

CERTIFIED HEARING TRANSCRIPT (DAY 5)

COMMONWEALTH OF MASSACHUSETTS
COMMISSION ON JUDICIAL CONDUCT

COMPLAINT NUMBER 2019-22

VOLUME V

HEARING

~ BEFORE ~

HEARING OFFICER

DENIS J. McINERNEY, ESQ.

JUNE 13, 2025

9:00 A.M.

Boston, Massachusetts

Lisa L. Crompton, CSR (MA) (RI), RPR

APPEARANCES:

For Commission on Judicial Conduct

Commission on Judicial Conduct

BY: former HONORABLE JUDITH FABRICANT

AND: HOWARD V. NEFF, III, ESQ.

11 Beacon Street

Suite 525

Boston, Massachusetts 02108

617-725-8050

617-248-9938 Fax

For Honorable Shelley M. Richmond Joseph

Libby Hoopes Brooks & Mulvey

BY: ELIZABETH N. MULVEY, ESQ.

AND: THOMAS M. HOOPES, ESQ.

260 Franklin Street

Boston, Massachusetts 02110

617-338-9300

617-338-9911 Fax

emulvey@lhbmllegal.com

thoopes@lhbmllegal.com

~ AND ~

Meehan, Boyle, Black & Bogdanow, P.C.

BY: MICHAEL B. KEATING, ESQ.

100 Cambridge Street

Suite 2101

Boston, Massachusetts 02114

617-523-8300

I N D E X

1		
2	former HONORABLE H. BONNIE MacLEOD	PAGE NO.
3	DIRECT EXAMINATION BY MS. MULVEY	799
4	CROSS-EXAMINATION BY JUDGE FABRICANT	815
5	REDIRECT EXAMINATION BY MS. MULVEY	827
6	RE CROSS-EXAMINATION BY JUDGE FABRICANT	829
7		
8	ELIZABETH BOSTWICK, ESQ.	
9	DIRECT EXAMINATION BY MS. MULVEY	830
10	CROSS-EXAMINATION BY JUDGE FABRICANT	849
11		
12	former HONORABLE CAROL S. BALL	
13	DIRECT EXAMINATION BY MR. HOOPES	851
14	CROSS-EXAMINATION BY JUDGE FABRICANT	864
15		
16	ALLISON KHOURY, ESQ.	
17	DIRECT EXAMINATION BY MR. HOOPES	870
18	CROSS-EXAMINATION BY JUDGE FABRICANT	874
19		
20	former HONORABLE SEVELIN B. SINGLETON, III	
21	DIRECT EXAMINATION BY MR. HOOPES	878
22		
23	MARK GERRITY	
24	DIRECT EXAMINATION BY MR. HOOPES	881
25	CROSS-EXAMINATION BY JUDGE FABRICANT	887

I N D E X

		PAGE NO.
DOUGLAS BROOKS, ESQ.		
DIRECT EXAMINATION BY MR. HOOPES		893
MICHAEL McPHERSON		
DIRECT EXAMINATION BY MR. HOOPES		905
CROSS-EXAMINATION BY JUDGE FABRICANT		909
REDIRECT EXAMINATION BY MR. HOOPES		911
RE CROSS-EXAMINATION BY JUDGE FABRICANT		912

E X H I B I T S

EXHIBITS	DESCRIPTION	PAGE NO.
EXHIBIT 3-A	History Report, 5 pages	883
EXHIBIT 6	Photograph, 1 page	914

1 HEARING OFFICER: Good morning.
2 This is the continuation on the hearing of the
3 Commission on Judicial Conduct's Complaint
4 Number 2019-22.

5 Counsel, would you please
6 identify yourselves for the record.

7 JUDGE FABRICANT: Judith
8 Fabricant, Special Counsel for the Commission on
9 Judicial Conduct.

10 MR. NEFF: Howard Neff,
11 Commission on Judicial Conduct.

12 MS. MULVEY: Elizabeth Mulvey
13 for Judge Joseph.

14 MR. HOOPES: Tom Hoopes for
15 Judge Joseph.

16 MR. HOOPES: Michael Keating
17 for Judge Joseph.

18 HEARING OFFICER: Thank you.

19 MR. SULLIVAN: And excuse me.
20 My name is Daniel Sullivan. I'm the general
21 counsel for the Trial Court.

22 And we have two trial court
23 officials testifying this morning. I'm just
24 here in the instance if there's any question you
25 ask as well.

1 Thank you.

2 HEARING OFFICER: Great. Thank
3 you very much.

4 Ms. Mulvey.

5 MS. MULVEY: Judge Joseph calls
6 upon Bonnie MacLeod.

7 HEARING OFFICER: Good morning.

8 HONORABLE BONNIE H. MACLEOD,

9 SWORN

10 HEARING OFFICER: Thank you.

11 Please be seated.

12 DIRECT EXAMINATION

13 BY MS. MULVEY:

14 Q. Good morning. Would you tell us your name,
15 please.

16 A. Good morning. My name is Bonnie Hilly
17 MacLeod.

18 Q. Are you a retired judge?

19 A. I am.

20 Q. How long have you been retired?

21 A. I retired from this building in June of 2016.

22 Q. What courts did you sit on?

23 A. All told, this is the court I left.

24 Q. The whole thing.

25 A. The whole thing. I was appointed to the

1 District Court in 1989. I sat in a variety of
2 District Courts, usually long stints, until I
3 was appointed to the Superior Court in November
4 of 2002.

5 Q. So you spent about 13 or 14 years on each of
6 them?

7 A. Right. Exactly. 13 years in Hingham on the
8 District Court, and then I stayed later than
9 that just so that I could stay with -- my
10 longer, my longer presence was on the
11 Superior Court.

12 Q. Can I take you back? Can you tell us about your
13 professional background before you were
14 appointed to District Court?

15 A. Certainly. I was admitted to the bar in
16 1972. For those of you who can't count, it's
17 52 plus years now, which amazes me. My first
18 legal job -- I left -- I was -- While I was in
19 law school and for about six months thereafter,
20 I was the head law librarian at a law firm
21 called Hill and Barlow. I left Hill and Barlow
22 when I was appointed as assistant district
23 attorney in Middlesex County, and that would
24 have been in September of 2023.

25 Q. 2023?

1 A. Sorry. 1973. And I was in the
2 appellate division of the district attorney's
3 office and I tried felony cases, and then
4 eventually I was appointed chief of the
5 appeals division in the district attorney's
6 office, and my very first case that I've argued
7 was in this very courtroom before the full bench
8 of the Supreme Judicial Court.

9 Q. All right.

10 A. Thereafter, I left the district attorney's
11 office in September of 1976. I had been asked
12 by one of the justices of this court, of the
13 Supreme Judicial Court to consider moving to an
14 office called the Office of Bar Counsel, about
15 which I knew nothing whatsoever. But apparently
16 they were looking for trial lawyers. And so I
17 ended up becoming the first assistant bar
18 counsel in the bar counsel's office. I was
19 elevated to first assistant bar counsel
20 thereafter. And I was chief of the litigation
21 division, which is, basically, I was the person
22 litigating bar discipline cases and presenting
23 the evidence. And I stayed there until I was
24 appointed to the District Court in May of 1989.

25 Q. When you were on the District Court, did you sit

1 in a number of different District Courts?

2 A. I did. I sat -- Oh, I'm sorry. With my,
3 with my career. I also taught for 42 years at
4 four of the Boston law schools, professional
5 ethics.

6 Q. All right.

7 A. I stopped that in 2018.

8 Q. Okay.

9 A. Because I got too busy at JAMS.

10 Yes. When I sat in -- I was named to the
11 Cambridge District Court, but I never sat there,
12 not one day in 13 and a half years. For some
13 reason they wanted to put me in the so-called
14 higher crime courts. So I ended up in Lynn, and
15 I spent five years with Salem and Lynn,
16 situation where I was in Lynn three days and
17 Salem two days and back and forth, and I did
18 that until July of 1994. And then after that, I
19 went to Chelsea District Court, which for those
20 of you who don't remember where Chelsea was in
21 those days, it was in Cambridge. And it was in
22 Cambridge for seven years, I believe. I kind of
23 ended up in Cambridge. Just across the room --
24 across the yard from where I was supposed to be
25 sitting. I was there for substantial period of

1 time. I think 1994 to at least 1999. And then
2 I went back to Salem and Lynn for a little bit.
3 And then my son was playing football for
4 Whitman High School, and I asked if I could go
5 to Malden. So I sat in Malden District Court
6 until I was appointed to the Superior Court in
7 2002.

8 Q. And in the course of your time in the
9 District Court, did you run into different
10 practices and customs in the various courts?

11 A. The District Court is like -- well, in my
12 view, each court has its own culture. And every
13 time you went to a new District Court, you had
14 to figure out kind of who rules the roost, is it
15 probation, is it the clerk's office.

16 I can remember, one day, people
17 came to the District Court because nobody could
18 figure out whose job it was to carry the
19 restraining order into the courtroom. Because
20 they had to be vetted by probation first, and
21 probation said it wasn't their job to bring --
22 And this was the culture of the court. It was
23 always this kind of testimony.

24 So you really had to meet with
25 the chief court officer for that court, the

1 clerk, and the district attorney and whomever to
2 figure out what's the culture of this court.
3 And, you know, basically, I hate to say it, but
4 who do you want me to be, I mean, what control
5 do I have over the gathering. And each court is
6 really like sui generis.

7 Q. Did you also run into lots of different judges
8 in the various courts?

9 A. Certainly, I did.

10 Q. Now, we've heard that, in November of 1989,
11 Special Rule 211 was implemented in the
12 District Court.

13 A. Yes.

14 Q. Is that right?

15 A. I do. I'd been on the bench maybe about five
16 months when it was enacted. Not so much
17 fanfare --

18 Q. I was just going to ask you, would you tell us
19 about the fanfare and the training that
20 accompanied that rule.

21 A. In terms of training, I really don't remember
22 any. We were told that you had to ensure that
23 the tape was on and that things were being
24 recorded, that proceedings were being recorded.

25 And then, of course, I remember

1 sitting in Williamstown with a bunch of my
2 colleagues from different courts and we're
3 arguing about what's a proceeding and what's
4 administrative, what does this mean, and that we
5 kind of all concluded, it meant that it was kind
6 of what we decided it would be. I mean, in
7 other words, given the heft of whatever was
8 going on. Obviously, a hearing was a
9 proceeding, an arraignment was a proceeding.
10 But things that might have pertained to that may
11 not be part of a proceeding.

12 So again, that likewise I think
13 was somewhat sui generis in the type that it was
14 being decided by an individual judge at an
15 individual time as to what was on the record and
16 what was not. And I know I'm going back a
17 little bit historically, maybe, and things
18 certainly felt likely to have changed since I
19 left the court in 2002, but it was really kind
20 of up to --

21 Oftentimes, we didn't have
22 anybody even to run the machine. And when I
23 would stay after 6:00 to 8:00 doing matters,
24 because we didn't have a Juvenile Court and
25 they're doing juvenile, I was it. I was taking

1 the record with my -- I was writing, filling out
2 the docket sheet, I was running the recorder, I
3 was -- I mean, it was all there in front of me.
4 I mean, again, it was -- necessity is the mother
5 of invention.

6 Please remember, in my courts,
7 we did over 100 cases a day, and that's why,
8 when I came to the Superior Court for a while, I
9 thought it was naptime.

10 Q. Vacation?

11 A. Yeah.

12 Q. Both in District Court and in Superior Court,
13 did you as a judge go off the record on
14 occasion?

15 A. I did.

16 Q. Did your colleagues do likewise?

17 A. Oh, yes.

18 Q. If you consider the entirety of your career from
19 1989 to 2016, did the frequency of
20 off the record proceedings or discussions
21 decrease over the years?

22 A. I think it did, only because of the nature of
23 the Superior Court. But the reasons -- I still
24 obviously did them. And I think I had the
25 instincts and the judgment to decide when to do

1 them and when they made sense. I know, I know
2 in this very courthouse -- thank God the statute
3 of limitations -- I know I probably did it at
4 least once a week.

5 Q. And can you just give us a couple of examples of
6 when a judge might go off the record?

7 A. Well, I tried in my mind to categorize them
8 when I understood, you know, the subject matter
9 about which I'd be speaking, like when did I do
10 it, for what reasons. And I think sometimes --
11 I mean, the obvious one I think to a lot of
12 people has to do with safety, the safety of
13 either a litigant or a party or whatever. So
14 something some concern. For example, it was not
15 uncommon in any court I ever was, all of the
16 District Courts and here in the Superior Court,
17 for a district attorney, an assistant DA, and
18 defense counsel ask if they could come up and go
19 off the record, and it was always something
20 like, well, judge we're not asking, you can see
21 we're not asking for very high bail and it's
22 because defense counsel's client is a
23 cooperating witness and is going to lead us to
24 X, Y, and Z, and so we don't want you to think
25 we're crackers by not asking for higher bail,

1 there's good reasons and obviously reasons we do
2 not want to put on the record but would just --
3 that's what we're going to do. So that would be
4 one. And that was, that was pretty routine --
5 not routine, but would happen. That would be
6 the number one I remember, both in the -- all of
7 the District Courts I sat in and certainly a
8 couple of times in the Superior Court.

9 Q. Okay.

10 A. And another would be privacy issues, where
11 somebody -- the lawyers would ask to approach
12 the bench. I remember one of my court officers
13 here came to me one day and said, Judge, the
14 juror upstairs, she is just overwrought, she's
15 crying and she won't tell me why, but she's
16 telling me she can't sit, you know. And I
17 remember the jury selection and, ironically, she
18 was one of the people I was kind of thinking
19 about for the eventual foreperson on the jury.
20 Oh, what's that about. And I said why don't you
21 bring her down. And she was overwrought and she
22 was crying. And the lawyers came up to the side
23 bar with me, and I said off the record, and I
24 asked her what was going on. She had just
25 learned the day before that her husband had been

1 diagnosed with a terminal illness and that she
2 couldn't get it out of her head. Now I don't
3 believe that is something that needs to be on
4 the record. I then went on the record and said
5 this juror is excused for good cause shown. And
6 to me, that's enough. I don't need to make a
7 record that she had to make that private
8 disclosure.

9 That happened lots of little
10 times, people making private disclosures about
11 things that they would rather not see the light
12 of day. And again, it's a matter of judgment as
13 to whether or not you make a record of that kind
14 of thing.

15 Q. When lawyers asked -- Were there occasions when
16 lawyers asked you to get off the record?

17 A. Oh, yes. Most of -- Yeah. A lot of the time
18 I would do that is, you know, when the lawyers
19 would ask.

20 Q. Would you necessarily know what it was they
21 wanted to say?

22 A. No.

23 Q. You just said a minute ago that you could put it
24 on the record after the fact or something like
25 that?

1 A. It was something that was a matter of --
2 again, it would not be probably intimate
3 details. It would just be, no, thank you,
4 everyone, this juror has done whatever. And in
5 some cases it would be something I would never
6 put on the record. I would just tell the
7 lawyers thank you and back off, particularly
8 when you have a cooperating witness, a
9 confidential informant, somebody who didn't want
10 their address known because whatever, those
11 types of things I would necessarily go back on
12 the record in any way.

13 Q. And if something untoward happened at an off the
14 record conversation, did you as the judge have a
15 way to kind of fix that?

16 A. Oh, yes. In fact, if somebody came up -- I
17 think if the lawyers came up and they started
18 talking about something that -- I would say this
19 isn't an off the record conversation, or if it
20 came out, then go back and I would say counsel
21 has explained to me that there are good and
22 whatever reasons, blah, blah, blah, and I would
23 put that on the record. But sometimes -- I
24 don't think I ever got snookered, for want of a
25 better word. I trust lawyers. I think lawyers

1 trusted me. So I was really careful, you know,
2 as I said, not to get snookered. And I don't
3 remember it ever happening. And I know they
4 trusted me.

