

1 CITY OF EAST CHICAGO
2 OFFICE OF CIVIL SERVICE COMMISSION
3 POLICE DEPARTMENT
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6 IN RE:)
7 REGULARLY SCHEDULED)
8 MEETING)
9 _____)

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12 TRANSCRIPT OF PROCEEDINGS

13 The transcript of proceedings as held at the
14 East Chicago Police Department, 2301 East Columbus Drive,
15 1st Floor, East Chicago, Indiana, and via video conference
16 on Tuesday, May 18, 2021, commencing at or about 5:10 p.m.
17 CST, and as reported by JANELLE ROBINSON, Notary Public,
18 Associate Reporter.
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23 MARILYN M. JONES & ASSOCIATES, LTD.
24 COMPUTER-ASSISTED REPORTERS
25 1416 FRANKLIN STREET
MICHIGAN CITY, INDIANA 46360
(219) 879-4077

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COMMISSION MEMBERS PRESENT:

HENRY RODRIGUEZ, President
RICARDO CHAVARRIA, Secretary
LORA KOKOT, Commissioner
RODOLFO SANCHEZ, Commissioner

COMMISSION MEMBERS PRESENT VIA VIDEO CONFERENCE:

TAMMY SLOSS, Vice President

ALSO PRESENT:

DEPUTY CHIEF JOSE RIVERA
ENEDINA RODRIGUEZ
Recording Secretary

APPEARANCES:

LEVINSON & LEVINSON
BY: SHANA D. LEVINSON
384 West 80th Place
Merrillville, Indiana 46410
(219) 769-1164

Appearing on behalf of the East Chicago
Police Merit Commission

(Members of the general public present.)

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1 Tuesday, May 18, 2021 --

2 (At or about 5:10 p.m. CST, all parties
3 present in the meeting room.)

4 PRESIDENT RODRIGUEZ: Good to go? Okay.
5 Good evening, everybody. I would like to call
6 this meeting of the East Chicago Police Merit
7 Commission for Tuesday, May 18, 2021 to order.
8 May I have a roll call please, Dina.

9 MS. RODRIGUEZ: Commissioner Chavarria.

10 COMMISSIONER CHAVARRIA: Here.

11 MS. RODRIGUEZ: Commissioner Kokot.

12 COMMISSIONER KOKOT: Here.

13 MS. RODRIGUEZ: Commissioner Rodriguez.

14 PRESIDENT RODRIGUEZ: Here.

15 MS. RODRIGUEZ: Commissioner Sanchez.

16 COMMISSIONER SANCHEZ: Here.

17 MS. RODRIGUEZ: Commissioner Sloss.

18 MS. LEVINSON: Oh, you're muted.

19 COMMISSIONER SLOSS: Here. Here.

20 MS. LEVINSON: And then the record should
21 reflect that all members besides
22 Commissioner Sloss are here in person.
23 Commissioner Sloss attending via Zoom.

24 PRESIDENT RODRIGUEZ: Okay. Moving on to --
25 May I have a motion, please, to approve the

1 minutes for April 21st and April 23rd of 2021.

2 Oh, approval of the agenda, I'm sorry. Okay. Can

3 I have a motion to approve the agenda as is?

4 COMMISSIONER KOKOT: I move that we approve
5 the agenda for today.

6 PRESIDENT RODRIGUEZ: We have a motion with
7 Commissioner Kokot, can I have a second?

8 COMMISSIONER SANCHEZ: Second.

9 PRESIDENT RODRIGUEZ: We have a second from
10 Commissioner Sanchez. Roll call.

11 MS. RODRIGUEZ: Commissioner Chavarria.

12 COMMISSIONER CHAVARRIA: Yes.

13 MS. RODRIGUEZ: Commissioner Kokot.

14 COMMISSIONER KOKOT: Yes.

15 MS. RODRIGUEZ: Commissioner Rodriguez.

16 PRESIDENT RODRIGUEZ: Yes.

17 MS. RODRIGUEZ: Commissioner Sanchez.

18 COMMISSIONER SANCHEZ: Yes.

19 MS. RODRIGUEZ: Commissioner Sloss.

20 COMMISSIONER SLOSS: Yes.

21 PRESIDENT RODRIGUEZ: Now the approval for
22 the minutes for April 20, 2021 and April 23rd of
23 2021. May I have a motion, please? Anybody?

24 COMMISSIONER CHAVARRIA: I make a motion to
25 approve the minutes.

1 PRESIDENT RODRIGUEZ: I have a motion from
2 Commissioner Chavarria. May I have a second.

3 COMMISSIONER SANCHEZ: I'll second.

4 PRESIDENT RODRIGUEZ: A second from
5 Commissioner Sanchez. Roll call, please.

6 MS. RODRIGUEZ: Commissioner Chavarria.

7 COMMISSIONER CHAVARRIA: Yes.

8 MS. RODRIGUEZ: Commissioner Kokot.

9 COMMISSIONER KOKOT: Yes.

10 MS. RODRIGUEZ: Commissioner Rodriguez.

11 PRESIDENT RODRIGUEZ: Yes.

12 MS. RODRIGUEZ: Commissioner Sanchez.

13 COMMISSIONER SANCHEZ: Yes.

14 MS. RODRIGUEZ: Commissioner Sloss.

15 COMMISSIONER SLOSS: Yes.

16 PRESIDENT RODRIGUEZ: Moving on to
17 correspondence or other communications. Nothing.

18 Communications from the East Chicago Police
19 Department. Michael Tipton, disciplinary action
20 form. Anything from the police department?

21 Okay. Communications from the commissioners?
22 Communication from the commissioners, none.

23 Old business, lieutenant's exam is set for --
24 set for Friday the 21st, May 21st, 2021 at eight
25 a.m. at the East Chicago Police Department.

1 That's this -- this Friday at eight o'clock. And
2 that's still -- as far as we know, still I guess
3 on the schedule. We had a -- a e-mail from
4 Sergeant Hernandez.

5 MS. RODRIGUEZ: Well, that's one.

6 PRESIDENT RODRIGUEZ: That's one. Okay.
7 There's more than one?

8 MS. RODRIGUEZ: Right. I had a second one,
9 yes. The one from Sergeant Hernandez wanted to
10 know if he could test -- he's out of town, wanted
11 to know if he could test when he came back.

12 PRESIDENT RODRIGUEZ: I spoke to Mr. Tyler
13 and he said he'd be more than willing to
14 accommodate. Said he would need to go down there,
15 to New Lenox --

16 MS. RODRIGUEZ: He'd need to go there?

17 PRESIDENT RODRIGUEZ: He can go there or he
18 will come here, (inaudible). Mr. Tyler will come
19 here.

20 MS. RODRIGUEZ: What's the pleasure of the
21 commission?

22 COMMISSIONER KOKOT: Is there more than
23 one?

24 COMMISSIONER CHAVARRIA: Excuse me, did you
25 say two of them?

1 PRESIDENT RODRIGUEZ: Oh, is the other one --

2 MS. RODRIGUEZ: No, the other one -- the
3 other e-mail I received has something to do with
4 the testing material.

5 PRESIDENT RODRIGUEZ: But it's not --

6 MS. RODRIGUEZ: I'll move on to that one
7 in -- No, with the lieutenant exam, for their
8 study.

9 PRESIDENT RODRIGUEZ: Okay.

10 COMMISSIONER KOKOT: Is there someone to talk
11 to, (inaudible) . . . if he goes there, which is
12 (inaudible)?

13 COMMISSIONER CHAVARRIA: (Inaudible) . . .

14 COMMISSIONER KOKOT: Because I think with the
15 other company he could go down there and test, and
16 that was more just (inaudible) . . . he could pick
17 them up and it was the usual charge for them to
18 come up and test. So, I'm wondering if this guy's
19 the same way.

20 PRESIDENT RODRIGUEZ: No, I don't know
21 anything about that. Why don't we just try to
22 have -- have him go down there. It would probably
23 take -- I think Tyler said it's about a 40-minute
24 drive down there. Because I know last time he was
25 there, he went down so he didn't have to.

1 MS. RODRIGUEZ: It's -- Yeah.

2 PRESIDENT RODRIGUEZ: He goes down there.
3 So, if he's willing to go down to New Lenox --
4 New Lenox, Illinois.

5 COMMISSIONER CHAVARRIA: Do you know how far
6 it is?

7 PRESIDENT RODRIGUEZ: He said it's about a
8 40-minute drive. I will check on that, but if
9 it's, say, within (inaudible) . . .

10 COMMISSIONER CHAVARRIA: Yeah.

11 PRESIDENT RODRIGUEZ: So, I guess we could --
12 we could have him go out there to the office. But
13 then he said do we want somebody (inaudible) . . .
14 commission to sit in (inaudible) . . .

15 (Inaudible conversation.)

