

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,)	
	Defendants.)	
	_____)	

Monday, January 29, 2018
Courtroom 1A
Baltimore, Maryland

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

VOLUME III - EXCERPT

TESTIMONY OF EVODIO HENDRIX

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

(10:44 a.m.)

(Excerpted as follows:

THE COURT: All right. Next witness.

MR. HINES: United States calls Evodio Hendrix,
Your Honor.

THE CLERK: Please raise your right hand.

EVODIO HENDRIX, GOVERNMENT'S WITNESS, SWORN.

THE CLERK: Please be seated. Please speak directly
into the microphone. State your full name for the record, and
please spell your first and your last name.

THE WITNESS: Evodio Hendrix. E-V-O-D-I-O. Hendrix,
H-E-N-D-R-I-X.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. HINES:

Q. Good morning, Mr. Hendrix.

A. Good morning, sir.

Q. Are you formerly a member of the Baltimore Police
Department?

A. Yes.

Q. Are you a defendant in this case?

A. Yes.

Q. What have you pled?

A. Guilty.

~~HENDRIX DIRECT~~

1 Q. Why did you plead guilty?

2 A. 'Cause I was guilty.

3 Q. What did you do?

4 A. I pled guilty to RICO racketeering and also fraud of
5 overtime.

6 Q. And in pleading guilty to RICO racketeering, what did you
7 do?

8 A. I robbed people, took money. I also took overtime.

9 Q. And what circumstances did you rob people?

10 A. Through contact on the street and through search warrants.

11 Q. Was this while you were acting as a Baltimore Police
12 Department officer?

13 A. Yes, sir.

14 Q. Who did you rob?

15 A. I robbed Oreese Stevenson and two other gentlemen. I
16 can't remember their name at this time.

17 Q. So were these citizens of --

18 A. Yes, they were citizens.

19 Q. And what did you steal from them?

20 A. Money.

21 Q. Approximately how much money did you steal from these
22 citizens?

23 A. Approximately twenty to twenty-two thousand dollars.

24 Q. Did you act alone?

25 A. No.

1 Q. Who did you rob people with?

2 A. My squad: Sergeant Jenkins, Detective Maurice Ward,
3 Detective Marcus Taylor.

4 Q. Were you armed when you robbed people?

5 A. Yes.

6 Q. Were other officers armed when you robbed people with
7 them?

8 A. Yes.

9 Q. Did you receive an enhancement in your sentencing
10 guidelines because of the firearm you possessed during the
11 robberies?

12 A. Yes.

13 Q. Did you and other officers physically restrain people with
14 handcuffs when they were being robbed?

15 A. Yes.

16 Q. Did you create false police reports when you robbed
17 people?

18 A. Yes, we did.

19 Q. Why did -- why did you all do that?

20 A. To cover up what we were doing.

21 Q. And can you sort of explain further what that means.

22 A. Well, we would actually create false reports to kind of
23 cover up to -- from what we were -- from the robberies that we
24 were involved in, to make it seem as if we were covering our
25 bases.

~~HENDRIX DIRECT~~

1 Q. So would that include, for example, making it appear as if
2 it was a legitimate search?

3 A. Yes.

4 Q. And failing to report the full amount of money that was
5 seized?

6 A. Yes.

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

10 A. Yes.

11 Q. What are your obligations?

12 A. To tell the truth.

13 Q. What, if anything, do you hope will happen in return for
14 telling the truth?

15 A. Possibility to get prosecution to speak on my behalf to
16 the judge; but other than that, nothing.

17 Q. So is it your hope that the Government will recommend a
18 lower sentence to the judge?

19 A. Yes.

20 Q. Have you been sentenced yet?

21 A. No.

22 Q. Who will sentence you?

23 A. The judge, Judge Blake.

24 Q. Judge Blake?

25 A. Yes.

~~HENDRIX DIRECT~~

1 Q. Was Judge Blake a part of your plea agreement?

2 A. No, sir.

3 Q. Even if the United States recommends that you get a lower
4 sentence, does Judge Blake have to follow that recommendation?

5 A. No, sir.

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

8 A. No, sir.

9 Q. What is the maximum penalty for the crime that you pled
10 guilty to?

11 A. 20 years.

12 Q. So Judge Blake can sentence you up to 20 years in jail?

13 A. Yes.

14 Q. And are you in jail right now?

15 A. Yes.

16 Q. Why is that?

17 A. For pleading guilty to my crimes.

18 Q. Mr. Hendrix, I'm going to ask you some questions about
19 your background.

20 Where did you grow up, sir?

21 A. Cleveland, Ohio.

22 Q. When did you move to Maryland?

23 A. In '06.

24 Q. 2006?

25 A. 2006.

~~HENDRIX DIRECT~~

1 Q. Why did you move to Maryland in 2006?

2 A. My wife is actually -- she was in the military at the
3 time.

4 Q. And your wife -- you said you're married?

5 A. Yes.

6 Q. Do you have children?

7 A. Yes.

8 Q. How many children do you have?

9 A. Five children.

10 Q. And what's the highest level of education that you
11 received?

12 A. 12th-grade degree.

13 Q. When did you join the Baltimore Police Department?

14 A. In April of '09, 2009.

15 Q. When did you meet Detective Taylor?

16 A. We actually were in the academy together, in the same
17 class.

18 Q. That's the police academy?

19 A. Yes.

20 Q. Is that where you received training?

21 A. Yes.

22 Q. After the academy, where did you go next?

23 A. After the academy, I went to foot patrol around the city.

24 After that I went to the Western District. After that I went

25 to the Pennsylvania Avenue Initiative. And then I went to

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1 Special Enforcement.

2 Q. Okay. So the jury's heard some testimony about this, but
3 can you describe generally what foot patrol is.

4 A. It's just once we got out the academy, we actually walked
5 foot in the communities, in the areas where there was high
6 crime, to try to lessen that crime and show a police presence.

7 Q. And are you uniformed while you're on foot patrol?

8 A. Yes, sir.

9 Q. And then you mentioned you went to an SES unit; is that
10 right?

11 A. Yes, Special Enforcement Section.

12 Q. And when was that?

13 A. That was approximately 2013.

14 Q. Is that a uniformed unit?

15 A. No. It's a plainclothes unit, detective unit.

16 Q. And what does "plainclothes" mean?

17 A. That means you wore regular clothing. You just had a
18 police vest overtop, stating "police" in the front, "police" in
19 the back. After that you -- you just form -- formed your own
20 investigations on the street, and you went from there.

21 Q. Did you begin working with Detective Taylor again?

22 A. Yes.

23 Q. When was that?

24 A. I believe it was around the fall of 2016.

25 Q. Fall of 2015?

~~HENDRIX DIRECT~~

1 A. Yes -- was it 2015? Twenty -- yes, 2015.

2 Q. And that's -- with which unit were you on at that time?

3 A. That's when we were in SES.

4 Q. So Mr. Taylor worked with you in SES?

5 A. Yes.

6 Q. And then did you and Mr. Taylor ultimately join another
7 unit?

8 A. Yes. GTTF, Gun Trace Task Force.

9 Q. So who was with you on the unit in SES when you joined the
10 GTTF?

11 A. Myself, Detective Taylor, Detective Ward, and
12 Sergeant Jenkins.

13 Q. When did the four of you join GTTF?

14 A. The fall of '16.

15 Q. So roughly the summer of 2016, you think?

16 A. Yes, around -- I believe it was like July, August of 2016.

17 Q. And who was in the GTTF when you joined that unit?

18 A. When we got there, it was Detective Hersl,
19 Detective Gondo, and Detective Rayam.

20 Q. What, if anything, did Sergeant Jenkins tell you about
21 Detective Hersl?

22 A. After we went there, he told me that Detective Hersl
23 actually probably had the most --

24 MR. PURPURA: Objection.

25 Can we approach the bench?

1 **THE COURT:** Sure.

2 (Bench conference on the record:

3 **MR. PURPURA:** Your Honor, he's going to respond that
4 Hersl had the -- Jenkins -- Hersl has the most -- I'm trying to
5 think of the language -- internal investigation complaints.
6 That's not appropriate, and counsel knows that's not
7 appropriate.

8 **THE COURT:** What are you expecting the answer to be?

9 **MR. HINES:** It's a co-conspirator statement.

10 **THE COURT:** Go ahead.

11 **MR. HINES:** It's a co-conspirator statement.

12 Sergeant Jenkins tells Detective Hendrix, as well as other
13 officers in the unit that they can trust Detective Hersl, that
14 he's -- and he has multiple Internal Affairs complaints, and
15 he's one of them.

16 **MR. PURPURA:** Judge, look, unless --

17 **THE COURT:** I'm going to sustain.

18 **MR. PURPURA:** Thank you.

19 **THE COURT:** You don't need to get into past
20 Internal Affairs complaints. So you can either lead him on
21 that question, which is that he said you could trust him, or
22 just move on.

23 **MR. PURPURA:** No. You know why I'm objecting is
24 because I have his -- the 302s on this issue. And there's two
25 officers that -- in the 302 that apparently Hendrix had a

1 conversation with Jenkins about, and it's not Hersl.

2 He mentions two people that Jenkins said are okay and
3 you can trust them, and it's not Hersl. What he does say about
4 Hersl is that Jenkins says that he's got more overtime -- not
5 more overtime, more complaints from citizens than anybody else.
6 And that's all he says, and that's why it's wrong.

7 **MR. HINES:** So this has been our position from day
8 one. The defense has put this in issue and fought to put at
9 issue his record, his good arrests, his bad arrests.

10 We objected to that initially, and Mr. Purpura has
11 continued to put those in play. He's said in his opening that
12 Mr. Hersl has a record of good arrests; he was doing great
13 things for the city.

14 It's all relevant because Detective Hendrix is part of
15 the conspiracy, same as Sergeant Jenkins. They joined
16 together, and they all robbed people after that. And what
17 Sergeant Jenkins tells the other officers is relevant to that
18 comment.

19 **MR. PURPURA:** This is Internal Affairs complaints.
20 He's trying to put in, and it's wrong. And counsel --

21 **THE COURT:** At this point on this record, I am
22 sustaining as to the issue of prior Internal Affairs
23 complaints. I think that has much too risk of being unfairly
24 prejudicial.

25 I have no idea what these complaints are, whether they

1 were sustained, not sustained. We're not going to litigate all
2 those unless the door is opened, which I don't think it has
3 been yet, to get into Internal Affairs complaints.

4 Now, the objection about whether this particular --
5 whether Sergeant Jenkins also said you can trust Mr. Hersl, I
6 don't see that as objectionable.

7 Mr. Purpura, you're claiming it's wrong? I mean,
8 that's a separate factual issue.

9 **MR. PURPURA:** I think it was phrased in the question
10 that you can -- that Jenkins say you can trust. It wasn't
11 coming from Mr. Hendrix' testimony.

12 **THE COURT:** I thought that what I heard Mr. Hines say
13 was that a full answer to the question was going to be
14 Mr. Hersl -- words to the effect, has more Internal Affairs
15 complaints than anybody else; you can trust him, basically.

16 **MR. HINES:** So that's how Mr. Hendrix understood what
17 he understood Mr. Jenkins to be saying, so I could ask him
18 based on --

19 **THE COURT:** That's what he understood him to be
20 saying --

21 **MR. HINES:** Yes.

22 **THE COURT:** -- but not what he literally said.

23 **MR. HINES:** No.

24 **THE COURT:** All right. Then we'll just sustain and
25 move on to the next question.

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1 **MR. PURPURA:** Thank you.

2 **THE COURT:** Thank you.)

3 (Bench conference concluded.)

4 **THE COURT:** All right. Let's just move to another
5 question.

6 **MR. HINES:** Sure.

7 **BY MR. HINES:**

8 **Q.** So you started working with Detective Hersl in June of
9 2016?

10 **A.** Yes.

11 **Q.** Now, I want to ask you some questions about the squad at
12 that time.

13 Can you -- you said when you pled guilty, you admitted to
14 overtime and time and attendance fraud?

15 **A.** Yes.

16 **Q.** Can you describe generally what that process was like.

17 **A.** Yes. We would actually -- we would receive slash days,
18 which are days for gettin' guns. They would actually give us
19 days off not on the books; just the sergeant would tell us,
20 "Don't come in."

21 We would come in at 12 o'clock when our hours were 8:00 to
22 4:00. We would come in sometimes at 4:00 to work, and we would
23 actually put in overtime as if we were there all day.

24 **Q.** All right. So I think I understand there's sort of three
25 different categories of what you said here.

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1 You said slash days is one category?

2 **A.** Yes.

3 **Q.** Now, did you understand that slash days were --

4 **MR. PURPURA:** Objection, Your Honor. Form of
5 question.

6 **MR. HINES:** Sure.

7 **MR. PURPURA:** It's what his understanding, not what
8 counsel's question is.

9 **THE COURT:** Okay. Would you like to rephrase,
10 Mr. Hines.

11 **MR. HINES:** Yes.

12 **BY MR. HINES:**

13 **Q.** Were slash days authorized by the department?

14 **A.** No.

15 **Q.** Did you understand that getting paid for slash days was
16 improper?

17 **A.** Yes.

18 **Q.** Now, with respect to coming in at noon or later, sometimes
19 as late as 4:00 p.m., would you actually put in for time as if
20 you had worked an entire shift that day?

21 **A.** Yes.

22 **Q.** And what was your assigned shift, generally?

23 **A.** 8:00 to 4:00.

24 **Q.** 8:00 a.m. to 4:00 p.m.?

25 **A.** Yes.

~~HENDRIX DIRECT~~

1 Q. And the third category with respect to overtime, how did
2 overtime hours work?

3 A. Let's say we worked till 8:00 and we got a couple of
4 handguns; our sergeant would tell us to put in as if we worked
5 till 12:00, you know, things of that nature. He would actually
6 give us more time than what we were actually there for.

7 Q. So in your example, if you worked until 8:00 p.m. and got
8 guns, you would get sort of four additional hours?

9 A. Yes.

10 Q. Was that an authorized policy within the department?

11 A. No.

12 Q. Did you understand it was wrong to get paid for that time?

13 A. Yes.

14 Q. When did this practice start for you?

15 A. Once I got in the squad with Sergeant Jenkins.

16 Q. And when was that?

17 A. That was 2015.

18 Q. So was that before the death of Freddie Gray?

19 A. Yes.

20 Q. Jenkins was giving you overtime for time you didn't work
21 then?

22 A. Yes.

23 Q. Were you motivated to get guns?

24 A. Yes.

25 Q. Why were you motivated to get guns?

1 **A.** Because the more guns we got, the more money we would get
2 due to overtime.

3 **Q.** And that's more overtime for time you hadn't worked?

4 **A.** Yes.

5 **Q.** Now, I'd like to ask you about a couple of specific
6 examples.

7 Did you participate in a search on Grindon Avenue on
8 July 14th, 2016?

9 **A.** Yes.