5 One of the other instances, for
6 example, when I would do something with the
7 lawyers is, I mentioned to you all Chelsea was
8 actually in Cambridge. And for someone like me,
9 who doesn't drive, it was really interesting in
10 the morning to take the commuter rail to the
11 Green Line, walk to -- you know, and get off at
12 Lechmere and then trying to find out where the
13 Chelsea District Court was.

14 But imagine, if you will, how
15 it would be for someone who is arrested
16 overnight in Chelsea, went in a van the next
17 morning and brought to Cambridge where they had
18 never been in their entire lives, and then the
19 Commonwealth doesn't ask for bail, so it's time
20 for them to go home, how do they get home from
21 Cambridge.

22 So the first thing, I would ask
23 the lawyers to come up and say off the record,
24 and I would say to the DA -- I would say to the
25 defense attorney, does your client have a way to

1 get home, does he know how to get home, well, is
2 there anyone here for him today to bring him
3 home. And if he would -- if he said no, then
4 what do you do. I said, well, so we'll just
5 have to give him directions. And then I had
6 this drawer in my bench, and it was full of \$10
7 bills that I had put there, and I would give a
8 \$10 bill to the court officer, and the court
9 officer would then take the guy out, give him
10 directions, how to get to the Green Line, and
11 tell him to get off at Haymarket, then take the
12 bus to Bellingham Square. I mean, this happened
13 every day. And the people were being dumped
14 into Cambridge and never given any thought about
15 what might happen on the other hand.

16 And so we had -- It became a
17 matter of where DA was sneaking money into my
18 drawer, the court officers in my drawer, I went
19 in the drawer one day and it's full of \$10
20 bills, I mean, because everybody was now
21 contributing to the transportation for the --
22 That's the District Court.

23 Q. In terms of cases and litigants and just the
24 management of a day, is there a difference
25 between the District and the Superior Court?

1 A. Oh, for sure.

2 Q. Tell us about that.

3 A. Well, the management was such that -- Again,
4 in the District Court, you never really know --
5 I never sat in Newton. Oh, I did. I sat one
6 day in Newton. But that, too, was in Cambridge
7 at the time, for a very short period of time.

8 Again, you've got a sense of
9 the culture. Some courts are much busier than
10 the others. I tend to, fortunately or
11 unfortunately, end up in the busier ones. So
12 you never knew on a given day how to manage.
13 And I will say, this is probably not the great
14 way to do things, but if you heard there were
15 some 20 changes of plea, they would round up all
16 the people who are going to plead guilty in the
17 back and you would then tell them all their
18 rights and then you do it individually and say
19 did you hear everything I said to all those 12
20 other people. That's how you did, again, if you
21 had 50 or 19 cases day as a District Court
22 judge, you do not -- you know, you try not to
23 rush that over what's required. But you
24 certainly try to do what Jim Dolan used to say,
25 gets the donuts made, and the donuts is getting

1 those hundred people's cases done on that given
2 day.

3 So the culture would depend on
4 the court. I really -- And there was a very
5 strong symbiosis between the court officer, the
6 judge, the probation -- the head of probation or
7 whoever was there, the assistant district
8 attorney, you kind of all had -- you worked the
9 same session, you knew what was, you know, what
10 was going on and what needed to be done on a
11 given day.

12 Q. And when you would come into a District Court,
13 would you rely on those people to sort of show
14 you the ropes in that court?

15 A. Totally.

16 Q. Do you think your experience was different from
17 that of your colleagues?

18 A. I do not.

19 Q. Do you know Judge Shelley Joseph?

20 A. I do not. I know of her. I know I've seen
21 her in passing. I want -- I haven't -- I kind
22 of avoided her since you and Attorney Hoopes and
23 I spoke the first time, because I just forgot
24 that we actually were in the Montgomery Summit
25 together. I didn't even say hello to her. My

1 companion, my friend Andrea Kramer, who was with
2 me, said, oh, I see Judge Joseph, let's go see
3 her. I said, you know what, why don't you go
4 say hi and give her our best. I just didn't
5 want to -- And likewise, we're on the same Inn
6 of Court and it turned out that she's on my
7 team. And when I learned she was on my team, I
8 haven't been to a meeting since I learned it.
9 Because, again, I didn't want it to appear --
10 because you know how rumors and stuff fly, that
11 the two of us were having a, you know, glass of
12 Pinot Grigio together, and God knows I can be
13 had for a glass of Pinot Grigio.

14 MS. MULVEY: Thank you,
15 Judge MacLeod. I have nothing else.

16 CROSS-EXAMINATION

17 BY JUDGE FABRICANT:

18 Q. Good morning, Judge MacLeod.

19 A. Good morning, Judge Fabricant.

20 Q. For this purpose, I'm special counsel.

21 A. Sorry, Counsel.

22 Q. We have an adjudicator on the bench, and that's
23 not me.

24 Judge MacLeod, you said that,
25 when you were sitting as a judge, you would go

1 off the record at times and you knew when to do
2 it and when not to do it.

3 A. Yes.

4 Q. And when not to do it was when you were dealing
5 with something that was a matter of particular
6 public attention or controversy that the public
7 was particularly going to want access to, that
8 was the, no, I'm not going to do it; right?

9 A. I don't necessarily agree with that. I can't
10 say that. Because the public can be a very nosy
11 group of people. And I remember a case where
12 there was a family feud and there was a
13 19-year-old married to an 18-year-old. It was a
14 mixed race couple. The parties were fighting.
15 And the couple wanted to tell me privately what
16 they wanted to do. And believe me, there was
17 this many people in the courtroom to see what
18 was going to happen with that case. And I let
19 them come over to the side bar and I went off
20 the record.

21 Q. There is a right of public access to the courts;
22 right?

23 A. There is. I wish I trusted the public as
24 much as other people.

25 Q. We may debate how much any of us trust the

1 public and we may debate how much any of us
2 trust the media and how fair the media can be.

3 A. True.

4 Q. But the constitution, --

5 A. Yes.

6 Q. -- the Federal constitution, the state
7 constitution, case law provides a right of
8 public access to the court.

9 A. Absolutely.

10 Q. And you know that if you go off the record in a
11 case that involves a kind of subject matter that
12 is getting particular public attention, the fact
13 that you go off the record there is going to
14 catch public attention; right? You know that.

15 A. I guess. I think that's well said. But,
16 again, the public always has an itch to know,
17 but that doesn't mean that at a particular time
18 they're entitled to know.

19 Q. The SJC has said, --

20 A. Yes.

21 Q. -- the U.S. Supreme Court has said the public is
22 entitled to know what goes on in the courts.

23 A. Right. But even the District Court rule
24 talks about the fact that matters might be
25 administrative, and if, as a judge, I deem

1 something to be an administrative matter, as to,
2 you know, whether they -- for example, the
3 things I used to do in Malden was I would say to
4 the court officer, I would say it was before
5 lunch, the person was about to be let go, and I
6 said, you know, this person probably hasn't
7 eaten since he was arrested at 6:00 yesterday
8 morning, could you, you know, maybe bring him
9 back -- when you bring him back downstairs to
10 get his stuff, would you make sure he gets a
11 sandwich before you put him out the sallyport.

12 Q. And that would be a good example of the kinds of
13 things that would be administrative. Doesn't
14 have to do with the substance of the case,
15 doesn't have to do with whether somebody's going
16 to be released or not released, doesn't have to
17 do with whether somebody's going to be detained
18 or not detained. It's a side issue that doesn't
19 involve the substance of the case.

20 A. I would say yes to that.

21 Q. Okay. When you started practicing law in 1972,
22 the District Court had no recording at all;
23 correct?

24 A. I believe that's correct.

25 Q. It was referred to, as some courts around the

1 country have referred to as, not a court of
2 record; right?

3 A. (Witness nods head).

4 Q. And anything that was adjudicated in the
5 District Court in that period of time was
6 subject to trial de novo in Superior Court.

7 A. Correct.

8 Q. There were no jury trials in District Court.

9 A. Correct.

10 Q. Anybody didn't like what happened in
11 District Court, they could go to the
12 Superior Court.

13 A. Yes.

14 Q. They could have a jury trial or they could have
15 another bench proceeding and do it all over
16 again, and maybe that was one of the
17 justifications for not having a record; right?

18 A. (Witness nods head).

19 Q. And that changed over the years. District Court
20 came to have jury trials, the trial de novo
21 system in a gradual way was eliminated
22 eventually --

23 A. Correct.

24 Q. Now, you were last in the District Court in
25 2002; correct?

1 A. Correct.

2 Q. And then you moved to Superior Court.

3 A. Yes.

4 Q. And over the years, both when you were in the
5 District Court and when you were in the
6 Superior Court, you did lobby conferences off
7 the record.

8 A. Yes.

9 Q. Some judges did and some judges didn't. And in
10 the Superior Court at least, it was a topic of
11 some controversy --

12 A. It was.

13 Q. -- among the judges.
14 You were the sort of judge who read the
15 decisions coming out of the SJC.

16 A. I sure was.

17 Q. And you know that over those years there were a
18 series of comments in SJC decisions about the
19 practice of lobby conferences off the record.

20 A. Correct.

21 Q. You know that in 1992, when you were on the
22 District Court, the SJC issued Commonwealth
23 versus Fanelli, that's F-a-n-e-l-l-y, and they
24 said, note that if lobby conference is held, the
25 better practice is to record it. Do you

1 remember that?

2 A. I do. And that's why I did not do --
3 actually, I did not do lobby conferences. I
4 would go off the record while I was on the
5 bench, but I was -- I didn't do -- I don't
6 remember anything about any lobby conferences on
7 the Superior Court.

8 Q. On the Superior Court.

9 A. On Superior Court.

10 Q. So from 2002 --

11 A. Right.

12 Q. -- forward, --

13 A. Yes.

14 Q. -- you did not do any conferences off the
15 record -- I want to make sure we're clear about
16 what -- about the use of the term "lobby
17 conference."

18 A. Right. Because I don't -- I mean, bringing
19 people into my lobby and doing conferences, I
20 did not do.

21 Q. But you also didn't go off the record in any
22 conference with the lawyers in Superior Court
23 when you were talking about the substance of the
24 case.

25 A. I did. But I did it when the lawyers would

1 ask to approach. I can give you a quick
2 example. And that is this: I had a civil case
3 where two of the -- two very well-known lawyers,
4 very fine trial lawyers came in front of me
5 involving the death of an individual who had
6 been hit by a car. And the contention was, by
7 the defendant, that the individual who hit the
8 person in the crosswalk was not in the course of
9 his employment. And so I said, well, I guess,
10 looking at the docket, we ought to make some
11 room for a motion for summary judgment, and the
12 two lawyers looked at each other and said can we
13 do a side -- said can we go off the record,
14 Judge. They came over and they explained to me
15 that they were trying to work out a settlement
16 and that -- which they would prefer if the
17 adjuster, who was sitting in the back of the
18 courtroom, was not aware of.

19 Q. That was a civil case.

20 HEARING OFFICER: And that
21 was --

22 A. That was an off the record conference about
23 the case. And it's certainly substantive in
24 nature.

25 Q. That was a civil case.

1 A. That was a civil case.

2 Q. And in the Superior Court in those days, a lot
3 of stuff happened off the record in civil cases;
4 right?

5 A. (Witness nod head).

6 Q. Civil cases were very different from criminal
7 cases.

8 A. Right. But this was probably in 2014 this
9 happened. But yes. Still the same.

10 Q. So in 2014, in the Superior Court, --

11 A. Right.

12 Q. -- there were court reporters.

13 A. Right.

14 Q. It was maybe the beginning of the time --

15 A. You could kind of do this. (Demonstrating).

16 Q. Well, if the -- More than that --

17 HEARING OFFICER: If I can, can
18 the record reflect what the witness just did, --

19 THE WITNESS: I'm sorry.

20 HEARING OFFICER: -- when she
21 said you could kind of do this, you put your
22 right hand to the side.

23 THE WITNESS: Right.

24 HEARING OFFICER: I just want
25 to make sure the record's clear.

1 A. That would be -- Yeah. Just gestured to the
2 court reporter that it wasn't on the record.

3 Q. But more than that, in a civil case in the
4 Superior Court in the days when the court had
5 court reporters and not electronic recording,
6 what would often happen in Superior Court was
7 that you'd have a court reporter in the
8 courtroom in the morning when you were doing
9 trials, and then in the afternoon when you were
10 doing non-evidentiary proceeding, such as the
11 kind of case conference that you're referring
12 to, the court reporter would be back in her
13 office making a transcript, and unless there was
14 a pro se, you would do it off the record.

15 A. That's correct.

16 Q. But that was in civil cases; right? You
17 couldn't do that --

18 A. Absolutely.

19 Q. -- in criminal cases. Criminal cases were a
20 whole different story.

21 A. Exactly.

22 Q. When you were on the Superior Court, having in
23 mind what the SJC had said, when you had a
24 conference about the substance of a case, you
25 would not go off the record.

1 A. That is correct.

2 Q. And the SJC reiterated, in 2002, in
3 Commonwealth versus Serino, S-e-r-i-n-o, we
4 again recommend that unrecorded lobby
5 conferences be avoided. Do you remember that?

6 A. I do.

7 Q. Then, in 2007, they got more emphatic. Do you
8 remember this? Murphy versus the Boston Herald.

9 A. Yes.

10 Q. Do you remember the Murphy case?

11 A. I remember it well.

12 Q. He was a colleague on the Superior Court.

13 A. Yes, I do remember.

14 Q. And he had done a lobby conference off the
15 record in a case involving an allegation of rape
16 of a teenager.

17 A. Yes.

18 Q. Do you remember that?

19 And the Boston Herald ran -- and then of course
20 it took off on other media. But it started with
21 the Boston Herald. They ran a series of
22 articles in which they attributed to Judge
23 Murphy some language in an off the record lobby
24 conference that a judge would not want to have
25 attributed to him.

1 A. Exactly.

2 Q. Correct? And he sued the Boston Herald for
3 defamation. Do you remember that?

4 A. I do.

5 Q. Much to the amazement of judges in general, he
6 won. Do you remember that? He won a judgment.
7 And it went to the SJC, and the SJC affirms the
8 judgment, and they dropped a footnote. The
9 footnote said, if you remember, if there ever
10 was a case that demonstrates the need for lobby
11 conferences where cases or other court matters
12 are discussed to be recorded, this is the case.
13 This litigation, with all its unfortunate
14 consequences for those involved, might not have
15 occurred if the critical lobby conference had
16 been transcribed. We trust that the lesson
17 learned here will be applied by trial judges to
18 prevent unnecessary problems that often arise
19 from unrecorded lobby conferences. Do you
20 remember that?

21 A. I do.

22 Q. And that got a lot of attention across the
23 courts -- do you remember that -- and across the
24 bar?

25 A. It did.

1 Q. And then, going back a little bit --
2 District Court Rule 11 doesn't apply to
3 Superior Court.

4 A. Correct.

5 Q. Or didn't at the time that you were on the
6 Superior Court. And in the time that you were
7 on Superior Court at least, there was no rule
8 about recording, there was a practice.

9 A. (Witness nods head).

10 Q. And as we talked about, over the years there
11 were many discussions amongst Superior Court
12 judges, some of them still did it, until 2015
13 when the SJC prohibited lobby conferences off
14 the record in the revision of Rule of Criminal
15 Procedure 12(b). Do you remember that?

16 A. I do.

17 JUDGE FABRICANT: That's all I
18 have. Thank you.

19 REDIRECT EXAMINATION

20 BY MS. MULVEY:

21 Q. I just want to be clear, Judge MacLeod. We
22 heard a lot of talk about a lobby conference.

23 A. Right.

24 Q. Is that different than a minute or two at the
25 side bar?

1 A. Totally. It's not the same thing.

2 Q. Why not?

3 A. Well, usually a lobby conferences, as I
4 remember it when I was an assistant DA, I was in
5 the lobby with the defense attorney and the
6 judge, and we would be kind of hashing around
7 what the recommendation was versus what was and
8 what the Commonwealth wanted to do, and we
9 would, we would have that whole substantive
10 conversation in the lobby with the judge, and
11 then we would go out on the record and do
12 whatever it was as the judge would say
13 something, well, I don't need to hear from the
14 victim. All of that would get hashed out in the
15 lobby conference, which usually was not on the
16 record back in those days, and we'd go out and
17 do whatever we were going to.

