

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

3	UNITED STATES OF AMERICA,)	
4	Plaintiff,)	
5	vs.)	CRIMINAL CASE NO. CCB-17-106
6	DANIEL THOMAS HERSL and)	
7	MARCUS ROOSEVELT TAYLOR,)	
8	Defendants.)	
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Tuesday, January 23, 2018
Courtroom 1A
Baltimore, Maryland

BEFORE: THE HONORABLE CATHERINE C. BLAKE, JUDGE
(AND A JURY)

VOLUME I - EXCERPT

TESTIMONY OF MAURICE WARD

For the Plaintiff:

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Reported by:

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1 For the Defendant Daniel Hersl:

2 William B. Purpura, Jr., Esquire
3 Thomas W. Rafter, Esquire

4 For the Defendant Marcus Taylor:

5 Christopher C. Nieto, Esquire
6 Jenifer Wicks, Esquire

7 Also Present:

8 Special Agent Erika Jensen, FBI

9 TFO John Sieracki

10 Matthew Kerrigan, Government's Trial Technician

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P R O C E E D I N G S

(Excerpted as follows:

(Jury entered the courtroom at 2:08 p.m.)

THE COURT: You can all be seated.

Government is calling a witness?

MR. WISE: Yes, Your Honor.

The United States calls Maurice Ward.

THE CLERK: Please raise your right hand.

MAURICE WARD, GOVERNMENT'S WITNESS, SWORN.

THE CLERK: Please be seated.

Please speak directly into the microphone.

State your full name for the record and spell your last name, please.

THE WITNESS: Maurice Ward, W-A-R-D.

THE CLERK: You may pull the microphone closer to you.

Thank you.

THE COURT: Would you like to proceed, Mr. Wise.

MR. WISE: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. WISE:

Q. Mr. Ward, are you formerly a detective in the Baltimore Police Department?

A. Yes, sir.

Q. And are you a defendant in this case?

A. Yes, sir.

~~WARD DIRECT~~

1 Q. What have you pled?

2 A. Guilty.

3 Q. And why did you plead guilty?

4 A. The charges brought against me I done.

5 Q. And what were you charged with?

6 A. Robbery and overtime fraud.

7 Q. And we're going to go into this at some length, but what
8 did you do, Mr. Ward? What did you admit to doing?

9 A. Committing robberies and also fraud in Baltimore City of
10 overtime.

11 Q. And I want to take each of those separately.

12 When did you rob people?

13 A. While at work.

14 Q. Whose work?

15 A. Police officer, Baltimore City.

16 Q. And where were they? Where were these people?

17 A. In the city, Baltimore City.

18 Q. And in what kind of situations?

19 A. Usually when we arrested them, they were detained.

20 Q. And what did you steal from them?

21 A. Money, but -- jewelry, clothing items.

22 Q. And if you had to -- if you had to try to sum up how much
23 you stole from these people, what would it be?

24 A. Would that be including like the overtime or just the
25 personal --

~~WARD DIRECT~~

1 Q. Just from people that were arrested and detained.

2 A. Over \$20,000.

3 Q. Were there times when you robbed people just by yourself,
4 not with any other members of the unit?

5 A. Yes.

6 Q. And how often did that happen?

7 A. I mean, more than once is too much, so pretty -- pretty
8 often.

9 Q. And how much money, generally, would you take in those
10 instances when you were doing it by yourself?

11 A. Sometimes two, three hundred dollars.

12 Q. Were there times when you robbed civilians with other
13 officers on the GTTF?

14 A. Yes, sir.

15 Q. And which officers?

16 A. Hendrix, Taylor, Gondo, Rayam, Jenkins, Hersl.

17 Q. And were you armed when you robbed people?

18 A. Yes.

19 Q. Were other officers on the GTTF armed?

20 A. Yes.

21 Q. And did you physically restrain people with handcuffs when
22 this -- when they were being robbed?

23 A. Yes, I did.

24 Q. And did other officers physically restrain people with
25 handcuffs at those times?

~~WARD DIRECT~~

1 A. Yes.

2 Q. And did you create false police reports?

3 A. Yes, we did.

4 Q. And why did you do that?

5 A. To cover up what we were doing.

6 Q. Now, as part of your plea agreement, did you agree to
7 cooperate with the United States in this case and in the
8 ongoing investigation into corruption at the Baltimore City
9 Police Department?

10 A. Yes, sir.

11 Q. And what do you understand that to mean? What do you have
12 to do, Mr. Ward?

13 A. Tell the truth.

14 Q. And what, if anything, do you hope to get in return for
15 telling the truth?

16 A. I hope to get a reduced sentence.

17 Q. Have you been sentenced?

18 A. No, sir.

19 Q. And who will sentence you?

20 A. A judge.

21 Q. And is the judge part of your plea agreement?

22 A. No, sir.

23 Q. Even if the United States were to recommend that you get a
24 lower sentence, does the judge have to follow that
25 recommendation?

~~WARD DIRECT~~

1 A. No, sir.

2 Q. Have any promises been made to you about what your
3 sentence actually will be?

4 A. No.

5 Q. What is the maximum penalty for the crime that you've pled
6 guilty to?

7 A. I believe it's 20 years.

8 Q. So Judge Blake can sentence you up to 20 years?

9 A. Yes, sir.

10 Q. And are you in jail right now?

11 A. Yes, sir.

12 Q. Why?

13 A. 'Cause of the crimes I committed.

14 Q. Mr. Ward, where did you grow up?

15 **THE COURT:** I'm sorry. Let me just interrupt.

16 If you've sort of finished the summarizing of the plea
17 agreement, I just want to advise you, ladies and gentlemen,
18 you're obviously hearing testimony from a witness who has pled
19 guilty to charges arising in this case. And you've heard him
20 and the Government characterize those charges.

21 I just need to tell you: You should not draw any
22 conclusions or inferences of any kind about the guilt of either
23 of the defendants who are here on trial or the charges they may
24 be facing simply because of the fact that this witness pled
25 guilty to certain charges.

~~WARD DIRECT~~

1 His decision to plead guilty is a personal decision
2 about his own guilt, and it may not be used by you in any way
3 as evidence against or unfavorable to the defendants on trial
4 here.

5 Obviously, you may consider the testimony you're about
6 to hear, weigh it, give it the credibility and the weight you
7 think it deserves; but simply the fact that he pled guilty to a
8 certain charge is not evidence against these defendants.

9 All right?

10 **MR. WISE:** Thank you, Your Honor.

11 **BY MR. WISE:**

12 **Q.** Mr. Ward, where did you grow up?

13 **A.** Baltimore City.

14 **Q.** And how far did you go in school?

15 **A.** Some college.

16 **Q.** When did you join the Baltimore Police Department?

17 **A.** October the 8th, 2003.

18 **Q.** And where were you first assigned?

19 **A.** When I first came out, after the academy was DSU,
20 District Stabilization Unit, which was pretty much a foot unit.
21 And we used to work throughout the whole city.

22 **Q.** And how long were you on the DSU?

23 **A.** Maybe a year.

24 **Q.** And what happened after that?

25 **A.** After that they sent me to Western District patrol.

~~WARD DIRECT~~

1 Q. And what did you do in the Western District on patrol?

2 A. I was a uniformed officer. I responded to calls.

3 Q. And you mentioned the Western District. What's the -- how
4 is the BPD organized in terms of districts?

5 A. It's broken down into nine districts.

6 Q. And is the Western one of them?

7 A. Yes.

8 Q. And how long were you on patrol in the Western District,
9 if I haven't already asked you that?

10 A. Maybe three, three to four years.

11 Q. And what happened after that?

12 A. After Western District patrol, I went to the operations
13 unit, which is a plainclothes, nonuniformed unit. It's pretty
14 much like a drug unit.

15 Q. And what kind -- you said that in the -- on patrol you
16 responded to calls. What kind of work does or did the
17 operation -- the operational unit do?

18 A. It was pretty much you go where you wanted to go in the
19 Western District.

20 Q. And you said you were in plainclothes?

21 A. Yes, sir.

22 Q. And at some point did you become a detective?

23 A. Yes, sir.

24 Q. And what kind of unit did you work on when you became a
25 detective?

~~WARD DIRECT~~

1 **A.** It was SES. But before it was called SES, it was VCID or
2 VCIS.

3 **Q.** And what is the -- what does SES stand for?

4 **A.** Special Enforcement Section.

5 **Q.** And just since you mentioned it, what does VCID stand for?

6 **A.** It was the Violent Crime Impact Section.

7 **Q.** And what kind of work did the SES unit do or supposed to
8 do?

9 **A.** It was pretty much drugs, but it was kind of like a
10 high-level drug unit.

11 **Q.** When were you first assigned to an operational unit? What
12 year, if you remember?

13 **A.** Might have been like '09, I believe.

14 **Q.** And what was the last operational unit you worked on?

15 **A.** The Gun Trace Task Force.

16 **Q.** Now, I want to direct your attention to 2014, to January
17 of 2014.

18 What unit were you working on in January of 2014?

19 **A.** It would have been SES.

20 **Q.** And who was the sergeant at the time?

21 **A.** It would have been Sergeant Ivery.

22 **Q.** And who else was in the unit with you?

23 **A.** In the unit or in the squad?

24 **Q.** Which is -- I guess which is smaller?

25 **A.** The squad. The unit is a whole, but each -- it's squads

~~WARD DIRECT~~

1 on all the units, so . . .

2 Q. I see. So who was in that squad with you?

3 A. It was myself. It was Detective Pinto, Detective Young,
4 Detective Thomas, Detective Taylor.

5 Q. Is that Detective Marcus Taylor?

6 A. Marcus Taylor, yes.

7 Q. And do you see him in the courtroom?

8 A. Yes, sir.

9 Q. And can you point to him and describe what he's wearing.

10 A. A suit, African-American male sitting down there with the
11 suit (indicating).

12 **MR. WISE:** Your Honor, let the record reflect that the
13 witness has identified the defendant, Marcus Taylor.

14 **THE COURT:** It will.

15 **BY MR. WISE:**

16 Q. Mr. Ward, did you search the home of someone named
17 Shawn Whiting on January 24th, 2015?

18 A. Yes.

19 Q. And who participated in that search?

20 A. All the individuals who I just named that were on the
21 squad that day.

22 Q. Including -- including Detective Taylor?

23 A. Yes, sir.

24 Q. And who wrote the search warrant for that search?

25 A. I did.

~~WARD DIRECT~~

1 Q. Now, when you write a search warrant, are you responsible
2 for what's seized at the location typically?

3 A. Yes, sir, the whole case is pretty much your case. You're
4 responsible for the majority of it.

5 Q. And what are you supposed to do with property that's
6 seized pursuant to a search warrant?

7 A. It's supposed to be documented, and it's usually submitted
8 to Evidence Control Unit.

9 Q. And what's the Evidence Control Unit?

10 A. It's a unit that holds all the evidence for court
11 purposes: drugs, guns, money. Everything like that.

12 Q. So is this a unit within the Baltimore Police Department?

13 A. Yes, sir.

14 Q. Now, was anything found at the home of Shawn Whiting when
15 the search was conducted?

16 A. Yes, sir.

17 Q. What was found?

18 A. Drugs, guns, and money.

19 Q. And do you know how much money?

20 A. No, I'm not -- I'm not sure how much money.

21 Q. Okay. Who found the money?

22 A. Detective Taylor found the money.

23 Q. Did you see him find it?

24 A. Yes.

25 Q. And where did he find it?

1 **A.** It was in the master bedroom, in Mr. Whiting's room in the
2 closet.

3 **Q.** And what happened -- what did you see when Mr. Taylor
4 found the money?

5 **A.** He was digging into the closet. And once he found the
6 money, he yelled, "I got it," out real loud and which brought
7 everyone in the room.

8 And then once he came from out the closet, he was holding
9 a bag. It was probably about that big (indicating). It was
10 just full of money. It was a stack of money in the bag.

11 **Q.** And what did he do or, I guess, what happened to the money
12 after he found it?

13 **A.** We -- we seized the money, but it was some task force
14 officers that were there.

15 **Q.** Okay.

16 **A.** And usually when you get a big seizure like that, they
17 normally would take the money. But for our case prep, we
18 wanted a picture of everything. So we took all the drugs and
19 all the money back to the Western District where we laid
20 everything out and took a photograph of it for our case folder.

21 **Q.** Now, at the time that Detective Taylor took the money, did
22 he say or do anything to you about what should happen to the
23 money?

24 **A.** He had asked me to look out for him.

25 **Q.** And what did you understand "look out for him" to mean?

~~WARD DIRECT~~

1 **A.** I mean we took some money to hold him down, gave him some
2 money.

3 **Q.** So just to be clear, if -- if some money was taken --
4 well, I guess who decides if money is going to be -- let me
5 back up.

6 When you say "money was taken," how are you using that
7 word? Are you talking about submitting it to BPD, or are you
8 talking about stealing it?

9 **A.** Talking about committing robbery, yes, stealing it.

10 **Q.** All right. So when a search is conducted and there's
11 money and it's stolen, in your experience, who decides how much
12 everybody gets?

13 **A.** If you typically -- if people that are involved when
14 you're committing robberies and they're going to receive money,
15 it's usually the person who's in charge of that case, because
16 ultimately they're the one who have to answer for it. So they
17 will determine if money is taken and how much money you should
18 get.

19 **Q.** And, again, who was in charge of this Shawn Whiting case?

20 **A.** I was.

21 **Q.** Was this the first time you had ever stolen money?

22 **A.** No, sir.

23 **Q.** This was in 2014; right?

24 **A.** Yes.

25 **Q.** Approximately when do you think you started doing it?

1 **A.** Years before that. I'm not sure of the exact year.

2 **Q.** What -- were you on patrol or was it once you had gone to
3 the operational unit?

4 **A.** Operations unit.

5 **Q.** Okay. And so you testified that Mr. Taylor asked you to
6 look out for him, was that the phrase?

7 **A.** Yes, sir.

8 **Q.** And what did you understand that to mean?

9 **A.** That meaning when I got some money, to give it to him. If
10 I was to skim some money off the pile, give some to him.

11 **Q.** Okay. Now, you testified that the money -- and I think
12 you said the drugs; right?

13 **A.** Yes.

14 **Q.** -- were brought back to a BPD office?

15 **A.** Yeah; and it was guns also.

16 **Q.** And guns.

17 Which BPD office were they brought back to?

18 **A.** We had a suboffice in the Western District. So we were in
19 the Western -- actual Western District on the second floor. We
20 had a small office in there.

21 **Q.** And where in the Western District is that office?

22 **A.** If -- you got to go up the steps. It's right by like a
23 gym, like a little -- where the weights are at. It's a small
24 office all the way in the back, close to the locker room, right
25 by the gym.

1 Q. And where -- I guess just to orient us. Where is the
2 Western District office in the city?

3 A. In Baltimore City.

4 Q. Okay. And where, like what neighborhood, if you --

5 A. Western District, like Gilmor Homes, Sandtown-Winchester.

6 Q. All right. And you testified that the money and guns and
7 drugs were brought back so they could be photographed?

8 A. Yes.

9 Q. All right. So walk the jury through what happened, I
10 guess, from the time that Detective Taylor found the money.
11 Walk us through where the money went, including once it got
12 back to that office.

13 A. Well, the money and everything went inside of a box. It
14 was money, guns, and it was drugs all went back into a box. We
15 also had a kilo press and we had -- it was a lot of items. So
16 we actually had to get a powervan, like a big van to put all
17 the evidence in there, and we drove it to the district. Once
18 we got all that, we laid everything out to take a photograph
19 for our case folder.

20 Q. And just if I could interrupt you, were you present for
21 all of that?

22 A. Yes, sir.

23 Q. Okay. So back to -- you said now you're back at the
24 district, and you're laying it out to photograph it. Where are
25 you now?

1 **A.** We're in the office in the Western District, in our
2 suboffice.

3 **Q.** Okay. And then -- and who's in that office with you with
4 the money and the guns and the drugs?

5 **A.** The whole squad was in the office, all the individuals I
6 named except Detective Pulliam. He was the only one. He left
7 earlier. So he wasn't there during the process of laying out
8 all the evidence and taking photos of it.

9 **Q.** Okay. And then where did -- so it was Detective Taylor
10 there with the money?

11 **A.** Yes, Detective Taylor was present there too.

12 **Q.** All right. And then once the money was laid out, the
13 guns, I guess, and the drugs were put out to be photographed,
14 what did you do?

15 **A.** Well, everything was laid out. It was photographed. And
16 we had to take an inventory of it, because I would --
17 Mr. Whiting was arrested. So I had to type up the probable
18 cause, which is the arrest information. And everything that we
19 recovered from that house had to be listed in the report.

20 So it was -- I mean, it was a lot of items that were
21 recovered. And they had to go -- also submit all the stuff to
22 Evidence Control Unit. So once everything was listed and
23 photographed and all that stuff, I took the property listing
24 sheet, which was everything that we recovered from the house,
25 and I took it downstairs and started to process the arrest for

~~WARD DIRECT~~

1 Mr. Whiting.

2 Q. And so you said you took it downstairs. Where's the
3 booking computer?

4 A. It's on the first floor in the Western District.

5 Q. All right. So you went from the room where the money was
6 being photographed down to the booking computer; is that right?

7 A. Yes, sir.

8 Q. To, I think you said, to start typing up the statement of
9 probable cause?

10 A. Yes; 'cause it was a lot of property was recovered,
11 so . . .

12 Q. And did all of that have to go in the statement of
13 probable cause?

14 A. Yes.

15 Q. All right. And so at that moment, who was left upstairs
16 when you left with the money and the other property?

17 A. Everyone went to submit. It was me, Sergeant Ivery, and
18 Taylor were the only ones left in the district.

19 Q. And you said, "Everyone went to submit." You're in the
20 Western District. Where do police officers in the Baltimore
21 Police Department go to submit evidence? Where's the actual
22 Evidence Control Unit that you've talked about located?

23 A. It's at headquarters, which is downtown Baltimore City.

24 Q. All right. So you testified everybody else, all those
25 names you mentioned, they had gone to bring, I guess, the guns

1 and the drugs down to the Evidence Control Unit?

2 **A.** Yes. Like I said, it was a lot of property that had to be
3 submitted, so more than one person went down there.

4 **Q.** Okay. Why was the money not taken down to the
5 Evidence Control Unit? Why was it left behind?

6 **A.** As I was saying before, it was a task force officer --
7 task force officer there. I think his name was
8 Golomouski (ph), I think that was his name. And usually, when
9 we get large seizures like that, they would usually take the
10 money and submit it to their bank.

11 **Q.** And what kind of task force was that task force officer
12 with?

13 **A.** He was underneath HIDTA, which is -- he was a city
14 officer, but he worked in the task force office -- officer, and
15 he was underneath HIDTA.

16 **Q.** And what's HIDTA?

17 **A.** I'm not sure of the acronyms, but it's -- they're -- I
18 guess they work with the feds.