10 **Q.** Did you locate a gun?

11 **A.** Yes.

12 **Q.** Who was present for that search?

13 **A.** Myself, Detective Taylor, and Detective Ward.

14 **Q.** Was Hersl present during that search?

15 **A.** No.

16 **Q.** Did he work with you at all that evening?

17 **A.** No.

18 **Q.** So if Detective Hersl put a slip in for a Grindon gun
19 arrest claiming he worked an entire shift from 8:00 a.m. to
20 4:00 p.m. and eight hours of overtime until 12:15 in the
21 morning, would that be true?

22 **A.** No, not to my knowledge, he was never with us.

23 **Q.** Were there other times when members of the unit claimed to
24 be working when you made a gun arrest?

25 **A.** Yes.

1 Q. And describe how that worked.

2 A. If someone's there and we get overtime, we would actually
3 call each other if someone was off and actually get each
4 other's information to write on the overtime slip and actually
5 put in overtime for that person. So it's been done for
6 everyone in the squad.

7 Q. So would you sort of look out for other members of the
8 squad that weren't working?

9 A. Yes.

10 Q. Were there times that other members of the squad would
11 look out for you?

12 A. Yes.

13 Q. Did that include Detective Taylor?

14 A. Yes.

15 Q. Did Detective Taylor put in for time for you that you
16 hadn't worked?

17 A. Yes.

18 Q. Did you do the same for him?

19 A. Yes.

20 Q. Did Sergeant Jenkins ever discuss with you and other
21 members of the unit the need to carry airsoft guns or BB guns?

22 A. Yes.

23 Q. What did he say?

24 A. He said just in case something happens and you need to get
25 yourself out of a situation, like -- 'cause basically we have

1 wife and kids, you know, that need us, so basically to -- to
2 protect yourself if something was to occur.

3 **Q.** And what did you understand "a situation" to mean?

4 **A.** Something that happens where you hurt someone and you need
5 to cover yourself, it's easy to put the BB gun down as if they
6 had a handgun.

7 **Q.** So did Sergeant Jenkins sort of say this so that you could
8 plant a BB gun?

9 **MR. PURPURA:** Objection, Your Honor. Form of question
10 again.

11 **THE COURT:** Sustained.

12 **BY MR. HINES:**

13 **Q.** When you said put a gun down, if need to, what did you
14 mean by that?

15 **A.** If -- if you got into a situation and you hurt someone and
16 you put the gun down in reference to planting evidence.

17 **Q.** Did you see Detective Taylor have or carry BB guns in the
18 car after Jenkins told him this?

19 **A.** Yes.

20 **Q.** I'm showing you what's been admitted in evidence as
21 Government's Exhibit FBI-15B.

22 **MR. HINES:** For the record, Exhibit 17B.

23 **BY MR. HINES:**

24 **Q.** Is this the kind of BB gun or air pistol that Jenkins
25 suggested that you guys carry with you?

1 **A.** Yes.

2 **Q.** What kind of tactics did Sergeant Jenkins and the unit use
3 to target people?

4 **A.** Multiple. We actually --

5 **MR. PURPURA:** Judge, objection. Could we get a time
6 frame? I'm not sure if we're talking 2015, SIS [sic] or
7 guns -- or GTTF at this point.

8 **MR. HINES:** I'll clarify.

9 **THE COURT:** Sure.

10 **BY MR. HINES:**

11 **Q.** Did the tactics that Sergeant Jenkins used change between
12 2015 when you were with him in the SES and when you were with
13 him in the GTTF?

14 **A.** No.

15 **Q.** So in both the SES unit and the GTTF, what kind of tactics
16 did Jenkins use to target people?

17 **A.** We would target large group of males. The understanding
18 was the more people, you know, the more likely you are to run
19 into someone who actually has something illegal on their
20 person.

21 We actually targeted adults with book bags because the
22 thought was if you're an adult, you know, and you're walking
23 the streets, why do you have a book bag? It could possibly be
24 something within the book bag that was illegal.

25 We would actually perform door pops, which is when you're

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1 driving down the street, you see a group of people; you
2 actually pull up, open the door; if someone has something
3 illegal on them, more than likely they're going to try to run
4 out of the area to get away from you.

5 Q. When -- so are these tactics that the whole unit used?

6 A. No.

7 Q. Were these tactics that Sergeant Jenkins directed?

8 A. Yes.

9 Q. And when you -- there were door pops, what characteristics
10 did the people have that you targeted with the door pops?

11 A. No characteristics. Just a group of people on the street.

12 Q. Just people standing in the road?

13 A. Yes.

14 Q. While you were working with Sergeant Jenkins, did you see
15 Jenkins rob citizens?

16 A. Yes.

17 Q. What did you see Jenkins take?

18 A. Money, drugs.

19 Q. Did you talk about that with Ward?

20 A. Yes.

21 Q. Did you talk about seeing Jenkins take money and drugs
22 with Taylor?

23 A. Yes.

24 Q. Can you describe those conversations?

25 A. It was more of a, like: Did you see what just happened?

1 You know, so -- and then we'll talk about, like, yes, you know,
2 I seen it. And, you know, we'll talk about it as -- like that.

3 **Q.** And you -- so the conversations with Ward and Taylor
4 involved your observations of Jenkins taking money and drugs?

5 **A.** Yes.

6 **Q.** What kinds of situations would Jenkins take money and
7 drugs? What was his MO?

8 **A.** It was just people on the street that we came into contact
9 with, vehicle stops where it was large sums of money or drugs.

10 **Q.** Did Jenkins obtain tools or gear?

11 **A.** Yes.

12 **Q.** How did you become aware that Jenkins had obtained tools
13 and gear?

14 **A.** One day when we were walking, we were parked in the
15 headquarters parking garage. We were actually walking past his
16 van. He went to the back of his van --

17 **MR. PURPURA:** Your Honor, objection again. We've had
18 multiple people on trial, multiple people referenced to. And
19 it's a "we" -- unless counsel is going to clarify who the "we"
20 are at this point.

21 **MR. HINES:** I can follow up after the witness answers.

22 **THE COURT:** Sure.

23 **THE WITNESS:** Well, we were walking. Sergeant Jenkins
24 called us back to his van. He actually opened up the back of
25 the van. There were two black duffel bags. Opened one. He

1 had like all black clothing, like ski masks, like, other kind
2 of masks. And another one was like multiple tools, like
3 construction-type tools.

4 **BY MR. HINES:**

5 **Q.** So when you say, "We walked to the back of the van," who
6 does the "we" include?

7 **A.** It was me, Detective Taylor, Detective Ward and
8 Sergeant Jenkins.

9 **Q.** And this van that Jenkins had, was it a van given to him
10 by the Baltimore Police Department?

11 **A.** Yes.

12 **Q.** Now, I'm going to show you what's been marked as
13 Government's Exhibit 19-B.

14 Do you recognize the gear in this exhibit?

15 **A.** Yes. That's actually what he showed us within the -- one
16 of the bags.

17 **Q.** And does that include sort of black ski masks?

18 **A.** Yes. The masks, black clothing. Let me see. He got his
19 tactical vest as well.

20 **Q.** Did Jenkins describe what the black ski masks were for?

21 **A.** He said he had all that stuff just in case he ran into a
22 monster or a big -- a big hit.

23 **Q.** And what is a monster? What did you understand that to
24 mean?

25 **A.** Someone with a lot of money or drugs.

~~HENDRIX DIRECT~~

1 Q. And did he -- did you understand him to be saying that he
2 had these masks if he ran into a monster so that he could
3 arrest him?

4 A. No. I -- once I seen all that, I came to the conclusion
5 he was talking about robbing 'em.

6 Q. I'm going to show you what's been marked as
7 Government's Exhibit 20-B. Do you recognize the tools in this
8 exhibit?

9 A. Yes. Those are the tools that was in another black bag
10 that he actually showed us.

11 Q. Did he show you this tool (indicating)?

12 A. Yes. It was in the bag. It was actually one of the
13 things -- you know, it was like a grappling hook as if he was
14 going to climb -- climb a building or some type situation.

15 Q. I'll show you what's already been admitted from --

16 MS. WICKS: Your Honor, may we approach briefly?

17 THE COURT: Sure.

18 (Bench conference on the record:

19 MS. WICKS: Mr. Taylor needs a bathroom break. I know
20 it's a little bit before the morning break, but if we could
21 take it now.

22 THE COURT: Okay. Can we finish this, like this one
23 part with the bag?

24 MS. WICKS: Yes.

25 THE COURT: Okay.)

1 (Bench conference concluded.)

2 **BY MR. HINES:**

3 **Q.** Detective Hendrix, just a couple of questions about the
4 tools in the bag we just talked about.

5 Is this the grappling hook you referenced (indicating)?

6 **A.** Yes.

7 **Q.** And is this a tool that's given to the Gun Task Force by
8 the Baltimore Police Department?

9 **A.** Definitely not.

10 **Q.** Did you have any reason to use this tool in your duties as
11 a detective in the Gun Task Force?

12 **A.** Definitely not, no.

13 **Q.** Weren't scaling any tall buildings or anything?

14 **A.** No, sir.

15 **Q.** And this is a tool you just identified a moment ago. What
16 is this?

17 **A.** A machete.

18 **Q.** It's a machete?

19 **A.** Yes.

20 **Q.** Is this machete a tool that was given to you by the
21 Baltimore Police Department?

22 **A.** No, sir.

23 **Q.** Do you have any reason to use this tool in the field?

24 **A.** No, sir.

25 **Q.** I'll ask about just one more tool here.

1 Is this a sledgehammer?

2 **A.** Yes.

3 **Q.** Was this sledgehammer given to you by the Baltimore Police
4 Department?

5 **A.** No, sir.

6 **Q.** Did you ever use this tool in the field?

7 **A.** No, sir.

8 **Q.** When Jenkins showed you these tools -- the machete, the
9 grappling hook, the sledgehammer -- how did Mr. Taylor react?

10 **A.** I would guess, you know --

11 **MS. WICKS:** Objection.

12 **BY MR. HINES:**

13 **Q.** Well, what did you see --

14 **THE COURT:** All right. Sustained.

15 Let's try again.

16 **BY MR. HINES:**

17 **Q.** Did you have any conversations with Detective Ward after
18 you -- he showed you these tools?

19 **A.** Yes.

20 **Q.** What were your conversations with Ward?

21 **A.** Like Sergeant Jenkins is crazy.

22 **Q.** And how about -- how did that differ, if at all, with your
23 conversations with Detective Taylor?

24 **A.** Detective Taylor really didn't have much of a opinion at
25 that time in reference to everything that we seen.

~~HENDRIX DIRECT~~

1 **MR. HINES:** Your Honor, I was going to move on to the
2 next topic.

3 **THE COURT:** All right. We appear to be at a good
4 point for the mid-morning break. We'll take a mid-morning
5 break and then resume.

6 Thank you very much.

7 (Jury left the courtroom at 11:14 a.m.)

8 (Recess taken.)

9 **THE COURT:** Be seated, please.

10 Counsel, can I see you at the bench, please.

11 (Bench conference on the record:

12 **THE COURT:** So two things. I think Ms. Moyé may have
13 spoken about one. There was some issue about whether you all
14 could be heard as well as everyone in the courtroom would like.
15 So if you can just remember either to be wearing a mic or
16 speaking into a mic or just keeping your voice up as much as
17 possible.

18 We have a note from a juror which is: Did they put in
19 overtime when no guns were seized?

20 If you want to keep that in mind as we're going along?

21 **MR. PURPURA:** No questions on robbery versus theft?

22 So far, at least.

23 **THE COURT:** Not yet.

24 **MR. PURPURA:** Thank you, Judge.

25 **MS. WICKS:** I have a lot of those questions, but they

1 won't let me ask them.)

2 (Bench conference concluded.)

3 **THE COURT:** All right. We can get the jury.

4 And thank you, counsel, for speaking up and speaking
5 into the microphones.

6 (Jury entered the courtroom at 11:35 a.m.)

7 **THE COURT:** All right. Thanks. You can be seated.

8 **THE CLERK:** Mr. Hendrix, you're still under oath.

9 **THE WITNESS:** Yes, ma'am.

10 **THE COURT:** All right. If you'd like to continue,
11 Mr. Hines.

12 **MR. HINES:** Thank you, Your Honor.

13 **BY MR. HINES:**

14 **Q.** Mr. Hendrix, a question about overtime. Were there times
15 you put in for overtime when, in fact, no guns were seized?

16 **A.** Yes.

17 **Q.** Was that sort of a frequent occurrence?

18 **A.** Pretty frequent, yes.

19 **Q.** Are you aware if other members in the GTTF also put in for
20 time when no guns were seized?

21 **A.** Yes.

22 **Q.** Did that include Detective Taylor?

23 **A.** Yes.

24 **Q.** And Detective Hersl?

25 **A.** Yes.

~~HENDRIX DIRECT~~

1 Q. Now, before the break a moment ago, we were talking about
2 some of the tools that Jenkins had. And I think I heard your
3 answer was that -- was it along the lines that you and Ward
4 were sort of surprised by these tools?

5 A. Yes.

6 Q. But Taylor, I think you said, had no opinion?

7 A. Yes.

8 Q. Did Wayne Jenkins also carry brass knuckles?

9 A. Yes, I seen him carry them on occasions.

10 Q. I'm showing you what's been marked as
11 Government's Exhibit 22A and the photograph 22B.

12 MR. HINES: May I approach the witness, Your Honor?

13 THE COURT: You may.

14 BY MR. HINES:

15 Q. Do you recognize 22A?

16 A. Yes. Yes.

17 Q. And what is 22A?

18 A. A pair of brass knuckles.

19 Q. Is this a pair of brass knuckles that Jenkins carried with
20 him in the BPD van that he had?

21 A. Yes.

22 Q. Did Jenkins propose robbing a supplier of his body shop
23 friend?

24 A. Yes.

25 Q. Can you tell us about that?

~~HENDRIX DIRECT~~

1 **A.** When he came back from leave, he stated that one of his
2 friends who owned a body shop actually had some -- some sort of
3 drug deal with another guy who actually shorted him on his
4 money. And he said that we should actually target him to try
5 to rob him as well.

6 **Q.** Okay. So Jenkins was on leave. Did he come back sometime
7 in early 2017?

8 **A.** Yes.

9 **Q.** And who was present for this conversation?

10 **A.** Myself, Detective Taylor, Detective Ward.

11 **Q.** And he said he had a friend that worked at a body shop?

12 **A.** That owned a body shop, yes.

13 **Q.** And did this friend also deal drugs?

14 **A.** Yes.

15 **Q.** And he talked about his supplier?

16 **MR. PURPURA:** Judge, objection. These 611(c) -- these
17 are all leading, maybe -- maybe the witness can testify after a
18 while.