18 But it's very different as
19 opposed to, again, District Court, in
20 District Court, you know, I used to say to
21 people, you know, this is McJustice. We are
22 McDonald's of the justice world, because we do
23 not have the time or the capability to
24 necessarily engage in a perfect courtroom
25 atmosphere, but we do what we do to get the work

1 done every single day.

2 Q. And do people in the District Court do the best
3 they can to be fair to everybody?

4 A. No question in my mind.

5 MS. MULVEY: Thank you.

6 JUDGE FABRICANT: Very brief
7 follow up, if I may.

8 RE CROSS-EXAMINATION

9 BY JUDGE FABRICANT:

10 Q. Judge MacLeod, the difference between what you
11 describe as a lobby conference and something off
12 the record at side bar very brief is that it's
13 brief.

14 A. Right.

15 Q. And that may or may not be the only difference
16 depending on what it's about; correct?

17 A. It may.

18 Q. That series of SJC decisions in which they
19 commented about lobby conference, the message,
20 as you understand it and as it was broadly
21 understood, was going off the record is a big
22 risk; correct?

23 A. That's correct. But they never say don't do
24 it.

25 Q. Until 2015, when they said it's --

1 A. Exactly.

2 Q. -- part of the plea conference -- They did say
3 in 2007, --

4 A. Should be avoided, yes.

5 Q. -- this wouldn't have happened, --

6 A. Yes.

7 Q. -- and we wouldn't be here, all of the
8 unfortunate consequences of this case would not
9 have happened if we had a record so that we knew
10 exactly what was said off the record.

11 A. No question. That's exactly what it says.

12 JUDGE FABRICANT: Thank you.

13 THE WITNESS: Good?

14 MS. MULVEY: I have nothing
15 else. Thank you.

16 HEARING OFFICER: Thank you.

17 MS. MULVEY: Judge Joseph calls
18 Elizabeth Bostwick.

19 ELIZABETH BOSTWICK, SWORN

20 HEARING OFFICER: Thank you.

21 DIRECT EXAMINATION

22 BY MS. MULVEY:

23 Q. Good morning, Attorney Bostwick.

24 Would you just tell us your name for the record,
25 please.

1 A. Good morning. My name is Elizabeth Bostwick.

2 Q. And we've heard, in 2018, you were a bar
3 advocate in, among others, the Newton
4 District Court?

5 A. Yes.

6 Q. Can you tell us a little bit about your
7 professional background up until 2018?

8 A. So I became a lawyer in January of 2000. I'm
9 a graduate of Northeastern Law School. I worked
10 for a small firm for a while, and then I went to
11 corporation counsel's office, City of Boston,
12 and then I did private practice for a period of
13 time, and went back to corporation counsel's
14 office for a short while, and then I returned to
15 private practice again, solo practitioner.

16 Q. And at the time we're here about, were you
17 involved in representing criminal defendants?

18 A. I was. I was a member of the Middlesex
19 Defense Attorneys, which is the agency or
20 non-profit that handles bar advocates who work
21 for Middlesex County.

22 Q. We've heard that term "bar advocate." When
23 you're a bar advocate, what do you do?

24 A. You represent people who are determined
25 indigent by the probation department. It's

1 typical that you work in a couple different
2 courts and you make quote-unquote a duty day
3 where you're the attorney helping the court
4 handle any matters that, you know, you have
5 indigent defendants or a variety of things,
6 Section 35 or whatever, helping the court
7 representing those folks.

8 Q. You said you might have a duty day. What would
9 you do on a duty day?

10 A. I mean, it really depended on the court's
11 needs. Right? So you were basically making the
12 commitment to being the lawyer of the day and
13 stay, you know, for whatever the court needed,
14 so you could represent a variety of people on a
15 variety of issues.

16 Q. So would you essentially spend your day at that
17 court in case somebody needed a court-appointed
18 lawyer?

19 A. You would, yes.

20 Q. Were you the bar advocate or the duty attorney
21 on April 2nd, 2018, in Newton?

22 A. I believe that's accurate. I have no memory
23 of the specific day, but yes.

24 Q. That sounds like something you probably would
25 have been doing at that time?

1 A. In 2018, yes.

2 Q. Were you assigned on April 2nd, 2018, to
3 represent a defendant named Jose Medina Perez?

4 A. Yes.

5 Q. Do you have some memory of the case and the
6 proceedings?

7 A. I have some memory, but it was a while. I
8 also was undergoing cancer treatment at the
9 time; so...

10 Q. A time to forget.

11 A. No. But it was just -- I mean, I was
12 physically undergoing cancer treatment; so...

13 Q. Was that the only day you had any involvement
14 with Mr. Medina Perez?

15 A. Yes.

16 Q. Do you remember that it was a Monday morning?

17 A. No.

18 Q. Do you recall that he had been arrested and was
19 being detained when he showed up for his
20 arraignment?

21 A. I recall that he was detained.

22 Q. Do you recall what the charges were?

23 A. I recall that, I recall that what was at
24 issue was the fugitive of justice warrant.

25 Right? From Pennsylvania. That's what I

1 recall.

2 Q. Do you recall that he had been arrested on state
3 misdemeanor drug charges?

4 A. I believe so. I don't have specific memory
5 of that but..

6 Q. You do remember something about a fugitive
7 warrant?

8 A. I do.

9 Q. And had you dealt with those before?

10 A. Yes.

11 Q. Can you tell us from the perspective of a
12 defense lawyer what you needed to do if they had
13 someone with a fugitive warrant?

14 A. Ideally, I mean, ideally, you can -- you try
15 to figure out if that is the person. And, you
16 know, there's a lot of ways to try to do that.
17 Obviously, as a lawyer on duty, you know, I
18 have, I have somewhat limited access. I don't
19 have a computer, you know. I may have a phone
20 on me. Certainly, the phones are much different
21 now than they used to be. So I have a little --
22 somewhat of a computer. But you try to
23 determine if that is in fact the person.

24 Q. When you say "that is in fact the person," can
25 you just explain what you mean by that?

1 A. Sure. You try to determine whether the
2 individual that is being held on the fugitive
3 from justice warrant is in fact the person on
4 the warrant from the other state.

5 Q. How does the fugitive of justice warrant get
6 hooked up with the person in the first place
7 when they're arrested?

8 A. I think they match them, I think they match
9 them on name and perhaps date of birth.

10 Q. And are there sometimes questions about whether
11 this is truly the person who's the subject of
12 the warrant?

13 A. Yes.

14 Q. Was that true for Mr. Medina Perez?

15 A. I don't have a specific memory of that. I
16 mean, I do recall, I do recall being struck by
17 the photo. Right? So they had a photo of him
18 in the booking process and then there was a
19 photo that came with a warrant, I believe.

20 Q. And when you looked at those, did you have some
21 impression about whether this was the right guy?

22 A. My recollection was it was a different
23 looking individual, different looking man.

24 Q. Do you have a general recollection that there
25 was an issue about his identity while you

1 represented him?

2 A. I believe that I was trying to convey that I
3 did not think it was him.

4 Q. To whom were you trying to convey that?

5 A. To the court and the Commonwealth.

6 Q. Who was representing the Commonwealth?

7 A. Shannon Jurgens.

8 Q. Was she somebody that you knew?

9 A. I knew her from the court.

10 Q. And what was your impression of her?

11 A. I mean, I also had some good experiences with
12 Shannon.

13 Q. As a reasonable, fair prosecutor?

14 A. I thought that she was a very fair and just
15 prosecutor.

16 Q. Back in 2018, did you know an attorney named
17 David Jellinek?

18 A. I did.

19 Q. How did you know him?

20 A. I knew him -- He was actually employed in
21 City of Boston for a while as well.

22 Q. When you worked or overlapping?

23 A. I think, yeah, I think it was somewhat of an
24 overlap. I mean, he worked in the police
25 department. I worked in corporation counsel's

1 office.

2 Q. Did you also know him from the criminal defense
3 work or bar advocate work?

4 A. Yes.

5 Q. Do you remember seeing David Jellinek that
6 morning in the Newton District Court?

7 A. I have no memory of that.

8 Q. In the course of representing Mr. Medina Perez,
9 did you ask for second and third call?

10 A. I believe I did, yes.

11 Q. Is that a common practice in District Court?

12 A. Yeah. I mean, I could be doing multiple
13 things, you know, getting pulled in different
14 directions, you know. I don't think that was my
15 only case that day. I mean, Newton wasn't a
16 terribly busy court, but I don't think it was
17 the only thing that happened that day.

18 Q. And what was the purpose of asking for a second
19 or a third or more calls?

20 A. I think I was trying to gather additional
21 information. I think I was probably dealing
22 with another issue as well, another client.

23 Q. Was it common to, in District Court to ask a
24 judge for a little more time to do something?

25 A. Sure.

1 Q. And was that generally granted?

2 A. Sure. Absolutely.

3 Q. Do you recall who the judge was that day?

4 A. I do.

5 Q. Who was that?

6 A. Judge Joseph.

7 Q. Had you had experience with Judge Joseph before?

8 A. No.

9 Q. She was a relatively new judge?

10 A. I don't know that. I don't think I appeared
11 before her before.

12 Q. In the course of the morning, do you recall an
13 ICE agent being in the Newton District Court?

14 A. Yes.

15 Q. What do you recall about that?

16 A. I just recall that he was in the courtroom
17 all morning. I did speak with him. I think,
18 you know, he was there for Mr. Pena.

19 Q. Mr.?

20 A. Perez.

21 Q. Right. Okay. So in addition to the fugitive
22 warrant, did you know there was an ICE issue as
23 well?

24 A. I knew there was a detainer.

25 Q. And were you representing him with respect to

1 that ICE issue as well?

2 A. I was representing him in terms of the
3 criminal charges in the District Court, and
4 certainly, to the extent, you know, that I could
5 be helpful on the detainer issue, I would be
6 helpful.

7 Q. Did you spend time that morning at intervals
8 investigating Mr. Medina Perez's case?

9 A. I remember -- Yes, yes.

10 Q. Do you remember whether he spoke English?

11 A. He did not speak English.

12 Q. How would you communicate with him?

13 A. There was an interpreter.

14 Q. Were you able to even have a basic conversation
15 with him in English?

16 A. I don't remember that. I do know Spanish,
17 but I don't remember that.

18 Q. Was there anybody there connected with
19 Mr. Medina Perez?

20 A. He had, I remember he had some friends there
21 for a while.

22 Q. Do you remember how many friends?

23 A. I don't.

24 Q. Do you remember speaking with them at all?

25 A. I did speak with them.

1 Q. And was that in -- don't tell us about it, but
2 in connection with this situation?

3 A. Yes.

4 Q. Did you continue to represent Mr. Medina Perez
5 through the lunch hour?

6 A. My understanding was I did.

7 Q. And do you have a big book of tabbed exhibits in
8 front of you?

9 A. I do.

10 Q. Can I ask you, if you would, to take a look at
11 Exhibit H, please? H, like Harry.

12 A. Yes.

13 Q. And if you would, would you turn to Page 147.
14 And I'm talking about transcript pages, not
15 physical pages.

16 A. I believe I'm there.

17 Q. Do you have that?

18 A. Yes.

19 Q. All right. And up at the top the clerk is
20 saying, so, ma'am, Ms. Bostwick has been
21 appointed to represent you. Was that what you
22 meant, there were other clients besides
23 Mr. Medina Perez you were being appointed for?

24 A. That's what the transcript says.

25 Q. Okay. And if we scoot down to Line 16, the

1 clerk says, Judge, that leaves us with
2 Mr. Perez, and Attorney Bostwick, are we
3 still -- and you said I just sent a fax.

4 A. That's what it says.

5 Q. Do you have a recollection of sending a fax?

6 A. I think, I think I did send a fax to his
7 employer.

8 Q. Okay. Was that part of your investigation about
9 his identity?

10 A. Yes.

11 Q. Okay. And then the clerk says, so that just
12 leaves, and there's a conversation with
13 Judge Joseph and another lawyer named
14 Mr. Harrington?

15 A. Yes. That's what the transcript shows.

16 Q. And then if we go over to Page 149, at Line 18,
17 are you speaking again?

18 A. That's what the transcript indicates, yes.

19 Q. And you said, I think, Your Honor, I have an
20 appointment this afternoon, and I wanted to ask
21 if we could have a -- and I understand that the
22 interpreter has to be somewhere as well, if
23 maybe we could have Mr. Medina's case called at
24 2:15 or so, so that would just give me time and
25 then we're not just waiting. Do you remember

1 needing a little time for a medical appointment?

2 A. I do.

3 Q. And did Judge Joseph give you that time?

4 A. Yes.

5 Q. Again, is that something most judges would do if
6 you said can I come back at 2:15?

7 A. Yes.

8 Q. Did you leave the courthouse anticipating that
9 you would come back and continue to represent
10 Mr. Medina Perez?

11 A. That was my understanding.

12 Q. Up until that point, had Attorney Jellinek
13 approached you and told you he had been
14 retained?

15 A. Nobody contacted me telling me that he had
16 secured private counsel.

17 Q. Do you remember seeing Mr. Jellinek before you
18 left for lunch?

19 A. I don't remember that.

20 Q. Do you remember giving him any documents?

21 A. I don't remember that.

22 Q. Okay. You went off to lunch and your medical
23 appointment?

24 A. Yes.

25 Q. While you were away from the courthouse, did

1 anybody contact you to tell you that you would
2 no longer be representing Mr. Medina Perez?

3 A. No.

4 Q. Did you show up thinking you still represented
5 him?

6 A. I did.

7 Q. What do you remember about coming back in the
8 afternoon?

9 A. I remember I came back probably pretty close
10 to 2:00, 2:15. I remember that I ran into
11 Attorney Jellinek. He indicated to me that he
12 had been retained.

13 Q. Was that the first you were hearing of it?

14 A. Yes.

15 Q. Did you have a conference with him about
16 Mr. Medina Perez's case?

17 A. I'm sure I must have said something,
18 something to him. I don't remember what
19 specifically.

20 Q. Do you remember giving him any documents or any
21 of your file?

22 A. I don't.

23 Q. What did you do after that?

24 A. I stayed in the courtroom, you know. I
25 didn't know if, you know, I was going to be

1 relieved for the afternoon, so I stayed.

2 Q. As part of being the duty attorney, would you
3 normally stay until the court proceedings
4 conclude for the day?

5 A. I mean, it would be common -- Sometimes.
6 Right? If the clerk called me and said we don't
7 need you to come back and -- you know, I would
8 probably have gone home.

9 Q. Okay. But you were back first to represent
10 Mr. Medina Perez and then you continued to stay
11 in case anybody needed you?

12 A. I -- My memory is I continued to stay because
13 I came back for Mr. Medina. I didn't know if --
14 That's what I remember.

15 Q. Where did you sit?

16 A. My memory is that I sat to the right side --
17 if you're facing the bench, I sat to the right
18 side.

19 Q. Okay. Is that the side where side bars would be
20 held?

21 A. Yes.

22 Q. Did you see a side bar take place in
23 Mr. Medina Perez's case?

24 A. Yes.

25 Q. Were you sitting in the gallery looking at it?

1 A. I wasn't sitting in the gallery. I was
2 sitting behind the bar.

3 Q. So, actually, within the bar enclosure?

4 A. Yes.

5 Q. And were you able to hear the side bar?

6 A. No.

7 Q. Was there white noise that went on?

8 A. I'm sure there was. I don't know.

9 Q. But even from within the bar you weren't able to
10 hear what they were saying?

11 A. No.

12 Q. Do you know whether parts of it were on or off
13 the record?

14 A. I mean, my memory is that I did know that we
15 went off the record at some point, but I
16 couldn't tell you when that was.