19 **Q.** Okay. So just so I'm clear, when there's large amounts of
20 money seized, are those monies turned over to HIDTA or other
21 federal agencies?

22 **A.** Yes; because the process in Baltimore City is when we
23 seize a lot of money, we have to take all that money -- each
24 bill we have to lay out. And the serial number on any dollar
25 bill has to be shown.

1 So if you got 10, 20, 30 thousand dollars, the table might
2 be but so big, so it would take a long time to photograph all
3 that money. Whereas though the task force officers can come,
4 just take all the money; you put it in like a big Ziploc bag.
5 They sign it; you sign it. They deposit it to a bank. The
6 actual bank will count the money for you and get you an
7 accurate count, whereas though it would take five minutes; it
8 would take us a couple hours to do.

9 **Q.** Okay. So you said you didn't know how much money was
10 taken, but this was enough money that you got HIDTA involved
11 because they could process large amounts of money; is that
12 right?

13 **A.** Looking at the amount, I believe it was probably over
14 \$10,000.

15 **Q.** Okay. So who was left in the room when you went to the
16 booking computer with the money?

17 **A.** It was Sergeant Ivery and Taylor.

18 **Q.** Okay. And when you came back, what did you notice about
19 the amount of money?

20 **A.** Before I could actually take some of the money, that it
21 was -- the pile was smaller, the money.

22 **Q.** So the pile of money had gotten smaller?

23 **A.** Yes.

24 **Q.** And then -- then what happened?

25 **A.** That's when I took 1500 off for me and \$1500 off for

~~WARD DIRECT~~

1 Taylor. And I gave him \$1500.

2 Q. Was anyone there when you took \$3,000 from what was left,
3 1500 for you and 1500 for Taylor?

4 A. No. I was the only one in the room.

5 Q. Okay. So when you came back up from the booking computer,
6 were Ivery and Taylor gone?

7 A. Yeah. The only thing -- like our office, you have to have
8 a key to get in there. So it's not just anybody can walk in
9 there. Someone who actually had a key to the office had to
10 actually come in there, because once you close it, it locks.

11 Q. Was the door locked when you came back upstairs from the
12 booking computer?

13 A. Yes.

14 Q. And then you went in and you testified that you thought
15 the pile of money looked smaller?

16 A. Yes.

17 Q. And then what did you do?

18 A. I still took money from it, even though it was smaller.

19 Q. How much did you take?

20 A. I took a total of 3,000: 1500 for me and 1500 for Taylor.

21 Q. And why -- why were you going to give half the money to
22 Taylor?

23 A. He had asked me to look out for him.

24 Q. Back at the search scene?

25 A. Yes.

1 Q. Then what did you do with the -- well, where did you put
2 the \$3,000 that you stole?

3 A. I believe I kept it on my -- on my persons, I believe.

4 Q. And what did you do with whatever money was now left over?

5 A. That money, because the task force officer,
6 Golomouski (ph), he actually told me once I get finished taking
7 the picture, I could bring the money back to him and then he
8 would still submit it for me.

9 Q. And where was he?

10 A. He was located on the -- downtown in Baltimore City. I'm
11 not sure what street it was. I believe it might be Calvert.
12 Right across from the courthouse.

13 Q. And is that where you went?

14 A. Yes. I met him in the lobby.

15 Q. Do you remember if you met anyone else in the lobby with
16 him?

17 A. It was him and I'm not sure if it was a supervisor or
18 another task force officer.

19 Q. But there were two of them there?

20 A. It was two of 'em.

21 Q. Okay. All right. And then where did you go? Where did
22 you go after you submitted, actually submitted what was left of
23 the money?

24 A. After I gave it to the task force, I came back to the
25 district and finished typing up my probable cause.

1 Q. Okay. And then what happened to the \$3,000 that you had
2 had on your person that you had stolen from that money?

3 A. Eventually, I had seen Taylor and met up with him and gave
4 him his portion of the money.

5 Q. Do you remember where you met with him to give him his
6 portion?

7 A. If it wasn't in the office, it might have been down in the
8 locker room. The bottom -- the basement floor in the
9 Western District.

10 Q. Was it that day or was it another day?

11 A. Same day.

12 Q. And what, if anything, did Taylor say to you when you gave
13 him the money?

14 A. He actually apologized because he was upset because when
15 he found the money, he blurted out and alerted everybody else
16 and they came in and they had observed the money. He felt as
17 though if he wouldn't have said nothing, we could have took all
18 the money.

19 Q. All right. Next I want to ask you about a search warrant
20 at the home of someone named Vincent Lash. Did you participate
21 in a search warrant at the home of Vincent Lash?

22 A. No. I think that Vince -- the search warrant I think
23 you're talking about is -- he was the affiant.

24 Q. I see.

25 A. He was the officer who wrote the warrant.

~~WARD DIRECT~~

1 Q. Okay. And what squad were you on when you participated in
2 this search warrant that Vincent Lash was the affiant on?

3 A. The same squad, SES, underneath Sergeant Ivery.

4 Q. All right. And where was the house located that you all
5 searched?

6 A. It was in Baltimore City at Edmondson and Fremont.

7 Q. Okay. So Edmondson Avenue and Fremont Avenue?

8 A. Yes. The intersection -- it was like the corner house
9 there, the intersection.

10 Q. And what happened -- well, who was -- who participated in
11 that search?

12 A. Pretty much all the same detectives I named before. That
13 was our squad, so we always went together. Anytime we were
14 assigned to do a search warrant, that was typically while I was
15 in that squad the same people who I executed search warrants
16 with all the time.

17 Q. And was Detective Taylor there?

18 A. Yes, Detective Taylor was there.

19 **MR. PURPURA:** Judge, objection as to the same -- I
20 don't know who the same people are. He should identify who's
21 present, who's not present.

22 **THE COURT:** Well, Mr. Purpura, if you don't recall the
23 names, would you ask him to repeat them.

24 **MR. WISE:** Sure.

25

~~WARD DIRECT~~

1 **BY MR. WISE:**

2 **Q.** Could you repeat the names that you mentioned when you
3 were describing the last search warrant, the people that you
4 were -- that were on your squad at this time.

5 **MR. PURPURA:** Objection.

6 **THE WITNESS:** Sergeant Ivery was a supervisor. It was
7 myself, Detective Pinto, Detective Pulliam, Detective Thomas,
8 Detective Young, and Detective Taylor.

9 **BY MR. WISE:**

10 **Q.** Okay. So that was the squad; right?

11 **A.** Yes.

12 **Q.** And did all of those people participate in this search?

13 **A.** Yes.

14 **Q.** And what happened at the search?

15 **A.** It was a search warrant, so we actually had to, like, ram
16 in the door, use a bucket and ram and clear the house. Once we
17 got in there a couple people were detained, especially the
18 female who room we were in they were searching. She was, I
19 think, the target's girlfriend or baby's mother, one or the
20 other. I'm not sure.

21 The house was photographed, and then it was searched. I
22 was doing the inventory list.

23 **Q.** What's the inventory list?

24 **A.** It's pretty much anything that's going to be seized to be
25 submitted. You would actually have to write down like where it

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1 was submitted from, who recovered it -- the officer who
2 recovered it and where it was found.

3 **Q.** And I'm not asking you to remember specific items; but if
4 you recall, what was found in this house?

5 **A.** I don't remember the specific items, any items that were
6 recovered from the house.

7 **Q.** Was money found?

8 **A.** Money was found.

9 **Q.** And at some point did you learn that the woman you
10 mentioned had made a complaint that money was missing after the
11 search?

12 **A.** Yes, sir.

13 **Q.** How did you learn that?

14 **A.** Actually, it was the same day. Lieutenant -- I think
15 Devine was our lieutenant at the time, had called
16 Sergeant Ivery and asked him about a female making a complaint
17 about money was missing. But eventually, I think later on, we
18 had got a complaint from IAD where we had to go down there and
19 give a statement.

20 **Q.** What's IAD or IID?

21 **A.** That's like Internal Affairs. They're the ones who, like,
22 investigate the police when you supposed to have done something
23 wrong.

24 **Q.** And did you get any money that was stolen from that
25 search warrant?

1 A. Yes, sir.

2 Q. How did you get it?

3 A. After we finished doing the warrants, I was on the way
4 home when Taylor gave me a call, asked me was I going to eat
5 breakfast.

6 I told him no; I was going home.

7 Q. So was this like a real early morning search warrant if
8 you were headed to breakfast?

9 A. It was -- we call it mass raids. We did like numerous
10 search warrants that morning.

11 Q. Okay.

12 A. So it was an early morning raid.

13 Q. All right. So you testified that you told Taylor no; you
14 were going home?

15 A. Yes.

16 Q. What happened next?

17 A. He asked exactly where I was at. And I think I was on --
18 it was either Gilmore or I was on Carey Street. And he told me
19 to drive slow; he going to catch up with me.

20 Then he caught up with me, I think I want to say -- I
21 think it's Franklin. He pulled beside me and got out and
22 walked to me and gave me a five; but as he gave me a five, he
23 put money in my hand.

24 Q. How much money?

25 A. It was probably no more than two, three hundred dollars,

1 if that.

2 Q. And where did you understand that money to have come from?

3 A. It had to come from that search warrant. That was the
4 only location we went to.

5 Q. Now, you've testified that your sergeant at the time of
6 these two robberies was Sergeant Ivery; right?

7 A. Yes, sir.

8 Q. At some point did you join a unit led by Sergeant Jane
9 Wenkin -- Sergeant Wayne Jenkins?

10 A. Yes, sir.

11 Q. And what kind of unit was that?

12 A. It was still -- at first, initially, it was an SES unit;
13 but usually later on we transferred over to
14 Gun Trace Task Force.

15 Q. And when did you join the -- we'll start with the SES unit
16 that was led by Jenkins.

17 A. It might have been early 2015, I believe.

18 Q. And how did you come to join that squad?

19 A. I just got a call out the blue from Jenkins asking me
20 would I like to come to his squad. He got permission to form
21 his own squad: all daywork, no weekends, unlimited overtime.

22 Q. And what kind of squad was the -- what kind of squad was
23 this going to be? What was it supposed to be doing?

24 A. Pretty much just guns, making gun arrests.

25 Q. And who was on the squad when you joined it?

1 **A.** At first it was just myself, Detective Hendrix, and
2 Sergeant Jenkins initially. We were the first ones in the
3 squad.

4 **Q.** And then who was the next, I guess, person or persons to
5 join?

6 **A.** Later on Taylor came. Taylor was still underneath
7 Sergeant Ivery, but he was working a lot of overtime with us.
8 So eventually Jenkins had pulled him over to our squad, and he
9 stayed with us.

10 **Q.** How soon after you joined, I think you said in early 2015,
11 did Taylor start working overtime with you guys?

12 **A.** Maybe a couple weeks.

13 **Q.** And then how long after that did he actually formally come
14 over and join the unit?

15 **A.** No more than two to three months, if that.

16 **Q.** And so you said the mission of this SES squad was to get
17 guns. Can you describe how the squad did that?

18 **A.** Well, it was kind of like chaotic. It was wild the way --
19 Jenkins was always the driver because he said he was the
20 slowest, and he didn't like to run.

21 Taylor, typically, he always rode in the passenger seat
22 because he was the fastest. And for some reason he couldn't
23 ride in the backseat because he would have panic attacks.

24 So it was always myself -- I sat behind Sergeant Jenkins.
25 And Hendrix would sit behind Taylor. Pretty much we would just

1 go out, do our Baltimore City ride-around. Jenkins had this
2 technique he called a door pop.

3 **Q.** What's a door pop?

4 **A.** It's pretty much he would pull up to -- if he seen a large
5 crowd on a corner, he would pull up to them aggressively
6 speeding and slam on his brakes. And then Taylor would be the
7 passenger. He would prop his door open real quick and act like
8 he was going to like run out and grab somebody, and it would
9 startle 'em. It would scare 'em.

10 And usually he believed if someone had like drugs or guns,
11 they knew we were coming to get them and they would take off
12 running. So typically the person who ran from the door pops,
13 that was the person who we would chase.

14 **Q.** Did you have any reason to -- I'm trying to remember the
15 word you used. Sort of drive up fast to a crowd of people and
16 do the door pop, was there any reason to do that to that
17 particular crowd?

18 **A.** No.

19 **Q.** And then you said -- well, what happened if somebody ran?

20 **A.** We'd pursue 'em. We would chase 'em.

21 **Q.** And then what would happen?

22 **A.** They would be apprehended and seen if they had drugs or
23 they had guns on 'em, anything illegal.

24 **Q.** How often -- well, what time of day would you do this?

25 **A.** It all depends because usually our typical schedule was

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1 8:00 to 4:00, but we never came in. Our time, we would usually
2 come in like anywhere between 10:00 to noon.

3 So sometimes around that time we would go out, or maybe
4 sometimes later we'd hit the street. We would come out; it
5 would be dark and we would hit the streets. So we did this
6 all -- all times of the day.

7 **Q.** All right. And I'm going to come back to this, but you
8 said -- what was your typical -- what was your regular shift?

9 **A.** 8:00 to 4:00, 8:00 a.m. to 4:00 p.m.

10 **Q.** And that was on the SES unit?

11 **A.** Yes, because we had got permission to have permanent
12 daywork.

13 **Q.** And was that also on the Gun Trace Task Force?

14 **A.** Yes.

15 **Q.** Now, you testified that if someone ran and was chased,
16 they would be searched. Were guns and drugs sometimes
17 recovered that way?

18 **A.** Yes; a lot of times.

19 **Q.** And so how many, if you can estimate, how many times --
20 how many of those door pops would you do in an evening?

21 **A.** On a slow night, 15 to 20, a slow night. On a fast night,
22 anywhere 50-plus, easy.

23 **Q.** And were there any reason to do these door pops targeting
24 certain people other than they were crowds of people in certain
25 parts of the city?

1 **A.** No.

2 **Q.** And out of the 15 or 20 or 50, how many -- how many guns
3 would you get?

4 **A.** Typically, through a night, we'd usually average like two,
5 two guns a night.

6 **Q.** Do you know if -- did you know if those arrests resulted
7 in any convictions?

8 **A.** Yes, they did.

9 **Q.** Okay. How was your success measured?

10 **A.** On a conviction rate that we -- that we did.

11 **Q.** All right. And how were you rewarded?

12 **A.** As far as like when we got guns and stuff?

13 **Q.** Yeah. What happened when you got guns under Jenkins?

14 **A.** We would get extra overtime, depending on -- the more guns
15 we got, the more overtime we got. And we also had these things
16 called slash days, and slash days are like a day off that's not
17 in the books. So you're really off of work, but on the -- the
18 chart, it wouldn't reflect that you were off. So no one would
19 know that you were actually off.

20 **Q.** And just explain what that -- what -- just sort of so we
21 can -- so everyone can imagine it, what is the -- why is it
22 called a slash day?

23 **A.** I'm not typically sure why it's called a slash day. I
24 just know how like --

25 **Q.** When your sergeant took roll, where would he take roll?

1 **A.** In the roll book. He would put it in the roll book.

2 **Q.** And how would he mark if someone was there?

3 **A.** The way they put it there, they would put -- like we would
4 work -- whatever schedule we worked, we worked 8:00 to 4:00, he
5 would put our hours in the book. If we weren't there, you were
6 like a vacation day. So it would be like a V day if you were
7 supposed to be off or like a personal day, which is a P day; he
8 would put them in the roll book.

9 **Q.** And did the slash refer to actually marking down people
10 who were present and working?

11 **A.** Yes.

12 **Q.** All right. So just to be clear, you said you got
13 slash days. Were these days when you actually worked?

14 **A.** No.

15 **Q.** But were you getting paid as if you worked?

16 **A.** Yes.

17 **Q.** So you mentioned that, but you also mentioned getting more
18 overtime; right?

19 **A.** Yes.

20 **Q.** What does that mean?

21 **A.** Well, we wasn't typically -- the way our overtime worked,
22 we wasn't -- it wasn't based off how many hours. It was what
23 we did.

24 So if we got two, three, or four guns, depending on how
25 many guns we got that night, that's how much overtime. So we

1 could typically -- we might could only work four or five hours
2 of overtime that night. If we got three or four guns, we might
3 have got 12 hours of overtime that night because we got so many
4 guns.

5 Q. And who -- I guess who gave you these overtime -- who gave
6 you credit for these overtime hours you didn't actually work?

7 A. Sergeant Jenkins was the one who authorized 'em.

8 Q. And was that true on the SES unit?

9 A. Yes, in the SES unit and the gun trace unit.

10 Q. And the gun trace unit. Okay.

11 Now, you testified that -- well, besides the door pops,
12 how -- were there any other ways that you got guns? Were there
13 other ways?

14 A. We also -- we did car stops also.

15 Q. Okay. And what were the circumstances for these car
16 stops?

17 A. Really none. It was just, depending on a car, he --
18 Jenkins like -- he liked to profile a lot. So he had his thing
19 he called "dope boy cars."

20 Q. What's a dope boy car?

21 A. If -- a Honda Accord, like an Acura TL, any type of Acura,
22 a Honda Odyssey, he claims those are typically cars that drug
23 dealers in Baltimore City would drive. And those were the cars
24 that he liked to pull over.

25 Q. And what reason, if any, would be given for the stop?

1 **A.** None. It was just usually -- I mean, he would always say
2 seat belts or a tint violation, but those wasn't true. It was
3 just the type of car. That's the reason why we stopped it.

4 **Q.** What's a tint violation?

5 **A.** When the tint is too dark, like you can't see inside of a
6 car, like the tint on a window.

7 **Q.** Now, you testified that depending on how many of the --
8 how many people you chased or car stops, I guess, you did, you
9 would find -- you would find guns, but you also mentioned
10 drugs; right?

11 **A.** Yes, sir.

12 **Q.** What -- when you joined the Jenkins SES unit, what
13 happened to the drugs that were seized from people when you
14 were out doing these kinds of law enforcement operations?

15 **A.** Jenkins, whatever we recovered as far as drugs, Jenkins
16 would always take control of 'em. He said he would -- first,
17 when I first got to the unit, he said he was going to submit
18 the drugs. But later on --

19 **Q.** Submit it to the ECU?

20 **A.** Submit it to the ECU to be -- to be submitted to ECU.

21 **Q.** Okay. Did you ever see him submit them to ECU?

22 **A.** No, I never seen him submit any drugs to ECU.

23 **Q.** When you first joined the SES unit, who would actually
24 write up the report that would list whatever was seized in an
25 encounter with a civilian?

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1 **A.** When I first got there, it was me, Hendrix, and Taylor
2 eventually later on came. But Jenkins would every night type
3 up our probable cause, the arrests that we got.

4 **Q.** And would he type it up in his name or your name?

5 **A.** He would type it up in our name.

6 **Q.** And would he list the drugs that had been taken?

7 **A.** No, he never listed any drugs that we recovered off the
8 streets or off that person that night.

9 **Q.** At some point did you start writing your own probable
10 cause statements?