19 **MR. HINES:** Sure. I was just following up on what he
20 said, but I'll rephrase.

21 **BY MR. HINES:**

22 **Q.** The -- did Jenkins tell you that the body shop owner had a
23 drug supplier?

24 **A.** Yes.

25 **Q.** And what did Jenkins tell you about what he wanted to do?

~~HENDRIX DIRECT~~

1 **A.** He -- he stated that he wanted us to actually target him,
2 to basically do investigation to see where he lived, where he
3 possibly had his money and drugs at. And he actually wanted us
4 to rob him.

5 **Q.** Did Jenkins say anything about the tools?

6 **A.** He said that he -- he referred back to the tools and
7 basically said, He has everything, whatever we need, you know,
8 he -- that we know he got it.

9 **Q.** How did you and Mr. Ward react to this proposal?

10 **A.** Basically, no. We -- you know, he's gettin' out of
11 control. I stated, "No, I'm not doing it"; Detective Ward as
12 well.

13 **Q.** How did Mr. Taylor react?

14 **A.** Again, he just sat there as if -- as if he didn't really
15 have an opinion. So he could have went either way, so . . .

16 **Q.** Are you familiar with an attempted robbery near
17 Washington, D.C.?

18 **A.** Yes.

19 **Q.** How did you learn about this robbery?

20 **A.** Detective Taylor actually told myself and Detective Ward.

21 **Q.** What did Detective Taylor tell you and Ward?

22 **A.** They were watching some guy who actually brought a
23 duffel bag into his car, he said. So he knew it was more than
24 likely a large sum of money in there. He said they followed
25 him. They continued to follow him to the D.C. area.

1 At that time Detective Taylor told me that he believed
2 somebody was following them. He advised Sergeant Jenkins, who
3 didn't believe him.

4 They actually stopped in some sort of parking lot area
5 following a guy. Sergeant Jenkins actually told
6 Detective Taylor to get out the vehicle, hit the guy -- I don't
7 know, you know, how that was supposed to happen -- and take the
8 money, take the bag.

9 **Q.** So Detective Taylor told you that he and Jenkins followed
10 this guy to D.C.?

11 **A.** Yes. And after that, Detective Taylor said he think that
12 they were being followed. Again, him and Sergeant Jenkins
13 argued.

14 Sergeant Jenkins stated that he would do it since Taylor
15 didn't want to do it. He -- as he was about to get out of the
16 vehicle, someone did actually get out of their vehicle, come up
17 to Jenkins and Taylor, knock on the window, and actually he was
18 a federal agent.

19 **Q.** So when you say Taylor didn't want to do it, is that
20 because he was concerned that there was someone following him?

21 **A.** Yes. He was -- he believed that they were being followed
22 at the time.

23 **Q.** But up until that point, did Taylor tell you if he was
24 sort of down with this robbery?

25 **A.** Well, he -- he said they were following him. He said --

~~HENDRIX DIRECT~~

1 he never told me that he wasn't. He said they were following
2 him. He knew it was a large sum of money due to the guy
3 carrying it in a duffel bag. He just felt that it was a large
4 sum of money.

5 Q. And Taylor told you the plan was to hit him over the head?

6 A. He said that that's what Jenkins wanted him to do.

7 Q. Did Taylor specify which tool, if any, would be used to
8 hit him over the head?

9 A. No. He didn't actually tell me if there was a tool or he
10 just wanted him to hit him with his hands. He never told me
11 that.

12 Q. And just for the record, Mr. Hendrix, could you please
13 stand and identify Mr. Taylor in the courtroom.

14 A. Yes. Detective Taylor in the blue suit (indicating).

15 MR. HINES: Your Honor, we'd ask that the record
16 reflect that the witness has identified Marcus Taylor.

17 THE COURT: It will.

18 BY MR. HINES:

19 Q. Mr. Hendrix, I'd like to direct your attention to
20 March 22nd, 2016. Did you participate in a robbery on that
21 day?

22 A. Yes.

23 Q. Who did you rob?

24 A. Oreese Stevens [sic].

25 Q. Where did you first encounter Mr. Stevenson?

1 **A.** We actually encountered him in the Northwest District,
2 right off the Northern Parkway. I believe it was Jonquil.

3 **Q.** And how did you encounter Mr. Stevenson on Jonquil?

4 **A.** Him and another gentleman was actually sitting inside of
5 his van.

6 **Q.** Were you in a vehicle?

7 **A.** Yes, we were in a vehicle. We were patrolling through the
8 area. We observed Oreese Stevens [sic] and another gentleman
9 sitting in the vehicle. Sergeant Jenkins advised us to stop.
10 We got out of the vehicle to approach the van to see what the
11 gentlemen were sitting there for.

12 **Q.** Who -- when you mentioned Sergeant Jenkins, who else was
13 with you in your vehicle?

14 **A.** Sergeant Jenkins, Detective Taylor, Detective Ward, and
15 myself.

16 **Q.** And were -- did you observe Mr. Stevenson or his passenger
17 doing anything illegal?

18 **A.** No.

19 **Q.** You just stopped him on the side of the street?

20 **A.** Yes.

21 **Q.** Was this sort of a normal practice of Sergeant Jenkins
22 just to stop people?

23 **A.** Yes. If they were sitting in vehicles, just to stop, see
24 what's going on, talk to 'em.

25 **THE COURT:** Just so I'm clear, did Sergeant Jenkins

1 stop the van, or was the van already stopped?

2 **THE WITNESS:** No. The van was already stopped. We
3 stopped alongside the van.

4 **THE COURT:** Okay.

5 **BY MR. HINES:**

6 **Q.** Were you sort of blocking the van from leaving?

7 **A.** We were -- we were -- our front bumper was approximately
8 at their front tire. They could have -- they could have gotten
9 out if they tried, but, you know, when we got out of the
10 vehicle, they weren't going to try to leave at that point.

11 **Q.** So what happened when you got out of the vehicle?

12 **A.** We got out of the vehicle, actually went to speak to
13 Oreese Stevens, and the gentleman --

14 **Q.** Was Mr. Stevenson placed in handcuffs?

15 **A.** At -- at a point, yes, he was.

16 **Q.** And was the other gentleman placed in handcuffs?

17 **A.** Yes.

18 **Q.** Do you recall who placed them in handcuffs?

19 **A.** No, I couldn't tell exactly who put 'em in handcuffs. I
20 can't remember that.

21 **Q.** Were you, Mr. Taylor, Mr. Ward, and Sergeant Jenkins
22 armed?

23 **A.** Yes.

24 **Q.** Did each of you have your Baltimore Police Department
25 service firearms?

1 A. Yes.

2 Q. Okay. What happened after you put Mr. Stevenson in
3 handcuffs?

4 A. After we placed him in handcuffs, we -- we tried to see
5 where his residence was because Detective Ward had actually
6 found a large sum of cocaine in the van, and it was also money
7 in the van.

8 Q. Who found the money in the van?

9 A. I believe it was Detective Taylor.

10 Q. The other -- you referred to him as another gentleman who
11 was present. Did he live nearby?

12 A. He actually resided a couple of houses down from where
13 they were parked.

14 Q. How did you learn that?

15 A. Due to speaking with him, his girlfriend or wife and his
16 mother was actually at the home.

17 Q. Did you go to his home?

18 A. Sergeant Jenkins and Detective Taylor walked over to speak
19 to them at the house -- the home.

20 Q. And did Sergeant Jenkins and Detective Taylor actually go
21 into their home?

22 A. Yes.

23 Q. Did they have a search warrant to go into that home?

24 A. No.

25 Q. Are you aware if the owners of that home consented to

1 allow them in?

2 **A.** No. I was on the street with Detective Ward standing by
3 the gentlemen that were cuffed.

4 **Q.** What happened with the money once Detective Taylor got it
5 from the van?

6 **A.** At that point I didn't see it until we actually went back
7 to headquarters to --

8 **Q.** All right. We'll get to that sort of a little bit later.
9 Did Sergeant Jenkins interrogate Stevenson?

10 **A.** Yes.

11 **Q.** After Sergeant Jenkins interrogated Stevenson, what did
12 Sergeant Jenkins tell you?

13 **A.** At that point he said that this was a big one.

14 **Q.** And what did you understand that to mean, "This is a big
15 one"?

16 **A.** A guy with a large sum of money and drugs.

17 **Q.** Did Sergeant Jenkins say anything else?

18 **A.** He said we got to find his -- his residence.

19 **Q.** And at that moment, what did you understand
20 Sergeant Jenkins to be saying?

21 **A.** That it's a possibility that it's a large sum of money
22 that's at the residence that we could actually take.

23 **Q.** When you say you can actually take, for yourselves?

24 **A.** For ourselves, yes.

25 **Q.** So not for evidence?

~~HENDRIX DIRECT~~

1 A. No.

2 Q. How was Sergeant Jenkins acting when he said this?

3 A. Excited at that point.

4 Q. How about Detective Taylor; how was he acting?

5 A. Same thing, excited.

6 Q. So what happened next after Mr. Stevenson and this other
7 gentleman were in handcuffs?

8 A. At that point we sent them to Central Bookings, and we
9 went to locate the homes.

10 Q. So they were -- were they put in a wagon?

11 A. Yes.

12 Q. And sent to jail?

13 A. Yes.

14 Q. And how did you locate the home?

15 A. Through actual -- the address on, I believe, his driver's
16 license as well as they looked through databases to get to his
17 address. It was two -- it was one on Baker Street and one on
18 Heathfield.

19 Q. And who had been present when Jenkins said that this was a
20 big one?

21 A. All of us.

22 Q. So you, Detective Taylor --

23 A. Me, Detective Taylor and Detective Ward.

24 Q. Did you ultimately go to the address on Baker?

25 A. Yes.

1 Q. And how did you get there?

2 A. We drove there. We went to Baker Street. We actually
3 used the keys that were on Oreese Stevens' person to gain entry
4 to the house.

5 Q. Did Oreese Stevens give you consent?

6 A. No.

7 Q. Did he say, "You're welcome to go into my home on
8 Baker Street"?

9 A. No.

10 Q. Did you have a search warrant for his house?

11 A. No.

12 Q. Why did -- who went? Was it you and who else?

13 A. Me, Detective Taylor, Detective Ward, Sergeant Jenkins.

14 Q. Who went into his house on Baker Street?

15 A. We all did.

16 Q. And what was the purpose of going into the house?

17 A. To see if there was any evidence in there or anything that
18 could possibly be taken.

19 Q. So when you say "any evidence or anything that could be
20 taken," you didn't have a search warrant at this point; right?

21 A. No, we didn't.

22 Q. Was there a legitimate law enforcement reason to go in
23 there?

24 A. No.

25 Q. Was it just to take money?

1 A. Yes.

2 Q. Did you guys create a ruse for why you went into
3 Baker Street?

4 A. Yes.

5 Q. And what was that ruse?

6 A. Well, we just act as if we were -- as if we were allowed
7 to be in there, because it was actually a gentleman waitin' for
8 the owners of the residence to bring in mattresses.

9 Q. So there was like a delivery person there?

10 A. Yes.

11 Q. Trying to get a mattress inside?

12 A. Yes.

13 Q. And you acted like you lived there?

14 A. Yes.

15 Q. Did that include Detective Taylor?

16 A. Detective Taylor, Ward, myself, and Sergeant Jenkins, we
17 all went in there.

18 Q. What did you guys do with the vests that you had at this
19 time?

20 A. At that time we placed 'em into our vehicle. We took 'em
21 off, put 'em in our vehicle.

22 Q. Was that so that the mattress man wouldn't see that you
23 guys were actually police?

24 A. Yes.

25 Q. After you exited -- well, let me back up a second.

1 Was anything found in the Baker Street address?

2 A. No.

3 Q. What happened next?

4 A. At that point we left and went to Heathfield.

5 Q. And what was at Heathfield?

6 A. That was Oreese Stevens' other address.

7 Q. So that was his actual residence?

8 A. Yes.

9 Q. What happened when you got to Heathfield?

10 A. Once we got to Heathfield, we did the same thing that we
11 did in Baker. We actually went into the house.

12 Q. How did you get into the house?

13 A. Using keys that was on Oreese Stevens' person.

14 Q. Same questions: Did Mr. Stevenson give you consent?

15 A. No.

16 Q. Did anyone at the home allow you in?

17 A. No.

18 Q. Did you have a search warrant at this time?

19 A. No.

20 Q. What was the purpose of going into his house before
21 getting a search warrant?

22 A. To do a sneak-and-peek, which is basically to see if there
23 is anything worth going to get a search warrant for.

24 Q. And what would that mean?

25 A. Any evidence, anything that we could take to actually

~~HENDRIX DIRECT~~

1 basically cover up to see what -- if we were able to take
2 anything.

3 **Q.** When you say "cover up," was the purpose of getting a
4 search warrant to cover up robbery?

5 **A.** Yes.

6 **Q.** Did you guys ultimately get into the house?

7 **A.** Yes.

8 **Q.** Was there any kind of a ruse this time for getting into
9 the house?

10 **A.** Yes. Once -- well, after the first time we went in and we
11 found the evidence, we actually left out of the house. And
12 Sergeant Jenkins told Taylor to go to the back rear of the
13 house and once -- we go speak to a neighbor to act as if he
14 actually got into a foot chase from someone leaving the house.

15 **Q.** Okay. So you went in; you said that you saw some
16 evidence?

17 **A.** Yes.

18 **Q.** What do you mean by that?

19 **A.** Well, we saw kilos of cocaine, handguns. It was a safe
20 and bags of money.

21 **Q.** So then when you exit the house, why does Sergeant Jenkins
22 create this ruse?

23 **A.** So that we could actually go into the house to act as if
24 we're securing the dwelling until we get back with the
25 search warrant.

1 Q. So is that why Detective Taylor went running to the back
2 of the house?

3 A. Yes.

4 Q. And that -- there was no one actually exiting the house?

5 A. No.

6 Q. Okay. Were there neighbors nearby?

7 A. That -- yes. It was -- we were actually -- we spoke to
8 the neighbor. And while we were speaking to a neighbor, that's
9 when Taylor act as if he got into a physical foot chase,
10 chasing someone exiting the rear of the dwelling.

11 Q. After this ruse, did you ultimately go get a
12 search warrant?

13 A. Yes.

14 Q. Who went with you to get the search warrant?

15 A. Myself, Sergeant Jenkins, Detective Taylor, we went to
16 headquarters. Detective Taylor was supposed to take the money
17 and drugs that we got from the first stop and submit it into
18 evidence, and we were going to write the search warrant.

19 Q. So you and Jenkins were writing the search warrant while
20 Taylor submitted the money from the vehicle stop?

21 A. Yes.

22 Q. What happened during this time?

23 A. Once we got back there, Detective Ward called Taylor to
24 come back to the house because it was actually people coming to
25 the house and he was by himself, so Detective Taylor left and

1 went back to Detective Ward.

