the County of Cook, State of
22 Illinois, at Suite 2500, 151 North Franklin Street,
23 Chicago, Illinois, on April 27, 2026 at 11:00 a.m.
24 Job No. CS8015366

Page 2 1 APPEARANCES: 2 3 ROMANUCCI & BLANDIN, LLC, by: 4 MS. MAURA D. WHITE 5 321 North Clark Street, Suite 900 6 Chicago, Illinois 60654 7 (312) 458-1000 8 mwhite@rblaw.net 9 Appeared on behalf of the Plaintiff; 10 11 12 DERATANY & KOSNER, by: 13 MR. JAY PAUL DERATANY 14 221 North LaSalle Street, Suite 2200 15 Chicago, Illinois 60601 16 (312) 815-6231 17 jpderatany@lawinjury.com 18 Appeared on behalf of Delbert J. 19 Charles; 20 21 22 23 24	Page 4 1 APPEARANCES: 2 3 AMUNDSEN DAVIS, by: 4 MR. MICHAEL NEGA 5 3815 East Main St., Suite A-1 6 St. Charles, Illinois 60174 7 (630) 587-7910 8 Appeared on behalf of the Defendant, 9 Andrew Clement; 10 11 COZEN O'CONNOR, by: 12 MR. MICHAEL WEISS, 13 123 North Wacker Drive, Suite 1800 14 Chicago, Illinois 60606 15 (312) 382-3100 16 mweiss@cozen.com, 17 Appeared on behalf of the Defendants, 18 Sudler and Company, Dominic Tedaldi, 19 Deborah Romero; 20 21 22 23 24
Page 3 1 APPEARANCES: 2 HINSHAW & CULBERTSON, LLP, by: 3 MR. ANSHUMAN A. VAIDYA 4 151 North Franklin Street, Suite 2500 5 Chicago, Illinois 60606 6 (312) 704-3000 7 avaidya@hinshawlaw.com, 8 Appeared on behalf of Defendant, 9 Millennium Park Condo Association and 10 Younan "Johah" Nena; 11 12 SWEENEY, SCHARKEY & BLANCHARD, LLC, by: 13 MS. ERIN I. WENGER 14 MR. MICHAEL KING 15 230 West Monroe Street, Suite 1500 16 Chicago, Illinois 60606 17 (312) 384-0500 18 ewenger@ssbpartners.com, 19 mking@ssbpartners.com, 20 Appeared on behalf of Defendant, Garrett 21 M. Smith; 22 23 24	Page 5 1 APPEARANCES CONTINUED: 2 3 BEST VANDERLAAN & HARRINGTON, by: 4 MS. CHRISTINA TRIBBIA 5 200 North LaSalle Street, Suite 2600 6 Chicago, Illinois 60601 7 (312) 819-1100 8 ctribbia@bestfirm.com, 9 Appeared on behalf of the Defendants, 10 John and Natalie Bishopp; 11 12 13 CITY OF CHICAGO, by 14 MR. DANIEL WANGLER 15 2 North LaSalle Street 16 Chicago, Illinois 60602 17 (312) 744-0220 18 Appeared on behalf of the deponent. 19 20 ALSO PRESENT: GARRETT M. SMITH 21 * * * 22 VIDEOGRAPHER: BEN DIXON 23 REPORTED BY: CARIANN WAGNER, C.S.R. 24 CERTIFICATE NO. 084-003836

Page 6 1 2 INDEX 3 WITNESS EXAMINATION 4 DANIEL DOWLING 5 By Mr. Vaidya 10, 203 6 By Mr. Deratany 79, 206 7 By Ms. White 118, 206 8 By Ms. Tribbia 164, 217 9 By Mr. Weiss 170, 216 10 By Mr. Nega 173 11 By Mr. King 177, 218 12 EXHIBITS 13 NUMBER PAGE 14 Exhibit No. 1 Cleared Closed Report 25 15 Exhibit No. 2 ** audio file ** 43 16 Exhibit No. 3 ** audio file ** 70 17 Exhibit No. 4 Case Supplementary Report 85 18 19 20 21 22 23 24	Page 8 1 appearance. 2 Counsel and all present, including 3 remotely, will now state their appearance and 4 affiliation with the record beginning with the 5 noticing attorney. 6 MR. VAIDYA: Good morning, everyone. My name 7 for the record is Anshunan Vaidya. That's 8 A-n-s-h-u-n-a-n, V as in Victor, a-i-d, as in 9 David, y-a. I represent defendants Legacy and Nena 10 and I'm with the firm Hinshaw & Culbertson. 11 MS. WENGER: Good morning, 12 Erin Wenger, W-e-n-g-e-r and I'm with Sweeney 13 Scharkey representing Garrett Smith in both 14 matters. 15 MS. WHITE: Good morning, Maura White on 16 behalf of the plaintiffs in the wrongful death 17 matter and the defendants in the defamation case. 18 MR. KING: I'm not hearing by the way. If you 19 guys are speaking, I'm not hearing anything. 20 THE VIDEOGRAPHER: Can you hear us now? 21 MR. KING: Now I can, yes. 22 MR. WANGLER: Dan Wangler, W-a-n-g-l-e-r on 23 behalf of City of Chicago and Detective Dan 24 Dowling.
Page 7 1 THE VIDEOGRAPHER: Good morning. We're going 2 on the record at 11:11 a.m. on April 27, 2026. 3 Please note that the microphones are sensitive and 4 may pick up whispering and private conversations. 5 Please mute your phones at this time. Audio and 6 video recording will continue to take place unless 7 all parties agree to go off the record. This is 8 media unit one of the recorded deposition of 9 Detective Daniel Dowling taken by counsel for 10 defendant in the matter of Delbert J. Charles 11 versus Sudler & Company, et al., filed in the 12 Circuit Court of Cook County Illinois, County 13 Department, Law Division, case Nos. 2024 L 005346 14 consolidated with 2024 L 010547. The location of 15 the deposition is 151 North Franklin, Suite 2500, 16 Chicago, Illinois. 17 My name is Ben Dixon, CLVS, representing 18 Veritext Legal Solutions and I'm the videographer. 19 The court reporter is Cari Wagner from the firm 20 Veritext Legal Solutions. 21 I am not related to any party in this 22 action, nor am I financially interested in the 23 outcome. If there are any objections to 24 proceeding, please state them at the time of your	Page 9 1 THE VIDEOGRAPHER: Will the court reporter 2 please swear in the witness and counsel may 3 proceed. 4 MR. DERATANY: I'll also identify myself as 5 Jay Deratany for the defendants in the defamation 6 case and family members. 7 MR. WEISS: Michael Weiss from Cozen O'Connor 8 on behalf of Sudler and Dominic Tedaldi and Dominic 9 -- or excuse me, Deborah Romero. 10 MS. TRIBBIA: Chris Tribbia on behalf of the 11 Bishopp defendants. 12 MR. NEGA: Michael Nega on behalf of defendant 13 Andrew Clement from Amundsen Davis. 14 MR. KING: Mike King on behalf of Garrett 15 Smith. 16 MS. WENGER: And for the record, Mr. Garrett 17 is also present with counsel. 18 (WHEREUPON, the witness was duly 19 sworn.) 20 21 22 23 24

3 (Pages 6 - 9)

Page 10 1 DANIEL DOWLING, 2 called as a witness herein, having been first duly 3 sworn, was examined and testified as follows: 4 EXAMINATION 5 BY MR. VAIDYA: 6 Q. All right. Detective, just to set some 7 ground rules. This is an exam. Nobody is 8 necessarily trying to trick you. We just want you 9 to relay the answers that you have to the best of 10 your recollection. This isn't a courtroom, but, 11 generally speaking, a lot of same rules apply as if 12 you were testifying in court. So I just want to 13 establish that -- you know, I'm going to ask you a 14 bunch of questions. The other lawyers are going to 15 ask you questions. If you don't understand a 16 question, you can say, I don't understand. You can 17 ask me to rephrase it. But if you do answer my 18 question, I'm going to assume that you understood 19 the question; is that fair? 20 A. Yes, sir. 21 Q. All right. And if you need to take a 22 break at any time, just say the word and we'll get 23 you a break. And you understand that your words, 24 even though this is a videotaped deposition, we	Page 12 1 A. In my 19-year career, I know it's over 2 100. 3 Q. Okay. Have you ever testified in a 4 civil case? 5 A. I was a witness in one civil case. 6 Q. And was that in a courtroom or in a 7 deposition like this one? 8 A. It was in a deposition. 9 Q. Okay. Could you tell us what city do 10 you currently reside in? 11 MR. WANGLER: Objection, personal. He's an 12 officer. We'll offer it if he appears at trial. 13 BY MR. VAIDYA: 14 Q. All right. Where do you currently work? 15 A. Chicago Police Department. 16 Q. And you're represented by counsel here 17 today? 18 A. I am. 19 Q. From Corporation Counsel's Office? 20 A. Correct. 21 Q. And how long have you been with the 22 Chicago Police Department? 23 A. July will be 20 years, so 19. 24 Q. And can you describe -- generally
Page 11 1 also ave a court reporter present so you need to 2 verbalize any responses to make sure the court 3 reporter can take it down. 4 A. Yes, sir. 5 Q. All right. Are you under the influence 6 of any medication or substance, legal, prescription 7 or otherwise that would in any way prevent you from 8 giving honest and accurate testimony here today? 9 A. No. 10 Q. Are you currently suffering from any 11 mental or physical condition which would impair 12 your ability to recall events from the past? 13 A. No. 14 Q. Or understand my questions? 15 A. No. 16 Q. Or otherwise testify truthfully here 17 today? 18 A. No. 19 Q. All right. 20 So you've testified in court before; is 21 that right? 22 A. Yes. 23 Q. So about how many times have you 24 testified, would you say?	Page 13 1 describe the training that you have received as a 2 Chicago police officer starting with the academy 3 up and through your current position? 4 A. Sure. In July of '06, I began at the 5 Chicago Police Academy. That was six months long, 6 first firearms training, tactical training, law. 7 Then as I became a full-fledged officer, 8 there is continuing education, both online and 9 in-person. I'm trained in sexual assault cases, 10 violent crimes, lead homicide investigator 11 training, trauma informed individual training, 12 several state laws that were updated and just 13 continued throughout my career. 14 Q. And could you just walk us through your 15 career in terms of your assignments as a Chicago 16 police officer? 17 A. Sure. I began my career in the west 18 side of Chicago in the 11th District as a 19 patrolman. 20 I then went to several citywide units 21 that were deployed. I worked protests. I worked 22 any violent crimes I would respond to. For awhile 23 I worked downtown at the critical incident response 24 team, and then I was promoted to detective.

Page 14 1 Q. And what year did you become a 2 detective? 3 A. February of '22. 4 Q. And is that your current assignment? 5 A. I'm a detective at 630, which is 6 area 3, Chicago Police Defendant, violent crimes. 7 Q. Can you describe to us the different -- 8 are there different types of detective assignments 9 or is it just one -- one assignment? 10 A. There's several types. There's three 11 oversight office, which is violent crimes, then 12 there's robbery, burglary, theft and then there's 13 special victims unit. I'm assigned currently to 14 violent crimes. 15 Q. And when you became a detective, was 16 that your assignment as well? 17 A. Originally, yes, then I moved to work in 18 homicide investigations. I just recently went to 19 days, so now I do general assignment, anything 20 generally besides shootings or murders I should 21 work. 22 Q. Can you tell us in your career as a 23 detective the kinds of cases that you have 24 investigated?	Page 16 1 that assignment? 2 A. At our detective division there was a 3 radio on and I heard that there had been a shooting 4 and it looked like it was grave condition, so I 5 proactively went to the scene. I wasn't assigned. 6 It was my turn to take the case. My Sergeant was 7 aware. And my Sergeant then said since I was up, 8 that I would be assigned now, so we proactively 9 went to the scene. 10 Q. Can you tell us what is -- what is the 11 typical method of how an assignment is made with 12 respect to a homicide investigation? 13 A. Sure. So usually preliminary 14 investigators would be like a reporting officer 15 would respond to the scene. They figure out what, 16 if any, crime has occurred and then they notify the 17 detective division of what crime occurred and then 18 that's when we would be assigned. 19 Q. Okay. So I just want to ask you some 20 global questions about homicide investigations. 21 Big picture, what is the duty and 22 function of a homicide detective? 23 A. Preliminary to identify any offenders 24 and then make a physical arrest and then charge
Page 15 1 A. Sure. Any aggravated batteries, any 2 shootings, homicides, stabbings, some things as 3 little as nowadays as telephone threats I might 4 work. Anything that comes my way that I'm 5 assigned. 6 Q. And do you recall what was your 7 assignment back on September 14th, 2023? 8 A. I was assigned to the afternoon homicide 9 team. 10 Q. And can you just briefly walk through 11 the homicide specific training that you have 12 received as a police officer? 13 A. Sure. We have a week-long just strictly 14 homicide investigator training and detective 15 training. And then after this case, I then went to 16 a refresher. Every three to four years we have to 17 be refreshed, and I went through a lead homicide 18 investigator refresher. 19 Q. Now turning your attention back to that 20 September of 2023, were you the primary detective 21 assigned to investigate the death of an individual 22 named Abnerd Joseph? 23 A. I was. 24 Q. And do you recall how did you receive	Page 17 1 them accordingly and then go to court. 2 Q. Do you investigate to determine whether 3 someone was murdered or not? 4 A. Yes. 5 Q. And do you determine which murder charge 6 should be pursued or do you make recommendations 7 with respect to that? 8 A. I make an initial recommendation of the 9 Cook County State's Attorney's Office and then the 10 Cook County State's Attorney's Office ultimately 11 decides. 12 Q. Are you familiar with the Illinois 13 statutes, the Illinois murder statutes? 14 A. I am. 15 Q. Is there a charge in Illinois called 16 First Degree Murder? 17 A. There is. 18 Q. And can you just tell us what is a First 19 Degree Murder charge? 20 A. First Degree Murder is the intentional 21 homicide of an individual. 22 Q. Can you someone be charged with First 23 Degree Murder even if they didn't intend to kill 24 somebody but they engaged in an action and had

5 (Pages 14 - 17)

Page 18 1 knowledge and strong probability that death would 2 be the result. 3 A. Yes. 4 Q. And can someone be convicted of First 5 Degree Murder if they're committing another felony 6 and a death occurs as a result? 7 A. Yes. 8 Q. All right. Now are you familiar with 9 the charge of Second Degree Murder? 10 A. I am. 11 Q. What's the difference between Second 12 Degree Murder and First Degree Murder? 13 A. Second Degree Murder might be a case 14 where I would investigate that maybe the individual 15 thought they were proper in First Degree Murder and 16 it wasn't, so it would be a Second Degree Murder 17 charge. 18 Q. So what's an example of like a Second 19 Degree Murder type case? 20 A. Let's say a husband walks in, 21 hypothetically, his wife is in romantic 22 relationship with another individual, a crime of 23 passion, he immediately murders him, then that can 24 be Second Degree Murder.	Page 20 1 death-related charges that would be within the your 2 purview as an investigator to investigate when 3 you're looking at someone who has been killed? 4 A. There is a voluntary manslaughter and 5 that about covers it. 6 Q. All right. Now, can you just walk us 7 through what are the basic steps, again big 8 picture, that the Chicago Police Department engages 9 when conducting a homicide investigation? 10 A. Sure. We interview witnesses, process 11 crime scenes, try to recover video, any type of 12 electronics. We rendezvous with the Medical 13 Examiner's Office. We find out cause of death and 14 obviously speak to anybody at the scene, the 15 preliminary investigators, as part of that. 16 Q. And there any procedural rules that are 17 specific to homicide investigations that might not 18 apply to regular investigations? 19 A. There are some investigations that are 20 misdemeanor investigations I might be part of that 21 are mostly over the phone. Obviously, as a 22 homicide investigator, I'm talking to people face 23 to face; but, otherwise, not that I can think of. 24 Q. Are there any rules with respect to
Page 19 1 Q. Okay. What about -- can someone be in 2 your experience have there been any cases or are 3 you familiar with the concept that you can be 4 charged with Second Degree Murder if you have a 5 belief that you're acting in self defense but that 6 belief is not reasonable? 7 A. Potentially. 8 Q. And what about involuntary manslaughter. 9 Are you familiar with that charge? 10 A. I am. 11 Q. What is involuntary manslaughter? 12 A. Involuntary manslaughter, I have 13 specific case where an individual struck another 14 individual. He was holding a 9-year-old autistic 15 child who then fell down the stairs and was killed 16 as a result of striking that individual holding 17 him, so that's involuntary manslaughter. 18 Q. I see. And what about the charge of 19 reckless homicide? 20 A. Reckless homicide might be something, 21 hypothetically speaking, playing with a firearm and 22 it accidentally goes off and shoots somebody and 23 murders them. 24 Q. All right. Are there any other	Page 21 1 recording interviews that you're aware of with 2 regard to your role as detective? 3 A. If I have a defendant in custody for a 4 homicide investigation, it's going to be recorded, 5 the interview. There are certain interviews that 6 are not related to homicides. 7 Q. Okay. All right. So there is a number 8 of legal procedural positions someone can find 9 themselves in and I wanted to ask you maybe just to 10 explain the difference. 11 What is -- is there a difference between 12 within someone is detained versus when someone is 13 in custody? 14 A. So detained can be temporary. They can 15 be released. When they're in custody, they are 16 then transported to station. They transported from 17 that scene, so detention is more temporary. 18 Q. Okay. Is there a difference between 19 being in custody and being under arrest? 20 A. No. 21 Q. Okay. Do homicide detectives decide 22 whether someone should be put under arrest or put 23 in custody on a murder charge? 24 A. Depending on the case, it's possible,

Page 22

1 depending. You can send a fugitive apprehension
2 unit to place that individual into custody, so then
3 you're creating the situation where they are
4 arrested. Sometimes it can happen on scene.

5 Q. What's the interplay between the Chicago
6 Police Department and the State's Attorney's Office
7 in a typical homicide case?

8 A. In a typical homicide investigation, I
9 would notify them if there was an individual in
10 custody. If I was building a case, I might notify
11 them. They would come out, physically come out,
12 review the case. We could speak -- if we have an
13 offender that's located outside of the U.S., then
14 we'll build a case and then try to do an arrest
15 warrant but, basically, I'm a go-between. I
16 present my evidence to the State's Attorney's
17 Office.

18 Q. And do you make recommendations to the
19 State's Attorney's Office with respect to which
20 murder charge may be viable?

21 A. Initially, I do. And then once they
22 make their determination, it's just them.

23 Q. Do you have occasion to recommend to
24 bring murder charges, or, to the opposite, say I

Page 23

1 don't think murder charges should be brought in
2 this case?

3 A. I wouldn't then bring them if I brought
4 them.

5 Q. Okay. Do you help analyze whether a
6 case is a strong or a weak case?

7 A. No.

8 Q. Do you determine whether or not the
9 right person is being charged for murder?

10 A. Can you say that again?

11 Q. Do you try to help the State's Attorney
12 determine whether they have got the right person
13 charged with murder?

14 A. Well, I would name that person and then
15 if I found out it wasn't, I would notify them
16 but -- so, yes.

17 Q. Okay. And what about self defense, what
18 role does a legal self defense issue play in terms
19 of your investigation?

20 A. If the individual that committed a
21 homicide was valid under self defense, if it was
22 reasonable and that's going, looking at a crime
23 scene, speaking to witnesses, interviewing them,
24 hopefully, and then determining from there.

Page 24

1 Q. So you'll investigate a homicide as part
2 of that if there is a potential for a legal self
3 defense you would investigate that too?

4 A. Oh, absolutely, because it is still an
5 individual that's committing a homicide against
6 another individual.

7 Q. Can you tell us a little bit about
8 homicide police reports? What kind of
9 documentation is involved in a homicide case?

10 A. Generally speaking, a case report is
11 going to be drafted by the responding officers, the
12 reporting officers. There could be supplemental
13 reports. There can be canvass reports. There can
14 be reports for any evidence. There's evidence
15 technicians that draft their own. I as an
16 inspector have draft several. And anybody that is
17 an outside unit that kind of contributes to the
18 case potentially can draft one.

19 An example of that would be if I have
20 somebody that performs a photo array, they would
21 draft a report for that.

22 Q. Okay. And what about when a case is
23 closed, is there a separate report for that?

24 A. It's called a closer, yes.

Page 25

1 Q. Okay. All right. I'm just going to go
2 ahead and show the witness what I marked Exhibit 1,
3 which is it's the Bates No. Joseph 13th Supp 214.
4 It's the Cleared Closed Report.

5 (WHEREUPON, a certain document was
6 marked Deposition Exhibit No. 1, for
7 identification.)

8 BY MR. VAIDYA:

9 Q. Do you recognize this document?

10 A. I do.

11 Q. What is that?

12 A. That is a closer report that I drafted.

13 Q. Okay. And why did you draft this
14 report?

15 A. To basically close the case, which ends
16 it.

17 Q. Well, let's walk back to the beginning
18 of the case now.

19 You heard -- you testified that you
20 heard that there was a shooting and then you were
21 up so you got assigned the case and then what did
22 you do next?

23 A. I proceeded to the scene of the
24 shooting.

7 (Pages 22 - 25)

Page 26 1 Q. And where was the shooting? 2 A. 60 East Monroe on the 48th floor 3 hallway. 4 Q. And what were you aware of? What was 5 the knowledge to the extent you can recall of what 6 you were aware happened prior to your arrival at 7 the scene? 8 A. I was aware there was a shooting and an 9 individual called 911 saying he was the shooter. 10 Q. Were you aware that prior to the 11 shooting dispatch had received calls of a 12 disturbance? 13 A. Not at that time I wasn't. I became 14 aware later. 15 Q. Okay. Were you made aware that dispatch 16 had received a panic alarm from the lobby? 17 A. Not at that time. I became aware later. 18 Q. Okay. Were you -- okay. All right. 19 When you arrived, what's the first thing 20 you recall, what did you see at the scene? 21 A. I observed numerous marked squad cars 22 and Chicago Fire Department personnel in front and 23 then I saw Mr. Garrett Smith being escorted to a 24 car by transport officers.	Page 28 1 lobby? 2 A. I did. 3 Q. And who did you interview? 4 A. I spoke to Sergeant Gilliland and the 5 responding officers. 6 Q. Okay. Did you speak to any of the 7 witnesses when you first got to the lobby? 8 A. After a few minutes I did, but not right 9 away. 10 Q. Do you recall who you spoke with? 11 A. I spoke with Mr. Nena. 12 Q. Okay. Anyone else? 13 A. I introduced myself to Mr. Clement. 14 Q. Okay. 15 A. I may have briefly spoke to like the 16 building management. 17 Q. Okay. Do you recall the name of the 18 building management person that you spoke with? 19 A. I don't. 20 Q. That's okay. Did you eventually make 21 your way up to the 48th floor? 22 A. I did. 23 Q. And how did you know to go to the 48th 24 floor?
Page 27 1 Q. And when you saw Mr. Smith, did you 2 speak to him briefly? 3 A. I did. 4 Q. And what did you say? 5 A. I took that opportunity to build a 6 rapport. I introduced myself -- excuse me -- 7 introduced myself and then I went inside the lobby. 8 Sorry. 9 Q. Go ahead. Take your time. 10 A. Thank you. 11 Q. All right. Did you plan to interview 12 him further later? 13 A. I did and that's why I introduced 14 myself. 15 Q. Okay. When you got to the lobby, I'm 16 assuming that's the first place you went to when 17 you entered the building? 18 A. Correct. 19 Q. Was there anyone else in the lobby? 20 A. Mr. Nena, Mr. Clement and several 21 individuals that worked like staff members for the 22 building. 23 Q. And did you conduct any preliminary 24 witness interviews when you first came into that	Page 29 1 A. Sergeant Gilliland said that the crime 2 had occurred up there. 3 Q. When you got up to the 48th floor, what 4 did you see? 5 A. I saw a puddle of blood just left of the 6 T-hallway intersection. I saw the bullet hole in 7 the baseboard just south of that and five shell 8 casings in line towards the Riccio apartment. 9 Q. All right. Was there any jewelry or 10 anything that you noticed at that time? 11 A. Yes. In front of Ms. Meng's apartment 12 that is around the corner, I observed that a little 13 bit later. 14 Q. All right. What was the general 15 condition of that 48th floor hallway? 16 A. It was adequately lit. There was no 17 security cameras, just a basic condo hallway. 18 Q. Aside from the bullets and the blood 19 that you mentioned, so apart from the shooting 20 evidence that you observed, were there any signs of 21 a struggle or disturbance? 22 A. Broken jewelry on the ground could be a 23 sign of a struggle. There was two blood splatters 24 on the wall. That could be a sign of a struggle.

Page 30 1 Q. Okay. Did you go to any other floors 2 when you were there that evening? 3 A. I went between the 40th floor and the 4 lobby. Several individuals that assisted me went 5 to the 29th floor. I did not myself. 6 Q. Okay. How long did you stay at the 7 Legacy building that evening? 8 A. I came and went over a span of a couple 9 hours. I also went to the Medical Examiner's -- 10 excuse me, I went to the hospital morgue, yes, so 11 over a couple of hours. 12 Q. And then did you have occasion to go 13 back to area three? 14 A. I did. 15 Q. And so that evening into the early 16 morning potentially did you have occasion to 17 interview Garrett Smith? 18 A. I did. 19 Q. So unlike -- I don't know what happens 20 in a typical homicide investigation, per se, but is 21 it fair to say that this wasn't a who-done-it? 22 A. Correct. 23 Q. You knew who the shooter was? 24 A. Absolutely.	Page 32 1 A. After that there was a brief 2 conversation. They found out that an individual 3 that was on the 29th floor causing a disturbance 4 that he relocated to the 48th floor. 5 Q. And did he indicate who he went to the 6 48th floor with? 7 A. He did. 8 Q. And do you recall who went up there with 9 him? 10 A. I do. Mr. Smith didn't know their 11 names. I know their names through interviews. It 12 would be the married couple, the Bishopps, Andy 13 Clement and the door guy, Mr. Nena. 14 Q. Okay. Now after you spoke with 15 Mr. Smith, at some point you informed him that 16 Mr. Joseph had passed; is that right? 17 A. That's correct. 18 Q. Why did you tell him that? 19 A. I wanted his reaction on camera. 20 Q. And what did you gauge his reaction to 21 be? 22 A. I thought he was emotional. 23 Q. And what was your assessment of the case 24 that evening after you spoke to the witnesses that
Page 31 1 Q. There was no question as to who fired 2 the shot? 3 A. No. 4 Q. You had occasion to interview Garrett 5 Smith. Where did that interview take place? 6 A. The Area 3 detective division, 7 2342 West Belmont. 8 Q. And you indicated that that interview 9 was recorded? 10 A. It was. 11 Q. What did you learn from Mr. Smith about 12 the sequence of events leading up to the shooting? 13 A. I learned that Mr. Smith was in his home 14 office when he began to hear a pounding on his 15 door. He related that individual was upset and 16 appeared to be breaking down the door, and that's 17 when he called 911 and his front lobby desk. 18 Q. All right. Then what happened next? 19 A. Mr. Garrett then got his firearm and 20 went down to the front desk. 21 Q. Did he have a proper FOID card? 22 A. Mr. Smith does have a valid FOID and 23 conceal carry. 24 Q. Okay. So what happened after that?	Page 33 1 you had spoken to and Mr. Smith? 2 A. I then informed the State's Attorney's 3 Office that Mr. Smith was taking a self defense 4 aspect to this. 5 Q. What does that mean? 6 A. That means that he was in fear so he 7 pulled his firearm and fired in fear of his life or 8 others. 9 Q. And so was it your impression that the 10 self defense would be a legal impediment to 11 pursuing a murder charge? 12 A. Yes. 13 Q. Now the -- can you take a look at 14 Exhibit 1. Can you tell us the date that you 15 submitted that case cleared report? 16 A. Submitted 23, July, '25. 17 Q. Okay. So that's about two years later, 18 right, a little less than? 19 A. A little less. 20 Q. Why didn't you write a case clear report 21 that evening? 22 A. Because the closure wasn't determined by 23 the State's Attorney's Office. 24 Q. Okay. So can you walk us through that

Page 34 1 process? You called the State's Attorney's Office. 2 You spoke to an Assistant State's Attorney Ryan 3 Gallagher; is that right? 4 A. Correct. 5 Q. And what happened next? 6 A. Then our ERI recorded interview was 7 uploaded to the State's Attorney's Office to begin 8 doing a transcript on that. The next morning Ryan 9 Gallagher physically came to the detective division 10 and I presented witnesses to ASA Gallagher. 11 Q. And what was the purpose of presenting 12 those witnesses? 13 A. I'm essentially presenting my case. I'm 14 a go-between between my witnesses and the State's 15 Attorney's Office, so I present them. The State's 16 Attorneys doesn't take my word for interviews. 17 They do in-person interviews themselves. 18 Q. Okay. And so -- but at that point you 19 believed that there was a legal self defense, 20 right? 21 A. I knew it was a -- 22 MR. DERATANY: I'm going to object on that 23 question but go ahead, form. 24 You can answer, Detective.	Page 36 1 that he provided? 2 A. Garrett Smith related that Abnerd Joseph 3 fell on top of him as he was charging him so that 4 does correspond with those injuries. 5 Q. All right. Now I just want to back up a 6 little bit. You indicated that you interviewed 7 Younan Nena, who goes by Jonah, Johah Nena, at the 8 Legacy building on the night of September 14th, is 9 that right? 10 A. That's correct. 11 Q. And did you understand that Mr. Nena was 12 employed at the Legacy building? 13 A. That's what he told me. 14 Q. And what did Mr. Nena convey to you that 15 he did -- what was Mr. Nena's -- strike that. 16 What did Mr. Nena convey to you that 17 evening? 18 A. He conveyed to me he was employed as a 19 door staff. So being part of door staff he was 20 getting numerous phone calls when there was a 21 disturbance on the 29th floor. 22 Q. And what did he do after he got those 23 calls? 24 A. He sent the building engineer
Page 35 1 BY THE WITNESS: 2 A. I knew it was a possibility. 3 BY MR. VAIDYA: 4 Q. Did you release Mr. Smith that evening? 5 A. I did not, the Cook County State's 6 Attorney's Office ordered me to release him without 7 charging. 8 Q. All right. Did -- to your knowledge, 9 did the Chicago Police ever take anyone else into 10 custody in connection with this homicide 11 investigation after Smith was released? 12 A. We did not. 13 Q. Did Mr. Smith appear to have any 14 injuries when you interviewed him that evening? 15 A. He did. 16 Q. And what were those injuries? 17 A. He had a bandaged finger, an abrasion to 18 his head, abrasion to his back and both knees. 19 Q. All right. What did that tell you in 20 your capacity as a homicide detective? 21 A. That a physical altercation somehow 22 ensued. 23 Q. And were his injuries did they appear to 24 be consistent with the self defense explanation	Page 37 1 Mr. Hamilton to investigate. 2 Q. What happened after that? 3 A. Mr. Hamilton came back and said no one 4 was on the floor. 5 Q. And what else did Mr. Nena convey? 6 A. He then said that himself, a married 7 couple, the Bishopps, Andy who helps out around the 8 building, and he didn't know Garrett Smith's name 9 but he referred to him as the shooter, then all 10 went to the 48th floor after receiving calls from 11 there. 12 Q. And what did Nena tell you about what 13 happened after the 48th -- after they got to the 14 48th floor? 15 A. He said he observed Mr. Abnerd Joseph in 16 the hallway. He said something to the effect not 17 verbatim of, oh, how are you doing friend, and then 18 he was attacked by Mr. Abnerd Joseph. 19 Q. Was anyone else attacked according to 20 Mr. Nena by Mr. Joseph? 21 A. Yes, Andy Clement. 22 Q. Is it fair to say that Mr. Nena relaid 23 that he had received physical blows from the 24 decedent?

Page 38 1 A. Yes. He didn't know the exact amount. 2 He said he was punched in the head. 3 Q. And did he appear to be injured when you 4 interviewed him that evening? 5 A. There wasn't physical bruising but he 6 definitely worked up. He had issues with his blood 7 pressure from the stress, but, yeah, he was 8 physically shaken. 9 Q. And did Mr. Nena tell you anything else 10 about what, if anything, Mr. Smith said before the 11 shooting? 12 A. I don't recall. 13 Q. Did Mr. Nena relay or describe to you 14 the nature of his relationship with Mr. Joseph 15 prior to the shooting? 16 A. He said that he says hi to him. He's 17 his doorman. Sometimes they would bump fists but a 18 hi, how are you doing type of relationship. 19 Q. Did Mr. Nena indicate that he had sought 20 any medical treatment as a result of the 21 altercation on the 14th? 22 A. He did. After being interviewed, he 23 told me he went to the doctor's office. He was 24 driven by his son.	Page 40 1 Q. Did you also interview the Bishopps that 2 evening? 3 A. I did. 4 Q. And where did that interview take place? 5 A. In their condo. 6 Q. And were they interviewed together or 7 separately? 8 A. Together. 9 Q. And what did the Bishopps relay to you 10 what happened that evening? 11 A. That they summoned the elevator to the 12 48th floor to go to dinner. Once the elevator 13 arrived on the 48th floor, a male black with his 14 chest exposed and a robe exited the elevator and 15 said something to the effect of "fucking crackers" 16 and they entered that elevator and went to the 17 lobby to notify the front desk. 18 Q. And did they describe what happened 19 after that? 20 A. Sure. Mrs. Bishopp said she believed 21 she left her door unlocked so she wanted to go back 22 up to lock her door. So the Bishopps then entered 23 the elevator to head back to the 48th floor. 24 Q. And did either -- excuse me, did either
Page 39 1 Q. Did anyone in your investigation report 2 that Nena caused or was an aggressor in the 3 altercation? 4 MS. WHITE: Objection as to the form of the 5 question. 6 BY THE WITNESS: 7 A. No. 8 BY MR. VAIDYA: 9 Q. Was there ever any evidence in your 10 investigation that Nena struck or attacked Joseph? 11 A. No. 12 MR. DERATANY: Objection, form. 13 MR. VAIDYA: For those of you guys on Zoom, if 14 you can just announce who's making the objection 15 for the court reporter. 16 MR. DERATANY: Sure. Isn't my name on 17 the -- but sure. 18 MS. WENGER: She's not looking this way, 19 though. She's looking at the witness. 20 BY MR. VAIDYA: 21 Q. All right. Was Mr. Nena's account 22 consistent, in your opinion, with Mr. Smith's 23 account? 24 A. Yes.	Page 41 1 of the Bishopps observe the shooting? 2 A. Mrs. Bishopp made a left turn to go to 3 the apartment or condo and then Mr. Bishopp did 4 observe part of the shooting. 5 Q. And was the Bishopps' account, was it 6 also consistent with the information you received 7 from Mr. Nena and Mr. Smith? 8 A. Yes. 9 Q. Did you have occasion to interview an 10 individual named Jareth Bent that evening? 11 A. I did. It might have been the next 12 early hours but as part of the continuing 13 investigation, yes. 14 Q. Okay. Who was Mr. Bent? 15 A. Mr. Bent referred himself as Abnerd 16 Joseph's brother, a fraternity brother, very close. 17 Q. And what, if anything, did Mr. Bent 18 convey to you about Mr. Joseph that evening? 19 A. I originally was going to do a 20 next-of-kin notification because he was listed as 21 the emergency contact brother. Then during the 22 course of an elevator conversation, I figured out 23 it was a fraternity brother. So then I needed to 24 get contact information for his actual physical

Page 42 1 blood brother. So then I had a conversation with 2 him where he told me for the last few weeks Abnerd 3 Joseph seemed a little off. He had an extensive 4 phone call with him and that he actually went to 5 the building that day because he feared Abnerd 6 Joseph might jump from the building. 7 Q. Wow. Anything else from Mr. Bent? 8 A. He received a call from out of state 9 that kind of tipped him off that Abnerd Joseph 10 wasn't doing well and that's what caused him to go 11 investigate. 12 Q. Do you recall did he tell you who, if 13 you recall, told him to go that evening? 14 A. Kasey. 15 Q. All right. Now, other individuals are 16 interviewed by Chicago Police that night but not 17 necessarily by you, is that fair to say? 18 A. That is fair. 19 Q. Does that include Andy Clement? 20 A. Correct. 21 Q. Did you have occasion to -- well, do you 22 know what -- do you know what Andy Clement reported 23 to police that evening? 24 A. Sure. Initially, Andy Clement thought	Page 44 1 BY MR. VAIDYA: 2 Q. And this is the file that's marked 3 20230914190219.M4-A. 4 Can you see the screen? 5 A. I can. 6 Q. I'm sorry, in terms of identification, 7 it's the video marked Video From Witness Can hear 8 Victim Talking. 9 Can we go off record? 10 THE VIDEOGRAPHER: We are off the record at 11 11:49 a.m. 12 (WHEREUPON, a break was taken.) 13 THE VIDEOGRAPHER: We are back on the record 14 at 11:50 a.m. 15 (WHEREUPON, a video was 16 played for the witness.) 17 BY MR. VAIDYA: 18 Q. All right. Have you seen that video 19 before? 20 A. I have. 21 Q. And listened to the audio? 22 A. I have. 23 Q. And were you able to determine who was 24 speaking in the video?
Page 43 1 he fainted. We found out later that he was 2 punched. He might have briefly lost consciousness 3 and then he began to crawl away. 4 Q. Did he also seek medical treatment for 5 his injuries that evening? 6 A. He did. 7 Q. Did Chicago Police have occasion to 8 interview an individual by the name of Shirley Meng 9 that evening? 10 A. Yes. 11 Q. And who is Shirley Meng? 12 A. Shirley Meng was a resident where the 13 broken jewelry was located in front of her door. 14 Q. And did she provide any other evidence 15 in this matter? 16 A. She did. She tendered a cell phone 17 video that captured her feet but there was audio 18 captured in the background. 19 Q. All right. I'm going to play for the 20 detective what I'm going to mark as -- or note for 21 the record will be Exhibit 2. 22 (WHEREUPON, a certain document was 23 marked Deposition Exhibit No. 2, for 24 identification.)	Page 45 1 A. I assume it would be Abnerd Joseph. 2 Q. All right. Was this video gathered as 3 part of your investigation? 4 A. It was. 5 Q. And did you provide that video to the 6 State's Attorney's Office at some point? 7 A. I did. 8 Q. Okay. The Chicago Police also had 9 occasion that evening to interview witnesses 10 Bernard Schott and Meredith Riccio, is that right? 11 A. Correct. 12 Q. And who were they? 13 A. They lived in the apartment directly 14 north of where the shooting occurred. 15 Q. And what, if anything, were they able to 16 convey or add to the investigation with regards to 17 who they told you Chicago Police that evening? 18 A. Bernard Schott related what he heard 19 what he described as meat hitting skin or muscle 20 and a person saying, stop, I have a gun, something 21 to the effect of, stop, I have gun, I have a 22 permit, and then he heard shots. 23 Q. All right. What about Ms. Riccio? 24 A. Ms. Riccio said she called the front

Page 46 1 desk. She called 911 and that she heard the 2 disturbance outside as well. 3 Q. And finally, Mr. Jim Delelio. Do you 4 recall that name? 5 A. I do. 6 Q. What, if anything, did Mr. Delelio 7 convey to Chicago Police that evening? 8 A. Mr. Delelio resides on the 29th floor. 9 He said he heard a disturbance where a guy sounded 10 like he was out of his mind, something to that 11 effect. 12 Q. Someone yelling? 13 A. Yes. 14 Q. All right. So I want to just walk you 15 through the steps that you took with respect to 16 this homicide investigation by date. 17 So is it fair to say that 18 September 14th, into the early morning time 19 September 14th you took a number of investigative 20 steps in connection with this investigation? 21 A. Yes. 22 Q. And that included interviews with the 23 people that we discussed before, Nena, Clement, 24 Shirley Meng, Bernard Schott, Meredith Riccio and	Page 48 1 A. It was. 2 Q. And as part of the investigation that 3 evening Chicago Police gathered surveillance 4 footage? 5 A. Yes. 6 Q. And also additional footage like the 7 Shirley Meng video that I showed you? 8 A. Correct. 9 Q. And you also gathered physical evidence, 10 right? 11 A. True. 12 Q. Including the shell casings and you 13 recovered a weapon as well? 14 A. Yes. 15 Q. With respect to the jewelry, were you 16 able to determine whose jewelry that was? 17 A. I later found out that it was Abnerd 18 Joseph's. 19 Q. All right. With respect to Mr. Smith's 20 gun was there a forensic analysis performed? 21 A. There was. 22 Q. And did it confirm that the shooting was 23 done with Mr. Smith's gun? 24 A. Correct.
Page 47 1 the Bishopps? 2 A. And numerous police department personnel 3 as well. 4 Q. Okay. And you also went to the hospital 5 to process the remains? 6 A. Correct. 7 Q. There was an evidence tech who 8 photographed the body? 9 A. Yes. 10 Q. And you obtained emergency contact 11 information for Joseph from the building? 12 A. It turned out to be his fraternity 13 brother, but then I got the actual information from 14 Jareth Bent for his family member. 15 Q. And who was the family member that you 16 contacted? 17 A. Charles Delbert. He goes by Jay. 18 Q. And did you talk to -- was it during 19 this -- this day we're going to refer to, the 20 September 14th, 15th, did you speak to him that 21 evening? 22 A. It would have been the early morning 23 hours or the next day but yes. 24 Q. Okay. And an autopsy was performed?	Page 49 1 Q. And then you also interviewed Mr. Smith 2 on video in Area 3? 3 A. Yes. 4 Q. And you contacted the State's Attorney's 5 Office, right? 6 A. I did. 7 Q. The State's Attorney's Office sent an 8 Assistant State's Attorney and there were 9 additional interviews that were performed? 10 A. Correct. 11 Q. At that time, September 14th and 12 September 15th? 13 A. Yes. 14 Q. And that would have included 15 reinterviews with Nena? 16 A. Yes. 17 Q. Bishopp? 18 A. Yes. 19 Q. Both Bishopps, rather. 20 A. Correct. 21 Q. Andy Clement? 22 A. Yes. 23 Q. And you were present for all of those 24 interviews?