11 **A.** Yes.

12 **Q.** Did you include drugs that had been seized?

13 **A.** No.

14 **Q.** Why not?

15 **A.** Well, it was the way Jenkins was writing the reports and
16 also that I knew it was the coverup pretty much because our
17 checklist, I knew when we took those drugs, we were supposed to
18 submit 'em, even though we didn't arrest that person. And we
19 never did.

20 **Q.** Who approved the reports once you started writing them
21 yourself?

22 **A.** Jenkins.

23 **Q.** Did you ever discuss with any members of the SES unit that
24 Jenkins was taking these drugs and not turning them in?

25 **A.** Yes.

1 Q. Who did you discuss that with?

2 A. Hendrix and Taylor.

3 Q. What, if anything, did the three of you -- well, what did
4 you talk about?

5 A. Well, one night I was in -- this is when our office was
6 in -- well, his office was still in headquarters. And I was
7 on --

8 Q. Whose office?

9 A. Jenkins' office was still in headquarters.

10 I was the only one who got a handgun arrest that night.
11 So Taylor and Hendrix, I'm not sure who would submit it for me
12 that night, but they both went down to ECU, to the
13 Evidence Control Unit, to submit it together.

14 Q. To submit the gun you had?

15 A. Yeah. The way the room was broken up was like if you
16 walked through the door right here, it's cubicles set up all on
17 the right-hand side. On the left-hand side was where all the
18 supervisors would sit.

19 So the officers were actually with the supervisors;
20 detectives had cubicles. It was a guy that -- we were on the
21 undercover squad. We were on that -- on that floor. It was a
22 guy -- well, a couple people didn't like us being on that desk
23 'cause it was their desk, so we understood that. It was a guy,
24 Detective White who -- that we knew; he had a cubicle up there,
25 so we would typically use his desk.

1 But his cubicle was when you -- if you come out of
2 Sergeant Jenkins' office, you would see the first row of
3 cubicles; you couldn't see nobody. I was on the opposite side
4 that night. And as I was processing arrests, I overheard
5 Jenkins having a conversation. I'm not sure who he was talking
6 to. And this night we had got a couple ounces of marijuana,
7 recovered it, that we didn't submit.

8 **Q.** And what did you hear Jenkins say?

9 **A.** He was saying that -- talking to the individual on the
10 phone saying that he got some good weed, and it's going to be
11 the same price as last time if he wanted it.

12 **Q.** And did you tell anyone you had overheard this?

13 **A.** Yes. I told Hendrix and Taylor that I overheard that.

14 **Q.** And what, if anything, did Hendrix or Taylor tell you
15 about any observations they had made about Jenkins and drugs?

16 **A.** We all seen him every time there was an arrest made or
17 any -- even if we didn't arrest somebody, we would confiscate
18 their drugs. And Jenkins would always keep the drugs himself,
19 and everybody noticed that.

20 **Q.** Did you -- did the three of you, you and Hendrix and
21 Taylor, talk about doing anything about this?

22 **A.** Yeah. That night I heard their conversation as we were
23 leaving. We were walking in the garage down to headquarters in
24 Baltimore City, and I told them what I heard.

25 And I told them from now on, like -- 'cause Taylor,

1 typically he's the one who always chases the individual who
2 runs. And he was usually the person who would catch them. So
3 any times any drugs is recovered off of anybody and we're not
4 going to submit it, hold it to yourself; don't let Jenkins
5 know, so we can dispose of it.

6 **Q.** And did Taylor do that? Did he not tell Jenkins when
7 drugs were recovered?

8 **A.** Sometimes, but then eventually we went right back to
9 telling Jenkins that -- what was recovered off of people.

10 **Q.** And what would Jenkins do with the drugs after Taylor told
11 them they had been recovered?

12 **A.** Take them from Taylor.

13 **Q.** All right. Now, I want to -- I want to turn your
14 attention to the spring of 2015, sort of moving forward in
15 time.

16 What unit were you on in the spring of 2015?

17 **A.** I was still in the SES unit under Sergeant Jenkins.

18 **Q.** And who was in that unit in the spring of 2015?

19 **A.** Myself, Hendrix, and Taylor and Jenkins.

20 **Q.** What's Belvedere Towers?

21 **A.** We called it BT. It's a high-rise on Northern Parkway and
22 Falls Road. It was a location that Jenkins had told us about.
23 He said he heard over numerous wiretaps in his investigations
24 through his career, Belvedere Towers -- we called it BT for
25 short -- was like a prime real estate where large drug deals

1 went down because it was right in the city, right by 83. So
2 you can come off 83, go in the city, or you can get right off
3 of -- go right back on 83, go out into the county.

4 **Q.** And so in the spring of 2015, did you and Jenkins -- well,
5 was there a time when the SES unit went to Belvedere Towers and
6 interrupted large-scale marijuana sale?

7 **A.** Yes, sir.

8 **Q.** And who was -- who was with you when that happened?

9 **A.** That was me, Jenkins, and Taylor.

10 **Q.** Where was Hendrix?

11 **A.** Hendrix was off that day. I think he was going out of
12 town or something like that. We were actually on the way to
13 meet him. And Jenkins wanted to stop at the Belvedere Towers
14 because it wasn't too far from the location, because he left --
15 I think it was his wallet or his keys in the car, and we were
16 meeting him.

17 **Q.** Hendrix had left his wallet or his keys in the car?

18 **A.** Yeah. And we were meeting him halfway to give him his
19 property.

20 **Q.** Where did Hendrix live?

21 **A.** Baltimore County.

22 **Q.** So who was driving that day?

23 **A.** Jenkins. Jenkins is always the driver.

24 **Q.** And who's in the car with him?

25 **A.** Taylor was passenger, and I was in the backseat.

1 **Q.** And what happened when you got to Belvedere Towers? Sort
2 of walk the jury through what happened.

3 **A.** We're coming off of Northern Parkway. We made the left
4 onto Falls Way. It's a gas station, and it's like a windy road
5 to go up to the high-rises. As we're going up to the
6 high-rises, we see two cars parked -- as we go up to the windy
7 road, it's two cars parked. It was two -- two black males.
8 Both of them were outside of their vehicles.

9 We pull up. Jenkins, if -- both the cars are right here.
10 We came up the windy road, and we pulled right here. Jenkins
11 exited the vehicle and walked over towards 'em. And within a
12 couple seconds, he flagged us to get out the car. And we
13 walked over there, and we put cuffs on both individuals and set
14 'em down.

15 **Q.** Who cuffed -- can you -- can you describe the two
16 individuals physically, just so I can ask you questions about
17 one versus the other.

18 **A.** It was a slim, dark-skinned male. I'm not sure -- he had
19 an accent -- where he was from. He was driving like an
20 older-model Honda Accord.

21 And there was like a heavysset, light-skinned male. I
22 think he might have been driving. I'm not sure. I'm not sure.
23 He was driving a four-door sedan. I'm not sure of the make and
24 model of his vehicle.

25 **Q.** And you said that Jenkins signaled you all to come out of

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1 the car, and then handcuffs were put on them?

2 **A.** Yeah. We handcuffed both individuals and sat 'em down.

3 **Q.** Who handcuffed the, I guess, lighter-skinned, slimmer man,
4 if you recall?

5 **A.** He was -- light-skinned guy was the heavysset guy.

6 **Q.** I'm sorry.

7 **A.** The dark-skinned guy with the accent was the slimmer of
8 the two.

9 **Q.** All right. So who handcuffed the slimmer of the two?

10 **A.** I believe I handcuffed the slim -- the slim guy.

11 **Q.** And who handcuffed the heavysset guy?

12 **A.** I think it was Jenkins and Taylor.

13 **Q.** And what happened to the two men once they were
14 handcuffed?

15 **A.** Jenkins said he could smell marijuana. Then he went on
16 about the speech, saying that he was a federal agent.

17 **Q.** Was Jenkins a federal agent?

18 **A.** No, sir.

19 **Q.** All right.

20 **A.** That he was a federal agent and that the reason why we
21 were here, because we were listening to a wiretap.

22 **Q.** Were you listening to a wiretap?

23 **A.** No, sir.

24 **Q.** All right.

25 **A.** We were listening to a wiretap and we overheard this

1 conversation knowing that they were about to meet and do a drug
2 deal.

3 He told 'em that they're not the main target of a wiretap;
4 that he wasn't going to arrest them; but he was going to seize
5 all of their property that they had.

6 **Q.** At this point were they just -- well, I guess before they
7 were handcuffed, were they just standing at the back of these
8 cars?

9 **A.** Yes.

10 **Q.** Were the trunks open?

11 **A.** No.

12 **Q.** Were the windows open?

13 **A.** The windows might have been down in the car. I'm not a
14 hundred percent sure.

15 **Q.** All right. But so after Jenkins gave them this speech --
16 and who's present for that speech?

17 **A.** It's me, Taylor, and Jenkins.

18 **Q.** All right. After Jenkins gives them that speech, what
19 happens next?

20 **A.** We pop the trunk.

21 **Q.** Who popped the trunk?

22 **A.** Jenkins popped the trunk.

23 **Q.** How did he pop the trunk?

24 **A.** He went inside through the driver's side door, opened it,
25 and hit the button and popped the trunk.

~~WARD DIRECT~~

1 Q. Which of the two males' car was that?

2 A. That was the slim, dark-skinned guy.

3 Q. Had that slim guy given Jenkins permission to go in his
4 car and pop the trunk?

5 A. No, sir.

6 Q. And when Jenkins popped the trunk, what did you all see in
7 the trunk?

8 A. It was a large, large duffel bag in the back of the trunk.
9 And then he -- zipping the duffel bag open, and it was a large
10 sum of marijuana in the back of the --

11 Q. And who opened the duffel bag and found the large sum of
12 marijuana?

13 A. Jenkins.

14 Q. All right. I'm showing you what's marked Government
15 Exhibit FBI-24.

16 Do you recognize this?

17 A. Yes.

18 Q. What is it?

19 A. That's the duffel bag that was in the trunk full of
20 marijuana.

21 Q. And then what happened?

22 A. Then he went to the heavysset, light-skinned guy and popped
23 his trunk and picked out a duffel bag and brought it over there
24 and sat it in the trunk where the marijuana was at. And he
25 opened that one, and it was full of cash.

1 Q. And did the heavysset guy give Jenkins or any of you
2 permission to pop his trunk and take this bag of money out?

3 A. No, sir.

4 Q. All right. Once Jenkins put the bag of money in the trunk
5 with the bag of marijuana, what happened next?

6 A. He -- like I say, he went on saying that he was a federal
7 agent and that they're not the main targets of this wiretap, so
8 they're not going to be charge -- arrested this day; that they
9 would get documentation in the mail from the U.S. Attorney's
10 Office; and they were going to be free to go.

11 Q. Was any of that true?

12 A. No.

13 Q. Did anybody even write down -- well, did you know these
14 men's names?

15 A. We took their IDs because Jenkins believed that the slim
16 guy with the accent probably had more marijuana, and he wanted
17 to do a follow-up on him. So we actually did take their IDs
18 and write down their information.

19 Q. Did any of that information ever make it into an official
20 police report?

21 A. No.

22 Q. Do you know the exact date when this happened?

23 A. No, I don't know the exact date, no.

24 Q. And is that because there's no official report of it?

25 A. Correct.

~~WARD DIRECT~~

1 **MR. NIETO:** Objection, Your Honor.

2 **THE COURT:** Sustained to the form of the question.

3 **BY MR. WISE:**

4 **Q.** Now, you describe how your car pulled up to these two
5 cars. At this moment in time, you've testified the two bags
6 are in the trunk of the one car; right?

7 **A.** Correct.

8 **Q.** What happened to your -- well, I should have asked you
9 this before. Are you and Jenkins and Taylor in uniform at this
10 time?

11 **A.** No, no uniform.

12 **Q.** What were you wearing? What kind of clothes?

13 **A.** We had plainclothes on. But we had our tactical vests on,
14 our police tactical vests.

15 **Q.** And the cars you were driving -- the car that Jenkins was
16 driving, was it a marked car or an unmarked car?

17 **A.** An unmarked rental car that we get from NextCar. I think
18 it was like a Malibu.

19 **Q.** Okay. So what happens -- what happened to the car, the
20 Malibu after, I guess, Jenkins put the two bags in the one
21 trunk? Where did -- what happened to the car?

22 **A.** He asked me to pull the car up kind of at a slant so that
23 he can grab both of the bags and put 'em in the back -- put it
24 in the car.

25 **Q.** And why did he ask you to move the car as opposed to put

1 it in the car -- the Malibu where it was?

2 **A.** He had alerted to me and pointed up to on the side of the
3 building there was a camera. He wasn't sure if it was facing
4 directly towards us and could see us. But he figured if he had
5 me pull the car to a slant, when he put the bags in the car,
6 that they wouldn't be able to see it.

7 **Q.** And who was present when Jenkins was saying these things
8 to you?

9 **A.** It was me, Taylor, and Jenkins. It was all three of us.

10 **Q.** And did you do what Jenkins asked you to do?

11 **A.** Yes, I did.

12 **Q.** And what did Jenkins do with the duffel bag full of
13 marijuana and the duffel bag full of cash?

14 **A.** It went into the trunk of the car.

15 **Q.** Which car?

16 **A.** Our rental car.

17 **Q.** And then what happened?

18 **A.** After that, like I say, he advised them that they were
19 free to go; then we left the location.

20 **Q.** And did you take the handcuffs off?

21 **A.** Yes, we took the handcuffs off, yes.

22 **Q.** And where did you and Jenkins and Taylor go from there?

23 **A.** Jenkins knew a spot, he said, where we could split the
24 money.

25 So we drove all the way back down Northern Parkway. If

1 you come to Northern Parkway and it's like Liberty Road and
2 Liberty Heights before it turns to Baltimore County, we made a
3 left going back into the city. And so it was Liberty Heights.

4 Once we made that left, we made our first right down like
5 a residential area. And we pulled all the way down a block,
6 and it was like woods on the side of us. We parked the
7 vehicles, got out. We took our vests off.

8 **Q.** Why did you take your vests off?

9 **A.** We didn't want anybody to know it was police going in the
10 back of the woods with two duffel bags.

11 **Q.** Well, I think you've said this, but why were you going
12 back in -- why were you going back into the woods?

13 **A.** To split the money up.

14 **Q.** And did Jenkins tell you to leave anything in the car?

15 **A.** Cell phones.

16 **Q.** Why did he -- what was your understanding of why he told
17 you to leave your cell phones in the car?

18 **A.** He -- he said if anybody ever tried to track or trace us,
19 they wouldn't be able to pinpoint us directly back in the
20 woods. You know, we could just say we just pulled over to use
21 the bathroom, went into the woods, use the bathroom or
22 something real quick.

23 **Q.** And what happened next?

24 **A.** We went back into the woods.

25 **Q.** Who went back into the woods?

~~WARD DIRECT~~

1 **A.** It was me, Jenkins, and Taylor went back into the woods.

2 **Q.** And what happened back in the woods?

3 **A.** We got back in the woods. We didn't take the duffel bag
4 of marijuana. We left that in the trunk. But we took the
5 money. We went back in the woods, and Jenkins started to count
6 the money to see how much money it was.

7 **Q.** And if you remember, how much money was it?

8 **A.** I think it was approximately somewhere around \$20,000.

9 **Q.** And what did Jenkins do with the \$20,000?

10 **A.** He counted it. He gave me \$5,000. He gave Taylor \$5,000.
11 He had asked us, do we think we should give Hendrix any money.

12 And I said I didn't care. Taylor said the same thing.

13 Then he said he needed some money. Because we just got a
14 new Impala, he wanted to put a crash bar in front of the car.

15 **Q.** Who wanted to do that?

16 **A.** Jenkins wanted to do that. So he need -- wanted extra
17 money to do that.

18 **Q.** And what did you do with the \$5,000 Jenkins gave you?

19 **A.** Once we got back to the car, I put it in the duffel bag
20 that the marijuana was in.

21 **Q.** In the trunk?

22 **A.** In the trunk, yes.

23 **Q.** Did you see what Taylor did with his money?

24 **A.** He still had his on his person.

25 **Q.** And what, if anything, did Jenkins say to you about what

1 you should do with this money or not do with it?

2 **A.** He gave us this kind of lecture saying, "Don't deposit
3 this money into a bank account. Don't pay off no credit card
4 bills and things like that. Just use it for small, like pay
5 for cash or buy small things. Don't go out and buy no big
6 purchase."

7 **Q.** Why not?

8 **A.** It would draw attention because, for one, I mean, we just
9 took, what? 20 pounds of marijuana, I believe it was, and
10 \$20,000. It was no police report. Nothing was submitted to
11 Evidence Control Unit. And then we didn't even know if we were
12 caught on camera.

13 **Q.** Once you got back to the car, where did you go next?

14 **A.** After that, we end up meeting up with Hendrix in
15 Baltimore County right off Liberty Road.

16 **Q.** And why did you meet up with him?

17 **A.** Because that was initially the game plan. We were
18 supposed to meet up with him because we had -- like I said, it
19 was either his wallet or his keys. We were giving it back to
20 him because he was about to go out of town.

21 **Q.** Okay. And then where did you go from there?

22 **A.** After we left that, Jenkins, he wanted to go to a
23 strip club. He wanted to go to Norma Jean's. I told him
24 not -- Norma Jean's was like a -- not a spot a police officer
25 would like to hang at.

~~WARD DIRECT~~

1 Q. Okay.

2 A. So he talked me and Taylor into going to -- I think it was
3 Millstream's -- I think that's the name of it, a strip club in
4 Baltimore County on Dogwood Road.

5 Q. All right. And then what happened?

6 A. We went to the strip club. We ate. We had a couple
7 drinks. Jenkins eventually even got a lap dance.

8 MR. NIETO: Objection, Your Honor.

9 THE COURT: Sustained.

10 BY MR. WISE:

11 Q. At some point did you leave the strip club?

12 A. Yes.

13 Q. And just to be clear, you're all still in the same car;
14 right?

15 A. Yes, sir.

16 Q. All right. So when you left the strip club, where did you
17 go?

18 A. I think it was either back to headquarters or to the barn,
19 to our office.

20 Q. You said "the barn." What's the barn?

21 A. The barn is on Northern Parkway and, I believe,
22 Park Heights. That's where the police academy is. But they
23 also -- they used to have trailers out there. That's where the
24 SES unit was predominantly -- everyone was out of the barn.
25 That's where everyone's office was.

~~WARD DIRECT~~

1 **Q.** Are those offices marked as, I mean, Baltimore Police
2 Department offices? Or what -- describe what they look like.

3 **A.** I mean, when you pull up to the sign, it's -- I think it
4 says "Public Safety Building" or something like that. And it
5 has like the logo of the police department and a logo of the
6 fire department.

7 But it's like a building -- I don't think civilians can go
8 in there. You got to have a key or a code to get in there.

9 **MR. WISE:** Your Honor, if I could approach just to ask
10 a question before I ask a question?