2 Q. So Taylor had had the money, but did he have time to
3 submit it before he went back?

4 A. No.

5 Q. Did you ultimately get a search warrant?

6 A. Yes.

7 Q. Was the search warrant based on the truth?

8 A. No.

9 Q. Did it contain lies?

10 A. Yes.

11 Q. Did it omit the fact that --

12 **MR. PURPURA:** Objection.

13 **THE COURT:** Sustained.

14 **BY MR. HINES:**

15 Q. What did it omit?

16 A. The fact that we -- we weren't -- we went into the home
17 without the warrant the first time, and the way we came about
18 with the stop and everything like -- everything of that --
19 pertaining to that stop.

20 Q. What happened after you had gotten the search warrant
21 based on lies?

22 A. We went back to the dwelling, the -- Oreese Stevens' wife
23 was present. Sergeant Jenkins told her to leave. At that
24 point we went to the basement, got all the money and the drugs,
25 and actually opened the safe as well.

~~HENDRIX DIRECT~~

1 Q. And how did you open the safe?

2 A. We used our ram, which is our -- our search warrant ram.
3 We used our Halligan as well to gain entry into the safe.

4 Q. So were those two tools actually tools that were given to
5 you guys by the Baltimore Police Department?

6 A. Yes.

7 Q. What happened this first time when you got into the safe?

8 A. After we opened it, Sergeant Jenkins took money out of the
9 safe. He re -- we reclosed it.

10 Q. Let me ask you some questions about -- when you opened the
11 safe, how full was it with money?

12 A. Pretty full. Possibly near the top of the safe.

13 Q. And you said Sergeant Jenkins took money out of the safe?

14 A. Yes.

15 Q. Did he take all of the money out of the safe?

16 A. No -- well, he took all the money out the safe the first
17 time to see exactly how much it was. At that point he asked
18 me, he said, Yeah, what did Oreese Stevenson admit to having in
19 the safe? He said, Like 100,000?

20 At that point he put back 100,000, closed the safe.

21 Q. And what was the purpose of leaving some of the money?

22 A. So he told Detective Taylor to actually videotape us as if
23 we were opening it -- opening the safe for the first time.

24 Q. And did Detective Taylor, in fact, do that?

25 A. Yes.

~~HENDRIX DIRECT~~

1 Q. What did he record?

2 A. He recorded myself, Detective Ward reopening the safe and
3 the money that was in the safe once we reopened it.

4 Q. And how much money was in the safe when you reopened it?

5 A. \$100,000.

6 Q. When's the last time you saw that video?

7 A. During prep for the actual trial for Oreese Stevens.

8 Q. So this is preparation with the City State's Attorney?

9 A. No. Within our squad.

10 Q. And is this prior to your arrest on March 1st, 2017?

11 A. Yes.

12 Q. And so was it prep with the FBI or anything like that?

13 A. No.

14 Q. So you haven't seen this video since your arrest?

15 A. No.

16 Q. After Jenkins had taken the money out of the safe and
17 Taylor had filmed the video of the second safe opening, what
18 happened next?

19 A. At that point we called HIDTA. And HIDTA comes, takes the
20 money from the safe, actually seals the bag, and goes and
21 submits it.

22 Q. And what was the purpose of calling HIDTA?

23 A. To have them come take the money as if we had nothin' to
24 do with, you know, any of the money.

25 Q. Is that further concealment?

1 A. Yes.

2 Q. Is HIDTA -- are they the feds? Is that what you
3 understand HIDTA to be?

4 A. Yes.

5 Q. Did you ultimately go back to headquarters?

6 A. Yes.

7 Q. And what did you do when you got back to headquarters?

8 A. At that point we packaged up all the evidence that we were
9 submitting.

10 Q. What evidence did that include?

11 A. The drugs from the stop, the drugs from the house, the
12 guns from the house, the money from the stop.

13 Q. Okay. So what happened to the money that HIDTA took?

14 A. The HIDTA personnel and Detective Taylor actually took it
15 to submit it.

16 Q. That's at -- do you remember the name of the HIDTA person?

17 A. Ethan Glover, I believe.

18 Q. Okay. And what happened to the money that Jenkins had
19 previously taken out of the safe?

20 A. He actually took it and placed it in one of the vehicles.

21 Q. And did the vehicle go back to headquarters?

22 A. Yes.

23 Q. And where was the money that Taylor had had from the
24 vehicle stop?

25 A. At that point I don't know.

~~HENDRIX DIRECT~~

1 Q. How about when you got back to headquarters?

2 A. Once I got back to headquarters, when we started all the
3 paperwork, Detective Taylor advised that it was \$15,000. We
4 filled out the paperwork. Everything was submitted at that
5 time.

6 Q. I see. So Detective Taylor had gone with Glover but then
7 came back to headquarters?

8 A. Yes.

9 Q. And he gives you the money from the vehicle stop?

10 A. Yes.

11 Q. And he told you it was --

12 A. \$15,000.

13 Q. What did you do with the \$15,000 that Taylor gave you?

14 A. It was submitted to ECU.

15 Q. I'm showing you what's been marked as Government's
16 Exhibit OS-1.

17 A. That's the ECU submission sheet.

18 **MR. HINES:** And if you zoom in on the top,
19 Mr. Kerrigan, please.

20 **BY MR. HINES:**

21 Q. Is that your name as the responsible officer?

22 A. Yes.

23 Q. Is this a sheet that you filled out?

24 A. Yes.

25 Q. And when it says "arrestee suspect," whose name did you

~~HENDRIX DIRECT~~

1 put this in?

2 **A.** Demetrius Brown. That was the passenger at the time.

3 **Q.** But this is the money that was taken from the vehicle that
4 Mr. Stevenson was in?

5 **A.** Yes.

6 **Q.** And the date -- what's the date on there on the top right?

7 **A.** March 22nd, 2016.

8 **MR. HINES:** And, Mr. Kerrigan, if you go to the
9 bottom, please. Yes, right there.

10 **BY MR. HINES:**

11 **Q.** How much money was turned in to ECU?

12 **A.** \$15,000.

13 **Q.** And that's the amount that Taylor gave to you?

14 **A.** Yes.

15 **Q.** What did you do after you submitted the \$15,000?

16 **A.** Did all the paperwork. At that time, once everything was
17 done, detective -- we all decided to go back to
18 Detective Taylor's house.

19 **Q.** Why did you guys decide to go to Detective Taylor's house?

20 **A.** To actually split the money up. Detective Taylor was the
21 only one at the time who didn't have anyone living with him, so
22 his house was empty.

23 **Q.** So, for example, were you concerned that your wife or kids
24 would be home?

25 **A.** Yes.

~~HENDRIX DIRECT~~

1 Q. And is that why Detective Taylor's house was chosen?

2 A. Yes.

3 Q. When did you arrive at Detective Taylor's house?

4 A. At the end of the night, after we were done with all the
5 paperwork and everything.

6 Q. And who got there?

7 A. Myself, Detective Taylor, Detective Ward,
8 Sergeant Jenkins.

9 Q. All four of you arrived?

10 A. Yes.

11 Q. What happens when the four of you arrived at
12 Detective Taylor's house?

13 A. We all go into his house in his little den area, and
14 Sergeant Jenkins actually splits the money up amongst
15 everybody.

16 Q. And this is the money that was taken out of the safe the
17 first time?

18 A. Yes.

19 Q. Jenkins divided it up?

20 A. Yes.

21 Q. How did he divide it up?

22 A. We actually figured out how much was in every bundle and
23 just divvied it amongst each other.

24 Q. How much did he give you?

25 A. \$20,000.

1 Q. How much did Taylor get?

2 A. The same, 20,000.

3 Q. And how about Ward?

4 A. It's 20,000 and Jenkins 20,000. It was actually a little
5 more. Jenkins actually told Taylor to go purchase like a
6 computer and printer for -- you know, so that when we on the
7 street and we do -- when we have to do other paperwork, we can
8 do it right there on the street instead of having to wait until
9 the end of the night.

10 Q. So Jenkins took some money in addition to the 20,000 and
11 gave it to Taylor?

12 A. Yes.

13 Q. And that was so that Taylor could buy a computer?

14 A. Yes.

15 Q. After you received the \$20,000, what -- what happened
16 next?

17 A. Everybody went home. I went to my house.

18 Q. What, if anything, did Taylor say he was going to do with
19 the \$20,000 he received?

20 A. Well, once everything was divided up, him and -- 'cause
21 Taylor had just got his house, him and Jenkins was actually
22 talking about him getting a deck put on his house. And Jenkins
23 actually told him he was going to get the guy who did the work
24 at his house to come put a deck on Taylor's house.

25 Q. Did Taylor, in fact, get a deck put on his new house?

1 **A.** Yes.

2 **Q.** I'm showing you what's been marked as Government's
3 Exhibit OS-6. What is OS-6?

4 **A.** Detective Taylor's house with the deck on it.

5 **Q.** After March 22nd, 2016, did you go back to
6 Detective Taylor's house?

7 **A.** Yes.

8 **Q.** And did he have a brand-new deck?

9 **A.** Yes.

10 **Q.** What did you do with the \$20,000 that you received?

11 **A.** I took it home, put it in my basement.

12 **Q.** Did Jenkins give you any instructions about what to do
13 with the money?

14 **A.** He just said basically, Don't make any big purchases, you
15 know, no cars or things that's going to basically show that you
16 had this money.

17 **Q.** And how did you end up spending the money that you
18 received?

19 **A.** Just everyday household spending. I had five kids, you
20 know, a wife that goes to school full time. So I just spent
21 it, you know, doing -- just taking care of them, basically.

22 **Q.** Did you learn about an investigation at some point?

23 **A.** Yes. Detective -- well, Detective Taylor advised me that
24 it was some kind of investigation going on. He advised me and
25 Ward. He said it was some kind of investigation going on with

1 us, but he never told us who it was or what the investigation
2 into -- you know, talked about.

3 Q. Did you ask Detective Taylor for more information?

4 A. Yes. And he just said he couldn't tell his sources.

5 Q. Mr. Hendrix, I'd like to show you what's been marked as
6 Government's Exhibit FBI-18A.

7 Do you recognize this exhibit?

8 A. Yes. Those are our tactical vests, and that's
9 Marcus Taylor's vest.

10 Q. And it says "M. Taylor" on the top?

11 A. Yes.

12 Q. Mr. Hendrix, when you wore this vest, how were you
13 treated?

14 A. With respect. You know, we were Baltimore police
15 officers. You know, we had authority.

16 Q. Did you feel like you had power?

17 A. Yes.

18 Q. When you were working as a Baltimore Police Department
19 officer, did you routinely carry your firearm?

20 A. Yes.

21 Q. Did you carry a badge?

22 A. Yes.

23 Q. And how did citizens react to you when you had those
24 items?

25 A. Treated us like we were police officers, you know, like we

~~HENDRIX~~ ~~CROSS~~

1 were people of authority.

2 **Q.** Did they give up their liberty?

3 **A.** Yes.

4 **Q.** Did they submit?

5 **A.** Yes.

6 **MR. HINES:** No further questions, Your Honor.

7 **THE COURT:** All right. Thank you. Mr. Purpura.

8 **MR. PURPURA:** Thank you, Your Honor.

9 CROSS-EXAMINATION

10 **BY MR. PURPURA:**

11 **Q.** Good afternoon, Detective-- Mr. Hendrix, excuse me, good
12 afternoon.

13 **A.** Good afternoon, sir.

14 **Q.** A few minutes ago Mr. Hines asked you about some of the
15 tactics that you used at your squad, your group used at SES and
16 GTTF. And by "your group," I believe it would be yourself,
17 Jenkins, Taylor, and Ward; is that correct?

18 **A.** Yes.

19 **Q.** And you mentioned things such as you'd be driving around
20 and you'd see a large group of males in the city and you would
21 stop; is that correct?

22 **A.** Yes.

23 **Q.** And it was your intent -- for the vast majority of that
24 time, you were stopping because you wanted to see if these --
25 some of these people were up to no good; is that fair to say?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 Q. And this is in 2015 when you're in SES, and it carries on
3 to GTTF in 2016; is that correct, sir?

4 A. Yes.

5 Q. And you'd be looking for certain characteristics; is that
6 correct?

7 A. Some -- sometimes, yes.

8 Q. I mean, if -- when the police show up and, as Mr. Hines
9 showed you, the tactical vest, I mean, if someone's up to no
10 good and they see the police come up and they've got the
11 tactical vest and the badges, sometimes, based on your
12 experience, they start to look a little nervous; is that fair
13 to say?

14 A. Yes.

15 Q. And that would be a characteristic that you would look
16 for, because if someone's not doing anything wrong, then
17 they're just, "How you doing, Officer?" And they keep on
18 moving; right?

19 A. Yes.

20 Q. So you look for these things; correct?

21 A. Yes.

22 Q. And you look for other things. You look for perhaps
23 bulges in the groin area that they call the dip area; correct?

24 A. Yes.

25 Q. And/or the pocket being weighted down on one side

~~HENDRIX~~ ~~CROSS~~

1 (indicating), and that may or may not be indicative of carrying
2 a gun; is that correct?

3 **A.** Yes.

4 **Q.** And when people move away, as they would do, I would
5 assume, during many of the times when you pull up, you look to
6 see if they kind of grab that area so that -- be indicative
7 again trying to hold the gun as they're moving quickly away; is
8 that correct, sir?

9 **A.** Yes.

10 **Q.** And these are things you'd be targeting; is that right?

11 **A.** Yes.

12 **Q.** And these are things you learn from experience by being on
13 the street; correct?

14 **A.** Yes.

15 **Q.** And these are things that you've learned from other
16 officers who have been on the street; correct?

17 **A.** Yes.

18 **Q.** And your task force, at least when you came to the GTTF,
19 you had citywide authority; is that correct?

20 **A.** Yes.

21 **Q.** And so as a result of that, you were able to make -- I
22 mean, citywide means the east side, the west side, and down to
23 South Baltimore, up to North Baltimore; correct?

24 **A.** Yes.

25 **Q.** And so you could -- and you were targeting high-crime

~~HENDRIX~~ ~~CROSS~~

1 areas; is that correct?

2 **A.** Yes.

3 **Q.** And as a result of that, you were taking many, many guns
4 off the street; is that correct?

5 **A.** Yes.

6 **Q.** And that was really what the GTTF was supposed to be
7 about; is that correct?

8 **A.** Yes.

9 **Q.** And you did do that; is that correct?

10 **A.** Yes.

11 **Q.** You also did some bad things, we heard about as well;
12 right?

13 **A.** Yes.

14 **Q.** But you did do some good things; correct?

15 **A.** Yes.

16 **Q.** Now, the -- you spoke also -- Mr. Hines asked you about
17 the airsoft guns. Now, was Detective -- excuse me,
18 Sergeant Jenkins -- and so we remember, using
19 Government Exhibit FBI-3 --

20 **MR. PURPURA:** Can we get the screens on.