16 PRESIDENT RODRIGUEZ: Yeah. Right there.
17 Keep an eye on that one.

18 COMMISSIONER KOKOT: If there's a proctor
19 there then (inaudible) . . .

20 PRESIDENT RODRIGUEZ: Uh-huh.

21 MS. LEVINSON: Do you want to move to have
22 him go there unless we discover that the cost is
23 the same if we would have him come up here?

24 PRESIDENT RODRIGUEZ: Okay.

25 COMMISSIONER KOKOT: (Inaudible) . . .

1 PRESIDENT RODRIGUEZ: Okay.

2 COMMISSIONER KOKOT: He'll need to go down
3 there?

4 PRESIDENT RODRIGUEZ: Yeah.

5 COMMISSIONER KOKOT: Okay. Well, then I make
6 a motion that we have Sergeant Hernandez test in
7 New Lenox, unless we find out that the price is
8 the same either way, and then he can test here.

9 PRESIDENT RODRIGUEZ: Okay. We have a
10 motion. Do we have a second?

11 COMMISSIONER SANCHEZ: Second.

12 PRESIDENT RODRIGUEZ: Second. First by
13 Commissioner Kokot, second by
14 Commissioner Sanchez. May I have a roll call,
15 please.

16 MS. RODRIGUEZ: Commissioner Chavarria.

17 COMMISSIONER CHAVARRIA: Yes.

18 MS. RODRIGUEZ: Commissioner Kokot.

19 COMMISSIONER KOKOT: Yes.

20 MS. RODRIGUEZ: Commissioner Rodriguez.

21 PRESIDENT RODRIGUEZ: Yes.

22 MS. RODRIGUEZ: Commissioner Sanchez.

23 COMMISSIONER SANCHEZ: Yes.

24 MS. RODRIGUEZ: Commissioner Sloss.

25 COMMISSIONER SLOSS: Yes.

1 PRESIDENT RODRIGUEZ: Okay. And then the
2 other one is?

3 MS. RODRIGUEZ: The second e-mail I received
4 today was from Commander Orange. He says, "I'm
5 writing this e-mail as a clarification of whether
6 the officers taking the lieutenant's test can use
7 their Indiana criminal code book for the portion
8 of the test that calls for the book."

9 PRESIDENT RODRIGUEZ: We had them use it -- I
10 think they used it last time, they brought it with
11 them.

12 DEPUTY CHIEF RIVERA: Well, all it is is the
13 Indiana code book, that's all. They actually do
14 (inaudible) . . . book, we give them one every
15 year and (inaudible) . . .

16 PRESIDENT RODRIGUEZ: Okay. Well --

17 COMMISSIONER KOKOT: I was -- I'm trying to
18 remember if they -- if that was one of the books
19 (inaudible).

20 PRESIDENT RODRIGUEZ: I think it was.

21 COMMISSIONER KOKOT: Only because they were
22 asking if a new one was coming out.
23 (Inaudible) . . .

24 PRESIDENT RODRIGUEZ: I think they -- they
25 can bring it, you know, (inaudible) . . . I think

1 they -- they brought it with them last time.

2 MS. RODRIGUEZ: So I can tell him, yes, it's
3 okay.

4 PRESIDENT RODRIGUEZ: Yes.

5 MS. LEVINSON: I just wanted to --

6 COMMISSIONER KOKOT: So, as long -- as long
7 as the proctor allows it.

8 MS. RODRIGUEZ: Okay.

9 COMMISSIONER KOKOT: He can take it with him
10 since he's got his own version, but --

11 MS. LEVINSON: But I think if we're reaching
12 out to them we should find that out --

13 PRESIDENT RODRIGUEZ: Right.

14 MS. LEVINSON: -- and confirm it. Because
15 I'd hate for him to rely on --

16 COMMISSIONER KOKOT: Right.

17 MS. RODRIGUEZ: Right.

18 MS. LEVINSON: -- or not learn something
19 that's in the book --

20 COMMISSIONER KOKOT: Yeah, I don't --

21 MS. LEVINSON: -- thinking that he can have
22 it with him, and then learn when he gets there
23 that he --

24 PRESIDENT RODRIGUEZ: Okay. You want -- do
25 you want to get ahold of him and I will let you

1 know.

2 MS. RODRIGUEZ: Okay.

3 PRESIDENT RODRIGUEZ: (Inaudible) . . .

4 MS. RODRIGUEZ: Okay. Sound goods.

5 PRESIDENT RODRIGUEZ: We'll take care of
6 that.

7 MS. RODRIGUEZ: Okay.

8 PRESIDENT RODRIGUEZ: Moving on to new
9 business. Any new business?

10 Okay. Other business. Approval of return to
11 regular meetings. Do you want to go over that,
12 Shana, for (inaudible)?

13 MS. LEVINSON: Yeah. Sorry. There was a
14 statute that -- it was a -- Yeah. The governor
15 (inaudible) . . . last month that dealt with going
16 back to, like, the other meetings, and it was
17 adopted into Indiana law. They're -- The policy
18 of each board -- of each meeting the
19 (indiscernible) can be more restricted, but I just
20 followed exactly the governing book, the statute,
21 which calls for, as it's in that policy.

22 One of the first things you need to know is
23 that in order to do so we have to proceed with a
24 written policy, which is why I drafted this. And
25 it really just follows the statute, and it says

1 people can participate via Zoom as long as there's
2 a quorum present, which needs to be three people.
3 That the minutes have to reflect whether a person
4 is in person or via Zoom, that in order to be
5 heard on -- or accounted for a vote via Zoom you
6 have to be able to be seen and heard by the board
7 and be able to participate. The public has to be
8 able to participate, as well, as long as
9 commissioners -- as long as it's open to the
10 commissioners. That you can only miss two
11 consecutive, in a row, and then you have to
12 present in person unless it's due to illness,
13 military, whatever, death of a relative or other
14 emergency. And each member has to be in
15 attendance in person at least 50 percent of the
16 year.

17 So, this is all subject to change if it -- if
18 it becomes more or less restricted as time goes
19 on. But for now I just wanted to have a policy in
20 writing in place with the commission so that if
21 votes are taken and people participate via Zoom
22 it's legitimate. So, I would just ask that you
23 all adopt this policy unless anyone has any
24 questions.

25 PRESIDENT RODRIGUEZ: Does anybody have any

1 questions? No. Okay. Can I get a motion for the
2 approval of this -- the East Chicago Police Merit
3 Commission policy regarding participation of
4 meetings throughout (inaudible) communication
5 effective May 18, 2021. Do I have a motion for
6 approval?

7 COMMISSIONER CHAVARRIA: I make a motion to
8 approve.

9 PRESIDENT RODRIGUEZ: I have a motion from
10 Commissioner Chavarria. Do we have second?

11 COMMISSIONER SANCHEZ: I'll second.

12 PRESIDENT RODRIGUEZ: Second from
13 Commissioner Sanchez. Roll call.

14 MS. RODRIGUEZ: Commissioner Chavarria.

15 COMMISSIONER CHAVARRIA: Yes.

16 MS. RODRIGUEZ: Commissioner Kokot.

17 COMMISSIONER KOKOT: Yes.

18 MS. RODRIGUEZ: Commissioner Rodriguez.

19 PRESIDENT RODRIGUEZ: Yes.

20 MS. RODRIGUEZ: Commissioner Sanchez.

21 COMMISSIONER SANCHEZ: Yes.

22 MS. RODRIGUEZ: Commissioner Sloss.

23 COMMISSIONER SLOSS: Yes.

24 PRESIDENT RODRIGUEZ: Passes. Okay. Moving
25 on down to B, Re-certifying the list, but

1 precautionary.

2 MS. LEVINSON: Yeah, at the meeting last time
3 it was -- it was after the governor issued his
4 order, but before the -- the legislation took it
5 was enacted, at that time there was the li- -- the
6 list was certified for new applicants. And I
7 would just ask the commission, because you are
8 here in person, it is certainly legitimate today
9 to go ahead and recertify that list, just as it
10 was (inaudible) . . .

11 PRESIDENT RODRIGUEZ: Okay. So
12 (inaudible) . . .

13 MS. LEVINSON: Yeah, just a --

14 PRESIDENT RODRIGUEZ: -- in person.

15 MS. LEVINSON: -- a review, yeah.

16 PRESIDENT RODRIGUEZ: Okay. A review, yeah.
17 And do you want --

18 COMMISSIONER SLOSS: Alex Mendoza resumes
19 that --

20 PRESIDENT RODRIGUEZ: Those were the only
21 ones?

22 COMMISSIONER SLOSS: The two that were purged
23 was --

24 COMMISSIONER CHAVARRIA: (Inaudible) . . .
25 right now, (inaudible) . . . this past writing --

1 (Inaudible conversation.)

2 COMMISSIONER CHAVARRIA: . . . so he's taking
3 it, he's (inaudible) . . . Where it goes with
4 Mr. Motler (phonetic), so we're just -- this all
5 about just (inaudible) . . . But he's pretty much
6 hired, we just want to start the process to hiring
7 (inaudible) . . .