Page 50 1 A. I was. 2 Q. And is it fair to say that the 3 interviews were generally consistent with the other 4 information you had gathered earlier in the 5 evening? 6 A. They were. 7 Q. All right. At some point say, let's 8 say, approximately on or about September 28, 2023, 9 did you obtain Andy Clement's after-visit summary, 10 his medical records? 11 A. I did. 12 Q. And you forwarded those to the State's 13 Attorney's Office? 14 A. I did. 15 Q. All right. Now December 11, 2023, on or 16 about that time, did you have occasion to obtain 17 the decedent's cell phone? 18 A. Yes, I did. 19 Q. And how did you come to be in possession 20 of that cell phone? 21 A. Jason Friedl from Romanucci & Blandin 22 law firm tendered it to me. 23 Q. And did he -- did you have an 24 understanding as to why this phone was being	Page 52 1 Q. And did they indicate why they wanted to 2 speak to these individuals? 3 A. No. 4 Q. All right. Fast forward to May 1, 2024, 5 is it fair to say on or about that day you had a 6 meeting with the State's Attorney's Office? 7 A. Yes. 8 Q. Specifically with Assistant State's 9 Attorney Jenny McCarty? 10 A. Yes. 11 Q. Can you tell us what was discussed at 12 that meeting? 13 A. We just essentially went over the file. 14 Since ASA Gallagher came out to the scene --- I'm 15 sorry, to the detective division, he would relay 16 information to Jenny McCarty. She would make the 17 ultimate call as a supervisor, so we essentially 18 went over the case file together. 19 Q. And did it seem -- now it's May. It's 20 not quite a year but it's getting further past a 21 year from when the initial shooting happened, why 22 the State's Attorney hadn't made a decision by this 23 point? 24 MR. WANGLER: Objection, lack of foundation.
Page 51 1 tendered to you? 2 A. Yes. 3 Q. And what was the reason? 4 A. The family located the phone and they 5 found that there was an audio file of Abnerd Joseph 6 recording himself. 7 Q. And did you have a data extraction 8 performed on the phone? 9 A. I did. 10 Q. And were you able to locate audio from 11 that phone? 12 A. I did. 13 Q. All right. According to your reports, 14 it looks like on or about February 8, 2024, you 15 contacted the State's Attorney's Office for an 16 update in the case; is that right? 17 A. Yes. 18 Q. So this was now several months after the 19 shooting had occurred. Do you recall what was 20 the -- what was the update? 21 A. Shirley Meng, they wanted to speak to 22 her, since they hadn't yet, and they also wanted to 23 speak to any individuals that had their door 24 pounded on.	Page 53 1 You can answer if you know. 2 BY THE WITNESS: 3 A. I believe they wanted to talk to more 4 witnesses like the phone caller Kacey, to Jareth 5 Bent and the rest I can't recall. 6 BY MR. VAIDYA: 7 Q. Did they want to reinterview any of the 8 witnesses that ASA Gallagher had already 9 interviewed or they wanted to just interview more 10 witnesses? 11 A. Interview more witnesses. 12 Q. Did you get any sense or indication that 13 there was any type of pressure to charge this case 14 as an unlawful homicide? 15 A. Pressure by who? I don't understand. 16 Q. Did you get a sense that the State's 17 Attorney's Office was under pressure to authorize 18 this as a murder charge? 19 A. I did not, no. 20 Q. All right. A few days later on or about 21 May 3, 2024, did you receive a toxicology report 22 under Work Order 23362891? 23 A. I did. 24 Q. Do you recall what was the -- what did

Page 54 1 you learn from that report? 2 A. I learned that Abnerd Joseph in his 3 blood had a derivative of cocaine, Adderall and two 4 types of THC commonly found in Cannabis. 5 Q. Was the toxicology report consistent 6 with the witness accounts of how Mr. Joseph was 7 behaving that evening? 8 MR. DERATANY: Objection, requires 9 speculation. 10 MS. WHITE: Join. 11 BY THE WITNESS: 12 A. The witnesses told me that Abnerd didn't 13 seem appear to be himself, that would be explaining 14 that, but they didn't say that that was in his 15 blood, no. 16 BY MR. VAIDYA: 17 Q. I guess my question is, did their 18 accounts match up with what you now learned was 19 somebody who had drugs in his system? 20 MR. DERATANY: Objection, form. 21 MS. WHITE: Join. 22 BY THE WITNESS: 23 A. I spoke to the medical examiner that did 24 the autopsy and he said it wouldn't kill you but it	Page 56 1 for Shirley Meng? 2 A. I did. 3 Q. Were you able to serve her? 4 A. I was unable. 5 Q. What you do with the grand jury 6 subpoena? 7 A. I ultimately slid it under her door 8 since I couldn't locate her after, I would say, 9 half a dozen attempts. 10 Q. We spoke previously about a James 11 Delelio. He met with the State's Attorney's 12 Office, is that right? 13 A. He did. 14 Q. And after that, did you have occasion to 15 interview Schott and Riccio with the State's 16 Attorney's Office? 17 A. Yes. 18 Q. Did that take place on or about 19 August 28, 2024? 20 A. Yes. 21 Q. And Jareth Bent was also interviewed 22 during that time? 23 A. Correct, I believe all within a day or 24 two of each other.
Page 55 1 would be consistent with somebody's behavior not 2 being rationale. 3 BY MR. VAIDYA: 4 Q. Okay. Now, later that month, the 5 State's Attorney's Office had wanted you to arrange 6 for interviews with individuals Bent, Schott 7 and Riccio, is that right? 8 A. Yes. 9 Q. And they all effectively declined. They 10 decided they didn't want to meet with the State's 11 Attorney's Office voluntarily? 12 A. They initially set up an appointment but 13 then they canceled, yes. 14 Q. And what did you do after that? 15 A. I would have to draft subpoenas and 16 order them to appear. 17 Q. And did you? 18 A. I did. 19 Q. Grand jury subpoenas for all three of 20 them? 21 A. I did. 22 Q. And were you able to serve all three? 23 A. I did. 24 Q. Did you also draft a grand jury subpoena	Page 57 1 Q. All right. Did Shirley Meng appear 2 before the State's Attorney's Office? 3 A. She did not. 4 Q. September 4th, did you try to issue 5 another subpoena? 6 A. I did. 7 Q. Did she respond to that subpoena? 8 A. I was unable to serve her. 9 Q. All right. December 30, 2024, you met 10 again with the State's Attorney's Office, is that 11 right? 12 A. Yes. 13 Q. And did you meet with ASA Jennifer 14 McCarty? 15 A. I did. 16 Q. And what was discussed at that meeting? 17 A. I updated her about Shirley Meng being, 18 you know, unable to give her the grand jury 19 subpoena. We talked about the case, where we were 20 at with the new witnesses and their testimony and 21 that was just basically an updated meeting. 22 Q. Did she seem that she had enough 23 information to make a charging decision at that 24 time?

Page 58 1 MR. DERATANY: Objection, requires 2 speculation. 3 BY THE WITNESS: 4 A. It's not for me to determine. 5 BY MR. VAIDYA: 6 Q. Did she indicate to you whether or not 7 she had -- she was able to make a charging decision 8 at that time? 9 A. I mean, she didn't, so you can assume 10 that she wasn't able to. 11 Q. Did she ask you to get any more 12 evidence? 13 A. She may have. 14 Q. January 2, 2025, did you execute a 15 search warrant on Mr. Smith's phone? 16 A. I did. 17 Q. Why did you do that? 18 A. Mr. Smith said in the recorded interview 19 that he called 911 and was texting with 911, so I 20 just wanted to verify that. 21 Q. Was that on your own initiative or did 22 the State's Attorneys ask you to get that warrant? 23 A. The State's Attorneys requested it. 24 Q. Okay. It looks like there was another	Page 60 1 presented in your report it indicates you did a 2 full case presentation, if I'm not mistaken, to 3 ASA McCarty on March 7, 2025, is that right? 4 A. Correct. 5 Q. What is a full case presentation? 6 A. Just any outliers we spoke about such as 7 that cell phone you mentioned, and, basically, 8 asked her if there is anything else they needed. 9 Q. And was there anything else? 10 A. No. 11 Q. And did you, in fact, were the charges 12 then rejected on that date? 13 A. They were. 14 Q. Do you -- I mean, from your experience, 15 is that typical in terms of how long it would take 16 with respect to getting a decision from the State's 17 Attorneys Office? 18 A. I mean, every case is different, so I 19 couldn't tell you. It's what they want evidence 20 wise and how it progresses so every case is 21 different. 22 Q. Are there any other -- other than the 23 steps that I have walked you through just now, are 24 there any other major investigative steps that you
Page 59 1 contact with the State's Attorney's Office ASA 2 McCarty on February 7, 2025. Can you tell us what 3 update you had on that date? 4 A. Sure. I informed ASA McCarty that I was 5 being subpoenaed for reports in this matter that I 6 would have to send them. 7 Q. Being subpoenaed by whom? 8 A. Attorneys, I believe, for Abnerd 9 Joseph's family. 10 Q. Okay. Anything else? 11 A. Not that I recall. 12 Q. So this February 7th call was not 13 necessarily a criminal case update but it was just 14 to give a heads up that civil subpoenas were 15 issued? 16 A. That and I asked if there was any 17 decisions made and, you know, kind of almost an 18 update from her. 19 Q. You were seeking an update from her? 20 A. Yes. 21 Q. And did you get an update from her? 22 A. Eventually, yes. I don't believe it was 23 that date. 24 Q. Okay. It looks like you finally	Page 61 1 took in connection with this homicide 2 investigation? 3 A. I just processed the scene, recover 4 evidence with the evidence technicians. I mean, 5 that's the major, all of that was inventoried. 6 That's about it. 7 Q. All right. As part of your duties as a 8 homicide detective, do you have to interact with 9 and give updates to the family? 10 A. I do. 11 Q. And did you have occasion to speak with 12 a Mr. Delbert Charles after the initial phone call 13 with him? 14 A. Yes. 15 Q. All right. About how many times did you 16 say you spoke with Delbert Charles? 17 A. I would say approximately three to four 18 and then I basically spoke with the attorneys after 19 that and he would be on the phone with them almost 20 like a conference call. 21 Q. So were those initial three or four 22 times with him by himself or are you saying three 23 or four times total, including with attorneys? 24 A. The first time was actually at the

Page 62

1 detective division. I spoke with him and his
2 brother in person. And then it would be two times
3 on the phone and then maybe once more with the
4 attorneys and then a lot of attorneys phone calls
5 after that.

6 Q. Okay. When you first spoke to Jay,
7 Mr. Delbert Charles, did he indicate whether or not
8 Mr. Joseph had any mental health issues?

9 A. He said he was taking a prescription for
10 Adderall but no known mental health issues that he
11 knew of.

12 Q. In your report it indicates that Charles
13 was concerned with Joseph becoming mentally
14 exhausted, is that accurate?

15 A. Correct.

16 Q. What -- what -- excuse me, what else, if
17 anything, did he say with respect to that
18 statement?

19 A. It was just pertaining to work.

20 Q. Okay. What was Mr. Joseph's employment?

21 A. He was the Assistant Dean of Culture at
22 a charter school down the block from his home.

23 Q. And did you and Mr. Charles speak about
24 what was exhausting him at work?

Page 63

1 A. Not really.

2 Q. Did he elaborate or indicate anything in
3 particular at work that was potentially exhausting
4 Mr. Joseph?

5 A. Not that I recall.

6 Q. In those subsequent phone calls, well,
7 what else did -- in the first phone call, what
8 else, if anything, did Mr. Delbert Charles relay
9 about Mr. Joseph?

10 A. Nothing else that I can recall.

11 Q. In subsequent phone calls, did you learn
12 any additional information or ask questions of
13 Mr. Delbert Charles in furtherance of your
14 investigation?

15 A. Yes.

16 Q. What kinds of questions did you ask him?

17 A. Just general questions. I found out
18 Abnerd Joseph spoke multiple languages. He -- I
19 found out, you know, where he went to college, why
20 he moved for employment, things like that, just
21 general background questions.

22 Q. In those other phone calls before the
23 lawyers got involved, can you recall approximately
24 when those would have occurred?

Page 64

1 A. When Garrett Smith was released I left a
2 voicemail on my day off for Jay to inform him that
3 the State's Attorney's wanted him released without
4 charging, and then I was called back after that by
5 several family members basically essentially on a
6 conference call.

7 Q. Okay. You mentioned an occasion where
8 you met with Delbert Charles in person at the
9 police station?

10 A. Correct.

11 Q. Do you recall what -- approximately what
12 month or year that was?

13 A. Oh, that would have been a day or two
14 after the shooting.

15 Q. So approximately September of 2023?

16 A. Yes.

17 Q. And who was with Mr. Delbert Charles at
18 that meeting?

19 A. Abnerd Joseph and Delbert Charles
20 brother Brian.

21 Q. Okay. And what was discussed in that
22 meeting?

23 A. I basically gave him an update on the
24 case, told him where we were at, how it progresses.

Page 65

1 I explained the steps of the Cook County State's
2 Attorney's Office and I informed them how it's
3 their decision for charging.

4 Q. All right. If I'm reading your one of
5 your supplemental reports correctly, on or about
6 December 5, 2023, it looks like you spoke with the
7 family and the family attorney. Was that on a
8 conference call?

9 A. Yes.

10 Q. And do you recall the name of the
11 attorney that was in the meeting?

12 A. Jason Freidl.

13 Q. And do you recall who else took part in
14 that meeting?

15 A. He mentioned Jay was on the phone. I
16 didn't ask who else was on the line and he didn't
17 say, really.

18 Q. All right. What, if anything, did you
19 learn on that December 2023 conference call?

20 A. That most likely would have been I
21 learned that there was a phone recovered by the
22 family.

23 Q. Okay. And subsequent to that, you met
24 with I believe you testified attorney Jason Freidl

17 (Pages 62 - 65)

Veritext Legal Solutions

800-567-8658

973-410-4098

Page 66 1 from Romanucci & Blandin? 2 A. Correct. 3 Q. And you obtained the cell phone from 4 him? 5 A. I did. 6 Q. Do you know if Mr. Charles was involved 7 in the decision to turn over the cell phone? 8 A. I don't recall. 9 Q. Did Mr. Charles ever express to you an 10 expectation or a wish regarding whether or not 11 Garrett Smith should be charged? 12 A. I believe he said he wanted justice, 13 whether what his definition of justice is I don't 14 know. 15 Q. What, if anything, did you tell 16 Mr. Charles or the rest of the family about whether 17 criminal charges were being pursued? 18 A. Oh, they were. I told them they were 19 being pursued. 20 Q. Okay. Did you give the family or 21 Mr. Charles specifically any indication as to 22 whether or not you expected the State's Attorney to 23 authorize charges? 24 A. I didn't -- I didn't talk about	Page 68 1 family? 2 A. ASA Jen McCarty relayed to me that I 3 could give the family and the family's attorney her 4 phone number and she would speak with them whether 5 they met in person I don't know. 6 Q. Okay. You mentioned that on or about 7 September 2023 you met with Delbert Charles and 8 Mr. Joseph's other brother, was that Brian 9 Bien-aime? 10 A. Yes. 11 Q. What, if anything, do you recall 12 relaying about what you told Brian Bien-aime at 13 that meeting? 14 A. I informed him that there was a police 15 officer in front of Abnerd Joseph's door. That we 16 couldn't consider it a crime scene but we don't 17 know what may or may not have started in the 18 apartment so we had to almost protect it as like a 19 crime scene. That they wouldn't be allowed access 20 to the apartment whether we were very, very certain 21 there wasn't a crime scene in there. 22 Q. Okay. Did you ever indicate that the 23 police should have gotten there sooner to 24 Mr. Bien-aime?
Page 67 1 authorizing charges. I talked about how Garrett 2 Smith took a self defense claim. So I kind of told 3 them maybe they can look at some cases in Cook 4 County involving self defense just to educate 5 themselves. 6 Q. Okay. Now, with respect to the State's 7 Attorney's ultimate decision to reject charges for 8 First Degree Murder on or about March 7, 2025, did 9 you communicate that decision to the family? 10 A. After the family requested I speak 11 through an attorney, I notified the attorneys at 12 Blandin & Romanucci and they asked if they could 13 relay how they have been the information. 14 Q. I'm sorry. Can you say that again? 15 A. So after several phone calls with Jay, 16 Blandin & Romanucci were designated as the 17 attorneys and all contact would go through them. 18 So I just did the same exact thing. I notified the 19 attorneys involved and they wished to tell Jay. 20 Q. All right. So you never spoke or 21 communicated that directly to Mr. Charles? 22 A. No. 23 Q. Okay. Are you aware of whether or not 24 the State's Attorney's Office ever met with the	Page 69 1 A. No. 2 Q. Did you ever indicate that the Chicago 3 Police Department did not take the initial call 4 seriously? 5 A. No. 6 Q. And did you ever indicate to 7 Mr. Bien-aime that if police had responded sooner 8 his brother would still be alive? 9 A. No. 10 Q. All right. Based on your investigation, 11 what did you ultimately conclude about Abnerd 12 Joseph's behavior in the hours leading up to the 13 shooting? 14 A. I -- 15 MR. DERATANY: Objection. Let me make an 16 objection. It requires a medical conclusion, form, 17 foundation. 18 MR. VAIDYA: You can proceed. 19 BY THE WITNESS: 20 A. I had several witnesses that tell me 21 that he was saying things that weren't realistic 22 with a break from reality and that his behavior 23 became aggressive in that hallway. 24

Page 70 1 BY MR. VAIDYA: 2 Q. Were you made aware that Mr. Joseph was 3 heard saying things like, you can't kill me, I'm 4 all powerful. 5 A. Yes. 6 Q. And that he was observed wearing a 7 bathrobe and behaving erratically? 8 A. Yes. 9 Q. That he was pounding violently on doors 10 in the building? 11 A. Yes. 12 Q. All right. Now I'm going to play -- now 13 I'm going to play what's marked 14 20230914190219.M4-A, which I believe is audio 15 recovered from the decedent's phone. 16 (WHEREUPON, a certain document was 17 marked Dowling Deposition Exhibit 18 No. 3, for identification.) 19 (WHEREUPON, an audio file was 20 played for the witness.) 21 Q. I'm stopping it at 16 seconds and I'm 22 going to fast forward it to 2 minutes. 23 (WHEREUPON, an audio file was 24 played for the witness.)	Page 72 1 Detective, do you recall hearing this 2 part of the audio when you were conducting your 3 investigation? 4 A. Yes. 5 Q. And can you tell what is going on in the 6 recording? 7 A. I can't tell. I just hear banging and 8 yelling. 9 Q. Okay. As part of your investigation, do 10 you recall having contact with individual an 11 Deborah Romero, the property manager at Sudler 12 Property Management? 13 A. Yes. Deborah gave us authorization so I 14 can interview Nena in one of their -- basically 15 their offices. 16 Q. When was that? 17 A. That was initially when I responded to 18 the scene. 19 Q. Back in September of 2023? 20 A. Yes. 21 Q. Okay. What, if anything, did you learn 22 about the building security protocols with respect 23 to what happened on September 2023? 24 A. Building security protocols?
Page 71 1 BY MR. VAIDYA: 2 Q. I'm stopping the recording at 4:15. 3 Detective, do you recall this recording? 4 A. I do. 5 Q. Have you listened to it before? 6 A. I have. 7 Q. And is it something that you obtained 8 from Mr. Joseph's phone? 9 A. Yes. 10 Q. And did you forward this onto the 11 State's Attorney's Office? 12 A. I did. 13 Q. Okay. I'm going to fast forward now to 14 the recording at 17:33. 15 As part of your investigation, were you 16 able to determine who was speaking, who is the 17 voice that we're hearing? 18 A. The family said it was Abnerd Joseph. 19 Q. Okay. 20 (WHEREUPON, an audio file was 21 played for the witness.) 22 BY MR. VAIDYA: 23 Q. All right. I'm stopping the recording 24 at 18:55.	Page 73 1 Q. If you learned anything. 2 A. No. 3 Q. What about staffing? 4 A. I know Nena was the door staff member 5 and he pushed the panic button. 6 Q. Okay. Did you learn whether anyone 7 attempted to contact police prior to the shooting? 8 A. Yes, I did. 9 Q. And who was that? 10 A. That was Mr. Nena, he called 911 as 11 well. 12 Q. Okay. And you were able to obtain lobby 13 security footage from that evening? 14 A. Yes. 15 Q. What, if anything, did the security 16 footage help establish with respect to your 17 investigation? 18 A. It happened establish that the Bishopps, 19 Andy Clement and Garrett Smith were in that lobby 20 speaking with Mr. Nena and they left the lobby, 21 went to the elevator bank and boarded the elevator 22 for the 48th floor. 23 Q. Anything else? 24 A. Not that I recall at the moment.

Page 74 1 Q. All right. Now, with respect to the 2 State's Attorneys charging decision, you first 3 contacted the State's Attorneys or the Chicago 4 Police first contacted the State's Attorneys with 5 respect to First Degree Murder charges indicating 6 that First Degree Murder charges would be sought. 7 Why did you use that terminology? 8 A. It's sought because I present the case 9 to them and they make the final determination on 10 what charges would be applicable. 11 Q. All right. Now so were you actually 12 recommending in your professional capacity as a 13 homicide detective that the State's Attorney 14 proceed with First Degree Murder charges? 15 A. Initially, yes. 16 Q. And why is that? 17 A. Because a human being killed another 18 human being. 19 Q. What about why First Degree Murder? 20 A. Because he pulled a trigger on a 21 firearm. 22 Q. Did you ever consider a Second Degree 23 Murder charge? 24 A. In the initial presentation of the case,	Page 76 1 A. Again, it's a case-by-case basis but 2 it's fairly common in a murder investigation, sure. 3 Q. Did you agree or disagree with the 4 decision to reject charges that was made on 5 March 7, 2025? 6 A. I don't agree or disagree. It's 7 whatever charges they reject or approve. 8 Q. Following the rejection of the charges 9 you requested that the case be placed into 10 exceptionally clear closed other exceptional bar to 11 prosecute status. What does that mean? 12 A. That means the State's Attorney rejected 13 the charge, essentially. 14 Q. Okay. In your professional opinion, did 15 the evidence support a finding of self defense by 16 Garrett Smith? 17 MR. DERATANY: I'm going to object on the 18 basis that he's not an expert witness. He's not 19 been qualified as 213 (f)(3), form, foundation. 20 MS. WHITE: Join. 21 MR. WANGLER: Join. 22 BY THE WITNESS: 23 A. Yes. 24
Page 75 1 no. 2 Q. Why not? 3 A. I go for the highest charge possible. 4 Q. But even at the beginning, you saw that 5 there was a potential impediment to the First 6 Degree Murder charge, right? 7 A. Yes. 8 Q. And that being the self defense? 9 A. Yes. 10 Q. All right. If -- when ASA Gallagher 11 conducted interviews, did you ask him to approve 12 the murder charge on that date back in September of 13 2023? 14 A. It's not so much like me asking for 15 charges. I present the case. He evaluates and 16 then we go from there. 17 Q. And ASA Gallagher put the case or the 18 State's Attorney put the case on continuing 19 investigation or CI status, is that right? 20 A. Yes. 21 Q. And what does that mean? 22 A. Continuing investigation. So they want 23 to speak to those witnesses I mentioned earlier. 24 Q. Okay. Is that common?	Page 77 1 BY MR. VAIDYA: 2 Q. It was a valid self defense? 3 A. Yes. 4 Q. Did you find any facts or evidence 5 that in your view would undermine a self defense 6 claim by Smith? 7 A. No. 8 MR. DERATANY: Same objection. Note a 9 continuing objection. 10 MS. WHITE: Join. 11 BY MR. VAIDYA: 12 Q. Now you never presented evidence to the 13 State's Attorney's Office for charges against Jonah 14 Nena, right? 15 A. Correct. 16 Q. And you never investigated Andy Clement 17 for murder, did you? 18 A. No. 19 Q. Or the Bishoppes? 20 A. No. 21 Q. Did you find any evidence to suggest 22 there was any kind of criminal conspiracy involving 23 Nena Clement, the Bishoppes and Smith? 24 A. No.

Page 78 1 Q. Is it fair to say that your 2 investigation concluded that Joseph was the 3 aggressor? 4 A. The initial aggressor, yes. 5 Q. And that Joseph was impaired by multiple 6 substances? 7 MS. WHITE: Objection, calls for a medical 8 conclusion. 9 MR. DERATANY: I join. 10 BY THE WITNESS: 11 A. Sorry, I received a toxicology report 12 that said there were drugs in Abnerd Joseph's 13 system, yes. 14 BY MR. VAIDYA: 15 Q. And again, you had found no basis to 16 pursue criminal charges for conspiracy? 17 A. Correct. 18 MR. VAIDYA: All right. I don't have any 19 other questions at this time. 20 MR. DERATANY: All right. I cross noticed 21 this, so I'll go next. I don't have very much. 22 THE VIDEOGRAPHER: Do you mind if we take a 23 quick bathroom break? 24 MR. DERATANY: Of course.	Page 80 1 training on the different levels of murder, for 2 example. And I think you went through it with 3 counsel. You talked about First Degree Murder, 4 Second Degree Murder, negligent homicide and 5 involuntary manslaughter. 6 You had quite a bit of training on the 7 differences of those -- between those charges? 8 A. Yes. 9 Q. And would it be correct that there is no 10 statute of limitations in Illinois on a murder 11 charge? 12 A. Yes. 13 Q. And would it be correct to say that if 14 you receive further information or new information, 15 even if a case is closed, generally, and it 16 indicated that a murder charge was warranted, you 17 would reopen that investigation and may in fact 18 recommend murder charges and the State's Attorneys 19 may then proceed with murder charges? 20 A. Yes, that's a possibility. 21 Q. Okay. But you said you make an 22 investigation recommendation and charge but the 23 State's Attorney makes a decision on charges, 24 correct?
Page 79 1 THE VIDEOGRAPHER: This marks the end of media 2 No. 1. The time is 12:27 p.m. 5WE are off the 3 record. 4 (WHEREUPON, a break was taken.) 5 THE VIDEOGRAPHER: This 12:37 p.m. we are on 6 the record. 7 EXAMINATION 8 BY MR. DERATANY: 9 Q. Good afternoon, Detective Dowling. My 10 name is Jay Paul Deratany. I represent the family 11 members in the defense of the defamation case 12 brought by Mr. Smith. 13 So it's limited. I'm going to limit my 14 questions as best I can to the defamation case and 15 ask questions that pertain or would be relevant to 16 that case. 17 You said you were trained. In your 18 training, you said you were trained on the law to a 19 degree, correct? 20 A. Correct. 21 Q. And how much training did you have on 22 that, sir? 23 A. It's progressive throughout my 19 years. 24 Q. So you have had pretty extensive	Page 81 1 A. Yes. When I notify the State's 2 Attorney's Office that an individual is in custody 3 or a case is progressing, that's when I make my 4 initial request. 5 Q. And as a detective, you want to take 6 your time and investigate and talk to all of the 7 witnesses that could possibly have any relevance to 8 a charge, correct? 9 A. Yes. 10 Q. And you're not going to rush as a 11 detective with 19 years almost 20 years of 12 experience and the training and education you've 13 had, you are going to take the proper amount of 14 time, even if that takes one to two years, because 15 it's a potential murder charge, correct? 16 MR. KING: Objection. Objection to the form, 17 calls for speculation and unclear. There's 18 multiple components of the question. 19 MR. DERATANY: I think he knows what his 20 education level is. Go ahead. 21 BY THE WITNESS: 22 A. Yes, a case could progress, yes. 23 BY MR. DERATANY: 24 Q. It's not unusual for a case to take -- a

21 (Pages 78 - 81)

Page 82 1 murder case investigation to take a year or two in 2 Chicago, would that be correct? 3 A. I wouldn't classify it as unusual, no. 4 Q. And we spoke about the differences 5 between First Degree Murder and Second Degree 6 Murder. What was the difference between a 7 negligent homicide charge and involuntary 8 manslaughter? 9 A. Hypothetically, speaking negligent would 10 be something your actions are doing like I talked 11 about earlier, playing with a gun and then I kill 12 somebody. 13 Q. Okay. And involuntary manslaughter? 14 A. Like I spoke earlier, I testified 15 earlier that an individual strikes another 16 individual and then that causes a murder of a 17 separate individual. 18 Q. And you said -- you used -- when you use 19 the word homicide, do you often use that 20 synonymously with the word murder? 21 A. I'm a homicide investigator but murder 22 is a charge, a state charge that I seek. 23 Q. And in terms of your knowledge and 24 experience with the law, you wouldn't expect lay	Page 84 1 BY THE WITNESS: 2 A. Can you ask that again? I apologize. 3 BY MR. DERATANY: 4 Q. Sure. When you are talking to lay 5 people and you are talking to individuals that are 6 not police officers or State's Attorneys, would it 7 be correct that they often times use the word 8 homicide, murder or killing differently than the 9 way you would use it? 10 MS. WENGER: Objection. 11 MR. KING: Objection to the form -- are you 12 finished? 13 MR. DERATANY: Yes. 14 MR. KING: I didn't mean to interrupt you 15 asking the question. 16 I'll object to the form of the question. 17 It's undefined terms and it calls for 18 generalizations and speculation. You need 19 definitions if you are going to ask broad 20 questions. 21 MR. DERATANY: Don't tell me how to ask 22 questions, Mr. King. 23 MR. KING: I'm not I'm telling you how not to 24 ask questions.
Page 83 1 people to have the same knowledge, correct? 2 MS. WENGER: Objection, speculation. 3 MR. WANGLER: Objection, speculation. You can 4 answer. 5 MR. DERATANY: Let me ask a different 6 question. Let me lay a foundation. 7 BY MR. DERATANY: 8 Q. In 20 years of experience, have you 9 talked to many individuals in your investigations 10 for murder, Second Degree Murder, involuntary 11 manslaughter, correct? 12 A. Yes. 13 Q. And do they sometimes use the words 14 murder and homicide and manslaughter in a way that 15 would be different than the way you would use those 16 terms? 17 MS. WENGER: Objection. 18 MR. KING: Objection, without listing each 19 individual specific instance that you're referring 20 to. The generalization is inappropriate and so 21 I'll object to the form of the question. 22 MR. DERATANY: Generalization is 23 inappropriate? Is that an objection? 24 Okay. Go ahead.	Page 85 1 MR. DERATANY: Don't tell me how not to make 2 objections or we'll call the Judge. We can call 3 Judge Flanagan. That would be fine. 4 MS. WENGER: Judge Flanagan is not on this 5 case. 6 MR. DERATANY: Don't tell me how to ask 7 questions. Go ahead, sir. 8 BY THE WITNESS: 9 A. I wouldn't use the word often, but I can 10 say it's a potentially possibility. 11 BY MR. DERATANY: 12 Q. In other words, you are more as a police 13 officer -- well, as a detective you are going to 14 use the terms in a much more accurate fashion than 15 the general population? 16 A. Potentially, sure. 17 (WHEREUPON, a certain document was 18 marked Deposition Exhibit No. 4, for 19 identification.) 20 BY MR. DERATANY: 21 Q. And I want you to take a look at your 22 report, which is now I guess marked as 23 Exhibit No. 4, and I just want to lay the 24 foundation for that.

Page 86 1 Is that the report that you prepared in 2 the course of your investigation? 3 A. Yes, this is a progress report I 4 authored. 5 Q. Okay. And what is the date of that 6 report? 7 A. It was submitted on December 5th 8 approved on December 7th. 9 Q. Okay. And as of December 7th, the 10 offense classification reclassification in this 11 report on page 1 is homicide, slash, First Degree 12 Murder. Would that be correct? 13 A. Yes. 14 Q. And this is, by the way, a report kept 15 in the ordinary course of business, correct? 16 A. Yes. 17 Q. And so as of December of 2023, you were 18 investigating Mr. Smith for homicide and First 19 Degree Murder, correct? 20 A. That is correct. 21 Q. And going down further -- and by 22 December you had conducted some investigation 23 already but the investigation had not yet been 24 completed, correct?	Page 88 1 A. I don't recall. 2 Q. Okay. And I think you said if I quote 3 you, this is still an individual speaking 4 committing a homicide against another individual. 5 So that's what you initially thought during your 6 investigation with regard to Mr. Smith, correct? 7 A. Yes. 8 Q. And the closed clear report was dated 9 July 23, 2025, correct? 10 A. Yes. 11 Q. And that was prepared by the State's 12 Attorney? 13 A. By myself. 14 Q. Oh that was prepared by yourself. Okay. 15 Is that the official date of the closing of the 16 investigation? 17 A. Yes. 18 Q. Now, there was some discussion, I'll 19 turn to that, of a -- I think it was a May 1, 2024 20 meeting where you went over the file with the 21 Assistant State's Attorney at that time? 22 A. Yes. 23 Q. And at that time I think you said you 24 were still gathering evidence and interviewing more
Page 87 1 A. Yes, sir. 2 Q. In fact, you were gathering evidence and 3 speaking to witnesses at that point including 4 family members, correct? 5 A. Yes. 6 Q. All right. And then would it be correct 7 that at any time a -- even up to the present, if 8 you found additional information that would lead 9 you to charge the individual that you initially 10 suspected or were investigating for murder, you 11 would rebring those charges? 12 MS. WENGER: Objection, speculation. 13 MR. KING: Objection, calls for speculation. 14 BY MR. DERATANY: 15 Q. Is that true, Detective? 16 A. If I have new information or new 17 evidence, I can open up a case and present charges. 18 Q. Okay. And you could reopen a case in 19 2027, 2028, 2030, really, at any time. That's 20 basically because there is no statute of 21 limitations on a murder charge, correct? 22 A. That is correct. 23 Q. Is there -- is there a statute of 24 limitation on Second Degree Murder?	Page 89 1 witnesses there, correct? 2 A. Yes. 3 Q. So May 1, 2024, Mr. Smith was still 4 under investigation for First Degree Murder, 5 correct? 6 A. Yes. 7 Q. And in March -- I think you said on 8 March 7, 2025, there was a full case presentation, 9 correct? 10 A. Correct. 11 Q. That's when it was decided to reject the 12 charges of first degree murder? 13 A. Yes, sir. 14 Q. Was there any decision, sir, on whether 15 a charge would be brought for negligent homicide or 16 involuntary manslaughter was that at all discussed? 17 A. The State's Attorney thought that a 18 rejection across the board would be valid due to 19 disproving a self defense claim. 20 Q. Because in the law it would be difficult 21 to prove -- disprove a self defense claim given all 22 of the facts that were before them? 23 A. That's from ASA Jen McCarty, yes, sir. 24 Q. Did you ever express any opinion

23 (Pages 86 - 89)

Page 90 1 agreeing or disagreeing with that? 2 A. I don't give an opinion. I just accept 3 it or rejection. 4 Q. Okay. Have you been involved with one 5 ASA has a different opinion than another ASA as to 6 whether or not they can proceed with a particular 7 charge of murder or Second Degree Murder? 8 A. Not that I can recall. 9 Q. Criminal charges were being pursued all 10 the way up through at least March 7, 2025, correct? 11 A. Yes. 12 Q. And no decision was made up through that 13 point as to whether or not to charge or -- strike 14 that. 15 Mr. Smith was still under investigation 16 for Murder 1 as of March 7, 2025, correct? 17 MS. WENGER: Objection, asked and answered. 18 BY THE WITNESS: 19 A. Yes, sir. 20 BY MR. DERATANY: 21 Q. I want to ask you a couple questions 22 about the actual investigation. 23 You referenced earlier about the doors 24 on the 29th floor and then the 48th floor. Would	Page 92 1 No. 2000 did. 2 Q. Okay. So we were talking about Mr. Nena 3 at that time. 4 So it would be correct you didn't see 5 any blood coming from Mr. Nena's head or any 6 bruising or any abrasion on his head and you would 7 have looked at that, correct? 8 A. Correct. 9 Q. And there was no bandage on his head at 10 the time you interviewed him, correct? 11 A. There was not. 12 Q. Did you ever determine why Mr. Smith 13 decided to go back upstairs to the 48th floor? 14 MS. WENGER: Objection, calls for speculation. 15 BY THE WITNESS: 16 A. I did. 17 BY MR. DERATANY: 18 Q. Okay. And what evidence did you -- what 19 did you learn? 20 A. I learned he wanted to help the doorman, 21 Mr. Nena. 22 Q. And at the time that he went up to the 23 48th floor, there was no police present, correct? 24 A. Correct.
Page 91 1 it be correct -- or strike that. 2 Did you find any evidence of any broken 3 doors on the 28th -- I'm sorry, 29th floor or 48th 4 floor? 5 A. I did not find any broken doors, no. 6 Q. So even though there was indication or 7 statements that Abnerd Joseph pounded on the door, 8 no door was broken, correct? 9 MS. WENGER: Objection. 10 BY THE WITNESS: 11 A. Correct. 12 BY MR. DERATANY: 13 Q. You referenced earlier there was some 14 questions about a gentleman being punched. I don't 15 know if that was Mr. Nena or Andy Clement. The 16 question sort of skipped around there. 17 Did you see any evidence, any actual 18 physical evidence of Joseph -- or Mr. Nena being 19 punched in the head? 20 A. I didn't see any abrasions or bruises at 21 the time I interviewed him, no. 22 Q. Okay. Did you also interview Andy 23 Clement? 24 A. No. My Sergeant, Sergeant Coleman, Star	Page 93 1 Q. But the police -- was it your 2 understanding that the police had already been 3 called at that point? 4 A. Yes, sir. 5 Q. And as a detective, is it the policy and 6 procedure of the Chicago Police Department that 7 individuals should not go to a potential crime 8 scene but should wait for the police? 9 MR. VAIDYA: Objection to form. 10 MS. WENGER: Join. 11 MR. WEISS: Join. 12 BY THE WITNESS: 13 A. A crime scene would indicate that a 14 crime has already occurred. I can't speculate what 15 type of crimes occurred, what -- you know, what's 16 happened or that -- 17 MR. DERATANY: Let me rephrase the question. 18 I'm sorry. 19 BY MR. DERATANY: 20 Q. If there is a potential of a crime 21 occurring in the present, is it the recommendation 22 of yourself, as a detective, that an individual not 23 go investigate what's happening themselves but wait 24 for the police?