21 Yeah, that's okay now. Thank you.

22 **BY MR. PURPURA:**

23 **Q.** Again, this would be Sergeant Jenkins; is that correct,
24 sir?

25 **A.** Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. And so Sergeant Jenkins told you about the airsoft guns or
2 the BB guns; correct?

3 A. Yes.

4 Q. And when he told you about it, he was telling you, Ward,
5 and Taylor; is that correct?

6 A. Yes.

7 Q. And that was your group again; right?

8 A. Yes.

9 Q. And you asked -- and I'll ask you a couple questions on
10 overtime as well.

11 You get overtime or slash days or four hours for a gun; is
12 that correct?

13 A. Yes. Whatever Sergeant Jenkins decided to give us at the
14 time.

15 Q. And it was up to your sergeant; right?

16 A. Yes.

17 Q. He had the authority to give you that; is that correct?

18 A. No.

19 Q. You didn't because you knew that you shouldn't be
20 receiving that time; correct?

21 A. Yes.

22 Q. But you also knew that was widespread amongst
23 Baltimore City Police at that time, not just in your squad, but
24 in many proactive squads; isn't that correct, sir?

25 A. But it's not right. Yeah, definitely, yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. It may not be right, but you knew that's what was going
2 on; right?

3 A. Yes.

4 Q. And if other people are getting it, you're going to get it
5 too; fair enough?

6 A. Yes, you could say that.

7 Q. And you did receive -- if you -- you didn't listen to
8 jail calls -- or did you ever listen to jail calls?

9 A. Yes.

10 Q. And you would do that; is that correct?

11 A. Yes.

12 Q. And sometimes you would get -- that would be after hours,
13 your normal shift; is that fair to say?

14 A. Yes.

15 Q. And you would get overtime for that; correct?

16 A. Yes.

17 Q. Because that was proper to get overtime to listen to
18 jail calls; right?

19 A. Yes.

20 Q. And why would you listen to jail calls?

21 A. We would do it for State's Attorneys who were actually
22 working cases to see if anyone would be on the phone talking
23 about incriminating information.

24 Q. And despite the fact that there's normally a -- there is
25 every jail call, there is -- it says, "This call will be

~~HENDRIX~~ ~~CROSS~~

1 recorded." That's on the jail calls; correct?

2 **A.** Yes.

3 **Q.** But despite that, oftentimes you, as a police officer, are
4 listening to these jail calls hearing incriminating
5 information; is that correct, sir?

6 **A.** Yes.

7 **Q.** You were also shown --

8 **MR. PURPURA:** Do you have 22A? Is that a picture or
9 is that -- good. Good. Thank you.

10 **BY MR. PURPURA:**

11 **Q.** 22A, that's these brass knuckles; right?

12 **A.** Yes.

13 **Q.** All right. And that, again, unfortunately that was
14 something that was associated with Sergeant Jenkins; is that
15 correct, sir?

16 **A.** Yes.

17 **Q.** See if I can get it focused.

18 You weren't carrying brass knuckles around, were you?

19 **A.** No.

20 **Q.** Taylor wasn't carrying brass knuckles around, was he?

21 **A.** No.

22 **Q.** Ward wasn't carrying brass knuckles around, was he?

23 **A.** No.

24 **Q.** And, to your knowledge, Mr. Hersl wasn't carrying
25 brass knuckles around either, was he, sir?

~~HENDRIX~~ ~~CROSS~~

1 A. Not that I know of.

2 Q. Okay. But you did know that Sergeant Jenkins had those
3 brass knuckles; right?

4 A. Yes.

5 Q. And I'll get back to this again; but 2017, just before --
6 just before you trans -- you were trying to get out of that
7 GTTF; is that fair to say?

8 A. Yes.

9 Q. You -- didn't you even go to the Mercy Hospital to try to
10 go on sick leave, or was that someone else? Am I confusing
11 myself?

12 A. No, that wasn't --

13 Q. That wasn't you?

14 A. No.

15 Q. I'm sorry. But you wanted out of GTTF; correct?

16 A. Yes.

17 Q. And right around that time, that's when Jenkins,
18 Sergeant Jenkins, came up to you and came up to, according to
19 you, Taylor and Ward and started saying he wants to target some
20 guy from a body shop because he has -- he's a large-scale drug
21 trafficker, and he's going to have a lot of money; right?

22 A. Yes.

23 Q. And, again, he came up to, as you mentioned before,
24 according to you, it was yourself, Taylor, and Ward; right?

25 A. Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. Not Hersl (indicating); correct?

2 A. No.

3 Q. And then there was a D.C. robbery. Do you know when
4 that -- attempted supposed robbery, do you know when that was?

5 A. Approximately the beginning of 2017.

6 Q. 2017? Okay.

7 And when you received information about this incident, you
8 indicated that you were present and Ward was present; right?

9 A. Yes.

10 Q. Not Detective Hersl or Mr. Hersl (indicating), was he?

11 A. No.

12 Q. Okay. Thank you.

13 Now, you were arrested, like everybody else,
14 unfortunately, on March 1st, 2017; correct?

15 A. Yes.

16 Q. And since that time, again, you've been detained; is that
17 fair to say?

18 A. Yes.

19 Q. Initially you were detained at the Howard County Detention
20 Center; is that correct?

21 A. Yes.

22 Q. And you were detained there along with Ward, Gondo, Rayam,
23 Jenkins, and Hersl; is that correct?

24 A. Yes.

25 Q. And how long were you all there together?

~~HENDRIX~~ ~~CROSS~~

1 **A.** A couple weeks.

2 **Q.** And then there came a time -- and you had an attorney;
3 correct?

4 **A.** Yes.

5 **Q.** And your attorney actually -- you come from Cleveland,
6 Ohio; right?

7 **A.** Yes.

8 **Q.** And your attorney actually comes from Cleveland, Ohio, as
9 well; correct?

10 **A.** Yes.

11 **Q.** And that was Harvey Bruner, B-R-U-N-E-R; is that correct?

12 **A.** Yes.

13 **Q.** And Mr. Bruner spoke to you -- don't tell me what he said.
14 But he spoke to you, I would assume, many times, hopefully --
15 not many, but a couple of times between March 1st, 2017, and
16 when you decided to cooperate with the Government; is that
17 correct?

18 **A.** Yes.

19 **Q.** And if I tell you on May 5th, 2017, was the first time
20 that you sat down with the Government, does that sound about
21 right? I can show you the reports.

22 **A.** I don't know the date, no.

23 **Q.** All right. If it sounds just about right, should be good
24 enough. But we'll go through 'em real quick.

25 Showing you now what's been marked as Defense Exhibit 5

~~HENDRIX~~ ~~CROSS~~

1 for identification and showing you what appears to be an
2 FBI 302. And if you just take a quick look, maybe this
3 refreshes your recollection. Does this appear to be the date
4 of the meeting you first had with the Government team here?

5 **A.** Yes.

6 **Q.** Okay. And so that would be May 5th, 2017; is that
7 correct?

8 **A.** Yes.

9 **Q.** Okay. Thank you.

10 And on May 5th, 2017, you met with Mr. Hines (indicating),
11 Mr. Wise, FBI Agent Jensen (indicating), and TFO Sieracki
12 (indicating); is that correct?

13 **A.** Yes.

14 **Q.** And your attorney was present as well; right?

15 **A.** Yes.

16 **Q.** And when I say "a proffer session," that's a meeting where
17 you sit down and you talk; right?

18 **A.** Yes.

19 **Q.** And when you're sitting down and talking, FBI Agent Jensen
20 was taking notes.

21 Do you remember that?

22 **A.** Yes.

23 **Q.** Okay. And you had multiple -- not mult -- you had three
24 proffer -- you met three times with them in what's called a
25 proffer session.

~~HENDRIX~~ ~~CROSS~~

1 Does that sound about right?

2 **A.** Yes.

3 **Q.** And if I told you the second one was about two weeks or
4 three weeks later, on May 24th, 2017, does that sound about
5 right?

6 **A.** Yes.

7 **Q.** Okay. And the last one would be July 21st of 2017, just
8 sound about right?

9 **A.** Yes.

10 **Q.** In addition to those proffer sessions -- and how long did
11 they last, do you remember?

12 **A.** No, not -- a couple hours, if that.

13 **Q.** A couple hours each one; right?

14 **A.** Yes.

15 **Q.** A lot of questions were asked, and you gave up a lot of
16 information; correct?

17 **A.** Yes.

18 **Q.** And they wanted to know -- Mr. Hines and Mr. Wise and
19 Agent Jensen -- they wanted to know all you knew about
20 Baltimore City police; correct?

21 **A.** Yes.

22 **Q.** And in particular, they wanted to know all you knew about
23 the people that were going to be going to trial or on trial;
24 correct?

25 **A.** Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. And you tried to give them everything you knew based on
2 your being with them day in and day out for whatever period of
3 time; correct?

4 A. Yes.

5 Q. In addition to all that, you did prepare for your
6 testimony here today; correct?

7 A. Yes.

8 Q. Mr. Hines had all his questions typed out. Did he go
9 with -- over those questions with you?

10 A. No.

11 Q. Before -- before you testified, did he -- did he prepare
12 you to testify?

13 A. Well, we just talked about the incident, but we didn't go
14 in depth like that.

15 Q. All right. You were hired in April of 2009; correct?

16 A. Yes.

17 Q. And you indicated you did go to the academy with
18 Mr. Taylor; is that correct?

19 A. Yes.

20 Q. And in 2015 -- let's jump right to 2015. That's the SES
21 unit you were in; correct?

22 A. Yes.

23 Q. And that SES unit, as you testified to, had yourself,
24 Taylor, and Jenkins; is that correct?

25 A. And Ward; yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. And Ward, the four of you?

2 A. Yes.

3 Q. And you were together working as a team in 2015 in the SES
4 unit; correct?

5 A. Yes.

6 Q. Hersl was not part of that unit; is that correct?

7 A. No.

8 Q. You came to GTTF approximately the end of June or early
9 July of 2016; is that correct?

10 A. Yes.

11 Q. And while in GTTF, you basically partnered with the same
12 people that you partnered with in SES; is that correct?

13 A. Yes.

14 Q. So in the car driving around, when you're working most of
15 the time, Jenkins wanted to drive; correct?

16 A. Yes.

17 Q. Taylor was the fastest. He's the passenger; right?

18 A. Yes.

19 Q. And you and Ward -- you and Ward are in the backseat;
20 right?

21 A. Yes.

22 Q. And so it would be the four of you most of the time
23 working together. You were partnered up; correct?

24 A. Yes.

25 Q. And that's your time during GTTF; right?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 Q. Almost the same as it was in SES; correct?

3 A. Yes.

4 Q. Now, do you know who John Clewell is?

5 A. Yes.

6 Q. And he was in GTTF as well; correct?

7 A. For about a week or maybe two before he left, him -- he
8 went to HIDTA, I believe.

9 Q. All right. Any other members of GTTF at that point?

10 A. It was Detective Rayam and Gondo, Detective Gondo.

11 Q. Okay. Now, were you -- were you in the car often with
12 Mr. Hersl, Detective Hersl (indicating)?

13 A. Not often, no.

14 Q. Rather infrequently; is that correct?

15 A. Yes.

16 Q. And is it also fair to say that prior to joining the GTTF
17 in June or July of 2016, you knew of Detective Hersl, but you
18 didn't really know him; is that correct?

19 A. Yes.

20 Q. Did you ever talk to him before that time?

21 A. Maybe in passing, but nothing -- no real conversations.

22 Q. Now, let me just jump to two incidents, and I'll be quick
23 as I can.

24 March of 2016, you did testify in detail about
25 Oreese Stevenson; is that right?

~~HENDRIX~~ ~~CROSS~~

1 A. March 22nd.

2 Q. March 22nd?

3 A. Yes.

4 Q. Now, at that time the people involved in going into
5 Oreese Stevenson, you indicated it was yourself -- going into
6 the houses, it was yourself and Ward and Jenkins and Taylor,
7 according to you; is that correct?

8 A. Yes.

9 Q. Again, Oreese Stevenson was not Mr. Hersl (indicating); is
10 that correct?

11 A. No.

12 Q. And the initial stop of Oreese Stevenson, was there
13 something that brought Oreese Stevenson to your attention or to
14 Sergeant Jenkins' attention?

15 A. It was just two gentlemen sittin' in the van.

16 Q. And that was it?

17 A. Yes.

18 Q. Okay. But whatever, that van had some drugs in it; right?

19 A. Yes.

20 Q. And a fairly large amount of drugs; is that correct?

21 A. Yes.

22 Q. And then even assuming up to that point if it was lucky
23 police work, that you got a large amount of drugs and money in
24 a van, at that point something changed, because Jenkins,
25 according to you, said if they got this much drugs and money in

~~HENDRIX~~ ~~CROSS~~

1 the van, they must have more at their house; correct?

2 **A.** Yes.

3 **Q.** And at that point you knew that was not going to be
4 legitimate police work because you knew what Jenkins was about;
5 correct?

6 **A.** Yes.

7 **Q.** And you knew that Jenkins wanted to take money from the
8 houses; is that correct?

9 **A.** Yes.

10 **Q.** And you, for whatever reason -- maybe because you had five
11 kids and you just weren't making enough money -- whatever
12 reason you were going along with it at that point; is that
13 correct?

14 **A.** Yes.

15 **Q.** And when you went into these houses, you did not have a
16 warrant, as Mr. Hines brought up; is that correct?

17 **A.** Yes.

18 **Q.** You did not have consent, you can get consent by having
19 the owner of the house sign a piece of paper. He consents;
20 right?

21 **A.** Yes.

22 **Q.** You can do consent by even doing a video -- did you
23 ever -- well, you can take your cell phone; you can use your
24 camera portion. And you can ask the person, "You consent to
25 enter the house?" And they can say it in the video; right?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 Q. You can just get verbal consent as well; correct?

3 A. Yes.

4 Q. And these would be proper things, and you know this;
5 right?

6 A. Yes.

7 Q. But you didn't have any of that; correct?

8 A. No.

9 Q. And all as you had was a guess there was money and drugs
10 there; right?

11 A. Yes.

12 Q. But regardless, you were going to use, as Mr. Hines
13 pointed out, your authority because your intent at that point
14 was take the money?

15 A. Yes.

16 Q. And I think the word you all have been using is "rob" at
17 that point; is that right?

18 A. Yes.

19 Q. It wasn't good police work; correct?

20 A. No, it was not.

21 Q. It had nothing to do with Baltimore City Police work;
22 right.

23 A. No.

24 Q. And everything to do with greed and taking money from
25 people; correct?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 Q. And you knew that?