11 **THE COURT:** Sure.

12 Counsel want to come up.

13 (Bench conference on the record:

14 **MR. WISE:** So in my haste to get out of the strip club
15 series of questions, the one thing I do think is of evidentiary
16 value is if he -- if they spent money there, so if he saw
17 Taylor spending cash, the cash that they had taken. So I would
18 just -- if I could just surgically go in and ask that question.
19 I'm not going to get into the sort of sordid details about what
20 they were doing there, but . . .

21 **THE COURT:** Okay. Any basis to object to that? I
22 understand --

23 **MR. NIETO:** Yeah, Your Honor. I'm just objecting
24 because I think with regards to the relevance as to whether or
25 not -- I mean, he's testified that Mr. Taylor had the money and

1 was part and parcel of the taking of the money. He's going to
2 elicit testimony that he is spending money in a strip club. I
3 think that the probative value is outweighed -- the prejudicial
4 value outweighs the probative value on that particular line of
5 questioning.

6 **THE COURT:** Okay. Well, as long as you don't get into
7 any details of what he spent the money on. Did you see him
8 spending cash at the strip club?

9 **MR. WISE:** Okay.

10 **THE COURT:** And move on.

11 **MR. WISE:** All right.)

12 (Bench conference concluded.)

13 **BY MR. WISE:**

14 **Q.** Mr. Ward, I want to back up just for a second. And
15 without getting into any details, when you were at the
16 strip club, did you see Defendant Taylor spending cash?

17 **A.** Yes, sir.

18 **Q.** Did you see Sergeant Jenkins spending cash?

19 **A.** Yes, sir.

20 **Q.** All right. So you were saying that when you left the
21 strip club, you either went to headquarters or the barn; is
22 that right?

23 **A.** Yes, sir.

24 **Q.** And then where did you go?

25 **A.** After that we went home. We were done for the day.

1 Q. What happened -- you testified that you had put your
2 \$5,000 in the trunk in the bag with the marijuana.

3 Did you recover it from the trunk?

4 A. No. I had left it there.

5 Q. Why did you leave it there?

6 A. I was kind of paranoid, kind of scared. We just took
7 \$20,000, 20 pounds of marijuana. There was no documentation.
8 It's a possibility that it might have been put on camera.

9 And I was afraid that -- you never know who those guys
10 are. They might have been working with federal agents. They
11 might have been informants. They could have called in a
12 complaint.

13 And if we're on camera, the next thing I know, I might be
14 getting my door kicked in or something like that and still had
15 the evidence, because \$5,000 is a lot of money. I don't
16 just -- could spend \$5,000 in one day. There was nowhere I
17 could hide the money, put it anywhere.

18 Q. But just to be clear, prior to the spring of 2015, had you
19 stolen money and kept it?

20 A. Yes, sir.

21 Q. Was this the first time you'd done something like this and
22 not kept it?

23 A. Yeah, this was probably the most -- the most amount of
24 money that I had received from a robbery like this, yes.

25 Q. And at any point did Jenkins tell you he still had it, or

~~WARD DIRECT~~

1 did it ever come up again?

2 **A.** No, it never came up again.

3 **Q.** Now, I want to move now into 2016, I believe.

4 And turning your attention to February 17th of 2016, did
5 you stop someone named Raytawn Benjamin?

6 **A.** Yes.

7 **Q.** And where did you stop him, if you recall?

8 **A.** I was in Baltimore City in the Southern District, right
9 off Washington Boulevard.

10 **Q.** And can you describe what happened.

11 **A.** We were riding around in the Southern District -- the
12 Southern District that day.

13 **Q.** And who were you with? Who were you riding with?

14 **A.** Me, Jenkins, and Taylor --

15 **Q.** Okay.

16 **A.** -- were together that day.

17 And we were right off -- I'm not sure of the side street,
18 but we were right off Washington Boulevard. We seen a couple
19 individuals getting out of a car. And the technique I had told
20 you before, the door pop where you pull up aggressively and
21 open your door, act like you are, get out -- we used that
22 technique. And that time when we did that, all the individuals
23 took off running.

24 **Q.** How many were there?

25 **A.** It was three or four, I believe.

~~WARD DIRECT~~

1 Q. Okay. And then what happened?

2 A. We pursued one individual, Mr. Benjamin. Taylor got out
3 and pursued him on foot. End up seeing him just toss a handgun
4 on the back of a pickup truck.

5 Q. And then what happened?

6 A. He was apprehended, put in handcuffs. And we went back to
7 recover the handgun where he had threw it at.

8 Q. Was he searched?

9 A. Yes, he was searched.

10 Q. By who?

11 A. Jenkins searched him first and took out his cell phone.
12 Taylor searched him second and took out some cash.

13 Q. And what happened to that cash?

14 A. It wasn't submitted. Taylor kept it.

15 Q. I'm just -- the cash wasn't submitted; is that what you
16 said?

17 A. No, it wasn't submitted.

18 Q. All right. And you said Taylor kept it?

19 A. Yes, sir.

20 Q. Did he give you or Jenkins some of it?

21 A. I'm not sure if he gave Jenkins any, but I know he gave me
22 some.

23 Q. How much did he give you?

24 A. Maybe one, two hundred dollars, if that.

25 Q. And when did he give you one or two hundred dollars?

~~WARD DIRECT~~

1 **A.** Might have been somewhere like five to ten minutes after
2 the incident while we were in the vehicle.

3 **Q.** Was Benjamin handcuffed when he was searched?

4 **A.** Yes.

5 **Q.** And, I mean, I asked you this at the very beginning, but
6 I'll ask it now generally. This incident with

7 Raytawn Benjamin, were you armed with your BPD service
8 revolver -- your service firearm when this occurred?

9 **A.** Yes, sir.

10 **Q.** And what about during Belvedere Towers?

11 **A.** Yes, sir.

12 **Q.** And what about the search warrant that had been written by
13 Vincent Lash?

14 **A.** Yes, sir.

15 **Q.** And the search warrant at Shawn Whiting's house?

16 **A.** Yes, sir.

17 **Q.** And was Detective Taylor armed for all of those episodes?

18 **A.** Yes, sir.

19 **Q.** Was it -- what was BPD policy as to having a service
20 firearm during law enforcement operations?

21 **A.** You would be armed at all times.

22 **Q.** Now, I want to -- I want to move forward --

23 **MR. WISE:** May I just have one moment.

24 **BY MR. WISE:**

25 **Q.** I want to move forward to the next month. That was

1 February. Now I want to ask you some questions about March.

2 Turning your attention to March 22nd, 2016, did you
3 participate in an arrest of someone named Oreese Stevenson?

4 **A.** Yes, sir.

5 **Q.** And where was he arrested?

6 **A.** The initial arrest took place in Northwest District in
7 Baltimore City. I'm not exactly sure the name of the street.

8 **Q.** What were the circumstances where he was initially
9 arrested? Or what was going on, I guess?

10 **A.** We pulled up one way. Jenkins had this thing where
11 anytime somebody over 18 had a book bag, a grown man with a
12 book bag, he always thought it was concealed weapons or drugs.
13 So he always wanted to stop 'em and check it out.

14 We seen, I believe, Demetrius Brown was his name,
15 Mr. Stevenson's co-defendant. We seen him coming out the house
16 with a book bag. Jenkins observed him getting inside of the
17 minivan.

18 **Q.** Who was in the minivan?

19 **A.** Mr. Brown got inside the passenger side of the van;
20 Mr. Stevenson was the driver.

21 **Q.** And where was the minivan parked?

22 **A.** It was parked on the side of the road.

23 **Q.** And what was it in front of?

24 **A.** Houses.

25 **Q.** And were you doing surveillance at that time, I guess, of

1 this minivan? Or what caused you to be there.

2 **A.** We just happened to go down that block, riding down a
3 one-way.

4 **Q.** So you were driving the wrong way down a one-way?

5 **A.** Yes, sir.

6 **Q.** And I think you've testified that's when Jenkins saw
7 Mr. Brown with his book bag?

8 **A.** Yes.

9 **Q.** And so what happened next?

10 **A.** We pulled up beside the van. Taylor typically uses the
11 first person to get out. But because it was in the path of the
12 vehicle Mr. Stevenson took off, he would have hit him; so
13 Taylor or Hendrix did not get out. Jenkins and myself got out
14 because we were on the opposite side.

15 So we walked over there. Jenkins opened up the car door
16 and grabbed Mr. Demetrius -- Mr. Brown's hands and asked him
17 what he was doing. We opened -- I opened the back of the
18 minivan. Like, it's a sliding door. I opened the back of the
19 sliding door.

20 At that time, that's when Jenkins told everybody, you
21 know, "Don't move. Put your hands up." It was a book bag
22 sitting in the back, and I opened the book bag. That's when I
23 seen cocaine in it, and I alerted Jenkins. And then I got the
24 keys, and he alerted Taylor and Hendrix. And they got out, and
25 both of them were handcuffed.

1 Q. Okay. So who was handcuffed, just to be clear?

2 A. Stevenson was handcuffed. He was the driver of the
3 vehicle. And Brown was the passenger, got -- was handcuffed.

4 Q. And then what -- you said they started out actually in the
5 car. Where were they taken from the car?

6 A. They were taken out, and we made 'em have a seat on the
7 curb behind the van.

8 Q. Who took them out of the car, if you remember, or the van,
9 I guess?

10 A. I'm not exactly sure who took who out.

11 Q. Okay. And then what happened?

12 A. They both were -- we had -- they both had a seat. Jenkins
13 went on about the U.S. Marshal thing -- I mean the federal
14 agent thing. They --

15 Q. When you say he "went on about the federal agent thing,"
16 what do you mean?

17 A. He said he was a federal agent on a task force. They were
18 investigating something that got picked up on a wiretap, the
19 same thing he used for the Belvedere Towers. He knew what's
20 going on. They weren't the targets. They can cooperate and
21 let 'em know what's going on because he know they had more
22 drugs, or they would be charged.

23 Q. Okay. Now, where was Mr. Brown coming out of, I guess,
24 when he -- when you all first apprehended him? You said he had
25 a book bag on, but where was he coming from?

1 **A.** He was coming out of a house. We later found out it was
2 his baby's mother's mother's house.

3 **Q.** Did you all go into that house?

4 **A.** Taylor and Jenkins went in the house. Myself and Hendrix
5 stood by Mr. Stevenson and Mr. Brown.

6 **Q.** Did they have a warrant to go into that house?

7 **A.** No, sir.

8 **Q.** Did they find anything?

9 **A.** No, sir.

10 **Q.** Were Stevenson's keys taken from him?

11 **A.** Yes, sir.

12 **Q.** By who?

13 **A.** Jenkins.

14 **Q.** And did you or Jenkins or Taylor try to figure out where
15 he lived?

16 **A.** Yeah. Once we got his ID, they asked him his address.
17 And he gave -- I think the address was on his license. He had
18 made a phone call to the -- we got a place called the
19 Watch Center. That's a place where you can call and give them
20 someone's name, a tag number, and they can run it through
21 various databases to give you more information than what the
22 dispatcher can give you.

23 So he had called the Watch Center to get a rundown on
24 Mr. Stevenson, to get all his address listed.

25 **Q.** Why were you interested in getting his address?

1 **A.** Jenkins believed he had more drugs at one of these
2 locations.

3 **Q.** Was he looking for anything else?

4 **A.** And money.

5 **Q.** And what -- I guess what was the plan if money was found
6 at the house with drugs?

7 **A.** We were going to take -- split the money up.

8 **Q.** And I'm getting ahead of myself, but ultimately is that
9 what happened?

10 **A.** Yes, sir.

11 **Q.** All right. So before we get there, was Stevenson
12 interrogated at the scene of the car stop? Was he questioned?

13 **A.** Yes. Me and Taylor had stood back with Mr. Brown outside
14 of the van. Hendrix and Jenkins had took Mr. Stevenson, put
15 him back in the minivan, and questioned him.

16 **Q.** And at some point did Jenkins come out?

17 **A.** Yes.

18 **Q.** And what did he say when he came out, if you recall?

19 **A.** He had two more addresses listed on Mr. Stevenson, and he
20 said Mr. Stevenson had admitted to having X amount of money in
21 the house and guns and more drugs.

22 **Q.** Okay. So then what happened next?

23 **A.** He said -- he called -- it was a Sergeant Jordan Moore of
24 the Northeast District to go sit on the house in the
25 Northeast District to make sure no one would go in and out of

1 it.

2 And me, Taylor -- well, first, we -- the wagon came, the
3 police wagon. Mr. Stevenson and Mr. Brown were arrested, and
4 they were placed in the wagon and sent to Central Booking.

5 **Q.** Okay.

6 **A.** Then after that, that's when me, Hendrix, Taylor, and
7 Jenkins, we had found, I think it was, three addresses. One
8 was Mr. Stevenson's mother's house. There was another one
9 listed off of Fulton and Presstman in North -- in
10 West Baltimore. Then it was his address that was in
11 Northeast Baltimore.

12 Us -- me, Taylor, Hendrix, and Jenkins, we went to
13 Presstman and Fulton to one of the houses that was listed that
14 he got back.

15 **Q.** So when you got to the house at Presstman and Fulton, what
16 did you do?

17 **A.** We used Mr. Stevenson's keys and went in the house and
18 searched it.

19 **Q.** Did you have a search warrant?

20 **A.** No, sir.

21 **Q.** Had Mr. Stevenson given you consent to search his house?

22 **A.** No, sir.

23 **Q.** Had he actually turned his keys over, or had those just
24 been taken from him?

25 **A.** They were taken from him, yes.

~~WARD DIRECT~~

1 Q. And did you find anything in the house?

2 A. No. The house was pretty much empty. I think the only
3 thing that was there was like adult diapers, things for like a
4 senior house or something like that, like one of them adult
5 houses.

6 Q. And who's in this -- who went into Presstman, into the
7 house on Presstman?

8 A. Myself, Hendrix, Taylor, and Jenkins.

9 Q. And what all were you looking for?

10 A. Drugs, guns, money.

11 Q. What would you have done if you found any of those things?

12 A. Drugs or the guns, we would have submitted them to
13 evidence control. Money, we would have split it up.

14 Q. Did anyone see you going into the house?

15 A. When we pulled up, it was an individual with -- he might
16 have been there -- I'm not sure if he was there before we
17 pulled up or during the time we were in the location he pulled
18 up. He was there to deliver mattresses for the house.

19 Q. Okay. And what happened with this person who was
20 delivering mattresses to the house?

21 A. He told us he was there to do a delivery to the location.
22 And we told him someone would be there -- or Jenkins told him
23 someone would be there and if you would help him out.

24 Q. What -- did Jenkins identify or did any of you identify
25 yourself as police?

1 **A.** No. We had took -- we didn't have our vests on at that
2 time.

3 **Q.** Okay. Again, were you in uniform or plainclothes?

4 **A.** We were plainclothes, but we had our tactical vests. But
5 we actually took them off when we went to the location.

6 **Q.** Had you taken them off before you, I guess, left the cars
7 or left the car?

8 **A.** Yes.

9 **Q.** And I'm not sure if you -- I'm not sure if I heard you
10 right. What, if anything, was the mattress delivery person told
11 about why you all were in this house?

12 **A.** I don't recall.

13 **Q.** Okay.

14 **A.** I don't think we told him the reason why we were there.
15 I'm not sure.

16 **Q.** Did you act like it was your house?

17 **A.** Yeah. We acted like it was family or we were supposed to
18 be in the house. We just told him the person -- someone would
19 be there later on to help him deliver the mattress into the
20 house.

21 **Q.** What happened next?

22 **A.** From Fulton and Presstman, we shot our way across town to
23 Northeast Baltimore to Mr. Stevenson's primary residence.

24 **Q.** And was that at 1604 Heathfield?

25 **A.** Yes, sir.

1 Q. And why did you shoot -- I guess why did you shoot across
2 town to 1604 Heathfield?

3 A. From the -- I guess when Jenkins and Hendrix was talking
4 to Mr. Stevenson, that's where everything was at, the money,
5 the drugs was at.

6 Q. Okay. And what happened when you -- what happened when
7 you got there?

8 A. When we initially got there, Jenkins wanted to do a
9 sneak-and-peek, this thing you call a sneak-and-peek.

10 Q. What's a sneak-and-peek?

11 A. It's pretty much if we have like a -- if we're trying to
12 go in somebody house and he might think it was more money or
13 drugs or guns in there, you would go in there without nobody
14 knowing and sneak around the house and take a peek and search
15 through the house without a search warrant.

16 Q. And so just to be clear, who went to 1604 Heathfield to do
17 this sneak-and-peek?

18 A. Jenkins, Taylor, Hendrix, and myself.

19 Q. And when you got there, what happened?

20 A. Jenkins also said we were going to write a search warrant.
21 It was this thing he said because Mr. Stevenson did not
22 register -- livin' at the house, that if he can go and use that
23 key that he took off of him and use it inside the doorknob,
24 ensured that it had access to the house, he can obtain a
25 search warrant like that, plus with the drugs.

~~WARD DIRECT~~

1 Q. So did Jenkins use Stevenson's key to get into
2 1604 Heathfield?

3 A. Yeah, eventually; but when we pulled up, the next-door
4 neighbor was out front the house.

5 Q. So what happened?

6 A. So we couldn't go in the house because she would have seen
7 us go in the house without a warrant before that.

8 Q. Okay.

9 A. So Jenkins came up with this plan. He told Taylor to go
10 around the back to make it seem like someone was coming out of
11 the house and he chased 'em and he lost 'em on a foot pursuit
12 to make it seem like exigent circumstances so that we can go in
13 the house and hold the house until we got the search warrant.

14 Q. All right. So what happened next?

15 A. Once we got into the house -- well, first --

16 Q. Is that what -- I guess is that what happened --

17 A. Yes.

18 Q. -- what you've just described?

19 A. Yes, that's exactly what happened, yes.

20 Q. Do you know if Taylor actually saw someone coming out of
21 the back and chasing him?

22 MR. NIETO: Objection, Your Honor.

23 THE COURT: Sustained.

24 THE WITNESS: No.

25 BY MR. WISE:

~~WARD DIRECT~~

1 Q. What, if anything, happened after the -- what you've
2 described as sort of the plan?

3 A. There was a plan that Jenkins made up just so we can get
4 inside of the house. After that little hoax we did, we went
5 back into the front.

6 And Jenkins had asked the next-door neighbor, "Does any
7 males live here, like 18 or 21 or something like that?"

8 And she said, "No."

9 And he was like, "It was funny because a man just came out
10 the back door. Are you sure no one's fitting that age, around
11 that age range lives in this house?"