Page 94 1 MR. VAIDYA: Objection. 2 MS. WENGER: Objection. 3 MR. KING: Join. 4 MR. VAIDYA: Form. 5 MR. WEISS: Join. 6 MS. WENGER: Calls for speculation and 7 incomplete hypothetical. 8 BY THE WITNESS: 9 A. Me as a detective I would -- that's a 10 tough one. I don't know. I do not know. 11 BY MR. DERATANY: 12 Q. Well, the police are trained to conduct 13 investigations of potential crimes, correct? 14 A. Yes. 15 Q. Not lay people? 16 A. Yes. 17 Q. Okay. And it's your understanding that 18 the doorman had hit the panic button and then 19 Mr. Smith decided after that to go upstairs to the 20 48th floor. Would that be correct? 21 MS. WENGER: Objection, form. 22 MR. KING: Objection to the form of the 23 question, inconsistent with the evidence. 24 MR. VAIDYA: Join.	Page 96 1 MR. DERATANY: Yes. 2 MR. KING: Okay. Thank you. 3 BY THE WITNESS: 4 A. Through the course of investigation, I 5 learned by getting the 911 actual audio tapes and 6 an Excel spreadsheet response of those times. 7 BY MR. DERATANY: 8 Q. And what's your understanding as to how 9 much time elapsed between the first 911 call and 10 the time that Mr. Smith went up to the 48th floor? 11 A. If I recall it was all under half an 12 hour. 13 Q. Was it more than ten minutes after the 14 first 911 call that he went up? 15 A. Yes, it was. 16 Q. So at least ten minutes elapsed between 17 the 911 call and the time that he went upstairs? 18 A. Yes, sir. 19 Q. And do you typically advise individuals 20 not to confront an individual who may be going 21 through a mental break? 22 MS. WENGER: Objection, form. 23 MR. WEISS: Objection, form. 24 MR. VAIDYA: Join.
Page 95 1 BY THE WITNESS: 2 A. Mr. Nena first notified 911 via a 3 telephone and after the shooting, he hit the panic 4 button. 5 MR. WEISS: Join. 6 MR. DERATANY: I see. Okay, you're right. I 7 got that wrong. 8 BY MR. DERATANY: 9 Q. So he called 911 and then Mr. Smith went 10 upstairs to the 48th floor from the lobby, correct? 11 MS. WENGER: Objection, form. 12 BY MR. DERATANY: 13 Q. Is that your understanding. Let me 14 finish the question. 15 Is that your understanding of the 16 events? 17 A. Those two chain events, yes, there was a 18 911 call and then they went to the 48th floor. 19 Q. Did you determine from any of your 20 conversations how much time elapsed between the 911 21 call and the time that Mr. Smith decided or went up 22 to the 48th floor? 23 MR. KING: Are you talking about the first 911 24 call?	Page 97 1 MR. NEGA: Join. 2 BY THE WITNESS: 3 A. I don't advise any individuals. I just 4 respond to the scene. 5 BY MR. DERATANY: 6 Q. Okay. Well, as a detective, would it be 7 correct that you don't like -- you don't want 8 individuals to take police matters into their own 9 hands, correct? 10 MS. WENGER: Objection, form. 11 MR. VAIDYA: Join. 12 BY THE WITNESS: 13 A. What would you define as police matters? 14 I don't understand the question. 15 BY MR. DERATANY: 16 Q. Okay. Typically and customarily, 17 individuals are instructed to -- strike that. Let 18 me rephrase the question and ask a background 19 question. 20 Are you familiar with listening to 911 21 tapes? 22 A. Yes, sir. 23 Q. The protocol of 911? 24 A. Yes, sir.

25 (Pages 94 - 97)

Page 98 1 Q. Okay. When somebody calls 911 and they 2 report a crime or something occurring, is it your 3 understanding from listening from your years of 4 listening to 911 calls that typically and 5 customarily the 911 operator's advise the person 6 making the call to stay in a safe location and not 7 investigate or go into the area where the potential 8 crime is occurring? 9 MS. WENGER: Objection, form. 10 MR. VAIDYA: Join. 11 MR. NEGA: Join. 12 BY THE WITNESS: 13 A. Yes, I have heard that before. 14 BY MR. DERATANY: 15 Q. Just put it in typical terms the custom 16 and practice is, hey, wait for the police, we do 17 the investigation, right? 18 MS. WENGER: Objection, form. 19 MR. VAIDYA: Join. 20 MR. WEISS: Join. 21 MR. NEGA: Join. 22 BY THE WITNESS: 23 A. I haven't heard those specific words. 24	Page 100 1 Abnerd Joseph, yes, he was the emergency contact. 2 Q. Yes, sir. Thank you. 3 And he was listed as a brother, correct? 4 A. Yes. 5 Q. But you came to find out he was a 6 fraternity brother and not a biological brother, 7 correct? 8 A. Yes. 9 Q. And the gentleman with the name Kacey, I 10 missed the last name of that person? 11 A. I don't know Kacey's last name. 12 Q. Oh, okay. That was another fraternity 13 brother? 14 A. Correct. 15 Q. And what was his -- what was your 16 mention of his involvement? 17 A. He called Jareth Bent to have him check 18 on Abnerd Joseph. 19 Q. So your understanding is based on Abnerd 20 listing Jareth Bent as an emergency contact and 21 referencing Kacey, that his fraternity brothers 22 were involved with his care, correct? 23 MS. WENGER: Objection, form. 24 MR. WANGLER: Objection.
Page 99 1 BY MR. DERATANY: 2 Q. I'm talking about a general gist, the 3 general public should not go into a situation where 4 a crime is potentially going to occur or somebody 5 is having an issue where a crime could be occurring 6 and they are supposed to wait for the place? 7 MS. WENGER: Objection. 8 MR. KING: Form of the question, calls for 9 speculation. 10 MR. VAIDYA: Join. 11 MR. NEGA: Join. 12 MS. TRIBBIA: Join. 13 MR. DERATANY: Everybody knows this but that's 14 all right. He's answered the question. I'll go 15 on. 16 BY MR. DERATANY: 17 Q. Now you said you referred to the name 18 Joseph Bent, was that a name that you had listed? 19 A. Jareth Bent. 20 Q. Jareth Bent. Was it Jared or Jareth? 21 A. Jareth. 22 Q. Jareth. And he was listed as an 23 emergency contact? 24 A. For the building at 60 East Monroe for	Page 101 1 BY THE WITNESS: 2 A. I don't know about his care. I know 3 that they were very close in a relationship. 4 BY MR. DERATANY: 5 Q. Okay. And how did you learn that they 6 were very close in relationship? 7 A. I spoke to Jareth Bent and Jay. 8 Q. And both of them indicated that several 9 of his -- or some of his fraternity brothers were 10 very close to Abnerd Joseph? 11 MS. WENGER: Objection, form. 12 BY THE WITNESS: 13 A. That's my understanding, yes. 14 BY MR. DERATANY: 15 Q. Okay. And they referred to each other 16 as brothers? 17 A. Yes. 18 MR. DERATANY: I just have a few more 19 questions. 20 In May of 2024, the tox report -- the 21 toxicology report was still pending, correct? 22 A. Yes. 23 Q. And that's another -- that's certainly 24 part -- an important part of the investigation into

Page 102 1 the murder charges against Abnerd Joseph, I mean, 2 murder charges against Mr. Smith? 3 A. It would indicate if the behavior of 4 Abnerd Joseph was warranted? 5 Q. Would it indicate to you whether or 6 not -- would it point to you whether or not self 7 defense is a valid defense or not? 8 A. Garrett Smith doesn't know the 9 toxicology results of Abnerd Joseph, so no. 10 Q. Let me ask you the question simply put. 11 What's the importance of the toxicology 12 report as in terms of your investigation? 13 A. It validates Abnerd Joseph's behavior. 14 Q. Okay. So you would not want to close 15 the murder investigation without receiving a 16 toxicology report, correct? 17 A. In any investigation? That depends. 18 Q. In this investigation. 19 A. Oh, no. 20 Q. And you also were drafting subpoenas for 21 the grand jury in July of 2024, I think you said, 22 correct? 23 A. I can't remember if it was July but it 24 was about that time on or about them.	Page 104 1 have been assigned to this case but they were 2 not -- but the charges were not brought to them. 3 Did I say that correctly? 4 A. The subpoena was to conduct an 5 interview. So, no, they weren't brought before the 6 grand jury. 7 Q. Okay. And in August of 2024, there was 8 an interview of Jareth Bent; is that correct? 9 A. Yes. 10 Q. And then in September, I think it was 11 September 4th of 2024, more subpoenas were being 12 issued and you were having meetings with ASA -- 13 with the ASA, correct, about Shirley Meng? 14 A. I don't know if it was plural subpoenas 15 but at least one. 16 Q. So there was still a question about 17 an outstanding subpoena and a meeting -- I'm trying 18 to sort of condense it to get you out of here -- a 19 meeting with ASA about Shirley Meng and there was 20 still an outstanding subpoena. 21 So you were -- this was an ongoing 22 investigation into the charge of First Degree 23 Murder, correct? 24 A. Yes.
Page 103 1 Q. And was a grand jury impaneled? 2 A. They were at the time, yes. 3 Q. And a grand jury -- did the grand jury 4 go over the evidence? 5 A. They did not. 6 Q. And why was that? 7 A. The State's Attorney did their interview 8 outside the grand jury's room. 9 Q. Whose decision is it to submit the 10 potential charges to a grand jury? 11 A. The State's Attorney's Office. 12 Q. Do you agree or disagree or is that 13 something that's outside of your purview? 14 A. It's outside. 15 Q. And I'm sorry if I don't understand this 16 correctly, but was the grand jury actually 17 impaneled and then discharged without any charges 18 being brought before them or were they not yet 19 impaneled? 20 A. At any given time there might be two or 21 three grand juries going at once. They were going 22 during this time but not for this case. 23 Q. I see. Okay. 24 So there was a grand jury that could	Page 105 1 Q. And in January of 2025, you had issued a 2 warrant or you had requested a warrant for 3 Mr. Smith's phone, correct? 4 A. A search warrant, yes. 5 Q. A search warrant. Yeah. 6 So by January of '25, and in February of 7 25, when you received the information back, still 8 no decision as to whether or not a charge of First 9 Degree -- he was still under investigation for 10 First Degree Murder, correct? 11 A. Yes. 12 Q. Counsel asked you questions about 13 Delbert Charles, Delbert J. Charles, and I think 14 you indicated that you spoke with him about three 15 or four times. Do you recall that? 16 A. One-on-one or with one or two people, 17 yes, and then more with the attorney if he was on 18 the conference call, yes. 19 Q. Okay. And Detective, did you ever see 20 any of the posts on either Tik Tok or whatever the 21 platform was, Instagram, or a site called Justice 22 for Abnerd, did you see any of those posts? 23 A. I have not. 24 Q. Would it have made any difference to you

Page 106 1 in your investigation of the murder charges? 2 A. Only if it had anything of evidence. 3 Q. Do you -- if an individual -- well -- 4 strike that. 5 Was Delbert J. Charles when you spoke 6 with him either the first or second time, was he 7 upset about the murder -- or about the killing of 8 his brother? 9 A. Yes, he was. 10 Q. Would you judge that based upon your 19 11 or 20 years, almost 20 years of experience, to be a 12 normal reaction to be upset about the killing of 13 his brother? 14 A. Absolutely, nothing excessive just 15 normal upset, sure. 16 Q. And have you had situations where family 17 members want you to go further with investigations? 18 A. Yes. 19 Q. It would be kind of common, wouldn't it? 20 A. Every case is different but it has 21 happened in my past, yes. 22 Q. Okay. And did Delbert J Charles or any 23 of the family members ever provide any information 24 which helped in the investigation of whether or not	Page 108 1 opinion. 2 MR. VAIDYA: Join. 3 MR. WANGLER: Lack of foundation also. 4 Go ahead. 5 BY THE WITNESS: 6 A. I could definitely tell his breath rate 7 was high. He was excited. I would -- I would 8 definitely suggest some type of intervention 9 medically. 10 BY MR. DERATANY: 11 Q. If you had come across him at that point 12 and he was in a bathrobe and had -- and he was 13 talking like that, would you get mental health 14 professionals involved as a typical and customary 15 practice in your line of work as a detective? 16 MR. WANGLER: Objection, calls for 17 speculation, lack of foundation. 18 MR. WEISS: Objection, calls for speculation. 19 MR. KING: Lack of foundation. 20 MR. NEGA: Join. 21 MS. TRIBBIA: Join. 22 MR. VAIDYA: Join. 23 BY THE WITNESS: 24 A. That is definitely one of the outcomes I
Page 107 1 you would proceed with murder charges or not? 2 A. They gave me general background 3 information on Abnerd Joseph as well as the cell 4 phone was turned over by the family. 5 Q. So they were part -- would you agree 6 that they are providing information was part of the 7 investigation? 8 A. They did, yes. 9 Q. And I think you said Jay Charles just 10 said he wanted justice for his brother, correct? 11 A. Yes. 12 Q. And was there anything unusual or 13 anything you found disparaging about that comment? 14 A. For me personally, no. 15 Q. You heard the phone conversation and 16 obviously the I guess I'll use the word incoherent 17 or gibberish statements that Abnerd Joseph made on 18 the phone that counsel played for you? 19 A. Yes. 20 Q. In your judgment as a detective with 21 your training, did Abnerd Joseph need mental health 22 or medical care? 23 MS. WENGER: Objection, form. 24 MR. KING: Objection, calls for medical	Page 109 1 could have as a police officer. 2 BY MR. DERATANY: 3 Q. What is the procedure in terms of 4 calling for a mental health professional, is there 5 somebody within the police department that you call 6 or is it if you had come upon the scene what would 7 be the procedure? 8 A. We could radio for the Chicago Fire 9 Department who are trained as well as critical 10 incident trainees in our districts, CIT trained 11 individuals could respond. 12 Q. That's what I was getting at. The CIT 13 individuals. Are those police officers or are 14 those through the fire department? 15 A. They're police officers but occasionally 16 they will have civilians attached to them as well. 17 Q. And are those police officers that 18 are -- receive extra training in handling 19 individuals with mental health breakdowns? 20 A. Yes, sir. 21 Q. And what does CIT stand for? 22 A. Critical incident training. 23 Q. And have you had CIT training? 24 A. In general, yes, there is a 40-hour

28 (Pages 106 - 109)

Page 110 1 course which I do not have. 2 Q. Okay. And that extra 40-hour course, 3 those individual police officers -- are they police 4 officers that you said? 5 A. They are, yes. 6 Q. And are they trained in something called 7 deescalation? 8 A. Yes. 9 Q. And you said you had some of that 10 training but not the full 40 hours? 11 A. Correct. 12 Q. Is that what you're saying. How many 13 hours have you had, Detective? 14 A. Several. I couldn't tell you throughout 15 the course of the years, several though. 16 Q. And are you familiar with the manner in 17 which the deescalation occurs? 18 A. Absolutely. 19 Q. Can you go through that with us? 20 A. We use time as a tactic to try to slow 21 everything down. We try to talk to the individual. 22 Try not to be too offensive with our movements, and 23 then request CIT if available. 24 Q. In all of that training, that's training	Page 112 1 MS. WENGER: Objection. 2 MR. KING: Objection. I don't know what the 3 frequently works means. 4 BY THE WITNESS: 5 A. Yeah, every case is different. 6 BY MR. DERATANY: 7 Q. Does the CIT training work? In other 8 words, do you often -- have you taken part in 9 deescalating situations where somebody had a mental 10 health breakdown? 11 A. In my training experience, absolutely. 12 Q. And is it your understanding that's 13 training that individuals to our laypersons don't 14 typically have, correct? That's training that you 15 folks in the police department and detectives have? 16 A. I know certain professions train with 17 it. I don't know exactly. 18 Q. Well, software engineers -- do you know 19 if software engineers receive CIT training? 20 MR. VAIDYA: Objection. 21 MR. WANGLER: Relevance. 22 MS. WENGER: Join. 23 BY THE WITNESS: 24 A. I have no idea.
Page 111 1 that has been honed for years by the Chicago Police 2 Department, is that your understanding? 3 A. Yes, it's a cyclical how often we get 4 trained, yes. 5 Q. And it's pretty extensive, would you 6 agree? 7 A. I would like more but I wouldn't 8 characterize it as extensive but we're trained. 9 Q. And has it, in fact -- is it, in fact, 10 true that the CIT training by the Chicago Police 11 Department, if you know, is an example that's used 12 in training other police departments throughout 13 country? 14 A. I don't know but I wouldn't be surprised 15 if it is. 16 Q. It's considered pretty top-notch 17 treatment or training, isn't it? 18 A. It is. 19 Q. And the police officers that are 20 especially trained and yourself that has these -- 21 has a special training to deescalate through CIT 22 training, in your experience, does that more often 23 than not work to deescalate the situation such as 24 was presented with Abnerd Joseph?	Page 113 1 BY MR. DERATANY: 2 Q. Isn't that what Mr. Smith is? Well, 3 let's put it this way, in your discussions with 4 Mr. Smith and your investigation as to the murder 5 charges, did you ever learn as to whether or not 6 Mr. Smith ever had any CIT training? 7 A. No. 8 Q. In one of the answers you gave during 9 the deposition by counsel, you said the word Joseph 10 was the initial aggressor and you used "initial" 11 was the word. 12 Was there another aggressor that you 13 found -- was anybody else an aggressor in that 14 incident? 15 A. Garrett Smith fired shots from a 16 firearm. 17 Q. And so Garrett Smith would be considered 18 an aggressor as well, correct? 19 A. Yes. 20 Q. In your training, did you see whether 21 Mr. Smith engaged in any type of deescalation from 22 your investigation reviewing your reports and so 23 forth in your conversations with Mr. Smith, did you 24 come to any opinion as to whether Mr. Smith

Page 114 1 attempted to use any type of deescalation? 2 A. Mr. Smith warned of having a firearm 3 permit and saying he had a gun. That could be to 4 some people deescalation. 5 Q. That could be to some people 6 deescalation? 7 A. Yes. 8 Q. Would that be correct that's now -- not 9 how a CIT person is trained to deescalate? 10 A. Only as a last resort. 11 Q. Right. And before you get to that last 12 resort, you don't usually brandish a gun to a 13 person who is in a bathrobe who is having a mental 14 breakdown, correct? 15 A. As a police officer every case is 16 different. If I feel the need to draw a gun, I 17 would draw but specifically every case is 18 different. 19 Q. But in terms of the CIT training, you 20 used the term time, and then is another part of CIT 21 training to continue to talk to the individual? 22 A. Yes, if we can absolutely. 23 Q. And is it -- when so you take the time 24 and you talk to the individual, do you also try to	Page 116 1 A. I would say, like I would give an update 2 of the case and tell them if the Cook County 3 State's Attorney wanted more interviews or more 4 evidence. I'd basically update them where we were. 5 Q. Okay. And from what they told you and 6 the conversations that you had, was it your 7 understanding that they knew that they were -- that 8 Mr. Smith was being investigated for murder? 9 A. Yes. 10 Q. And they knew that -- was -- you 11 conveyed that it was up to the Assistant State's 12 Attorney which charges, if any, would be brought? 13 A. Yes, I walked them through the steps, 14 yes. 15 Q. The State's Attorney at the time was Kim 16 Foxx? 17 A. Yes. 18 Q. And she is an elected individual. She 19 runs for office, correct? 20 A. Yes, sir. 21 Q. And do you know if during the time that 22 you were investigating this Ms. Foxx was running 23 for office? 24 A. I don't recall.
Page 115 1 establish a rapport with the individual that is 2 having this mental breakdown? 3 A. Absolutely. 4 Q. And part of establishing a rapport is to 5 try to provide -- or try to find some commonality 6 with the individual and continue to talk to him 7 about that? 8 A. Yes. 9 Q. And then the goal is to for him to 10 deescalate and agree to if necessary go to a 11 medical facility to receive proper mental health 12 treatment, would that be correct? 13 A. That would be the best case scenario. 14 Q. And did you continue to have 15 conversations with Delbert J. Charles or other 16 family members all the way through May of 20 -- or 17 July of 2025? 18 A. At that point it was mostly attorneys 19 but there would be phone calls that were 20 conferenced in with the family occasionally. 21 Q. And during that time period, would be it 22 correct to say that you had conveyed that you were 23 continuing to investigate Mr. Smith for charges of 24 murder?	Page 117 1 Q. Did any of the family members give you 2 their opinion that Mr. Smith murdered their 3 brother? 4 MS. WENGER: Objection, form. 5 BY THE WITNESS: 6 A. Gave their opinion that -- it was never 7 a question if Garrett Smith shot Abnerd Joseph. 8 That was never a question. 9 BY MR. DERATANY: 10 Q. Okay. So did they ever give you an 11 opinion, though, that a murder charge should be 12 brought? 13 A. I told them that's the murder charge I 14 was seeking. The highest charge possible. They 15 didn't say either way. 16 Q. And it was your opinion, at least during 17 the beginning stages of the investigation, that 18 First Degree Murder was the appropriate charge to 19 pursue? 20 A. Yes. 21 MR. DERATANY: I think that's all I have. 22 Thank you. 23 MS. WHITE: Thank you. 24 MR. DERATANY: Thank you, Detective.

Page 118 1 EXAMINATION 2 BY MS. WHITE: 3 Q. Good afternoon, Detective Dowling. My 4 name is Maura White and I represent Abnerd Joseph, 5 the family in the wrongful death case. 6 A. Good afternoon. 7 Q. So you testified earlier when you were 8 being asked questions that you believe that the 9 testimony of the witnesses on scene that night were 10 consistent, is that correct? 11 A. Yes. 12 Q. Okay. You conducted numerous witness 13 interviews the night that this happened, right, on 14 September 14, 2023? 15 A. Yes. 16 Q. Prior to you conducting those 17 interviews, you were aware that the responding 18 officers also conducted interviews of some of those 19 witnesses? 20 A. Yes. 21 Q. Did you go through -- let me ask you 22 this question. Those were captured on body worn 23 cameras, correct? 24 A. Yes.	Page 120 1 A. Correct. 2 Q. When ASA Gallagher took their 3 statements, did he memorialize their statements in 4 any way? 5 A. He did not. 6 Q. Did you mem -- other than your clear 7 closed report that was Exhibit 1, did you take 8 notes of their interviews? 9 A. I would noted if there was anything 10 different from the story which there wasn't so no. 11 Q. Okay. And but you don't have any notes; 12 is that correct? 13 A. Correct. 14 Q. Okay. So and then would it -- are you 15 aware that the witnesses in this case have all 16 provided depositions during the course of the civil 17 matter? 18 A. No, I wasn't aware of that. 19 Q. Would it surprise you to know, for 20 example, that Mr. and Mrs. Bishopp walked back 21 their claim that they heard Abnerd Joseph using 22 racially charged language when they were going 23 towards the elevator? 24 MS. WENGER: Objection, mischaracterizes the
Page 119 1 Q. And did you have an opportunity to 2 review their body worn camera prior to conducting 3 the interviews on scene that night? 4 A. I did. 5 Q. Did you have an opportunity to provide 6 that body worn camera to the State's Attorney 7 Office during the course of their investigation? 8 A. I did. 9 Q. And when did you do that? 10 A. I don't recall the date. 11 Q. Would it have been prior to ASA 12 Gallagher interviewing them on the 15th, the day 13 after, at Area 3? 14 A. I don't recall. It would have been some 15 point during the investigation. 16 Q. And when ASA Gallagher spoke to them on 17 September 15th -- and by "them," I believe -- and 18 you can correct me if I'm wrong -- I believe he 19 spoke to Mr. Nena; is that correct? 20 A. Yes. 21 Q. He spoke to Mr. Clement? 22 A. Correct. 23 Q. And he also spoke to Natalie and Robert 24 Bishopp, is that right?	Page 121 1 evidence. 2 MR. KING: Join. 3 MS. TRIBBIA: Objection as well. 4 MR. WANGLER: Lack of foundation. 5 Go ahead. 6 BY THE WITNESS: 7 A. That would be surprising, yes. 8 BY MS. WHITE: 9 Q. Are you aware that the night of the 10 shooting Mr. Clement prepared typewritten notes 11 regarding the shooting? 12 A. I wasn't aware of that. 13 Q. So is it fair to say he didn't provide 14 those to you? 15 A. That's correct. 16 Q. Would it surprise you to know that he 17 initially believed that he passed out due to the 18 sound of the gun shots? 19 MR. NEGA: Objection, form. 20 BY THE WITNESS: 21 A. Mr. Clement originally thought he 22 fainted. 23 BY MS. WHITE: 24 Q. And did he tell you why he thought he

Page 122 1 fainted? 2 A. No. 3 Q. You noted in your report that, for 4 example, Bernard Schott -- and for the record 5 that's S-c-h-o-t-t -- spoke to the State's 6 Attorney's Office when he was subpoenaed in I 7 believe it would have been August of 2024; is that 8 correct? 9 A. Yes. 10 Q. And I believe that you indicated on your 11 -- in your detective's report that he included a 12 new fact that he heard a punch striking a meaty 13 substance before hearing shots fired; is that 14 correct? 15 A. Yes. 16 Q. And that on that day on August -- in 17 August of 2024, that was the first time that you 18 had heard him provide that information; is that 19 correct? 20 A. Correct. 21 Q. In addition to Mr. Schott's testimony, 22 you also -- just so I'm clear, when Mr. Schott was 23 giving his statement, I just wanted to clarify some 24 questions that Mr. Deratany asked.	Page 124 1 A. Correct. 2 Q. Did you ever ask Mr. Smith about 3 anything about that? 4 A. No. 5 Q. You were aware that Abnerd Joseph was 6 wearing a bathrobe at the time that he was killed, 7 correct? 8 A. Correct. 9 Q. And as far as you knew, at that time, no 10 weapons were recovered on Abnerd Joseph's person, 11 correct? 12 A. That is correct. 13 Q. And during the course of your 14 investigation actually there were no weapons 15 recovered regarding Abnerd Joseph, is that right? 16 A. Correct. 17 Q. And in Mr. Smith's statement, he told 18 you that Abnerd Joseph kept charging at him and 19 that he ultimately fell on Mr. Smith, is that 20 right? 21 A. Correct. 22 Q. You testified that you thought that 23 there was some sort of physical altercation between 24 Mr. Smith and Abnerd Joseph?
Page 123 1 Where in the State's Attorneys office 2 were these witnesses interviewed? 3 A. It wasn't a State's Attorney office. It 4 was at 26th and California outside of the grand 5 jury rooms. 6 Q. Okay. Is that Branch 66, the homicide 7 grand jury unit? 8 A. No. It was directly behind the check-in 9 counter of the grand jury. 10 Q. Okay. And just to be clear, they did 11 not testify before the grand jury; is that correct? 12 A. Correct. 13 Q. And you did not testify before the grand 14 jury; is that correct? 15 A. Correct. 16 Q. Okay. Now, in addition to the different 17 interviews that you did, you had information that 18 from Mr. Smith, for example, he initially provided 19 a statement to your colleagues prior to you 20 interviewing him at Area 3, is that right? 21 A. That is right. 22 Q. And he told your colleagues prior to you 23 coming there that he thought at first Mr. Joseph 24 had a weapon of some sort; is that correct?	Page 125 1 A. Yes. 2 Q. And that's based solely on the testimony 3 of Mr. Smith at this point, correct? 4 A. Correct. 5 MR. VAIDYA: Objection as to form. 6 BY MS. WHITE: 7 Q. During the course of your investigation 8 is that fair to say? 9 A. Yes, that's fair. 10 Q. There was no testimony from Mr. Nena 11 about the physical altercation; is that correct? 12 MR. VAIDYA: Objection. 13 MR. WANGLER: Objection, misstates the 14 testimony. 15 MS. WENGER: Objection. 16 BY THE WITNESS: 17 A. Correct. 18 BY MS. WHITE: 19 Q. Did Ms. Bishopp tell you -- she told you 20 she did not see the shooting; is that correct? 21 A. Yes, she went toward her door. 22 Q. Mr. Clement told you that he lost 23 conscious and regained it at some point before 24 hearing gunshots; is that correct?

Page 126 1 A. I don't recall him hearing a gunshot but 2 at some point he did lose consciousness, yes. 3 Q. And Mr. Bishopp did not relay watching 4 what happened during the shooting, is that correct, 5 because he was on the ground? 6 A. That is correct. 7 Q. So when you are looking at the evidence 8 with respect to the shooting itself, you're looking 9 at this point the only person that's alive is 10 Mr. Smith, correct? 11 A. And his injuries, yes. 12 MS. WENGER: Objection, misstates evidence. 13 MR. VAIDYA: I'm going to join in the 14 objection. 15 BY MS. WHITE: 16 Q. When Mr. Smith told you that Mr. Joseph 17 fell on him after being shot, would you expect to 18 that there would be a significant amount of blood 19 on Mr. Smith -- 20 MS. WENGER: Objection, calls for speculation. 21 BY MS. WHITE: 22 Q. -- in your training and experience? 23 MR. VAIDYA: Join. 24 MR. WANGLER: Join, speculation.	Page 128 1 A. Yes. 2 Q. And Mr. Clement Mr. and Mrs. Bishopp and 3 Mr. Smith are at the front desk as well, is that 4 right? 5 MS. WENGER: I'm just going to object because 6 this is unclear as to what point in time you are 7 talking about in the video. 8 MS. WHITE: And I'm happy to pull that up, if 9 you want, but let me be clear. 10 BY MS. WHITE: 11 Q. So during the video that was captured 12 prior to the shooting on the lobby video, 13 Mr. Smith, Mr. Bishopp, Mrs. Bishopp and 14 Mr. Clement are at the front desk of the lobby; is 15 that correct? 16 A. At some point in time they are all 17 together at the front desk, yes. 18 Q. And just to be clear, you can't hear 19 what's being said on the video. There is no sound, 20 right? 21 A. That is correct. 22 Q. And the group walks towards the 23 direction of the elevators, correct? 24 A. Yes.
Page 127 1 BY THE WITNESS: 2 A. All wounds can be different. A sucking 3 chest wound doesn't have much blood at all, so it 4 all depends on the situation for that. 5 BY MS. WHITE: 6 Q. And at the time you interviewed 7 Mr. Smith, had you already -- they had not 8 conducted the autopsy at that point, correct? 9 A. Correct. 10 Q. So you didn't know what types of wounds 11 Mr. Joseph would have had at the time you 12 interviewed him; is that correct? 13 A. That's incorrect. 14 Q. You knew from going to the hospital is 15 that -- 16 A. Yes. 17 Q. Okay. I just wanted to clarify that. 18 Now with respect to the video evidence 19 in this case, you reviewed the lobby surveillance 20 camera; is that correct? 21 A. Correct. 22 Q. And on the camera and I believe you 23 testified -- but please correct me if I'm wrong -- 24 Mr. Nena is at the front desk, correct?	Page 129 1 Q. And at some point they come down all 2 together; is that correct? 3 A. Yes. 4 Q. During the course of your investigation, 5 did you ask the individuals who were at the front 6 desk what they discussed prior to them going 7 upstairs? 8 A. Yes. 9 Q. Did you observe them when they came down 10 from the elevators in the direction of the front 11 desk? 12 MS. WENGER: Objection, form. 13 BY MS. WHITE: 14 Q. On the video? 15 A. Yes. 16 Q. Did Mr. Nena on the video appear to be 17 injured in any way? 18 A. He wasn't limping or anything on the 19 video. 20 Q. Did his demeanor indicate to you based 21 on your training and experience that he had just 22 been in a physical altercation? 23 MS. WENGER: Objection, calls for speculation. 24 MR. WANGLER: Objection, speculation.

33 (Pages 126 - 129)

Page 130

1 MR. VAIDYA: Join.
 2 BY THE WITNESS:
 3 A. He appeared to be moving pretty quickly
 4 when he hit the panic button. He was pacing back
 5 and forth. That's what I observed.
 6 BY MS. WHITE:
 7 Q. When Mr. Clement was walking towards the
 8 on the video after the coming down or coming
 9 towards the front desk, did he appear to have been
 10 involved in a physical altercation did you observe
 11 any injuries on him?
 12 A. From the video at the front desk, no.
 13 MS. WENGER: Objection, calls for speculation.
 14 MR. VAIDYA: Join.
 15 MR. NEGA: Join.
 16 BY MS. WHITE:
 17 Q. What about Mr. Smith, did he appear to
 18 be injured in any way on the video when you
 19 observed HIM walking toward the front desk after
 20 coming from the direction of the elevators?
 21 MS. WENGER: Objection, calls for speculation.
 22 MR. VAIDYA: Join.
 23 BY THE WITNESS:
 24 A. I didn't observe any injuries from that

Page 131

1 video, no.
 2 BY MS. WHITE:
 3 Q. And did it look to you like Mr. Smith
 4 had been in a physical altercation even if he
 5 didn't have any injuries at that time?
 6 MS. WENGER: Objection.
 7 MR. WANGLER: Objection, form.
 8 MR. VAIDYA: Objection.
 9 MR. WANGLER: Sorry, I cut you off.
 10 MS. WENGER: I'll join in your objection.
 11 BY THE WITNESS:
 12 A. At the point I viewed the video, I
 13 already knew of injuries. But from that video, no,
 14 there weren't any injuries that I could see.
 15 BY MS. WHITE:
 16 Q. Did Mr. Clement seek medical attention
 17 while you were on scene that night?
 18 A. He did not.
 19 Q. Did Mr. Nena seek medical attention on
 20 scene while you were there that night on
 21 September 14th?
 22 MS. WENGER: I'm just going to object to form.
 23 BY THE WITNESS:
 24 A. He did not.

Page 132

1 MR. VAIDYA: Join.
 2 BY MS. WHITE:
 3 Q. You testified that Mr. Nena --
 4 Mr. Clement provided you some medical records that
 5 he had, correct --
 6 A. Yes.
 7 Q. -- at some point during the course of
 8 your investigation?
 9 A. Yes, when he met with ASA Gallagher the
 10 next day.
 11 Q. And at some point you requested Mr. Nena
 12 provide you medical records; is that correct?
 13 A. Several times, yes.
 14 Q. Did he ever provide you any medical
 15 records?
 16 A. No, did he not.
 17 Q. Now, there was no -- did you go to the
 18 29th floor, Officer -- or excuse me, Detective?
 19 A. I did not.
 20 Q. Did other CPD personnel go to the 29th
 21 floor?
 22 A. Yes.
 23 Q. Based on the investigation and what you
 24 learned during the course of the investigation, was

Page 133

1 there any evidence that Mr. Smith's door had been
 2 broken in any way or damaged?
 3 A. There was not.
 4 Q. You testified earlier that Mrs. Bishopp
 5 told you about needing to go to check to see
 6 whether or not or her door was locked or her door
 7 was unlocked and that's why they went upstairs; is
 8 that correct?
 9 A. Correct.
 10 Q. Did she ever tell you whether they
 11 determined if her door was locked or not?
 12 A. I don't recall.
 13 Q. You were asked questions regarding the
 14 toxicology report. And I believe you testified
 15 that it was May of 2024 when you provided that to
 16 the State's Attorney's Office; is that correct?
 17 A. Yes.
 18 Q. The date of the toxicology report is
 19 actually October 4, 2023.
 20 Do you know why there was a lag between
 21 the time that you -- the report was issued to the
 22 time that you would have received it?
 23 A. I have no idea why.
 24 Q. With respect to the results of the

Page 134 1 toxicology report, did you -- you obviously 2 reviewed it and I believe you testified that you 3 spoke to the medical examiner after seeing it? 4 A. Yes. 5 Q. Is that correct? 6 A. Yes. 7 Q. Did you ever speak to the toxicologist? 8 A. No. 9 Q. Do you have any training in toxicology 10 or pharmacology? 11 A. No. 12 Q. Are you trained to be able to interpret 13 the results on a toxicology report? 14 A. No. 15 Q. So you can't say sitting here today 16 whether or not the levels that were -- or I should 17 say the findings indicated impairment or not, is 18 that fair? 19 A. Only that the medical examiner stated 20 that it wouldn't kill him but it could explain some 21 behavior. 22 Q. Now you testified, I believe, that you 23 interviewed Mr. -- obviously you interviewed 24 Mr. Smith when he was in custody. And I believe	Page 136 1 BY MS. WHITE: 2 Q. So when you are conducting an 3 investigation, Detective, you're obviously looking 4 at the witness statements, correct? 5 A. Yes. 6 Q. There is also physical evidence to 7 consider? 8 A. Yes. 9 Q. And during the course of your 10 investigation, as a detective for almost -- as an 11 investigator for almost 20 years now, are there 12 times where the physical evidence contradicts what 13 a particular witness says about a circumstance or 14 events leading up to a crime? 15 A. I have been police officer for 19 years 16 and not an investigator, but, yes, that could 17 possibly occur, yes. 18 Q. So is it important to physical test the 19 evidence to make determinations about what is or is 20 not present in a crime scene? 21 A. Depending on the evidence, absolutely. 22 Q. There were multiple pieces of evidence 23 that you -- or the Chicago Police Department 24 recovered during the course of the investigation;
Page 135 1 that you are interview lasted for a period of time 2 where you asked him questions and he went through 3 the entire -- his version of events that night. 4 If, for example, Mr. -- there was 5 evidence that Mr. Joseph dropped to the ground 6 immediately after being shot, would that be in -- 7 that would be inconsistent with the testimony that 8 Mr. Smith provided that night, correct? 9 MS. WENGER: Objection, form. 10 MR. VAIDYA: Objection, join. 11 BY THE WITNESS: 12 A. Yes, not verbatim but in summation 13 Mr. Garrett Smith said that he reached around and 14 was touching near his wounds and backing up. 15 BY MS. WHITE: 16 Q. And if you learned additional 17 information about forensic evidence, that could 18 change whether or not Mr. Smith's version of events 19 would be consistent with physical evidence, is that 20 fair to say? 21 MS. WENGER: Objection, form. 22 MR. VAIDYA: Objection, join. 23 BY THE WITNESS: 24 A. That's potential, yes.	Page 137 1 is that correct? 2 A. Yes. 3 Q. There was a gun shot residue test or kit 4 taken from Garrett Smith on the night of the 5 shooting, correct? 6 A. Yes. 7 Q. What's a gunshot residue test? 8 A. A test of the molecules present in a 9 firearm or in close proximity to the firearm being 10 fired. 11 Q. And was that sent to the Illinois State 12 Police crime lab for testing and analysis? 13 A. No, it wasn't. 14 Q. Why not? 15 A. Because Garrett admitted to shooting and 16 all of the witnesses also stated the same. 17 Q. Did -- was there a gunshot residue kit 18 performed on Abnerd Joseph? 19 A. No. 20 Q. Why not? 21 A. Presumably he would have molecules on 22 him from a gunshot. 23 Q. There were multiple blood swabs that 24 were inventoried; is that correct?