17 Q. And could you hear anything at all from either
18 the on or off the record part?

19 A. No.

20 Q. Did you see Judge Joseph speaking with
21 David Jellinek and Shannon Jurgens?

22 A. Yes.

23 Q. Did anything appear unusual or out of the
24 ordinary to you as you watched it happen?

25 A. I have no memory of anything unusual.

1 Q. Just sort of another day, another side bar?

2 A. I just know that they were at side bar
3 addressing the court.

4 Q. After that finished, do you recall that
5 Mr. Medina Perez was arraigned?

6 A. I don't remember when that occurred. I think
7 he would have been arraigned earlier.

8 Q. In any event, there was some sort of continued
9 proceeding and he was then released? Do you
10 recall that?

11 A. Yes.

12 Q. Do you recall some discussion in open court
13 about Attorney Jellinek going downstairs to
14 speak with Mr. Medina Perez?

15 A. Yes.

16 Q. And the lockup would be downstairs?

17 A. Yes.

18 Q. Had you had experience in the Newton District
19 Court speaking with clients in the lockup?

20 A. Yes.

21 Q. Was that unusual?

22 A. No.

23 Q. If you -- or if the client needed an
24 interpreter, would the interpreter go to the
25 lockup?

1 A. Sure.

2 Q. Was that again pretty routine?

3 A. No. I mean, it wasn't unusual. No, it was
4 not unusual.

5 Q. If you needed it, it happened.

6 A. Of course. I'm sorry.

7 Q. Once they went downstairs, do you remember what
8 you did next?

9 A. I don't.

10 Q. Do you remember seeing either Attorney Jurgens
11 or Attorney Jellinek later that day?

12 A. Yes.

13 Q. What do you recall about that?

14 A. I remember leaving the courthouse. I believe
15 I ran into them on the outside area of the
16 courthouse.

17 Q. Physically outside the building?

18 A. Yes.

19 Q. What do you recall about that?

20 A. I recall being there and Attorney Jurgens is
21 there and I think David Jellinek came out.

22 Q. Do you recall either having or overhearing any
23 conversation about Mr. Medina Perez?

24 A. I don't recall specific conversation, no.

25 Q. Do you remember saying to Attorney Jellinek, I

1 know what you did and you obstructed justice?

2 A. I don't have a memory of that.

3 Q. Did you at that point know that Mr. Medina Perez
4 had gone out the back door?

5 A. He didn't come upstairs with
6 Attorney Jellinek.

7 Q. Did you expect that that's what would be
8 happening?

9 A. That's what I thought would have happened,
10 yes.

11 Q. And did you have an understanding at that point
12 about why that didn't happen?

13 A. I didn't know.

14 Q. Did you understand what had happened with the
15 Pennsylvania warrant?

16 A. In terms of --

17 Q. Of why he wasn't being held on the warrant?

18 A. My understanding, I think that the DA agreed
19 that it wasn't him.

20 Q. Did that surprise you?

21 A. I had tried to make that argument earlier. I
22 thought it wasn't him, and so I think she
23 agreed.

24 Q. Okay. But not while you were representing him.

25 A. No.

1 Q. Do you recall anything else about your
2 interaction with either Attorney Jurgens or
3 David Jellinek?

4 A. No.

5 Q. Did you ever get contacted or interviewed by the
6 Federal U.S. attorney or anybody investigating
7 this case?

8 A. No.

9 Q. Were we the first ones who came looking for you?

10 A. Yes.

11 Q. And was that probably December of this year --
12 last year, 2024?

13 A. I believe that's correct, yes.

14 MS. MULVEY: I have nothing
15 else. Thank you, Attorney Bostwick.

16 JUDGE FABRICANT: I'll be very
17 brief.

18 CROSS-EXAMINATION

19 BY JUDGE FABRICANT:

20 Q. Good morning, Attorney Bostwick.

21 A. Good morning.

22 Q. You were appointed to represent
23 Mr. Medina Perez, and you worked hard for him;
24 right?

25 A. Certainly.

1 Q. And you worked right up until the lunch break,
2 and then court recessed, and you thought you
3 were going to come back and continue to
4 represent him.

5 A. Absolutely.

6 Q. And then Mr. Jellinek came in and took over.

7 A. Yes. I think -- Yes.

8 Q. And that happens sometimes; right?

9 A. Of course.

10 Q. It's not an unusual event.

11 A. No.

12 Q. And we can all speculate about why it happens.

13 Maybe there are some unfair stereotypes out
14 there in the world about appointed counsel. But
15 in any event, it happens; right?

16 A. Sure.

17 Q. And when you came back and you sat in the
18 courtroom, you said you sat inside the bar. So
19 from the perspective of the bench, you'd be
20 visible, wouldn't you?

21 A. Yes.

22 Q. You were not at side bar.

23 A. No.

24 Q. And you couldn't hear what was said at side bar.

25 A. No.

1 JUDGE FABRICANT: I have
2 nothing further. Thank you.

3 MS. MULVEY: I have nothing
4 else. Thank you.

5 HEARING OFFICER: Thank you
6 very much.

7 MR. HOOPES: Judge Joseph would
8 call judge, retired Judge Carol Ball.

9 HEARING OFFICER: Good morning.
10 former HONORABLE CAROL S. BALL,
11 SWORN

12 DIRECT EXAMINATION

13 BY MR. HOOPES:

14 Q. Good morning.

15 A. Good morning.

16 Q. Again, would you state your name and spell your
17 name for the record.

18 A. Yes. My name is Carol Ball. C-a-r-o-l,
19 middle initial S, and last name B-a-l-l.

20 Q. And I'm stopping but I'm going to call you
21 Judge Ball or Attorney Ball.

22 A. Yeah.

23 Q. Whatever you want.

24 A. Yeah. When you and I worked at the DA's
25 office only like 80 years ago; so...

1 Q. 45. So you were a judge, --

2 A. Yes.

3 Q. -- and now you're retired; is that correct?

4 A. Yes.

5 Q. Could you share with the hearing officer your
6 education, training, experience both as a lawyer
7 and as a judge.

8 A. Okay. I went to Northeastern Law School --
9 we have a reunion of Northeastern Law group
10 here -- in Boston. I clerked for the
11 Superior Court in this building. And then I was
12 an assistant DA in Middlesex County across the
13 river for eight years. Tried a lot of cases.
14 We were all very lucky because the -- there had
15 been -- the full-time bill was passed right
16 before we started. Up until that point, lawyers
17 from the Commonwealth of Massachusetts who were
18 DA's would try cases in the morning, criminal
19 cases in the morning, and then they all had
20 civil practices in the afternoon.

21 So I can't remember the year
22 was, but as of right after we got out of law
23 school, that law was passed that DA's would be
24 full-time. And therefore, there were a whole
25 bunch of senior DA's who were making their

1 living off their practice in the afternoon. So
2 they had quit and run off and run their
3 practice. And young people like me, Tom, got a
4 chance -- I tried my first murder a year into
5 the job. So anyway. Eight years, trying
6 murder, rape, the usual felony stuff. Quite
7 fun.

8 Q. Then after you left, did you enter private
9 practice?

10 A. Yes. After that, I wanted to learn to try
11 civil cases. I went to an insurance defense
12 firm and was there for four or five years, and
13 then for the next five or six years I was
14 variously on my own or working in sharing
15 expenses in conjunction with another lawyer or
16 two. I had a trial practice, trying civil cases
17 and also defense. And I did a lot of
18 criminal -- not a lot, but a fair amount of
19 criminal defense work.

20 Q. And was that criminal defense work in both the
21 District Court and Superior Court?

22 A. It was. And Federal. Little bit in
23 Federal Court.

24 Q. And at some point were you appointed to the
25 bench?

1 A. Yes. 1996. Lightning struck and I was
2 appointed to the Superior Court.

3 Q. And you were in the Superior Court for how long?

4 A. 19 and a half years. I retired on May 31st,
5 2015.

6 Q. Thank you.

7 Now, during the course of your practice, private
8 practice, did you have occasion to experience
9 judges going off the record?

10 A. Left, right, and center. I mean, I -- Yes.

11 Q. In both the District Court and in the
12 Superior Court.

13 A. Yes.

14 Q. Could you explain that in more detail.

15 A. Yes. Back -- The whole on and off the record
16 thing was a progression. And back when I was a
17 law clerk and assistant DA, we spent hours in
18 judges' lobbies with the lawyers in the lobby.
19 Mostly -- I was in Superior Court mostly, as a
20 law clerk entirely. Lobby was the
21 traditional -- you heard it described here, with
22 both sides going, the judge saying what would
23 you like me to do, so defense counsel would take
24 it down to their client. So lobby conferences.

25 In addition, there was a fair

1 amount of side bar stuff when you were in
2 assignment sessions, like the first session
3 here. People actually refer -- I'm not going to
4 beat a dead horse about that. People would go
5 on and off the record for various reasons. It
6 became, it became -- Popular sounds correct, but
7 I don't mean that. People became aware that
8 this balance of lobby conferencing and doing
9 stuff in the public was a problem for reasons
10 we've all discussed. And the courts pushed us
11 towards going, towards going on the record and
12 definitely not doing stuff in the lobby because
13 it looked like there were accusations -- You
14 didn't want people to think when we're at the
15 lobby laughing and joking and cutting a deal.
16 You know, that was not -- They want people to
17 see we're doing serious business. And so there
18 was definitely -- The move was to go to side bar
19 and do it in full sight of the public even if
20 not in the hearing of the public.

21 There was, there was some
22 resistance all along the way of this
23 progression. Because it was a very popular
24 practice with lawyers on both sides, with
25 judges, because everybody felt people were, and

1 they were, it's human nature, were much more --
2 you'd get the real scoop if you're off the
3 record, that people are much more willing to
4 give a judge the full information for any, you
5 know, any number of reasons, privacy reasons,
6 office politics reasons, witness problems, and
7 so we all felt that we were --

8 I mean, the goal here was to do justice in the
9 individual case, you know. And to do that, you,
10 as a judge, you want as much information as you
11 possibly can.

12 And there is just -- To this
13 day, I -- you know, I notice I retired in 2015.
14 I would have been in tears about the fact that
15 this rule was not probably -- finally passed --
16 She's laughing. She's right. -- to go on the
17 record, you know, to be all on the record all
18 the time. Because I really meant that it
19 allowed us to do justice to have the opportunity
20 to get the real poop on some things, if you
21 will. And that is -- I understood that that's
22 what it was.

23 Q. So when you were on the bench as a
24 Superior Court judge, did you go off the record?

25 A. Yup.

1 Q. And could you describe that progression and how
2 you conducted those when you were on the
3 Superior Court?

4 A. Well, when you're saying off the record, you
5 mean in lobby conferences and in addition to all
6 the other stuff.

7 Q. Well, if we could separate the two.

8 A. Yeah.

9 Q. First describe the actual lobby conference and
10 then what you would do when you're out on the
11 bench.

12 A. Right. Well, the lobby conference
13 increasingly became not in the lobby anymore but
14 out on the record. We're out at side bar, as
15 you've all discussed, and the conversation would
16 be off the record initially when the transition
17 was made out into the courtroom. And then
18 increasingly it became on the record. For lobby
19 conferences. And it was the same -- basically,
20 I have to say, I found it less intrusive than I
21 thought it would be, would still be able to --
22 in open court you would still be able to, even
23 though side bar off the record even, there still
24 was clearly the appearance to the public that we
25 were doing our job, that it was, you know, a

1 real, a real -- like you see justice work
2 without having to know how the sausage was
3 actually made, which one judge says, public
4 doesn't need to know how the sausage is made.
5 That's literally an old thought. Words not to
6 live by anymore. But anyway.

7 Oh, sorry. Other stuff.

8 And the other was, both the
9 same. I sat in -- As the years go by in the
10 Superior Court, you get seniority, you get a lot
11 more choice of our courts you sit in and what
12 sessions you sit in. And I became, I became
13 someone who sat in this building on the sixth or
14 seventh -- seven, I think, seventh floor. And I
15 did a lot of -- It wasn't just lobbies. It was
16 also -- It was case management session, so
17 you're going out to trial, what motions do need
18 to be filed here, have they been filed,
19 discovery, you know, years of stuff, discovery
20 turned over.

21 And there were lots of side bar
22 on that. And mostly counsel saying, Judge, can
23 we approach and someone saying can we go off the
24 record. And it would often be things like,
25 listen, I got a doctor's appointment at lunch,

1 can I come back at 2:15, look, my guy wants to
2 go pro se and it's really not in his interest,
3 Judge, can you give me a second call so I can
4 try to talk with him, his wife, you know. Lord
5 knows judges don't want lawyers -- defendants to
6 go pro se. So you know, there would be that
7 kind of stuff. So there was all kinds of just
8 getting business done. And I didn't -- Well,
9 anyway.

10 Q. Did you require counsel to provide the reason
11 before they came up to --

12 A. No. You know, I really like lawyers. And I
13 trusted lawyers. I really felt that -- I always
14 trusted that lawyers were doing the right job,
15 were helping counsel and doing the right job for
16 their clients. So I err -- We all have
17 different attitudes about it. But I err on the
18 side assume that counsel's asking to go off the
19 record or approach or go off the record, they
20 were doing it for reasons that were consistent
21 with their representing their client
22 effectively. And if there was a problem, then
23 you deal with it at the time.

24 Q. Were you aware of other judges in the
25 Superior Court --

1 A. Oh, yes.

2 Q. And when you were in the District Court, private
3 practice, were you aware that it was not just
4 one judge, that it was multiple judges --

5 A. Yes.

6 Q. -- going off the record?

7 Did Judge Joseph ever appear before you in
8 Superior Court?

9 A. She did.

10 Q. And would that have been occasions when you
11 would have gone off the record?

12 A. Absolutely. She was in the AG's office
13 across the street. They bring all their cases
14 in Suffolk, so she was in front of me all the
15 time at first.

16 Q. Now, you were present yesterday when there was a
17 question about pausing the proceeding; correct?

18 A. Uh-huh. Yes.

19 Q. And can you share with us any custom and
20 practice that you had with pausing the
21 proceeding without requiring an analysis
22 mentally about all the justifications and
23 reasons for doing that?

24 A. Well, I'm assuming that we're talking -- What
25 I heard yesterday was the conversation about

1 Judge Joseph's proposal to hold the defendant
2 overnight on the out of state warrant and put it
3 over until people have had a chance to figure
4 out all the identity of Mr. -- blanking on...

5 Q. Medina Perez.

6 A. -- Medina Perez. And that -- Yes, I'm aware
7 of hearing that. It is -- It was interesting --
8 Well, anyway. It is true that instead of a bar
9 analysis, bar exam kind of analysis of that,
10 where spot the ethical problem, you could see
11 that since -- I mean, in effect, the
12 Pennsylvania warrant at that point was sort a
13 nullity, whether it was a de jure nullity or
14 what, but it was de facto a nullity, it's kind
15 of like -- But the defense attorney here -- I
16 mean, you would never do that without the
17 defense attorney running along and you're
18 assuming that the defense attorney, by him
19 saying that's a great idea, let's do it, has his
20 client's authority to basically in effect waive
21 his right to a bail hearing that day. So that
22 it didn't -- to be honest, it didn't occur to me
23 that if that's what counsel wanted, I'm trying
24 to get justice on an individual case, for
25 everybody involved, and it just wouldn't occur

1 to me -- I mean, I would have to worry about the
2 paper to hold him on, you know, what do we hold
3 him on here. But just wouldn't occur to me that
4 that's not properly done. Probably a good thing
5 I'm not a judge anymore.

6 Q. And have you done that in the past --

7 A. Oh, yeah. In the first case.

8 Q. Are you aware of other judges in this
9 courtroom -- in this courthouse who have done
10 that in the past?

11 A. I think, yeah. Yes, some. You know, as my
12 former chief said, there was lots talking about
13 at lobby conference. There was definitely a
14 group of us that thought strongly that going off
15 the recorded assisted in the job and the group
16 that said, hey, the SJC's not happy with this,
17 it's not a good idea anyway. There were
18 definitely people that did it and people that
19 didn't do it.