8 MS. LEVINSON: So -- so if the motion is to
9 recertify that list and purge the two individuals
10 who were purged the last -- at the last meeting,
11 that would --

12 UNIDENTIFIED SPEAKER: Those were things
13 that --

14 PRESIDENT RODRIGUEZ: You want both purged?

15 MS. LEVINSON: Yeah, it can all be done --

16 PRESIDENT RODRIGUEZ: Okay. All right. We
17 need to (inaudible) . . .

18 MS. RODRIGUEZ: The one who needs to be
19 certified is Alex Mendoza.

20 PRESIDENT RODRIGUEZ: Uh-huh.

21 MS. RODRIGUEZ: The two that were purged at
22 the last meeting were Huerta and Segura.

23 PRESIDENT RODRIGUEZ: Segura?

24 MS. RODRIGUEZ: Uh-huh.

25 PRESIDENT RODRIGUEZ: Okay. We'll go with

1 the purging first. Can I have a motion to purge
2 the applicants Huerta and Segura.

3 COMMISSIONER CHAVARRIA: I make a motion to
4 purge.

5 PRESIDENT RODRIGUEZ: I have a motion from
6 Commissioner Chavarria. Do I have a second?

7 COMMISSIONER KOKOT: I'll second.

8 PRESIDENT RODRIGUEZ: Second from
9 Commissioner Kokot. Roll call, please.

10 MS. RODRIGUEZ: Commissioner Chavarria.

11 COMMISSIONER CHAVARRIA: Yes.

12 MS. RODRIGUEZ: Commissioner Kokot.

13 COMMISSIONER KOKOT: Yes.

14 MS. RODRIGUEZ: Commissioner Rodriguez.

15 PRESIDENT RODRIGUEZ: Yes.

16 MS. RODRIGUEZ: Commissioner Sanchez.

17 COMMISSIONER SANCHEZ: Yes.

18 MS. RODRIGUEZ: Commissioner Sloss.

19 PRESIDENT RODRIGUEZ: Passing.

20 COMMISSIONER SLOSS: Yes.

21 PRESIDENT RODRIGUEZ: Oh, I'm sorry,
22 (inaudible) . . . Yeah, I'm sorry about that.
23 Okay. Now we need -- we need a motion to certify
24 the list, Alex Mendoza to move forward.

25 COMMISSIONER KOKOT: I make a motion to

1 certify the list with Alex Mendoza to move
2 forward.

3 PRESIDENT RODRIGUEZ: Okay. We have a motion
4 by Commissioner Kokot. Do we have a second?

5 COMMISSIONER SANCHEZ: Second.

6 PRESIDENT RODRIGUEZ: Second by
7 Commissioner Sanchez. Roll call, please.

8 MS. RODRIGUEZ: Commissioner Chavarria.

9 COMMISSIONER CHAVARRIA: Yes.

10 MS. RODRIGUEZ: Commissioner Kokot.

11 COMMISSIONER KOKOT: Yes.

12 MS. RODRIGUEZ: Commissioner Rodriguez.

13 PRESIDENT RODRIGUEZ: Yes.

14 MS. RODRIGUEZ: Commissioner Sanchez.

15 COMMISSIONER SANCHEZ: Yes.

16 MS. RODRIGUEZ: Commissioner Sloss.

17 COMMISSIONER SLOSS: Yes.

18 PRESIDENT RODRIGUEZ: Motion passes. Okay.

19 Moving on to public comment.

20 MS. LEVINSON: I -- I would ask that anybody
21 who has a public -- any public member who wants to
22 speak, if you could -- if you know how to wave on
23 Zoom that might be the easiest way to do -- make
24 sure that it's one person at a time speaking. Or,
25 yeah, hand raised.

1 UNIDENTIFIED SPEAKER: Well, I was joining
2 earlier, just not . . .

3 MS. LEVINSON: Is anybody -- is anybody
4 looking to speak? Reverend Rivera, is --
5 Reverend Rivera, it looks like your box is
6 lighting up, are you trying to speak? Make sure
7 you're not on mute. Okay. You don't appear to be
8 muted. I don't see anybody from the public who is
9 looking to comment. Please speak now if you are.

10 MS. McCRADY: I would like to speak. Can you
11 hear me?

12 MS. LEVINSON: Yes, we -- we can hear you.

13 MS. McCRADY: Yeah, I can't wave, I don't
14 have it on my screen. Yeah, I would like to speak
15 tonight on the issue that we talked about last
16 time, about the arrest of Mr. Rivera. The -- the
17 multiple arrests of Mr. Rivera within a remarkable
18 period of time. And I would like to focus --

19 MS. LEVINSON: Ma'am, before you speak --

20 MS. McCRADY: Yes.

21 MS. LEVINSON: I'm so sorry, before you speak
22 could you please identify yourself.

23 MS. McCRADY: Oh, yes, I'm sorry. I'm
24 Carolyn McCrady, I live in Gary, Indiana. I'm a
25 retired teacher and an activist.

1 MS. LEVINSON: Thank you. Go ahead.

2 MS. McCRADY: Thank you. Okay. I'd like to
3 focus my comments tonight on the issue of probable
4 cause. Because for the life of me I cannot
5 understand why this young man was stopped and
6 arrested and put in jail and had to be bailed out
7 a number of times on charges that I don't believe
8 were -- made any sense. My understanding of
9 probable cause is witted in the fourth amendment.
10 And what that means is that people have a right to
11 their person and their privacy, and that cannot be
12 obstructed, even by a police officer. But if a
13 police officer intrudes upon that privacy they
14 have to have probable cause. And probable cause,
15 as I understand it, is linked to the officer
16 having evidence of a crime having been committed
17 by this person, or evidence of a crime being in --
18 committed in process by this person.

19 And as far as I know, from the facts of what
20 I have heard, there was no crime. He was walking
21 down the street, he was in his car, he was in -- a
22 passenger in a car where the woman, you know, ran
23 a stop sign. He, I don't believe, has -- was in
24 the process of committing a crime or had -- or
25 had -- you know, had already committed a crime.

1 So, it seems to me that in your investigation --
2 And I don't know where you are in the process of
3 talking to these officers that made all these
4 arrests of this young man, but what was their
5 thinking? What were they thinking? What was the
6 probable cause in regard to a crime either having
7 been committed, and they have evidence, or
8 evidence of a crime in process?

9 For instance, they had seen him, you know,
10 running out of a store with a gun. Okay, that's a
11 crime in process. None of that happened. Walking
12 down the street, driving his car and, you know,
13 being in the vehicle of -- of someone else's car,
14 none of these rise to, in my layman's
15 understanding, the issue of -- of probable cause.
16 So, then, what was -- what were these officers
17 doing?

18 And, you know, it's been a couple weeks since
19 we talked with you about this the first time, and
20 I'm hoping that you're taking this seriously,
21 because, you know, it is a violation of his fourth
22 amendment rights to -- to just be stopped and be
23 told, you know, you're not going to work, you
24 know. You are -- You know, "Where -- where are
25 you going?"

1 "I'm going to work."

2 "No, you're not." And then they arrested
3 him. So, you know, none of this, you know, sounds
4 constitutional, it doesn't sound proper, it
5 doesn't sound right, and I'm really hoping that
6 this commission, you all seem like very --

7 PRESIDENT RODRIGUEZ: Ma'am --

8 MS. McCRADY: -- good people to me, I'm
9 hoping you're taking this seriously because this
10 is what's going on all around the country.

11 PRESIDENT RODRIGUEZ: Thank you.

12 MS. McCRADY: And if you want it to happen in
13 East Chicago then, you know, I would say that
14 would be a terrible mistake on behalf, you know,
15 of -- of yourselves and the people of the city,
16 and justice.

17 PRESIDENT RODRIGUEZ: Okay. Ma'am --

18 MS. McCRADY: So, I really want you to look
19 at --

20 PRESIDENT RODRIGUEZ: Ma'am.

21 MS. McCRADY: -- look at it from that point
22 of view. Thank you.

23 PRESIDENT RODRIGUEZ: Excuse me. Ma'am,
24 (inaudible) . . .

25 MS. McCRADY: Okay.

1 PRESIDENT RODRIGUEZ: I should have
2 (inaudible) in place before we started, that we
3 are --

4 MS. McCRADY: I can't hear you very well,
5 sir.

6 PRESIDENT RODRIGUEZ: Okay. We have a -- We
7 have a time limit, which I should have mentioned
8 earlier, at the beginning, of three minutes, and
9 you had your three minutes. So everybody else who
10 is going to speak, I would appreciate if you
11 would -- if you would stick to three minutes for
12 your public comments. All right. Thank you,
13 ma'am.

