

BEFORE THE POLICE BOARD OF THE
CITY OF CHICAGO

POLICE BOARD

IN THE MATTER OF CHARGES)
AGAINST)
)
WILLIAM COZZI,)
)
Respondent.)

11 MAY 2016 14 52

Case No. 06-2604

RESPONSE TO MOTION FOR DISCOVERY

Philip J. Cline, the Superintendent of Police of the City of Chicago, by his attorney,
Mara S. Georges, Corporation Counsel of the City of Chicago, responds to Respondent
William Cozzi’s Motion for Discovery as follows:

1. Any and all written statements made by respondent or any other individual concerning the charges filed.

RESPONSE: The Superintendent objects to Request No. 1 as vague, overly broad and to the extent that the materials or information sought are outside the scope of the discovery provisions of the City of Chicago Police Board (“Police Board”) Rules of Procedure. Without waiving any objection, see attached Complaint Register (“C.R.”) file for written statements made by the respondent which are within the custody and control of the Department of Police.

2. Any and all oral statements made by the respondent or any other individual concerning the charges filed, which have been reduced to writing or summaries of which have been reduced to writing.

RESPONSE The Superintendent objects to Request No. 2 as vague, overly broad and to the extent that the materials or information sought are outside the scope of the discovery provisions of the Police Board Rules of Procedure. Without waiving any objection, see attached C.R. file for oral statements made by the respondent which have been

reduced to writing or summaries of which have been reduced to writing which are within the custody and control of the Department of Police.

3. Any and all oral statements of the respondent concerning the charges filed, which have been in any way mechanically recorded.

RESPONSE: The Superintendent objects to Request No. 3 as vague, overly broad and to the extent that the materials or information sought are outside the scope of the discovery provisions of the Police Board Rules of Procedure. Without waiving any objection, the Superintendent knows of no such mechanically recorded statements.

Notwithstanding this statement, see attached C.R. file.

4. Any and all written summaries or summaries, in whatever form they exist, of any witnesses who might be produced by the Superintendent at the hearing of the charges against respondent.

RESPONSE: The Superintendent objects to Request No. 4 to the extent that the materials or information sought are outside the scope of the discovery provisions of the Police Board Rules of Procedure. The Superintendent also objects to Request No. 4 to the extent that the materials or information sought are protected by the attorney-client privilege or the work product doctrine. Notwithstanding these objections, see attached CR file for statements known at this time. Investigation continues.

5. Results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with this case.

RESPONSE: The Superintendent objects to Request No. 5 as vague, overly broad and to the extent that the materials or information sought are outside the scope of the discovery provisions of the Police Board Rules of Procedure. Without waiving any objection, see attached C.R. file for any such results or reports which are within the custody and control of the Department of Police.

6. Any evidence favorable to the respondent.

RESPONSE: The Superintendent objects to Request No. 6 as vague, overly broad and to the extent that the materials or information sought are outside the scope of the discovery provisions of the Police Board Rules of Procedure. Without waiving any objection, the Superintendent knows of no evidence within the custody and control of the Department of Police which is favorable to the respondent in terms of his guilt or innocence to the charges filed against him. Notwithstanding this statement, see attached CR file.

7. Any and all reports and documents generated by the Chicago Police Department, including memos and notes, made in relation to the charges against the respondent.

RESPONSE: The Superintendent objects to Request No. 7 as vague, overly broad and to the extent that the materials or information sought are outside the scope of the discovery provisions of the Police Board Rules of Procedure. The Superintendent also objects to Request No. 7 to the extent that the materials or information sought are protected by the attorney client privilege or work product doctrine. Without waiving any objection, see attached CR file.

8. Any and all notes and reports, documents, or other items which reflect, refer, or relate to any changes, additions or deletions to any or all of the items listed on the Superintendent's Response to Discovery Motion.

RESPONSE: The Superintendent objects to Request No. 8 as vague, overly broad and to the extent that the materials or information sought are outside the scope of the discovery provisions of the Police Board Rules of Procedure. Without waiving any objection, see attached CR file.

9. The entire CR file for Complaint Register #307992.

RESPONSE: See attached CR file. Copies of the Digital Video Disk obtained

from Norwegian American Hospital (C.R. Attachment 11) and the Office of Emergency Management and Communications tape (C.R. Attachment 53A) will be provided to counsel for the Respondent as so on as those copies are available.

10. Copies of all audio and video tapes that will be relied on by the Corporation Counsel's Office, to be duplicated at their expense and furnished to us.

RESPONSE: See response to Request No. 9.

Respectfully submitted,

MARA S. GEORGES
Corporation Counsel
of the City of Chicago

By: 

Kerry Jewell
Assistant Corporation Counsel

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NOTICE OF FILING

TO: William Fahy
53 West Jackson, Suite 1650
Chicago, Illinois 60604

PLEASE TAKE NOTICE that on May 11, 2006, I filed the Superintendent's Response to Motion for Discovery with the Police Board of the City of Chicago, a copy of which is attached and served upon you.

Respectfully submitted,

MARA S. GEORGES
Corporation Counsel
of the City of Chicago

By: 

Kerry Jewell
Assistant Corporation Counsel

Attorney No. 90909
30 North LaSalle Street, Suite 1020
Chicago, Illinois 60602
(312) 744-6909

CERTIFICATE OF SERVICE

I, Kerry Jewell, an attorney, hereby certify that I caused to be mailed by first-class mail, proper postage affixed, a true and correct copy of the above and foregoing Notice of Filing, and Motion for Discovery, to the individual listed on the foregoing Notice of Filing, at the address indicated, on this 11th day of May, 2006.



Kerry Jewell
Assistant Corporation Counsel