20 Q. Lastly, in your experience both as a prosecutor
21 and as a private counsel and as a judge, has it
22 been a custom and practice of almost every judge
23 to be concerned at the end of the day about
24 pushing custodies out and getting it done so
25 that the court officers and the court staff

1 don't have to remain?

2 A. Oh, yeah. There were a few vans here in this
3 court, there's a van that comes by at noon, they
4 drop them all off. Vans from Middlesex, from
5 Essex, from Norfolk. They're all in here
6 dropping the bodies off. They would bring -- We
7 all referred to them as the bodies in the
8 lockup. And drop the defendants off. And then
9 they make circuit at lunchtime. So there's a
10 huge push to get the defendants who are
11 custodies out the door by lunch so that they can
12 go. Because once the vans start coming back in
13 the afternoon, they stop at a particular time.
14 And if you have custodies that aren't ready to
15 go, that van's got to come back, but it's got to
16 come back after stopping in Brockton, Dedham,
17 and you're going to have court officers, like
18 our friend Vance here, sitting on the eighth
19 floor at 7:30 or 8:00 at night before the
20 defendant is picked up and go back. And the
21 defendants don't like it either because they
22 miss dinner. You know what I mean? So the idea
23 is to get the custodies out the door, get the
24 business done properly, but get the custodies
25 out the door as soon as you can. It's only fair

1 to courthouse staff.

2 MR. HOOPES: Thank you very
3 much.

4 CROSS-EXAMINATION

5 BY JUDGE FABRICANT:

6 Q. Good morning, Judge Ball.

7 A. Good morning, Judge Fabricant.

8 Q. Very nice to see you.

9 A. You, too.

10 Q. You talked about needing some paper to hold
11 somebody on.

12 A. Yup.

13 Q. Right? It's called a mittimus.

14 A. Yeah.

15 Q. And the mittimus goes with the person who is in
16 custody from the court security or from the
17 court to whoever's going to be the custodian,
18 the jails or whoever else; right?

19 A. Yup.

20 Q. And it needs to say what he's being held on.

21 A. Yes.

22 Q. Right? So you need to come up with something
23 that he's being held on; right?

24 A. Yup.

25 Q. Did you ever -- You never sat on the

1 District Court; correct?

2 A. No.

3 Q. You became a Superior Court judge in 1996.

4 A. Correct.

5 Q. You retired you said 2015; is that right?

6 A. Yup.

7 Q. Somehow I was under the impression it was '16.

8 But it was '15.

9 A. It was '15.

10 Q. You spent a lot of time in your years on the

11 Superior Court in this building.

12 A. Yup.

13 Q. This building is really, really busy; right?

14 A. Oh, yes.

15 Q. It's the busiest. The Superior Court.

16 A. It's great. It's a great place to sit. It's
17 moving.

18 Q. And the other place where you've spent a lot of
19 time was Brockton Superior Court.

20 A. Correct.

21 Q. And that is also a very busy court.

22 A. Yup, yup.

23 Q. So the process you described with the vans
24 coming and going, and if it's not ready, they
25 have to come back later and court officers

1 having to stay late, and missed their dinner,
2 that happens in this building; right?

3 A. Oh, yeah.

4 Q. And it probably happens in Brockton, too.

5 A. Oh, yes.

6 Q. Newton District Court, do you think it happens
7 there?

8 A. Well, I think they probably don't stop by as
9 often. But it does matter if there's a body --
10 Sorry. That sounds horrible. -- if there's a
11 defendant there to pick up. It does. They have
12 to come back. But you're absolutely right, it's
13 not as busy.

14 Q. A much less busy court, --

15 A. Yes.

16 Q. -- as far as you know.

17 A. Yes.

18 Q. When you started practicing law in 1977, you
19 were assistant district attorney, and you said
20 you were very lucky.

21 A. Yeah.

22 Q. The way the district attorney's office is
23 usually started, you start at the
24 District Court.

25 A. Yes.

1 Q. And then if you do a good job, you move to
2 Superior Court.

3 A. Yes.

4 Q. And in your case, it happened quickly.

5 A. Yeah.

6 Q. Because there was a lot of transition.
7 When you started practicing at the
8 District Court in 1977, recording was a new
9 thing; right? It probably wasn't in all the
10 District Courts.

11 A. Sure. Absolutely.

12 Q. Just being installed. District Court judges
13 weren't used to it. District Court
14 practitioners weren't used to it.

15 A. Yeah. Nobody particularly liked it.

16 Q. Nobody liked it. And many of the judges who
17 were on the District Court in 1977 were still
18 there in 10 or 12 or 15, 20 years later;
19 correct?

20 A. Yes. Until they hit 70 and they had to...

21 Q. In Massachusetts, just to be clear, --

22 A. Yeah.

23 Q. -- judges have mandatory retirement at age 70;
24 correct?

25 A. Yes.

1 Q. By constitutional amendment enacted in 1974,
2 maybe?

3 A. Good.

4 Q. Some judges like that and some don't. Some
5 chiefs like it and some don't.

6 A. Exactly.

7 Q. You were appointed to the Superior Court in
8 1996.

9 A. Correct.

10 Q. It was actually February of 1996 --

11 A. Yes.

12 Q. -- that you joined the Superior Court.

13 A. Valentine's Day.

14 Q. So the last time you would have appeared at the
15 District Court -- Let me just step back a
16 minute. You were doing -- You were trying
17 serious cases; correct?

18 A. Yes.

19 Q. As a lawyer.

20 A. Yes.

21 Q. But you still might from time to time appear in
22 District Court.

23 A. Bread and butter. OUIs.

24 Q. OUIs?

25 A. Definitely bread and butter in private

1 practice.

2 Q. Because that actually -- that sort of high
3 volume practice works better for earning a
4 living --

5 A. Yes.

6 Q. -- than the more serious cases than in
7 Superior Court.

8 A. Yes.

9 Q. Now, the last time you would have appeared in
10 the District Court would have been late 1995.

11 A. Yes.

12 JUDGE FABRICANT: Okay. That's
13 all I have. Thank you very much.

14 THE WITNESS: Don't you want me
15 to walk me through --

16 MR. HOOPES: Thank you very
17 much.

18 HEARING OFFICER: Thank you,
19 Judge.

20 MR. HOOPES: Judge Joseph calls
21 Allison Koury. I believe she's right outside.

22 HEARING OFFICER: Good morning.
23
24
25

1 ALLISON KOURY, ESQ., SWORN

2 DIRECT EXAMINATION

3 BY MR. HOOPES:

4 Q. Ms. Koury, could you just say your name again
5 and spell it, please, for the --

6 A. Sure. Allison, A-l-l-i-s-o-n, K-o-u-r-y.

7 HEARING OFFICER: Could I ask
8 if you could stay as close to the microphone as
9 possible.

10 THE WITNESS: Sure.

11 HEARING OFFICER: You can move
12 it closer to you if that would be better.

13 THE WITNESS: Very good.

14 HEARING OFFICER: Thank you.

15 Q. And you're an attorney.

16 A. I am.

17 Q. And could you share with the hearing officer
18 your education, training, and experience.

19 A. I received my bachelor's from
20 Providence College, my JD from Suffolk, and my
21 LLM from BU.

22 Q. And you graduated and got your JD. What did you
23 do next?

24 A. I started working as a tax lawyer, and did
25 that for couple of years, maybe three years,

1 while I got my LLM. And then I realized that is
2 not what I wanted to do, and I was very unhappy
3 at the time. At the time I was young and had
4 nobody to worry about but myself, so I knew I
5 should change fields before I got too used to
6 making a lot of money, so to speak, so I became
7 a bar advocate.

8 Q. And what year would that have been? When would
9 that have been?

10 A. That would have been the early 1990's.

11 Q. And how long were you a bar advocate before you
12 went to something else?

13 A. So I was a bar advocate until 2001 when I got
14 married, had a baby, and switched to appeals, so
15 that I could stay home and have a more flexible
16 schedule, and I stayed in appeals until my baby
17 got his license, and then I went back to
18 Trial Court.

19 Q. And what year would that have been?

20 A. 2017.

21 Q. And during your first stint as a bar advocate,
22 what courts were you bar advocate?

23 A. Just Lowell District Court.

24 Q. And so, again, that would have been
25 Lowell District Court in what years, from when

1 to when roughly?

2 A. Roughly in the 1990's.

3 Q. And so when you became a bar advocate again in
4 2017, which courts did you act as bar advocate
5 for?

6 A. I was assigned to Waltham and Newton and
7 eventually Superior.

8 Q. And so can you tell the hearing officer, how
9 many days a week do you think you were in
10 Newton?

11 A. I was in court four times a week, and it
12 could be Newton, it could be Waltham. It
13 just -- Whenever I had cases. But it was many
14 times a week.

15 Q. So if we look at the transcript, you were
16 actually in court in the Newton District Court
17 on a case on April 2nd of 2018. Do you have a
18 memory of that?

19 A. I do not. I have been told I was there.

20 Q. Aside from that, did you have experience with
21 regard to custodies coming in, custody
22 defendants or defendants in custody, coming into
23 the Newton District Court and then being taken
24 out of the Newton District Court?

25 A. Yes.

1 Q. And did you also have experience with people who
2 came in in custody and then being released from
3 custody?

4 A. Yes.

5 Q. And based on your observations and your
6 experience with regard to the Newton District
7 Court, when an individual was being released
8 from custody in the Newton District Court, where
9 were they released to?

10 A. They would go back downstairs. If they had
11 come up in shackles, they would be brought back
12 downstairs to remove the shackles. Even if they
13 weren't in cuffs or shackles, they would go back
14 downstairs to retrieve their property.

15 Q. Now, if you had a client who was released, would
16 you see it as being unusual at all to be going
17 downstairs to speak to him before he left?

18 A. Not at all. There are a number of reasons
19 why I might go downstairs. Like --

20 Q. What would they be?

21 A. If something maybe confusing had taken place,
22 I would want to go downstairs and make sure I
23 was able to talk to the defendant before they
24 actually left the building, or I might have a
25 question for them, and especially when there was

1 an interpreter involved, and either of those
2 things, I wanted to answer the defendant's
3 questions or ask a question, I would want to
4 make sure that I did that right away before --
5 while I still had both people in the building.

6 Q. Going back to your time in Lowell. That was in
7 the mid to late '90's, if I understood it
8 correctly?

9 A. Uh-huh. Yes.

10 Q. Did you observe the practice up there with
11 judges going off the record?

12 A. Yes.

13 Q. I'm sorry. Go ahead.

14 A. It was a different era back then.

15 Q. Okay. And one particular judge up there went
16 off the record.

17 A. Yes.

18 MR. HOOPES: Thank you. That's
19 all I have. Thank you.

20 JUDGE FABRICANT: Very brief.

21 CROSS-EXAMINATION

22 BY JUDGE FABRICANT:

23 Q. Good morning, Ms. Koury.

24 A. Good morning.

25 Q. On April 2nd of 2018, you were in the

1 Newton District Court because you had been
2 appointed to represent a person by the name of
3 Pineda, if I'm pronouncing that correctly.

4 A. That doesn't ring a bell.

5 Q. So let me show you the docket. Let me see if
6 that refreshes your memory.

7 JUDGE FABRICANT: If I may
8 approach.

9 HEARING OFFICER: Yes.

10 Q. Take your time to read as much of it as you need
11 to.

12 (PAUSE)

13 A. Okay. Yes.

14 Q. And take a look at -- Look at behind Tab H in
15 that binder you have in front of you. You have
16 a binder in front of you.

17 A. Oh, yes.

18 Q. Turn to -- Looking at the numbers up in the
19 upper right-hand corner, turn to APP 047,
20 please. And this is a minuscrypt, so look at
21 Page 5 in the transcript. Do you have that in
22 front of you?

23 A. I see that, yes.

24 Q. And you can see that the clerk says, going down
25 about -- to Line 10, the clerk says, calling the

1 matter of Commonwealth versus Pineda, and then
2 the Commonwealth, the assistant district
3 attorney who's not named here, says there is a
4 private counsel that came in on Friday and
5 requested an 11:00 a.m. call because he just
6 filed an appearance Friday and had to be in
7 another court, I believe I do have the request.
8 And then the judge, again, not named here, says
9 second call. And then the assistant district
10 attorney says, okay, you have that. And then
11 the clerk says, I have that. And then
12 defendant's counsel -- So that would be you at
13 that point; right?

14 A. Yes.

15 Q. It says, I had originally been appointed to
16 represent Mr. Pineda, and I understand there's
17 been a notice of appearance, may I withdraw.

18 A. I see that, yes.

19 Q. And the judge -- the court says, okay, you may.

20 A. (Witness nods head).

21 Q. So that was a situation where you had been
22 appointed, and then the defendant or somebody on
23 his behalf retained counsel, and retained
24 counsel came in and replaced you.

25 A. Yes.

1 Q. And that just happens sometimes.

2 A. Yes.

3 Q. It probably still happens sometimes. And there
4 are lots of reasons why it might happen. But it
5 happens. It's not a surprising thing when it
6 does happen; correct?

7 A. It can still be surprising for me. But yes,
8 I see what you're saying.

9 Q. But it's not a rarity; correct?

10 A. No.

11 JUDGE FABRICANT: All right.
12 Thank you. That's all I have.

13 MR. HOOPES: Thank you. Thank
14 you very much.

15 HEARING OFFICER: Thank you
16 very much.

17 Judge Joseph calls retired
18 Judge Sevelin Singleton.

19 former HONORABLE

20 SEVELIN B. SINGLETON, III,

21 SWORN

22 HEARING OFFICER: Thank you.

23 Please be seated.

24

25

DIRECT EXAMINATION

BY MR. HOOPES:

A. Mr. Hoopes.

Q. Good morning, sir.

A. Good morning.

Q. Judge, would you state your name again for the record and spell it.

A. Sevelin B. Singleton, III. Sevelin is spelled S-e-v-e-l-i-n.

Q. Thank you.

So you were a lawyer, then a judge; correct?

A. Correct.

Q. Would you please share your education, training, and experience to the hearing officer.

A. Undergraduate degree, Bachelor of Science, business administration, Northeastern University Law School, JD. And from there, Mass Commission Against Discrimination. I think I stayed there one year. Then I left there and went to the Middlesex district attorney's office. I believe I was there for two years. I had taken a leave of absence from that office to run for city council in the City of Cambridge. I did not win. Thank goodness. From there, I became legal counsel for the City of Cambridge and

1 opened my own private practice.

2 Q. And for how long a period of time were you in
3 private practice?

4 A. Again, maybe two to three years.

5 Q. In what year did you get appointed to the bench?

6 A. 1989.

7 Q. And to which court were you appointed?

8 A. The court I grew up in, Cambridge District
9 Court. The neighborhood.

10 Q. And how long a period of time were you at the
11 Cambridge District Court?

12 A. Actually sitting?

13 Q. When did you retire?

14 A. 2014.

15 Q. And during the course of time that you were
16 sitting on the bench as a judge of the
17 Cambridge District Court, did you engage -- have
18 experience with the custom of going off the
19 record?

20 A. Yes.

21 Q. Could you explain that to the court, please.

22 A. Even though I frowned upon it when asked for
23 a lobby conference or to go off the record, I
24 would press the attorney, usually the defense
25 attorney, as to its reason, and often, of

1 course, they did not want to put that reason on
2 the record, I said at least give me a hint. If
3 the hint was a good hint which required
4 something off the record, a brief off the record
5 moment, then I would grant that request if there
6 was no objection from the district attorney.