14 MS. McCRADY: All right. I apologize.

15 PRESIDENT RODRIGUEZ: Okay. Is there anybody
16 else to speak?

17 MR. MOSLEY: Yes, I -- I have my hand raised.

18 MS. LEVINSON: Gotcha. Thank you. Can you
19 just identify yourself for the minutes.

20 MR. MOSLEY: My name is -- My name is
21 Minister Emmett Karl Mosley. Lifelong
22 East Chicago resident, member of Antioch Baptist
23 Church, now I am a -- a member of Trinity United
24 Church of Christ in Gary.

25 So, I want to express this. Just had a

1 meeting with the county prosecutor on the issue of
2 Mr. Bouler being shot 10 times by a Gary
3 policeman, and ov- -- after over a year no
4 results. So, we hope that there is a resolution
5 to this issue. But one of the things that we need
6 to know is the same thing we asked Prosecutor
7 Carter, what is the process?

8 I have worked closely with members of the
9 Gary Police Commission, but we've been working on
10 issues with the police directly since 1984, so I'm
11 no stranger to any issues that have confronted
12 East Chicago and now Gary and -- and the -- and
13 the whole county, state. Actually, we -- we've
14 worked on these issues. We are working constantly
15 on this issue about police abuse, police stepping
16 over the -- the boundary of what is to protect and
17 serve.

18 So, I would like to know what is the process
19 and what -- what power, what authority do this
20 commission, board have in terms of making
21 decisions. In Gary they approve hiring and
22 firing. So, what is the process? Because we need
23 to take this to the level where we are meeting
24 with the mayor and the police chief to -- to bring
25 a resolution to a person being stopped just

1 because they are a African-American young man.
2 But in -- three times in one month, that is
3 unheard of. So, what is the process and -- and
4 how can we have some feedback from this
5 commission?

6 PRESIDENT RODRIGUEZ: Thank you, sir.

7 MS. LEVINSON: Thank you, sir. I'm Shana
8 Levinson, the attorney for the commission. If you
9 don't mind I'm going to speak to that on behalf of
10 the commission.

11 MR. MOSLEY: Okay.

12 MS. LEVINSON: Sir, I -- I assure you that
13 the commission welcomes people to come and -- and
14 express their experiences, and thank you for doing
15 that, both of you.

16 As far as the process, to answer your
17 question, our rules, yes, just like the Gary
18 Police Commission, we do the same thing, hiring,
19 firing and disci- -- hiring, discipline,
20 promotion. Those matters have to be brought to us
21 by the chief. So, citizen complaints get referred
22 over to the chief. When -- when -- when an
23 individual has a complaint which they have
24 personal knowledge of they go to the chief or the
25 chief's office and -- files a formal written

1 complaint.

2 MR. MOSLEY: Okay.

3 MS. LEVINSON: And then the investigation
4 starts. Because we're not the body that
5 investigates. This commission can't -- it can't
6 investigate the claims. We're kind of more the
7 judges; right? So, those matters have to be
8 brought to us after the -- after. So to speak,
9 in -- in the criminal system it would be when the
10 prosecutor takes charge. So, I would recommend
11 that -- that any individuals who feel that they
12 have experienced that, something unjust, go file a
13 formal written complaint, and the -- that matter
14 will be investigated and then brought -- brought
15 to the board commission. The commission itself
16 has no ability to make that investigation.

17 MR. MOSLEY: Thank you.

18 MS. LEVINSON: Sure.

19 PRESIDENT RODRIGUEZ: Thank you, Shana. Is
20 there anybody else who would care to speak?

21 MS. LEVINSON: I -- I see from
22 Reverend Rivera that you can't hear us. I'm going
23 to -- excuse me. I'm assuming that this is -- Oh,
24 no, I'm not sure. We can't hear you either and
25 you're not on mute. Maybe turn your volume up.

1 Oh, ma'am, I'd have to write back to you. Sorry.

2 Technical difficulties. If anybody else, it
3 looks like the individual who said they can't --
4 Oh, Reverend Rivera, are you able to hear us now?
5 I'm afraid we -- we aren't hearing from anyone
6 else. That seems to conclude the public comment.

7 PRESIDENT RODRIGUEZ: Okay. It seems we have
8 a bit of trouble. Nobody else is going to speak?
9 There's no other (inaudible) . . . we have in
10 person and Zoom.

11 UNIDENTIFIED SPEAKER: Did you say June 3rd
12 for --

13 PRESIDENT RODRIGUEZ: June 1st. June 1st.
14 We have no other business before this commission,
15 the meeting is adjourned. Thank you all.

16 (Meeting concluded at or about 5:38 p.m.
17 CST.)

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1 STATE OF INDIANA)
)SS:
2 COUNTY OF LAPORTE)

3 COURT REPORTER'S CERTIFICATE

4 I, Janelle Robinson, do hereby certify that on the
5 4th day of May, 2021, at the East Chicago Police Department,
6 2301 East Columbus Drive, 1st Floor, East Chicago, Indiana,
7 and via video conference, commencing at or about the hour of
8 5:10 p.m. CST, I reported said transcript of proceedings by
9 the means of machine shorthand, and that I have transcribed
10 my original shorthand notes through the use of
11 computer-aided transcription into the typewritten form; and
12 that the foregoing and attached pages, or parts of pages,
13 numbered inclusively one through 27 comprise a true,
14 correct, complete and accurate transcript of said transcript
15 of proceedings;

16 I further certify that I am not employed by, nor
17 am I related to, any of the parties herein, nor their
18 attorneys; nor do I hold any guaranteed contracts with any
19 financially interested third parties or entities;