12 And the female said, "No." It was only little kids that
13 lived there.

14 Q. Okay. And at that point did the four of you actually go
15 inside the house?

16 A. Yeah. We used the keys that we took from Mr. Stevenson
17 and went inside the location.

18 Q. And at some point -- at some point did you -- well, was
19 the basement searched?

20 A. Yes.

21 Q. And what was discovered in the basement?

22 A. Kilos of cocaine. It was a safe. It was loose cocaine in
23 like a cooler. And handguns.

24 Q. And who found or if there were more than one person -- how
25 were you alerted to the fact that these things were in the

~~WARD DIRECT~~

1 basement: the kilos of cocaine, the loose cocaine, the safe,
2 and the guns, I think you said?

3 **A.** When we were initially searching the house, Jenkins had
4 called, like, Come down the basement. Those might not have
5 been his exact words, but he told us to come down to the
6 basement.

7 When we got down to the basement, he was standing like
8 down there and he had a kilo in his hand and asked, "When was
9 the last time one of y'all seen one of these?" He said, "It's
10 been a while."

11 **Q.** And who actually came down to the basement when he called?

12 **A.** Me -- me -- me and Taylor.

13 **Q.** And where was Hendrix?

14 **A.** I'm not sure if he was already down there or he went down
15 there before us. But he was in the basement before we got down
16 there, I believe.

17 **Q.** Okay. And then what happened?

18 **A.** We looked at all the -- all the drugs. There was guns
19 laid out, and then there was a safe. And that's when we went
20 back -- Jenkins went back out there and got a ram and it was a
21 pry bar, and we came back and we started working our way into
22 the safe.

23 **Q.** But before -- I guess before you started working on the
24 safe -- you testified earlier that Jenkins had said you would
25 try to get a warrant. Did anybody actually try to get a

1 warrant for --

2 **A.** I'm sorry. Yeah. Jenkins, Hendrix, and Taylor had all
3 left the location to go get a warrant.

4 **Q.** Who was left?

5 **A.** And they had left me at the location.

6 **Q.** Who was left?

7 **A.** I was left at the location by myself.

8 **Q.** All right. And what happened after they left, after
9 Jenkins and Hendrix and Taylor left?

10 **A.** I mean, I was sitting there by myself. And it was kind of
11 weird because it was four of us and they left me there by
12 myself. And I had to worry about someone coming in the front
13 door, someone possibly coming in the back door. Then it was
14 also a basement door.

15 And then it was -- it was -- also was money recovered from
16 the first stop. So that was also kind of funny to me, that
17 they would leave me there, at least not with somebody else, a
18 partner. Typically you would leave two people there, not just
19 one person.

20 **Q.** Now, you said it was funny that you were -- I forget the
21 words you used. But you said -- you mentioned that money had
22 actually been recovered at the traffic stop; is that right?

23 **A.** Yes.

24 **Q.** When the three of them left, what, if anything, did you
25 suspect was going to happen to that money from the traffic

~~WARD DIRECT~~

1 stop?

2 **MR. NIETO:** Objection, Your Honor.

3 **THE WITNESS:** I thought they were --

4 **THE COURT:** Sustained to the use of the word
5 "suspect."

6 **MR. WISE:** Yes.

7 **BY MR. WISE:**

8 **Q.** So when you say you thought it was funny that the three of
9 them left and you mentioned that money had been seized or taken
10 at the traffic stop, what was funny about them leaving? Why
11 did you mention money from the traffic stop?

12 **A.** 'Cause when they left me there by myself, I figured they
13 might have been going to split the money up amongst themselves.

14 **Q.** Without you?

15 **A.** Without me.

16 **Q.** Now, you said that -- well, you said that you had to watch
17 at least three doors to make sure no one came in the house at
18 that time; right?

19 **A.** Yes, sir.

20 **Q.** At some point did someone or people show up?

21 **A.** Yes. Mr. Stevenson, I'm not sure if it's his child's
22 mother or it was his wife, her sister and her girlfriend showed
23 up.

24 **Q.** Okay. And what did you do then?

25 **A.** I had advised them what was going on. But the sister's

~~WARD DIRECT~~

1 girlfriend was just giving me like a lot of hassle, very
2 aggressive towards me.

3 So I had called Jenkins -- I got -- and asked for another
4 unit and I called Jenkins and also asked Jenkins to send Taylor
5 back, send somebody back 'cause I got these two females out
6 here kind of acting a fool.

7 **Q.** And did you let them in the house?

8 **A.** No, I didn't let them in the house.

9 **Q.** Okay. And did Jenkins send Taylor back?

10 **A.** Yeah. Eventually Taylor had come back to the location.
11 But before Taylor got there, I was dispatched -- a uniformed
12 officer came to the scene and sat with me until Taylor got
13 there.

14 **Q.** Okay. And at some point did someone else come to the
15 house, not the uniformed patrol, but someone in addition to the
16 two women you've just described?

17 **A.** Yes. Later on that night, Mr. Stevenson's mother actually
18 showed up to the location and later on his wife. It was -- or
19 his child's mother.

20 **Q.** And was all of this before anyone came back with a
21 search warrant?

22 **A.** Yes.

23 **Q.** You testified that the first two women that came, you
24 didn't let in the house. What about Mr. Stevenson's mother and
25 his wife?

~~WARD DIRECT~~

1 **A.** I let them in the house.

2 **Q.** And were they -- where were they in the house?

3 **A.** Just in the living room.

4 **Q.** Were they free to move around the house?

5 **A.** No. I told them they couldn't leave out the living room;
6 just to stay in the living room.

7 **Q.** At some point did Hendrix and Jenkins come back with the
8 search warrant?

9 **A.** Yes, sir.

10 **Q.** And how much time had elapsed between when you all first
11 went into the house and when Jenkins and Hendrix finally came
12 back with the search warrant?

13 **A.** It was a couple hours.

14 **Q.** When Jenkins came back, did he make a video of putting the
15 key in the door, if you know?

16 **A.** I'm not sure. I don't -- I don't recall.

17 **Q.** Okay. And what happened to Mr. Stevenson's wife and her
18 mother once Jenkins and Hendrix came back with the
19 search warrant?

20 **A.** When Jenkins and Hendrix got back with the search warrant,
21 he told them that they couldn't be in the location; they had to
22 leave.

23 **Q.** Where did Mr. Stevenson's wife go when she left -- well,
24 did she leave?

25 **A.** Yeah, the mother left and the wife or his child's mother

~~WARD DIRECT~~

1 left.

2 Q. And where did she go, if you know?

3 A. She went and sat out in her car right out front the house.

4 Q. Could you see her?

5 A. Yes.

6 Q. This was a row house?

7 A. Yes, a row house.

8 Q. Was she literally just outside the house in the car?

9 A. Yes.

10 Q. So now that Jenkins and Hendrix are back with the
11 search warrant, what happened then?

12 A. That's when we searched the house. And that's when
13 everything, the money and the drugs and all that, was
14 recovered. And that's when we -- the pry bar and the ram were
15 gotten, and we --

16 Q. What's a pry bar and a ram?

17 A. A pry bar is this tool. It's about this long
18 (indicating). It's pretty much used to pry things open. It's
19 almost kind of like a crowbar of sort.

20 Q. And what's a ram?

21 A. A ram is typically used -- it's probably about this long
22 (indicating). It has two handles on it, and it's used to ram
23 open a door to gain entrance inside a location.

24 Q. And why did Jenkins go and get those tools? What were you
25 going to use them on?

1 **A.** To break inside the safe.

2 **Q.** Where was the safe?

3 **A.** The safe was in the basement of the house in like -- if
4 you come down the steps, I guess it's like a -- I want to say
5 like a utility closet or something like that in the basement.
6 It was in there.

7 **Q.** Was this closet under the steps, or was it a freestanding
8 closet?

9 **A.** Under the steps.

10 **Q.** And what kind of safe was it?

11 **A.** It was a pretty decent safe. It had like, I think -- I
12 guess a digital -- like a knob for a little -- for the codes
13 you had to put in.

14 **Q.** Was it locked?

15 **A.** It was locked, yes.

16 **Q.** And so once Jenkins got the pry bar and the ram -- well,
17 where did he get them from?

18 **A.** In the back of our rental car.

19 **Q.** And then what happened?

20 **A.** We broke into the safe.

21 **Q.** And who was working on the safe?

22 **A.** Jenkins was primarily the one working into the safe.
23 Taylor and Hendrix had took turns using the ram.

24 **Q.** And so what were they doing with the ram, hitting the pry
25 bar?

1 **A.** Yeah. They would take the pry bar and like the little --
2 I guess like the creases in the safe, put the pry bar right
3 there. Then they would take the ram and ram it in there just
4 enough and then try to shimmy it to pop the safe open.

5 **Q.** Was the safe sitting with the door facing out, or was it
6 sitting on its back?

7 **A.** It was sitting on its back.

8 **Q.** And were you -- were you all able to get it open?

9 **A.** Eventually, yes, we got the safe open.

10 **Q.** And what was inside of it?

11 **A.** A lot of money.

12 **Q.** What, if anything, did Jenkins say when the safe was
13 finally pried open? Or what happened once the safe was finally
14 pried open?

15 **A.** He had asked Hendrix, because those were the two who sat
16 there and they had to brief -- well, talk to Mr. Stevenson in
17 the car. And Mr. Stevenson had gave them an amount of money
18 that was in the safe.

19 So he was asking Hendrix how much money did he say was in
20 the safe. Was it a hundred grand? Or, you know, what was the
21 amount that he said?

22 And Hendrix was saying -- he said it was 100,000 in the
23 safe.

24 **Q.** And then what did Jenkins do?

25 **A.** He started taking the money out, started counting it. And

1 he eventually put \$100,000 back in the safe, but anything extra
2 was put into a bag, a black bag.

3 Q. And how much extra was there, if -- I'm not asking for a
4 dollar number. But was it a lot of money or a little money?

5 A. Oh, it was a lot of money.

6 Q. And what did Jenkins do with that money?

7 A. He took the bag -- he put the money in a bag.

8 Q. And where did the bag go?

9 A. It went with us when we left out the location.

10 Q. Once the hundred thousand was back in the safe, what
11 happened next?

12 A. Jenkins came up with this idea that we were going to close
13 the safe back and someone was going to get their camera off
14 their camera phone and record it and re-enact us breaking into
15 the safe.

16 Q. So is that what you all did?

17 A. Yes. That's exactly what we did.

18 Q. Was the safe -- were you able to relock the safe even
19 though you pried it open?

20 A. Yes, I did relock, yes.

21 Q. And what happened after it had been closed up again? Or
22 what was the plan to make this video? What were you supposed
23 to do?

24 A. Just in case Mr. Stevenson had made a complaint saying
25 that money was taken, we would say like, "No. Look, we have a

~~WARD DIRECT~~

1 video of us opening this safe. This was the first time the
2 safe was opened and the only time the safe was opened."

3 Q. And --

4 THE COURT: Mr. Wise, just let me know when you've got
5 a good breaking point. We should take a break.

6 MR. WISE: I think this would be a fine time to break,
7 Your Honor, if it's convenient.

8 THE COURT: Okay. All right. We'll take a short
9 break and resume.

10 (Jury left the courtroom at 3:33 p.m.)

11 (Recess taken.)

12 THE COURT: You can be seated, please.

13 We're ready for the jury?

14 MR. WISE: Yes, Your Honor.

15 THE COURT: Okay.

16 (Jury entered the courtroom at 3:50 p.m.)

17 THE COURT: All right. You can all be seated.

18 THE CLERK: Mr. Ward, you're still under oath.

19 THE WITNESS: Yes, ma'am.

20 THE COURT: If you'd like to continue, Mr. Wise.

21 MR. WISE: Thank you, Your Honor.

22 BY MR. WISE:

23 Q. Mr. Ward, you testified that the -- well, you testified
24 about the amount of money, I guess, Jenkins put back in the
25 safe; right? Or what he said he was putting back, about

1 \$100,000; right?

2 **A.** Yes, sir.

3 **Q.** How -- just so the jurors can understand this, how was the
4 money packaged or bundled? What was it -- how was it put
5 together?

6 **A.** It was like bundles of a thousand. So each little bundle
7 that he counted out was like a thousand dollars. And I believe
8 it was -- \$10,000 was each stack. So he took -- counted it was
9 a thousand, so he took ten of those bundles each was 10,000 --
10 I'm sorry, 20,000, I believe, 10 or 20 thousand and put 'em all
11 back in there, in the safe.

12 **Q.** So just to be clear, he sort of counted one to figure out
13 what one of these bundles were?

14 **A.** Yes.

15 **Q.** And then counted out however many of those bundles equaled
16 100,000?

17 **A.** Yes.

18 **Q.** Okay. Now, before the break you testified that after you
19 all had opened the safe, there was this plan to close it back
20 up and then make a video as if you were opening it for the
21 first time; right?

22 **A.** Yes, sir.

23 **Q.** And I think I asked you if the safe -- were you able to
24 relock the safe?

25 **A.** Yes, we were.

1 Q. And did it -- well, was it easy or hard to actually pop it
2 again?

3 A. Yeah, it was easy -- it was easier the second time.

4 Q. Easier the second time.

5 And -- but did it actually pop the second time?

6 A. Yes, it popped.

7 Q. And what was your reaction to that?

8 A. We were shocked 'cause we didn't think that we would get
9 that -- that pop.

10 Q. Okay. Why? Why didn't you think it would pop again?

11 A. Because initially we were just going to fake it to make it
12 seem like we were struggling to open the safe. But when it did
13 that pop, that's kind of what we were looking for.

14 Q. Okay. And you -- I think you said it was on somebody's
15 phone, but how was this video actually made?

16 A. You mean like -- it was recorded on a cell phone.

17 Q. Okay. Do you remember by who?

18 A. It was one of us. It was either me, Taylor, or Hendrix,
19 because Jenkins had left out the room. He said once we popped
20 the safe open, to call him downstairs. And he was going to
21 walk down there and make it seem like it was the first time he
22 had knew anything about the safe.

23 Q. Okay. And I think we're going to show you that video now,
24 if we're ready. This is Government Exhibit OS-2A.

25 (Video was played but not reported.)

~~WARD DIRECT~~

1 **BY MR. WISE:**

2 **Q.** Who's working on the safe?

3 **A.** I'm the one with the ram in my hand. Hendrix is the one
4 that's prying the safe open right now. And Taylor is the one
5 recording with his cell phone.

6 (Video was played but not reported.)

7 **BY MR. WISE:**

8 **Q.** Whose voice was that that said "stop"?

9 **A.** That was Jenkins' voice.

10 **Q.** All right.

11 (Video was played but not reported.)

12 **BY MR. WISE:**

13 **Q.** So you testified earlier -- are those -- about how it was
14 packaged. Are those the bundles you're talking about?

15 **A.** Yes, sir.

16 **Q.** And the first time you all opened the safe, how full was
17 it?

18 **A.** It was double that, probably a little bit more.

19 (Video was played but not reported.)

20 **BY MR. WISE:**

21 **Q.** And when Jenkins said, "We're calling the feds," what does
22 that mean?

23 **MR. NIETO:** Objection, Your Honor.

24 **BY MR. WISE:**

25 **Q.** What did you understand it to mean?

~~WARD DIRECT~~

1 **A.** That he was calling, like, the task force officers,
2 someone from HIDTA to come to the location to seize the money.

3 **Q.** What you had described earlier, these high-value seizures,
4 you all would call in the feds; is that right?

5 **A.** Yes. My understanding is anything over 5,000, they would
6 come and they would recover and submit it for you.

7 **Q.** Okay.

8 (Video was played but not reported.)

9 **BY MR. WISE:**

10 **Q.** Whose voice was that: "I'll take the picture as well"?

11 **A.** That's Taylor's voice.

12 (Video was played but not reported.)

13 **BY MR. WISE:**

14 **Q.** Now -- well, I guess, while it's on the screen, are those
15 little bundles, I guess, the smaller amounts, whatever it is, a
16 thousand, maybe --

17 **A.** Yes.

18 **Q.** -- with the black rubber band, this -- I'll just use the
19 screen, that there (indicating)? Is that right?

20 **A.** Yes.

21 **Q.** And then together they're -- I think you said you thought
22 it was either ten or twenty thousand that they're bundled up
23 into?

24 **A.** I believe it's ten. 10,000.

25 **Q.** Okay. Now, on the video Jenkins said, "Call the feds," or

1 words to that effect. And I asked you about that. Were task
2 force officers or a task force officer actually called to the
3 house at this point?

4 **A.** Yes. Detective Glover responded to the location.

5 **Q.** And who was Detective Glover with?

6 **A.** He's with Baltimore City, but he's also underneath HIDTA.
7 He's a task force officer.

8 **Q.** And what was he called to 1604 Heathfield to do?

9 **A.** Recover the money.

10 **Q.** And did you see him do that?

11 **A.** Yes, sir.

12 **Q.** And just generally speaking, how did he -- what did he do
13 once he got to the house?

14 **A.** He had this big plastic like Ziploc bag. He took all the
15 money, and he put it inside the bag. Then he sealed it. Then
16 he signed it, and I believe Jenkins signed it also. Someone
17 else signed it, so it was two signatures on the bag. And the
18 bag was sealed.

19 **Q.** And then did the remaining money, I guess -- well, if you
20 didn't testify to this earlier, where did Jenkins put the money
21 that he had taken out of the safe the first time it was opened?

22 **A.** He had put it in a black bag, but eventually we took it
23 with us when we left the location.

24 **Q.** And had he put it in the car you were driving?

25 **A.** Yes.

~~WARD DIRECT~~

1 Q. And when you left the location, where did you go?

2 A. I had left. I had went home. I had to let my dog out.

3 So --

4 Q. At some point did you meet back up?

5 A. I met them back at headquarters, yes.

6 Q. And who did you meet back at headquarters?

7 A. Jenkins, Taylor, and Hendrix.

8 Q. And then where did you all go from there?

9 A. We went to Taylor's house.

10 Q. Why did you go to Taylor's house?

11 A. To split the money up.

12 Q. Why particularly Taylor's house?

13 A. Everyone else had a significant other living with 'em.

14 There was no way we could go inside that location with money

15 and sit down and count it and splittin' money amongst each

16 other and, you know, spouses wouldn't know about it.

17 Q. Okay. What time of day is it now?

18 A. It's nighttime now.

19 Q. And if I didn't do this earlier, maybe I should have.

20 When you first got to the 1604 Stevenson or 1604 Heathfield

21 residence, what time of day was it?

22 A. It was daytime. Still daylight out.

23 Q. And you testified that it wasn't for several hours before

24 Jenkins and Hendrix came back with the search warrant; right?

25 A. Yes. When they came back, it was night.

~~WARD DIRECT~~

1 Q. And how much later than that was it that you went to
2 Taylor's house?

3 A. About three hours. Probably -- about approximately three
4 hours after that.

5 Q. So -- and what time of day would that be at that point?

6 A. Early morning.

7 Q. Okay. Where did you -- well, how did you get to Taylor's
8 house?

9 A. Drove.

10 Q. Who else went to Taylor's house?

11 A. I went there. Taylor went there. Hendrix went there.
12 And Jenkins went there.

13 Q. And when you got there, where did you go? Where in the
14 house?

15 A. He had like -- I think it was like a three-story. It was
16 a brand-new townhouse. As soon as we walked in, I guess you
17 want to say the basement or the lower level, we went straight
18 into there.