3 A. Yes.

4 Q. And Ward knew that?

5 A. Yes.

6 Q. And Jenkins obviously knew that; right?

7 A. Yes.

8 Q. Now, I'm going to jump. I'm going to jump all the way to
9 Southern Blues, the restaurant. Do you remember talking to
10 Jenkins about the owners of Southern Blues?

11 A. Yes.

12 Q. He indicated to you all -- and "to you all," again, that
13 would be the group that you rode in, which would be Taylor,
14 Ward, yourself, and Jenkins -- that Jenkins thought that the
15 owners of Southern Blues were connected to Mr. Stevenson and
16 they were big drug dealers; right?

17 A. Yes.

18 Q. And this is near the end, just probably 2017, just about
19 when you're ready to get out of that unit; correct?

20 A. Yes.

21 Q. And you wanted to get out of the unit; right?

22 A. Yes.

23 Q. But you had a meeting when Jenkins brings up this idea;
24 right?

25 A. Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. And the people that were present are the people I just
2 named; right?

3 A. Yes.

4 Q. Not Hersl?

5 A. No, we didn't have a meeting. He just said -- you know,
6 he just told us what -- he wanted to go do investigation on
7 those gentlemen, yes.

8 Q. And when you say the "we," the "we" is that group of
9 people you ride in the car with, the people you already named;
10 correct?

11 A. Yes, pretty much, yes.

12 Q. Okay. And right away you knew that was not going to be
13 police work; correct?

14 A. Yes.

15 Q. And you put that together because, as Mr. Hines showed
16 you, you saw in the trunk of Jenkins' car all this crazy stuff;
17 right?

18 A. Yes.

19 Q. Is it fair to say that Jenkins -- you know, off the
20 hook -- he was off the hook, right?

21 A. Yes.

22 Q. Way out there?

23 A. Yes.

24 Q. And he was kind of difficult to deal with, wasn't he?

25 A. Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. He was kind of overpowering sometimes, wasn't he?

2 A. Yes.

3 Q. Very much so, wasn't he?

4 A. Yes.

5 Q. Demanding; right?

6 A. Yes.

7 Q. Almost crazy to an extent; is that fair to say?

8 A. Yes.

9 Q. And he showed you all these things, and they're kind of
10 scary things. Got a Halloween mask. He's got this
11 sledgehammer. He's got all these things that Mr. Hines showed
12 the jury; right? And these are scary things (indicating);
13 right?

14 A. Yes.

15 Q. And, again, the people that he showed it to was the group
16 he drove around with; right?

17 A. Yes.

18 Q. Beside being scary, he had money; right? He appeared to
19 have -- Jenkins, Sergeant Jenkins?

20 A. Oh, yes.

21 Q. You'd go to eat with him, your group; right?

22 A. Yes.

23 Q. And I think you even told these gentlemen (indicating)
24 that one of the proffers, that Jenkins seemed to have large wad
25 of cash. And he'd buy you all lunch or whatever, your drinks,

~~HENDRIX~~ ~~CROSS~~

1 whatever you're doing; is that also correct?

2 **A.** Yes.

3 **Q.** And based on your eyeball experience, that he and Rayam,
4 they would be going to casinos as well?

5 **A.** Yes.

6 **Q.** And you didn't partake because, quite frankly, you didn't
7 have the money. You had children at home you had to feed;
8 right?

9 **A.** Yes.

10 **Q.** And you refused to go on just about every occasion; is
11 that correct?

12 **A.** Yes.

13 **Q.** And Jenkins would be the type of guy that would be at work
14 seven days a week --

15 **A.** Yes.

16 **Q.** -- correct?

17 Like he had no home life?

18 **A.** Yes.

19 **Q.** This was all what it was about; right?

20 **A.** Yes.

21 **Q.** And he would call you on weekends and say, "Come on down.
22 Come on in. We're going to follow somebody"; right?

23 **A.** Yes.

24 **Q.** And especially near the end, you didn't want to go in;
25 right?

~~HENDRIX~~ ~~CROSS~~

1 A. Right.

2 Q. Because you thought he's up to no good at that point;
3 correct?

4 A. Yes.

5 Q. And you all, you and at least Ward, when you talked, you
6 concluded that -- kind of that you thought that Jenkins and
7 Rayam were doing things out there on the streets which were not
8 proper; right?

9 A. Yes.

10 Q. And that was your conclusion, that it was Jenkins and
11 Rayam; correct?

12 A. Yes.

13 Q. And I'm not sure if you were or you weren't, but I'm going
14 to take you back to July 8th, 2016, when you were in GTTF.
15 Were you ever part of the Hamilton investigation? Did you --
16 were you involved in executing some warrants with John Clewell
17 involving the Hamiltons? You may not have. I'm not sure.

18 A. I'm not sure.

19 Q. You don't? Okay.

20 A. I don't remember that.

21 Q. Okay. Just going back to the overtime, as you indicated
22 before, you know, you especially know now, it's improper to
23 take the overtime for four hours or eight hours for a slash day
24 for a gun; right?

25 A. Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. But you already testified that it seemed to be common
2 practice in the department, despite the fact that it was
3 improper; correct?

4 A. Yes.

5 Q. And that opinion was bolstered because do you remember
6 Jenkins told you that -- probably it was 2016 that he actually
7 spoke to the commissioner, Commissioner Davis at that time?
8 And the commissioner asked, "How are you keeping your squad so
9 active and getting so many guns?"

10 And Jenkins told you that he told him, "I was giving
11 overtime, slash days for guns"; right?

12 A. He said "overtime." He was giving us overtime, yes.

13 Q. And according to Jenkins, the -- at that point the
14 Commissioner Davis response was, "Good job. Keep up the work";
15 right?

16 A. Yes.

17 Q. Now, whether that's true or not, that's what
18 Sergeant Jenkins told you; right?

19 A. I mean, yes, that's what he told us, yes.

20 Q. Yeah. And you know that it at least appeared that
21 Sergeant Jenkins, he had a pretty good connection with the
22 hierarchy in Baltimore City Police; correct?

23 A. Yes.

24 Q. He seemed to be like the golden boy, the untouchable;
25 correct?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 Q. And so when he told you that, you believed that; right?

3 A. I believed it to an extent, yes. But I knew that he
4 wasn't -- he didn't tell -- he wasn't telling what he was doing
5 with the overtime.

6 Q. He wasn't saying he was robbing and going out and
7 committing home invasions?

8 A. Right.

9 Q. But he did say that he was giving overtime for guns;
10 right?

11 A. Yes.

12 Q. "Keep up the good work" was the commissioner's response,
13 according to Jenkins; correct?

14 A. Yes.

15 Q. And, again, the reason why you did all this good work --
16 and it was good work -- because you had citywide jurisdiction;
17 correct?

18 A. Yes.

19 Q. And you were very proactive, as you've indicated; correct?

20 A. Yes.

21 Q. And you were motivated to get guns because you were
22 getting extra overtime; right?

23 A. Yes.

24 Q. And that money meant something to you, right, 'cause you
25 needed it; right?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 Q. So the more guns, the more overtime; the more money, the
3 more you could take care of your family; correct?

4 A. Yes.

5 Q. Now, you have a plea in this case; is that correct?

6 A. Yes.

7 Q. And you've reviewed that plea agreement with your
8 attorney; is that correct?

9 A. Yes.

10 Q. And Mr. Hines said that there is a -- under the
11 guidelines, there's a five-level bump or five-level number
12 increase because of a gun.

13 Do you remember that?

14 A. Yes.

15 Q. Okay. And that's taken into consideration in the
16 guidelines; correct?

17 A. Yes.

18 Q. Okay. But you did not -- what you pled guilty to was
19 conspiracy to commit RICO violations; correct?

20 A. Yes.

21 Q. Okay. You did not plead guilty to use of a handgun in the
22 commission of a crime of violence, did you, sir?

23 A. No, not in my paperwork, no.

24 Q. Okay. And you did not plead guilty to any what's called a
25 substantive robbery, any individual robbery like an individual

~~HENDRIX~~ ~~CROSS~~

1 robbery of Mr. Stevenson, did you, sir?

2 **A.** Mr. Stevenson, no.

3 **MR. PURPURA:** Okay. Thank you, sir. I have no
4 further questions.

5 **THE WITNESS:** Thank you.

6 **MR. PURPURA:** Good luck.

7 **THE WITNESS:** Thank you.

8 **MR. PURPURA:** You're welcome.

9 **THE COURT:** Ms. Wicks.

10 CROSS-EXAMINATION

11 **BY MS. WICKS:**

12 **Q.** Good afternoon, sir.

13 **A.** Good afternoon, ma'am.

14 **Q.** Now, back on -- back to the Oreeese Stevenson incident, and
15 on that day, when you -- you're in the car with Jenkins
16 driving; Taylor's in the car and Ward's in the car; correct?

17 **A.** Yes.

18 **Q.** Along with you?

19 **A.** Yes.

20 **Q.** And you see a car -- a van that's stopped on the side of
21 the street; correct?

22 **A.** Yes.

23 **Q.** And in the warrant, you went -- later that day you talked
24 about you went and got a warrant; correct?

25 **A.** Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. And you went and pled, swore to tell the truth and telling
2 the truth to the judge about a set of circumstances in order to
3 get a search warrant to go into the Heathfield address;
4 correct?

5 A. Yes.

6 Q. And today you also told us perhaps a different version of
7 what happened that day; correct?

8 A. Yes.

9 Q. Okay. But back on March 22nd, when you went in front of
10 the judge here in Maryland, you swore that you had -- that your
11 team had observed the driver of the minivan turn to his right
12 side and make a tossing motion with his right hand towards the
13 rear of the minivan; correct?

14 A. Yes.

15 Q. And is that the truth, or was that a lie --

16 A. No.

17 Q. -- that you made to the judge?

18 A. That was the truth.

19 Q. That was the truth?

20 A. Yes.

21 Q. So back on March 22nd of 2016, your team had observed the
22 driver of the minivan making a tossing motion (indicating) to
23 the back of the van; correct?

24 A. Yes. Once we got out of the vehicle and started walking,
25 approaching the van, yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. Okay. So that's not something that you made up in terms
2 of the investigation; correct?

3 A. Correct.

4 Q. Okay. So you all pull up on this van. There's -- you see
5 a gentleman get into the passenger side of the van; right?

6 A. Yes.

7 Q. And that is -- later you find out that's Mr. Brown; right?

8 A. Yes.

9 Q. And Mr. Brown is getting into the vehicle with a backpack;
10 correct?

11 A. Yes.

12 Q. And then -- and as you all are getting out of your car and
13 approaching the van, that's when you see the driver making the
14 throwing motion (indicating) towards the back; correct?

15 A. That's when Detective Ward observed that.

16 Q. And Detective Ward observed that?

17 A. Yes.

18 Q. Okay. And he told you he observed that?

19 A. Yes.

20 Q. So back on March 22nd of 2006 [sic], Detective Ward told
21 you that he observed Orees Stevenson making the throwing
22 motion?

23 A. Yes.

24 Q. Did you yourself observe that?

25 A. No.

~~HENDRIX~~ ~~CROSS~~

1 Q. Okay. But when you go in front of the judge, the
2 information that you're providing to the judge can both be
3 things that you personally observed and that other people
4 observed and told you about; correct?

5 A. Yes.

6 Q. And so you're -- when you're out there doing police work,
7 you're relying on the other detectives in your squad to be
8 telling you the truth about what they observed; correct?

9 A. Yes.

10 Q. And so it's your testimony that back on March 22nd of
11 2006, Detective Ward told you that he saw Oreese Stevens making
12 a throwing motion and that that was the truth; correct?

13 A. Yes.

14 Q. Okay.

15 THE COURT: 2016.

16 BY MS. WICKS:

17 Q. And later in the investigation, Detective Ward finds drugs
18 in the backseat of that car; right?

19 A. Yes.

20 Q. And putting two and two together, you're thinking he threw
21 the drugs back there; correct?

22 A. Yes.

23 Q. Okay. At the same time there's investigation of the other
24 person in the car; right?

25 A. Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. And who is it that approaches the passenger side of the
2 car that morning?

3 A. Sergeant Jenkins and I'm not sure if it was myself or
4 Taylor.

5 Q. Okay. Well, sitting here today, can you recall being on
6 that side of the car?

7 A. I believe I was on that side of the vehicle.

8 Q. Okay. And at some point Mr. Brown is playing with what's
9 at his feet in the car; correct?

10 A. Yes. That's what Jenkins told me he observed.

11 Q. Okay. And what did Jenkins tell you he observed?

12 A. Him kicking at the box to -- with his feet to push it
13 under the seat.

14 Q. Okay. And from your investigation on that day, what was
15 in the box?

16 A. A large sum of money.

17 Q. Okay. A large sum along the lines of about \$15,000;
18 right?

19 A. Yes.

20 Q. Okay. And when -- so when you went to the judge to get
21 the search warrant, it was based on the amount of money that
22 was found in the car; correct?

23 A. Yes.

24 Q. It was based on Oreese Stevens throwing something towards
25 the back of the car where later half a kilo of cocaine is

~~HENDRIX~~ ~~CROSS~~

1 found; right?

2 **A.** Yes.

3 **Q.** And then there's an attempt to interview Oreese Stevens
4 also in the van; correct?

5 **A.** Yes.

6 **Q.** So after Mr. Brown and Mr. Stevenson are taken out of the
7 car, you and Sergeant Jenkins get back into the van with
8 Oreese Stevens to question him; correct?

9 **A.** Yes.

10 **Q.** And Oreese Stevens is being evasive; is that fair to say?

11 **A.** Yes.

12 **Q.** He doesn't want to tell you where he lives; correct?

13 **A.** Right.

14 **Q.** He tells you about a Baker address?

15 **A.** Yes.

16 **Q.** But there's paperwork that you find in the car with the
17 Heathfield address?

18 **A.** Yes.

19 **Q.** And he actually -- he first claims that he lived at
20 4200 Heathfield; right?

21 **A.** Yes.

22 **Q.** And that doesn't match the paperwork that you found?

23 **A.** Correct.

24 **Q.** So you questioned him about that; right?

25 **A.** Correct.

~~HENDRIX~~ ~~CROSS~~

1 Q. You're trying to get him to cooperate there on the scene
2 to figure out if you can get onto his supplier; right?

3 A. Yes.

4 Q. And he's telling you he can't call his supplier because
5 he -- the supplier has fronted him drugs and he's not ready to
6 pay; right?

7 A. Yes.

8 Q. So calls to the supplier don't go anywhere; right?

9 A. Right.

10 Q. And it sounds like basically the information that
11 Mr. Stevenson is giving you, some of it may be correct; but
12 some of it is clearly not, because it's not matching the
13 paperwork in -- that's also found in the car; right?

14 A. Right.

15 Q. Okay. So when you go to the judge later that day to get a
16 warrant for the address, according to you there had already
17 been a sneak-and-peek; right?