20 IN WITNESS WHEREOF, I have hereunto set my hand
21 and official seal this 1st day of June, 2021.

22
23 Janelle Robinson
JANELLE ROBINSON
ASSOCIATE REPORTER

24
25 ---o0o---

	27/13 28/6 28/21	after [4] 15/3 24/3 26/8 26/8 agenda [3] 4/2 4/3 4/5 ahead [2] 15/9 20/1 ahold [1] 11/25 aided [1] 28/11 Alex [4] 15/18 16/19 17/24 18/1 all [15] 3/2 3/21 10/12 10/13 13/17 13/23 16/4 16/15 16/16 21/3 22/6 22/10 23/12 23/14 27/15 allows [1] 11/7 already [1] 20/25 ALSO [1] 2/9 am [3] 23/23 28/16 28/17 amendment [2] 20/9 21/22 American [1] 25/1 answer [1] 25/16 Antioch [1] 23/22 any [10] 12/9 13/23 13/25 18/21 20/8 24/11 26/11 28/17 28/18 28/18 anybody [9] 4/23 13/25 18/20 19/3 19/3 19/8 23/15 26/20 27/2 anyone [2] 13/23 27/5 anything [2] 5/20 7/21 apologize [1] 23/14 appear [1] 19/7 APPEARANCES [1] 2/13 Appearing [1] 2/17 applicants [2] 15/6 17/2 appreciate [1] 23/10 approval [5] 4/2 4/21 12/10 14/2 14/6 approve [6] 3/25 4/3 4/4 4/25 14/8 24/21 April [4] 4/1 4/1 4/22 4/22 April 20 [1] 4/22 are [13] 3/22 13/21 15/7 19/6 19/9 21/2 21/24 21/24 23/3 24/14 24/23 25/1 27/4 aren't [1] 27/5 around [1] 22/10 arrest [1] 19/16 arrested [2] 20/6 22/2 arrests [2] 19/17 21/4 as [24] 1/13 1/17 4/3 6/2 6/2 10/5 11/6 11/6 11/7 12/21 13/1 13/1 13/8 13/8 13/8	13/9 13/9 13/18 15/9 20/15 20/19 20/19 25/16 25/16 ask [3] 13/22 15/7 18/20 asked [1] 24/6 asking [1] 10/22 ASSISTED [1] 1/23 Associate [2] 1/18 28/23 ASSOCIATES [1] 1/23 assuming [1] 26/23 assure [1] 25/12 attached [1] 28/12 attendance [1] 13/15 attending [1] 3/23 attorney [1] 25/8 attorneys [1] 28/18 authority [1] 24/19	24/24 brought [6] 10/10 11/1 25/20 26/8 26/14 26/14 business [5] 5/23 12/9 12/9 12/10 27/14																					
COMMISSIONER CHAVARRIA: [16] 3/9 4/11 4/23 5/6 6/23 7/12 8/4 8/9 9/16 14/6 14/14 15/23 16/1 17/2 17/10 18/8	2 20 [1] 4/22 2021 [10] 1/16 3/1 3/7 4/1 4/22 4/23 5/24 14/5 28/5 28/21 219 [2] 1/25 2/16 21st [3] 4/1 5/24 5/24 2301 [2] 1/14 28/6 23rd [2] 4/1 4/22 27 [1] 28/13	ask [3] 13/22 15/7 18/20 asked [1] 24/6 asking [1] 10/22 ASSISTED [1] 1/23 Associate [2] 1/18 28/23 ASSOCIATES [1] 1/23 assuming [1] 26/23 assure [1] 25/12 attached [1] 28/12 attendance [1] 13/15 attending [1] 3/23 attorney [1] 25/8 attorneys [1] 28/18 authority [1] 24/19	C call [8] 3/5 3/8 4/10 5/5 9/14 14/13 17/9 18/7 calls [2] 10/8 12/21 came [1] 6/11 can [19] 4/2 4/7 6/17 9/8 10/6 10/25 11/2 11/9 11/21 12/19 13/1 13/10 14/1 16/15 17/1 19/10 19/12 23/18 25/4 can't [7] 19/13 23/4 26/5 26/5 26/22 26/24 27/3 cannot [2] 20/4 20/11 car [4] 20/21 20/22 21/12 21/13 care [2] 12/5 26/20 Carolyn [1] 19/24 Carter [1] 24/7 cause [6] 20/4 20/9 20/14 20/14 21/6 21/15 certainly [1] 15/8 CERTIFICATE [1] 28/3 certified [2] 15/6 16/19 certify [4] 17/23 18/1 28/4 28/16 certifying [1] 14/25 change [1] 13/17 charge [2] 7/17 26/10 charges [1] 20/7 CHAVARRIA [11] 2/3 3/9 4/11 5/2 5/6 9/16 14/10 14/14 17/6 17/10 18/8 check [1] 8/8 CHICAGO [13] 1/1 1/14 1/15 2/17 3/6 5/18 5/25 14/2 22/13 23/22 24/12 28/5 28/6 chief [5] 2/10 24/24 25/21 25/22 25/24 chief's [1] 25/25 Christ [1] 23/24 Church [2] 23/23 23/24 citizen [1] 25/21 city [3] 1/1 1/24 22/15 CIVIL [1] 1/1 claims [1] 26/6 clarification [1] 10/5																						
COMMISSIONER KOKOT: [23] 3/11 4/3 4/13 5/8 6/21 7/9 7/13 8/17 8/24 9/1 9/4 9/18 10/16 10/20 11/5 11/8 11/15 11/19 14/16 17/6 17/12 17/24 18/10	3 384 [1] 2/15 3rd [1] 27/11	back [3] 6/11 12/16 27/1 bailed [1] 20/6 Baptist [1] 23/22 be [22] 6/13 12/19 13/2 13/4 13/6 13/6 13/7 13/7 13/14 16/15 16/18 18/23 19/7 20/6 20/11 21/22 21/22 22/14 25/20 26/7 26/9 26/14 because [11] 7/14 7/24 10/21 11/14 15/7 20/4 21/21 22/9 24/22 25/1 26/4 becomes [1] 13/18 been [4] 20/16 21/7 21/18 24/9 before [5] 15/4 19/19 19/21 23/2 27/14 beginning [1] 23/8 behalf [3] 2/17 22/14 25/9 being [4] 20/17 21/13 24/2 24/25 believe [2] 20/7 20/23 besides [1] 3/21 bit [1] 27/8 board [4] 12/18 13/6 24/20 26/15 body [1] 26/4 book [6] 10/7 10/8 10/13 10/14 11/19 12/20 books [1] 10/18 both [2] 16/14 25/15 Bouler [1] 24/2 boundary [1] 24/16 box [1] 19/5 bring [2] 10/25	COMMISSIONER SANCHEZ: [12] 3/15 4/7 4/17 5/2 5/12 9/10 9/22 14/10 14/20 17/16 18/4 18/14	4 40-minute [2] 7/23 8/8 4077 [1] 1/25 46360 [1] 1/24 46410 [1] 2/15 4th [1] 28/5	B back [3] 6/11 12/16 27/1 bailed [1] 20/6 Baptist [1] 23/22 be [22] 6/13 12/19 13/2 13/4 13/6 13/6 13/7 13/7 13/14 16/15 16/18 18/23 19/7 20/6 20/11 21/22 21/22 22/14 25/20 26/7 26/9 26/14 because [11] 7/14 7/24 10/21 11/14 15/7 20/4 21/21 22/9 24/22 25/1 26/4 becomes [1] 13/18 been [4] 20/16 21/7 21/18 24/9 before [5] 15/4 19/19 19/21 23/2 27/14 beginning [1] 23/8 behalf [3] 2/17 22/14 25/9 being [4] 20/17 21/13 24/2 24/25 believe [2] 20/7 20/23 besides [1] 3/21 bit [1] 27/8 board [4] 12/18 13/6 24/20 26/15 body [1] 26/4 book [6] 10/7 10/8 10/13 10/14 11/19 12/20 books [1] 10/18 both [2] 16/14 25/15 Bouler [1] 24/2 boundary [1] 24/16 box [1] 19/5 bring [2] 10/25	COMMISSIONER SLOSS: [9] 3/18 4/19 5/14 9/24 14/22 15/17 15/21 17/19 18/16	5 50 [1] 13/15 5:10 [3] 1/16 3/2 28/8 5:38 [1] 27/16	back [3] 6/11 12/16 27/1 bailed [1] 20/6 Baptist [1] 23/22 be [22] 6/13 12/19 13/2 13/4 13/6 13/6 13/7 13/7 13/14 16/15 16/18 18/23 19/7 20/6 20/11 21/22 21/22 22/14 25/20 26/7 26/9 26/14 because [11] 7/14 7/24 10/21 11/14 15/7 20/4 21/21 22/9 24/22 25/1 26/4 becomes [1] 13/18 been [4] 20/16 21/7 21/18 24/9 before [5] 15/4 19/19 19/21 23/2 27/14 beginning [1] 23/8 behalf [3] 2/17 22/14 25/9 being [4] 20/17 21/13 24/2 24/25 believe [2] 20/7 20/23 besides [1] 3/21 bit [1] 27/8 board [4] 12/18 13/6 24/20 26/15 body [1] 26/4 book [6] 10/7 10/8 10/13 10/14 11/19 12/20 books [1] 10/18 both [2] 16/14 25/15 Bouler [1] 24/2 boundary [1] 24/16 box [1] 19/5 bring [2] 10/25	COMMISSIONER RIVERA: [1] 10/11	7 769-1164 [1] 2/16	COMMISSIONER RIVERO: [1] 10/11	8 80th [1] 2/15 879-4077 [1] 1/25	COMMISSIONER MR. MOSLEY: [5] 23/16 23/19 25/10 26/1 26/16	A a.m [1] 5/25 ability [1] 26/16 able [4] 13/6 13/7 13/8 27/4 about [13] 1/16 3/2 7/21 7/23 8/7 16/5 17/22 19/15 19/16 21/19 24/15 27/16 28/7 abuse [1] 24/15 accommodate [1] 6/14 accounted [1] 13/5 accurate [1] 28/14 action [1] 5/19 activist [1] 19/25 actually [2] 10/13 24/13 adjourned [1] 27/15 adopt [1] 13/23 adopted [1] 12/17 afraid [1] 27/5 African [1] 25/1 African-American [1] 25/1	COMMISSIONER MS. LEVINSON: [26] 3/17 3/19 8/20 11/4 11/10 11/13 11/17 11/20 12/12 15/1 15/12 15/14 16/7 16/14 18/19 19/2 19/11 19/18 19/20 19/25 23/17 25/6 25/11 26/2 26/17 26/20	9 90th [1] 2/15 909-4077 [1] 1/25	DEPUTY CHIEF RIVERA: [1] 10/11	1 10 [1] 24/2 1164 [1] 2/16 1416 [1] 1/24 18 [4] 1/16 3/1 3/7 14/5 1984 [1] 24/10 1st [5] 1/15 27/13	MR. MOSLEY: [5] 23/16 23/19 25/10 26/1 26/16	MS. LEVINSON: [26] 3/17 3/19 8/20 11/4 11/10 11/13 11/17 11/20 12/12 15/1 15/12 15/14 16/7 16/14 18/19 19/2 19/11 19/18 19/20 19/25 23/17 25/6 25/11 26/2 26/17 26/20	MS. McCRADY: [12] 19/9 19/12 19/19 19/22 20/1 22/7 22/11 22/17 22/20 22/24 23/3 23/13	MS. RODRIGUEZ: [52]	PRESIDENT RODRIGUEZ: [75]	UNIDENTIFIED SPEAKER: [3] 16/11 18/25 27/10	--- oOo [3] 2/23 27/21 28/25