19 Q. And who went in there?

20 A. Me, Hendrix, Taylor, and Jenkins.

21 Q. What did Jenkins have with him?

22 A. He had the black bag with him.

23 Q. And once you four got into the basement, what happened?

24 A. He opened the bag and dumped the money out.

25 Q. And then what happened?

~~WARD DIRECT~~

1 **A.** He started to count it and divvy it out amongst me,
2 Taylor, and Hendrix and himself.

3 **Q.** And who was doing that?

4 **A.** Jenkins.

5 **Q.** And how much money did he divvy up to you?

6 **A.** Approximately \$20,000.

7 **Q.** And did you see how much he gave to Hendrix?

8 **A.** Approximately 20,000.

9 **Q.** And what about to Taylor?

10 **A.** Approximately 20,000.

11 **Q.** And who kept the rest?

12 **A.** Jenkins.

13 **Q.** Do you know how much -- how much the rest was? Do you
14 know how much Jenkins got, actually?

15 **A.** It was more than ours.

16 **Q.** How long were you four at Taylor's house, if you had to
17 approximate it?

18 **A.** No more than an hour, probably.

19 **Q.** And where did you go from there?

20 **A.** I went home after that.

21 **Q.** And what did you do once you got home?

22 **A.** Well, I had some time on the way home to think, to weigh
23 out the situation as far as the money: Should I keep it or
24 should I not keep it? So once I got home, I discarded the
25 money.

1 Q. Where did you discard it?

2 A. The way my house is, it's like a big field and you go
3 across that into another community. It's like a lot of rental
4 properties right there. I tossed it back there.

5 Q. And what kind of -- when you say you tossed it, what kind
6 of -- where was it that you tossed it?

7 A. It's like you go through like a wooded path, and then it's
8 like a residential area back there.

9 Q. Why did you do that? Why did you toss -- after having
10 done all that, why did you not keep the money?

11 A. Well, for one, you don't want to be the one in the squad
12 to be like, you know, I'm not with that. Like, you want not
13 think -- make them feel that you would tell on them. You don't
14 want to get blackballed.

15 Second, it's like drugs was missing, and it's like
16 20,000 -- between me, Hendrix, and Taylor, that's \$60,000.
17 That's a lot of money. Who won't make a complaint about that
18 money?

19 And I don't have, like -- I think I was the only one still
20 renting my house. I don't -- I couldn't take \$20,000 and get
21 my whole house redone, countertops and all that stuff, 'cause
22 I'm renting. So I didn't have the means to put the money to
23 anything.

24 I wasn't going to put that money and the family in my
25 house, jeopardize and get them in trouble. So it's just too

1 much. The bad outweighed the good, so . . .

2 **Q.** Now, the first thing you said is that you didn't want to
3 get blackballed or you didn't want the rest of the unit to
4 think you didn't want to do this.

5 Did you want to keep robbing small amounts?

6 **A.** No. I -- I would have loved to keep the 20,000 if it was
7 a means that I could keep it and not get caught, but --

8 **Q.** I see. Okay.

9 What, if anything, did Jenkins say to the three of you, to
10 you and Hendrix and Taylor, at Taylor's house about what you
11 should or shouldn't do with all this money?

12 **A.** Don't go out and buy no cars. Don't spend the money.
13 Don't deposit it into a bank. Don't buy -- spend large sums of
14 money on -- on stuff like that.

15 If anybody needed work to your house or anything like
16 that, he had a buddy who fixed homes. And you could pay him
17 and he could like finagle the receipts to make the price show
18 something different to get work done to your house so it
19 wouldn't come back on you.

20 **Q.** And did Taylor tell you what he did with his money?

21 **A.** I know he used some of it to get a brand-new deck built on
22 the back of his house.

23 **Q.** Did he use the guy that Jenkins told you guys about?

24 **A.** Yes.

25 **Q.** Who would finagle the receipts?

1 **A.** Yes.

2 **Q.** After the robbery, did Jenkins listen to Stevenson's
3 jail calls?

4 **A.** All the time. It's like he was obsessed with it.

5 **Q.** Now, just explain what -- what I -- explain what's meant
6 by jail calls.

7 **A.** Whenever you're arrested and you're incarcerated, it's a
8 pay phone you get to use. Every time you use that phone, it's
9 recorded. So it's a database that law enforcement can go
10 through and actually listen to the calls, listen to your
11 conversation, everything you talked to.

12 So when Mr. Stevenson was making calls, talking to his
13 wife and his friends, we were able to listen to his whole
14 conversation to see what he was talking about.

15 **Q.** And was Jenkins concerned about what Stevenson was saying
16 on his jail calls?

17 **A.** Yeah. He talked about a lot of the money being missing,
18 and he was trying to get a good lawyer. And Jenkins was kind
19 of worried about that.

20 **Q.** Worried about what, that he was saying all the money
21 was -- that a lot of money was missing?

22 **A.** Yeah, and that if they got a good enough lawyer, that, you
23 know, they might look into it.

24 **Q.** And so what, if anything, did you all do?

25 **A.** He -- Mr. Stevenson's outlet was his wife. His wife was

~~WARD DIRECT~~

1 doing everything for him. So Jenkins figured if we could get
2 his wife out of the equation, he wouldn't have nobody -- he
3 would have to get a Public Defender and he would just go ahead
4 and cop-out to the charges.

5 So we would listen to Mr. Stevenson's calls, and Jenkins
6 had found out that he was talking to another female over the
7 phone.

8 So when -- Jenkins came up with the idea that he was going
9 to write a note and put it in his wife's door to make it seem
10 like it was from the other female and leave her phone number
11 and to call her and say that she's pregnant by Mr. Stevenson.

12 Q. And is that -- and who did he propose doing this to?

13 A. Myself, Hendrix, and Taylor.

14 Q. And what happened?

15 A. We executed it. We went to the location.

16 Q. Who wrote the note, I guess? Did someone write this note?

17 A. It was either Taylor or Hendrix --

18 Q. Okay.

19 A. -- one of them because they had neater handwriting.

20 Jenkins said he wouldn't write it because he had sloppy
21 handwriting.

22 Q. Did you have neat handwriting?

23 A. Yeah, I had neat handwriting.

24 Q. And so once the letter -- I guess the note was written,
25 what happened?

1 **A.** We went to the location, came up with the idea. Jenkins
2 told Taylor to go up there, open this door, drop the note,
3 knock on it, and run.

4 **Q.** Which location was this?

5 **A.** The one on Heathfield.

6 **Q.** The one you had searched?

7 **A.** Yes.

8 **Q.** Okay.

9 **A.** We got to the location and Taylor got out to go do it.

10 But he said there was a light on in like the living room, so he
11 didn't feel comfortable doing it.

12 So Jenkins took it and went to the location and he did it.

13 **Q.** All right. Now, you testified earlier that you were --
14 that you're currently detained; right?

15 **A.** Yes, sir.

16 **Q.** When you were first arrested, where were you detained?

17 Where were you actually housed?

18 **A.** Howard County.

19 **Q.** And who was housed in Howard County with you?

20 **A.** It was myself, Jenkins, Hersl, Taylor, Gondo, Rayam, and
21 Hendrix.

22 **Q.** So all six of you?

23 **A.** All of us were detained. We were at Howard County at the
24 beginning.

25 **Q.** Seven. I'm sorry. Seven.

~~WARD DIRECT~~

1 And was the Stevenson robbery discussed among you when you
2 were all at Howard County?

3 **A.** Yes.

4 **Q.** And I guess what was discussed?

5 **A.** Jenkins had came up with a proposition that if we did
6 admit to the Steven [sic] incident, to lower the money amount
7 to say it was only like \$5,000 was taken, not the total amount
8 that we'd taken.

9 **Q.** And what about the -- what about the video? Did the video
10 come up, the fake video?

11 **A.** Yeah. And the video was valid, that it wasn't a fake
12 video.

13 **Q.** So that's what Jenkins, I guess, told you to say, that it
14 was a valid video?

15 **A.** Right.

16 **Q.** Now, going back to the time when the Stevenson robbery
17 happened, after that, did you participate in a search of a
18 house on Water Street?

19 **A.** Yes, sir.

20 **Q.** And what, if anything, was the connection between what
21 went on at the Stevensons' house and the search at the house on
22 Water Street?

23 **A.** Jenkins had took Mr. Stevenson's phone and ended up
24 getting another source. And what I mean by "source" is another
25 person who sells large quantities [sic] of drugs.

1 So he put us on to this guy, supposed to be from like
2 Texas. And they lived on Water Street, and they end up
3 tracking their phone and later on obtained a search warrant.
4 We went into the location.

5 **Q.** And this was the location on Water Street?

6 **A.** Yes, sir.

7 **Q.** At some point did you actually go to that location on
8 Water Street?

9 **A.** Yeah. I think they began observations like the day
10 before. And Jenkins wanted me and Taylor to come in, 'cause at
11 this time Hendrix was out of town. And I didn't -- I didn't
12 come in that time. I didn't come in until the next -- the next
13 morning.

14 So it was just Taylor and Jenkins, and they had got
15 Sergeant Gladstone and some guys from his squad to help out
16 with the surveillance and all that.

17 **Q.** And so when you got to the house on Water Street, what
18 happened?

19 **A.** When I got there, Taylor and Jenkins were -- were gone,
20 along with Gladstone. And it was just Gladstone' squad inside
21 the house, and there was a whole bunch of people detained
22 inside the location.

23 Maybe an hour or so later on, that's when Jenkins, Taylor,
24 and Gladstone got back with a search warrant.

25 Jenkins told Taylor to tell me about something.

~~WARD DIRECT~~

1 Q. And did Taylor tell you about something?

2 A. He looked at Jenkins like he didn't know what Jenkins was
3 talking about.

4 Q. Okay.

5 A. And so that's when Jenkins had pulled both us to the side
6 and walked us over a little bit away from everybody and said --
7 talking about the money, the money that --

8 Q. So this is Jenkins talking to Taylor?

9 A. And me, yes.

10 Q. And you?

11 A. Yes.

12 Q. And so then what happened?

13 A. They had asked me to be the one to take this -- if it was
14 some money that was stashed in the drawer, to ask me to take
15 the money because no one would suspect it was me and they've
16 been there all that time.

17 Q. So who had stashed some money in a drawer?

18 A. I'm not sure if they stashed the money or it was -- or it
19 was already in the drawer.

20 Q. I see.

21 A. But they wanted me to take the money that was in the
22 drawer.

23 Q. And who's "they"?

24 A. Jenkins and Taylor.

25 Q. And did you take the money that was in the drawer?

~~WARD DIRECT~~

1 A. Yes.

2 Q. And how much was it?

3 A. It was anywhere between like 1500 to \$2,000.

4 Q. And what did you do with it?

5 A. We split it up amongst us three.

6 Q. Who did you split it with?

7 A. Taylor and Jenkins.

8 Q. And when --

9 A. And myself.

10 Q. When did you give them, I guess, their third of the money?

11 A. Once we finished the search, the search and seizure from
12 that location, we went back to headquarters, so while we were
13 downtown at headquarters.

14 Q. And that's where you did it?

15 A. Yes.

16 Q. Now, you've testified about a number of robberies that
17 occurred when you were with Jenkins in the SES unit; right?

18 A. Yes, sir.

19 Q. At some point did you move with Jenkins to the
20 Gun Trace Task Force?

21 A. Yes. It was like June of, I believe, 2016 we went to the
22 Gun Trace Task Force.

23 Q. And what was the mission of the Gun Trace Task Force?

24 A. It was dealing with guns, tracking and tracing guns,
25 firearms, people who are prohibited, who are not allowed to

~~WARD DIRECT~~

1 carry guns.

2 **Q.** You testified earlier about how on the SES unit you all
3 got guns. How did Jenkins run the Gun Trace Task Force?

4 **A.** When we first got there, it was kind of a little
5 discrepancy because they were mainly an investigation squad
6 when we first got there. But Jenkins switched it, and he
7 wanted to do street rips, what it was called. And that's
8 pretty much how he ran the squad, like that.

9 **Q.** So who was on the Gun Trace Task Force when you and
10 Jenkins and Hendrix and Taylor got there?

11 **A.** It was Gondo, Rayam, Hersl, and Clewell.

12 **Q.** And you said they had been doing investigations, but then
13 Jenkins wanted to do street rips?

14 **A.** Yeah. He said -- the way they explained it to us, they
15 were just doing straight search warrants, investigations. They
16 might have got like a gun a week. That was like their quota to
17 do, get a gun a week.

18 **Q.** Okay. And what's a street rip?

19 **A.** When you just pull up on somebody, how I explained it
20 earlier. You pull up aggressively and jump out and you just
21 stop people. We call those street rips.

22 **Q.** And what, if anything, did Jenkins tell you about Hersl
23 when you joined the Gun Trace Task Force?

24 **A.** He said that Hersl -- Hersl -- is Danny. Danny's good.
25 He's just like one of us.

~~WARD DIRECT~~

1 Q. And what did you understand that to mean?

2 A. That we didn't -- took money, we would split with him. We
3 wouldn't have to worry about him telling anybody or anything
4 like that.

5 Q. Now, where were the GTF [sic] offices?

6 A. It was in headquarters in Baltimore City, I believe,
7 eighth floor.

8 Q. And at some point were the offices supposed to get moved?

9 A. At one point I believe we were supposed to go to the barn,
10 something like that, to the academy, close to the academy.

11 Q. Did Jenkins want to do that?

12 A. No.

13 Q. Why not?

14 MR. NIETO: Objection, Your Honor.

15 THE COURT: Sustained.

16 BY MR. WISE:

17 Q. Did Jenkins tell you why he didn't want to move to the
18 barn?

19 A. Yeah, 'cause several officers who -- in our unit before, a
20 couple years ago, had got found -- arrested working out of the
21 barn. It was supposed to be wired. They had -- the feds had
22 wired up the barn and were listening to 'em, and they ended up
23 getting arrested. And he was worried that it would still be
24 wired up.

25 Q. Now, at some point when you were on the

~~WARD DIRECT~~

1 Gun Trace Task Force, did Sergeant Jenkins take 90 days of
2 leave?

3 **A.** Yes, he did.

4 **Q.** And approximately when did that happen?

5 **A.** I believe it was in November.

6 **Q.** Of what year?

7 **A.** 2016.

8 **Q.** And did he eventually come back?

9 **A.** Yes.

10 **Q.** And what, if anything, did he propose to you and the other
11 members of the GTTF when he came back?

12 **A.** It was one day I got to work late, and Taylor was coming
13 to pick me up. And I asked Taylor what was going on. What are
14 we doing?

15 And he was saying Jenkins was talking about going back and
16 hitting Mr. Stevenson's house again.

17 **Q.** And when you're saying "hitting Mr. Stevenson's house
18 again," what do you mean?

19 **A.** Well, when they said that to me, "hitting," the way we
20 used to say "hit someone's house," we're talking about getting
21 a search warrant, how I explained before. You get the ram and
22 you kick in the door -- hit in the door and all that thing.
23 When you say "hit someone's house," that's what I was thinking
24 that he was talking about.

25 **Q.** So Taylor said this to you, and what else did he say?

~~WARD DIRECT~~

1 **A.** He -- he said that Jenkins was talking about going back to
2 Mr. Stevenson' house -- hitting Mr. Stevenson' house again and
3 another source and that he -- Jenkins wanted to meet up with
4 us.

5 **Q.** And did you go and meet up with Jenkins?

6 **A.** Yeah. We eventually met up with Jenkins, yes.

7 **Q.** Where did you meet up with him?

8 **A.** Actually, right across -- I believe we talked about the
9 Belvedere Tower incident, how -- actually, right across the
10 street from there, it's an apartment complex we would frequent
11 a lot. We met there in the night.

12 **Q.** And who was there? Who did you meet with?

13 **A.** It was me and Taylor. We rode together, and we met with
14 Jenkins and Hersl.

15 **Q.** And at this point was Hersl still on the
16 Gun Trace Task Force?

17 **A.** No. He was in citywide shootings at this time.

18 **Q.** So when you got to this -- was it a parking lot at this
19 apartment building or where was it?

20 **A.** It was a parking lot, an apartment building, yes.

21 **Q.** All right. And when you got there, who was there already?

22 **A.** Jenkins and Hersl were there.

23 **Q.** And what, if anything, did you notice when you got there?

24 **A.** They were drinking. They had Twisted Teas.

25 **Q.** Okay. And then what was -- I guess what was Jenkins'

1 proposal?

2 **A.** Yeah. Well, apparently he made a proposal to Taylor. And
3 Taylor had ran it through me. And I told Taylor I wasn't -- I
4 wasn't with it.

5 So Taylor had changed his mind, said that he wasn't going
6 to do it.

7 So Jenkins had got upset with Taylor. That was the whole
8 reason for us meeting up with him, because he said that I was
9 talking Taylor out from doing the -- what they were planning.

10 **Q.** And what was he planning?

11 **A.** On going back -- well, like I said, initially he was
12 sayin' hitting Mr. Stevenson's house and another source. I'm
13 thinking about doing a search warrant.

14 But to me, like I said, it was kind of blurred -- worried
15 because we just hit the guy's house before and we took over
16 \$60,000. Why do we chance it, hitting this guy's house again
17 and robbing him again? Because that's what he wanted to do.
18 He wasn't --

19 **Q.** Is that what it turned out to be?

20 **A.** Yes.

21 **Q.** And so what was your -- I guess what did -- what did
22 Jenkins actually say, if you remember?

23 **A.** He asked me why wasn't I -- why wasn't I down with it.
24 And I pretty much, how I explained to you, that's what I told
25 to him -- told him.

1 And he said I had it all wrong. He wasn't actually going
2 to obtain a search warrant and go in the house legally. He
3 wanted to put trackers on the cars, sit back and watch them for
4 a couple days, find out their routine; and when no one was
5 there, kick in the door and take drugs and money if it was
6 stuff in there.

7 **Q.** Okay. And was Hersl present when Jenkins said all those
8 things?

9 **A.** Hersl and Taylor.

10 **Q.** Earlier I had asked you if you saw Mr. Taylor in the
11 courtroom.

12 Do you see Mr. Hersl in the courtroom?

13 **A.** Yeah. He's right behind you.

14 **Q.** And could you describe what he's wearing, for the record.

15 **MR. PURPURA:** We'll stipulate he's identified
16 Danny Hersl.

17 **THE COURT:** Thank you.

18 **BY MR. WISE:**

19 **Q.** Now, was that the only time Jenkins ever proposed robbing
20 someone like that?

21 **A.** No. We did it several times.

22 **Q.** And do you recall with any specificity those other times?

23 **A.** There was another incident, I believe, out in Randallstown
24 where it was him and Taylor were following the individual, and
25 they end up following an individual all the way out D.C.