Page 138 1 A. Correct. 2 Q. There were blood swabs taken from the 3 red stain on the carpet, is that correct? 4 A. Yes. 5 Q. Were those sent to the Illinois State 6 Police crime lab for testing and analysis? 7 A. No. 8 Q. Why not? 9 A. They were underneath the body of Abnerd 10 Joseph. 11 Q. There were also swabs for biological 12 evidence taken from the firearm that was recovered 13 from Mr. Smith that night; is that correct? 14 A. What was the question, swabs for what? 15 Q. For biological material taken from 16 Garrett Smith's gun that night, correct? 17 A. Yes, during the evaluation at the crime 18 lab, they often do that, yes. 19 Q. Were those sent to the Illinois State 20 Police crime lab for testing and analysis? 21 A. No. 22 Q. Why not? 23 A. There was no need. Garrett Smith 24 admitted firing the firearm.	Page 140 1 believe -- and correct me if I'm wrong -- his 2 actual statement to you was that Nerd was, 3 quote-unquote, off in the last two weeks? 4 A. Yes. Was Nerd was his nickname for 5 Abnerd for short. 6 Q. But the question regarding suicide was 7 not something that came up until that night from 8 Mr. Bent; is that correct? 9 A. Correct. 10 Q. There were also blood -- there were also 11 swabs of blood from the wall in the hall way that 12 were taken; is that correct? 13 A. That's correct. 14 Q. Those also were not sent to the Illinois 15 police crime lab for testing and analysis, right? 16 A. Correct. 17 Q. You mentioned that you had an 18 opportunity to review the 911 dispatch calls; is 19 that correct? 20 A. I did, yes. 21 Q. And according to -- and just so that I'm 22 clear, there are timestamps that are provided along 23 with those calls, correct? 24 A. Yes, it is an automated time stamping
Page 139 1 Q. There were also Mr. Smith -- it was also 2 Mr. Smith's shirt that was taken prior to your 3 interview from his body and placed into evidence, 4 correct? 5 A. That's correct. 6 Q. Was that sent to the Illinois State 7 Police crime lab for testing and analysis? 8 A. No. 9 Q. Mr. Joseph's robe was also taken from 10 his body following him being taken to the morgue 11 and that was placed into evidence as well, correct? 12 A. Correct. 13 Q. Was that sent to the Illinois State 14 Police crime lab for testing and analysis? 15 A. No, it wasn't. 16 Q. Now you testified briefly when you were 17 being asked questions by counsel about Mr. Bent's 18 statement to you and I believe you interviewed him 19 the night on scene, is that right, Jareth Bent? 20 A. Not on scene, no. I spoke to him in his 21 apartment at 13th and Michigan. 22 Q. So he told you, and I believe you 23 testified, that he had been -- that he had noticed 24 something about Mr. Joseph recently and I	Page 141 1 system, yes. 2 Q. And at approximately 7:21 p.m., 3 according to that, Mr. Nena first contacts 911; is 4 that correct? 5 A. I believe so. 6 Q. And it was approximately 7:34 p.m. when 7 Meredith Riccio contacts 911 regarding shots being 8 fired; is that correct? 9 A. I have no reason to dispute that. 10 Q. And so is it fair to say that between 11 approximately 10 to maybe 11 to 13 minutes from the 12 time Mr. Nena first called 911 -- excuse me, it was 13 approximately 10 to 13 minutes from the time 14 Mr. Nena initially called 911 at 7:21 to report the 15 screaming to the time that the shots were fired and 16 that call came in at 7:34? 17 MR. WANGLER: Counsel, show him the inquiries. 18 You can't expect him to know that off the top of 19 his head. 20 MS. WHITE: Give me a second and I can pull 21 that up. I'll pull that up and then I'll come back 22 in and get that for you. 23 BY MS. WHITE: 24 Q. But you had testified earlier that you

Page 142 1 thought that it was about a half an hour; is that 2 correct? 3 MR. VAIDYA: Objection, misstates prior 4 testimony. 5 MS. WENGER: Join. 6 MR. WANGLER: Join. 7 BY THE WITNESS: 8 A. This whole incident was less than half 9 an hour. 10 MS. WHITE: Okay. 11 BY MS. WHITE: 12 Q. How many homicides would you say you 13 have investigated during the course of your career, 14 Detective? 15 A. Any part of somewhere between 50 and 16 150. 17 Q. Okay. If I could just have a minute 18 I'll pull that up to show you. 19 So Detective Dowling, you mentioned 20 earlier that you were aware of some potential 21 inconsistencies between the prior statements of 22 Mr. Nena, Mr. Clement, the Bishopps, Mr. Smith and 23 the any civil depositions that were taken in this 24 case, correct?	Page 144 1 BY MS. WHITE: 2 Q. When you observed Mr. Smith walking from 3 the elevator back to the lobby after the shooting 4 occurred, did you observe any of his clothing to be 5 out of place? 6 MS. WENGER: Objection, form. 7 MR. VAIDYA: Join. 8 BY THE WITNESS: 9 A. I don't recall. 10 BY MS. WHITE: 11 Q. Do you recall him appearing disheveled 12 in any way? 13 A. I recall him placing his back against 14 the lobby wall and sliding down to his butt. 15 MS. WHITE: If I can have just a second. 16 Thank you. 17 MS. WENGER: Do you want someone else? 18 MS. WHITE: Yeah, someone else and then I 19 might just have couple more. 20 MS. WENGER: Who is next up? 21 MS. WHITE: Oh, you know what, I have a couple 22 of -- I'm sorry. I'll just make sure and then I'll 23 wrap it up. 24
Page 143 1 MR. VAIDYA: Objection, form. 2 MS. WENGER: Join. 3 MS. TRIBBIA: Join. 4 MR. KING: Join. 5 MS. WENGER: Also misstates testimony. 6 MR. WANGLER: Join. 7 BY THE WITNESS: 8 A. I didn't even know they provided 9 testimony, so I have no knowledge of anything. 10 BY MS. WHITE: 11 Q. And obviously the State's Attorney's 12 Office is not aware of that either, correct? 13 MR. WANGLER: Objection, lack of foundation. 14 How would he know? 15 MR. VAIDYA: Objection. 16 BY MS. WHITE: 17 Q. To your knowledge, is the State's 18 Attorney's Office aware of that? 19 A. I haven't talked to the State's 20 Attorney's Office about this case since it was 21 rejected. 22 MR. VAIDYA: Objection, form. 23 MS. WENGER: Join. 24	Page 145 1 BY MS. WHITE: 2 Q. So during the course of your interviews, 3 Mr. Nena, for example, was aware that Garrett Smith 4 had a weapon on him, is that fair to say? 5 A. That is correct. 6 MS. WENGER: Objection as to form. 7 MR. VAIDYA: Objection as to form. 8 BY MS. WHITE: 9 Q. And he took Mr. Smith along with 10 Mr. Bishopp and Mr. Clement, Mrs. Bishopp and -- up 11 to the 48th floor; is that correct? 12 MR. VAIDYA: Objection as to the form. 13 MS. WENGER: Join. 14 MR. WANGLER: Join. 15 BY THE WITNESS: 16 A. He never said he took them. They went 17 on their own. 18 BY MS. WHITE: 19 Q. They all went together, is that fair to 20 say? 21 A. That's correct. 22 Q. And knowing that Mr. Smith was armed 23 with a gun; is that correct? 24 MR. WANGLER: Object to foundation.

Page 146 1 MR. VAIDYA: Objection. 2 MS. WENGER: Objection. 3 MR. NEGA: Join. 4 BY THE WITNESS: 5 A. That's correct. 6 BY MS. WHITE: 7 Q. At the time that they were in the lobby 8 prior to going upstairs, based on your review of 9 the body -- of the video, as well as your 10 investigation in this case, were they facing any 11 type -- they were in a place of safety, is that 12 fair to say? 13 MS. WENGER: Objection. 14 MR. WANGLER: Objection as to form. 15 MR. VAIDYA: Objection. 16 MS. WENGER: Calls for speculation. 17 MR. NEGA: Join. 18 BY THE WITNESS: 19 A. There was no threat in that lobby at 20 that time. 21 BY MS. WHITE: 22 Q. And based on the information at that 23 time, there was -- Mr. Joseph was up on the 48th 24 floor, is that what you learned during the course	Page 148 1 with a weapon? 2 MR. WEISS: Objection. 3 MS. WENGLER: Objection. 4 MR. WANGLER: Objection, join. 5 MR. VAIDYA: Join. 6 BY THE WITNESS: 7 A. I mean you're free to confront anybody 8 you want to from a criminal standpoint. 9 BY MS. WHITE: 10 Q. Well, I guess my question, just to be 11 clear, Detective, is if you are claiming self 12 defense, for example, like Mr. Smith is, are you 13 allowed to go from a place of safety to a place of 14 danger and then claim self defense? 15 MR. VAIDYA: Objection. 16 MR. WANGLER: Objection, asked and answered, 17 form, calls for speculation. Go ahead. 18 MR. VAIDYA: Calls for a legal conclusion. 19 MS. WENGER: And incomplete hypothetical as 20 well. 21 MR. WEISS: Join. 22 MR. NEGA: Join as well. 23 MS. TRIBBIA: Join. 24 MR. KING: Join.
Page 147 1 of your investigation? 2 MR. VAIDYA: Objection as to form. 3 MS. WENGER: Join. 4 BY THE WITNESS: 5 A. That's correct. 6 BY MS. WHITE: 7 Q. And they -- the group, went upstairs to 8 where Mr. Joseph was; is that correct? 9 A. They went to the 48th floor, yes, where 10 Abnerd Joseph was located. 11 Q. And based on your training and 12 experience, are you allowed to go from a place of 13 safety to a place of potential danger and then 14 claim self defense? 15 MR. VAIDYA: Objection. 16 MS. WENGER: Objection, form, calls for a 17 legal conclusion, calls for speculation. 18 MR. WANGLER: Join. 19 MR. KING: I join as well. 20 BY THE WITNESS: 21 A. My investigation revealed there is 22 nothing criminal with moving around your building. 23 BY MS. WHITE: 24 Q. Are you allowed to go confront somebody	Page 149 1 BY THE WITNESS: 2 A. There are some situations where an 3 individuals could put them self in a position where 4 they do claim self defense and it wouldn't be 5 valid. 6 BY MS. WHITE: 7 Q. And one of those times was if, for 8 example, they created a dangerous situation, is 9 that fair to say? 10 A. Yes. 11 Q. That they didn't deescalate when that 12 was appropriate? 13 MR. VAIDYA: Objection. 14 MS. WENGER: Form. 15 MS. TRIBBIA: Objection, misstates the 16 standard. 17 MR. VAIDYA: Join. 18 BY THE WITNESS: 19 A. Deescalation can be a criteria at some 20 point but sometimes there is a time for 21 deescalation. 22 BY MS. WHITE: 23 Q. But in this case, Mr. Smith, 24 Mr. Clement, Mr. Nena, and the Bishopps were all

Page 150 1 downstairs and then they went upstairs to the 2 48th floor, correct? 3 A. Correct. 4 Q. And based on your investigation, when 5 they observed Mr. Joseph on the 48th floor, they 6 didn't retreat, correct? 7 MS. WENGER: Objection. 8 MS. TRIBBIA: Objection, misstates the 9 testimony. He's already testified that 10 Mrs. Bishopp was not there. 11 MR. VAIDYA: Join. 12 MS. WENGER: Mischaracterizes testimony. 13 MR. NEGA: Join. 14 BY THE WITNESS: 15 A. At different points after the shooting, 16 Andy Clement crawled away and Garrett Smith back 17 pedaled while firing. 18 BY MS. WHITE: 19 Q. But I guess my question to you is, when 20 they arrived upstairs, you -- Mr. Smith's testimony 21 and some of the other witnesses -- and for the 22 record I'm not referring to Mrs. Bishopp because I 23 believe her testimony is that she was in the other 24 direction -- but after Mr. Nena was allegedly	Page 152 1 MS. WENGER: Mr. and Mrs. Bishopp. 2 MS. WHITE: I'm sorry, Mr. and Mrs. Bishopp. 3 Excuse me. 4 BY THE WITNESS: 5 A. That's correct. 6 BY MS. WHITE: 7 Q. Garrett never went to check with the 8 Bishopps to see whether or not their door was 9 locked, correct? 10 A. Correct. 11 Q. And Mr. Nena never went with the 12 Bishopps to see if there door was locked, correct? 13 MR. VAIDYA: Objection, form. 14 BY THE WITNESS: 15 A. Correct. 16 MR. VAIDYA: Misstates -- 17 BY THE WITNESS: 18 A. Sorry. Correct. 19 BY MS. WHITE: 20 Q. During -- and based on injure 21 investigation, you went up to the 48th floor, is 22 that right? 23 A. Yes. 24 Q. And Mr. and Mrs. Bishopps' condo is --
Page 151 1 struck by Abnerd Joseph, they could have retreated, 2 correct? 3 MS. WENGER: Objection, calls for speculation. 4 MR. WANGLER: Objection. 5 MR. VAIDYA: Objection, misstates the 6 testimony. 7 MR. NEGA: Join. 8 BY THE WITNESS: 9 A. Mr. Nena said he was struck two or three 10 times in the face which caused him to fall back in 11 the wall and strike his elbow and he begin to fall 12 to the ground. 13 BY MS. WHITE: 14 Q. You originally learned during the course 15 of your investigation that the Bishopps were 16 worried about their door being unlocked, correct? 17 A. Correct. 18 Q. Mr. Bishopp never told you that he went 19 to go check whether or not the door was locked, 20 correct? 21 A. That's correct. 22 Q. Mr. Clement never told you that he went 23 to check whether or not Mrs. and Mrs. Clement's 24 door was locked, right?	Page 153 1 and correct me if I'm wrong -- and I believe it's 2 to the left when you walk out the elevator; is that 3 correct? 4 MS. WENGER: Objection, form. It depends on 5 which elevator you are in. 6 BY MS. WHITE: 7 Q. Well, let me ask it this way. 8 Mr. Joseph was not in front of the 9 Bishopps' door when they arrived to -- you heard 10 nothing during the course of all of your interviews 11 that he was near the Bishopps' door when they got 12 to the 48th floor; is that correct? 13 A. When Mrs. Bishopp exited the elevator 14 bank, she went eastbound towards her unit. Abnerd 15 Joseph was westbound by Shirley Meng's door. 16 Q. And based on the information you learned 17 during the course of your investigation, 18 Mr. Bishopp went in the direction of Mr. Joseph; is 19 that correct? 20 A. Correct, westbound. 21 Q. Mr. Nena went in the direction of 22 Mr. Joseph, correct? 23 A. Correct. 24 Q. Mr. Clement went in the direction of

Page 154 1 Mr. Joseph, correct? 2 A. Yes. 3 Q. And Mr. Smith also went in the direction 4 of Mr. Joseph? 5 A. That's correct. 6 Q. No one relayed to you that they 7 contacted 911 again while they were on the 48th 8 floor, correct? 9 A. That is correct. 10 Q. There is an elevator on the 48th floor 11 is that right? 12 A. There is several. 13 Q. And there is also stairs between the 14 floors there; is that correct? 15 A. Yes. 16 Q. So is it fair to say that they -- they 17 could have gone back down the elevator that they 18 came up? 19 MS. WENGER: Objection, calls for speculation. 20 MR. WANGLER: Objection. 21 MR. VAIDYA: Join. 22 BY THE WITNESS: 23 A. Depending on what point of the 24 interaction, yes.	Page 156 1 that time, correct? 2 A. That's correct. 3 Q. He was the front desk personnel, 4 correct? 5 A. They referred to it as doorman, but yes. 6 Q. And Mr. Smith, Mr. Clement and the 7 Bishopps were residents; is that correct? 8 A. Correct. 9 Q. Did the State's Attorneys office know 10 that Mr. Nena knew that Mr. Clement -- that 11 Mr. Smith had a gun prior to going upstairs with 12 the rest of the individuals to the 48th floor? 13 A. It was presented to them, so, yes, they 14 would know. 15 Q. Are armed -- is it legal to act as armed 16 vigilantes to take matters into your own hands? 17 MR. VAIDYA: Objection. 18 MS. WENGER: Objection, calls for a legal 19 conclusion, form. 20 MR. VAIDYA: Join. 21 MS. TRIBBIA: Join. 22 MR. WEISS: Join. 23 MS. TRIBBIA: Join. 24 MR. NEGA: Join.
Page 155 1 BY MS. WHITE: 2 Q. And depending where they were, they also 3 could have used the stairways to go in between the 4 floors to get away from Mr. Joseph, is that 5 correct? 6 MS. WENGER: Objection, calls for speculation. 7 BY THE WITNESS: 8 A. I know there is a stairwell on the west 9 side. I don't know if there is a stairwell on the 10 east side. 11 BY MS. WHITE: 12 Q. When you reviewed -- did you review the 13 body worn camera of Mr. Nena's initial interview on 14 scene? 15 A. Yes, I did. 16 Q. And in that interview, he told the 17 responding officers that he got the four guys, 18 including the guy with the gun, to go to the 48th 19 floor; is that correct? 20 A. I don't recall the verbiage. 21 Q. When he first spoke to the police, he 22 was aware that Mr. Smith had a gun, correct? 23 A. Yes. 24 Q. He was the employee of the building at	Page 157 1 BY THE WITNESS: 2 A. What do you mean by vigilante? 3 BY MS. WHITE: 4 Q. Can a group act as a posse to go 5 confront someone when somebody else is armed? 6 MR. VAIDYA: Objection to form. 7 MS. WENGER: Objection. 8 MR. NEGA: Objection. 9 MS. WENGER: Join. 10 MR. KING: Join. 11 BY THE WITNESS: 12 A. I think it's dependent, and, 13 hypothetically speaking, it's very broad. 14 BY MS. WHITE: 15 Q. Can a group go from a place of safety 16 with a gun to confront somebody when the police 17 have not arrived? 18 MR. VAIDYA: Objection. 19 MR. WANGLER: Asked and answered. 20 MR. NEGA: Join. 21 MS. WENGER: Incomplete hypothetical, calls 22 for speculation. 23 BY THE WITNESS: 24 A. I mean, if there is a situation my first

Page 158 1 thought is a school shooting. If there is somebody 2 shooting a school, I would want somebody to 3 intercede in a school shooting, so that would be a 4 case where somebody is armed in an encounter. So 5 it's very broad. 6 BY MS. WHITE: 7 Q. This isn't a school shooting. This 8 wasn't a school shooting, correct? 9 A. Correct. 10 Q. The information that -- based on your 11 investigation, the information at the time was that 12 Mr. Joseph was pounding on doors, correct? 13 A. Yes. 14 Q. And that he was yelling? 15 A. Yes. 16 Q. There was no information based on your 17 investigation that he was -- no one called in 18 saying there was somebody who was armed in the 19 building, right? 20 A. That is correct. 21 Q. There was no call that anybody had been 22 physically assaulted? 23 A. Correct. 24 MS. WENGER: Objection, misstates testimony.	Page 160 1 MS. WENGER: Join. 2 BY THE WITNESS: 3 A. Do you mean the police response? 4 MS. WHITE: Yes. 5 BY MS. WHITE: 6 Q. I'm sorry, the police did not. There 7 was not a police response at that point, correct? 8 A. At what point? 9 Q. At the time they went up to the 48th 10 floor? 11 A. Oh, that is correct. 12 Q. But the police had been called, correct? 13 A. Correct. 14 Q. More than one individual called 911, 15 correct? 16 A. Several callers, yes. 17 Q. And they could have waited downstairs 18 for the police to arrive; is that correct? 19 A. That is correct. 20 MS. WENGER: Objection, calls for speculation. 21 MR. VAIDYA: Join. 22 BY MS. WHITE: 23 Q. Mr. Nena chose not to wait for the 24 police, correct?
Page 159 1 MR. VAIDYA: Join. 2 BY MS. WHITE: 3 Q. Prior to them going upstairs to the 48th 4 floor? 5 A. Prior, yes. 6 Q. There was no -- there was no information 7 that there was a criminal -- even a criminal damage 8 to property on site prior to them going up to the 9 48th floor; is that correct? 10 MS. WENGER: Objection. 11 MR. VAIDYA: Objection, form. 12 BY THE WITNESS: 13 A. That is correct. 14 BY MS. WHITE: 15 Q. So the only information, based on your 16 investigation that was available prior to them 17 going up to the 48th floor, was the -- so Mr. Nena 18 had called 911, correct? 19 A. Yes. 20 Q. Mr. Smith had called 911? 21 A. Yes. 22 Q. And it was -- and 911 did not come 23 immediately, is that fair? 24 MR. WANGLER: Objection, form.	Page 161 1 A. Correct. 2 Q. Mr. Smith chose not to wait for the 3 police, correct? 4 A. Correct. 5 Q. Mrs. Bishopp chose not to wait for the 6 police? 7 MS. TRIBBIA: Objection, mischaracterizes 8 Mrs. Bishopp's knowledge and actions. 9 MR. VAIDYA: I'm going to object to the form 10 of all of those questions. 11 MS. WENGER: Join. 12 BY THE WITNESS: 13 A. Correct. 14 BY MS. WHITE: 15 Q. Mr. Bishopp did not wait for the police 16 prior to going up to the 48th floor, is that right? 17 MR. VAIDYA: Renew objection. 18 MS. TRIBBIA: Objection. 19 MR. NEGA: Join. 20 MS. WENGER: Join. 21 BY THE WITNESS: 22 A. Correct. 23 BY MS. WHITE: 24 Q. Mr. Smith did not wait for the police to

Page 162 1 arrive before going to the 48th floor, correct? 2 MR. VAIDYA: Renew my objection. 3 MS. WENGER: Join. 4 BY THE WITNESS: 5 A. Correct. 6 BY MS. WHITE: 7 Q. When they were in the lobby prior to 8 going up to the 48th floor, Mr. Nena was not in 9 harms way, is that right? 10 MR. VAIDYA: Objection, form. 11 MS. WENGER: Join. 12 MR. DERATANY: What's the objection? Do you 13 have a basis? 14 MS. WENGER: He said form. 15 BY MS. WHITE: 16 Q. Let me ask it a different way. 17 Mr. Nena was not facing any type of 18 physical threat at the time; is that correct? 19 MR. VAIDYA: Objection, form. 20 BY THE WITNESS: 21 A. Not that he made me aware of, no. 22 BY MS. WHITE: 23 Q. You watched -- you observed the video, 24 correct?	Page 164 1 BY THE WITNESS: 2 A. No. 3 MS. WHITE: That's all I have. 4 MR. KING: Can we take five minutes? 5 THE VIDEOGRAPHER: This marks the end of media 6 No. 2. The time is 2:03 p.m. We are off the 7 record. 8 (WHEREUPON, a break was taken.) 9 THE VIDEOGRAPHER: This marks the beginning of 10 media No. 3. The time is 2:12 p.m. We are on the 11 record. 12 EXAMINATION 13 BY MS. TRIBBIA: 14 Q. All right. Detective Dowling, my name 15 is Chris Tribbia. I represent Mr. and Mrs. Bishop 16 in this case. I'm going to jump around a little 17 bit because I think during the past three and a 18 half hours we've covered quite a bit, so I'm just 19 going to try and pick up on a couple things here 20 and tere. 21 The first thing I was going to go back 22 to was when you were at the scene at any point did 23 you ever go into Mr. Joseph's apartment into his 24 unit?
Page 163 1 A. Correct. 2 Q. Based on what you could see in the 3 video, was there any threat to Mr. Nena at the time 4 prior to them going up to the 48th floor? 5 A. No, there wasn't. 6 Q. Was there a threat to Mr. Smith prior to 7 him going up to the 48th floor? 8 MS. WENGER: Objection, form. 9 BY THE WITNESS: 10 A. No. 11 MR. VAIDYA: Join. 12 BY MS. WHITE: 13 Q. Was there a threat to Mrs. Bishopp prior 14 to her going up to the 48th floor from the lobby? 15 A. No. 16 Q. Did Mr. Bishopp face any threat in the 17 lobby before he went up to the 48th floor? 18 A. No. 19 Q. Did Mr. Clement face any threat while he 20 was in the lobby before he went up to the 48th 21 floor? 22 MR. VAIDYA: Objection as to the form of all 23 of these questions. I renew my prior objection. 24	Page 165 1 A. Myself, no. 2 Q. Okay. Did anybody, to your knowledge, 3 any of your detectives or responding officers did 4 anybody ever go in there? 5 A. My Sergeant Kolman, K-o-l-m-a-n, Star 6 No. 2000 and our Lieutenant Lamparis went in there 7 and did a visual sweep to make sure that nobody was 8 harmed or needed help. 9 Q. To your knowledge, did they do any sort 10 of inspection or cataloging of medication or drugs 11 or alcohol that were visible? 12 A. No. It was just a visual sweep to see 13 if anybody needed medical aid. 14 Q. Understood. Is another part of your 15 investigation in this type of situation to 16 determine whether the person -- what was testimony 17 that the person was behaving a certain way whether 18 there is any evidence of drugs, alcohol or any type 19 of drugs or alcohol in the person's unit? 20 A. It can be in some investigations, yes. 21 Q. And that was not something that was 22 investigated here, right? 23 A. Correct. 24 Q. Okay. When Mr. Charles, Mr. Joseph's

Page 166 1 brother, advised that he had -- I think you said he 2 advised that he had an Adderall prescription; is 3 that correct? 4 A. Yes. 5 Q. Do you have any idea whatever happened 6 to that Adderall prescription itself? 7 A. I don't know. 8 Q. Okay. So you have no knowledge and it 9 was not part of the investigation as to how many 10 pills of Adderall Mr. Joseph may have consumed at 11 that point, correct? 12 A. Correct. 13 Q. And Mr. Charles never offered that 14 information to you. He never gave you the pills as 15 evidence or anything like that, did he? 16 A. He did not. 17 Q. Do you know if Mr. Charles took those 18 pills with him? 19 MS. WHITE: Objection, calls for speculation. 20 MR. DERATANY: Objection, requires 21 speculation. 22 MS. WHITE: Join. 23 MS. TRIBBIA: I asked. 24	Page 168 1 Q. And they didn't witness whatever was 2 happening on the 48th floor after they boarded the 3 elevator, correct? 4 A. Correct. 5 Q. At any point did Mrs. Bishopp ever make 6 a statement to you that she thought that going back 7 up to the 48th floor was a dangerous place to go? 8 A. No, she didn't. 9 Q. At any point did Mr. Bishopp ever state 10 to you that going to the 48th floor was a dangerous 11 place to go? 12 A. He did not. 13 Q. And they, in fact, owned a unit on the 14 48th floor, correct? 15 A. Yes. 16 Q. And I believe you mentioned this but I 17 just want to make clear, there is nothing illegal 18 or criminal about Mr. and Mrs. Bishopp returning to 19 the floor in which they lived, the 48th floor, 20 correct? 21 A. Correct. 22 Q. Do you have any idea how long that 23 entire interaction with Mr. Joseph, how long that 24 interaction lasted?
Page 167 1 BY THE WITNESS: 2 A. I don't even know if the pills exist. 3 MS. TRIBBIA: Okay. Thank you. 4 BY MS. TRIBBIA: 5 Q. In terms of you were asked a series of 6 questions by counsel at the end just now which drew 7 a bunch of objections but what I would like to ask 8 you about is did you -- there were a lot of 9 questions about everybody going up to the 48th 10 floor again. 11 Is it not possible that Mr. Joseph could 12 have left the 48th floor by the time people went 13 back up there? 14 A. Yes. 15 Q. At the time at that Mr. and Mrs. Bishopp 16 first encountered Mr. Joseph, that was just, as I 17 understand it, it was just off the elevator, 18 correct? 19 A. They were boarding the elevator as 20 Abnerd Joseph was exiting. 21 Q. So they did not witness any -- to your 22 knowledge, they did not witness anything that 23 happened on the 29th floor, correct? 24 A. Correct.	Page 169 1 A. Several seconds. 2 Q. Okay. So when counsel was asking you 3 about all of the different things that could 4 possibly -- people can possibly can use, that's all 5 just speculative, correct? You have no idea how 6 long anybody could have done anything in that 7 period of time? 8 A. Correct, every case is different. 9 MR. DERATANY: Objection. 10 BY MS. TRIBBIA: 11 Q. And you would agree that at least as to 12 Mr. Bishop, you would agree that he had told you 13 that he had fallen to the floor, correct? 14 A. That is correct. 15 Q. Okay. Would you understand that to be 16 the behavior of somebody who was scared of what was 17 happening? 18 A. That was a result of Mr. Nena and 19 Mr. Clement falling backwards. 20 Q. Okay. And that was after Mr. Joseph had 21 assaulted them, correct? 22 A. Correct. 23 Q. You don't know -- aside from what you 24 have in your notes and what you have written in

Page 170 1 your report, you don't have any knowledge as to 2 what Mr. and Mrs. Bishop were thinking when they 3 went up to the 48th floor, correct? 4 A. Correct. 5 MR. DERATANY: What they were thinking? 6 Objection, requires speculation as to what they 7 were thinking. 8 MS. TRIBBIA: Okay. Those are all of the 9 questions I have. Thank you. 10 EXAMINATION 11 BY MR. WEISS: 12 Q. Good afternoon, Detective. Michael 13 Weiss. I represent Sudler, Deborah Romero and 14 Dominic Tedaldi. 15 Based on your prior testimony and my 16 review of the reports that were provided so far, 17 it's my understanding you during your investigation 18 you only spoke with Ms. Romero one occasion; is 19 that correct? 20 A. She actually called our detective 21 division, I believe, the next day after the 22 shooting. 23 Q. Okay. Do you recall what she called -- 24 the reason for her calling?	Page 172 1 have said some maybe situational questions like 2 where could we interview a witness, things like 3 that, nothing substantive of this -- this incident. 4 Q. Same with Ms. Romero. Would it be safe 5 to assume that you never investigated Mr. Tedaldi 6 for involuntary manslaughter? 7 A. No. 8 Q. You never investigated Mr. Tedaldi for 9 reckless homicide? 10 A. No. 11 Q. You never investigated Mr. Tedaldi for 12 negligent homicide? 13 A. No. 14 Q. It's my understanding -- and please 15 correct me if I'm wrong -- in Illinois a 16 corporation can be held liable under a theory of -- 17 or for involuntary manslaughter or reckless 18 homicide if their acts or omissions contributed to 19 death of an individual; is that correct? 20 A. In specific cases like a trucking 21 company, stuff like that, but nothing that pertains 22 to my case was -- was a corporation involved. 23 Q. Okay. So just to clear it up, Sudler 24 was never under investigation for involuntary
Page 171 1 A. There was a disturbance in their lobby 2 there at 60 East Monroe, so I advised her to call 3 911. 4 Q. The Abnerd Joseph disturbance or this 5 was afterwards? 6 A. Afterwards. 7 Q. Okay. So separate events? 8 A. Yes. 9 Q. Okay. Thank you. Did you ever 10 investigate Ms. Romero for involuntary 11 manslaughter? 12 A. No. 13 Q. Did you ever investigate her for 14 reckless homicide? 15 A. No. 16 Q. Did you investigate her for negligent 17 homicide? 18 A. No. 19 Q. During the course of -- excuse me. 20 Strike that. 21 During the course of your investigation, 22 did you ever speak with Dominic Tedaldi? 23 A. He was around me in conversations. 24 Directly spoken to him, I don't believe so. I may	Page 173 1 manslaughter or reckless homicide of Mr. Joseph? 2 A. No. 3 MR. WEISS: That's all I have. Thank you. 4 EXAMINATION 5 BY MR. NEGA: 6 Q. Hi, Detective. My name is Michael Nega. 7 I represent Andy Clement in this case. Thank you 8 for being here today. 9 Can you hear me? Sometimes my 10 headphones aren't catching my voice. 11 A. I can hear you. 12 Q. Did Mr. Clement ever tell you he felt 13 going up to the 48th floor was dangerous prior to 14 him actually going to the 48th floor? 15 A. No. 16 Q. And from your experience and everything 17 you know, there is nothing criminal about Andrew 18 Clement, as a resident of the building, going up to 19 the 48th floor prior to the shooting, correct? 20 A. Correct. 21 Q. And have you -- and you saw no evidence 22 that warranted charging Andrew Clement with any 23 crime, correct? 24 A. Correct.

Page 174 1 Q. Detective, do you remember your 2 testimony regarding witnesses telling you Andrew 3 Clement was punched by Abnerd Joseph prior to the 4 shooting? 5 A. Yes. 6 Q. Who reported to you that Andrew Clement 7 was struck by Mr. Joseph? 8 A. Mr. Smith, Mr. Nena and Mr. Bishopp. 9 Q. Did anyone report to you that Andy 10 Clement was the aggressor in this situation? 11 A. No. 12 Q. Detective, do you remember your 13 testimony regarding Bernard Schott and him stating 14 something of the sort that he heard skin hitting 15 muscle just prior to gunshots? 16 A. I don't remember skin hitting muscle but 17 something to the effect of a punch hitting skin or 18 muscle. 19 Q. I may have misstated it. My apologies, 20 Detective. 21 Did you ever record this in any written 22 report? 23 A. I don't recall. 24 Q. Okay. I don't know if this was shared	Page 176 1 person Riccio? 2 A. It would be Meredith Riccio or Riccio, 3 yes. 4 Q. And this is an interview you attended 5 with the ASA? 6 A. Correct. 7 Q. Okay. And here you indicate it's the 8 one, two, three, four, five -- the fifth line down, 9 Schott recalled hearing what he describes as, 10 quote, a punch striking a meaty surface before he 11 heard shots being fired, period. 12 A. Yes. 13 Q. Do you remember hearing Schott saying 14 this to you? 15 A. I do. 16 Q. And is that why you wrote this down in 17 this report? 18 A. Correct. 19 Q. Okay. I'm going to stop sharing my 20 screen. 21 What did you take this to mean? 22 A. I took that to mean the punch that 23 struck Andy Clement. 24 Q. Okay. So in your opinion, did this
Page 175 1 as an exhibit but it's your case supplemental 2 report from July 23, 2023. If it was, I'll mark it 3 as that exhibit. If it's not, I can mark it as a 4 new one. 5 MS. WENGER: I think that's a new one. 6 MS. WHITE: July 2025 he is showing. 7 MR. NEGA: July 2025. 8 MS. WHITE: That's Exhibit I. 9 MR. NEGA: Okay. So this has been already 10 been marked as Exhibit I. 11 BY MR. NEGA: 12 Q. Detective, is this your case 13 supplemental report? 14 A. It is. 15 Q. Okay. I'm going to scroll down to 16 page 22 of 24, Detective. Can you see my screen? 17 A. I can. 18 Q. What I have highlighted? 19 A. Your right edge is cut off a little bit. 20 Q. The last paragraph of page 22 of 24? 21 A. Yes. 22 Q. And is this an interview that you 23 attended with the ASA in August of 2024 with 24 Bernard Schott and I forgot the first name of the	Page 177 1 corroborate the statements you received from 2 witnesses including -- or indicating Abnerd Joseph 3 punched Andy Clement prior to the shooting? 4 A. Yes. 5 MR. DERATANY: I'll note an objection, 6 213. 7 MR. NEGA: You can answer, Detective. 8 BY THE WITNESS: 9 A. Yes. 10 MR. NEGA: That's all I have for you. Thank 11 you. 12 MR. KING: Am I up? 13 MS. WENGER: Yep. 14 EXAMINATION 15 BY MR. KING: 16 Q. Detective, I'm Mike King and I represent 17 Garrett Smith. 18 So when you first arrived on the scene, 19 was it your understanding that Garrett Smith was 20 pretty shaken? 21 A. I had a brief interaction with Garrett 22 Smith at the transport vehicle. I wouldn't 23 characterize him at that but it was very brief. I 24 didn't do a big evaluation of him.

45 (Pages 174 - 177)

Page 178 1 Q. But you saw the videotape of him 2 collapsing on the floor in the lobby? 3 A. Yes. 4 Q. During the time that you were making 5 your initial investigation, did Mr. Smith cooperate 6 with you and other police officers about what had 7 happened? 8 A. Yes, he did. 9 Q. Is it your understanding that Mr. Smith 10 actually called 911 initially and then called 911 a 11 second time after the shooting? 12 A. That is correct. 13 MR. DERATANY: Objection, foundation. 14 MR. KING: You can answer the question. 15 BY THE WITNESS: 16 A. That is correct. 17 BY MR. KING: 18 Q. Okay. With respect to calls to 911, is 19 there a priority in responding to those calls or 20 how they're handled? 21 A. Yes. When the Office of Emergency 22 Management gets a call, it's prioritized 1 through 23 4. 24 Q. And what are those categories?	Page 180 1 BY THE WITNESS: 2 A. Generally speaking, they would respond 3 to the scene and perform a preliminary 4 investigation. 5 BY MR. KING: 6 Q. Would that be an emergency sirens 7 blaring, Mars lights flashing and racing down the 8 street? 9 MS. WHITE: Objection, calls for speculation. 10 BY THE WITNESS: 11 A. Not necessarily. 12 MR. DERATANY: Join. 13 BY MR. KING: 14 Q. So you mentioned -- just to jump around 15 a little bit. You mentioned that your lieutenant 16 and another officer went into the apartment of 17 Mr. Joseph to see if anybody was there and needed 18 medical treatment or was injured. Do you recall 19 that testimony? 20 A. Yes, sir. 21 Q. All right. And would the same concerns 22 be appropriate for Mr. Nena who was the building 23 employee and was working the front desk to find out 24 whether there were any residents were injured and
Page 179 1 A. It's a ranking system for police 2 response. So 1 might be a domestic, person with a 3 gun. 4 might be a traffic accident or a downed 4 pole. 5 Q. So if the initial call that came into 6 911 suggested there was a disturbance in the 7 hallway, where would that rank in terms of a police 8 response? 9 A. A disturbance in a hallway would be -- 10 MR. DERATANY: Objection, incomplete 11 hypothetical. 12 BY THE WITNESS: 13 A. It could be a 3 or a 4. 14 BY MR. KING: 15 Q. All right. And what would be the 16 response to -- what would be the ranking with shots 17 fired or somebody shot? 18 A. That would be a Priority 1 call. 19 Q. Okay. So with respect to the response 20 to a priority 3 call, what would, if you know, what 21 would be a typical police response? 22 MS. WHITE: Objection, form of the question, 23 vague. 24 MR. DERATANY: Join.	Page 181 1 needed medical assistance on the 48th floor or the 2 29th floor or anyplace else? 3 MS. WHITE: Objection, form. 4 MR. DERATANY: Objection, form, foundation, 5 requires speculation on his part. 6 MS. WHITE: Join. 7 MR. KING: You can answer that question. 8 BY THE WITNESS: 9 A. I don't know what his job entails. 10 BY MR. KING: 11 Q. So when police -- when the first police 12 officers arrived at the scene of the incident, 13 what's the first thing that they do when they're 14 greeted at the door? 15 A. They secure the scene. 16 Q. And do they also ask what's going on a 17 situational report? 18 A. Absolutely. 19 Q. So if you know, did the first responding 20 officers who arrived at the 60 East Monroe 21 building, inquire what was going on and where it 22 was located within the building? 23 MR. DERATANY: Objection, foundation, requires 24 speculation.