C	correct [1] 28/14	10/3 10/5	formal [2] 25/25	20/21 20/23
closely [1] 24/8	correspondence [1] 5/17	each [3] 12/18 12/18 13/14	26/13	he'd [2] 6/13 6/16
code [2] 10/7 10/13	cost [1] 8/22	earlier [2] 19/2 23/8	forward [2] 17/24	He'll [1] 9/2
Columbus [2] 1/14 28/6	could [8] 6/10 6/11 7/15 7/16 8/11 8/12 18/22 19/22	easiest [1] 18/23	18/2	he's [6] 6/10 8/3 11/10 16/2 16/3 16/5
come [5] 6/18 6/18 7/18 8/23 25/13	country [1] 22/10	EAST [15] 1/1 1/14 1/14 1/15 2/17 3/6 5/18 5/25 14/2 22/13 23/22 24/12 28/5 28/6 28/6	fourth [2] 20/9 21/21	hear [6] 19/11 19/12 23/4 26/22 26/24 27/4
coming [1] 10/22	county [3] 24/1 24/13 28/2	East Chicago [4] 3/6 14/2 22/13 24/12	FRANKLIN [1] 1/24	heard [3] 13/5 13/6 20/20
Commander [1] 10/4	couple [1] 21/18	effective [1] 14/5	Friday [2] 5/24 6/1	hearing [1] 27/5
commencing [2] 1/16 28/7	COURT [1] 28/3	eight [2] 5/24 6/1	further [1] 28/16	held [1] 1/13
comment [3] 18/19 19/9 27/6	crime [8] 20/16 20/17 20/20 20/24 20/25 21/6 21/8 21/11 26/9	either [3] 9/8 21/6 26/24	G	HENRY [1] 2/2
comments [2] 20/3 23/12	criminal [2] 10/7 26/9	else [6] 23/9 23/16 26/20 27/2 27/6 27/8	Gary [7] 19/24 23/24 24/2 24/9 24/12 24/21 25/17	here [12] 3/10 3/12 3/14 3/16 3/19 3/19 3/22 6/18 6/19 8/23 9/8 15/8
commission [22] 1/1 2/1 2/6 2/17 3/7 6/21 8/14 13/20 14/3 15/7 22/6 24/9 24/20 25/5 25/8 25/10 25/13 25/18 26/5 26/15 26/15 27/14	CST [3] 3/2 27/17 28/8	else's [1] 21/13	general [1] 2/20	hereby [1] 28/4
Commissioner [51]	CST,and [1] 1/17	emergency [1] 13/14	get [3] 11/25 14/1 25/21	herein [1] 28/17
Commissioner Kokot [1] 4/7	D	Emmett [1] 23/21	gets [1] 11/22	hereunto [1] 28/20
commissioners [4] 5/21 5/22 13/9 13/10	day [2] 28/5 28/21	employed [1] 28/16	give [1] 10/14	Hernandez [3] 6/4 6/9 9/6
committed [4] 20/16 20/18 20/25 21/7	dealt [1] 12/15	enacted [1] 15/5	go [16] 3/4 6/14 6/16 6/17 7/15 7/22 8/3 8/12 8/22 9/2 12/11 15/9 16/25 20/1 25/24 26/12	him [11] 7/22 8/12 8/22 8/23 11/2 11/9 11/15 11/22 11/25 21/9 22/3
committing [1] 20/24	death [1] 13/13	ENEDINA [1] 2/11	goes [4] 7/11 8/2 13/18 16/3	hired [1] 16/6
communication [2] 5/22 14/4	decisions [1] 24/21	entities [1] 28/19	going [9] 12/15 21/23 21/25 22/1 22/10 23/10 25/9 26/22 27/8	hiring [4] 16/6 24/21 25/18 25/19
communications [3] 5/17 5/18 5/21	department [6] 1/2 1/14 5/19 5/20 5/25 28/5	even [1] 20/12	good [3] 3/4 3/5 22/8	his [5] 11/10 15/3 20/21 21/12 21/21
company [1] 7/15	DEPUTY [1] 2/10	evening [1] 3/5	goods [1] 12/4	hold [1] 28/18
complaint [3] 25/23 26/1 26/13	did [2] 6/24 27/11	every [1] 10/14	got [1] 11/10	hope [1] 24/4
complaints [1] 25/21	didn't [1] 7/25	everybody [2] 3/5 23/9	Gotcha [1] 23/18	hoping [3] 21/20 22/5 22/9
complete [1] 28/14	difficulties [1] 27/2	evidence [4] 20/16 20/17 21/7 21/8	governing [1] 12/20	hour [1] 28/7
comprise [1] 28/13	Dina [1] 3/8	exactly [1] 12/20	governor [2] 12/14 15/3	how [3] 8/5 18/22 25/4
computer [2] 1/23 28/11	directly [1] 24/10	exam [2] 5/23 7/7	guaranteed [1] 28/18	Huerta [2] 16/22 17/2
computer-aided [1] 28/11	disci [1] 25/19	excuse [3] 6/24 22/23 26/23	guess [2] 6/2 8/11	huh [3] 8/20 16/20 16/24
COMPUTER-ASSISTE	disciplinary [1] 5/19	experienced [1] 26/12	gun [1] 21/10	
D [1] 1/23	discipline [1] 25/19	experiences [1] 25/14	guy's [1] 7/18	I
conclude [1] 27/6	discover [1] 8/22	express [2] 23/25 25/14	H	I'd [3] 11/15 20/2 27/1
concluded [1] 27/16	do [19] 7/3 8/5 8/13 8/21 9/10 10/13 11/24 12/11 12/23 14/5 14/10 15/17 17/6 18/4 18/23 24/19 25/18 28/4 28/18	eye [1] 8/17	had [10] 6/3 6/8 10/9 20/6 20/24 20/25 20/25 21/9 23/9 23/25 23/25	I'll [4] 5/3 7/6 14/11 17/7
conference [3] 1/15 2/6 28/7	Does [1] 13/25	F	hand [3] 18/25 23/17 28/20	I'm [21] 4/2 7/18 10/4 10/17 17/21 17/22 19/21 19/23 19/23 19/24 21/20 22/1 22/5 22/8 24/10 25/7 25/9 26/22 26/23 26/24 27/5
confirm [1] 11/14	doesn't [2] 22/4 22/5 25/14	facts [1] 20/19	happen [1] 22/12	identify [2] 19/22 23/19
confronted [1] 24/11	doing [2] 21/17 25/14	far [4] 6/2 8/5 20/19 25/16	happened [1] 21/11	Illinois [1] 8/4
consecutive [1] 13/11	don't [10] 7/20 7/21 11/20 19/7 19/8 19/13 20/7 20/23 21/2 25/9	feedback [1] 25/4	has [8] 7/3 13/7 13/14 13/23 18/21 20/23 25/23 26/16	illness [1] 13/12
constantly [1] 24/14	done [1] 16/15	feel [1] 26/11	hate [1] 11/15	inaudible [33]
constitutional [1] 22/4	down [11] 6/14 7/15 7/22 7/24 7/25 8/2 8/3 9/2 14/25 20/21 21/12	file [1] 26/12	have [59]	inclusively [1] 28/13
contracts [1] 28/18	drafted [1] 12/24	files [1] 25/25	having [3] 20/16 20/16 21/6	Indiana [9] 1/15 1/24 2/15 10/7 10/13 12/17 19/24 28/1 28/6
conversation [2] 8/15 16/1	drive [4] 1/14 7/24 8/8 28/6	financially [1] 28/19	he [26] 6/10 6/11 6/11 6/13 6/14 6/17 6/17 7/11 7/15 7/16 7/24 7/25 7/25 8/2 8/7 8/13 9/8 10/4 11/9 11/21 11/22 11/23 20/20 20/21	indiscernible [1] 12/19
	driving [1] 21/12	find [2] 9/7 11/12		
	due [1] 13/12	firing [2] 24/22 25/19		
	E	first [4] 9/12 12/22 17/1 21/19		
	e-mail [4] 6/3 7/3	Floor [2] 1/15 28/6		
		focus [2] 19/18 20/3		
		followed [1] 12/20		
		follows [1] 12/25		
		foregoing [1] 28/12		
		form [2] 5/20 28/11		