1 Q. And how did you learn -- I want to just interrupt you for
2 a second.

3 How did you learn about how -- what had happened?

4 A. Speaking with Taylor and speaking with Jenkins, they had
5 both told me about the incident at the same time.

6 Q. All right. So you started to say they followed someone
7 from Randallstown to D.C.?

8 A. Yes. They were out Randallstown. They were doing
9 surveillance on a guy's house, and I think the guy came out
10 with a bag or something like that. And they end up following
11 him, following him from out Randallstown all the way out from
12 close to D.C.

13 Q. How did they follow him?

14 A. They were in a vehicle, unmarked vehicle.

15 Q. Did they have a tracker on his car?

16 A. I believe they had a tracker on his car, so --

17 Q. And you mentioned a tracker earlier. You said that
18 Jenkins wanted to use a tracker. Were these trackers you got
19 warrants for, or what were these trackers?

20 A. No. These was -- I'm not sure where he got the trackers
21 from. These were just -- they were illegal trackers. He just
22 got 'em from somebody. He would just pop underneath somebody's
23 car and start tracking them illegally.

24 Q. You said "illegally"?

25 A. Yes, sir.

1 **Q.** So what happened when Taylor and Jenkins, according to --
2 you've testified Taylor and Jenkins followed this guy to D.C.?

3 **A.** They followed the guy all the way to D.C. And Jenkins had
4 told Taylor that if the dude got out with a duffel bag or
5 something like that, when in an exchange, he wanted Taylor to
6 get out and punch -- knock the dude out, and they was going to
7 take the duffel bag. Apparently Taylor didn't want to do it,
8 so Jenkins said he would do it.

9 **Q.** And did Jenkins do it? Was he able to do it?

10 **A.** No, 'cause I remember Taylor saying that they believed
11 that it was a -- an officer or a federal agent was following
12 him.

13 So eventually, before they actually got to interact with
14 the individual they were following, they were approached by a
15 federal agent.

16 **Q.** So just to be clear, they were following this guy, and at
17 some point Jenkins and Taylor got concerned that federal agents
18 were following them?

19 **A.** It was more so Taylor, 'cause Taylor said he was telling
20 Jenkins, but Jenkins didn't believe him. So Taylor was worried
21 that someone was following them.

22 **Q.** Okay. Did Jenkins tell you he had a body shop friend that
23 sold cocaine?

24 **A.** Yes.

25 **Q.** And did he ever propose anything in relation to that

1 connection, I guess?

2 **A.** Yeah. Apparently a buddy had owned a body shop. And he
3 was buying cocaine from this individual, and the individual
4 shorted him.

5 **Q.** What does "shorted him" mean?

6 **A.** He didn't give him the amount he paid for. He owed him
7 some, as far as drugs.

8 **Q.** So what was the plan or what came out of that?

9 **A.** Jenkins' friend had gave the guy's information for Jenkins
10 to get him back.

11 **Q.** And how did you learn about this? Who told you this?

12 **A.** Jenkins had told me about it one night.

13 **Q.** And what did Jenkins propose to do when his body shop
14 friend gave him this information about the supplier who shorted
15 him?

16 **A.** To stake the guy out, follow -- he had a track on the
17 guy's car.

18 **Q.** Whose car?

19 **A.** The individual who shorted his friend.

20 **Q.** Okay.

21 **A.** He had a track on the car. He wanted to track the dude,
22 get a routine on him for a couple days, then eventually go
23 inside the guy's house when the guy wasn't there. And he
24 wanted to dress up as federal agents and wear masks while we
25 went in there.

~~WARD DIRECT~~

1 Q. And who was he proposing this to?

2 A. He had told me and Hendrix and Taylor.

3 Q. Now, you said that he wanted to wear masks. At some point
4 did Jenkins show you that he actually had masks like that to
5 wear?

6 A. Yes, sir.

7 Q. And I'm going to show you what's been marked as
8 Government Exhibit 19A.

9 Are these the masks that Jenkins showed you?

10 A. Yes, one of 'em, yes.

11 Q. And did he show you the other gear in this bag, these
12 pairs of shoes (indicating) and a balaclava to cover your face?
13 It's like a ski mask. Did he show you what else was in this
14 bag?

15 A. Yeah. He showed us -- he showed me, yes, all was in that
16 bag, yes.

17 Q. Maybe the easiest thing to do would be just to take it
18 out.

19 You can stand up if you want. I'll show you these masks.
20 Looks like a whole lot of black clothes.

21 **MR. NIETO:** Objection, Your Honor.

22 May we approach?

23 **THE COURT:** Sure.

24 (Bench conference on the record:

25 **MR. NIETO:** So my objection is primarily -- we'll

1 primarily wait.

2 Sorry. My objection is primarily on the leading
3 basis, because it looks like Mr. Wise is pulling out articles,
4 identifying them, and then he's simply saying "yes" to it
5 rather than saying, "What did he show you?" and have him give
6 him the rundown and see if, in fact, that's what's in the bag
7 or not.

8 **THE COURT:** Okay. I'll sustain that. Can we do it
9 that way.

10 **MR. WISE:** Should I just take them out of the bag?

11 **THE COURT:** I gather if you take it out without
12 describing it and ask him --

13 **MR. WISE:** Sure.

14 **THE COURT:** -- what it is. And the point -- what
15 did -- did Jenkins actually show him this stuff or not?

16 **MR. NIETO:** That's my understanding, is this is a line
17 of questioning as to what Jenkins had shown him. So if the
18 question is what has been shown him, if he can itemize that --

19 **MR. WISE:** Sure.

20 **MR. NIETO:** -- the contents of the bag, to pull out
21 items of the bag and like, did he show you this bag or this
22 black piece of clothing? That's the issue that we have because
23 the answer is clearly just going to be "yes."

24 **THE COURT:** Okay.

25 **MR. NIETO:** Thank you, Your Honor.)

1 (Bench conference concluded.)

2 **BY MR. WISE:**

3 **Q.** Mr. Ward, did Sergeant Jenkins actually show you this bag
4 full of gear?

5 **A.** Yes, sir.

6 **Q.** Can you step down from the stand and take out the stuff
7 that's in there that you -- that you remember seeing and
8 describe it.

9 **MR. NIETO:** Your Honor, objection for the same
10 reasons.

11 **THE COURT:** Overruled. I thought that -- overruled.

12 **MR. NIETO:** I'm sorry, Your Honor. May we approach
13 briefly again?

14 **THE COURT:** Okay.

15 (Bench conference on the record:

16 **MR. WISE:** I thought that's what I was supposed to do.

17 **THE COURT:** I did too.

18 **MR. NIETO:** I'm sorry. Your Honor, what I'm trying to
19 avoid is the witness being led with the answer.

20 So he's identified that bag as being the bag that
21 apparently Jenkins showed him. What about the black bag? I'm
22 not quite sure on the outside we'd be able to confirm that
23 precisely is the bag.

24 But then to open it and to start pulling things out
25 and say, Oh, yeah, he showed me this and he showed me that.

1 What I was hoping for was that he would simply be able to
2 recall from his recollection what items Officer --
3 Detective Jenkins -- Sergeant Jenkins had showed him in lieu of
4 just going through a bag of items and say that Sergeant Jenkins
5 showed him everything that's within the bag, if that makes
6 sense.

7 **THE COURT:** If you -- we can do it in two steps, but I
8 think they're still entitled to get to the second step. If you
9 want to ask him what he recalls, get a description first of
10 what items he recalls seeing from the bag, you can do that.

11 But I think he's still entitled -- again, without them
12 leading him, to go to the bag -- if he himself was doing it,
13 the witness, to go in, pull something out and say, Yes, I
14 remember Jenkins showing me this; or, no, I don't remember
15 Jenkins showing me that. I think we're going to get to the
16 same place.

17 **MR. NIETO:** Thank you, Your Honor.

18 **THE COURT:** Okay. So ask first what he remembers
19 generally.

20 **MR. WISE:** Okay.)

21 (Bench conference concluded.)

22 **BY MR. WISE:**

23 **Q.** So, Mr. Ward, I'm going to ask you to come down off the
24 stand in a minute. But before I do that, what do you remember
25 generally was in this bag Jenkins showed you? You started out

~~WARD DIRECT~~

1 by saying masks. What else do you remember?

2 **A.** I remember the shoes. It was like pry bars and black
3 clothing in there.

4 **Q.** Okay. If you could come down now off the stand and look
5 in that bag and take out the things that you remember him
6 showing you.

7 **THE CLERK:** Mr. Ward, so that everyone may hear you.

8 **THE WITNESS:** Yes.

9 **THE CLERK:** Do you have pockets?

10 **THE WITNESS:** No.

11 I remember -- can you hear me?

12 **THE CLERK:** Yes. Thank you.

13 **THE WITNESS:** Both the ski masks, both these masks
14 right here, like Halloween masks. I remember the tennis shoes.
15 I remember the dark-colored clothing. I remember these ski
16 masks. This is more clothing right here (indicating).

17 Pair of shoes.

18 At the time when he showed me the bag, the vest wasn't
19 in there. The vest was on top of the bag, 'cause this was
20 actually the vest that we wore when we worked, so he would need
21 that. So it wasn't actually in the bag at the time when he
22 showed me this.

23 And it was actually -- it was tools in there also.

24 There were some tools.

25 **BY MR. WISE:**

1 Q. Hold on. Let me show you that.

2 Do you recall -- same thing: Do you recall the kind of
3 tools he showed you?

4 A. It was like pry -- pry tools, things you would use to pry
5 something open.

6 Q. And if you look in this bag, do you recognize things that
7 he showed you, the tools he showed you?

8 A. Yes.

9 Q. And this bag, I'm sorry, is Government Exhibit 20A.

10 Do you recognize these tools?

11 A. Yes, some of 'em, yes.

12 Q. And which ones do you recognize?

13 A. I remember the rope. It was real funny that he had rope
14 in the bag. I really didn't understand that part.

15 Q. And what's attached to the rope?

16 A. Like a grappler or something like that.

17 Q. A grappling hook?

18 A. Yes.

19 Q. All right. What else?

20 A. I remember this (indicating).

21 Q. What's that for?

22 A. It's like a pry tool. You can pry into things.

23 Q. Why don't you point, and I'll take out anything else you
24 recognize rather than me touching it.

25 A. The snips, the big snips right there (indicating).

1 Q. What are these used for?

2 A. Cut a lock. Then the crowbar.

3 Q. Which one?

4 A. This one right here (indicating).

5 Q. This one?

6 A. That is a crowbar, yeah.

7 Q. Okay.

8 A. And the big yellow tool right here (indicating).

9 Q. What's the big yellow tool?

10 A. It's like another pry bar. That's what we actually -- one
11 day he actually -- when he showed me all this stuff, it was a
12 day that Hendrix had locked his keys in his car. And we were
13 about to call Pop-A-Lock. And he said, "Don't worry about it.
14 Save your money. I can help you out."

15 And he backed up his -- his minivan at the time was a
16 rental, a police rental. And he popped the back of the trunk,
17 and that's when he showed us all this stuff. And he actually
18 put the mask on and was, like, kind of making like a joke,
19 dancing around with it on.

20 And eventually he pulled out these tools, and we actually
21 popped -- pried the door open enough just to stick a hook down
22 there to get his keys out so we didn't use Pop-A-Lock.

23 Q. And did you -- had you seen these tools before in any of
24 your police work?

25 A. Like a pry bar.

~~WARD DIRECT~~

1 Q. But like this actual pry bar (indicating)?

2 A. Not this actual, no --

3 Q. What about --

4 A. -- this one.

5 Q. -- any of the other stuff you've mentioned?

6 A. No.

7 Q. What about other than the Baltimore City vest, had you
8 seen any of this gear in your police work?

9 A. I mean -- you mean have I actually seen him wear it or --

10 Q. Yeah.

11 A. Yes, I've seen him --

12 Q. Or use it, I guess?

13 A. Yeah. I mean, when it was cold, he would wear those, I
14 guess, the ski masks. He would wear 'em sometimes.

15 Q. What about the shoes and the black clothes and the masks?

16 A. He never wore those to work. Those were like his good
17 shoes.

18 **MR. PURPURA:** I'm sorry. I can't really hear a word
19 that the witness is saying with his back like that. I
20 apologize.

21 **BY MR. WISE:**

22 Q. I think you can probably go back on the stand, Mr. Ward.

23 **MR. PURPURA:** Thank you.

24 **BY MR. WISE:**

25 Q. And if you know, Mr. Ward, were any of these -- is any of

~~WARD DIRECT~~

1 this gear, other than the vest or these tools, provided by the
2 Baltimore Police Department for your duties?

3 **A.** None of it, no.

4 **Q.** I want to ask you about a couple of other topics,
5 Mr. Ward. Did you participate in a car stop of an Audi coming
6 out of the BB&T at Loch Raven and Northern Parkway?

7 **A.** An Audi at Loch Raven and Northern Parkway. An Audi.

8 **THE COURT:** Do you have a time frame on that,
9 Mr. Wise?

10 **MR. WISE:** I guess the only way I can try to do that
11 is -- that was actually one of my questions.

12 **THE COURT:** Okay. Well, then never mind. Go ahead.

13 **BY MR. WISE:**

14 **Q.** And just -- I don't know if this would help, Mr. Ward.
15 This involved a former confidential informant from
16 Philadelphia?

17 **A.** Yes.

18 **Q.** Okay. Do you remember -- to the first question, do you
19 remember around when this happened?

20 **A.** It was summertime, 'cause we actually stopped him. It
21 was -- I think it was at -- BB&T Bank was right there, used to
22 be an old, I think, Ruby Tuesday's that was closed down in the
23 shopping center.

24 **Q.** In the summer --

25 **MR. PURPURA:** Objection, again, for relevance as to

~~WARD DIRECT~~

1 the "we." There has to be some -- who's present?

2 **THE COURT:** I think we're --

3 **MR. PURPURA:** You're getting it?

4 **THE COURT:** We might be getting there.

5 **MR. NIETO:** And actually, additionally, Your Honor, we
6 have a -- know it's the summer, but I don't know what year.

7 **MR. WISE:** Getting there too.

8 **BY MR. WISE:**

9 **Q.** What year -- when you said "the summer," what year, if you
10 remember?

11 **A.** I believe it was 2016, so it would have been more in GTTF,
12 I believe.

13 **Q.** And when you say "we," who were you talking about?

14 **A.** Myself, Taylor, Her -- I'm sorry, Hendrix and Jenkins.

15 **Q.** And you said you thought this was -- this happened at the
16 BB&T?

17 **A.** Yeah. The individual, I believe, was coming out of a
18 bank, and we stopped him because he had a nice car.

19 **Q.** That's the reason you stopped him, 'cause he had a nice
20 car?

21 **A.** I mean, that's -- Jenkins, yeah, that's the reason why he
22 pulled up on him, 'cause he had a nice car.

23 **Q.** And what happened when you stopped him?

24 **A.** We got out and they ended up searching his vehicle.

25 **Q.** Did he, I guess, agree to have his vehicle searched?

~~WARD DIRECT~~

1 **A.** No.

2 **Q.** Who searched it?

3 **A.** Everybody searched it. I know I searched it. Jenkins
4 searched it. Taylor searched it. Hendrix. We took turns.

5 **Q.** Was anything found?

6 **A.** Not to my knowledge, no.

7 **Q.** What, if anything, did Jenkins ask this person?

8 **A.** He asked him was he in a gang, was he selling drugs.

9 And the guy said he just came home from doing time for
10 selling drugs with the feds, and he was actually working
11 with -- used to work with a federal agent. He was an
12 informant.

13 **Q.** Okay. And did Jenkins ask him if he was going to rob
14 someone, who would he rob?

15 **MR. NIETO:** Objection, Your Honor; leading.

16 **THE COURT:** Sustained.

17 **BY MR. WISE:**

18 **Q.** What, if anything, did Jenkins ask him?

19 **A.** Typically, anytime we ever stopped anybody with any type
20 of like quantity of drugs on 'em, the big question that Jenkins
21 would always ask them was like: If you could put your own crew
22 together and rob the biggest drug dealer you know, who would
23 that drug dealer be? That was the type question he would
24 always ask 'em.

25 **Q.** And were there occasions when you all actually then robbed

1 people based on what people said?

2 **A.** Yes. We would actually target them because of that, yes.

3 **Q.** Did you keep a BB gun, an air pistol in your car?

4 **A.** There was some in the trunk, yes.

5 **Q.** Why did you do that?

6 **A.** Jenkins had explained to us -- it was something that he
7 did just in case we ever, like, accidentally hit somebody or
8 got into a shootout and they didn't have a gun on 'em, so we
9 could plant that BB gun or air pistol on 'em to make it seem
10 like we thought they had a gun; that's why we shot 'em.

11 **Q.** And who did he say this to? Who in your presence did he
12 say this to?

13 **A.** Myself, Taylor, and Hendrix.

14 **Q.** And is that why you had a BB gun in your car?

15 **A.** Yeah.

16 **Q.** Do you know if Taylor or Hendrix kept BB guns in their
17 car?

18 **A.** Let me -- the car that we went out and did our rips in,
19 that's where all the BB guns were, in that one car. Like the
20 other cars that we drove around, the rental cars, they wasn't
21 in that car. They were just in the one car that we went out on
22 the street with.

23 **Q.** Now, you testified early on that you admitted to
24 committing overtime fraud; right?

25 **A.** Yes, sir.

1 Q. When did the overtime fraud start?

2 A. As soon as I started working with Jenkins.

3 Q. And so which squad was that?

4 A. That was in the SES squad.

5 Q. And did the overtime fraud continue when you went with
6 Jenkins and Hendrix and Taylor to the Gun Trace Task Force?

7 A. Yes, sir.

8 Q. And I'm going to ask you a series of questions about this.
9 But to start, can you just describe sort of generally how this
10 worked.

11 A. Well, the overtime, like I said, was never usually based
12 off how many hours we worked. It was what we did. So, I mean,
13 there was --

14 Q. When you say what you did, do you mean how many guns you
15 got --

16 A. How many guns we did, or we got a large seizure of drugs
17 or something like that. I mean, there were nights where we
18 would come in like a Sunday, 6:00, 7 o'clock and we would get a
19 gun in 30 minutes. We would go home in two hours, and we'd get
20 eight hours' worth of overtime for things like that.

21 So the overtime was always based off of how many guns we
22 got or what was the quality of the arrest. But then it also
23 always depended on Jenkins, how much he was going to give us.
24 So he was always the one who would tell us the amount that we
25 were going to get.