Page 182 1 BY THE WITNESS: 2 A. Is there a specific officer? 3 BY MR. KING: 4 Q. No. I'm just asking when the first 5 officers walked in, did they inquire and would they 6 have inquired of Mr. Nena and others what was going 7 on and, you know, where the disturbance was located 8 so they would know how to respond and where? 9 A. That would be a question first 10 responding officers would ask, sure. 11 Q. And is it your understanding that the 12 only way Mr. Nena could have answered those 13 questions was by going up to find out what the 14 situation was whether somebody needed help, a 15 medical emergency or whatever? 16 MS. WHITE: Objection, calls for speculation, 17 form of the question. 18 MR. DERATANY: Join. 19 BY THE WITNESS: 20 A. Each situation is different and what 21 each individual does is different. 22 BY MR. KING: 23 Q. Now you were responsible for this 24 investigation; is that correct, sir?	Page 184 1 Q. And is there anybody else other than 2 case see who was not interviewed that you thought 3 might have any relevant information? 4 A. No, I would have interviewed them. 5 Q. So during the investigation, did you 6 have an understanding of what the physical distance 7 was between Mr. Nena and Mr. Clement, Mr. Smith and 8 Mr. Bishopp at the time they got off the elevator 9 and moved to the corridor where Mr. Joseph was? 10 A. I had a general understanding. It 11 wasn't an exact science, but, yes, I had a general 12 understanding. 13 Q. And were they, in your opinion and to 14 the best of your knowledge, bunched together within 15 a very short distance of each other? 16 MS. WHITE: Objection. 17 MR. DERATANY: Objection, form, foundation 18 inquires speculation. 19 MS. WHITE: Join. 20 BY THE WITNESS: 21 A. They were more in a line as they 22 approached the west side of the hallway. 23 BY MR. KING: 24 Q. Do you have any sense of how much
Page 183 1 A. Yes, sir. 2 Q. And in a situation where somebody has 3 been killed, is it important to you that the 4 investigation be thorough and complete? 5 A. Yes. 6 Q. As part of that, did you interview every 7 known witness to the shooting? 8 A. Direct witness, yes. 9 Q. Okay. And as part of your investigation 10 you or other police officers interviewed everybody 11 who you knew or reasonably knew anything about the 12 circumstances of what had occurred? 13 A. No, that's not true. 14 Q. Who was not interviewed that you think 15 might have had information that would have been 16 relevant to your investigation? 17 A. I don't believe it was relative to the 18 investigation but Kacey was not interviewed by 19 myself. 20 Q. But he didn't have any, as far as you 21 know, didn't have any direct knowledge. He wasn't 22 in the building. He wasn't on the premises. He 23 wasn't there for the shooting? 24 A. Correct.	Page 185 1 distance there was between each of them in the 2 line? 3 A. It varied. 4 Q. What's your best estimate of the 5 distance between the first person in the line and 6 the last person in the line? 7 A. Close enough when Mr. Nena fell 8 backwards, he fell towards Mr. Clement. 9 Q. So is it your understanding that the 10 first person who Mr. Joseph assaulted was Mr. Nena? 11 A. Yes. 12 MR. DERATANY: Objection, form, foundation. 13 BY THE WITNESS: 14 A. Yes. 15 BY MR. KING: 16 Q. And the second was Mr. Clement, is that 17 right? 18 MR. DERATANY: Objection as to form, assault. 19 MS. WHITE: Join. 20 BY THE WITNESS: 21 A. Correct. 22 BY MR. KING: 23 Q. And what time difference do you think 24 there was between the time that Mr. Nena was hit

47 (Pages 182 - 185)

Page 186 1 and the time that Mr. Clement was hit? 2 A. The witnesses related it was very fast. 3 Q. Is that ten minutes, is that ten 4 seconds, what's your best understanding? 5 A. Within seconds. 6 Q. And what was the distance, if you know, 7 between Mr. Clement and Mr. Smith when Mr. Smith 8 was a salted? 9 MR. DERATANY: Objection, form. 10 MS. WHITE: Join. 11 BY THE WITNESS: 12 A. They were in the same hallway but as to 13 exact distance I wouldn't know. 14 BY MR. KING: 15 Q. All right. And do you have a sense of 16 how much time elapsed between the time that 17 Mr. Clement was hit and the time that Mr. Smith 18 fired? 19 A. Within seconds. 20 MS. WHITE: Objection as to form of the 21 question, foundation. 22 MR. DERATANY: Join. 23 BY THE WITNESS: 24 A. Within seconds.	Page 188 1 to Abnerd Joseph falling on top of Garrett Smith. 2 BY MR. KING: 3 Q. So you said that there was blood on the 4 wall. Do you recall that testimony? 5 A. I do. 6 Q. All right. And Mr. Smith -- Joseph was 7 the only who was injured and pleading of the group 8 that was there is that right? 9 MS. WHITE: Objection, misstates his 10 testimony. 11 BY THE WITNESS: 12 A. Garrett Smith received a Band-Aid to his 13 finger from the Chicago Fire Department and had an 14 abrasion to the top of his head, his knees and his 15 back. 16 BY MR. KING: 17 Q. Is it your understanding that the blood 18 on the wall came from Mr. Joseph falling or from 19 the shots being hitting Mr. Joseph? 20 MS. WHITE: Objection, form, calls for 21 speculation, foundation. 22 MR. DERATANY: Same. 23 BY THE WITNESS: 24 A. I wouldn't know when it came.
Page 187 1 BY MR. KING: 2 Q. Now with respect to the time that 3 Mr. Smith fired, what's your understanding of the 4 distance between Mr. Joseph and Mr. Smith when 5 Mr. Smith fired? 6 MS. WHITE: Objection as to the form of the 7 question foundation. 8 MR. DERATANY: Join. 9 BY THE WITNESS: 10 A. The distance would have been constantly 11 changing because Abnerd Joseph was advancing 12 forward toward Garrett Smith facing him and Garrett 13 Smith was back pedalling towards the Riccio and the 14 Schott's door. 15 Q. So is it -- strike that. 16 Would it be fair to say that the 17 distance was no more than two or three or 18 five feet? 19 MS. WHITE: Objection, form. 20 MR. DERATANY: Objection, requires 21 speculation. 22 MS. WHITE: Form, join. 23 BY THE WITNESS: 24 A. I can tell you it varied and it varied	Page 189 1 BY MR. KING: 2 Q. From your investigation, do you have a 3 sense, an opinion, based on your investigation of 4 the distance between Mr. Smith and Mr. Joseph at 5 the time Mr. Joseph was shot? 6 MR. DERATANY: A sense? Objection, form. 7 MS. WHITE: Foundation, join. 8 BY THE WITNESS: 9 A. I can tell you they're located in the 10 same hallway. As to distance, I can't be exact 11 with that. 12 BY MR. KING: 13 Q. Now, you were asked some questions about 14 Mr. Joseph having some mental health issues and 15 deescalation teams. 16 Is it your understanding that the CIT 17 teams do not work on a 24-hour shift? 18 A. So I wouldn't say there was mental 19 health issues. I would say he was in crisis. I'm 20 not able to diagnose anything. But CIT officers 21 are trained individually and then there is a CIT 22 unit who has select hours but CIT officers can be 23 anywhere throughout the city. 24 Q. Right. So with respect to the unit, was

Page 190 1 it your understanding that that unit was actually 2 not on duty at the time? 3 MR. DERATANY: Objection, go ahead. 4 BY THE WITNESS: 5 A. I don't know, sir. 6 BY MR. KING: 7 Q. With respect to deescalation, you may 8 recall you were asked a group of questions about 9 deescalation and about things that might have 10 explained either the intensity of Mr. Joseph 11 behavior or the path of Mr. Joseph's behavior. 12 Mr. Smith would have been confronted 13 with the behavior, not the reasons for the behavior 14 at the time that he was confronted, is that a fair 15 statement? 16 MR. DERATANY: Objection, form, requires 17 speculation, foundation. 18 MS. WHITE: Join. 19 MR. KING: You can answer. 20 BY THE WITNESS: 21 A. Yes. 22 BY MR. KING: 23 Q. Now, are you aware that Mr. Brian -- 24 strike that.	Page 192 1 until you knew exactly what happened and what was 2 going on that you would have secured somebody who 3 might have been responsible? 4 MS. WHITE: Objection as to form of the 5 question, foundation, calls for speculation. 6 MR. DERATANY: Join. 7 BY THE WITNESS: 8 A. Responsible for what? 9 BY MR. KING: 10 Q. That in a situation where you arrived on 11 the scene and there had been a shooting -- or there 12 had been an injury, you would have secured the 13 appearance of somebody who might have been 14 responsible for the shooting or the injury, as to 15 what had happened? 16 MS. WHITE: Same objection. 17 MR. DERATANY: Join. 18 BY THE WITNESS: 19 A. As a detective I respond after the fact, 20 so I'm not a first responder. I respond after the 21 fact. 22 BY MR. KING: 23 Q. So the first responders would have been 24 responsible for basically securing -- somebody who
Page 191 1 Do you remember meeting with Delbert and 2 Brian, two of Mr. Joseph's brothers, either the day 3 after the shooting or two days after the shooting? 4 A. Yes. 5 Q. All right. Brian has testified that you 6 said to him and Delbert that you apologized that 7 the police had some responsibility for what had 8 happened because they had not responded to the 9 initial calls. Do you recall making such a 10 statement? 11 MR. DERATANY: Objection, mischaracterizes 12 the testimony. 13 MS. WHITE: Join. 14 BY THE WITNESS: 15 A. I did not make that statement. 16 BY MR. KING: 17 Q. Have you ever made such a statement in 18 an investigation? 19 A. No. In this investigation for that 20 statement? 21 Q. Yeah. 22 A. No, I did not make that statement. 23 Q. When you first took Mr. Smith into 24 custody, is it the normal part of an investigation	Page 193 1 might have been responsible until a determination 2 had been made that there either was or not a 3 prosecutable case? 4 MR. DERATANY: Form, objection. If you 5 understand the question. 6 BY THE WITNESS: 7 A. You could potentially detain somebody on 8 scene while you investigate, yes. 9 BY MR. KING: 10 Q. Okay. At any time did you tell any of 11 Mr. Joseph's family not to provide you all of the 12 information they had? 13 MS. WHITE: Objection as to the form of the 14 question, foundation. 15 BY THE WITNESS: 16 A. No. 17 BY MR. KING: 18 Q. In fact, you invited them to provide you 19 with any information they had that might have been 20 relevant, is that a fair statement? 21 A. I provided them with my business card 22 that had all of my information on there, yes. 23 Q. And from time to time, did you talk to 24 them about information they had or progress reports

Page 194 1 or up to date information? 2 A. Their information, they were out of 3 state, so they didn't have any information from the 4 scene but they had background about Abnerd Joseph. 5 Q. Did Delbert ever tell you that a white 6 woman in her 30s had come into Mr. Joseph's 7 apartment while they were cleaning it out and told 8 Delbert that this was a racial shooting and never 9 would have happened had she been there and it was 10 always a mistake to confront somebody having a 11 crisis of some sort. Did he ever tell you anything 12 like that? 13 A. No, sir. 14 Q. Was Delbert the conduit on behalf of the 15 family in terms of getting information from you or 16 checking with you from time to time on the status 17 and then he would be responsible of distributing 18 that information to other members of the family? 19 MR. DERATANY: Objection, form, foundation. 20 MS. WHITE: Join. 21 BY THE WITNESS: 22 A. Jay Charles was my initial point of 23 contact. I believe I spoke to Brian once alone on 24 the phone and then Jason Freidl from Romanucci &	Page 196 1 BY MR. KING: 2 Q. Did you find any information during the 3 course of your investigation that the Bishopps, 4 Mr. Smith, Mr. Clement, Mr. Nena were hunting 5 Mr. Joseph for the purpose of injuring him? 6 MR. DERATANY: Objection, improper form, 7 foundation. 8 MS. WHITE: Join. 9 BY THE WITNESS: 10 A. There is no evidence of that. 11 BY MR. KING: 12 Q. You testified that and your report shows 13 that the Assistant District Attorney Jennifer 14 McCarty had made the final decision about not to 15 prosecute Mr. Smith. Do you recall that testimony? 16 A. I don't mean to split hairs. She's an 17 Assistant State's Attorney and she chose to reject 18 the case, yes. 19 Q. But we're talking about the same person? 20 A. Yes. 21 Q. Did at any time you try to go over her 22 head to convince her superiors that she made a 23 mistake and the case should be prosecuted? 24 A. No, sir.
Page 195 1 Blandin took over. 2 BY MR. KING: 3 Q. During the course of your investigation, 4 did you find any evidence whatever that Mr. Smith 5 set out to punish Mr. Joseph for spitting on his 6 door? 7 MR. DERATANY: Objection, requires 8 speculation, improper 213 (f)(3) opinion, form, 9 foundation. 10 MS. WHITE: Join. 11 BY THE WITNESS: 12 A. I was not aware of any of that. 13 BY MR. KING: 14 Q. Did you during the course of your 15 investigation find any information that suggested 16 that Mr. Smith and the Bishopps and Mr. Clement and 17 Mr. Nena were vigilantes going after Mr. Joseph? 18 MR. DERATANY: Objection, form, foundation, 19 improper 213 (f)(3). 20 BY THE WITNESS: 21 A. I'm not super -- I know what a vigilante 22 is but I'm not -- anything to this case I've never 23 heard that. 24	Page 197 1 Q. During the course of your investigation 2 were you satisfied that you interviewed with the 3 exception of Kasey every relevant witness? 4 A. Yes. 5 Q. Was the decision not to prosecute based 6 on, so far as you know and in your participation, 7 the complete investigation which included interview 8 of the relevant witnesses, getting all of the 9 medical report, the toxicology report and the rest 10 of the information so that it was based on the 11 broadest understanding of what had happened? 12 MS. WHITE: Objection. 13 MR. DERATANY: I'm going to object. He's 14 indicated multiple times he doesn't make the 15 decision, so it requires him to speculate as to 16 state of mind as to another individual, form and 17 foundation. 18 MS. WHITE: Join. 19 BY THE WITNESS: 20 A. I can tell you I presented all of the 21 evidence and all of the witnesses and the State 22 made their determination. 23 BY MR. KING: 24 Q. Were you aware that Mr. Nena,

Page 198 1 Mr. Clement and Mr. Smith all were seen by doctors 2 and Mr. Nena actually missed several days of work 3 based on his injuries, were you aware of that? 4 A. I was aware of Mr. Nena and Mr. Clement 5 went to the hospital, went to see the doctor. 6 Q. Based on your experience, do bruises 7 appear instantly when people have been hit or do 8 they develop over time? 9 MR. DERATANY: Objection, requires a medical 10 conclusion. 11 MS. WHITE: Join. 12 BY THE WITNESS: 13 A. Over time. 14 BY MR. KING: 15 Q. Were aware that Mr. Smith's door handle 16 was broken and had to be replaced? 17 MS. WHITE: Objection as to the form of the 18 question, foundation. 19 BY THE WITNESS: 20 A. No damage was observed by any of my 21 teammates to the door. 22 BY MR. KING: 23 Q. And was your understanding that the 24 Bishoppes were going to their apartment, their	Page 200 1 BY THE WITNESS: 2 A. Generally speaking, it's based off of 3 manpower and available units, so there is no 4 specific way to answer that. 5 BY MR. KING: 6 Q. So what would be a range of time? 7 MS. WHITE: Objection, calls for speculation, 8 form of the question, foundation. 9 MR. DERATANY: Objection, join. 10 BY THE WITNESS: 11 A. There is no real range. It just depends 12 on the availability of units. It's impossible to 13 answer. 14 BY MR. KING: 15 Q. Could it have been more than hour? 16 MR. DERATANY: Counsel, he said it's 17 impossible to answer. Objection. You are 18 harassing the witness. 19 MS. WHITE: Objection. 20 BY THE WITNESS: 21 A. Again, it depends on the availability of 22 units and how long the response is and how long a 23 call is dispatched. 24
Page 199 1 residence, were going to -- they are residents of 2 the building but they were going to the unit that 3 they lived in, is that right? 4 A. Can you repeat that? I missed the first 5 part. I'm sorry. 6 Q. With respect to the Bishoppes, you 7 understood that they were residents of the building 8 and they were going to the 48th floor where their 9 unit was located? 10 A. They were returning to see if their door 11 was locked, yes. 12 Q. You were asked some questions about 13 whether the group that went to 48 could have waited 14 for the police. Do you remember those questions? 15 A. I do. 16 Q. All right. If the 911 calls had been -- 17 as you described a Tier 3 or Tier 4 call as they 18 were received at 911, is it possible that the 19 police response might have been more than an hour? 20 MR. DERATANY: Objection, requires 21 speculation, form. 22 BY MR. KING: 23 Q. Based on your experience? 24 MR. DERATANY: In this case or generally?	Page 201 1 BY MR. KING: 2 Q. And I think I've asked you this but I 3 just want to be clear. I apologize if I already 4 asked you this. 5 The time frame between the first contact 6 between Mr. Joseph and Mr. Nena, and the time that 7 the shots were fired, what's your understanding 8 based on your investigation on what that time gap 9 was? 10 MR. DERATANY: This has been covered. Asked 11 and answered a couple of times. 12 BY THE WITNESS: 13 A. Several seconds. 14 BY MR. KING: 15 Q. Are you aware that the family of 16 Mr. Joseph put together a strategy to put pressure 17 on the State's Attorney's Office to prosecute 18 Mr. Smith? 19 MR. DERATANY: Objection, form, foundation, 20 requires speculation, mischaracterizes the 21 testimony. 22 MS. WHITE: Join. 23 BY THE WITNESS: 24 A. I was not.

Page 202 1 BY MR. KING: 2 Q. Were you aware that they had a marketing 3 and communication strategy? 4 MR. DERATANY: Objection, form, foundation, 5 misstates the evidence. 6 MS. WHITE: Join. 7 BY THE WITNESS: 8 A. I was not. 9 MR. KING: Give me one second. I may be done. 10 I just want to double-check. 11 MR. DERATANY: I have two follow-ups when 12 that's done, literally two questions. 13 MS. WHITE: I have a couple as well. 14 MR. WANGLER: If you are going to take a 15 break, I've got to make this phone call so can you 16 get off the record. 17 THE VIDEOGRAPHER: Sure. We are off the 18 record at 2:57 p.m. 19 (WHEREUPON, a break was taken.) 20 THE VIDEOGRAPHER: We're back on the record at 21 3:06 p.m. 22 MR. KING: We're good to go. 23 THE VIDEOGRAPHER: Yes, sir. 24	Page 204 1 MR. DERATANY: Objection, requires speculation 2 as to what they knew, who knew. 3 MS. WHITE: Join. 4 BY THE WITNESS: 5 A. It was related to myself that there was 6 a disturbance on the 29th floor and then banging on 7 doors on the 48, so they assumed that that person 8 moved up to the 48th floor. 9 BY MR. VAIDYA: 10 Q. And at the time, did they know that it 11 was a building resident? 12 MR. DERATANY: Objection, requires speculation 13 as to what someone knew. 14 MS. WHITE: Join. 15 BY THE WITNESS: 16 A. Afterwards -- 17 MR. DERATANY: Form. 18 BY THE WITNESS: 19 A. -- Mr. Nena realized it was a building 20 resident. 21 BY MR. VAIDYA: 22 Q. But not before? 23 A. Correct. 24 Q. With respect to -- you had some
Page 203 1 BY MR. KING: 2 Q. Detective, were you comfortable then and 3 are you comfortable now with the decision not to 4 prosecute Mr. Smith in connection with this 5 incident? 6 MR. DERATANY: I'm going to object to that 7 question, form. 8 MS. WHITE: Join. 9 BY THE WITNESS: 10 A. It's not about my comfort level. I 11 presented the case and the State's Attorney made 12 the decision. 13 MR. KING: That's all I have. 14 FURTHER EXAMINATION 15 BY MR. VAIDYA: 16 Q. The original 911 dispatch call, was it 17 your understanding that it reported that there was 18 a criminal trespass in progress? 19 A. Yes. 20 Q. All right. And with respect to the 21 individuals who ultimately went up to the 48th 22 floor, at the time that they went up to the 48th 23 floor, based on your investigation, do you know if 24 they knew who was up there?	Page 205 1 testimony about CIT training and you testified 2 about deadly force. 3 Can you just explain, generally, what is 4 your understanding of when deadly force is 5 authorized? 6 A. When it's reasonable and necessary as a 7 last resort. 8 Q. And if an officer is being attacked and 9 he is being punched or assaulted, is deadly force 10 reasonable? 11 A. It can be. 12 Q. With respect to Mr. Nena -- strike that. 13 With respect to Mr. Smith, you 14 investigated Mr. Smith for a potential criminal 15 offense, right? 16 A. Correct. 17 Q. And ultimately, the State's Attorney 18 decided not to charge, correct? 19 A. Correct. 20 Q. With respect to Mr. Nena, you never even 21 investigated him for a criminal offense, right? 22 A. Correct. 23 Q. And you saw nothing in your 24 investigation that would lead you to initiate a

Page 206 1 criminal investigation against Mr. Nena? 2 A. No. 3 Q. Or any of the other building residents? 4 A. That's correct. 5 MR. VAIDYA: No further questions. 6 MR. DERATANY: Okay. 7 FURTHER EXAMINATION 8 BY MR. DERATANY: 9 Q. Are you aware of any -- are you aware of 10 whether or not you can text to 911, whether a 11 member of the public can text with 911? 12 A. Prior to this case, I had no knowledge 13 of that. Because of this case, I contacted 911. 14 It is a possibility they related. 15 Q. It is a possibility. How is that done, 16 do you know? 17 A. I have no idea. 18 MR. DERATANY: Okay. Thank you. I have no 19 further questions. 20 MS. WHITE: I just have a few. 21 FURTHER EXAMINATION 22 BY MS. WHITE: 23 Q. Detective, you just mentioned a few 24 minutes ago -- and correct me if I'm wrong -- for	Page 208 1 BY THE WITNESS: 2 A. I know Illinois law. I don't know other 3 states really. 4 BY MS. WHITE: 5 Q. Okay. In addition to the self defense 6 things that you testified about a few minutes ago, 7 when somebody uses force in a self defense case, 8 it's fair to say that that force also has to be 9 proportional to the force that's being used against 10 them? 11 MS. WENGER: Objection, form. 12 MR. VAIDYA: Join. 13 BY THE WITNESS: 14 A. Yes. 15 BY MS. WHITE: 16 Q. And so you would consider when something 17 was proportional, for example, whether or not who 18 was the first aggressor, correct? 19 A. Yes. 20 Q. You would consider which individuals 21 were armed with weapons, correct? 22 A. Yes. 23 Q. Whether those weapons were knives, 24 correct?
Page 207 1 self defense it has to be -- the attacks have to be 2 reasonable, is that correct? 3 A. Correct. 4 Q. They also have to be necessary? 5 A. Yes. 6 Q. And I think you said that it has to be 7 deadly force is used as a last resort, is that 8 correct? 9 A. As a police officer, yes. 10 Q. Okay. And in the State of Illinois, 11 this is not a stand your ground state, correct? 12 MR. VAIDYA: Objection as to form. 13 MS. WENGER: Join. 14 BY THE WITNESS: 15 A. We don't use that terminology, no. 16 BY MS. WHITE: 17 Q. Okay. There is no law allowing somebody 18 to stand their ground on their property like they 19 have in other states for example; is that correct? 20 MR. VAIDYA: Objection as to form. 21 MR. WANGLER: Objection, foundation, if you 22 know. 23 MS. WENGER: Join both. 24	Page 209 1 A. The type of weapon, sure. 2 Q. Or a gun? 3 A. Yes. 4 Q. And for example, if someone was unarmed, 5 and somebody else had a weapon, that could be a 6 situation where it was dis -- and force was used, 7 there could be disproportional use of force in that 8 case, correct? 9 MR. VAIDYA: Objection, use of the 10 hypothetical and as to form. 11 MS. WENGER: Objection, form, incomplete 12 hypothetical, calls for speculation. 13 MR. WANGLER: Join. 14 MR. DERATANY: Why don't you let her finish 15 the question. 16 MS. WENGER: She did. 17 BY THE WITNESS: 18 A. There are cases where it could be 19 disproportional, sure. 20 BY MS. WHITE: 21 Q. And when you talked during your 22 testimony today, during the course of your 23 investigation, you are considering the -- and you 24 mentioned this before but I just want to be clear,

Page 210 1 Mr. Smith's account of what happened, right? 2 A. Yes. 3 Q. Mr. Nena's account of what happened? 4 A. Yes. 5 Q. Mr. Clement's? 6 A. Correct. 7 Q. And Mr. Bishopp's, correct, in terms of 8 who was on the 48th floor, correct? 9 A. Yes. 10 Q. So when you testified when Mr. Nega 11 asked you some questions about Mr. Schott -- 12 Mr. Schott -- and he showed you your supplemental 13 report that he, I believe, testified or made a 14 statement, I should say, just to clarify, that he 15 heard something to the effect of hitting a meaty -- 16 heard something hitting a meaty part of their body 17 or something like that. I'm just paraphrasing but 18 do you remember that? 19 A. Sure, a punch and meaty. 20 Q. During the course of your investigation, 21 did Mr. Schott ever tell you that he observed what 22 happened with his -- did he see what happened, as 23 far as you know? 24 A. With that punch, he did not.	Page 212 1 investigation; is that correct? 2 A. Yes. 3 Q. And he made statements to you as well as 4 to the State's Attorney's Office, is that right? 5 A. Yes. 6 Q. And one of the things that Mr. Bishopp 7 told you when he was being interviewed is that he 8 remembered in the past he would consistently see a 9 Chicago police squad parked around the corner from 10 his residence and John Bishop then relocated to 11 Wabash Avenue and summoned the officer who was 12 assigned a fixed post at that location. Do you 13 remember him telling you that? 14 A. Yes, I do. 15 MS. TRIBBIA: Objection, mischaracterizes the 16 report which states that verbatim is only in 17 quotes. 18 So if there is something in the report, 19 objection as to mischaracterizing that Mr. Bishopp 20 said those words. 21 BY MS. WHITE: 22 Q. Do you recall him stating something to 23 that effect, Detective Dowling? 24 A. Yes, I do.
Page 211 1 Q. And based on your investigation, he was 2 testifying only about what he heard; is that 3 correct? 4 A. At that portion, yes. He eventually 5 looked out of the peephole but that portion, yes, 6 he heard. 7 Q. And when you had an opportunity to go to 8 the Legacy, you had an opportunity to see the doors 9 that are on all of the units, correct? 10 A. Correct. 11 Q. In your training and experience as a 12 police officer, do you think it's possible for 13 Mr. Schott to hear a punch through a door? 14 MS. WENGER: Objection, calls for speculation. 15 MR. VAIDYA: Join. 16 MR. WEISS: Join. 17 BY THE WITNESS: 18 A. Yes, you can. 19 BY MS. WHITE: 20 Q. What do you base that on? 21 A. The gaps under the door for pressure in 22 the building. 23 Q. You also testified that you spoke to 24 Mr. Bishopp during the course of his -- during the	Page 213 1 Q. And so is it your understanding 2 that Mr. Bishopp knew that it was possible to alert 3 the police by going to a squad car that was parked 4 nearby the building, is that your understanding of 5 his testimony? 6 MS. TRIBBIA: Objection, speculation. 7 MS. WENGER: Join. 8 MR. VAIDYA: Objection as to form, join. 9 MR. KING: Join. 10 BY MS. WHITE: 11 Q. You were asked questions about the 12 jewelry that was found in the hallway that night, 13 correct? 14 A. Correct. 15 Q. Did you ever ask Mr. Smith about that 16 jewelry? 17 A. I don't recall. 18 Q. Did you ever determine in your 19 investigation how that jewelry got there? 20 A. No. 21 Q. I believe that you were also asked 22 questions about the 911 call that Mr. Smith made 23 and you were asked questions regarding the fact 24 that there was a trespasser outside of his front

Page 214 1 door and someone was going down the hallway trying 2 to get into people's building, something to that 3 effect. 4 What would have been the responsible 5 level from OEMC based on a call regarding a 6 trespasser and somebody attempting to get into 7 other people's doors? 8 MS. WENGER: Objection, form. 9 MR. KING: Objection, calls for speculation. 10 BY THE WITNESS: 11 A. Those are almost two separate events. 12 If you were a trespasser, it would be lower, it 13 would be a Priority 3 or a Priority 4. But 14 somebody trying to gain access to somebody's 15 apartment, that could be higher. That could be 2, 16 potentially a 1. 17 BY MS. WHITE: 18 Q. Are you aware that the Legacy building 19 had a communication, an automated communication 20 system, in place at the time of this shooting? 21 MS. WENGER: Objection. This is beyond the 22 scope of the other examination. 23 MR. VAIDYA: Join. 24 MR. WANGLER: Join.	Page 216 1 three minutes. 2 FURTHER EXAMINATION 3 BY MR. WEISS: 4 Q. Detective, you didn't prepare any case 5 to present to the State's Attorney regarding any 6 potential criminal charges against Deborah Romero, 7 correct? 8 A. Correct. 9 Q. And that's because you didn't have any 10 evidence that Deborah Romero had any culpability in 11 Mr. Joseph's death, correct? 12 MS. WHITE: Objection as to the form of the 13 question. 14 BY THE WITNESS: 15 A. Correct. 16 BY MR. WEISS: 17 Q. You didn't present any case to the 18 State's Attorney regarding potential criminal 19 charges against Dominic Tedaldi, correct? 20 A. Correct. 21 Q. And that's because you didn't have any 22 evidence that Dominic Tedaldi had any culpability 23 in Mr. Joseph's death, correct? 24 MS. WHITE: Objection to the form of the
Page 215 1 BY THE WITNESS: 2 A. I'm aware the Legacy building has a 3 panic button. 4 BY MS. WHITE: 5 Q. Are you aware that they have any means 6 to communicate threats to residents or issues to 7 residents in the bidding? 8 MS. WENGER: I'm going to have a standing 9 objection to this line of questioning. It's beyond 10 the scope. 11 MR. VAIDYA: I'll also join in that. 12 MR. WANGLER: Join. 13 MR. KING: Join. 14 BY THE WITNESS: 15 A. I'm not aware of that. 16 MS. WHITE: I don't have anything further. 17 MR. KING: I have one follow-up. 18 MR. WEISS: I think we're going in the same 19 order. I'm sorry. I think that's me. 20 Detective, I got a few questions. 21 MR. WANGLER: Counsel, it's 3:18. We're well 22 beyond three hours. So please, if you guys could 23 hurry up. I would appreciate it. 24 MR. WEISS: No problem. I'll be less than	Page 217 1 question. 2 BY THE WITNESS: 3 A. Correct. 4 BY MR. WEISS: 5 Q. And then finally -- and you didn't 6 prepare any case to the State's Attorney regarding 7 potential charges -- potential criminal charges 8 against Sudler & Company, correct? 9 A. I don't even know who that company is. 10 Q. And that's because you didn't have any 11 evidence that Sudler & Company had any culpability 12 in Mr. Joseph's death, correct? 13 MS. WHITE: Objection to the form of the 14 question. 15 BY THE WITNESS: 16 A. Correct. 17 MR. WEISS: Thank you. That's it. 18 MS. TRIBBIA: Can I just jump in? 19 Technically, it was me, Mike, and then you. That's 20 okay. 21 FURTHER EXAMINATION 22 BY MS. TRIBBIA: 23 Q. Mike just asked all of those questions. 24 Counsel just asked you questions, Mr. -- or

Page 218 1 Detective Dowling. I'm sorry. 2 The questions that he just asked you, 3 would you agree that they also apply to Mr. and 4 Mrs. Bishop? 5 A. What questions are those, I'm sorry? 6 Oh, the previous attorney? 7 Q. Yes. 8 A. Yes, I didn't present any case against 9 the Bishops, yes. 10 Q. Okay. You didn't believe that the 11 Bishops had any culpability as to Mr. Joseph's 12 death, correct? 13 A. I did not believe that, correct. 14 MS. TRIBBIA: Okay. Thank you. I'm done. 15 FURTHER EXAMINATION 16 BY MR. KING: 17 Q. Detective, in the context of self 18 defense cases, do you -- is it your understanding 19 that there is some legal requirement that somebody 20 invoking self defense shoot somebody attacking them 21 that they are obligated not to use deadly force and 22 to be beaten, to allow themselves to be beaten -- 23 MS. WHITE: Objection as to the form of the 24 question.	Page 220 1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF COOK) 4 I, CARIANN WAGNER, a Certified Shorthand 5 reporter within and for the County of Cook State of 6 Illinois, do hereby certify: 7 That previous to the commencement of the 8 examination of the witness, the witness was duly 9 sworn to testify the whole truth concerning the 10 matters herein; 11 That the foregoing deposition transcript 12 was reported stenographically by me, was thereafter 13 reduced to typewriting under my personal direction 14 and constitutes a true record of the testimony 15 given and the proceedings had; 16 That the said deposition was taken 17 before me at the time and place specified; 18 That I am not a relative or employee or 19 attorney or counsel, nor a relative or employee of 20 such attorney or counsel for any of the parties 21 hereto, nor interested directly or indirectly in 22 the outcome of this action. 23 IN WITNESS WHEREOF, I do hereunto set my 24 hand and affix my seal of office at Chicago,
Page 219 1 BY MR. KING: 2 Q. -- is that your understanding at all? 3 MS. WHITE: I'm sorry. Objection to the form 4 of the question. 5 BY THE WITNESS: 6 A. That's not my understanding, no. 7 MR. KING: That's all I have. Thank you. 8 MR. VAIDYA: Anyone else? Mr. Nega? 9 MS. WENGER: Do you have anything else? 10 MR. NEGA: No, nothing. Thanks for being 11 here, Detective. 12 THE WITNESS: Thank you. 13 MR. KING: I appreciate the time. Thank you. 14 MR. WANGLER: I'm done. 15 THE VIDEOGRAPHER: We are off the record at 16 3:20 p.m. and this concludes today's testimony 17 given by Detective Daniel Dowling. The total 18 number of media units used was three and will be 19 retained by Veritext Legal Solutions. 20 21 22 23 24	Page 221 1 Illinois, this 10th day of May, 2026. 2 3  4 C.S.R. Certificate No. 84-003836. 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24

56 (Pages 218 - 221)

Veritext Legal Solutions

800-567-8658

973-410-4098

[& - 2500]

Page 1

&	11:49 44:11	2	2025 58:14
& 2:3,12 3:2,12	11:50 44:14	2 5:15 6:15	59:2 60:3 67:8
5:3 7:11 8:10	11th 13:18	43:21,23 58:14	76:5 88:9 89:8
50:21 66:1	123 4:13	70:22 164:6	90:10,16 105:1
67:12,16	12:27 79:2	214:15	115:17 175:6,7
194:24 217:8	12:37 79:5	20 12:23 81:11	2026 1:23 7:2
217:11	13 141:11,13	83:8 106:11,11	221:1
0	13th 25:3	115:16 136:11	2027 87:19
005346 7:13	139:21	200 5:5	2028 87:19
010547 7:14	14 118:14	2000 92:1	203 6:5
06 13:4	14th 15:7 36:8	165:6	2030 87:19
084-003836	38:21 46:18,19	2023 15:7,20	206 6:6,7
1:20 5:24	47:20 49:11	50:8,15 64:15	2129 221:3
1	131:21	65:6,19 68:7	213 76:19
1 4:5 6:14 25:2	150 142:16	72:19,23 75:13	177:6 195:8,19
25:6 33:14	1500 3:15	86:17 118:14	214 25:3
52:4 79:2	151 1:22 3:4	133:19 175:2	216 6:9
86:11 88:19	7:15	2023091419...	217 6:8
89:3 90:16	15th 47:20	44:3 70:14	218 6:11
120:7 175:8,10	49:12 119:12	2024 7:13,14	22 14:3 175:16
178:22 179:2	119:17	51:14 52:4	175:20
179:18 214:16	16 70:21	53:21 56:19	2200 2:14
10 6:5 141:11	164 6:8	57:9 88:19	221 2:14
141:13	170 6:9	89:3 101:20	23 33:16 88:9
100 12:2	173 6:10	102:21 104:7	175:2
10th 221:1	177 6:11	104:11 122:7	230 3:15
11 50:15	17:33 71:14	122:17 133:15	23362891 53:22
141:11	1800 4:13	175:23	2342 31:7
118 6:7	18:55 71:24	2024I005346	24 175:16,20
11:00 1:23	19 12:1,23	1:6	189:17
11:11 7:2	79:23 81:11	2024I010547	25 6:14 33:16
	106:10 136:15	1:7	105:6,7
			2500 1:22 3:4
			7:15

[2600 - 911]

Page 2

2600 5:5	3:06 202:21	167:12 168:2,7	704-3000 3:6
26th 123:4	3:18 215:21	168:10,14,19	744-0220 5:17
27 1:23 7:2	3:20 219:16	170:3 173:13	79 6:6
28 50:8 56:19	4	173:14,19	7:21 141:2,14
28th 91:3	4 6:17 85:18,23	181:1 199:8	7:34 141:6,16
29th 30:5 32:3	133:19 178:23	203:21,22	7th 59:12 86:8
36:21 46:8	179:3,13	204:8 210:8	86:9
90:24 91:3	199:17 214:13	4:15 71:2	8
132:18,20	40 109:24	4th 57:4 104:11	8 51:14
167:23 181:2	110:2,10	5	815-6231 2:16
204:6	40th 30:3	5 65:6	819-1100 5:7
2:03 164:6	43 6:15	50 142:15	84-003836
2:12 164:10	458-1000 2:7	587-7910 4:7	221:4
2:57 202:18	48 199:13	5th 86:7	85 6:17
3	204:7	5we 79:2	9
3 6:16 14:6	48th 26:2 28:21	6	9 19:14
31:6 49:2	28:23 29:3,15	60 26:2 99:24	900 2:5
53:21 70:18	32:4,6 37:10	171:2 181:20	911 26:9 31:17
76:19 119:13	37:13,14 40:12	60174 4:6	46:1 58:19,19
123:20 164:10	40:13,23 73:22	60601 2:15 5:6	73:10 95:2,9
179:13,20	90:24 91:3	60602 5:16	95:18,20,23
195:8,19	92:13,23 94:20	60606 3:5,16	96:5,9,14,17
199:17 214:13	95:10,18,22	4:14	97:20,23 98:1
30 57:9	96:10 145:11	60654 2:6	98:4,5 140:18
30s 194:6	146:23 147:9	630 4:7 14:5	141:3,7,12,14
312 2:7,16 3:6	150:2,5 152:21	66 123:6	154:7 159:18
3:17 4:15 5:7	153:12 154:7	7	159:20,22
5:17	154:10 155:18	7 59:2 60:3	160:14 171:3
321 2:5	156:12 159:3,9	67:8 76:5 89:8	178:10,10,18
3815 4:5	159:17 160:9	90:10,16	179:6 199:16
382-3100 4:15	161:16 162:1,8	70 6:16	199:18 203:16
384-0500 3:17	163:4,7,14,17		206:10,11,13
	163:20 167:9		213:22

a	188:1 194:4	actual 41:24	affix 220:24
a.m. 1:23 7:2	abrasion 35:17	47:13 90:22	afternoon 15:8
44:11,14	35:18 92:6	91:17 96:5	79:9 118:3,6
ability 11:12	188:14	140:2	170:12
able 44:23	abrasions	actually 42:4	aggravated
45:15 48:16	91:20	61:24 74:11	15:1
51:10 55:22	absolutely 24:4	103:16 124:14	aggressive
56:3 58:7,10	30:24 106:14	133:19 170:20	69:23
71:16 73:12	110:18 112:11	173:14 178:10	aggressor 39:2
134:12 189:20	114:22 115:3	190:1 198:2	78:3,4 113:10
abnerd 1:5	136:21 181:18	add 45:16	113:12,13,18
15:22 36:2	academy 13:2,5	adderall 54:3	174:10 208:18
37:15,18 41:15	accept 90:2	62:10 166:2,6	ago 206:24
42:2,5,9 45:1	access 68:19	166:10	208:6
48:17 51:5	214:14	addition	agree 7:7 76:3
54:2,12 59:8	accident 179:3	122:21 123:16	76:6 103:12
63:18 64:19	accidentally	208:5	107:5 111:6
68:15 69:11	19:22	additional 48:6	115:10 169:11
71:18 78:12	account 39:21	49:9 63:12	169:12 218:3
91:7 100:1,18	39:23 41:5	87:8 135:16	agreeing 90:1
100:19 101:10	210:1,3	adequately	ahead 25:2
102:1,4,9,13	accounts 54:6	29:16	27:9 34:23
105:22 107:3	54:18	administrator	81:20 83:24
107:17,21	accurate 11:8	1:4	85:7 108:4
111:24 117:7	62:14 85:14	admitted	121:5 148:17
118:4 120:21	act 156:15	137:15 138:24	190:3
124:5,10,15,18	157:4	advancing	aid 165:13
124:24 137:18	acting 19:5	187:11	188:12
138:9 140:5	action 7:22	advise 96:19	aime 68:9,12
147:10 151:1	17:24 220:22	97:3 98:5	68:24 69:7
153:14 167:20	actions 82:10	advised 166:1,2	al 7:11
171:4 174:3	161:8	171:2	alarm 26:16
177:2 187:11	acts 172:18	affiliation 8:4	alcohol 165:11
			165:18,19

[alert - asa]

Page 4

alert 213:2	150:16 173:7	apologies	appropriate
alive 69:8	174:9 176:23	174:19	117:18 149:12
126:9	177:3	apologize 84:2	180:22
allegedly	announce	201:3	approve 75:11
150:24	39:14	apologized	76:7
allow 218:22	anshuman 3:3	191:6	approved 86:8
allowed 68:19	anshuman 8:7	appear 35:13	approximately
147:12,24	answer 10:17	35:23 38:3	50:8 61:17
148:13	34:24 53:1	54:13 55:16	63:23 64:11,15
allowing	83:4 177:7	57:1 129:16	141:2,6,11,13
207:17	178:14 181:7	130:9,17 198:7	april 1:23 7:2
altercation	190:19 200:4	appearance 8:1	area 14:6 30:13
35:21 38:21	200:13,17	8:3 192:13	31:6 49:2 98:7
39:3 124:23	answered	appearances	119:13 123:20
125:11 129:22	90:17 99:14	2:1 3:1 4:1 5:1	armed 145:22
130:10 131:4	148:16 157:19	appeared 2:9	156:15,15
amount 38:1	182:12 201:11	2:18 3:8,20 4:8	157:5 158:4,18
81:13 126:18	answers 10:9	4:17 5:9,18	208:21
amundsen 4:3	113:8	31:16 130:3	arrange 55:5
9:13	anybody 20:14	appearing	array 24:20
analysis 48:20	24:16 113:13	144:11	arrest 16:24
137:12 138:6	148:7 158:21	appears 12:12	21:19,22 22:14
138:20 139:7	165:2,4,13	applicable	arrested 22:4
139:14 140:15	169:6 180:17	74:10	arrival 26:6
analyze 23:5	184:1	apply 10:11	arrive 160:18
andrew 1:10	anyplace 181:2	20:18 218:3	162:1
4:9 9:13	apart 29:19	appointment	arrived 26:19
173:17,22	apartment 29:8	55:12	40:13 150:20
174:2,6	29:11 41:3	appreciate	153:9 157:17
andy 32:12	45:13 68:18,20	215:23 219:13	177:18 181:12
37:7,21 42:19	139:21 164:23	apprehension	181:20 192:10
42:22,24 49:21	180:16 194:7	22:1	asa 34:10 52:14
50:9 73:19	198:24 214:15	approached	53:8 57:13
77:16 91:15,22		184:22	59:1,4 60:3