18 A. Yes.

19 Q. Okay. And when you went to the judge to get the warrant,
20 you told the judge that the amount of drugs and the amount of
21 money found in the van essentially matched; correct?

22 A. Yes.

23 Q. Because about -- it was about a half a kilo of cocaine,
24 and that could be purchased for around \$15,000; right?

25 A. Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. Okay. And you were telling him the truth about drug
2 trafficking in Baltimore; right?

3 A. Yes.

4 Q. So in your mind, in terms of the investigation that day --
5 and this day started out as police investigation; right?

6 A. Yes.

7 Q. Okay. And in term -- in your mind in terms of the
8 investigation that day, you had basically intercepted Mr. Brown
9 bringing money to buy drugs from Mr. Stevenson; correct?

10 A. Yes.

11 Q. Okay. And so that's what you're telling the judge about;
12 right?

13 A. Yes.

14 Q. In addition, you tell the judge --

15 MS. WICKS: Court's indulgence.

16 BY MS. WICKS:

17 Q. You tell the judge that when Detective Jenkins is talking
18 to the neighbor at 1602 Heathfield, that Detective Taylor comes
19 from behind the house and talks about that there was someone
20 that had ran out from behind the house?

21 A. Yes.

22 Q. Okay. And your testimony here today is that was all a
23 ruse?

24 A. Yes.

25 Q. Okay. That you're saying the team had decided to make

1 that up because the neighbor was there, but to show that you
2 were allowed to go in the house to figure out what was going
3 on; right?

4 **A.** Yes.

5 **Q.** So from what you learned on the scene that day, there was
6 never anybody running from behind the house; correct?

7 **A.** Correct.

8 **Q.** There was no one in the house when you all got there, the
9 1604 address; correct?

10 **A.** Correct.

11 **Q.** And the -- from the time that you all got there and until
12 you left, the -- well, when you left, you left Detective Ward
13 there; correct?

14 **A.** Yes.

15 **Q.** But at that time no one had come in and out of the house
16 other than police officers, to your knowledge; correct?

17 **A.** Yes.

18 **Q.** Okay. And that's what you told the judge that day in
19 order to get the warrant to go in the house; correct?

20 **A.** Yes.

21 **Q.** And your -- but you also told the judge that the person
22 that was seen fleeing from the back of the house was carrying a
23 book bag; correct?

24 **A.** Yes.

25 **Q.** And, again, that was another sort of code for this person

1 might be carrying drugs or money as -- as part of the drug
2 trade in Baltimore; correct?

3 **A.** Yes.

4 **Q.** And so you were adding that in there because you're trying
5 to add those facts to your investigation to help get probable
6 cause to go in the house; right?

7 **A.** Yes.

8 **Q.** And actually before you had finished writing the affidavit
9 for the judge, you were contacted by Ward because Ms. Holloway,
10 who is Oreese Stevenson's child's mother, had come to the
11 residence; correct?

12 **A.** Yes.

13 **Q.** And she had actually told Ward that there had been -- her
14 son had run from the dwelling that day; correct?

15 **A.** It was a situation where we -- when we pulled up, we seen
16 a boy on the street, not over there by the house, and we just
17 put two and two together and asked her.

18 And she said -- she said he could have ran from --
19 basically, he could have ran from the house 'cause he was
20 scared 'cause y'all was the police. He was never at the house.
21 The way they -- we made it seem like he was at the house.

22 **Q.** Okay. So you're saying in your affidavit, you lied to the
23 officer -- you lied to the judge about what Ms. Holloway had
24 told you?

25 **A.** Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. Well, I'm sorry. Actually --

2 A. No.

3 Q. -- you had lied to the judge about what Ms. Holloway had
4 told Detective Ward; correct?

5 A. Yes.

6 Q. Because you're not there on the scene when Ms. Holloway is
7 there --

8 A. No.

9 Q. -- correct?

10 A. Correct.

11 Q. Detective Ward is?

12 A. Yes.

13 Q. And you're at the station, and he's reporting to you about
14 his conversation with Ms. Ward [sic]?

15 A. Yes.

16 Q. I'm sorry. Ms. Holloway?

17 A. Ms. Holloway, yes.

18 Q. And Mr. -- Detective Ward tells you that Ms. Holloway
19 stated that her son ran from the dwelling earlier because he
20 was scared of the police; correct?

21 A. Yes.

22 Q. And she also advised that her son told her that the police
23 were chasing him down the street; correct?

24 A. Right.

25 Q. And this is what you put in the affidavit for the judge;

~~HENDRIX~~ ~~CROSS~~

1 correct?

2 **A.** Yes.

3 **Q.** But now you're saying that's -- Detective Ward made that
4 up?

5 **A.** No. What I'm saying is basically he asked her about her
6 son, and she said her son was actually on the way home. And he
7 asked basically, "Why did he run?"

8 She said she don't know; maybe he ran because he saw the
9 police. She didn't know that -- if he ran or not.

10 **Q.** Okay. So Ms. Holloway told Ward that her son had been on
11 the way home. And that house, 1604, was his home; correct?

12 **A.** Yes.

13 **Q.** But this other -- and then she may -- she thought maybe he
14 ran because of the police --

15 **A.** Yes.

16 **Q.** -- but she wasn't sure?

17 **A.** Yes.

18 **Q.** Okay. But you put in here that she advised that her son
19 told her that he was running because the police were chasing
20 him; correct?

21 **A.** Yes.

22 **Q.** So -- and that was not true; right?

23 **A.** Correct.

24 **Q.** Okay. To your knowledge, even sitting here today, there
25 had not been a young boy behind that house; correct?

~~HENDRIX~~ ~~CROSS~~

1 A. Correct.

2 Q. To your -- to your knowledge, sitting here today, there
3 had not been a young boy that ran down the alley while the
4 police were there; correct?

5 A. Correct. No -- no one ran down the alley. That was
6 all -- Sergeant Jenkins came up with the idea, and that's when
7 Taylor went to the back and acted as if he was actually in a
8 foot chase.

9 Q. Okay. And you're the person that went in front of a
10 judge --

11 A. Yes.

12 Q. -- and swore to tell the truth and told that story; right?

13 A. Yes.

14 Q. Okay. You also told the judge that you had been certified
15 as an expert witness in the District, Circuit, and Juvenile
16 Courts; correct?

17 A. Yes.

18 Q. That's not true; correct?

19 A. Yes, true.

20 Q. It's true?

21 A. Yes.

22 Q. You have testified as an expert witness?

23 A. Yes.

24 Q. In what area?

25 A. In drugs, in Juvenile, Circuit, and District Courts.

~~HENDRIX~~ ~~CROSS~~

1 Q. Okay. So in both -- in all three of those --

2 A. All three.

3 Q. -- types of courts, you had testified as an expert
4 witness?

5 A. Yes.

6 Q. Okay. And each of those times, was it the same as this
7 time when you were under oath and lied about what had happened?

8 A. No.

9 Q. The other times you -- you're sitting here now under oath
10 saying, "No. I had told the truth before"?

11 A. Yes.

12 Q. Okay. Now, back on March 22nd, as you are doing your
13 investigation, you actually had contact with Mr. Brown's family
14 that was in the Jonquil -- that was in a home on Jonquil;
15 correct?

16 A. No. That was Taylor and Sergeant Jenkins.

17 Q. Okay. I'm marking this as Defense 3.

18 You don't recall having contact with Will de Ramirez?

19 A. Will de Ramirez.

20 **MS. WICKS:** May I approach, Your Honor, for
21 identification at this point, Defense 3?

22 **BY MS. WICKS:**

23 Q. (Handing.)

24 Is this your signature down at the bottom?

25 A. No, it's not.

~~HENDRIX~~ ~~CROSS~~

1 Q. That's not your signature?

2 A. No.

3 Q. And so you're saying -- on March 22nd, did anyone in your
4 unit have contact with Mr. Brown's family that was visiting
5 someone on Jonquil?

6 A. They went into the house on Jonquil and stated that that
7 was the guy's family's house, yes.

8 Q. Okay.

9 A. I was on the street with the two suspects. I never went
10 into the house or had any contact with anyone in that house.

11 Q. Okay. But what your team learned from that interchange
12 was Mr. Brown was visiting his family that lived in that house;
13 correct?

14 A. Yes.

15 Q. And he was being -- he was meeting Mr. Stevenson,
16 apparently, to do a drug deal; correct?

17 A. Yes.

18 Q. And Mr. Brown and his wife lived out of town; correct?

19 A. Yes.

20 Q. Okay. So they did not live in the Jonquil address;
21 correct?

22 A. Yes.

23 Q. And so then the investigation turned towards what other
24 addresses in Baltimore are affiliated with Mr. Stevenson;
25 correct?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 MS. WICKS: Court's indulgence.

3 BY MS. WICKS:

4 Q. Now, Mr. Purpura asked you some questions about your
5 proffer sessions last year.

6 A. Yes.

7 Q. Prior to proffering with the United States, you don't have
8 a plea agreement at -- you did not have a plea agreement at
9 that point; correct?

10 A. Correct.

11 Q. Part of proffering is to show the United States, though,
12 that you're willing to be honest and to let them know
13 information that they might not know; correct?

14 A. Correct.

15 Q. And so the point of the proffer agreement is for you to be
16 truthful and honest with the agents and the prosecutors that
17 you're there meeting with; correct?

18 A. Yes.

19 Q. And when you -- you told them, just like you're saying
20 today, that the truth was when you observed the van with
21 Mr. Stevenson in it, that he threw something into the backseat
22 of the van?

23 A. Yes.

24 Q. And that was the truth; correct?

25 A. Yes.

~~HENDRIX~~ ~~CROSS~~

1 Q. And that when you and Hendrix -- I'm sorry. When you and
2 Jenkins took Stevenson into the van, he tried to cooperate;
3 correct?

4 A. Yes.

5 Q. He tried to make phone calls to his drug supplier;
6 correct?

7 A. Yes.

8 Q. And -- but he also told you that his house was on
9 Baker Street?

10 A. Yes.

11 Q. And that -- through your investigation, you figured out
12 that was not correct; right?

13 A. Yes.

14 Q. And that was the house that you went to and took off your
15 vests and tried to con the mattress man into thinking that you
16 were associated with the people that lived there; right?

17 A. Yes.

18 Q. Did you search that house?

19 A. Yes.

20 Q. Okay. So you did go into that house. You didn't let --
21 did you let the mattress man deliver the mattresses?

22 A. No. He was waitin' for the owner of that house.

23 Q. Okay. So he wouldn't -- he --

24 A. 'Cause he was just sitting --

25 Q. -- wouldn't deliver even though you were there?

~~HENDRIX~~ ~~CROSS~~

1 A. Yes.

2 Q. And you don't -- during the conversation or I guess we'll
3 call it -- the conversation in the van with you and Jenkins and
4 Mr. Stevenson, you don't think that he talked about a safe
5 being at his house; correct?

6 A. He told us he had a safe. He told us he had kilos of
7 cocaine. He told us he had guns as well.

8 Q. Okay. Well, that's your recollection today. When you
9 first met with the FBI back in May of last year, you couldn't
10 be specific -- well, Stevenson wasn't specific about where he
11 had the gun -- the drugs, the guns, and the money in his house;
12 correct?

13 A. Uh-huh.

14 Q. But today you're recollecting that he was?

15 A. No. He just told us he had it in the house.

16 Q. Okay.

17 A. He never told us the location of where it was in the
18 house.

19 Q. Okay. And when -- and it's your testimony that
20 Detective Taylor went downtown to submit the half a kilo of
21 cocaine and the \$15,000 that you all got out of the van;
22 correct?

23 A. Yes.

24 Q. There wasn't any money taken out of the money that was
25 taken out of the van that day; correct?

~~HENDRIX~~ ~~CROSS~~

1 A. Not to my knowledge. I never touched it, so I don't know.

2 Q. Okay. Well, it looked -- you saw it --

3 A. Yes.

4 Q. -- when it was submitted because you're the one that

5 submitted it on the paperwork; right?

6 A. Yes.

7 Q. And it didn't look any different to you than it had when

8 it was in the oatmeal box; correct?

9 A. Correct.

10 Q. So that it didn't look like there was anything missing

11 from it; correct?

12 A. Correct.

13 Q. And you submitted it. You're the person that was

14 responsible for submitting it to Baltimore Police Department

15 Evidence Control; right?

16 A. Yes.

17 Q. And that's the form that the prosecutor showed you during

18 your direct where you signed off on that amount; correct?

19 A. Yes.

20 Q. Were you also the person that submitted the half a kilo?

21 A. I believe we -- I believe we all submitted it, yes. I

22 believe when we -- when we submit things at the end of the

23 night, whoever has the paperwork, they'll do the paperwork.

24 And they'll all take down the drugs together and submit. So

25 one of us could have been doing one thing and the other.

~~HENDRIX~~ ~~CROSS~~

1 Q. Okay. To your knowledge, were there drugs taken out of
2 the house and not submitted?

3 A. No.

4 Q. And to your knowledge, there -- the drugs that were in the
5 van were submitted to BPU --

6 A. BPD.

7 Q. -- BPD? I'm sorry.

8 A. Yes.

9 Q. Right?

10 Okay. And to your knowledge, the money that was found in
11 the house was either the hundred thousand that HIDTA -- that
12 Task Force Officer Glover took or it's the money that Jenkins
13 had; correct?

14 A. You said -- repeat that for me.

15 Q. The money in the house was either the money that was
16 seized by Glover --

17 A. Uh-huh.

18 Q. -- right, or it's the money that Jenkins took out of the
19 house?

20 A. The money that Jenkins took out of the house.

21 Q. Right.

22 A. Yes.

23 Q. And to your knowledge, in terms of the money that Jenkins
24 took out of the house, you thought that was only about some --
25 somewhat above \$80,000; right?

1 **A.** Yes.

2 **Q.** So to your knowledge, there was perhaps a little bit over
3 \$180,000 in the house?

4 **A.** Yes.

5 **Q.** And then the \$15,000 that was in the car?

6 **A.** Yes.

7 **Q.** And the 15,000 that was in the car actually belonged to
8 Mr. Brown; right?

9 **A.** Yes.

10 **Q.** That was at his feet in the car; right?

11 **A.** Yes.

12 **Q.** The drug transaction hadn't happened?

13 **A.** No. We caught in the middle of the transaction, yes.

14 **Q.** Okay. So Oreese Stevens throws the cocaine in the back
15 and doesn't give it to Mr. Brown; right?

16 **A.** Yes.

17 **Q.** And so Oreese Stevens doesn't get the 15,000 from
18 Mr. Brown. The 15,000 --

19 **A.** Yes.

20 **Q.** -- is seized by your team and submitted?

21 **A.** Yes.

22 **Q.** Okay.

23 **MS. WICKS:** Court's indulgence.

24 **THE COURT:** Sure. Are you --

25 **MS. WICKS:** This is a good time to break.