7 Q. And did you continue that practice up until the
8 time you retired?

9 A. I did.

10 MR. HOOPES: No other
11 questions. Thank you.

12 JUDGE FABRICANT: If I may have
13 just a minute.

14 (PAUSE)

15 JUDGE FABRICANT: I have no
16 questions for this witness. Thank you.

17 HEARING OFFICER: Thank you.

18 THE WITNESS: At least a good
19 morning to you.

20 JUDGE FABRICANT: Good morning,
21 Judge Singleton.

22 MR. HOOPES: Judge Joseph calls
23 Mr. Gerrity.

24 MARK GERRITY, SWORN

25 HEARING OFFICER: Please be

1 seated.

2 DIRECT EXAMINATION

3 BY MR. HOOPES:

4 Q. Good morning, sir.

5 A. Good morning.

6 Q. Could you state your name again for the record
7 and spell it for the court reporter.

8 A. Absolutely. It's Mark Gerrity, spelled
9 M-a-r-k G-e-r-r-i-t-y.

10 Q. And sir, can you tell the hearing officer where
11 you're employed, by whom?

12 A. I'm employed by the Massachusetts Trial Court
13 as a deputy chief information officer in charge
14 of security infrastructure.

15 JUDGE FABRICANT: I'm sorry. I
16 couldn't hear all of that answer.

17 A. I'm sorry. Yeah. Deputy chief information
18 officer with the Massachusetts Trial Court and
19 I'm responsible for the security infrastructure
20 in the court.

21 JUDGE FABRICANT: Security
22 infrastructure?

23 A. Correct. Infrastructure.

24 HEARING OFFICER: And if you
25 could just move the microphone as close to you

1 as possible, that would be very helpful.

2 THE WITNESS: Yup.

3 HEARING OFFICER: Thank you.

4 Q. Now, could you just briefly describe what your
5 title means. What do you do?

6 A. So what my title is, I manage a team within
7 the Trial Court that is responsible for the
8 installation, the maintenance, service, and
9 repair of all the electronic security systems
10 within the Trial Court, and that includes CCTV,
11 access control system, meaning card swipes,
12 x-ray machines that you see out the entry into
13 the courts, walk-through metal detectors, and
14 also the two-way radio communications.

15 Q. And so those are all the courts. That would
16 include the Newton District Court.

17 A. That is correct. Yup.

18 Q. And so if I were to show you what's been
19 entitled a history report that's in as
20 Exhibit 3, you're familiar with the concept of
21 the exhibit history?

22 A. Absolutely. Yup.

23 Q. Okay. So if I could show you at this time that
24 exhibit but with several lines in it.

25 MR. HOOPES: And I'd ask to

1 admit this version because it's got a couple of
2 lines to make it a little easier for you to
3 follow. And I don't know how you'd like to mark
4 it. I was going to suggest as 3-A.

5 HEARING OFFICER: 3-A sounds
6 fine.

7 Any objection?

8 JUDGE FABRICANT: No objection.

9 HEARING OFFICER: 3-A is
10 received.

11 EXHIBIT 3-A
12 (DOCUMENT MARKED AS
13 EXHIBIT 3-A)

14 Q. Looking at that, can you identify that as an
15 electronic access document for the
16 Newton District Court for April 2nd of 2018?

17 A. Yes, I can.

18 Q. And at my request, did you go back out to the
19 Newton District Court and make observations to
20 confirm that everything seemed to be in order
21 and was in order on this day?

22 A. That is correct, yes.

23 Q. And so if you could -- I'm going to point you to
24 Page 3 of 5. And on the third line, there are
25 categories going across the top. There's a

1 location, group, Trial Court, but there's a
2 start and date time, start time, and other
3 information, but there's also a time event,
4 device name, and code; correct?

5 A. That is correct. Yup.

6 Q. And so looking at entry labeled 110 on the
7 left-hand side, that -- if you go under the
8 device, indicates that it was utilized by one
9 Wesley MacGregor, and it indicates that it's 5
10 and then 228 and then B, capital B, and then
11 lockup, and then arrow sallyport area.

12 A. That's correct.

13 Q. So does that mean that the access was from the
14 lockup area to the sallyport in the back?

15 A. That is correct. So the individual would be
16 standing inside of the lockup with a card
17 reader, presented a card at the reader, and
18 would open the door and allow you access into
19 the sallyport.

20 Q. Go down two levels to 113. It's the same entry,
21 again by Wesley MacGregor. That's going out,
22 correct, from the lockup into the sallyport
23 area?

24 A. That is correct.

25 Q. And going to the next page. Beginning at the

1 top, there are entries for 167 at 12:54, and
2 that indicates, again, lockup arrow sallyport
3 area Wesley MacGregor, then that's Mr. MacGregor
4 going out; correct?

5 A. That is correct.

6 Q. And below that in 168. That's B sallyport area
7 going into the lockup.

8 A. Correct. Correct. So that would be from the
9 exterior of the building sallyport into the
10 lockup.

11 Q. And so the next area entry below that is B
12 lockup arrow sallyport area at 12:56. So he'd
13 be going back out at that point.

14 A. That's correct. Yup.

15 Q. So we've got him going out at 12:54, in at
16 12:55, and out again at 12:56; is that correct?

17 A. Yes.

18 Q. And then the next time we see Mr. MacGregor is
19 in 177, we see lockup exit to staff; correct?

20 A. That's correct.

21 Q. And then the next entry we see is 186, which is
22 1:51, which is lockup out to the sallyport area;
23 correct?

24 A. That's correct. Yup.

25 Q. And that's, again, Mr. MacGregor.

1 A. That is correct.

2 Q. And then at 188 at 1:53 we see sallyport area
3 lockup. So he's coming back into the
4 courthouse; is that correct?

5 A. Yes.

6 Q. And then the next entry regarding the lockup
7 with Mr. MacGregor, because there's other
8 entries with regard to him, but with regard to
9 the lockup, is 211, it's an exit at 3:01.03, or
10 seconds, B lockup area, out to the sallyport
11 area, by Mr. MacGregor.

12 A. That's correct.

13 Q. So again, that entry with him at 3:01 in the
14 afternoon is him opening that back door;
15 correct?

16 A. 3:01 denotes that is from the lockup out to
17 the sallyport area.

18 Q. Thank you.

19 Now, when you were out at the Newton District
20 Court, did you observe whether or not there were
21 keycard access from the dock down to the lockup?

22 A. So there is a door in the lockup on the same
23 level as the lockup that goes -- leads to a set
24 of stairs that goes to the dock in the
25 courtroom.

1 Q. And so if we don't see any keycard access
2 regarding that, which goes down the stairs to
3 the lockup area, being used, what would be the
4 explanation?

5 A. The general explanation would normally mean
6 that the door's potentially propped.

7 MR. HOOPES: Okay. Thank you.
8 That's all I have.

9 CROSS-EXAMINATION

10 BY JUDGE FABRICANT:

11 Q. In 2018, were the doors that went from the
12 dock -- or do you know whether the doors that
13 went from the dock into the courtroom and the
14 other door inside the dock from the stairway to
15 the dock or from the dock to the stairway, do
16 you know whether those used electronic key cards
17 or whether they used physical keys?

18 A. So the door I've been referring to is
19 actually on the ground, the basement level,
20 inside the lockup area into a set of stairs.
21 That system has been in place for I would say
22 quite some time. It was before my tenure with
23 the Trial Court. So I would say, yes, to the
24 best of my knowledge.

25 JUDGE FABRICANT: So let's

1 bring up that photograph so we can show the door
2 of the lockup.

3 Q. I want to preface, the question I'm asking about
4 has to do with the door of the dock. If I said
5 lockup, I misspoke. So the door that goes from
6 the stairway into the dock or from the dock
7 back to the stairway, and the door that goes
8 from the dock out to the courtroom or from the
9 courtroom back to the dock. Those are the doors
10 I'm asking about.

11 A. So I can preface that by, court was in
12 session, and I wasn't able to get up the
13 stairwell into that area.

14 Q. So when you went out to look --

15 A. I could not access that area.

16 Q. And you went out to look recently; correct?

17 A. That's correct.

18 Q. Not in 2018.

19 A. No.

20 Q. Were you in this role in 2018?

21 A. I was the security systems administrator in
22 2018.

23 Q. So here's a picture of the dock. We actually
24 have another picture that shows the door a
25 little bit ajar. Let's see if we can find it.

1 Yeah. Well... Okay. So we're now looking at
2 Page 513, I think, Page 513. The door that is
3 in the foreground there, --

4 A. Yup.

5 Q. -- does that have an electronic card reader as
6 far as you can tell?

7 A. I do not see one.

8 Q. What do you see there?

9 A. I see the key lock on the door. Yup.

10 Q. Okay. And then the other door that's inside the
11 dock, can you tell --

12 A. From what I can see sitting here, it is the
13 same setup as the door in the foreground. It's
14 a key lock, it appears to be.

15 Q. And in that door at the bottom of the stairs, --

16 A. Correct.

17 Q. -- that one would have to go through to get
18 from --

19 JUDGE FABRICANT: Thank you.

20 Q. So we're now looking at Photograph Number 316, I
21 think.

22 MR. NEFF: 515.

23 Q. 516. I'm sorry. So that door that you can see
24 there that you have to go through to get from
25 the lockup into the stairway or from the

1 stairway into the lockup, is that the door you
2 referred to earlier?

3 A. That is correct, yes.

4 Q. And that does happen --

5 A. It does. And you can actually see it
6 actually sticking off the door slightly.

7 Q. And you said that, if there isn't an entry on
8 this document, that might mean that the door was
9 propped.

10 A. That's correct. Yes.

11 Q. And that sometimes happens; correct?

12 A. It does.

13 Q. Shouldn't happen, but it sometimes does.

14 A. Too much.

15 JUDGE FABRICANT: All right.

16 Thank you.

17 Oh, one more question, if I
18 may. I'm sorry.

19 Q. As we look through this list, as we look under
20 the column that says Device, --

21 A. Yup.

22 Q. -- in some places you see a name as opposed to a
23 location description; correct?

24 A. That is correct.

25 Q. So, for example, near the bottom on the first

1 page, at the second line from the bottom, you
2 see Judge Klein's office. Do you know that as
3 of -- Do you know who Judge Klein was?

4 A. I do not.

5 Q. Do you understand that to refer to the office or
6 lobby being used by the First Justice?

7 A. I wouldn't -- Yes, I would guess without
8 actually knowing. It would be a guess.

9 Q. Okay. We don't want you to guess.

10 A. Yeah.

11 Q. But from your experience in dealing with these
12 kinds of documents --

13 A. So I can -- If I could. A lot of times space
14 allocations change within a courthouse, and we
15 never know about it. It might just be a local
16 thing within the courthouse. There -- Before my
17 tenure, there was a lot of locations that refer
18 to a location based on maybe the First Justice
19 and they use their names. We, as we get into
20 doing upgrades in buildings, we correct that.
21 So the person may have retired many years ago,
22 and the staff knows the location, but we are not
23 familiar.

24 Q. So if you look at the rest of that line, it says
25 that the person who used the key card to access

1 wasn't Judge Klein, it was Judge Joseph;
2 correct?

3 A. Yes.

4 Q. So would you take that to mean that that office
5 that this document refers to as Judge Klein's
6 was being used at least that day by
7 Judge Joseph?

8 A. Yes.

9 JUDGE FABRICANT: All right.
10 Thank you.

11 MR. HOOPES: Thank you.

12 HEARING OFFICER: Thank you
13 very much.

14 MR. HOOPES: So in the evidence
15 at this point are two memorandum by ICE
16 officers. We'd ask permission to have those
17 read for the record. I know they're part of the
18 record, but there's a public nature of this. If
19 that's acceptable, we will call a witness to do
20 the reading.

21 HEARING OFFICER: That's
22 acceptable.

23 JUDGE FABRICANT: This witness
24 shouldn't be sworn; right? Or should he be
25 sworn --

1 MR. HOOPES: I think he should
2 be sworn the same --

3 HEARING OFFICER: I'll take a
4 stab at this.

5 Do you solemnly swear that the
6 reading you will be providing us today shall be
7 fully accurate?

8 THE WITNESS: I do.

9
10 DOUGLAS BROOKS, ESQ., SWORN
11 DIRECT EXAMINATION

12 BY MR. HOOPES:

13 Q. Sir, would you state your name again for the
14 record, please.

15 A. Douglas Brooks.

16 Q. And can you spell it, please?

17 A. D-o-u-g-l-a-s, last name B-r-o-o-k-s.

18 Q. And you're an attorney?

19 A. I am.

20 Q. And I have here with us in the record as a
21 report a memorandum that was written by an ICE
22 officer that's entitled Appendix O
23 DHS ICE memorandum investigation,
24 Officer Richard Simmons, dated April 18th, 2018.

25 I'm going to show you this,

1 sir, and I'm going to ask you if you would
2 kindly read it, beginning with the first line,
3 which is April 2nd of 2018.

4 A. (Reading) On April 2nd, 2018, I, Deportation
5 Officer, DO, Richard Simmons, responded to a
6 Secure Communities, SC, hit based on arrest by
7 Newton police. The subject, A079677654,
8 Oscar Pegeuro, March 2nd, 1979, a/k/a
9 Jose Medina Perez, August 15th, 1981, of the
10 Dominican Republic, was arrested by Newton
11 police and charged with possession of Class B
12 cocaine. Subject has no other known criminal
13 history. I arrived at the District, Newton
14 District Courthouse at approximately 09:30
15 hours. At security, I identified myself and
16 asked for the chief court officer. The security
17 officer stated he was not around but the other
18 court officers on duty were in the courtroom. I
19 entered the courtroom and sat in the designated
20 area of police directly next to a court officer
21 and a Newton police officer. A Newton police
22 officer -- I believe his first name is Jason --
23 greeted me by asking if I was here for his guy,
24 Perez. I said, yes, I have a detainer and
25 warrant. He said that he had the paperwork

1 already.

2 As I observed the court
3 proceedings throughout the morning, during a
4 brief recess I introduced myself to a court
5 officer situated near me. I asked him if I
6 would be able to take custody of the subject in
7 lockup at the conclusion of his arraignment. He
8 said that I could and that it would be better
9 for him and the other court officer in the
10 court, as they were the only two court officers
11 around. I said that would be great, as I was
12 alone currently, and for officer safety reasons,
13 it would be best.

14 The subject's arraignment took
15 some time and was not called until after
16 lunchtime. Throughout the day, as circumstances
17 permitted, the court officers, the assistant
18 district attorney, ADA, the clerk magistrate,
19 and the defense attorney were all made aware of
20 my presence and intent to arrest for Peguero
21 upon his release from state custody. In
22 addition, I could see that both the ADA and
23 defense attorney were in physical possession of
24 the immigration detainer.

25 Just before the lunch break,

1 approximately 1230 hours, the female defense
2 attorney approached me and asked if I was with
3 ICE. I stated yes, how can I help you. She was
4 explaining to me her reservations about her
5 client being a wanted person out of Pennsylvania
6 and the subject that I was in court for based on
7 the information in the detainer. I assured her
8 that her client was subject of an ICE detainer,
9 confirmed through biometrics. Ultimately, at
10 approximately 1310 hours, the case was held over
11 to the afternoon session.

12 I re-entered the courtroom at
13 approximately 1400 hours. As I sat in the
14 courtroom waiting for the session to begin, a
15 male attorney, not present in the courtroom
16 earlier in the day, introduced himself as the
17 subject's defense counsel and asked if I was
18 with ICE. I stated yes, how can I help you. He
19 went on to say that he believed there was --
20 there to be a case of mistaken identity with his
21 client. I told him that I knew his client's
22 identity. He proceeded to read and to point out
23 differences in his client's height and weight
24 compared to the subject cited in the detainer.
25 I told him that I was not concerned with those

1 discrepancies. I further told him that I was
2 only concerned with this client's biometric
3 match. I explained that his client had been
4 previously removed from the U.S. and that his
5 presence is evidence of his illegal entrance
6 into the U.S.