68:2 75:10,17 89:23 90:5,5 104:12,13,19 119:11,16 120:2 132:9 175:23 176:5 aside 29:18 169:23 asked 59:16 60:8 67:12 90:17 105:12 118:8 122:24 133:13 135:2 139:17 148:16 157:19 166:23 167:5 189:13 190:8 199:12 201:2,4,10 210:11 213:11 213:21,23 217:23,24 218:2 asking 75:14 84:15 169:2 182:4 aspect 33:4 assault 13:9 185:18 assaulted 158:22 169:21 185:10 205:9 assessment 32:23	assigned 14:13 15:5,8,21 16:5 16:8,18 25:21 104:1 212:12 assignment 14:4,9,16,19 15:7 16:1,11 assignments 13:15 14:8 assistance 181:1 assistant 34:2 49:8 52:8 62:21 88:21 116:11 196:13 196:17 assisted 30:4 association 1:8 3:9 assume 10:18 45:1 58:9 172:5 assumed 204:7 assuming 27:16 attached 109:16 attacked 37:18 37:19 39:10 205:8 attacking 218:20 attacks 207:1 attempted 73:7 114:1	attempting 214:6 attempts 56:9 attended 175:23 176:4 attention 15:19 131:16,19 attorney 8:5 23:11 34:2 49:8 52:9,22 65:7,11,24 66:22 67:11 68:3 74:13 75:18 76:12 80:23 88:12,21 89:17 103:7 105:17 116:3 116:12,15 119:6 123:3 196:13,17 203:11 205:17 216:5,18 217:6 218:6 220:19 220:20 attorney's 17:9 17:10 22:6,16 22:19 33:2,23 34:1,7,15 35:6 45:6 49:4,7 50:13 51:15 52:6 53:17 55:5,11 56:11 56:16 57:2,10 59:1 64:3 65:2	67:7,24 71:11 77:13 81:2 103:11 122:6 133:16 143:11 143:18,20 201:17 212:4 attorneys 34:16 58:22,23 59:8 60:17 61:18,23 62:4,4 67:11 67:17,19 74:2 74:3,4 80:18 84:6 115:18 123:1 156:9 audio 6:15,16 7:5 43:17 44:21 51:5,10 70:14,19,23 71:20 72:2 96:5 august 56:19 104:7 122:7,16 122:17 175:23 authored 86:4 authorization 72:13 authorize 53:17 66:23 authorized 205:5 authorizing 67:1 autistic 19:14
--	--	--	---

automated 140:24 214:19	35:18 36:5 37:3 40:21,23	146:22 147:11 150:4 152:20	beginning 8:4 25:17 75:4
autopsy 47:24 54:24 127:8	44:13 64:4 72:19 75:12	153:16 158:10 158:16 159:15	117:17 164:9
avaidya 3:7	92:13 105:7	163:2 170:15	behalf 2:9,18 3:8,20 4:8,17
availability 200:12,21	120:20 130:4 141:21 144:3	189:3 197:5,10 198:3,6 199:23	5:9,18 8:16,23 9:8,10,12,14 194:14
available 110:23 159:16 200:3	144:13 150:16 151:10 154:17 164:21 167:13	200:2 201:8 203:23 211:1 214:5	behaving 54:7 70:7 165:17
ave 11:1	168:6 187:13	basic 20:7 29:17	behavior 55:1 69:12,22 102:3 102:13 134:21 169:16 190:11 190:11,13,13
avenue 212:11	188:15 202:20	basically 22:15 25:15 57:21 60:7 61:18 64:5,23 72:14 87:20 116:4 192:24	belief 19:5,6 believe 53:3 56:23 59:8,22 65:24 66:12 70:14 118:8 119:17,18 122:7,10 127:22 133:14 134:2,22,24 139:18,22 140:1 141:5 150:23 153:1 168:16 170:21 171:24 183:17 194:23 210:13 213:21 218:10 218:13
aware 16:7 21:1 26:4,6,8 26:10,14,15,17 67:23 70:2 118:17 120:15 120:18 121:9 121:12 124:5 142:20 143:12 143:18 145:3 155:22 162:21 190:23 195:12 197:24 198:3,4 198:15 201:15 202:2 206:9,9 214:18 215:2,5 215:15	background 43:18 63:21 97:18 107:2 194:4 backing 135:14 backwards 169:19 185:8 band 188:12 bandage 92:9 bandaged 35:17 banging 72:7 204:6 bank 73:21 153:14 bar 76:10 base 211:20 baseboard 29:7 based 69:10 100:19 106:10 125:2 129:20 132:23 146:8	basis 76:1,18 78:15 162:13 bates 25:3 bathrobe 70:7 108:12 114:13 124:6 bathroom 78:23 batteries 15:1 beaten 218:22 218:22 becoming 62:13 began 13:4,17 31:14 43:3	believed 34:19 40:20 121:17
awhile 13:22			
b			
b 1:7 6:12 back 15:7,19 25:17 30:13			

belmont 31:7	bishopp 1:11	164:17,18	96:21 164:8
ben 5:22 7:17	1:11 5:10 9:11	175:19 180:15	202:15,19
bent 41:10,14	40:20 41:2,3	black 40:13	breakdown
41:15,17 42:7	49:17 119:24	blanchard 3:12	112:10 114:14
47:14 53:5	120:20 125:19	blandin 2:3	115:2
55:6 56:21	126:3 128:2,13	50:21 66:1	breakdowns
99:18,19,20	128:13 133:4	67:12,16 195:1	109:19
100:17,20	145:10,10	blaring 180:7	breaking 31:16
101:7 104:8	150:10,22	block 62:22	breath 108:6
139:19 140:8	151:18 152:1,2	blood 29:5,18	brian 64:20
bent's 139:17	153:13,18	29:23 38:6	68:8,12 190:23
bernard 45:10	161:5,15	42:1 54:3,15	191:2,5 194:23
45:18 46:24	163:13,16	92:5 126:18	brief 32:1
122:4 174:13	167:15 168:5,9	127:3 137:23	177:21,23
175:24	168:18 174:8	138:2 140:10	briefly 15:10
best 5:3 10:9	184:8 211:24	140:11 188:3	27:2 28:15
79:14 115:13	212:6,19 213:2	188:17	43:2 139:16
184:14 185:4	218:4	blows 37:23	bring 22:24
186:4	bishopp's	board 89:18	23:3
bestfirm.com	161:8 210:7	boarded 73:21	broad 84:19
5:8	bishopps 32:12	168:2	157:13 158:5
beyond 214:21	37:7 40:1,9,22	boarding	broadest
215:9,22	41:1,5 47:1	167:19	197:11
bidding 215:7	49:19 73:18	body 47:8	broken 29:22
bien 68:9,12,24	77:19,23	118:22 119:2,6	43:13 91:2,5,8
69:7	142:22 149:24	138:9 139:3,10	133:2 198:16
big 16:21 20:7	151:15 152:8	146:9 155:13	brother 41:16
177:24	152:12,24	210:16	41:16,21,23
biological	153:9,11 156:7	branch 123:6	42:1 47:13
100:6 138:11	195:16 196:3	brandish	62:2 64:20
138:15	198:24 199:6	114:12	68:8 69:8
bishop 164:15	218:9,11	break 10:22,23	100:3,6,6,13
169:12 170:2	bit 24:7 29:13	44:12 69:22	106:8,13
212:10	36:6 80:6	78:23 79:4	107:10 117:3

166:1 brothers 100:21 101:9 101:16 191:2 brought 23:1,3 79:12 89:15 103:18 104:2,5 116:12 117:12 bruises 91:20 198:6 bruising 38:5 92:6 build 22:14 27:5 building 22:10 27:17,22 28:16 28:18 30:7 36:8,12,24 37:8 42:5,6 47:11 70:10 72:22,24 99:24 147:22 155:24 158:19 173:18 180:22 181:21 181:22 183:22 199:2,7 204:11 204:19 206:3 211:22 213:4 214:2,18 215:2 bullet 29:6 bullets 29:18 bump 38:17 bunch 10:14 167:7	bunched 184:14 burglary 14:12 business 86:15 193:21 butt 144:14 button 73:5 94:18 95:4 130:4 215:3 c c 122:5 c.s.r. 5:23 221:4 california 123:4 call 42:4,8 52:17 59:12 61:12,20 63:7 64:6 65:8,19 69:3 85:2,2 95:18,21,24 96:9,14,17 98:6 105:18 109:5 141:16 158:21 171:2 178:22 179:5 179:18,20 199:17 200:23 202:15 203:16 213:22 214:5 called 1:14 10:2 17:15 24:24 26:9 31:17	34:1 45:24 46:1 58:19 64:4 73:10 93:3 95:9 100:17 105:21 110:6 141:12 141:14 158:17 159:18,20 160:12,14 170:20,23 178:10,10 caller 53:4 callers 160:16 calling 109:4 170:24 calls 26:11 36:20,23 37:10 62:4 63:6,11 63:22 67:15 78:7 81:17 84:17 87:13 92:14 94:6 98:1,4 99:8 107:24 108:16 108:18 115:19 126:20 129:23 130:13,21 140:18,23 146:16 147:16 147:17 148:17 148:18 151:3 154:19 155:6 156:18 157:21 160:20 166:19	178:18,19 180:9 182:16 188:20 191:9 192:5 199:16 200:7 209:12 211:14 214:9 camera 32:19 119:2,6 127:20 127:22 155:13 cameras 29:17 118:23 canceled 55:13 cannibis 54:4 canvass 24:13 capacity 35:20 74:12 captured 43:17 43:18 118:22 128:11 car 26:24 213:3 card 31:21 193:21 care 100:22 101:2 107:22 career 12:1 13:13,15,17 14:22 142:13 cari 7:19 cariann 1:19 5:23 220:4 carpet 138:3 carry 31:23 cars 26:21
---	--	--	--

[case - checking]

Page 9

case 1:6 6:17 7:13 8:17 9:6 12:4,5 15:15 16:6 18:13,19 19:13 21:24 22:7,10,12,14 23:2,6,6 24:9 24:10,18,22 25:15,18,21 32:23 33:15,20 34:13 51:16 52:18 53:13 57:19 59:13 60:2,5,18,20 64:24 74:8,24 75:15,17,18 76:1,1,9 79:11 79:14,16 80:15 81:3,22,24 82:1 85:5 87:17,18 89:8 103:22 104:1 106:20 112:5 114:15,17 115:13 116:2 118:5 120:15 127:19 142:24 143:20 146:10 149:23 158:4 164:16 169:8 172:22 173:7 175:1,12 184:2 193:3 195:22 196:18,23	199:24 203:11 206:12,13 208:7 209:8 216:4,17 217:6 218:8 cases 13:9 14:23 19:2 67:3 172:20 209:18 218:18 casings 29:8 48:12 cataloging 165:10 catching 173:10 categories 178:24 cause 20:13 caused 39:2 42:10 151:10 causes 82:16 causing 32:3 cell 43:16 50:17 50:20 60:7 66:3,7 107:3 certain 21:5 25:5 43:22 68:20 70:16 85:17 112:16 165:17 certainly 101:23 certificate 5:24 221:4	certified 1:20 220:4 certify 220:6 chain 95:17 change 135:18 changing 187:11 characterize 111:8 177:23 charge 16:24 17:5,15,19 18:9,17 19:9 19:18 21:23 22:20 33:11 53:13,18 74:23 75:3,6,12 76:13 80:11,16 80:22 81:8,15 82:7,22,22 87:9,21 89:15 90:7,13 104:22 105:8 117:11 117:13,14,18 205:18 charged 17:22 19:4 23:9,13 66:11 120:22 charges 20:1 22:24 23:1 60:11 66:17,23 67:1,7 74:5,6 74:10,14 75:15 76:4,7,8 77:13 78:16 80:7,18	80:19,23 87:11 87:17 89:12 90:9 102:1,2 103:10,17 104:2 106:1 107:1 113:5 115:23 116:12 216:6,19 217:7 217:7 charging 35:7 36:3 57:23 58:7 64:4 65:3 74:2 124:18 173:22 charles 1:4 2:19 4:6 7:10 47:17 61:12,16 62:7,12,23 63:8,13 64:8 64:17,19 66:6 66:9,16,21 67:21 68:7 105:13,13 106:5,22 107:9 115:15 165:24 166:13,17 194:22 charter 62:22 check 100:17 123:8 133:5 151:19,23 152:7 202:10 checking 194:16
--	---	---	--

[chest - committing]

Page 10

chest 40:14 127:3	114:9,19,20 189:16,20,21 189:22 205:1	clement 1:10 4:9 9:13 27:20 28:13 32:13 37:21 42:19,22 42:24 46:23 49:21 73:19 77:16,23 91:15 91:23 119:21 121:10,21 125:22 128:2 128:14 130:7 131:16 132:4 142:22 145:10 149:24 150:16 151:22 153:24 156:6,10 163:19 169:19 173:7,12,18,22 174:3,6,10 176:23 177:3 184:7 185:8,16 186:1,7,17 195:16 196:4 198:1,4	closer 24:24 25:12 closing 88:15 closure 33:22 clothing 144:4 clvs 7:17 cocaine 54:3 code 1:16 coleman 91:24 collapsing 178:2 colleagues 123:19,22 college 63:19 come 22:11,11 50:19 108:11 109:6 113:24 129:1 141:21 159:22 194:6 comes 15:4 comfort 203:10 comfortable 203:2,3 coming 92:5 123:23 130:8,8 130:20 commencem... 220:7 comment 107:13 committed 23:20 committing 18:5 24:5 88:4
chicago 1:23 2:6,15 3:5,16 4:14 5:6,13,16 7:16 8:23 12:15,22 13:2 13:5,15,18 14:6 20:8 22:5 26:22 35:9 42:16 43:7 45:8,17 46:7 48:3 69:2 74:3 82:2 93:6 109:8 111:1,10 136:23 188:13 212:9 220:24	city 5:13 8:23 12:9 189:23 citywide 13:20 civil 1:16 12:4 12:5 59:14 120:16 142:23 civilians 109:16 claim 67:2 77:6 89:19,21 120:21 147:14 148:14 149:4 claiming 148:11 clarify 122:23 127:17 210:14 clark 2:5 classification 86:10 classify 82:3 cleaning 194:7 clear 33:20 76:10 88:8 120:6 122:22 123:10 128:9 128:18 140:22 148:11 168:17 172:23 201:3 209:24 cleared 6:14 25:4 33:15	clement's 50:9 151:23 210:5 close 25:15 41:16 101:3,6 101:10 102:14 137:9 185:7 closed 6:14 24:23 25:4 76:10 80:15 88:8 120:7	

common 75:24 76:2 106:19	conclusion 69:16 78:8	confronted 190:12,14	contact 41:21 41:24 47:10
commonality 115:5	147:17 148:18	connection 35:10 46:20	59:1 67:17
commonly 54:4	156:19 198:10	61:1 203:4	72:10 73:7
communicate 67:9 215:6	condense 104:18	cons 1:7	99:23 100:1,20
communicated 67:21	condition 11:11 16:4 29:15	conscious 125:23	194:23 201:5
communication 202:3 214:19	condo 3:9 29:17 40:5	consciousness 43:2 126:2	contacted 47:16 49:4
214:19	41:3 152:24	consider 68:16	51:15 74:3,4
company 1:7 4:18 7:11	condominium 1:8	74:22 136:7	154:7 206:13
172:21 217:8,9	conduct 27:23 94:12 104:4	208:16,20	contacts 141:3
217:11	conducted 75:11 86:22	considered 111:16 113:17	141:7
complete 183:4 197:7	118:12,18	considering 209:23	context 218:17
completed 86:24	127:8	consistent 35:24 39:22	continue 7:6
components 81:18	conducting 20:9 72:2	41:6 50:3 54:5	114:21 115:6
conceal 31:23	118:16 119:2	55:1 118:10	115:14
concept 19:3	136:2	135:19	continued 5:1
concerned 62:13	conduit 194:14	consistently 212:8	13:13
concerning 220:9	conference 61:20 64:6	consolidated 7:14	continuing 13:8 41:12
concerns 180:21	65:8,19 105:18	conspiracy 77:22 78:16	75:18,22 77:9
conclude 69:11	conferenced 115:20	constantly 187:10	115:23
concluded 78:2	confirm 48:22	constitutes 220:14	contradicts 136:12
concludes 219:16	confront 96:20 147:24 148:7	consumed 166:10	contributed 172:18
	157:5,16		contributes 24:17
	194:10		conversation 32:2 41:22
			42:1 107:15
			conversations 7:4 95:20
			113:23 115:15

[conversations - counsel]

Page 12

116:6 171:23	83:1,11 84:7	128:15,21,23	167:18,23,24
convey 36:14	86:12,15,19,20	129:2 132:5,12	168:3,4,14,20
36:16 37:5	86:24 87:4,6	133:8,9,16	168:21 169:5,8
41:18 45:16	87:21,22 88:6	134:5 135:8	169:13,14,21
46:7	88:9 89:1,5,9	136:4 137:1,5	169:22 170:3,4
conveyed 36:18	89:10 90:10,16	137:24 138:1,3	170:19 172:15
115:22 116:11	91:1,8,11 92:4	138:13,16	172:19 173:19
convicted 18:4	92:7,8,10,23,24	139:4,5,11,12	173:20,23,24
convince	94:13,20 95:10	140:1,8,9,12,13	176:6,18
196:22	97:7,9 100:3,7	140:16,19,23	178:12,16
cook 1:1,21	100:14,22	141:4,8 142:2	182:24 183:24
7:12 17:9,10	101:21 102:16	142:24 143:12	185:21 204:23
35:5 65:1 67:3	102:22 104:8	145:5,11,21,23	205:16,18,19
116:2 220:3,5	104:13,23	146:5 147:5,8	205:22 206:4
cooperate	105:3,10	150:2,3,6	206:24 207:2,3
178:5	107:10 110:11	151:2,16,17,20	207:8,11,19
corner 29:12	112:14 113:18	151:21 152:5,9	208:18,21,24
212:9	114:8,14	152:10,12,15	209:8 210:6,7
corporation	115:12,22	152:18 153:1,3	210:8 211:3,9
12:19 172:16	116:19 118:10	153:12,19,20	211:10 212:1
172:22	118:23 119:18	153:22,23	213:13,14
correct 12:20	119:19,22	154:1,5,8,9,14	216:7,8,11,15
27:18 30:22	120:1,12,13	155:5,19,22	216:19,20,23
32:17 34:4	121:15 122:8	156:1,2,4,7,8	217:3,8,12,16
36:10 42:20	122:14,19,20	158:8,9,12,20	218:12,13
45:11 47:6	123:11,12,14	158:23 159:9	correctly 65:5
48:8,24 49:10	123:15,24	159:13,18	103:16 104:3
49:20 56:23	124:1,7,8,11,12	160:7,11,12,13	correspond
60:4 62:15	124:16,21	160:15,18,19	36:4
64:10 66:2	125:3,4,11,17	160:24 161:1,3	corridor 184:9
77:15 78:17	125:20,24	161:4,13,22	corroborate
79:19,20 80:9	126:4,6,10	162:1,5,18,24	177:1
80:13,24 81:8	127:8,9,12,20	163:1 165:23	counsel 7:9 8:2
81:15 82:2	127:21,23,24	166:3,11,12	9:2,17 12:16

80:3 105:12 107:18 113:9 139:17 141:17 167:6 169:2 200:16 215:21 217:24 220:19 220:20 counsel's 12:19 counter 123:9 country 111:13 county 1:1,2,21 7:12,12 17:9 17:10 35:5 65:1 67:4 116:2 220:3,5 couple 30:8,11 32:12 37:7 90:21 144:19 144:21 164:19 201:11 202:13 course 41:22 78:24 86:2,15 96:4 110:1,2 110:15 119:7 120:16 124:13 125:7 129:4 132:7,24 136:9 136:24 142:13 145:2 146:24 151:14 153:10 153:17 171:19 171:21 195:3 195:14 196:3 197:1 209:22	210:20 211:24 court 1:1,17 7:12,19 9:1 10:12 11:1,2 11:20 17:1 39:15 courtroom 10:10 12:6 covered 164:18 201:10 covers 20:5 cozen 4:11 9:7 cozen.com 4:16 cpd 132:20 crackers 40:15 crawl 43:3 crawled 150:16 created 149:8 creating 22:3 crime 16:16,17 18:22 20:11 23:22 29:1 68:16,19,21 93:7,13,14,20 98:2,8 99:4,5 136:14,20 137:12 138:6 138:17,20 139:7,14 140:15 173:23 crimes 13:10 13:22 14:6,11 14:14 93:15 94:13	criminal 59:13 66:17 77:22 78:16 90:9 147:22 148:8 159:7,7 168:18 173:17 203:18 205:14,21 206:1 216:6,18 217:7 crisis 189:19 194:11 criteria 149:19 critical 13:23 109:9,22 cross 78:20 cs8015366 1:24 csr 1:19 ctribbia 5:8 culbertson 3:2 8:10 culpability 216:10,22 217:11 218:11 culture 62:21 current 13:3 14:4 currently 11:10 12:10,14 14:13 custody 21:3 21:13,15,19,23 22:2,10 35:10 81:2 134:24 191:24	custom 98:15 customarily 97:16 98:5 customary 108:14 cut 131:9 175:19 cyclical 111:3 d d 1:7 2:4 6:2 8:8 damage 159:7 198:20 damaged 133:2 dan 8:22,23 danger 147:13 148:14 dangerous 149:8 168:7,10 173:13 daniel 1:14 5:14 6:4 7:9 10:1 219:17 data 51:7 date 33:14 46:16 59:3,23 60:12 75:12 86:5 88:15 119:10 133:18 194:1 dated 88:8 david 8:9
--	---	--	---

davis 4:3 9:13	decided 55:10	9:12 14:6 21:3	105:9,10
day 42:5 47:19	89:11 92:13	defendants	117:18
47:23 52:5	94:19 95:21	1:12 4:17 5:9	delbert 1:4
56:23 64:2,13	205:18	8:9,17 9:5,11	2:18 7:10
119:12 122:16	decides 17:11	defense 19:5	47:17 61:12,16
132:10 170:21	decision 52:22	23:17,18,21	62:7 63:8,13
191:2 221:1	57:23 58:7	24:3 33:3,10	64:8,17,19
days 14:19	60:16 65:3	34:19 35:24	68:7 105:13,13
53:20 191:3	66:7 67:7,9	67:2,4 75:8	106:5,22
198:2	74:2 76:4	76:15 77:2,5	115:15 191:1,6
deadly 205:2,4	80:23 89:14	79:11 89:19,21	194:5,8,14
205:9 207:7	90:12 103:9	102:7,7 147:14	delelio 46:3,6,8
218:21	105:8 196:14	148:12,14	56:11
dean 62:21	197:5,15 203:3	149:4 207:1	demeanor
death 8:16	203:12	208:5,7 218:18	129:20
15:21 18:1,6	decisions 59:17	218:20	department 1:2
20:1,13 118:5	declined 55:9	define 97:13	7:13 12:15,22
172:19 216:11	deescalate	definitely 38:6	20:8 22:6
216:23 217:12	111:21,23	108:6,8,24	26:22 47:2
218:12	114:9 115:10	definition	69:3 93:6
deborah 1:9	149:11	66:13	109:5,9,14
4:19 9:9 72:11	deescalating	definitions	111:2,11
72:13 170:13	112:9	84:19	112:15 136:23
216:6,10	deescalation	degree 17:16	188:13
deceased 1:5	110:7,17	17:19,20,23	departments
decedent 37:24	113:21 114:1,4	18:5,9,12,12,13	111:12
decedent's	114:6 149:19	18:15,16,19,24	dependent
50:17 70:15	149:21 189:15	19:4 67:8 74:5	157:12
december	190:7,9	74:6,14,19,22	depending
50:15 57:9	defamation	75:6 79:19	21:24 22:1
65:6,19 86:7,8	8:17 9:5 79:11	80:3,4 82:5,5	136:21 154:23
86:9,17,22	79:14	83:10 86:11,19	155:2
decide 21:21	defendant 3:8	87:24 89:4,12	depends 102:17
	3:20 4:8 7:10	90:7 104:22	127:4 153:4

[depends - differences]

Page 15

200:11,21	162:12 166:20	127:24 128:3	206:23 212:23
deployed 13:21	169:9 170:5	128:14,17	215:20 216:4
deponent 5:18	177:5 178:13	129:6,11 130:9	218:1,17
deposition 1:14	179:10,24	130:12,19	219:11,17
7:8,15 10:24	180:12 181:4	156:3 180:23	detective's
12:7,8 25:6	181:23 182:18	detain 193:7	122:11
43:23 70:17	184:17 185:12	detained 21:12	detectives
85:18 113:9	185:18 186:9	21:14	21:21 112:15
220:11,16	186:22 187:8	detective 7:9	165:3
depositions	187:20 188:22	8:23 10:6	detention 21:17
1:18 120:16	189:6 190:3,16	13:24 14:2,5,8	determination
142:23	191:11 192:6	14:15,23 15:14	22:22 74:9
deratany 2:12	192:17 193:4	15:20 16:2,17	193:1 197:22
2:13 6:6 9:4,5	194:19 195:7	16:22 21:2	determinations
34:22 39:12,16	195:18 196:6	31:6 34:9,24	136:19
54:8,20 58:1	197:13 198:9	35:20 43:20	determine 17:2
69:15 76:17	199:20,24	52:15 61:8	17:5 23:8,12
77:8 78:9,20	200:9,16	62:1 71:3 72:1	44:23 48:16
78:24 79:8,10	201:10,19	74:13 79:9	58:4 71:16
81:19,23 83:5	202:4,11 203:6	81:5,11 85:13	92:12 95:19
83:7,22 84:3	204:1,12,17	87:15 93:5,22	165:16 213:18
84:13,21 85:1	206:6,8,18	94:9 97:6	determined
85:6,11,20	209:14	105:19 107:20	33:22 133:11
87:14 90:20	derivative 54:3	108:15 110:13	determining
91:12 92:17	describe 12:24	117:24 118:3	23:24
93:17,19 94:11	13:1 14:7	132:18 136:3	develop 198:8
95:6,8,12 96:1	38:13 40:18	136:10 142:14	diagnose
96:7 97:5,15	described	142:19 148:11	189:20
98:14 99:1,13	45:19 199:17	164:14 170:12	difference
99:16 101:4,14	describes 176:9	170:20 173:6	18:11 21:10,11
101:18 108:10	designated	174:1,12,20	21:18 82:6
109:2 112:6	67:16	175:12,16	105:24 185:23
113:1 117:9,21	desk 31:17,20	177:7,16	differences
117:24 122:24	40:17 46:1	192:19 203:2	80:7 82:4

[different - drew]

Page 16

different 14:7,8 60:18,21 80:1 83:5,15 90:5 106:20 112:5 114:16,18 120:10 123:16 127:2 150:15 162:16 169:3,8 182:20,21	discussion 88:18 discussions 113:3 disheveled 144:11 disparaging 107:13 dispatch 26:11 26:15 140:18 203:16 dispatched 200:23 disproportional 209:7,19 disprove 89:21 disproving 89:19 dispute 141:9 distance 184:6 184:15 185:1,5 186:6,13 187:4 187:10,17 189:4,10 distributing 194:17 district 13:18 196:13 districts 109:10 disturbance 26:12 29:21 32:3 36:21 46:2,9 171:1,4 179:6,9 182:7	204:6 division 1:2 7:13 16:2,17 31:6 34:9 52:15 62:1 170:21 dixon 5:22 7:17 doctor 198:5 doctor's 38:23 doctors 198:1 document 25:5 25:9 43:22 70:16 85:17 documentation 24:9 doing 34:8 37:17 38:18 42:10 82:10 domestic 179:2 dominic 1:9 4:18 9:8,8 170:14 171:22 216:19,22 door 31:15,16 32:13 36:19,19 40:21,22 43:13 51:23 56:7 68:15 73:4 91:7,8 125:21 133:1,6,6,11 151:16,19,24 152:8,12 153:9 153:11,15 181:14 187:14	195:6 198:15 198:21 199:10 211:13,21 214:1 doorman 38:17 92:20 94:18 156:5 doors 70:9 90:23 91:3,5 158:12 204:7 211:8 214:7 double 202:10 dowling 1:14 6:4 7:9 8:24 10:1 70:17 79:9 118:3 142:19 164:14 212:23 218:1 219:17 downed 179:3 downstairs 150:1 160:17 downtown 13:23 dozen 56:9 draft 24:15,16 24:18,21 25:13 55:15,24 drafted 24:11 25:12 drafting 102:20 draw 114:16,17 drew 167:6
---	--	---	--

drive 4:13 driven 38:24 dropped 135:5 drugs 54:19 78:12 165:10 165:18,19 due 89:18 121:17 duly 9:18 10:2 220:8 duties 61:7 duty 16:21 190:2	education 13:8 81:12,20 effect 37:16 40:15 45:21 46:11 174:17 210:15 212:23 214:3 effectively 55:9 either 40:24,24 105:20 106:6 117:15 143:12 190:10 191:2 193:2 elaborate 63:2 elapsed 95:20 96:9,16 186:16 elbow 151:11 elected 116:18 electronics 20:12 elevator 40:11 40:12,14,16,23 41:22 73:21,21 120:23 144:3 153:2,5,13 154:10,17 167:17,19 168:3 184:8 elevators 128:23 129:10 130:20 emergency 41:21 47:10 99:23 100:1,20	178:21 180:6 182:15 emotional 32:22 employed 36:12,18 employee 155:24 180:23 220:18,19 employment 62:20 63:20 encounter 158:4 encountered 167:16 ends 25:15 engaged 17:24 113:21 engages 20:8 engineer 36:24 engineers 112:18,19 ensued 35:22 entails 181:9 entered 27:17 40:16,22 entire 135:3 168:23 eri 34:6 erin 3:13 8:12 erratically 70:7 escorted 26:23 especially 111:20	essentially 34:13 52:13,17 64:5 76:13 establish 10:13 73:16,18 115:1 establishing 115:4 estate 1:5 estimate 185:4 et 7:11 evaluates 75:15 evaluation 138:17 177:24 evening 30:2,7 30:15 32:24 33:21 35:4,14 36:17 38:4 40:2,10 41:10 41:18 42:13,23 43:5,9 45:9,17 46:7 47:21 48:3 50:5 54:7 73:13 events 11:12 31:12 95:16,17 135:3,18 136:14 171:7 214:11 eventually 28:20 59:22 211:4 everybody 99:13 167:9 183:10
e			
e 6:2,12 8:12,12 8:22 earlier 50:4 75:23 82:11,14 82:15 90:23 91:13 118:7 133:4 141:24 142:20 early 30:15 41:12 46:18 47:22 east 4:5 26:2 99:24 155:10 171:2 181:20 eastbound 153:14 edge 175:19 educate 67:4			

evidence 22:16 24:14,14 29:20 39:9 43:14 47:7 48:9 58:12 60:19 61:4,4 76:15 77:4,12,21 87:2,17 88:24 91:2,17,18 92:18 94:23 103:4 106:2 116:4 121:1 126:7,12 127:18 133:1 135:5,17,19 136:6,12,19,21 136:22 138:12 139:3,11 165:18 166:15 173:21 195:4 196:10 197:21 202:5 216:10 216:22 217:11 ewenger 3:18 exact 38:1 67:18 184:11 186:13 189:10 exactly 112:17 192:1 exam 10:7 examination 1:15 6:3 10:4 79:7 118:1 164:12 170:10	173:4 177:14 203:14 206:7 206:21 214:22 216:2 217:21 218:15 220:8 examined 10:3 examiner 54:23 134:3,19 examiner's 20:13 30:9 example 18:18 24:19 80:2 111:11 120:20 122:4 123:18 135:4 145:3 148:12 149:8 207:19 208:17 209:4 excel 96:6 exception 197:3 exceptional 76:10 exceptionally 76:10 excessive 106:14 excited 108:7 excuse 9:9 27:6 30:10 40:24 62:16 132:18 141:12 152:3 171:19	execute 58:14 exhausted 62:14 exhausting 62:24 63:3 exhibit 6:14,15 6:16,17 25:2,6 33:14 43:21,23 70:17 85:18,23 120:7 175:1,3 175:8,10 exist 167:2 exited 40:14 153:13 exiting 167:20 expect 82:24 126:17 141:18 expectation 66:10 expected 66:22 experience 19:2 60:14 81:12 82:24 83:8 106:11 111:22 112:11 126:22 129:21 147:12 173:16 198:6 199:23 211:11 expert 76:18 explain 21:10 134:20 205:3 explained 65:1 190:10	explaining 54:13 explanation 35:24 exposed 40:14 express 66:9 89:24 extensive 42:3 79:24 111:5,8 extent 26:5 extra 109:18 110:2 extraction 51:7 f f 76:19 195:8 195:19 face 20:22,23 151:10 163:16 163:19 facility 115:11 facing 146:10 162:17 187:12 fact 60:11 80:17 87:2 111:9,9 122:12 168:13 192:19 192:21 193:18 213:23 facts 77:4 89:22 fainted 43:1 121:22 122:1
---	--	--	---

fair 10:19 30:21 37:22 42:17,18 46:17 50:2 52:5 78:1 121:13 125:8,9 134:18 135:20 141:10 145:4 145:19 146:12 149:9 154:16 159:23 187:16 190:14 193:20 208:8 fairly 76:2 fall 151:10,11 fallen 169:13 falling 169:19 188:1,18 familiar 17:12 18:8 19:3,9 97:20 110:16 family 9:6 47:14,15 51:4 59:9 61:9 64:5 65:7,7,22 66:16,20 67:9 67:10 68:1,3 71:18 79:10 87:4 106:16,23 107:4 115:16 115:20 117:1 118:5 193:11 194:15,18 201:15	family's 68:3 far 124:9 170:16 183:20 197:6 210:23 fashion 85:14 fast 52:4 70:22 71:13 186:2 fear 33:6,7 feared 42:5 february 14:3 51:14 59:2,12 105:6 feel 114:16 feet 43:17 187:18 fell 19:15 36:3 124:19 126:17 185:7,8 felony 18:5 felt 173:12 fifth 176:8 figure 16:15 figured 41:22 file 6:15,16 44:2 51:5 52:13,18 70:19 70:23 71:20 88:20 filed 7:11 final 74:9 196:14 finally 46:3 59:24 217:5	financially 7:22 find 20:13 21:8 77:4,21 91:2,5 100:5 115:5 180:23 182:13 195:4,15 196:2 finding 76:15 findings 134:17 fine 85:3 finger 35:17 188:13 finish 95:14 209:14 finished 84:12 fire 26:22 109:8 109:14 188:13 firearm 19:21 31:19 33:7 74:21 113:16 114:2 137:9,9 138:12,24 firearms 13:6 fired 31:1 33:7 113:15 122:13 137:10 141:8 141:15 176:11 179:17 186:18 187:3,5 201:7 firing 138:24 150:17 firm 7:19 8:10 50:22 first 10:2 13:6 17:16,18,20,22	18:4,12,15 26:19 27:16,24 28:7 61:24 62:6 63:7 67:8 74:2,4,5,6,14 74:19 75:5 80:3 82:5 86:11,18 89:4 89:12 95:2,23 96:9,14 104:22 105:8,10 106:6 117:18 122:17 123:23 141:3 141:12 155:21 157:24 164:21 167:16 175:24 177:18 181:11 181:13,19 182:4,9 185:5 185:10 191:23 192:20,23 199:4 201:5 208:18 fists 38:17 five 29:7 164:4 176:8 187:18 fixed 212:12 flanagan 85:3,4 flashing 180:7 fledged 13:7 floor 26:2 28:21,24 29:3 29:15 30:3,5 32:3,4,6 36:21
---	--	--	---

37:4,10,14	follows 10:3	162:10,14,19	107:13 113:13
40:12,13,23	footage 48:4,6	163:8,22	213:12
46:8 73:22	73:13,16	179:22 181:3,4	foundation
90:24,24 91:3	force 205:2,4,9	182:17 184:17	52:24 69:17
91:4 92:13,23	207:7 208:7,8	185:12,18	76:19 83:6
94:20 95:10,18	208:9 209:6,7	186:9,20 187:6	85:24 108:3,17
95:22 96:10	218:21	187:19,22	108:19 121:4
132:18,21	foregoing	188:20 189:6	143:13 145:24
145:11 146:24	220:11	190:16 192:4	178:13 181:4
147:9 150:2,5	forensic 48:20	193:4,13	181:23 184:17
152:21 153:12	135:17	194:19 195:8	185:12 186:21
154:8,10	forgot 175:24	195:18 196:6	187:7 188:21
155:19 156:12	form 34:23	197:16 198:17	189:7 190:17
159:4,9,17	39:4,12 54:20	199:21 200:8	192:5 193:14
160:10 161:16	69:16 76:19	201:19 202:4	194:19 195:9
162:1,8 163:4	81:16 83:21	203:7 204:17	195:18 196:7
163:7,14,17,21	84:11,16 93:9	207:12,20	197:17 198:18
167:10,12,23	94:4,21,22	208:11 209:10	200:8 201:19
168:2,7,10,14	95:11 96:22,23	209:11 213:8	202:4 207:21
168:19,19	97:10 98:9,18	214:8 216:12	four 15:16
169:13 170:3	99:8 100:23	216:24 217:13	61:17,21,23
173:13,14,19	101:11 107:23	218:23 219:3	105:15 155:17
178:2 181:1,2	117:4 121:19	forth 113:23	176:8
199:8 203:22	125:5 129:12	130:5	foxx 116:16,22
203:23 204:6,8	131:7,22 135:9	forward 52:4	frame 201:5
210:8	135:21 143:1	70:22 71:10,13	franklin 1:22
floors 30:1	143:22 144:6	187:12	3:4 7:15
154:14 155:4	145:6,7,12	forwarded	fraternity
foid 31:21,22	146:14 147:2	50:12	41:16,23 47:12
folks 112:15	147:16 148:17	found 23:15	100:6,12,21
follow 202:11	149:14 152:13	32:2 43:1	101:9
215:17	153:4 156:19	48:17 51:5	free 148:7
following 76:8	157:6 159:11	54:4 63:17,19	freidl 65:12,24
139:10	159:24 161:9	78:15 87:8	194:24

frequently 112:3	53:8 75:10,17 119:12,16	generalizations 84:18	30:1,12 34:14 34:23 40:12,21
friedl 50:21	120:2 132:9	generally 10:11	41:2 42:10,13
friend 37:17	gap 201:8	12:24 14:20	44:9 67:17
front 26:22	gaps 211:21	24:10 50:3	75:3,16 78:21
29:11 31:17,20	garret 1:9	80:15 180:2	81:20 83:24
40:17 43:13	garrett 3:20	199:24 200:2	85:7 92:13
45:24 68:15	5:20 8:13 9:14	205:3	93:7,23 94:19
127:24 128:3	9:16 26:23	gentleman	98:7 99:3,14
128:14,17	30:17 31:4,19	91:14 100:9	103:4 106:17
129:5,10 130:9	36:2 37:8 64:1	getting 36:20	108:4 110:19
130:12,19	66:11 67:1	52:20 60:16	115:10 118:21
153:8 156:3	73:19 76:16	96:5 109:12	121:5 132:17
180:23 213:24	102:8 113:15	194:15 197:8	132:20 133:5
fucking 40:15	113:17 117:7	gibberish	147:12,24
fugitive 22:1	135:13 137:4	107:17	148:13,17
full 13:7 60:2,5	137:15 138:16	gilliand 28:4	151:19 155:3
89:8 110:10	138:23 145:3	29:1	155:18 157:4
function 16:22	150:16 152:7	gist 99:2	157:15 164:21
further 27:12	177:17,19,21	give 57:18	164:23 165:4
52:20 80:14	187:12,12	59:14 61:9	168:7,11 190:3
86:21 106:17	188:1,12	66:20 68:3	196:21 202:22
203:14 206:5,7	gathered 45:2	90:2 116:1	211:7
206:19,21	48:3,9 50:4	117:1,10	goal 115:9
215:16 216:2	gathering 87:2	141:20 202:9	goes 19:22 36:7
217:21 218:15	88:24	given 89:21	47:17
furtherance	gauge 32:20	103:20 219:17	going 7:1 10:13
63:13	general 14:19	220:15	10:14,18 21:4
g	29:14 63:17,21	giving 11:8	23:22 24:11
g 8:12,22	85:15 99:2,3	122:23	25:1 34:22
gain 214:14	107:2 109:24	global 16:20	41:19 43:19,20
gallagher 34:3	184:10,11	go 7:7 17:1	47:19 70:12,13
34:9,10 52:14	generalization	22:15 25:1	70:22 71:13
	83:20,22	27:9 28:23	72:5 76:17