I	18/4 18/10	May [11] 1/16 3/1 3/7 3/8 3/25 4/23 5/2 5/24 9/14 14/5 28/5	muted [2] 3/18 19/8	13/4 15/4
individual [2] 25/23 27/3	L	Maybe [1] 26/25	my [9] 19/14 20/3 20/8 21/14 23/17 23/20 23/20 28/10 28/20	original [1] 28/10
individuals [2] 16/9 26/11	LAPORTE [1] 28/2	mayor [1] 24/24		other [11] 5/17 7/1 7/2 7/3 7/15 10/2 12/10 12/16 13/13 27/9 27/14
instance [1] 21/9	last [9] 7/24 10/10 11/1 12/15 15/2 16/10 16/10 16/22 19/15	McCrary [1] 19/24	N	our [1] 25/17
interested [1] 28/19	law [1] 12/17	me [7] 6/24 19/11 20/4 21/1 22/8 22/23 26/23	name [2] 23/20 23/20	out [8] 6/10 8/12 9/7 10/22 11/12 11/12 20/6 21/10
intrudes [1] 20/13	layman's [1] 21/14	means [2] 20/10 28/9	need [9] 6/14 6/16 9/2 12/22 16/17 17/23 17/23 24/5 24/22	ov [1] 24/3
investigate [1] 26/6	learn [2] 11/18 11/22	meeting [11] 1/7 3/3 3/6 12/18 15/2 16/10 16/22 24/1 24/23 27/15 27/16	needs [2] 13/2 16/18	over [4] 12/11 24/3 24/16 25/22
investigated [1] 26/14	least [1] 13/15	mentioned [1] 23/7	new [8] 6/15 8/3 8/4 9/7 10/22 12/8 12/9 15/6	own [1] 11/10
investigates [1] 26/5	legislation [1] 15/4	Merit [3] 2/17 3/6 14/2	no [12] 7/2 7/7 7/20 14/1 20/20 22/2 24/3 24/11 26/16 26/24 27/9 27/14	P
investigation [3] 21/1 26/3 26/16	legitimate [2] 13/22 15/8	Merrillville [1] 2/15	none [4] 5/22 21/11 21/14 22/3	p.m [4] 1/16 3/2 27/16 28/8
is [45]	Lenox [4] 6/15 8/3 8/4 9/7	Michael [1] 5/19	not [10] 7/5 11/18 19/2 19/7 21/23 22/2 26/4 26/24 26/25 28/16	pages [2] 28/12 28/12
issue [6] 19/15 20/3 21/15 24/1 24/5 24/15	less [1] 13/18	MICHIGAN [1] 1/24	Notary [1] 1/17	participate [4] 13/1 13/7 13/8 13/21
issued [1] 15/3	let [1] 11/25	might [1] 18/23	notes [1] 28/10	participation [1] 14/3
issues [3] 24/10 24/11 24/14	level [1] 24/23	military [1] 13/13	Nothing [1] 5/17	parties [3] 3/2 28/17 28/19
it [41]	LEVINSON [4] 2/14 2/14 2/14 25/8	mind [1] 25/9	now [8] 4/21 13/19 15/25 17/23 19/9 23/23 24/12 27/4	parts [1] 28/12
it's [12] 7/5 7/23 8/1 8/7 8/9 11/2 12/21 13/9 13/12 13/22 18/24 21/18	li [1] 15/5	Minister [1] 23/21	number [1] 20/7	passenger [1] 20/22
itself [1] 26/15	lieutenant [1] 7/7	minutes [8] 4/1 4/22 4/25 13/3 23/8 23/9 23/11 23/19	numbered [1] 28/13	passes [2] 14/24 18/18
J	lieutenant's [2] 5/23 10/6	miss [1] 13/10		Passing [1] 17/19
jail [1] 20/6	life [1] 20/4	mistake [1] 22/14	O	past [1] 15/25
JANELLE [3] 1/17 28/4 28/23	Lifelong [1] 23/21	month [2] 12/15 25/2	o'clock [1] 6/1	people [7] 13/1 13/2 13/21 20/10 22/8 22/15 25/13
joining [1] 19/1	lighting [1] 19/6	more [7] 6/7 6/13 6/22 7/16 12/19 13/18 26/6	oOo [3] 2/23 27/21 28/25	percent [1] 13/15
JONES [1] 1/23	like [11] 3/5 12/16 19/5 19/10 19/14 19/18 20/2 22/6 24/18 25/17 27/3	Mosley [1] 23/21	obstructed [1] 20/12	period [1] 19/18
JOSE [1] 2/10	limit [1] 23/7	motion [20] 3/25 4/3 4/6 4/23 4/24 5/1 9/6 9/10 14/1 14/5 14/7 14/9 16/8 17/1 17/3 17/5 17/23 17/25 18/3 18/18	office [3] 1/1 8/12 25/25	person [13] 3/22 13/3 13/4 13/12 13/15 15/8 15/14 18/24 20/11 20/17 20/18 24/25 27/10
judges [1] 26/7	linked [1] 20/15	Mr [3] 6/12 6/18 16/4	officer [3] 20/12 20/13 20/15	personal [1] 25/24
June [4] 27/11 27/13 27/13 28/21	list [6] 14/25 15/6 15/9 16/9 17/24 18/1	Mr. [3] 19/16 19/17 24/2	officers [3] 10/6 21/3 21/16	phonetic [1] 16/4
just [19] 7/16 7/21 11/5 12/19 12/25 13/19 13/22 15/7 15/9 15/13 16/4 16/5 16/6 19/2 21/22 23/19 23/25 24/25 25/17	live [1] 19/24	Motler [1] 16/4	official [1] 28/21	pick [1] 7/16
justice [1] 22/16	long [5] 11/6 11/6 13/1 13/8 13/9	move [5] 4/4 7/6 8/21 17/24 18/1	Oh [8] 3/18 4/2 7/1 17/21 19/23 26/23 27/1 27/4	place [3] 2/15 13/20 23/2
K	look [2] 22/18 22/21 19/9	Moving [5] 3/24 5/16 12/8 14/24 18/19	okay [38]	please [9] 3/8 3/25 4/23 5/5 9/15 17/9 18/7 19/9 19/22
Karl [1] 23/21	looking [2] 19/4 19/9	Mr [3] 6/12 6/18 16/4	Old [1] 5/23	pleasure [1] 6/20
Keep [1] 8/17	looks [2] 19/5 27/3	Mr. [3] 19/16 19/17 24/2	one [20] 6/5 6/6 6/7 6/8 6/9 6/23 7/1 7/2 7/6 8/17 10/2 10/14 10/18 10/22 12/22 16/18 18/24 24/5 25/2 28/13	point [1] 22/21
kind [1] 26/6	LORA [1] 2/4	Mr. Bouler [1] 24/2	officers [3] 10/6 21/3 21/16	police [17] 1/2 1/14 2/17 3/6 5/18 5/20 5/25 14/2 20/12 20/13 24/9 24/10 24/15 24/15 24/24 25/18 28/5
know [27] 6/2 6/10 6/11 7/20 7/24 8/5 10/25 12/1 12/22 18/22 20/19 20/22 20/25 21/2 21/9 21/12 21/18 21/21 21/23 21/24 21/24 22/3 22/3 22/13 22/14 24/6 24/18	LTD [1] 1/23	Mr. Rivera [2] 19/16 19/17	official [1] 28/21	portion [1] 10/7
knowledge [1] 25/24	M	much [1] 16/5	Oh [8] 3/18 4/2 7/1 17/21 19/23 26/23 27/1 27/4	power [1] 24/19
KOKOT [12] 2/4 3/11 4/7 4/13 5/8 9/13 9/18 14/16 17/9 17/12	ma'am [7] 19/19 22/7 22/17 22/20 22/23 23/13 27/1	multiple [1] 19/17	okay [38]	precautionary [1]
	machine [1] 28/9	mute [2] 19/7 26/25	Old [1] 5/23	
	made [2] 20/8 21/3		one [20] 6/5 6/6 6/7 6/8 6/9 6/23 7/1 7/2 7/6 8/17 10/2 10/14 10/18 10/22 12/22 16/18 18/24 24/5 25/2 28/13	
	mail [4] 6/3 7/3 10/3 10/5		ones [1] 15/21	
	make [8] 4/24 9/5 14/7 17/3 17/25 18/23 19/6 26/16		only [3] 10/21 13/10 15/20	
	making [1] 24/20		open [1] 13/9	
	man [3] 20/5 21/4 25/1		Orange [1] 10/4	
	MARILYN [1] 1/23		order [4] 3/7 12/23	
	material [1] 7/4			
	matter [1] 26/13			
	matters [2] 25/20 26/7			