7 After the conversation with the
8 defense attorney, I spoke with the ADA in
9 greater detail about the subject's immigration
10 history. I explained his previous deportations
11 and that he would be presented for prosecution
12 to the U.S. attorney's office for re-entry after
13 deportation when he comes into ICE custody.

14 At approximately 1410 hours,
15 the clerk had entered the courtroom and asked if
16 I was with ICE. I stated yes. He asked if I
17 had a warrant, and I, again, stated yes, I have
18 it right here. I asked if he wanted it or
19 wanted to see it, and he said no. The clerk
20 went on to say that the judge wants me to tell
21 you to leave the courtroom. I said, leave the
22 courtroom? The clerk said yes. I said, why am
23 I being told to leave the courtroom? He stated
24 that the judge didn't want her courtroom being
25 intimidated by the presence of ICE. It should

1 be noted that I was in plain clothes, with all
2 my branding and gear covered by a shirt and
3 jacket. I asked again if he was telling me to
4 leave the courtroom, and he said the judge
5 doesn't want anyone being intimidated by ICE.

6 I left the courtroom, and the
7 clerk followed me out to the front
8 lobby/security area. He explained to me that he
9 would let me know as soon as a decision on the
10 case had been rendered. The clerk returned to
11 the courtroom, and shortly thereafter the clerk
12 returned to speak to me again and stated that if
13 the subject is released, he will be released
14 either through the courtroom or brought back
15 down to the lockup and released into the
16 courthouse. I asked, so he will come up the
17 stairs over there and into the lobby to use the
18 main exit? He stated yes.

19 At that time I expressed to him
20 the serious matter of officer safety. I pointed
21 out that I was currently alone and there are
22 three males that have waited all day for the
23 subject. The subject's defense attorney has
24 been meeting with them off and on throughout the
25 afternoon. I asked the clerk if it was at all

1 possible if it would be better for officer
2 safety reasons for me to take the subject into
3 custody in lockup. He said, no, I'm sorry, and
4 returned to the courtroom.

5 It should be noted that it is
6 Massachusetts Trial Court policy to allow ICE
7 officers into the lockup to take aliens into
8 custody. However, I was refused this
9 opportunity.

10 At this time, I waited outside
11 the courtroom for a decision at approximately
12 1421 hours and contacted my team to see if there
13 was anyone available for backup. Deportation
14 Officer, DO, Domenico Federico responded and
15 arrived at the court approximately 30 minutes
16 later. I never left the front lobby. The clerk
17 came out of the court at approximately a 1450
18 and said the subject was being released. The
19 clerk went on to say that subject would be
20 brought back down to lockup and then escorted by
21 a court officer to the lobby/security area where
22 I was waiting.

23 The ADA came out sometime
24 later, I would estimate no more than 10 minutes,
25 and stated to me that she had a bad feeling that

1 the subject was released out of the back of the
2 building. She based her feeling on a, quote,
3 look that she got from the subject's defense
4 attorney. We told her that we were just waiting
5 for the court officer to bring the subject
6 upstairs, and she commented on why it was taking
7 so long. The clerk met us in the lobby and
8 stated that the subject should be coming up any
9 minute and went back to the courtroom. The ADA
10 asked the victim witness advocate, VWA, to
11 inquire about the subject, then went downstairs.
12 Within a few minutes, the VWA returned and
13 informed that he did not see the subject in
14 lockup and that the only other way to leave the
15 building is from lockup, but he doubted that the
16 court officers would have allowed that to
17 happen. The ADA also made a similar statement
18 that she couldn't believe that would happen.

19 We increasingly became
20 suspicious that the suspect was not in lockup,
21 and Deportation Officer Federico stated he would
22 go to the sallyport at lockup. He exited the
23 front entrance and went around to the back of
24 the courthouse on foot. Deportation Officer
25 Federico reported that he noticed a court

1 officer outside talking to correctional officers
2 that were inside the transport van. DO Federico
3 explained to the court officer that we were
4 waiting for our subject to be brought upstairs
5 in the lobby so we could take him into custody.
6 The officers stated the name of the subject
7 before DO Federico and very sarcastically said
8 that he released him out the back door. DO
9 Federico asked why did he do so, knowing that we
10 were in the building with a detainer and warrant
11 of arrest. The officer responded to DO Federico
12 in an arrogant tone, that he just let him go
13 from the back.

14 Ultimately, late in the
15 afternoon, the chief cour officer was suddenly
16 available. He advised that the subject was
17 released out the back of the building but
18 couldn't explain why. It was explained to us by
19 multiple court personnel that it required the
20 assistance of someone with a security pass,
21 court personnel.

22 Q. Thank you.

23 I'm going to show you next what's been marked as
24 Appendix P, (DHS ICE Memorandum of
25 Investigation, Officer Domenico Federico, dated

1 April 18th, 2018, and ask you to read that as
2 well.

3 A. (Reading) On April 2nd, 2018, at about
4 2:15 p.m., I, Deportation Officer Domenico
5 Federico, received a phone call from
6 Supervisory Detention and Deportation Officer,
7 SDDO, Stephen Wells, requesting that I would
8 assist Deportation Officer, DO, Richard Simmons
9 at the Newton District Court located at
10 1309 Washington Street, West Newton,
11 Massachusetts. I grabbed my duty gear and
12 proceeded to that address in order to assist DO
13 Simmons.

14 I arrived at about 2:51 p.m.
15 and parked my government issued vehicle in the
16 front of the building. I contacted my colleague
17 via cell phone about his location in the
18 building and then entered the main entrance. I
19 was greeted by a court security officer at the
20 checkpoint and identified myself as deportation
21 officer and showed my credentials. I explained
22 to the officer that I was there on official
23 business and looking for DO Simmons.

24 Once passed through the
25 security, I noticed DO Simmons was just outside

1 the courtroom. DO Simmons stated that the clerk
2 had informed him just a few minutes ago that the
3 subject was going to be released. The clerk
4 also stated that the subject was going to be
5 brought back down to lockup and escorted by a
6 court officer to the lobby where we were.

7 Within a few minutes, a female
8 Assistant District Attorney, ADA, greeted us and
9 seemed to be aware about the subject's case. We
10 told her that we were just waiting for the court
11 officer to bring the subject upstairs, and she
12 commented on why it was taking so long. The
13 clerk met us in the lobby and stated that the
14 subject should be coming up any minute and went
15 back to the courtroom. The ADA asked the victim
16 witness advocate, VWA, to inquire about the
17 subjects, and he went downstairs. Within a few
18 minutes, the VWA returned and informed that he
19 did not see the subject in lockup, and that the
20 only way to leave the building is from lockup,
21 but he doubted that the court officers would
22 have allowed for that to happen. The ADA also
23 made a similar statement that she couldn't
24 believe that would happen.

25 I became increasingly

1 suspicious that the subject was not in lockup,
2 and I informed DO Simmons that I would go to the
3 sallyport near the lockup and exited the
4 courthouse through the front entrance. I walked
5 to the rear of the building and noticed a court
6 officer outside talking to correctional officers
7 that were inside their transport van. I
8 identified myself as a deportation officer to
9 the court officer and showed him my credentials.
10 I explained to the court officer that we were
11 waiting for our subject to be brought upstairs
12 in the lobby so that we could take him into
13 custody. The officer stated the name of the
14 subject before I did, Peguero, and very
15 sarcastically said that he released him from the
16 back door. I asked him why has did so, knowing
17 that we were in the building with a detainer and
18 a warrant of arrest. The officer responded with
19 an arrogant tone, that he just let him go from
20 the back. I informed DO Simmons and returned to
21 our office.

22 MR. HOOPES: Thank you very
23 much. That's all I have. You can step down.

24 (PAUSE)

25 MR. HOOPES: Judge Joseph would

1 call Michael McPherson. He may be outside.
2 There he is. Thank you.

3 HEARING OFFICER: Good morning.

4 MICHAEL MCPHERSON, SWORN

5 DIRECT EXAMINATION

6 BY MR. HOOPES:

7 Q. Good morning, sir.

8 A. Good morning.

9 Q. I'm going to ask you to keep your voice up and
10 tell the hearing officer and court reporter your
11 name again. Spell your name.

12 A. Michael McPherson, M-c-P-h-e-r-s-o-n.

13 Q. Sir, are you employed today?

14 A. Yes.

15 Q. And by whom?

16 A. The Trial Court, Massachusetts Trial Court.

17 Q. And what's your position?

18 A. Director of security.

19 Q. And director of security for the entire
20 Trial Court?

21 A. Yes, sir.

22 Q. And so we've addressed this a little bit prior
23 to your testimony, but can you again describe
24 what the Trial Court is made up of, how many
25 departments?

1 A. Trial Court is made up of seven departments,
2 the -- Do you want me to list all seven?

3 Q. Sure.

4 A. Housing, juvenile, land, appeals, probate,
5 and Supreme. Not Supreme. I'm missing one.

6 Q. That's okay. BMC?

7 A. The BMC.

8 Q. Yeah. Thank you.

9 So there are courthouse facilities within each
10 one of those departments, I take it?

11 A. There is. There's 94 courthouses within the
12 state.

13 Q. And do you have -- At this point under your
14 command you have roughly how many court
15 officers?

16 A. 1,035.

17 Q. I'm sorry?

18 A. 1,035.

19 Q. Now, back on April 2 of 2018, did you have a
20 position within the Trial Court?

21 A. I was the regional director of security.
22 With 1,035, approximately 955 are court
23 officers, the rest are administrative.

24 Q. Thank you.

25 And so back on April 2, 2018, you were in a

1 supervisory capacity?

2 A. I was the regional director of Middlesex and
3 Essex County.

4 Q. And so would that region include the
5 Newton District Court?

6 A. Yes.

7 Q. And did you become aware of the incident that
8 brings us here today --

9 A. Yes.

10 Q. -- on that day of April 2nd, 2018?

11 A. Yes, I believe so.

12 Q. And did that cause you to conduct an
13 investigation yourself?

14 A. Yes.

15 Q. And did you come to learn that there was a
16 practice in the Newton District Court of
17 releasing individuals out the front of the first
18 session courtroom?

19 A. I was made aware of it through the
20 investigation, yes.

21 Q. And did you have an opinion as to whether that
22 was proper or not?

23 A. It was not proper. Our policy is to release
24 people from the lockup.

25 Q. And is that based on the Court Officer Manual?

1 A. Correct.

2 Q. And was that based at the time on the Lunn
3 policy as well?

4 A. Yes.

5 Q. And when the Lunn policy came out in November of
6 2017, as the supervisor, did you take any action
7 to disseminate that to your staff?

8 A. Yes. I believe through e-mails and also I
9 have chiefs meetings. So when I have the chiefs
10 meetings, it's brought up at chiefs meetings and
11 again through e-mails and maybe a possible memo.

12 Q. And in evidence is a, is a -- Exhibit 2 is a
13 revised policy for the Newton District Court
14 issued on April 4th, 2018. I'll show you the
15 policy. And have you seen that policy before?

16 A. I have.

17 Q. When did you first see that policy?

18 A. I believe maybe on 4/5. Somewhere around the
19 time it was written by Chief Noe.

20 Q. And did you find that policy acceptable?

21 A. Absolutely not. I told him that policy, take
22 it down, and that's not the policy we'd be
23 following.

24 Q. And what policy did you put in place?

25 A. The policy that's in the Court Officer's

1 Manual.

2 Q. Which is all custodies come in, all custodies go
3 back out the back door?

4 A. Everyone's released out the back door.

5 Q. And ICE individuals -- Would individuals be
6 swept by ICE with a detainer would be taken from
7 the lockup?

8 A. We allow the ICE to come to the lockup
9 themselves in custody for safety precautions for
10 everybody involved.

11 MR. HOOPES: Thank you. I have
12 no other questions.

13 CROSS-EXAMINATION

14 BY JUDGE FABRICANT:

15 Q Good morning, Director McPherson.

16 A. Good morning.

17 Q. The last time we spoke you were regional
18 director; correct?

19 A. Yes, I believe so.

20 Q. Congratulations on your promotion.

21 A. Thank you.

22 Q. You learned on April 2nd of 2018 that the
23 practice in the Newton District Court was that
24 people were released through the courtroom and
25 out the front; correct?

1 A. Correct.

2 Q. And that was not proper in your view.

3 A. Absolutely not.

4 Q. But that was the practice that you learned.

5 A. I learned that, yes.

6 Q. And there are 94 courthouses and 62
7 District Courts, and as much as you try to make
8 things uniform, it doesn't always work.

9 A. It doesn't.

10 Q. And after this happened, Chief Noe issued this
11 policy -- Oh, it is dated -- dated April 4th
12 under Chief Noe's signature. And you said, no,
13 that's not proper; correct?

14 A. Correct.

15 Q. And then you had some back and forth with
16 Chief Noe about that; correct?

17 A. Correct.

18 Q. He said, well, if we release people out the
19 back, that's the -- that's where the police
20 officers park and that's a problem; right?

21 A. Correct.

22 Q. So his view was, it wasn't a good idea to
23 release people out the back; correct?

24 A. Correct.

25 Q. And did you end up with some middle ground?

1 A. There was no middle ground. The policy is
2 the policy. And unfortunately, for the
3 Newton police officers' vehicles. The safest
4 way to release someone is through the sallyport.

5 Q. So your view is, whatever, whatever the local
6 chief might say or do, your view was the policy
7 is the policy.

8 A. Correct.

9 JUDGE FABRICANT: Okay. Thank
10 you.

11 MR. HOOPES: Just one.

12 REDIRECT EXAMINATION

13 BY MR. HOOPES:

14 Q. So you were aware of what the policy was in
15 Newton. Did that have same application when the
16 individual prisoner had property? In other
17 words, would they go downstairs or would they go
18 out the front?

19 A. We release them through the sallyport because
20 we have to do a check on every individual, see
21 if they have any warrant, see if there's any
22 hold on them, we call the sheriff's department
23 and check with probation and, yeah, to return
24 over their property and sign for their property,
25 and then we release them.

1 Q. So your understanding at the time of April 2nd,
2 2018, was that, if no property, they went out
3 the front, if they had property, they went
4 downstairs; correct?

5 A. I'm confused. They shouldn't be going out
6 the front.

7 Q. But they were.

8 A. Yes.

9 Q. Which you weren't happy about.

10 A. Yes.

11 Q. But at the same time, if they had property, they
12 went back downstairs.

13 A. Correct.

14 MR. HOOPES: Thank you.

15 JUDGE FABRICANT: Just one
16 more.

17 RECROSS-EXAMINATION

18 BY JUDGE FABRICANT:

19 Q. In that process of discussion about what was
20 actually happening, which made it different than
21 what should have been happening, did you learn
22 that court officers bring the property up to the
23 courtroom with the person or run down and get it
24 for the person?

25 A. I'm not sure if I understood that. I just

1 know that the policies weren't being followed.

2 Q. So you don't know either way whether that was
3 something that would happen.

4 A. At that court, I do not know that.

5 JUDGE FABRICANT: Thank you.

6 MR. HOOPES: Thank you.

7 HEARING OFFICER: Thank you
8 very much.

9 MR. HOOPES: I was going to say
10 Your Honor. Mr. Hearing Officer, there's one
11 photo that we referenced earlier on. It's of
12 the left side -- of the right side -- It's of
13 the left side. I don't believe it was... Yeah.
14 We didn't -- I promised that I'd bring it. I'm
15 bringing it. I'm going to offer this as the
16 next and last exhibit.

17 HEARING OFFICER: And what --

18 MR. HOOPES: This is a
19 photograph of the left side of the gallery.

20 HEARING OFFICER: And what
21 number is this?

22 MR. HOOPES: This would be
23 Number 6, I believe.

24 JUDGE FABRICANT: Just to be
25 clear, this is what we have here in the blowup;

1 correct?