79:13 81:10,13 84:19 85:13 86:21 96:20 99:4 103:21,21 120:22 126:13 127:14 128:5 129:6 131:22 146:8 156:11 159:3,8,17 161:9,16 162:1 162:8 163:4,7 163:14 164:16 164:19,21 167:9 168:6,10 173:13,14,18 175:15 176:19 181:16,21 182:6,13 192:2 195:17 197:13 198:24 199:1,2 199:8 202:14 203:6 213:3 214:1 215:8,18 good 7:1 8:6,11 8:15 79:9 118:3,6 170:12 202:22 gotten 68:23 grand 55:19,24 56:5 57:18 102:21 103:1,3 103:3,8,10,16 103:21,24 104:6 123:4,7	123:9,11,13 grave 16:4 greeted 181:14 ground 10:7 29:22 126:5 135:5 151:12 207:11,18 group 128:22 147:7 157:4,15 188:7 190:8 199:13 guess 54:17 85:22 107:16 148:10 150:19 gun 45:20,21 48:20,23 82:11 114:3,12,16 121:18 137:3 138:16 145:23 155:18,22 156:11 157:16 179:3 209:2 gunshot 126:1 137:7,17,22 gunshots 125:24 174:15 guy 32:13 46:9 155:18 guys 8:19 39:13 155:17 215:22 h h 6:12 8:8 122:5	hairs 196:16 half 56:9 96:11 142:1,8 164:18 hall 140:11 hallway 26:3 29:6,15,17 37:16 69:23 179:7,9 184:22 186:12 189:10 213:12 214:1 hamilton 37:1 37:3 hand 220:24 handle 198:15 handled 178:20 handling 109:18 hands 97:9 156:16 happen 22:4 happened 26:6 31:18,24 34:5 37:2,13 40:10 40:18 52:21 72:23 73:18 93:16 106:21 118:13 126:4 166:5 167:23 178:7 191:8 192:1,15 194:9 197:11 210:1,3 210:22,22 happening 93:23 168:2	169:17 happens 30:19 happy 128:8 harassing 200:18 harmed 165:8 harms 162:9 harrington 5:3 head 35:18 38:2 40:23 91:19 92:5,6,9 141:19 188:14 196:22 headphones 173:10 heads 59:14 health 62:8,10 107:21 108:13 109:4,19 112:10 115:11 189:14,19 hear 8:20 31:14 44:7 72:7 128:18 173:9 173:11 211:13 heard 16:3 25:19,20 45:18 45:22 46:1,9 70:3 98:13,23 107:15 120:21 122:12,18 153:9 174:14 176:11 195:23 210:15,16
--	---	--	---

211:2,6 hearing 8:18,19 71:17 72:1 122:13 125:24 126:1 176:9,13 held 172:16 help 23:5,11 73:16 92:20 165:8 182:14 helped 106:24 helps 37:7 hereto 220:21 hereunto 220:23 hey 98:16 hi 38:16,18 173:6 high 108:7 higher 214:15 highest 75:3 117:14 highlighted 175:18 hinshaw 3:2 8:10 hinshawlaw.c... 3:7 hit 94:18 95:3 130:4 185:24 186:1,17 198:7 hitting 45:19 174:14,16,17 188:19 210:15 210:16	holding 19:14 19:16 hole 29:6 home 31:13 62:22 homicide 13:10 14:18 15:8,11 15:14,17 16:12 16:20,22 17:21 19:19,20 20:9 20:17,22 21:4 21:21 22:7,8 23:21 24:1,5,8 24:9 30:20 35:10,20 46:16 53:14 61:1,8 74:13 80:4 82:7,19,21 83:14 84:8 86:11,18 88:4 89:15 123:6 171:14,17 172:9,12,18 173:1 homicides 15:2 21:6 142:12 honed 111:1 honest 11:8 hopefully 23:24 hospital 30:10 47:4 127:14 198:5 hour 96:12 109:24 110:2	142:1,9 189:17 199:19 200:15 hours 30:9,11 41:12 47:23 69:12 110:10 110:13 164:18 189:22 215:22 human 74:17 74:18 hunting 196:4 hurry 215:23 husband 18:20 hypothetical 94:7 148:19 157:21 179:11 209:10,12 hypothetically 18:21 19:21 82:9 157:13 i idea 112:24 133:23 166:5 168:22 169:5 206:17 identification 25:7 43:24 44:6 70:18 85:19 identify 9:4 16:23 illegal 168:17 illinois 1:1,17 1:22,23 2:6,15	3:5,16 4:6,14 5:6,16 7:12,16 17:12,13,15 80:10 137:11 138:5,19 139:6 139:13 140:14 172:15 207:10 208:2 220:1,6 221:1 immediately 18:23 135:6 159:23 impair 11:11 impaired 78:5 impairment 134:17 impaneled 103:1,17,19 impediment 33:10 75:5 importance 102:11 important 101:24 136:18 183:3 impossible 200:12,17 impression 33:9 improper 195:8 195:19 196:6 inappropriate 83:20,23
--	--	--	--

incident 13:23 109:10,22 113:14 142:8 172:3 181:12 203:5 include 42:19 included 46:22 49:14 122:11 197:7 including 8:2 48:12 61:23 87:3 155:18 177:2 incoherent 107:16 incomplete 94:7 148:19 157:21 179:10 209:11 inconsistencies 142:21 inconsistent 94:23 135:7 incorrect 127:13 independent 1:4 indicate 32:5 38:19 52:1 58:6 62:7 63:2 68:22 69:2,6 93:13 102:3,5 129:20 176:7	indicated 31:8 36:6 80:16 101:8 105:14 122:10 134:17 197:14 indicates 60:1 62:12 indicating 74:5 177:2 indication 53:12 66:21 91:6 indirectly 220:21 individual 13:11 15:21 17:21 18:14,22 19:13,14,16 22:2,9 23:20 24:5,6 26:9 31:15 32:2 41:10 43:8 72:10 81:2 82:15,16,17 83:19 87:9 88:3,4 93:22 96:20 106:3 110:3,21 114:21,24 115:1,6 116:18 160:14 172:19 182:21 197:16 individually 189:21	individuals 27:21 30:4 42:15 51:23 52:2 55:6 83:9 84:5 93:7 96:19 97:3,8 97:17 109:11 109:13,19 112:13 129:5 149:3 156:12 203:21 208:20 influence 11:5 inform 64:2 information 41:6,24 47:11 47:13 50:4 52:16 57:23 63:12 67:13 80:14,14 87:8 87:16 105:7 106:23 107:3,6 122:18 123:17 135:17 146:22 153:16 158:10 158:11,16 159:6,15 166:14 183:15 184:3 193:12 193:19,22,24 194:1,2,3,15,18 195:15 196:2 197:10 informed 13:11 32:15 33:2	59:4 65:2 68:14 initial 17:8 52:21 61:12,21 69:3 74:24 78:4 81:4 113:10,10 155:13 178:5 179:5 191:9 194:22 initially 22:21 42:24 55:12 72:17 74:15 87:9 88:5 121:17 123:18 141:14 178:10 initiate 205:24 initiative 58:21 injure 152:20 injured 38:3 129:17 130:18 180:18,24 188:7 injuries 35:14 35:16,23 36:4 43:5 126:11 130:11,24 131:5,13,14 198:3 injuring 196:5 injury 192:12 192:14 inquire 181:21 182:5
--	--	---	---

[inquired - investigation]

Page 25

inquired 182:6	interview 20:10	75:11 116:3	46:16,20 48:2
inquires 184:18	21:5 27:11	118:13,17,18	61:2 63:14
inquiries	28:3 30:17	119:3 120:8	69:10 71:15
141:17	31:4,5,8 34:6	123:17 145:2	72:3,9 73:17
inside 27:7	40:1,4 41:9	153:10	75:19,22 76:2
inspection	43:8 45:9 53:9	introduced	78:2 80:17,22
165:10	53:11 56:15	27:6,7,13	82:1 86:2,22
inspector 24:16	58:18 72:14	28:13	86:23 88:6,16
instagram	91:22 103:7	inventoried	89:4 90:15,22
105:21	104:5,8 135:1	61:5 137:24	96:4 98:17
instance 83:19	139:3 155:13	investigate	101:24 102:12
instantly 198:7	155:16 172:2	15:21 17:2	102:15,17,18
instructed	175:22 176:4	18:14 20:2	104:22 105:9
97:17	183:6 197:7	24:1,3 37:1	106:1,24 107:7
intend 17:23	interviewed	42:11 81:6	113:4,22
intensity	35:14 36:6	93:23 98:7	117:17 119:7
190:10	38:4,22 40:6	115:23 171:10	119:15 124:14
intentional	42:16 49:1	171:13,16	125:7 129:4
17:20	53:9 56:21	193:8	132:8,23,24
interact 61:8	91:21 92:10	investigated	136:3,10,24
interaction	123:2 127:6,12	14:24 77:16	146:10 147:1
154:24 168:23	134:23,23	116:8 142:13	147:21 150:4
168:24 177:21	139:18 183:10	165:22 172:5,8	151:15 152:21
intercede 158:3	183:14,18	172:11 205:14	153:17 158:11
interested 7:22	184:2,4 197:2	205:21	158:17 159:16
220:21	212:7	investigating	165:15 166:9
interplay 22:5	interviewing	86:18 87:10	170:17 171:21
interpret	23:23 88:24	116:22	172:24 178:5
134:12	119:12 123:20	investigation	180:4 182:24
interrupt 84:14	interviews 21:1	16:12 20:9	183:4,9,16,18
intersection	21:5 27:24	21:4 22:8	184:5 189:2,3
29:6	32:11 34:16,17	23:19 30:20	191:18,19,24
intervention	46:22 49:9,24	35:11 39:1,10	195:3,15 196:3
108:8	50:3 55:6	41:13 45:3,16	197:1,7 201:8

203:23 205:24 206:1 209:23 210:20 211:1 212:1 213:19 investigations 14:18 16:20 20:17,18,19,20 83:9 94:13 106:17 165:20 investigative 46:19 60:24 investigator 13:10 15:14,18 20:2,22 82:21 136:11,16 investigators 16:14 20:15 invited 193:18 invoking 218:20 involuntary 19:8,11,12,17 80:5 82:7,13 83:10 89:16 171:10 172:6 172:17,24 involved 24:9 63:23 66:6 67:19 90:4 100:22 108:14 130:10 172:22 involvement 100:16	involving 67:4 77:22 issue 23:18 57:4 99:5 issued 59:15 104:12 105:1 133:21 issues 38:6 62:8 62:10 189:14 189:19 215:6 j j 1:4 2:18 7:10 105:13 106:5 106:22 115:15 james 56:10 january 58:14 105:1,6 jared 99:20 jareth 41:10 47:14 53:4 56:21 99:19,20 99:20,21,22 100:17,20 101:7 104:8 139:19 jason 50:21 65:12,24 194:24 jay 2:13 9:5 47:17 62:6 64:2 65:15 67:15,19 79:10 101:7 107:9	194:22 jen 68:2 89:23 jennifer 57:13 196:13 jenny 52:9,16 jewelry 29:9,22 43:13 48:15,16 213:12,16,19 jim 46:3 job 1:24 181:9 johah 3:10 36:7 john 1:11 5:10 212:10 join 54:10,21 76:20,21 77:10 78:9 93:10,11 94:3,5,24 95:5 96:24 97:1,11 98:10,11,19,20 98:21 99:10,11 99:12 108:2,20 108:21,22 112:22 121:2 126:13,23,24 130:1,14,15,22 131:10 132:1 135:10,22 142:5,6 143:2 143:3,4,6,23 144:7 145:13 145:14 146:3 146:17 147:3 147:18,19 148:4,5,21,22	148:23,24 149:17 150:11 150:13 151:7 154:21 156:20 156:21,22,23 156:24 157:9 157:10,20 159:1 160:1,21 161:11,19,20 162:3,11 163:11 166:22 179:24 180:12 181:6 182:18 184:19 185:19 186:10,22 187:8,22 189:7 190:18 191:13 192:6,17 194:20 195:10 196:8 197:18 198:11 200:9 201:22 202:6 203:8 204:3,14 207:13,23 208:12 209:13 211:15,16 213:7,8,9 214:23,24 215:11,12,13 jonah 36:7 77:13 joseph 1:5,10 15:22 25:3 32:16 36:2
--	---	--	---

37:15,18,20 38:14 39:10 41:18 42:3,6,9 45:1 47:11 51:5 54:2,6 62:8,13 63:4,9 63:18 64:19 70:2 71:18 78:2,5 91:7,18 99:18 100:1,18 101:10 102:1,4 102:9 107:3,17 107:21 111:24 113:9 117:7 118:4 120:21 123:23 124:5 124:15,18,24 126:16 127:11 135:5 137:18 138:10 139:24 146:23 147:8 147:10 150:5 151:1 153:8,15 153:18,22 154:1,4 155:4 158:12 166:10 167:11,16,20 168:23 169:20 171:4 173:1 174:3,7 177:2 180:17 184:9 185:10 187:4 187:11 188:1,6 188:18,19	189:4,5,14 190:10 194:4 195:5,17 196:5 201:6,16 joseph's 41:16 48:18 59:9 62:20 68:8,15 69:12 71:8 78:12 102:13 124:10 139:9 164:23 165:24 190:11 191:2 193:11 194:6 216:11,23 217:12 218:11 jpderatany 2:17 jr 1:11 judge 85:2,3,4 106:10 judgment 107:20 july 12:23 13:4 33:16 88:9 102:21,23 115:17 175:2,6 175:7 jump 42:6 164:16 180:14 217:18 juries 103:21 jury 55:19,24 56:5 57:18 102:21 103:1,3	103:3,10,16,24 104:6 123:5,7 123:9,11,14 jury's 103:8 justice 66:12,13 105:21 107:10 k k 165:5 kacey 53:4 100:9,21 183:18 kacey's 100:11 kasey 42:14 197:3 kept 86:14 124:18 kill 17:23 54:24 70:3 82:11 134:20 killed 19:15 20:3 74:17 124:6 183:3 killing 84:8 106:7,12 kim 116:15 kin 41:20 kind 24:8,17 42:9 59:17 67:2 77:22 106:19 kinds 14:23 63:16	king 3:14 6:11 8:18,21 9:14 9:14 81:16 83:18 84:11,14 84:22,23 87:13 94:3,22 95:23 96:2 99:8 107:24 108:19 112:2 121:2 143:4 147:19 148:24 157:10 164:4 177:12 177:15,16 178:14,17 179:14 180:5 180:13 181:7 181:10 182:3 182:22 184:23 185:15,22 186:14 187:1 188:2,16 189:1 189:12 190:6 190:19,22 191:16 192:9 192:22 193:9 193:17 195:2 195:13 196:1 196:11 197:23 198:14,22 199:22 200:5 200:14 201:1 201:14 202:1,9 202:22 203:1 203:13 213:9
---	---	--	---

214:9 215:13 215:17 218:16 219:1,7,13 kit 137:3,17 knees 35:18 188:14 knew 30:23 34:21 35:2 62:11 116:7,10 124:9 127:14 131:13 156:10 183:11,11 192:1 203:24 204:2,2,13 213:2 knives 208:23 know 10:13 12:1 28:23 30:19 32:10,11 37:8 38:1 42:22,22 53:1 57:18 59:17 63:19 66:6,14 68:5,17 73:4 91:15 93:15 94:10,10 100:11 101:2,2 102:8 104:14 111:11,14 112:2,16,17,18 116:21 120:19 121:16 127:10 133:20 141:18 143:8,14	144:21 155:8,9 156:9,14 166:7 166:17 167:2 169:23 173:17 174:24 179:20 181:9,19 182:7 182:8 183:21 186:6,13 188:24 190:5 195:21 197:6 203:23 204:10 206:16 207:22 208:2,2 210:23 217:9 knowing 145:22 knowledge 18:1 26:5 35:8 82:23 83:1 143:9,17 161:8 165:2,9 166:8 167:22 170:1 183:21 184:14 206:12 known 62:10 183:7 knows 81:19 99:13 kolman 165:5 kosner 2:12 I I 7:13,14 8:22 165:5	lab 137:12 138:6,18,20 139:7,14 140:15 lack 52:24 108:3,17,19 121:4 143:13 lag 133:20 lamparis 165:6 language 120:22 languages 63:18 lasalle 2:14 5:5 5:15 lasted 135:1 168:24 law 1:2 7:13 13:6 50:22 79:18 82:24 89:20 207:17 208:2 lawinjury.com 2:17 laws 13:12 lawyers 10:14 63:23 lay 82:24 83:6 84:4 85:23 94:15 laypersons 112:13 lead 13:10 15:17 87:8	205:24 leading 31:12 69:12 136:14 learn 31:11 54:1 63:11 65:19 72:21 73:6 92:19 101:5 113:5 learned 31:13 54:2,18 65:21 73:1 92:20 96:5 132:24 135:16 146:24 151:14 153:16 left 29:5 40:21 41:2 64:1 73:20 153:2 167:12 legacy 1:8 8:9 30:7 36:8,12 211:8 214:18 215:2 legal 7:18,20 11:6 21:8 23:18 24:2 33:10 34:19 147:17 148:18 156:15,18 218:19 219:19 level 81:20 203:10 214:5 levels 80:1 134:16
--	--	---	---

liable 172:16	llc 2:3 3:12	looked 16:4	22:18,22 28:20
lieutenant	llp 3:2	92:7 211:5	52:16 57:23
165:6 180:15	lobby 26:16	looking 20:3	58:7 69:15
life 33:7	27:7,15,19	23:22 39:18,19	74:9 80:21
lights 180:7	28:1,7 30:4	126:7,8 136:3	81:3 85:1
likely 65:20	31:17 40:17	looks 51:14	136:19 144:22
limit 79:13	73:12,19,20	58:24 59:24	165:7 168:5,17
limitation	95:10 127:19	65:6	191:15,22
87:24	128:12,14	lose 126:2	197:14 202:15
limitations	144:3,14 146:7	lost 43:2	makes 80:23
80:10 87:21	146:19 162:7	125:22	making 39:14
limited 79:13	163:14,17,20	lot 10:11 62:4	98:6 178:4
limping 129:18	171:1 178:2	167:8	191:9
line 29:8 65:16	locate 51:10	lower 214:12	male 40:13
108:15 176:8	56:8	m	management
184:21 185:2,5	located 22:13	m 3:21 5:20	1:7 28:16,18
185:6 215:9	43:13 51:4	165:5	72:12 178:22
listed 41:20	147:10 181:22	made 16:11	manager 72:11
99:18,22 100:3	182:7 189:9	26:15 41:2	manner 110:16
listened 44:21	199:9	52:22 59:17	manpower
71:5	location 7:14	70:2 76:4	200:3
listening 97:20	98:6 212:12	90:12 105:24	manslaughter
98:3,4	lock 40:22	107:17 162:21	19:8,11,12,17
listing 83:18	locked 133:6,11	191:17 193:2	20:4 80:5 82:8
100:20	151:19,24	196:14,22	82:13 83:11,14
lit 29:16	152:9,12	197:22 203:11	89:16 171:11
literally 202:12	199:11	210:13 212:3	172:6,17 173:1
little 15:3 24:7	long 12:21 13:5	213:22	march 60:3
29:12 33:18,19	15:13 30:6	main 4:5	67:8 76:5 89:7
36:6 42:3	60:15 168:22	major 60:24	89:8 90:10,16
164:16 175:19	168:23 169:6	61:5	mark 1:9 43:20
180:15	200:22,22	make 11:2	175:2,3
lived 45:13	look 33:13 67:3	16:24 17:6,8	marked 25:2,6
168:19 199:3	85:21 131:3		26:21 43:23

[marked - minutes]

Page 30

44:2,7 70:13 70:17 85:18,22 175:10 marketing 202:2 marks 79:1 164:5,9 married 32:12 37:6 mars 180:7 match 54:18 material 138:15 matter 7:10 8:17 43:15 59:5 120:17 matters 8:14 97:8,13 156:16 220:10 maura 2:4 8:15 118:4 mccarty 52:9 52:16 57:14 59:2,4 60:3 68:2 89:23 196:14 mean 33:5 58:9 60:14,18 61:4 75:21 76:11 84:14 102:1 148:7 157:2,24 160:3 176:21 176:22 196:16	means 33:6 76:12 112:3 215:5 meat 45:19 meaty 122:12 176:10 210:15 210:16,19 media 7:8 79:1 164:5,10 219:18 medical 20:12 30:9 38:20 43:4 50:10 54:23 69:16 78:7 107:22,24 115:11 131:16 131:19 132:4 132:12,14 134:3,19 165:13 180:18 181:1 182:15 197:9 198:9 medically 108:9 medication 11:6 165:10 meet 55:10 57:13 meeting 52:6 52:12 57:16,21 64:18,22 65:11 65:14 68:13 88:20 104:17 104:19 191:1	meetings 104:12 mem 120:6 member 47:14 47:15 73:4 206:11 members 9:6 27:21 64:5 79:11 87:4 106:17,23 115:16 117:1 194:18 memorialize 120:3 meng 43:8,11 43:12 46:24 48:7 51:21 56:1 57:1,17 104:13,19 meng's 29:11 153:15 mental 11:11 62:8,10 96:21 107:21 108:13 109:4,19 112:9 114:13 115:2 115:11 189:14 189:18 mentally 62:13 mention 100:16 mentioned 29:19 60:7 64:7 65:15 68:6 75:23	140:17 142:19 168:16 180:14 180:15 206:23 209:24 meredith 45:10 46:24 141:7 176:2 met 56:11 57:9 64:8 65:23 67:24 68:5,7 132:9 method 16:11 michael 3:14 4:4,12 9:7,12 170:12 173:6 michigan 139:21 microphones 7:3 mike 9:14 177:16 217:19 217:23 millennium 1:8 3:9 mind 46:10 78:22 197:16 minute 142:17 minutes 28:8 70:22 96:13,16 141:11,13 164:4 186:3 206:24 208:6 216:1
---	--	--	---

mischaracteri... 120:24 150:12 161:7 191:11 201:20 212:15	morgue 30:10 139:10 morning 7:1 8:6,11,15 30:16 34:8 46:18 47:22	89:4,12 90:7,7 90:16 102:1,2 102:15 104:23 105:10 106:1,7 107:1 113:4 115:24 116:8 117:11,13,18	nature 38:14 near 135:14 153:11 nearby 213:4 necessarily 10:8 42:17 59:13 180:11
mischaracteri... 212:19	moved 14:17 63:20 184:9 204:8	murdered 17:3 117:2	necessary 115:10 205:6 207:4
misdemeanor 20:20	movements 110:22	murders 14:20 18:23 19:23	need 10:21 11:1 84:18 107:21 114:16 138:23
missed 100:10 198:2 199:4	moving 130:3 147:22	muscle 45:19 174:15,16,18	needed 41:23 60:8 165:8,13 180:17 181:1 182:14
misstated 174:19	multiple 63:18 78:5 81:18 136:22 137:23 197:14	mute 7:5 mweiss 4:16 mwhite 2:8	needing 133:5 nega 4:4 6:10 9:12,12 97:1 98:11,21 99:11 108:20 121:19 130:15 146:3 146:17 148:22 150:13 151:7 156:24 157:8 157:20 161:19 173:5,6 175:7 175:9,11 177:7 177:10 210:10 219:8,10
misstates 125:13 126:12 142:3 143:5 149:15 150:8 151:5 152:16 158:24 188:9 202:5	murder 17:5,13 17:16,19,20,23 18:5,9,12,12,13 18:15,16,19,24 19:4 21:23 22:20,24 23:1 23:9,13 33:11 53:18 67:8 74:5,6,14,19,23 75:6,12 76:2 77:17 80:1,3,4 80:10,16,18,19 81:15 82:1,5,6 82:16,20,21 83:10,10,14 84:8 86:12,19 87:10,21,24	n n 6:2 8:8,8,8,12 8:22 165:5 name 7:17 8:6 23:14 28:17 37:8 39:16 43:8 46:4 65:10 79:10 99:17,18 100:9 100:10,11 118:4 164:14 173:6 175:24 named 15:22 41:10 names 32:11,11 natalie 1:11 5:10 119:23	negligent 80:4 82:7,9 89:15 171:16 172:12

nena 1:10 3:10 8:9 27:20 28:11 32:13 36:7,7,11,14,16 37:5,12,20,22 38:9,13,19 39:2,10 41:7 46:23 49:15 72:14 73:4,10 73:20 77:14,23 91:15,18 92:2 92:21 95:2 119:19 125:10 127:24 129:16 131:19 132:3 132:11 141:3 141:12,14 142:22 145:3 149:24 150:24 151:9 152:11 153:21 156:10 159:17 160:23 162:8,17 163:3 169:18 174:8 180:22 182:6 182:12 184:7 185:7,10,24 195:17 196:4 197:24 198:2,4 201:6 204:19 205:12,20 206:1 nena's 36:15 39:21 92:5	155:13 210:3 nerd 140:2,4 never 67:20 77:12,16 117:6 117:8 145:16 151:18,22 152:7,11 166:13,14 172:5,8,11,24 194:8 195:22 205:20 new 57:20 80:14 87:16,16 122:12 175:4,5 nickname 140:4 night 36:8 42:16 118:9,13 119:3 121:9 131:17,20 135:3,8 137:4 138:13,16 139:19 140:7 213:12 normal 106:12 106:15 191:24 north 1:22 2:5 2:14 3:4 4:13 5:5,15 7:15 45:14 nos 7:13 notch 111:16 note 7:3 43:20 77:8 177:5	noted 120:9 122:3 notes 120:8,11 121:10 169:24 noticed 29:10 78:20 139:23 noticing 8:5 notification 41:20 notified 67:11 67:18 95:2 notify 16:16 22:9,10 23:15 40:17 81:1 nowadays 15:3 number 6:13 21:7 46:19 68:4 219:18 numerous 26:21 36:20 47:2 118:12 o o 122:5 165:5 o'connor 9:7 object 34:22 76:17 83:21 84:16 128:5 131:22 145:24 161:9 197:13 203:6 objection 12:11 39:4,12,14 52:24 54:8,20	58:1 69:15,16 77:8,9 78:7 81:16,16 83:2 83:3,17,18,23 84:10,11 87:12 87:13 90:17 91:9 92:14 93:9 94:1,2,21 94:22 95:11 96:22,23 97:10 98:9,18 99:7 100:23,24 101:11 107:23 107:24 108:16 108:18 112:1,2 112:20 117:4 120:24 121:3 121:19 125:5 125:12,13,15 126:12,14,20 129:12,23,24 130:13,21 131:6,7,8,10 135:9,10,21,22 142:3 143:1,13 143:15,22 144:6 145:6,7 145:12 146:1,2 146:13,14,15 147:2,15,16 148:2,3,4,15,16 149:13,15 150:7,8 151:3 151:4,5 152:13
--	---	--	--

[objection - officers]

Page 33

153:4 154:19	212:15,19	170:18	53:17 55:5,11
154:20 155:6	213:6,8 214:8	occasionally	56:12,16 57:2
156:17,18	214:9,21 215:9	109:15 115:20	57:10 59:1
157:6,7,8,18	216:12,24	occur 99:4	60:17 65:2
158:24 159:10	217:13 218:23	136:17	67:24 71:11
159:11,24	219:3	occurred 16:16	77:13 81:2
160:20 161:7	objections 7:23	16:17 29:2	103:11 116:19
161:17,18	85:2 167:7	45:14 51:19	116:23 119:7
162:2,10,12,19	obligated	63:24 93:14,15	122:6 123:1,3
163:8,22,23	218:21	144:4 183:12	133:16 143:12
166:19,20	observe 41:1,4	occurring	143:18,20
169:9 170:6	129:9 130:10	93:21 98:2,8	156:9 178:21
177:5 178:13	130:24 144:4	99:5	201:17 212:4
179:10,22	observed 26:21	occurs 18:6	220:24
180:9 181:3,4	29:12,20 37:15	110:17	officer 12:12
181:23 182:16	70:6 130:5,19	october 133:19	13:2,7,16
184:16,17	144:2 150:5	oemc 214:5	15:12 16:14
185:12,18	162:23 198:20	offender 22:13	68:15 85:13
186:9,20 187:6	210:21	offenders 16:23	109:1 114:15
187:19,20	obtain 50:9,16	offense 86:10	132:18 136:15
188:9,20 189:6	73:12	205:15,21	180:16 182:2
190:3,16	obtained 47:10	offensive	205:8 207:9
191:11 192:4	66:3 71:7	110:22	211:12 212:11
192:16 193:4	obviously	offer 12:12	officers 24:11
193:13 194:19	20:14,21	offered 166:13	24:12 26:24
195:7,18 196:6	107:16 134:1	office 12:19	28:5 84:6
197:12 198:9	134:23 136:3	14:11 17:9,10	109:13,15,17
198:17 199:20	143:11	20:13 22:6,17	110:3,4 111:19
200:7,9,17,19	occasion 22:23	22:19 31:14	118:18 155:17
201:19 202:4	30:12,16 31:4	33:3,23 34:1,7	165:3 178:6
204:1,12	41:9 42:21	34:15 35:6	181:12,20
207:12,20,21	43:7 45:9	38:23 45:6	182:5,10
208:11 209:9	50:16 56:14	49:5,7 50:13	183:10 189:20
209:11 211:14	61:11 64:7	51:15 52:6	189:22

offices 72:15	101:5,15	opinion 39:22	owned 168:13
official 88:15	102:14 103:23	76:14 89:24	o'connor 4:11
oh 24:4 37:17	104:7 105:19	90:2,5 108:1	p
64:13 66:18	106:22 110:2	113:24 117:2,6	p.m. 79:2,5
88:14 100:12	116:5 117:10	117:11,16	141:2,6 164:6
102:19 144:21	118:12 120:11	176:24 184:13	164:10 202:18
160:11 218:6	120:14 123:6	189:3 195:8	202:21 219:16
okay 12:3,9	123:10,16	opportunity	pacing 130:4
16:19 19:1	127:17 142:10	27:5 119:1,5	page 6:13
21:7,18,21	142:17 165:2	140:18 211:7,8	86:11 175:16
23:5,17 24:22	165:24 166:8	opposite 22:24	175:20
25:1,13 26:15	167:3 169:2,15	order 53:22	panic 26:16
26:18,18 27:15	169:20 170:8	55:16 215:19	73:5 94:18
28:6,12,14,17	170:23 171:7,9	ordered 35:6	95:3 130:4
28:20 30:1,6	172:23 174:24	ordinary 86:15	215:3
31:24 32:14	175:9,15 176:7	original 203:16	paragraph
33:17,24 34:18	176:19,24	originally	175:20
41:14 45:8	178:18 179:19	14:17 41:19	paraphrasing
47:4,24 55:4	183:9 193:10	121:21 151:14	210:17
58:24 59:10,24	206:6,18	outcome 7:23	park 1:8 3:9
62:6,20 64:7	207:10,17	220:22	parked 212:9
64:21 65:23	208:5 217:20	outcomes	213:3
66:20 67:6,23	218:10,14	108:24	part 20:15,20
68:6,22 71:13	old 19:14	outliers 60:6	24:1 36:19
71:19 72:9,21	omissions	outside 22:13	41:4,12 45:3
73:6,12 75:24	172:18	24:17 46:2	48:2 61:7
76:14 80:21	once 22:21	103:8,13,14	65:13 71:15
82:13 83:24	40:12 62:3	123:4 213:24	72:2,9 101:24
86:5,9 87:18	103:21 194:23	outstanding	101:24 107:5,6
88:2,14 90:4	ongoing 104:21	104:17,20	112:8 114:20
91:22 92:2,18	online 13:8	oversight 14:11	115:4 142:15
94:17 95:6	open 87:17	own 24:15	165:14 166:9
96:2 97:6,16	operator's 98:5	58:21 97:8	181:5 183:6,9
98:1 100:12		145:17 156:16	

[part - please]

Page 35

191:24 199:5 210:16 participation 197:6 particular 63:3 90:6 136:13 parties 7:7 220:20 party 7:21 passed 32:16 121:17 passion 18:23 past 11:12 52:20 106:21 164:17 212:8 path 190:11 patrolman 13:19 paul 2:13 79:10 pedaled 150:17 pedalling 187:13 peephole 211:5 pending 101:21 people 20:22 46:23 83:1 84:5 94:15 105:16 114:4,5 167:12 169:4 198:7 people's 214:2 214:7 perform 180:3	performed 47:24 48:20 49:9 51:8 137:18 performs 24:20 period 115:21 135:1 169:7 176:11 permit 45:22 114:3 person 13:9 23:9,12,14 28:18 34:17 45:20 62:2 64:8 68:5 98:5 100:10 114:9 114:13 124:10 126:9 165:16 165:17 176:1 179:2 185:5,6 185:10 196:19 204:7 person's 165:19 personal 12:11 220:13 personally 107:14 personnel 26:22 47:2 132:20 156:3 pertain 79:15 pertaining 1:17 62:19	pertains 172:21 pharmacology 134:10 phone 20:21 36:20 42:4 43:16 50:17,20 50:24 51:4,8 51:11 53:4 58:15 60:7 61:12,19 62:3 62:4 63:6,7,11 63:22 65:15,21 66:3,7 67:15 68:4 70:15 71:8 105:3 107:4,15,18 115:19 194:24 202:15 phones 7:5 photo 24:20 photographed 47:8 physical 11:11 16:24 35:21 37:23 38:5 41:24 48:9 91:18 124:23 125:11 129:22 130:10 131:4 135:19 136:6 136:12,18 162:18 184:6 physically 22:11 34:9	38:8 158:22 pick 7:4 164:19 picture 16:21 20:8 pieces 136:22 pills 166:10,14 166:18 167:2 place 7:6 22:2 27:16 31:5 40:4 56:18 99:6 144:5 146:11 147:12 147:13 148:13 148:13 157:15 168:7,11 214:20 220:17 placed 76:9 139:3,11 placing 144:13 plaintiff 1:6 2:9 plaintiffs 8:16 plan 27:11 platform 105:21 play 23:18 43:19 70:12,13 played 44:16 70:20,24 71:21 107:18 playing 19:21 82:11 pleading 188:7 please 7:3,5,24 9:2 127:23
---	---	---	---

[please - previous]

Page 36

172:14 215:22 plural 104:14 point 32:15 34:18 45:6 50:7 52:23 87:3 90:13 93:3 102:6 108:11 115:18 119:15 125:3 125:23 126:2,9 127:8 128:6,16 129:1 131:12 132:7,11 149:20 154:23 160:7,8 164:22 166:11 168:5,9 194:22 points 150:15 pole 179:4 police 12:15,22 13:2,5,16 14:6 15:12 20:8 22:6 24:8 35:9 42:16,23 43:7 45:8,17 46:7 47:2 48:3 64:9 68:14,23 69:3 69:7 73:7 74:4 84:6 85:12 92:23 93:1,2,6 93:8,24 94:12 97:8,13 98:16 109:1,5,13,15 109:17 110:3,3	111:1,10,12,19 112:15 114:15 136:15,23 137:12 138:6 138:20 139:7 139:14 140:15 155:21 157:16 160:3,6,7,12,18 160:24 161:3,6 161:15,24 178:6 179:1,7 179:21 181:11 181:11 183:10 191:7 199:14 199:19 207:9 211:12 212:9 213:3 policy 93:5 population 85:15 portion 211:4,5 position 13:3 149:3 positions 21:8 posse 157:4 possession 50:19 possibility 35:2 80:20 85:10 206:14,15 possible 21:24 75:3 117:14 167:11 199:18 211:12 213:2	possibly 81:7 136:17 169:4,4 post 212:12 posts 105:20,22 potential 24:2 75:5 81:15 93:7,20 94:13 98:7 103:10 135:24 142:20 147:13 205:14 216:6,18 217:7 217:7 potentially 19:7 24:18 30:16 63:3 85:10,16 99:4 193:7 214:16 pounded 51:24 91:7 pounding 31:14 70:9 158:12 powerful 70:4 practice 98:16 108:15 preliminary 16:13,23 20:15 27:23 180:3 premises 183:22 prepare 216:4 217:6 prepared 86:1 88:11,14	121:10 prescription 11:6 62:9 166:2,6 present 5:20 8:2 9:17 11:1 22:16 34:15 49:23 74:8 75:15 87:7,17 92:23 93:21 136:20 137:8 216:5,17 218:8 presentation 60:2,5 74:24 89:8 presented 34:10 60:1 77:12 111:24 156:13 197:20 203:11 presenting 34:11,13 pressure 38:7 53:13,15,17 201:16 211:21 presumably 137:21 pretty 79:24 111:5,16 130:3 177:20 prevent 11:7 previous 218:6 220:7
---	--	--	--

[previously - put]

Page 37

previously 56:10	proceed 9:3 69:18 74:14 80:19 90:6 107:1	property 1:7 72:11,12 159:8 207:18	provisions 1:15
primary 15:20	proceeded 25:23	proportional 208:9,17	proximity 137:9
prior 26:6,10 38:15 73:7 118:16 119:2 119:11 123:19 123:22 128:12 129:6 139:2 142:3,21 146:8 156:11 159:3,5 159:8,16 161:16 162:7 163:4,6,13,23 170:15 173:13 173:19 174:3 174:15 177:3 206:12	proceeding 7:24	prosecutable 193:3	public 99:3 206:11
prioritized 178:22	proceedings 220:15	prosecute 76:11 196:15 197:5 201:17 203:4	puddle 29:5
priority 178:19 179:18,20 214:13,13	process 20:10 34:1 47:5	prosecuted 196:23	pull 128:8 141:20,21 142:18
private 7:4	processed 61:3	protect 68:18	pulled 33:7 74:20
proactively 16:5,8	professional 74:12 76:14 109:4	protests 13:21	punch 122:12 174:17 176:10 176:22 210:19 210:24 211:13
probability 18:1	professionals 108:14	protocol 97:23	punched 38:2 43:2 91:14,19 174:3 177:3 205:9
problem 215:24	professions 112:16	protocols 72:22 72:24	punish 195:5
procedural 20:16 21:8	progress 81:22 86:3 193:24 203:18	prove 89:21	purpose 1:18 34:11 196:5
procedure 1:16 93:6 109:3,7	progresses 60:20 64:24	provide 43:14 45:5 106:23 115:5 119:5 121:13 122:18 132:12,14 193:11,18	pursuant 1:15
	progressing 81:3	provided 36:1 120:16 123:18 132:4 133:15 135:8 140:22 143:8 170:16 193:21	pursue 78:16 117:19
	progressive 79:23	providing 107:6	pursued 17:6 66:17,19 90:9
	promoted 13:24		pursuing 33:11
	proper 18:15 31:21 81:13 115:11		purview 20:2 103:13
			pushed 73:5
			put 21:22,22 75:17,18 98:15 102:10 113:3

[put - reckless]