1 **THE COURT:** -- at a good breaking point?

2 **MS. WICKS:** Yes.

3 **THE COURT:** All right. Ladies and gentlemen, we're
4 going to take the lunch recess, and I'll see you again at
5 2 o'clock.

6 (Jury left the courtroom at 12:57 p.m.)

7 (Luncheon recess taken.)

8 **THE COURT:** You can be seated, please.

9 Just scheduling, I'm sorry. I should have told you
10 this morning. I do need to stop around 4:30-ish today.

11 **MR. PURPURA:** That's great. Thank you.

12 **THE COURT:** Do we know if Mr. Hendrix is here?

13 **THE MARSHAL:** He's on his way down right now.

14 **THE COURT:** Why don't we wait until he's actually
15 here.

16 (Pause.)

17 (Jury entered the courtroom at 2:14 p.m.)

18 **THE COURT:** All right. You can all be seated. Thank
19 you.

20 **THE CLERK:** Mr. Hendrix, you're still under oath.

21 **THE WITNESS:** Yes, ma'am.

22 **MS. WICKS:** May I, Your Honor?

23 **THE COURT:** Yes, go ahead, Ms. Wicks.

24 **MS. WICKS:** Thank you.

25 **BY MS. WICKS:**

1 Q. Good afternoon, sir.

2 You -- on the squad you tried to keep Taylor away from
3 Jenkins because you felt that Taylor could be easily persuaded
4 by Jenkins; correct?

5 A. Yes.

6 Q. And you talked a little bit about these airsoft guns.

7 If you saw kids with airsoft guns, you would confiscate
8 them; correct?

9 A. Yes.

10 Q. Because you didn't want kids getting into a bad
11 situation --

12 A. Yes.

13 Q. -- with someone thinking it's a real gun; right?

14 A. Yes.

15 Q. Okay. And the prosecutor asked you questions about a
16 gun --

17 **MS. WICKS:** Can I have the one you pulled up, the
18 airsoft. Or the picture is fine. I think you showed him the
19 picture.

20 **BY MS. WICKS:**

21 Q. And, again, this is FBI-17B. And you testified that you
22 had seen this airsoft gun before?

23 A. Yes.

24 Q. And where did you see this airsoft gun?

25 A. On the streets. Like you said, we see kids with the BB

1 guns playing, and we'll just take 'em.

2 Q. Okay. So it's -- you're recognizing this gun as one of
3 the guns that your squad took off the street off of a child?

4 A. Yes.

5 Q. Because you were concerned that you didn't want the child
6 getting shot because someone thought they had a real gun;
7 right?

8 A. Yes.

9 Q. Okay. And is this a gun that you associated with
10 Detective Taylor having taken off a child?

11 A. Yes.

12 Q. Thank you.

13 And so part of GTTF, you're taking real guns and fake guns
14 off the street; right?

15 A. Yes.

16 Q. And that was doing police work; right?

17 A. Yes.

18 Q. When you were back in the police academy, you were at the
19 police academy with Detective Taylor; correct?

20 A. Yes.

21 Q. And in your -- in one of the squads -- and actually,
22 Detective Taylor's squad at the police academy -- it turned out
23 that there was someone that was a member of the Bloods gang.

24 Do you remember that?

25 A. Yes.

1 Q. And he got kicked out of the academy for that reason;
2 right?

3 A. Yes.

4 Q. And you remember knowing it was Detective Taylor that had
5 gone to the authorities to make sure that guy got out of the
6 police academy; right?

7 A. No, I didn't know that.

8 Q. You don't remember that?

9 A. No.

10 Q. But you do remember the guy that was in the Bloods that
11 got kicked out while you both were in the police academy;
12 right?

13 A. Yes.

14 Q. And that guy was in Detective Taylor's squad; right?

15 A. Yes.

16 Q. Not your squad; right?

17 A. No.

18 Q. When you had various proffer sessions with the Government,
19 they asked -- they asked you about some incidents that you were
20 not familiar with; correct?

21 A. Yes.

22 Q. Okay. Like, for instance, you never recalled a time that
23 you had to meet Jenkins, Taylor, and Ward to pick up your keys
24 or wallet because you were going out of town; correct?

25 A. No. Correct.

1 Q. That doesn't ring any bells with you; correct?

2 A. No.

3 Q. And there was never a time when you were off duty and had
4 to go meet Jenkins, Taylor, and Ward in a wooded area to split
5 up money; correct?

6 A. No.

7 Q. That never happened; correct?

8 A. No.

9 Q. Now, prior to even getting charged in this case, you had
10 been sued by one Ivan Potts about an incident where he was
11 claiming that you, Jenkins, and Ward had planted a gun on him;
12 correct?

13 A. Yes.

14 Q. And he sued the three of you for \$1.5 million; correct?

15 A. Well, this all -- we got the paperwork while we were in
16 jail.

17 Q. Okay. But the lawsuit was actually filed in 2016;
18 correct?

19 A. Not to my knowledge. Like I said, I got it when I was
20 actually in jail.

21 Q. Would it refresh your recollection to look at the front of
22 that lawsuit as to what year it was filed?

23 A. I mean, if you show me.

24 Q. Okay. Just for --

25 A. I mean, but I'm just letting you know I got it, so --

1 Q. I understand. You were not served until you were in jail;
2 correct?

3 A. Yes. So -- yeah.

4 Q. Defense Exhibit 4, I think, just for identification?

5 THE CLERK: Yes, Exhibit No. 4.

6 BY MS. WICKS:

7 Q. (Handing.)

8 A. Yes.

9 Q. So does that refresh your recollection that it was filed
10 in September of 2016?

11 A. Okay. Yes.

12 Q. And, again, the complaint in that case was that Jenkins,
13 you, and Ward had planted a gun on him after beating him up;
14 correct?

15 A. Yes.

16 Q. That was his claim?

17 A. Yes.

18 Q. Okay. And you haven't filed an Answer in that case yet,
19 have you?

20 A. I'm not able to do anything right now.

21 Q. Well, is that something that the FBI has asked you about,
22 that incident?

23 A. No.

24 Q. You also worked with Jenkins and Ben Freeman; correct?

25 A. Yes.

1 Q. And there was a gentleman by the name of Levar Mullen that
2 you three pulled over; correct?

3 A. Yes.

4 Q. And he was a member of the Project Safe Streets?

5 A. Yes.

6 Q. And the three of you claimed that he wasn't wearing a seat
7 belt and he had made furtive gestures; correct?

8 A. It wasn't the three of us. They told me -- I was in the
9 backseat -- that's their reason for stopping him.

10 Q. Okay. And you filled out paperwork to that based on what
11 they were telling you; correct?

12 A. They filled out paperwork, yes.

13 Q. Okay. And the three of you, that case went to
14 Federal Court; correct?

15 A. I don't -- I didn't have any part in that case. Like, I
16 didn't go to court or anything in reference to --

17 Q. So you don't know what's happened in that case?

18 A. No.

19 Q. But you do know that he has since then claimed that he was
20 wearing a seat belt and that there was no furtive gesture;
21 correct?

22 A. Yes.

23 MS. WICKS: Court's indulgence.

24 BY MS. WICKS:

25 Q. When -- now, the incident that you testified about where

1 you're saying you were told by Detective Taylor that Jenkins
2 was trying to get him to hit a guy over the head and rob him of
3 his money, Taylor didn't agree to do that; correct?

4 **A.** Correct.

5 **Q.** Taylor was refusing to do that; correct?

6 **A.** He said he didn't do it. He said the reason was because
7 he felt like they were getting followed.

8 **Q.** Okay. Well, that -- that was --

9 **A.** So --

10 **Q.** That was the reason that he wouldn't do it, and then
11 apparently Jenkins didn't do it either; correct?

12 **A.** Correct.

13 **Q.** And they were following an individual that was a target of
14 investigation; correct?

15 **A.** I'm just going off of what he told me. I wasn't involved
16 in it. I wasn't there. So it's all what he told me.

17 **Q.** Okay. When you --

18 **A.** So I couldn't give you particular . . .

19 **Q.** When you -- when you were on the gun -- when you were on
20 the squad, their -- Rayam, Gondo, and Hersl were in another
21 car; correct?

22 **A.** Yes.

23 **Q.** And so your testimony today, you were talking about what
24 you -- you and the other detectives and your sergeant were
25 doing in your car; correct?

~~RENDER~~ ~~CROSS~~

1 **A.** Yes.

2 **Q.** And when you weren't there, you wouldn't have personal
3 knowledge about what was going on; correct?

4 **A.** Correct.

5 **Q.** And so there were times when there were investigations
6 going on and you didn't have any knowledge of them; correct?

7 **A.** Correct.

8 **Q.** For instance, Mr. Purpura asked you about Ronald Hamilton
9 and whether or not you had executed some search warrant;
10 correct?

11 **A.** Correct.

12 **Q.** And you had no recollection whether or not you had done
13 that; right?

14 **A.** Yes.

15 **Q.** And you have no recollection of that investigation 'cause
16 that wasn't an investigation that you were a part of; correct?

17 **A.** Correct.

18 **Q.** But there were other police work investigations going on
19 in the squad that you weren't a part of; correct?

20 **A.** Yes.

21 **MS. WICKS:** Thank you. No further questions,
22 Your Honor.

23 **THE COURT:** All right. Thank you.

24 Any redirect, Mr. Hines?

25 **MR. HINES:** Yes, Your Honor.

~~HENDRIX~~ ~~REDIRECT~~
REDIRECT EXAMINATION

1
2 **BY MR. HINES:**

3 **Q.** Mr. Hendrix, Mr. Purpura asked you a series of questions
4 about a conversation that Jenkins said he had with
5 Commissioner Davis?

6 **A.** Yes.

7 **MR. HINES:** Ms. Wicks absconded with the mic,
8 Your Honor. One moment, please.

9 **THE COURT:** Yes.

10 **MS. WICKS:** (Handing.)

11 **BY MR. HINES:**

12 **Q.** If I may repeat the question, Mr. Hendrix, you'll recall
13 that Mr. Purpura asked you a series of questions about a
14 conversation that Jenkins said he had with Commissioner Davis
15 about overtime?

16 **A.** Yes.

17 **Q.** And what you said in response to them was that Jenkins did
18 not tell the commissioner what he was doing with the overtime;
19 is that right?

20 **A.** Correct.

21 **Q.** What did you mean by that?

22 **A.** He said that he was just giving us overtime money. He
23 didn't say, you know, the way that he was giving us the
24 overtime money. Like, I doubt very seriously a conversation
25 would occur with the Police Commissioner, telling him that you

~~HENDRIX~~ ~~REDIRECT~~

1 were giving us extra overtime or time when we're not even
2 there. I doubt that happens.

3 Q. So Jenkins didn't tell you that he told the commissioner
4 that he was giving his guys fraudulent overtime?

5 A. Correct.

6 Q. And did Jenkins tell you that Danny Hersl (indicating) was
7 putting in for overtime that he didn't even work?

8 A. Yes.

9 Q. Did Jenkins tell you that he told that to the
10 commissioner?

11 A. No.

12 Q. Now, Ms. Wicks asked you about the money from
13 Oreese Stevenson's safe.

14 Do you remember those questions?

15 A. Yes.

16 Q. Now, when the safe was opened the first time, was it your
17 testimony that Sergeant Jenkins took all of the money out of
18 the safe and --

19 A. Yes.

20 Q. And then did he put some of the money back in the safe?

21 A. Yes.

22 Q. How much money did he count and put back in the safe?

23 A. \$100,000.

24 Q. Did he count out in front of you the rest of the money
25 there at Heathfield?

1 **A.** No.

2 **Q.** What did he do with that money?

3 **A.** He took the money and actually took it upstairs while we
4 were in the basement. So I'm believing he took it to the car,
5 because once we got upstairs, he didn't have it in his hands at
6 that point.

7 **Q.** Then fast-forward, when you're at Mr. Taylor's house later
8 in the evening, Jenkins brings money inside?

9 **A.** Yes.

10 **Q.** How much money did he bring inside with him?

11 **A.** The -- approximately around eighty, eighty thousand, maybe
12 a little more.

13 **Q.** Could there have been more money, more than \$80,000 in the
14 safe that Jenkins did not share with you guys?

15 **A.** Yes.

16 **MR. HINES:** Nothing further, Your Honor.

17 **THE COURT:** Okay. Anything, Mr. Purpura?

18 **MR. PURPURA:** Just one second, if I may, Your Honor.

19 Thank you.

20 **THE COURT:** Sure.

21 **REXCROSS-EXAMINATION**

22 **BY MR. PURPURA:**

23 **Q.** I'm sorry, Mr. Hendrix. Just a couple more quick
24 questions.

25 **A.** No problem.

1 Q. Just back to the overtime again, Mr. Hines just asked you
2 about what Jenkins told you what occurred after he met with the
3 commissioner; correct?

4 A. Yes.

5 Q. Okay. And this question -- this was asked to you during
6 one of your proffer sessions -- actually, the very first
7 proffer session, gentlemen. On May 5th, 2017, about 12 pages
8 into the proffer session, you were asked about -- or you told
9 the Government and the agents about the meeting that Jenkins
10 said he had with the commissioner; correct?

11 A. Yes.

12 Q. Okay. And what you told them back on May 5th, 2017, what
13 you told them (indicating), meaning the Government team and the
14 Special Agent, was that the commissioner had asked Jenkins how
15 he was keeping his squad motivated.

16 And then according to Jenkins, Jenkins told the
17 commissioner that he gave them overtime and slash days and that
18 the commissioner said, "Good job"; right?

19 A. Yes.

20 Q. What's a slash day?

21 A. A slash day is a day that we don't work and we're being
22 paid for off the books.

23 Q. Okay. And then you told them that you overheard a
24 conversation that Jenkins had with Miller.

25 And who's Miller? Colonel Miller?

1 **A.** Yes.

2 **Q.** And Miller and Jenkins -- it was kind of a laughing
3 conversation when Miller was kind of saying, "What, are you
4 crazy saying that to the commissioner?"

5 **A.** Yes, yes. That's what Jenkins was saying once he was
6 having a conversation. But then he said when -- when it was
7 over, he said who he was talking to.

8 **Q.** And he was talking to Colonel Miller at that --

9 **A.** That's who he told me.

10 **Q.** Okay. And the bottom line, that after Jenkins had that
11 conversation with Commissioner Davis, Commissioner Davis said,
12 "Keep up the good work"; correct?

13 **A.** Yes.

14 **MR. PURPURA:** Thank you. I have no further questions.

15 **THE COURT:** Anything else, Ms. Wicks?

16 **MS. WICKS:** Nothing.

17 **THE COURT:** Mr. Hines?

18 **MR. HINES:** Nothing further, Your Honor.

19 **THE COURT:** All right. Thank you, sir. You're
20 excused.

21 (Witness excused.)

22 (End of excerpt.)

23

24

25

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