P	regard [1] 21/6 regarding [1] 14/3 regular [1] 12/11 REGULARLY [1] 1/6 related [1] 28/17 relative [1] 13/13 rely [1] 11/15 remarkable [1] 19/17 remember [1] 10/18 reported [2] 1/17 28/8 Reporter [2] 1/18 28/23 REPORTER'S [1] 28/3 REPORTERS [1] 1/23 resident [1] 23/22 resolution [2] 24/4 24/25 restricted [2] 12/19 13/18 results [1] 24/4 resumes [1] 15/18 retired [1] 19/25 return [1] 12/10 Reverend [4] 19/4 19/5 26/22 27/4 review [2] 15/15 15/16 RICARDO [1] 2/3 right [12] 6/8 8/16 11/13 11/16 11/17 15/25 16/16 20/10 22/5 23/12 23/14 26/7 rights [1] 21/22 rise [1] 21/14 RIVERA [7] 2/10 19/4 19/5 19/16 19/17 26/22 27/4 ROBINSON [3] 1/17 28/4 28/23 RODOLFO [1] 2/5 RODRIGUEZ [9] 2/2 2/11 3/13 4/15 5/10 9/20 14/18 17/14 18/12 roll [7] 3/8 4/10 5/5 9/14 14/13 17/9 18/7 room [1] 3/3 row [1] 13/11 rules [1] 25/17 running [1] 21/10	18/14 say [4] 6/25 8/9 22/13 27/11 says [2] 10/4 12/25 schedule [1] 6/3 SCHEDULED [1] 1/6 screen [1] 19/14 seal [1] 28/21 second [21] 4/7 4/8 4/9 5/2 5/3 5/4 6/8 9/10 9/11 9/12 9/13 10/3 14/10 14/11 14/12 17/6 17/7 17/8 18/4 18/5 18/6 Secretary [2] 2/3 2/11 see [2] 19/8 26/21 seem [1] 22/6 seems [3] 21/1 27/6 27/7 seen [2] 13/6 21/9 Segura [3] 16/22 16/23 17/2 sense [1] 20/8 Sergeant [3] 6/4 6/9 9/6 seriously [2] 21/20 22/9 serve [1] 24/17 SERVICE [1] 1/1 set [3] 5/23 5/24 28/20 SHANA [4] 2/14 12/12 25/7 26/19 shorthand [2] 28/9 28/10 shot [1] 24/2 should [4] 3/20 11/12 23/1 23/7 sign [1] 20/23 since [3] 11/10 21/18 24/10 sir [4] 23/5 25/6 25/7 25/12 sit [1] 8/14 SLOSS [10] 2/7 3/17 3/22 3/23 4/19 5/14 9/24 14/22 17/18 18/16 so [31] some [1] 25/4 somebody [1] 8/13 someone [2] 7/10 21/13 something [3] 7/3 11/18 26/12 sorry [7] 4/2 12/13 17/21 17/22 19/21 19/23 27/1 sound [3] 12/4 22/4 22/5 sounds [1] 22/3 speak [14] 18/22 19/4 19/6 19/9 19/10 19/14 19/19 19/21	23/10 23/16 25/9 26/8 26/20 27/8 speaking [1] 18/24 spoke [1] 6/12 SS [1] 28/1 start [1] 16/6 started [1] 23/2 starts [1] 26/4 state [2] 24/13 28/1 statute [3] 12/14 12/20 12/25 stepping [1] 24/15 stick [1] 23/11 still [2] 6/2 6/2 still I [1] 6/2 stop [1] 20/23 stopped [3] 20/5 21/22 24/25 store [1] 21/10 stranger [1] 24/11 street [3] 1/24 20/21 21/12 study [1] 7/8 subject [1] 13/17 sure [4] 18/24 19/6 26/18 26/24 system [1] 26/9	then [13] 3/20 8/13 8/19 9/5 9/8 10/1 11/22 13/11 21/16 22/2 22/13 26/3 26/14 there [23] 6/14 6/16 6/17 6/22 7/10 7/11 7/15 7/22 7/24 7/25 8/2 8/12 8/16 8/19 8/22 9/3 11/22 12/13 15/5 20/20 23/15 24/4 26/20 there's [4] 6/7 8/18 13/1 27/9 these [5] 21/3 21/3 21/14 21/16 24/14 they [20] 10/10 10/10 10/13 10/18 10/21 10/24 10/24 11/1 11/1 20/13 21/5 21/7 21/9 22/2 24/21 25/1 25/23 25/24 26/11 27/3 They're [1] 12/17 thing [2] 24/6 25/18 things [3] 12/22 16/12 24/5 think [7] 7/14 7/23 10/10 10/20 10/24 10/25 11/11 thinking [3] 11/21 21/5 21/5 third [1] 28/19 this [31] those [4] 15/20 16/12 25/20 26/7 three [5] 13/2 23/8 23/9 23/11 25/2 through [2] 28/10 28/13 throughout [1] 14/4 time [11] 7/24 10/10 11/1 13/18 15/2 15/5 18/24 19/16 19/18 21/19 23/7 times [3] 20/7 24/2 25/2 Tipton [1] 5/19 today [3] 4/5 10/4 15/8 told [1] 21/23 tonight [2] 19/15 20/3 took [1] 15/4 town [1] 6/10 transcribed [1] 28/9 transcript [5] 1/12 1/13 28/8 28/14 28/14 transcription [1] 28/11 Trinity [1] 23/23 trouble [1] 27/8 true [1] 28/13 try [1] 7/21 trying [2] 10/17 19/6 Tuesday [3] 1/16 3/1
Q	question [1] 25/17 questions [2] 13/24 14/1 quorum [1] 13/2			
R	raised [2] 18/25 23/17 ran [1] 20/22 RE [2] 1/6 14/25 Re-certifying [1] 14/25 reaching [1] 11/11 really [3] 12/25 22/5 22/18 received [2] 7/3 10/3 recertify [2] 15/9 16/9 recommend [1] 26/10 record [1] 3/20 Recording [1] 2/11 referred [1] 25/21 reflect [2] 3/21 13/3			
S	said [8] 6/13 6/14 7/23 8/7 8/13 27/3 28/8 28/14 same [5] 7/19 8/23 9/8 24/6 25/18 SANCHEZ [13] 2/5 3/15 4/10 4/17 5/5 5/12 9/14 9/22 14/13 14/20 17/16 18/7			

<p>T</p> <p>Tuesday... [1] 3/7 turn [1] 26/25 two [5] 6/25 13/10 15/22 16/9 16/21 Tyler [3] 6/12 6/18 7/23 typewritten [1] 28/11</p>	<p>15/23 19/1 20/5 20/20 20/20 20/21 20/21 20/23 21/4 21/5 21/16 wave [2] 18/22 19/13 way [3] 7/19 9/8 18/23 we [49] We'll [2] 12/5 16/25 we're [4] 11/11 16/4 26/4 26/6</p>	<p>19/14 19/18 22/13 22/14 23/10 23/11 23/11 24/18 26/9 26/10 26/20 write [1] 27/1 writing [3] 10/5 13/20 15/25 written [3] 12/24 25/25 26/13</p>		
<p>U</p> <p>Uh [3] 8/20 16/20 16/24 Uh-huh [3] 8/20 16/20 16/24 understand [2] 20/5 20/15 understanding [2] 20/8 21/15 unheard [1] 25/3 United [1] 23/23 unjust [1] 26/12 unless [4] 8/22 9/7 13/12 13/23 up [5] 7/17 7/18 8/23 19/6 26/25 upon [1] 20/13 us [4] 25/20 26/8 26/22 27/4 use [3] 10/6 10/9 28/10 used [1] 10/10 usual [1] 7/17</p>	<p>we've [2] 24/9 24/13 weeks [1] 21/18 welcomes [1] 25/13 well [7] 6/5 9/5 10/12 10/16 13/8 19/1 23/4 went [1] 7/25 were [10] 10/21 15/20 15/22 16/10 16/12 16/21 16/22 20/8 21/5 21/16 West [1] 2/15 what [15] 20/10 20/19 21/4 21/5 21/5 21/16 21/16 24/7 24/16 24/18 24/19 24/19 24/19 24/22 25/3 what's [2] 6/20 22/10 whatever [1] 13/13 when [6] 6/11 11/22 25/22 25/22 25/22 26/9 where [6] 16/3 20/22 21/2 21/24 21/24 24/23 WHEREOF [1] 28/20 whether [2] 10/5 13/3 which [6] 7/11 12/21 12/24 13/2 23/7 25/23 who [9] 16/10 16/18 18/21 18/21 19/8 23/9 26/11 26/20 27/3 whole [1] 24/13 why [3] 7/21 12/24 20/5 will [5] 6/18 6/18 8/8 11/25 26/14 willing [2] 6/13 8/3 within [2] 8/9 19/17 WITNESS [1] 28/20 witted [1] 20/9 woman [1] 20/22 wondering [1] 7/18 work [2] 21/23 22/1 worked [2] 24/8 24/14 working [2] 24/9 24/14 would [20] 3/5 6/14 7/22 8/23 13/22 15/7 16/11 18/20 19/10</p>	<p>Y</p> <p>yeah [16] 8/1 8/10 8/16 9/4 11/20 12/13 12/14 15/2 15/13 15/15 15/16 16/15 17/22 18/25 19/13 19/14 year [3] 10/15 13/16 24/3 yes [38] you [71] you're [7] 3/18 19/7 21/20 21/23 22/2 22/9 26/25 young [3] 20/5 21/4 25/1 your [6] 19/5 21/1 23/9 23/12 25/16 26/25 yourself [2] 19/22 23/19 yourselves [1] 22/15</p>		
<p>V</p> <p>vehicle [1] 21/13 version [1] 11/10 very [2] 22/6 23/4 via [8] 1/15 2/6 3/23 13/1 13/4 13/5 13/21 28/7 Vice [1] 2/7 video [3] 1/15 2/6 28/7 view [1] 22/22 violation [1] 21/21 volume [1] 26/25 vote [1] 13/5 votes [1] 13/21</p> <p>W</p> <p>walking [2] 20/20 21/11 want [11] 8/13 8/21 11/24 11/25 12/11 15/17 16/6 16/14 22/12 22/18 23/25 wanted [4] 6/9 6/10 11/5 13/19 wants [1] 18/21 was [28] 7/16 7/17 7/24 10/4 10/17 10/18 10/20 10/22 12/13 12/14 12/16 15/3 15/3 15/5 15/5 15/6 15/10</p>		<p>Z</p> <p>Zoom [7] 3/23 13/1 13/4 13/5 13/21 18/23 27/10</p>		