Page 38

149:3 201:16 201:16	84:22,24 85:7 90:21 91:14	ranking 179:1 179:16	59:11 63:5,10 63:23 64:11
q	101:19 105:12 118:8 122:24	rapport 27:6 115:1,4	65:10,13 66:8 68:11 71:3
qualified 76:19	133:13 135:2	rate 108:6	72:1,10 73:24
question 10:16	139:17 161:10	rather 49:19	88:1 90:8
10:18,19 31:1	163:23 167:6,9	rationale 55:2	96:11 105:15
34:23 39:5	170:9 172:1	rblaw.net 2:8	116:24 119:10
54:17 81:18	182:13 189:13	reached 135:13	119:14 126:1
83:6,21 84:15	190:8 199:12	reaction 32:19	133:12 144:9
84:16 91:16	199:14 202:12	32:20 106:12	144:11,13
93:17 94:23	206:5,19	reading 65:4	155:20 170:23
95:14 97:14,18	210:11 213:11	real 200:11	174:23 180:18
97:19 99:8,14	213:22,23	realistic 69:21	188:4 190:8
102:10 104:16	215:20 217:23	reality 69:22	191:9 196:15
117:7,8 118:22	217:24 218:2,5	realized 204:19	212:22 213:17
138:14 140:6	quick 78:23	really 63:1	recalled 176:9
148:10 150:19	quickly 130:3	65:17 87:19	receive 15:24
178:14 179:22	quite 52:20	208:3	53:21 80:14
181:7 182:9,17	80:6 164:18	reason 51:3	109:18 112:19
186:21 187:7	quote 88:2	141:9 170:24	115:11
192:5 193:5,14	140:3 176:10	reasonable	received 13:1
198:18 200:8	quotes 212:17	19:6 23:22	15:12 26:11,16
203:7 209:15	r	205:6,10 207:2	37:23 41:6
216:13 217:1	r 8:12,22	reasonably	42:8 78:11
217:14 218:24	racial 194:8	183:11	105:7 133:22
219:4	racially 120:22	reasons 190:13	177:1 188:12
questioning	racing 180:7	rebring 87:11	199:18
215:9	radio 16:3	recall 11:12	receiving 37:10
questions 10:14	109:8	15:6,24 26:5	102:15
10:15 11:14	range 200:6,11	26:20 28:10,17	recently 14:18
16:20 63:12,16	rank 179:7	32:8 38:12	139:24
63:17,21 78:19		42:12,13 46:4	reckless 19:19
79:14,15 84:20		51:19 53:5,24	19:20 171:14

[reckless - report]

Page 39

172:9,17 173:1 reclassification 86:10 recognize 25:9 recollection 10:10 recommend 22:23 80:18 recommendat... 17:8 80:22 93:21 recommendat... 17:6 22:18 recommending 74:12 record 7:2,7 8:4,7 9:16 43:21 44:9,10 44:13 79:3,6 122:4 150:22 164:7,11 174:21 202:16 202:18,20 219:15 220:14 recorded 7:8 21:4 31:9 34:6 58:18 recording 7:6 21:1 51:6 71:2 71:3,14,23 72:6 records 50:10 132:4,12,15	recover 20:11 61:3 recovered 48:13 65:21 70:15 124:10 124:15 136:24 138:12 red 138:3 reduced 220:13 refer 47:19 referenced 90:23 91:13 referencing 100:21 referred 37:9 41:15 99:17 101:15 156:5 referring 83:19 150:22 refreshed 15:17 refresher 15:16 15:18 regained 125:23 regard 21:2 88:6 regarding 66:10 121:11 124:15 133:13 140:6 141:7 174:2,13 213:23 214:5 216:5,18 217:6	regards 45:16 regular 20:18 reinterview 53:7 reinterviews 49:15 reject 67:7 76:4 76:7 89:11 196:17 rejected 60:12 76:12 143:21 rejection 76:8 89:18 90:3 relaid 37:22 related 7:21 20:1 21:6 31:15 36:2 45:18 186:2 204:5 206:14 relationship 18:22 38:14,18 101:3,6 relative 183:17 220:18,19 relay 10:9 38:13 40:9 52:15 63:8 67:13 126:3 relayed 68:2 154:6 relaying 68:12 release 35:4,6 released 21:15 35:11 64:1,3	relevance 81:7 112:21 relevant 79:15 183:16 184:3 193:20 197:3,8 relocated 32:4 212:10 remains 47:5 remember 102:23 174:1 174:12,16 176:13 191:1 199:14 210:18 212:13 remembered 212:8 remotely 8:3 rendezvous 20:12 renew 161:17 162:2 163:23 reopen 80:17 87:18 repeat 199:4 rephrase 10:17 93:17 97:18 replaced 198:16 report 6:14,17 24:10,21,23 25:4,12,14 33:15,20 39:1 53:21 54:1,5 60:1 62:12
---	---	---	--

78:11 85:22 86:1,3,6,11,14 88:8 98:2 101:20,21 102:12,16 120:7 122:3,11 133:14,18,21 134:1,13 141:14 170:1 174:9,22 175:2 175:13 176:17 181:17 196:12 197:9,9 210:13 212:16,18 reported 5:23 42:22 174:6 203:17 220:12 reporter 1:20 7:19 9:1 11:1,3 39:15 220:5 reporting 16:14 24:12 reports 24:8,13 24:13,14 51:13 59:5 65:5 113:22 170:16 193:24 represent 8:9 79:10 118:4 164:15 170:13 173:7 177:16 represented 12:16	representing 7:17 8:13 request 81:4 110:23 requested 58:23 67:10 76:9 105:2 132:11 requirement 218:19 requires 54:8 58:1 69:16 166:20 170:6 181:5,23 187:20 190:16 195:7 197:15 198:9 199:20 201:20 204:1 204:12 reside 12:10 residence 199:1 212:10 resident 43:12 173:18 204:11 204:20 residents 156:7 180:24 199:1,7 206:3 215:6,7 resides 46:8 residue 137:3,7 137:17 resort 114:10 114:12 205:7 207:7	respect 16:12 17:7 20:24 22:19 46:15 48:15,19 60:16 62:17 67:6 72:22 73:16 74:1,5 126:8 127:18 133:24 178:18 179:19 187:2 189:24 190:7 199:6 203:20 204:24 205:12,13,20 respond 13:22 16:15 57:7 97:4 109:11 180:2 182:8 192:19,20 responded 69:7 72:17 191:8 responder 192:20 responders 192:23 responding 24:11 28:5 118:17 155:17 165:3 178:19 181:19 182:10 response 13:23 96:6 160:3,7 179:2,8,16,19 179:21 199:19 200:22	responses 11:2 responsibility 191:7 responsible 182:23 192:3,8 192:14,24 193:1 194:17 214:4 rest 53:5 66:16 156:12 197:9 result 18:2,6 19:16 38:20 169:18 results 102:9 133:24 134:13 retained 219:19 retreat 150:6 retreated 151:1 returning 168:18 199:10 revealed 147:21 review 22:12 119:2 140:18 146:8 155:12 170:16 reviewed 127:19 134:2 155:12 reviewing 113:22 riccio 29:8 45:10,23,24
---	---	--	---

[riccio - scroll]

Page 41

46:24 55:7 56:15 141:7 176:1,2,2 187:13 right 10:6,21 11:5,19,21 12:14 18:8 19:24 20:6 21:7 23:9,12 25:1 26:18 27:11 28:8 29:9,14 31:18 32:16 33:18 34:3,20 35:8 35:19 36:5,9 39:21 42:15 43:19 44:18 45:2,10,23 46:14 48:10,19 49:5 50:7,15 51:13,16 52:4 53:20 55:7 56:12 57:1,9 57:11 60:3 61:7,15 65:4 65:18 67:20 69:10 70:12 71:23 74:1,11 75:6,10,19 77:14 78:18,20 87:6 95:6 98:17 99:14 114:11 118:13 119:24 123:20	123:21 124:15 124:20 128:4 128:20 139:19 140:15 151:24 152:22 154:11 158:19 161:16 162:9 164:14 165:22 175:19 179:15 180:21 185:17 186:15 188:6,8 189:24 191:5 199:3,16 203:20 205:15 205:21 210:1 212:4 robbery 14:12 robe 40:14 139:9 robert 1:11 119:23 role 21:2 23:18 romantic 18:21 romanucci 2:3 50:21 66:1 67:12,16 194:24 romero 1:9 4:19 9:9 72:11 170:13,18 171:10 172:4 216:6,10 room 103:8 rooms 123:5	rules 1:16 10:7 10:11 20:16,24 running 116:22 runs 116:19 rush 81:10 ryan 34:2,8 s s 6:12 8:8 122:5 safe 98:6 172:4 safety 146:11 147:13 148:13 157:15 salted 186:8 satisfied 197:2 saw 26:23 27:1 29:5,6 75:4 173:21 178:1 205:23 saying 26:9 45:20 61:22 69:21 70:3 110:12 114:3 158:18 176:13 says 38:16 136:13 scared 169:16 scenario 115:13 scene 16:5,9,15 20:14 21:17 22:4 23:23 25:23 26:7,20 52:14 61:3	68:16,19,21 72:18 93:8,13 97:4 109:6 118:9 119:3 131:17,20 136:20 139:19 139:20 155:14 164:22 177:18 180:3 181:12 181:15 192:11 193:8 194:4 scenes 20:11 scharkey 3:12 8:13 school 62:22 158:1,2,3,7,8 schott 45:10,18 46:24 55:6 56:15 122:4,22 174:13 175:24 176:9,13 210:11,12,21 211:13 schott's 122:21 187:14 science 184:11 scope 214:22 215:10 screaming 141:15 screen 44:4 175:16 176:20 scroll 175:15
--	--	---	--

[se - shooting]

Page 42

se 30:20	180:17 184:2	139:13 140:14	sexual 13:9
seal 220:24	198:5 199:10	separate 24:23	shaken 38:8
search 58:15	210:22 211:8	82:17 171:7	177:20
105:4,5	212:8	214:11	shared 174:24
second 18:9,11	seeing 134:3	separately 40:7	sharing 176:19
18:13,16,18,24	seek 43:4 82:22	september 15:7	shell 29:7 48:12
19:4 74:22	131:16,19	15:20 36:8	shift 189:17
80:4 82:5	seeking 59:19	46:18,19 47:20	shirley 43:8,11
83:10 87:24	117:14	49:11,12 50:8	43:12 46:24
90:7 106:6	seem 52:19	57:4 64:15	48:7 51:21
141:20 144:15	54:13 57:22	68:7 72:19,23	56:1 57:1,17
178:11 185:16	seemed 42:3	75:12 104:10	104:13,19
202:9	seen 44:18	104:11 118:14	153:15
seconds 70:21	198:1	119:17 131:21	shirt 139:2
169:1 186:4,5	select 189:22	sequence 31:12	shoot 218:20
186:19,24	self 19:5 23:17	sergeant 16:6,7	shooter 26:9
201:13	23:18,21 24:2	28:4 29:1	30:23 37:9
secure 181:15	33:3,10 34:19	91:24,24 165:5	shooting 16:3
secured 192:2	35:24 67:2,4	series 167:5	25:20,24 26:1
192:12	75:8 76:15	seriously 69:4	26:8,11 29:19
securing	77:2,5 89:19	serve 55:22	31:12 38:11,15
192:24	89:21 102:6	56:3 57:8	41:1,4 45:14
security 29:17	147:14 148:11	set 10:6 55:12	48:22 51:19
72:22,24 73:13	148:14 149:3,4	195:5 220:23	52:21 64:14
73:15	207:1 208:5,7	several 13:12	69:13 73:7
see 19:18 26:20	218:17,20	13:20 14:10	95:3 121:10,11
29:4 44:4	send 22:1 59:6	24:16 27:20	125:20 126:4,8
91:17,20 92:4	sense 53:12,16	30:4 51:18	128:12 137:5
95:6 103:23	184:24 186:15	64:5 67:15	137:15 144:3
105:19,22	189:3,6	69:20 101:8	150:15 158:1,2
113:20 125:20	sensitive 7:3	110:14,15	158:3,7,8
131:14 133:5	sent 36:24 49:7	132:13 154:12	170:22 173:19
152:8,12 163:2	137:11 138:5	160:16 169:1	174:4 177:3
165:12 175:16	138:19 139:6	198:2 201:13	178:11 183:7

[shooting - solutions]

Page 43

183:23 191:3,3 192:11,14 194:8 214:20 shootings 14:20 15:2 shoots 19:22 short 140:5 184:15 shorthand 1:20 220:4 shot 31:2 117:7 126:17 135:6 137:3 179:17 189:5 shots 45:22 113:15 121:18 122:13 141:7 141:15 176:11 179:16 188:19 201:7 show 25:2 141:17 142:18 showed 48:7 210:12 showing 175:6 shows 196:12 side 13:18 155:9,10 184:22 sign 29:23,24 signature 221:3 significant 126:18	signs 29:20 simply 102:10 sir 10:20 11:4 79:22 85:7 87:1 89:13,14 89:23 90:19 93:4 96:18 97:22,24 100:2 109:20 116:20 180:20 182:24 183:1 190:5 194:13 196:24 202:23 sirens 180:6 site 105:21 159:8 sitting 134:15 situation 22:3 99:3 111:23 127:4 149:8 157:24 165:15 174:10 182:14 182:20 183:2 192:10 209:6 situational 172:1 181:17 situations 106:16 112:9 149:2 six 13:5 skin 45:19 174:14,16,17 skipped 91:16	slash 86:11 slid 56:7 sliding 144:14 slow 110:20 smith 1:10 3:21 5:20 8:13 9:15 26:23 27:1 30:17 31:5,11 31:13,22 32:10 32:15 33:1,3 35:4,11,13 36:2 38:10 41:7 49:1 58:18 64:1 66:11 67:2 73:19 76:16 77:6,23 79:12 86:18 88:6 89:3 90:15 92:12 94:19 95:9,21 96:10 102:2,8 113:2 113:4,6,15,17 113:21,23,24 114:2 115:23 116:8 117:2,7 123:18 124:2 124:19,24 125:3 126:10 126:16,19 127:7 128:3,13 130:17 131:3 134:24 135:8 135:13 137:4	138:13,23 139:1 142:22 144:2 145:3,9 145:22 148:12 149:23 150:16 154:3 155:22 156:6,11 159:20 161:2 161:24 163:6 174:8 177:17 177:19,22 178:5,9 184:7 186:7,7,17 187:3,4,5,12,13 188:1,6,12 189:4 190:12 191:23 195:4 195:16 196:4 196:15 198:1 201:18 203:4 205:13,14 213:15,22 smith's 37:8 39:22 48:19,23 58:15 105:3 124:17 133:1 135:18 138:16 139:2 150:20 198:15 210:1 software 112:18,19 solely 125:2 solutions 7:18 7:20 219:19
--	---	--	---

somebody 17:24 19:22 24:20 54:19 82:12 98:1 99:4 109:5 112:9 147:24 157:5,16 158:1 158:2,4,18 169:16 179:17 182:14 183:2 192:2,13,24 193:7 194:10 207:17 208:7 209:5 214:6,14 218:19,20	sound 121:18 128:19 sounded 46:9 south 29:7 span 30:8 speak 20:14 22:12 27:2 28:6 47:20 51:21,23 52:2 61:11 62:23 67:10 68:4 75:23 134:7 171:22 speaking 8:19 10:11 19:21 23:23 24:10 44:24 71:16 73:20 82:9 87:3 88:3 157:13 180:2 200:2	speculate 93:14 197:15 speculation 54:9 58:2 81:17 83:2,3 84:18 87:12,13 92:14 94:6 99:9 108:17,18 126:20,24 129:23,24 130:13,21 146:16 147:17 148:17 151:3 154:19 155:6 157:22 160:20 166:19,21 170:6 180:9 181:5,24 182:16 184:18 187:21 188:21 190:17 192:5 195:8 199:21 200:7 201:20 204:1,12 209:12 211:14 213:6 214:9 speculative 169:5 spitting 195:5 splatters 29:23 split 196:16 spoke 28:4,10 28:11,15,18 32:14,24 34:2	54:23 56:10 60:6 61:16,18 62:1,6 63:18 65:6 67:20 82:4,14 101:7 105:14 106:5 119:16,19,21 119:23 122:5 134:3 139:20 155:21 170:18 194:23 211:23 spoken 33:1 171:24 spreadsheet 96:6 squad 26:21 212:9 213:3 ss 220:2 ssbpartners.c... 3:18,19 st 4:5,6 stabblings 15:2 staff 27:21 36:19,19 73:4 staffing 73:3 stages 117:17 stain 138:3 stairs 19:15 154:13 stairways 155:3 stairwell 155:8 155:9
--	---	---	--

stamping 140:24	65:1 66:22 67:6,24 71:11	stating 174:13 212:22	205:12
stand 109:21 207:11,18	74:2,3,4,13 75:18 76:12	station 21:16 64:9	strikes 82:15
standard 149:16	77:13 80:18,23 81:1 84:6	status 75:19 76:11 194:16	striking 19:16 122:12 176:10
standing 215:8	88:11,21 89:17	statute 80:10 87:20,23	strong 18:1 23:6
standpoint 148:8	103:7,11 116:3 116:11,15	statutes 17:13 17:13	struck 19:13 39:10 151:1,9
star 91:24 165:5	119:6 122:5 123:1,3 133:16	stay 30:6 98:6	struggle 29:21 29:23,24
started 68:17	143:11,17,19	stenographic... 220:12	stuff 172:21
starting 13:2	156:9 196:17	steps 20:7 46:15,20 60:23	submit 103:9
state 1:17,21 7:24 8:3 13:12	201:17 203:11 205:17 212:4	60:24 65:1 116:13	submitted 33:15,16 86:7
42:8 82:22 137:11 138:5	216:5,18 217:6 stated 134:19 137:16	stop 45:20,21 176:19	subpoena 55:24 56:6
138:19 139:6 139:13 168:9	statement 62:18 122:23	stopping 70:21 71:2,23	57:5,7,19 104:4,17,20
194:3 197:16 197:21 207:10	123:19 124:17 139:18 140:2	story 120:10	subpoenaed 59:5,7 122:6
207:11 220:1,5	168:6 190:15 191:10,15,17	strategy 201:16 202:3	subpoenas 55:15,19 59:14
state's 17:9,10 22:6,16,19	191:20,22 193:20 210:14	street 1:22 2:5 2:14 3:4,15 5:5	102:20 104:11 104:14
23:11 33:2,23 34:1,2,7,14,15	statements 91:7 107:17	5:15 180:8	subsequent 63:6,11 65:23
35:5 45:6 49:4 49:7,8 50:12	120:3,3 136:4 142:21 177:1	stress 38:7	substance 11:6 122:13
51:15 52:6,8 52:22 53:16	212:3	strictly 15:13	substances 78:6
55:5,10 56:11 56:15 57:2,10	states 207:19 208:3 212:16	strike 36:15 90:13 91:1	substantive 172:3
58:22,23 59:1 60:16 64:3		97:17 106:4 151:11 171:20 187:15 190:24	

sucking 127:2	supposed 99:6	synonymously	110:21 114:21
sudler 1:7,7	supreme 1:17	82:20	114:24 115:6
4:18 7:11 9:8	sure 11:2 13:4	system 54:19	193:23
72:11 170:13	13:17 15:1,13	78:13 141:1	talked 57:19
172:23 217:8	16:13 20:10	179:1 214:20	67:1 80:3
217:11	39:16,17 40:20	t	82:10 83:9
suffering 11:10	42:24 59:4	t 6:12 29:6	143:19 209:21
suggest 77:21	76:2 84:4	122:5,5	talking 20:22
108:8	85:16 106:15	tactic 110:20	44:8 84:4,5
suggested	144:22 165:7	tactical 13:6	92:2 95:23
179:6 195:15	182:10 202:17	take 7:6 10:21	99:2 108:13
suicide 140:6	209:1,19	11:3 16:6 27:9	128:7 196:19
suite 1:22 2:5	210:19	31:5 33:13	tapes 96:5
2:14 3:4,15 4:5	surface 176:10	34:16 35:9	97:21
4:13 5:5 7:15	surprise 120:19	40:4 56:18	team 13:24
summary 50:9	121:16	60:15 69:3	15:9
summation	surprised	78:22 81:5,13	teammates
135:12	111:14	81:24 82:1	198:21
summoned	surprising	85:21 97:8	teams 189:15
40:11 212:11	121:7	114:23 120:7	189:17
super 195:21	surveillance	156:16 164:4	tech 47:7
superiors	48:3 127:19	176:21 202:14	technically
196:22	suspected	taken 1:15,19	217:19
supervisor	87:10	7:9 44:12 79:4	technicians
52:17	swabs 137:23	112:8 137:4	24:15 61:4
supp 25:3	138:2,11,14	138:2,12,15	tedaldi 1:9 4:18
supplemental	140:11	139:2,9,10	9:8 170:14
24:12 65:5	swear 9:2	140:12 142:23	171:22 172:5,8
175:1,13	sweeney 3:12	164:8 202:19	172:11 216:19
210:12	8:12	220:16	216:22
supplementary	sweep 165:7,12	takes 81:14	telephone 15:3
6:17	sworn 9:19	talk 47:18 53:3	95:3
support 76:15	10:3 220:9	66:24 81:6	tell 12:9 14:22
			16:10 17:18

[tell - three]

Page 47

24:7 32:18	179:7 194:15	196:15 201:21	81:19 88:2,19
33:14 35:19	210:7	205:1 209:22	88:23 89:7
37:12 38:9	test 136:18	213:5 219:16	102:21 104:10
42:12 52:11	137:3,7,8	220:14	105:13 107:9
59:2 60:19	testified 10:3	testing 137:12	117:21 157:12
66:15 67:19	11:20,24 12:3	138:6,20 139:7	164:17 166:1
69:20 72:5,7	25:19 65:24	139:14 140:15	175:5 183:14
84:21 85:1,6	82:14 118:7	text 206:10,11	185:23 201:2
108:6 110:14	124:22 127:23	texting 58:19	207:6 211:12
116:2 121:24	132:3 133:4,14	thank 27:10	215:18,19
125:19 133:10	134:2,22	96:2 100:2	thinking 170:2
173:12 187:24	139:16,23	117:22,23,24	170:5,7
189:9 193:10	141:24 150:9	144:16 167:3	thorough 183:4
194:5,11	191:5 196:12	170:9 171:9	thought 18:15
197:20 210:21	205:1 208:6	173:3,7 177:10	32:22 42:24
telling 84:23	210:10,13	206:18 217:17	88:5 89:17
174:2 212:13	211:23	218:14 219:7	121:21,24
temporary	testify 11:16	219:12,13	123:23 124:22
21:14,17	123:11,13	thanks 219:10	142:1 158:1
ten 96:13,16	220:9	the 54:4	168:6 184:2
186:3,3	testifying 10:12	theft 14:12	threat 146:19
tendered 43:16	211:2	themselves 93:23	162:18 163:3,6
50:22 51:1	testimony 11:8	theory 172:16	163:13,16,19
tere 164:20	57:20 118:9	thing 26:19	threats 15:3
term 114:20	122:21 125:2	67:18 164:21	215:6
terminology	125:10,14	181:13	three 14:10
74:7 207:15	135:7 142:4	things 15:2	15:16 30:13
terms 13:15	143:5,9 150:9	63:20 69:21	55:19,22 61:17
23:18 44:6	150:12,20,23	70:3 164:19	61:21,22
60:15 82:23	151:6 158:24	169:3 172:2	103:21 105:14
83:16 84:17	165:16 170:15	190:9 208:6	151:9 164:17
85:14 98:15	174:2,13	212:6	176:8 187:17
102:12 109:3	180:19 188:4	think 20:23	215:22 216:1
114:19 167:5	188:10 191:12	23:1 80:2	219:18

tier 199:17,17	184:8 185:23	45:17 54:12	toxicology
tik 105:20	185:24 186:1	64:24 66:18	53:21 54:5
time 7:5,24	186:16,16,17	67:2 68:12	78:11 101:21
10:22 26:13,17	187:2 189:5	116:5 117:13	102:9,11,16
27:9 29:10	190:2,14	123:22 124:17	133:14,18
46:18 49:11	193:10,23,23	125:19,22	134:1,9,13
50:16 56:22	194:16,16	126:16 133:5	197:9
57:24 58:8	196:21 198:8	139:22 151:18	traffic 179:3
61:24 78:19	198:13 200:6	151:22 155:16	train 112:16
79:2 81:6,14	201:5,6,8	169:12 194:7	trained 13:9
87:7,19 88:21	203:22 204:10	212:7	79:17,18 94:12
88:23 91:21	214:20 219:13	took 27:5 46:15	109:9,10 110:6
92:3,10,22	220:17	46:19 61:1	111:4,8,20
95:20,21 96:9	times 11:23	65:13 67:2	114:9 134:12
96:10,17	61:15,22,23	120:2 145:9,16	189:21
102:24 103:2	62:2 84:7 96:6	166:17 176:22	trainees 109:10
103:20,22	105:15 132:13	191:23 195:1	training 13:1,6
106:6 110:20	136:12 149:7	top 36:3 111:16	13:6,11,11
114:20,23	151:10 197:14	141:18 188:1	15:11,14,15
115:21 116:15	201:11	188:14	79:18,21 80:1
116:21 122:17	timestamps	total 61:23	80:6 81:12
124:6,9 127:6	140:22	219:17	107:21 109:18
127:11 128:6	tipped 42:9	touching	109:22,23
128:16 131:5	today 11:8,17	135:14	110:10,24,24
133:21,22	12:17 134:15	tough 94:10	111:10,12,17
135:1 140:24	173:8 209:22	toward 125:21	111:21,22
141:12,13,15	today's 219:16	130:19 187:12	112:7,11,13,14
146:7,20,23	together 40:6,8	towards 29:8	112:19 113:6
149:20 156:1	52:18 128:17	120:23 128:22	113:20 114:19
158:11 160:9	129:2 145:19	130:7,9 153:14	114:21 126:22
162:18 163:3	184:14 201:16	185:8 187:13	129:21 134:9
164:6,10	tok 105:20	tox 101:20	147:11 205:1
167:12,15	told 36:13	toxicologist	211:11
169:7 178:4,11	38:23 42:2,13	134:7	

transcript 34:8 220:11	true 48:11 87:15 111:10	162:17 165:15 165:18 209:1	53:17,22 56:7 89:4 90:15
transport 26:24 177:22	183:13 220:14	types 14:8,10 54:4 127:10	96:11 105:9 172:16,24
transported 21:16,16	truth 220:9	typewriting 220:13	211:21 213:1 220:13
trauma 13:11	truthfully 11:16	typewritten 121:10	undermine 77:5
treatment 38:20 43:4	try 20:11 22:14 23:11 57:4	typical 16:11 22:7,8 30:20	underneath 138:9
111:17 115:12	110:20,21,22 114:24 115:5,5	60:15 98:15	understand 10:15,16,23
180:18	164:19 196:21	108:14 179:21	11:14 36:11
trespass 203:18	trying 10:8	typically 96:19 97:16 98:4	53:15 97:14
trespasser 213:24 214:6	104:17 214:1 214:14	112:14	103:15 167:17
214:12	turn 16:6 41:2 66:7 88:19	u	169:15 193:5
trial 12:12	turned 47:12 107:4	u 8:8	understanding 50:24 93:2
tribbia 5:4 6:8	turning 15:19	u.s. 22:13	94:17 95:13,15
9:10,10 99:12	two 29:23 33:17 54:3	ultimate 52:17 67:7	96:8 98:3
108:21 121:3	56:24 62:2	ultimately 17:10 56:7	100:19 101:13
143:3 148:23	64:13 81:14	69:11 124:19	111:2 112:12
149:15 150:8	82:1 95:17	203:21 205:17	116:7 170:17
156:21,23	103:20 105:16	unable 56:4 57:8,18	172:14 177:19
161:7,18	140:3 151:9	unarmed 209:4	178:9 182:11
164:13,15	176:8 187:17	unclear 81:17 128:6	184:6,10,12
166:23 167:3,4	191:2,3 202:11	undefined 84:17	185:9 186:4
169:10 170:8	202:12 214:11	under 11:5 21:19,22 23:21	187:3 188:17
212:15 213:6	type 18:19 20:11 38:18		189:16 190:1
217:18,22	53:13 93:15		197:11 198:23
218:14	108:8 113:21		201:7 203:17
trick 10:8	114:1 146:11		205:4 213:1,4
trigger 74:20			218:18 219:2,6
trucking 172:20			

understood 10:18 165:14 199:7 unit 7:8 14:13 22:2 24:17 123:7 153:14 164:24 165:19 168:13 189:22 189:24 190:1 199:2,9 units 13:20 200:3,12,22 211:9 219:18 unlawful 53:14 unlocked 40:21 133:7 151:16 unquote 140:3 unusual 81:24 82:3 107:12 update 51:16 51:20 59:3,13 59:18,19,21 64:23 116:1,4 updated 13:12 57:17,21 updates 61:9 uploaded 34:7 ups 202:11 upset 31:15 106:7,12,15 upstairs 92:13 94:19 95:10 96:17 129:7 133:7 146:8	147:7 150:1,20 156:11 159:3 use 74:7 82:18 82:19 83:13,15 84:7,9 85:9,14 107:16 110:20 114:1 169:4 207:15 209:7,9 218:21 used 82:18 111:11 113:10 114:20 155:3 207:7 208:9 209:6 219:18 uses 208:7 using 120:21 usually 16:13 114:12 v v 8:8 vague 179:23 vaidya 3:3 6:5 8:6,7 10:5 12:13 25:8 35:3 39:8,13 39:20 44:1,17 53:6 54:16 55:3 58:5 69:18 70:1 71:1,22 77:1 77:11 78:14,18 93:9 94:1,4,24 96:24 97:11	98:10,19 99:10 108:2,22 112:20 125:5 125:12 126:13 126:23 130:1 130:14,22 131:8 132:1 135:10,22 142:3 143:1,15 143:22 144:7 145:7,12 146:1 146:15 147:2 147:15 148:5 148:15,18 149:13,17 150:11 151:5 152:13,16 154:21 156:17 156:20 157:6 157:18 159:1 159:11 160:21 161:9,17 162:2 162:10,19 163:11,22 203:15 204:9 204:21 206:5 207:12,20 208:12 209:9 211:15 213:8 214:23 215:11 219:8 valid 23:21 31:22 77:2 89:18 102:7	149:5 validates 102:13 vanderlaan 5:3 varied 185:3 187:24,24 vehicle 177:22 verbalize 11:2 verbatim 37:17 135:12 212:16 verbiage 155:20 verify 58:20 veritext 7:18,20 219:19 version 135:3 135:18 versus 7:11 21:12 viable 22:20 victim 44:8 victims 14:13 victor 8:8 video 7:6 20:11 43:17 44:7,7 44:15,18,24 45:2,5 48:7 49:2 127:18 128:7,11,12,19 129:14,16,19 130:8,12,18 131:1,12,13 146:9 162:23 163:3
---	---	---	--

videographer 5:22 7:1,18 8:20 9:1 44:10 44:13 78:22 79:1,5 164:5,9 202:17,20,23 219:15	w w 1:7 8:12,22 wabash 212:11 wacker 4:13 wagner 1:19 5:23 7:19 220:4 wait 93:8,23 98:16 99:6 160:23 161:2,5 161:15,24 waited 160:17 199:13 walk 13:14 15:10 20:6 25:17 33:24 46:14 153:2 walked 60:23 116:13 120:20 182:5 walking 130:7 130:19 144:2 walks 18:20 128:22 wall 29:24 140:11 144:14 151:11 188:4 188:18 wangler 5:14 8:22,22 12:11 52:24 76:21 83:3 100:24 108:3,16	112:21 121:4 125:13 126:24 129:24 131:7,9 141:17 142:6 143:6,13 145:14,24 146:14 147:18 148:4,16 151:4 154:20 157:19 159:24 202:14 207:21 209:13 214:24 215:12 215:21 219:14 want 10:8,12 16:19 36:5 46:14 53:7 55:10 60:19 75:22 81:5 85:21,23 90:21 97:7 102:14 106:17 128:9 144:17 148:8 158:2 168:17 201:3 202:10 209:24 wanted 21:9 32:19 40:21 51:21,22 52:1 53:3,9 55:5 58:20 64:3 66:12 92:20 107:10 116:3 122:23 127:17	warned 114:2 warrant 22:15 58:15,22 105:2 105:2,4,5 warranted 80:16 102:4 173:22 watched 162:23 watching 126:3 way 8:18 11:7 15:4 28:21 39:18 83:14,15 84:9 86:14 90:10 113:3 115:16 117:15 120:4 129:17 130:18 133:2 140:11 144:12 153:7 162:9,16 165:17 182:12 200:4 we've 164:18 weak 23:6 weapon 48:13 123:24 145:4 148:1 209:1,5 weapons 124:10,14 208:21,23 wearing 70:6 124:6 week 15:13
---	--	--	---

weeks 42:2	144:6,17,20	96:17 125:21	141:20,23
140:3	145:6,13 146:2	133:7 135:2	142:10,11
weiss 4:12 6:9	146:13,16	145:16,19	143:10,16
9:7,7 93:11	147:3,16	147:7,9 150:1	144:1,10,15,18
94:5 95:5	148:19 149:14	151:18,22	144:21 145:1,8
96:23 98:20	150:7,12 151:3	152:7,11,21	145:18 146:6
108:18 148:2	152:1 153:4	153:14,18,21	146:21 147:6
148:21 156:22	154:19 155:6	153:24 154:3	147:23 148:9
170:11,13	156:18 157:7,9	160:9 163:17	149:6,22
173:3 211:16	157:21 158:24	163:20 165:6	150:18 151:13
215:18,24	159:10 160:1	167:12 170:3	152:2,6,19
216:3,16 217:4	160:20 161:11	180:16 198:5,5	153:6 155:1,11
217:17	161:20 162:3	199:13 203:21	157:3,14 158:6
wenger 3:13	162:11,14	203:22	159:2,14 160:4
8:11,12 9:16	163:8 175:5	west 3:15 13:17	160:5,22
39:18 83:2,17	177:13 207:13	31:7 155:8	161:14,23
84:10 85:4	207:23 208:11	184:22	162:6,15,22
87:12 90:17	209:11,16	westbound	163:12 164:3
91:9 92:14	211:14 213:7	153:15,20	166:19,22
93:10 94:2,6	214:8,21 215:8	whereof 220:23	175:6,8 179:22
94:21 95:11	219:9	whispering 7:4	180:9 181:3,6
96:22 97:10	wengler 148:3	white 2:4 6:7	182:16 184:16
98:9,18 99:7	went 13:20	8:15,15 39:4	184:19 185:19
100:23 101:11	14:18 15:15,17	54:10,21 76:20	186:10,20
107:23 112:1	16:5,9 27:7,16	77:10 78:7	187:6,19,22
112:22 117:4	30:3,4,8,9,10	117:23 118:2,4	188:9,20 189:7
120:24 125:15	31:20 32:5,8	121:8,23 125:6	190:18 191:13
126:12,20	37:10 38:23	125:18 126:15	192:4,16
128:5 129:12	40:16 42:4	126:21 127:5	193:13 194:5
129:23 130:13	47:4 52:13,18	128:8,10	194:20 195:10
130:21 131:6	63:19 73:21	129:13 130:6	196:8 197:12
131:10,22	80:2 88:20	130:16 131:2	197:18 198:11
135:9,21 142:5	92:22 95:9,18	131:15 132:2	198:17 200:7
143:2,5,23	95:21 96:10,14	135:15 136:1	200:19 201:22

[white - wrote]

Page 53

202:6,13 203:8	121:20 125:16	198:12,19	98:23 112:8
204:3,14	127:1 130:2,23	200:1,10,18,20	212:20
206:20,22	131:11,23	201:12,23	work 12:14
207:16 208:4	135:11,23	202:7 203:9	14:17,21 15:4
208:15 209:20	136:4,13 142:7	204:4,15,18	53:22 62:19,24
211:19 212:21	143:7 144:8	207:14 208:1	63:3 108:15
213:10 214:17	145:15 146:4	208:13 209:17	111:23 112:7
215:4,16	146:18 147:4	211:17 214:10	189:17 198:2
216:12,24	147:20 148:6	215:1,14	worked 13:21
217:13 218:23	149:1,18	216:14 217:2	13:21,23 27:21
219:3	150:14 151:8	217:15 219:5	38:6
wife 18:21	152:4,14,17	219:12 220:8,8	working
wise 60:20	154:22 155:7	220:23	180:23
wish 66:10	157:1,11,23	witnesses 20:10	works 112:3
wished 67:19	159:12 160:2	23:23 28:7	worn 118:22
witness 6:3 9:2	161:12,21	32:24 34:10,12	119:2,6 155:13
9:18 10:2 12:5	162:4,20 163:9	34:14 45:9	worried 151:16
25:2 27:24	164:1 167:1,21	53:4,8,10,11	wound 127:3
35:1 39:6,19	167:22 168:1	54:12 57:20	wounds 127:2
44:7,16 53:2	172:2 177:8	69:20 75:23	127:10 135:14
54:6,11,22	178:15 179:12	81:7 87:3 89:1	wow 42:7
58:3 69:19	180:1,10 181:8	118:9,19	wrap 144:23
70:20,24 71:21	182:1,19 183:7	120:15 123:2	write 33:20
76:18,22 78:10	183:8 184:20	137:16 150:21	written 169:24
81:21 84:1	185:13,20	174:2 177:2	174:21
85:8 90:18	186:11,23	186:2 197:8,21	wrong 95:7
91:10 92:15	187:9,23	woman 194:6	119:18 127:23
93:12 94:8	188:11,23	word 10:22	140:1 153:1
95:1 96:3 97:2	189:8 190:4,20	34:16 82:19,20	172:15 206:24
97:12 98:12,22	191:14 192:7	84:7 85:9	wrongful 8:16
101:1,12 108:5	192:18 193:6	107:16 113:9	118:5
108:23 112:4	193:15 194:21	113:11	wrote 176:16
112:23 117:5	195:11,20	words 10:23	
118:12 121:6	196:9 197:3,19	83:13 85:12	

[x - zoom]

Page 54

x
x 6:2,12
y
y 8:9
yeah 38:7
105:5 112:5
144:18 191:21
year 12:1 14:1
19:14 52:20,21
64:12 82:1
years 12:23
15:16 33:17
79:23 81:11,11
81:14 83:8
98:3 106:11,11
110:15 111:1
136:11,15
yelling 46:12
72:8 158:14
yep 177:13
younan 1:10
3:10 36:7
z
zoom 39:13

Illinois Code of Civil Procedure

Article II, Part E

Rule 207, Signing and Filing Depositions

Signing and Filing Depositions

(a) Submission to Deponent; Changes; Signing.

Unless signature is waived by the deponent, the officer shall instruct the deponent that if the testimony is transcribed the deponent will be afforded an opportunity to examine the deposition at the office of the officer or reporter, or elsewhere, by reasonable arrangement at the deponent's expense, and that corrections based on errors in reporting or transcription which the deponent desires to make will be entered upon the deposition with a statement by the deponent that the reporter erred in reporting or transcribing the answer or answers involved. The deponent may not otherwise change either the form or substance of his or her answers. The deponent shall provide the officer with an electronic or physical address to which notice is to be sent when the transcript is available for examination and signing. When the deposition is fully transcribed, the officer shall deliver to the deponent, at the address supplied,

notice that it is available and may be examined at a stated place at stated times, or pursuant to arrangement. After the deponent has examined the deposition, the officer shall enter upon it any changes the deponent desires to make, with the reasons the deponent gives for making them. If the deponent does not appear at the place specified in the notice within 28 days after the mailing of the notice, or within the same 28 days make other arrangements for examination of the deposition, or after examining the deposition refuses to sign it, or after it has been made available to the deponent by arrangement it remains unsigned for 28 days, the officer's certificate shall state the reason for the omission of the signature, including any reason given by the deponent for a refusal to sign. The deposition may then be used as fully as though signed, unless on a motion to suppress under Rule 211(d) the court holds that the reasons given by the deponent for a refusal to sign require rejection of the deposition in whole or in part.

(b) Certification, Filing, and Notice of Filing.

(1) If the testimony is transcribed, the officer

shall certify within the deposition transcript that the deponent was duly sworn by the officer and that the deposition is a true record of the testimony given by the deponent. A deposition so certified requires no further proof of authenticity

(2) Deposition transcripts shall not be filed with the clerk of the court as a matter of course. The party filing a deposition shall promptly serve notice thereof on the other parties and shall file the transcript and any exhibits in the form and manner specified by local rule.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.