1 Q. Now, you testified earlier that a typical shift was 8:00
2 to 4:00; right?

3 A. Yeah. We were permanently daywork, so our hours were
4 usually 8:00 a.m. to 4:00 p.m. when we first started.

5 Q. And I think you said that started when you first joined
6 the SES unit with Jenkins; right?

7 A. Yes, sir.

8 Q. If you were supposed to start at 8:00 a.m., is that when
9 you started?

10 A. No.

11 Q. When did you typically start?

12 A. The earliest I would say we probably got in might have
13 been 10:00 a.m. at the earliest, typically around noon.

14 Q. And did that continue on the GTTF?

15 A. Yes.

16 Q. For all the members of the GTTF?

17 A. Yes.

18 Q. Including Hersl and Taylor?

19 A. Yes, sir.

20 Q. And how did you know when to actually come in if you
21 didn't come in when your shift started?

22 A. Jenkins would send a text out to everybody. We were all
23 in a group text. He would send us a group text. And it
24 typically would say the same thing. It was pretty much: Break
25 off your investigation and meet me at headquarters, and he

1 would say a time.

2 So when he said that, I mean, we all knew what it meant.
3 We were all home. We weren't working on an investigation. So
4 when he said, "Break off your investigation. Meet me at
5 headquarters at 3 o'clock," that would mean leave your house,
6 be to work by 3:00.

7 **Q.** How much of your shift -- your actual -- I want to stick
8 with the regular shift for a minute. But how much of your
9 actual shift would you typically work, the 8:00 to 4:00 shift?

10 **A.** Maybe half, if that.

11 **Q.** Were there times that you didn't even start until after
12 your shift was over?

13 **A.** A lot of times.

14 **Q.** And when you actually went into the GTTF office, would
15 everyone work or what would you do?

16 **A.** No, not everyone worked 'cause that was a problem that
17 kind of myself, Taylor, and Hendrix had, because it seemed like
18 the rest of the guys, Hersl, Gondo, and Rayam, were kind of
19 piggybacking off of us.

20 Like they went out sometimes. But majority of the time we
21 were the ones to get the arrests, and they were the ones who
22 would benefit from the overtime.

23 **Q.** And how is that? How is it that if Gondo and Rayam and
24 Hersl didn't get the arrest, they benefited from the overtime?

25 **A.** They would just fill out an overtime slip and drop it, get

1 Jenkins to sign it. They had a thing. He said we would take
2 care of everybody. So even if you weren't at work that night,
3 you would still be able to get an overtime slip.

4 **Q.** Now, I'm going to -- I'm going to ask to play a call.
5 This is going to be Session 2591.

6 **MR. WISE:** Your Honor, this would be the first time
7 we're using any recorded calls. We have transcript binders for
8 the jury, if I could give them out.

9 **THE COURT:** Okay. Ladies and gentlemen, the -- there
10 are apparently some recorded calls that you're going to be
11 asked to listen to.

12 The recorded call is itself the evidence. The
13 Government is allowed to hand out, as they're about to do,
14 transcripts of what they believe are the words that are on that
15 recorded call.

16 It's important that you listen carefully. The call
17 itself is the evidence, not the transcript. If you think you
18 hear something different on the call, what you hear controls.
19 The recording is the evidence, not the transcript. But it
20 is -- the Government is certainly allowed to hand out the
21 transcripts.

22 Is there going to be a binder generally of more than
23 one session?

24 **MR. WISE:** There is, Your Honor.

25 **THE COURT:** Okay. I'll ask you, please don't just

~~WARD DIRECT~~

1 start flipping through the transcript book and reading
2 different things. The Government and the witness will identify
3 what specific recording is being played, and you should look
4 only at the transcript for that particular recording while you
5 listen to the recording itself. Okay?

6 **MR. WISE:** Thank you, Your Honor.

7 **BY MR. WISE:**

8 **Q.** The first -- so that the call I'm going to play for you,
9 Mr. Ward, is from June 14th of 2016.

10 Do you recall the date that you and Jenkins and Taylor and
11 Hendrix joined the GTTF?

12 **A.** I know it was in June of 2016. I'm not sure of the exact
13 date.

14 **MR. WISE:** Okay. And if we could listen to this call.

15 **THE COURT:** Do we --

16 **MR. WISE:** If we could just pause it for one second.

17 **THE COURT:** I was going to ask, is the transcript in
18 this large binder somewhere?

19 **MR. WISE:** It's Exhibit FBI-9, Your Honor.

20 **THE COURT:** Okay.

21 **MR. NIETO:** If it makes it easier, Your Honor, ours
22 was just in the first inside flap of the binder, if that helps.

23 **THE COURT:** That's fine. Go ahead and explain what --
24 you know, let's identify the call.

25 **MR. WISE:** And we'll put it on the screen, Your Honor.

~~WARD DIRECT~~

1 I apologize.

2 **THE COURT:** I think Mr. Nieto has told me where to
3 find it. Thank you.

4 **MR. WISE:** So this is FBI-9, ladies and gentlemen.
5 And if we can play the call.

6 (Audio was played but not reported.)

7 **MR. WISE:** Could you pause that for a second,
8 Mr. Kerrigan.

9 **BY MR. WISE:**

10 **Q.** Mr. Ward, do you hear your voice on that call?

11 **A.** Yes, sir.

12 **Q.** And who are you talking to?

13 **A.** Gondo.

14 **Q.** And you testified to this earlier, but was Gondo already
15 part of the Gun Trace Task Force when you joined with Jenkins
16 and Hendrix and Taylor?

17 **A.** Yes, he was.

18 **MR. WISE:** And can we enlarge the transcript so it's a
19 little easier to read.

20 And if you could start again or pick up where we left
21 off.

22 (Audio was played but not reported.)

23 **MR. WISE:** Pause it for a second.

24 **BY MR. WISE:**

25 **Q.** And who are you and Gondo talking about?

1 **A.** We're talking about Jenkins.

2 **Q.** All right.

3 (Audio was played but not reported.)

4 **MR. WISE:** Could you pause that for a second.

5 **BY MR. WISE:**

6 **Q.** So when you said, "He don't like to come in on time, yo,"
7 who are you talking about?

8 **A.** I'm referring to Jenkins.

9 **Q.** And Jenkins is the sergeant; right?

10 **A.** He's our supervisor, yes.

11 **Q.** So who decides -- or I guess who tells you -- well, when
12 he says "he come in late every day," again, who are you talking
13 to?

14 **A.** Talking about Jenkins.

15 **Q.** And when you say, "So we usually don't come in to work,
16 like, 10:00, 11 o'clock," what was your typical shift at this
17 time? When was it supposed to start?

18 **A.** 8:00 to 4:00.

19 **MR. WISE:** Okay. And if we could go to the next page
20 of the transcript and then play the rest of the call.

21 And if you could enlarge that, Mr. Kerrigan.

22 (Audio was played but not reported.)

23 **MR. WISE:** If you can enlarge that again.

24 **BY MR. WISE:**

25 **Q.** So when he -- when you said, "He told us to put slips in

~~WARD DIRECT~~

1 for six hours for last night," were those -- had you worked
2 those full six hours?

3 **A.** No.

4 **Q.** And who's the "he"?

5 **A.** Sergeant Jenkins.

6 **Q.** Now, I'm going to ask you about a specific search warrant
7 from June 24th, 2016, so about ten days after this call; okay?

8 **A.** Okay.

9 **Q.** And it was at the home of someone named M.M. Are you
10 familiar with this incident?

11 **A.** Yes, sir.

12 **Q.** And is this, in fact, one of the incidents you admitted to
13 in your plea agreement that you robbed?

14 **A.** Yes, sir.

15 **Q.** And was -- what was the address of this incident, if you
16 remember it?

17 **A.** I believe it was 1927 East Chase Street.

18 **Q.** And who was present for this search warrant at the home of
19 M.M.?

20 **A.** Myself, Sergeant Jenkins. Gondo was there, and Hendrix
21 was there.

22 **Q.** Was Detective Hersl there?

23 **A.** No.

24 **MR. WISE:** Now, if I could have Government
25 Exhibit PP-2E on the screen.

~~WARD DIRECT~~

1 And if you could enlarge the bottom part of that,
2 Mr. Kerrigan.

3 **BY MR. WISE:**

4 **Q.** We haven't seen one of these before, so I just want to ask
5 you a couple of questions about this.

6 **A.** Okay.

7 **Q.** What is this?

8 **A.** It's an overtime -- overtime slip. Pretty much every time
9 we do overtime, these are the slips that we have to fill out.

10 **Q.** So did the BPD at this time actually have like a paper
11 system where you had to fill out a piece of paper to put in for
12 overtime?

13 **A.** Yes.

14 **Q.** And the sticker's a little bit over it, but is this where
15 you sign it (indicating)?

16 **A.** Yes.

17 **Q.** And can you read what it says where it says, "We certify."

18 **A.** [Reading]: We certify that the overtime hours reported
19 herein are authorized, were in fact worked, and are correct.

20 **Q.** And then who also signs it?

21 **A.** Sergeant Jenkins.

22 **Q.** Okay. And now over here on the right it says "assigned
23 shift"; right?

24 **A.** Yes.

25 **Q.** And so what are you certifying you worked, I guess, before

~~WARD DIRECT~~

1 the overtime started?

2 **A.** 8:00 a.m. to 4:00 p.m.

3 **Q.** And then the date you have is 6/30, but then 29 is written
4 above it; right?

5 **A.** Yes.

6 **Q.** And what hours of overtime did you claim to have worked?

7 **A.** 16:15 to 0 -- 06:15.

8 **Q.** So that's 24-hour time; right?

9 **A.** Yes.

10 **Q.** So what is that -- in a 12-hour time, what is that?

11 **A.** I believe it's, what, 4:15 to 6:15.

12 **Q.** The next day, so 6:15 in the morning?

13 **A.** Yes.

14 **Q.** So just to be clear, according to this slip, you're
15 certifying that you worked from 8:00 a.m. to 4:00 p.m.; right?

16 **A.** Yes.

17 **Q.** And then from 4:15 in the afternoon to 6:15 in the morning
18 of the following day; right?

19 **A.** Correct.

20 **Q.** For a total of 14 hours of overtime; right?

21 **A.** Correct.

22 **Q.** And did you, in fact, work these hours on June the 29th?

23 **A.** No.

24 **Q.** Now, I want to turn your attention to July, to July 14th,
25 2016. Did you conduct or did you arrest someone on

~~WARD DIRECT~~

1 Grindon Avenue?

2 **A.** Yes, sir.

3 **Q.** And did you put an overtime slip in for it?

4 **A.** Yes, sir.

5 **MR. WISE:** And if I could have Government Exhibit PP-F
6 or -- if I'm saying it right, yeah, PP-3F.

7 Thanks, Mr. Kerrigan.

8 **BY MR. WISE:**

9 **Q.** What's the date on this overtime slip?

10 **A.** July 14th, 2016.

11 **Q.** And what's the, I guess, overtime work performed
12 explained? What does it say you all were doing?

13 **A.** Crime suppression and HGV means handgun violation. And
14 the location is 4600 Grindon Avenue.

15 **Q.** Is that where the arrest happened?

16 **A.** Yes.

17 **Q.** Did you actually make an arrest of someone for a handgun
18 violation on July 14th of 2016?

19 **A.** Yes, sir.

20 **Q.** Now, on this slip, what did you certify you had worked in
21 terms of your assigned shift?

22 **A.** 8:00 to 4:00.

23 **Q.** And then what did you put in for overtime?

24 **A.** 4:00 to 12:00.

25 **Q.** Who made this arrest with you?

~~WARD DIRECT~~

1 **A.** It was myself, Taylor, and Hendrix made the arrest.

2 **Q.** And was Gondo present?

3 **A.** No.

4 **Q.** Was Hersl present?

5 **A.** No.

6 **Q.** Now, you testified earlier that you and Hendrix and, I
7 guess, Taylor felt like Gondo and Rayam and Hersl -- I don't
8 remember the words you used -- but were sort of riding your
9 back or -- do you remember talking about that?

10 **A.** Yes, sir.

11 **Q.** Repeat that and then -- or tell us what you said, and then
12 I want to ask you some follow-up questions. What did you mean
13 when you said that?

14 **A.** What I pretty much mean was like we were doing the bulk of
15 the work, and they were reaping the benefits of us getting the
16 overtime. And they wasn't putting in the work that we were
17 putting in.

18 **Q.** So on the GTTF, if some part of the GTTF made a handgun
19 arrest, would the other members who didn't make that arrest get
20 overtime too?

21 **A.** Yeah. If they wasn't there, they would get overtime. And
22 even if they were off work, they were able to put a slip in and
23 get overtime.

24 **Q.** And I say "get overtime." I mean get paid for overtime;
25 right?

~~WARD DIRECT~~

1 A. Yes, sir.

2 Q. Not actually worked overtime?

3 A. Correct.

4 Q. And so did you put slips in for other members of the GTTF,
5 for instance, when they weren't even there, when they were on
6 vacation?

7 A. Yes, I've done it before.

8 Q. Who did you do it for?

9 A. Just about everybody in the squad.

10 Q. So if you could name them?

11 A. Jenkins, Taylor, Hersl, Hendrix, Gondo, Rayam.

12 Q. And did they sometimes do it for you?

13 A. Yes.

14 Q. Who?

15 A. Mainly would be Taylor or Hendrix, but also Gondo and
16 Rayam did it -- also did it before. I know Jenkins did it
17 before. I know Hersl done did it before.

18 Q. Okay. In July of 2016, did Jenkins go to Myrtle Beach for
19 a week?

20 A. Yes.

21 Q. And what did he ask you to do before he went to
22 Myrtle Beach for the week?

23 A. He asked me, Taylor, and Hendrix to take care of him on
24 the overtime tip. That mean he wasn't going to be there.
25 Whatever we got, if we were able to get overtime, to actually

~~WARD DIRECT~~

1 fill him out an overtime slip also and get it signed.

2 Q. While he was in Myrtle Beach?

3 A. Yes, sir.

4 Q. And did you do that? Did you fill out overtime slips for
5 him when he was in Myrtle Beach?

6 A. Yes, I did.

7 Q. Do you know if anyone else on the squad did too?

8 A. Hersl did also.

9 Q. How do you know that?

10 A. I originally found out later on from Jenkins.

11 Q. When did Jenkins tell you that Hersl had done that for
12 him?

13 A. I had gave him the slips that I had done for him. I
14 did -- wrote down and got signed for him, and he said he wasn't
15 going to use 'em 'cause Danny had already taken care of 'em.

16 Q. When you were all in Howard County Detention Center, did
17 this come up too?

18 A. Yes.

19 Q. And what was -- I guess who did it come up with?

20 A. I think me and Jenkins was talking, I believe, and he was
21 telling me that he was going to deny the slips because --

22 **MR. PURPURA:** Judge, objection at this point.

23 Can we approach the bench?

24 **THE COURT:** Sure.

25 (Bench conference on the record:

1 **MR. PURPURA:** As I was walking up, obviously --

2 **THE COURT:** It came to you.

3 **MR. PURPURA:** 801(d)(2), it could be a coverup and,
4 yeah, so --

5 **THE COURT:** Furtherance of the conspiracy.

6 **MR. PURPURA:** Just was a long walk.

7 **MR. WISE:** Good thing we have these distances in this
8 courtroom.

9 **THE COURT:** Is this close to a good breaking point?

10 **MR. WISE:** Yeah. I could ask this question, and then
11 that would probably be a -- I might have -- I could either try
12 to finish the overtime topic, and I have another topic or two.
13 But I think it would be a good breaking point either with --
14 where we are now or --

15 **THE COURT:** How much longer would it take you to
16 finish the overtime?

17 **MR. WISE:** I didn't bring up my whole outline, but I
18 don't think it's much more.

19 **THE COURT:** If we can get it done by the next five,
20 ten minutes, let's go ahead and then break.

21 **MR. WISE:** Okay. And finish overtime, yes. I've got
22 another thing to deal with.

23 **THE COURT:** Just finish the overtime, yes.

24 **MR. WISE:** Okay.)

25 (Bench conference concluded.)

~~WARD DIRECT~~

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BY MR. WISE:

Q. You were starting to say, Mr. Ward, what Sergeant Jenkins told you in Howard County Detention Center about, I guess, this -- these slips that were put in for him when he was in Myrtle Beach.

A. Yes.

Q. What did he tell you?

A. That he was going to deny 'em because they wasn't his handwriting.

Q. And -- well, I guess do you know why it wasn't his handwriting?

A. It wasn't his because someone else filled it out for him.

Q. Okay. Now, I want to ask you about -- I want to show you Government Exhibit PP-4G, and this is a slip from July 23rd; correct?

A. Yes, that's correct.

Q. And that's -- that's your name there; right?

A. Yes.

Q. And on this one, what's the assigned shift that you claimed to have worked?

A. 3:00 p.m. to 11:00 p.m.

Q. And then how much overtime?

A. Four hours.

Q. And did you work those hours?

~~WARD DIRECT~~

1 **A.** No.

2 **Q.** Who told you how much overtime to put on these slips if
3 you weren't actually working this overtime?

4 **A.** Jenkins was in control of all that.

5 **Q.** And did everyone on the squad put the same amount of
6 overtime so that it wouldn't arouse suspicion?

7 **A.** Yes.

8 **Q.** And did you ever discuss with Jenkins or anyone else on
9 the squad what would happen if someone at the Baltimore Police
10 Department ever questioned why you were submitting for all this
11 overtime?

12 **A.** That's the thing; he would always say about your work
13 speaks for itself. So --

14 **Q.** What did that mean?

15 **A.** Like I said, if you go out and get three, four guns, he
16 said we could vouch for getting eight, nine, ten, twelve hours'
17 overtime.

18 **Q.** Even if you didn't work that much?

19 **A.** Even if we didn't work it, yes.

20 **MR. WISE:** Your Honor, I think that's a --

21 **THE COURT:** Good time? All right.

22 All right. Ladies and gentlemen, we seem to have come
23 to a good breaking point for today.

24 As I think I mentioned yesterday, we're actually not
25 going to be here tomorrow. You are going to come back Thursday

1 and not Friday. So this week it will just be another day on
2 Thursday.

3 I will ask you again, please just don't look, read,
4 listen, pay any attention to anything about the case outside
5 the courtroom. Keep an open mind. Don't talk about the case.

6 And please come back on Thursday a little before
7 10:00. I certainly hope we'll be able to get started on time
8 on Thursday, but if you could just come back a little bit
9 before 10:00 on Thursday.

10 Thank you very much. You're excused for today.

11 (Jury excused at 5:01 p.m.)

12 **THE COURT:** Counsel, any issues you want to anticipate
13 for Thursday?

14 **MR. WISE:** Not from the United States, Your Honor, no.

15 **MR. PURPURA:** Nothing, Your Honor. Thank you.

16 **MS. WICKS:** No, Your Honor. Thank you.

17 **MR. NIETO:** No, Your Honor.

18 **THE COURT:** All right. I think we're ready to
19 adjourn.

20 (Court adjourned at 5:03 p.m.)

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MAURICE WARD	3	--	--	--

I, Douglas J. Zweizig, RDR, CRR, do hereby certify that the foregoing is a correct transcript from the stenographic record of proceedings in the above-entitled matter.

/s/

Douglas J. Zweizig, RDR, CRR
Registered Diplomate Reporter
Certified Realtime Reporter
Federal Official Court Reporter
DATE: February 4, 2018

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