2 MR. HOOPES: Yeah. We blew it
3 up. This is for the record.

4 HEARING OFFICER: Great.

5 I assume no objection.

6 JUDGE FABRICANT: No objection.

7 HEARING OFFICER: Exhibit 6 is
8 received.

9 EXHIBIT 6

10 (DOCUMENT MARKED AS EXHIBIT 6)

11 MR. HOOPES: That's the case
12 for Judge Joseph.

13 HEARING OFFICER: Thank you
14 very much. Anything further from you, Special
15 Counsel?

16 JUDGE FABRICANT: Nothing
17 further. Thank you.

18 HEARING OFFICER: Terrific.

19 So with that, the evidence is
20 closed at this point. And what remains is the
21 summations on Monday morning and then the post
22 hearing briefing.

23 So I just want to note a couple
24 of matters that I'm hoping counsel will address
25 either in your summations or your post hearing

1 briefing or both. I expect you're planning --
2 I'm not sure my mic is working anymore, so I
3 apologize. Just let me know if you can't hear
4 me. I've got it turned on.

5 JUDGE FABRICANT: Just a
6 little -- It may be the batteries.

7 HEARING OFFICER: Yeah. So
8 it's -- I believe it's on. I'll just speak up.

9 I expect you're planning to do
10 this in any event, but I just wanted to make
11 sure I flag this for you now so that we're all
12 on the same page in this regard.

13 The CJC charges that
14 Judge Joseph engaged in misconduct in violation
15 of Massachusetts General Law Chapter 211C,
16 Section 2(5), and a number of rules of the Code
17 of Judicial Conduct.

18 Special Counsel, if you could
19 please make clear what specific conduct you
20 allege violates each particular rule or
21 statutory provision, what specific subsections
22 of Massachusetts General Law Chapter 211C,
23 Section 2(5), you allege Judge Joseph violated,
24 and what conduct you allege was willful.

25 And counsel for Judge Joseph,

1 I'd like you to note if there are any -- if
2 there's any specific rule or statutory provision
3 that you agree was violated as well as your
4 arguments for why the specific rule and
5 statutory provisions cited in the CJC formal
6 charges were not violated.

7 I would also ask that you both
8 include in your summation and/or your post
9 hearing briefing what you believe are the
10 relevant mitigating or aggregating factors that
11 you think I should take into consideration.

12 And finally, I would also like
13 to make sure that you address what sanctions, if
14 any, are appropriate given the evidence
15 presented during this hearing.

16 JUDGE FABRICANT: May I just
17 ask, do you want us to do that in closing
18 argument or do you want us to do that --

19 HEARING OFFICER: I leave that
20 to you. I leave that to you. I just wanted to
21 make sure that, before we complete everything,
22 the summations and the post hearing briefing,
23 that I've heard from both sides on all of those
24 issues.

25 MS. MULVEY: Our issue is, it

1 sounds like you're looking for a degree of
2 specificity from the CJC that isn't in the
3 petition. Could we have -- I understand we had
4 initially contemplated simultaneous filings.
5 But given that there's going to be that we say
6 these acts violated these rules or sections,
7 could we have even just a couple of days extra
8 to respond to that since right now we don't
9 really know exactly the answers to those
10 questions?

11 HEARING OFFICER: Well, my
12 perspective was, but I'm willing to be persuaded
13 otherwise, that both sides exchange their
14 briefs, and I would like to confirm what we're
15 all agreeing makes sense in terms of the
16 schedule, but I was hoping that -- We're going
17 to get the final transcripts from this
18 proceeding by Thursday of next week, June 19th,
19 so it would be two weeks after that that I would
20 get from each side their initial post hearing
21 briefing, and then one week after that I would
22 get your responses to the other side's filing.

23 MS. MULVEY: That's fine. As
24 long as we get a chance to respond to the
25 specifics.

1 HEARING OFFICER: Yes. You
2 will absolutely get that chance through the
3 response.

4 MS. MULVEY: That's fine.

5 HEARING OFFICER: And that's
6 why I thought having simultaneous exchange
7 through the first initial period, two weeks
8 after we get the transcripts, and then one week
9 after that I'll get your responses to each
10 other's briefing. And then with that, the
11 hearing will be officially closed, and then that
12 will start my 30-day clock in terms of my
13 issuing my report and my recommendation.

14 JUDGE FABRICANT: If I may,
15 what I have in mind, although I can certainly
16 change it, is that, in closing, I would spell
17 out very specifically exactly what conduct
18 violates exactly what rule and what provision of
19 the statute. I have not contemplated at this
20 stage, the closing stage making recommendations
21 about sanctions, but I have contemplated putting
22 that in the post hearing briefing, but I'll do
23 it as you prefer.

24 HEARING OFFICER: I'm fine with
25 you doing it that way, whatever you would prefer

1 in that regard. I just want to know your
2 position on that before the hearing is
3 officially closed and then I start working on my
4 report and recommendation.

5 JUDGE FABRICANT: Thank you.

6 MR. HOOPES: Thank you.

7 HEARING OFFICER: Anything
8 further?

9 MR. HOOPES: Not from
10 respondent.

11 HEARING OFFICER: Okay. With
12 that, we are recessed for today. Thank you very
13 much. 9:00 a.m. on Monday for summations.

14 (The proceeding adjourned
15 at 11:14 a.m.)
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, LISA L. CROMPTON, Registered
Professional Reporter, hereby certify that the
foregoing is a true and accurate transcript of my
stenographic notes of the proceedings in this
matter on the date and time specified in the
caption hereof.

IN THIS WITNESS WHEREOF I have hereunto
set my hand this 27th day of August, 2025.



LISA L. CROMPTON

REGISTERED PROFESSIONAL REPORTER

MY COMMISSION EXPIRES 1/17/2031

&	1309 902:10	1989 800:1	856:13 865:5
& 795:9,15	1310 896:10	801:24 804:10	2016 799:21
0	14 800:5	806:19 879:6	806:19
02108 795:5	1400 896:13	1990's 871:10	2017 871:20
02110 795:11	1410 897:14	872:2	872:4 908:6
02114 795:17	1421 899:12	1992 820:21	2018 802:7
047 875:19	1450 899:17	1994 802:18	831:2,7 832:21
1	147 840:13	803:1	833:1,2 836:16
1 797:15	149 841:16	1995 869:10	872:17 874:25
1,035 906:16,18	15 865:8,9	1996 854:1	883:16 887:11
906:22	867:18	865:3 868:8,10	888:18,20,22
1/17/2031	15th 894:9	1999 803:1	893:24 894:3,4
920:24	16 840:25 865:7	19th 917:18	902:1,3 906:19
10 812:6,8,19	167 885:1	1:51 885:22	906:25 907:10
867:18 875:25	168 885:6	1:53 886:2	908:14 909:22
899:24	177 885:19	2	912:2
100 795:16	18 816:13	2 906:19,25	2019-22 794:4
806:7	841:16	908:12 915:16	798:4
11 795:4 827:2	186 885:21	915:23	2023 800:24,25
110 884:6	188 886:2	20 813:15	2024 849:12
113 884:20	18th 893:24	867:18	2025 794:13
11:00 876:5	902:1	2000 831:8	920:13
11:14 919:15	19 813:21	2001 871:13	2101 795:16
12 813:19	816:13 854:4	2002 800:4	211 804:11
827:15 867:18	1972 800:16	803:7 805:19	886:9
1230 896:1	818:21	819:25 821:10	211c 915:15,22
12:54 885:1,15	1973 801:1	825:2	228 884:10
12:55 885:16	1974 868:1	2007 825:7	260 795:10
12:56 885:12	1976 801:11	830:3	27th 920:13
885:16	1977 866:18	2014 823:8,10	2:00 843:10
13 794:13 800:5	867:8,17	879:14	2:15 841:24
800:7 802:12	1979 894:8	2015 827:12	842:6 843:10
	1981 894:9	829:25 854:5	859:1 902:4

2:51 902:14 2nd 832:21 833:2 872:17 874:25 883:16 894:3,4,8 902:3 907:10 909:22 912:1 3 3 797:14 882:20 883:4,5,9,11,13 883:24 30 899:15 918:12 316 889:20 31st 854:4 33863 920:21 35 832:6 3:01 886:13,16 3:01.03 886:9 4 4/5 908:18 42 802:3 45 852:1 4th 908:14 910:11 5 5 797:14 875:21 883:24 884:9 915:16,23 50 813:21 513 889:2,2	515 889:22 516 889:23 52 800:17 525 795:5 6 6 797:15 913:23 914:7,9,10 617-248-9938 795:6 617-338-9300 795:11 617-338-9911 795:12 617-523-8300 795:17 617-725-8050 795:6 62 910:6 6:00 805:23 818:7 7 70 867:20,23 799 796:3 7:30 863:19 8 80 851:25 815 796:4 827 796:5 829 796:6 830 796:9 849 796:10	851 796:13 864 796:14 870 796:17 874 796:18 878 796:21 881 796:24 883 797:14 887 796:25 893 797:3 8:00 805:23 863:19 9 90's 874:7 905 797:6 909 797:7 911 797:8 912 797:9 914 797:15 94 906:11 910:6 955 906:22 9:00 794:14 919:13 a a.m. 794:14 876:5 919:13 919:15 a079677654 894:7 able 839:14 845:5,9 857:21 857:22 873:23 888:12 895:6	absence 878:22 absolutely 817:9 824:18 838:2 850:5 860:12 866:12 867:11 881:8 882:22 908:21 910:3 918:2 acceptable 892:19,22 908:20 access 816:7,21 817:8 834:18 882:11 883:15 884:13,18 886:21 887:1 888:15 891:25 accompanied 804:20 accurate 832:22 893:7 920:7 accusations 855:13 act 872:4 action 908:6 acts 917:6 actual 857:9 actually 811:8 814:24 821:3 836:20 845:3 855:3 858:3 868:10 869:2 872:16 873:24
--	---	--	---

879:12 887:19 888:23 890:5,6 891:8 912:20 ada 895:18,22 897:8 899:23 900:9,17 903:8 903:15,22 addition 838:21 854:25 857:5 895:22 additional 837:20 address 810:10 902:12 914:24 916:13 addressed 905:22 addressing 846:3 adjourned 919:14 adjudicated 819:4 adjudicator 815:22 adjuster 822:17 administration 878:16 administrative 805:4 817:25 818:1,13 906:23 administrator 888:21	admit 883:1 admitted 800:15 advised 901:16 advocate 831:3 831:22,23 832:20 837:3 871:7,11,13,21 871:22 872:3,4 900:10 903:16 advocates 831:20 affirms 826:7 afternoon 824:9 841:20 843:8 844:1 852:20 853:1 863:13 886:14 896:11 898:25 901:15 ag's 860:12 age 867:23 agency 831:19 agent 838:13 aggregating 916:10 ago 809:23 851:25 891:21 903:2 agree 816:9 916:3 agreed 848:18 848:23	agreeing 917:15 ahead 874:13 ajar 888:25 aliens 899:7 allegation 825:15 allege 915:20 915:23,24 allison 796:16 869:21 870:1,6 allocations 891:14 allow 884:18 899:6 909:8 allowed 856:19 900:16 903:22 amazement 826:5 amazes 800:17 amendment 868:1 amount 853:18 855:1 analysis 860:21 861:9,9 andrea 815:1 answer 874:2 881:16 answers 917:9 anticipating 842:8 anybody 805:22 819:10	839:18 843:1 844:11 849:6 anymore 857:13 858:6 862:5 915:2 anyway 853:5 858:6 859:9 861:8 862:17 apologize 915:3 app 875:19 apparently 801:15 appeals 801:5 871:14,16 906:4 appear 815:9 845:23 860:7 868:21 appearance 857:24 876:6 876:17 appearances 795:1 appeared 838:10 868:14 869:9 appears 889:14 appellate 801:2 appendix 893:22 901:24 application 911:15 applied 826:17
--	--	---	---

apply 827:2 appointed 799:25 800:3 800:14,22 801:4,24 803:6 832:17 840:21 840:23 849:22 850:14 853:24 854:2 868:7 875:2 876:15 876:22 879:5,7 appointment 841:20 842:1 842:23 858:25 approach 808:11 822:1 858:23 859:19 875:8 approached 842:13 896:2 appropriate 916:14 approximately 894:14 896:1 896:10,13 897:14 899:11 899:15,17 906:22 april 832:21 833:2 872:17 874:25 883:16 893:24 894:3,4 902:1,3 906:19 906:25 907:10	908:14 909:22 910:11 912:1 area 847:15 884:11,14,23 885:3,6,11,12 885:22 886:2 886:10,11,17 887:3,20 888:13,15 894:20 898:8 899:21 argued 801:6 arguing 805:3 argument 848:21 916:18 arguments 916:4 arraigned 846:5,7 arraignment 805:9 833:20 895:7,14 arrest 894:6 895:20 901:11 904:18 arrested 811:15 818:7 833:18 834:2 835:7 894:10 arrived 894:13 899:15 902:14 arrogant 901:12 904:19	arrow 884:11 885:2,12 articles 825:22 aside 872:20 asked 801:11 803:4 808:24 809:15,16 879:22 894:16 895:5 896:2,17 897:15,16,18 898:3,16,25 900:10 901:9 903:15 904:16 asking 807:20 807:21,25 837:18 859:18 888:3,10 894:23 assigned 833:2 872:6 assignment 855:2 assist 902:8,12 assistance 901:20 assistant 800:22 801:17 801:19 807:17 814:7 828:4 852:12 854:17 866:19 876:2,9 895:17 903:8 assisted 862:15	assume 859:18 914:5 assuming 860:24 861:18 assured 896:7 atmosphere 828:25 attention 816:6 817:12,14 826:22 attitudes 859:17 attorney 800:23 804:1 807:17 811:25 814:8,22 828:5 830:23 832:3 832:20 836:16 841:2 842:12 843:11 844:2 846:13 847:10 847:11,20,25 848:6 849:2,6 849:15,20 851:21 861:15 861:17,18 866:19 870:15 876:3,10 879:24,25 880:6 893:18 895:18,19,23 896:2,15 897:8 898:23 900:4 903:8
--	---	--	--

attorney's 801:2,5,10 866:22 878:20 897:12 attorneys 831:19 attributed 825:22,25 august 894:9 920:13 authority 861:20 available 899:13 901:16 avoided 814:22 825:5 830:4 aware 822:18 855:7 859:24 860:3 861:6 862:8 895:19 903:9 907:7,19 911:14	bachelor 878:15 bachelor's 870:19 back 800:12 802:17 803:2 805:16 810:7 810:11,20 813:17 818:9,9 822:17 824:12 827:1 828:16 831:13 836:16 842:6,9 843:7,9 844:7,9,13 848:4 850:3,17 854:15,16 859:1 863:12 863:15,16,20 865:25 866:12 868:15 871:17 873:10,11,13 874:6,14 883:18 884:14 885:13 886:3 886:14 888:7,9 898:14 899:20 900:1,9,23 901:8,13,17 903:5,15 904:16,20 906:19,25 909:3,3,4 910:15,19,23 912:12	background 800:13 831:7 backup 899:13 bad 899:25 bail 807:21,25 811:19 861:21 balance 855:8 ball 796:12 851:8,10,18,21 851:21 864:6 bar 800:15 801:14,17,18 801:19,22 808:23 816:19 826:24 827:25 829:12 831:2 831:20,22,23 832:20 837:3 844:22 845:2,3 845:5,9 846:1,2 850:18,22,24 855:1,18 857:14,23 858:21 861:8,9 871:7,11,13,21 871:22 872:3,4 barlow 800:21 800:21 bars 844:19 based 873:5 891:18 894:6 896:6 900:2 907:25 908:2	basement 887:19 basic 839:14 basically 801:21 804:3 832:11 857:19 861:20 batteries 915:6 beacon 795:4 beat 855:4 becoming 801:17 beginning 823:14 884:25 894:2 behalf 876:23 believe 802:22 809:3 816:16 818:24 832:22 834:4 835:19 836:2 837:10 840:16 847:14 849:13 869:21 876:7 878:20 894:22 900:18 903:24 907:11 908:8,18 909:19 913:13 913:23 915:8 916:9 believed 896:19 bell 875:4 bellingham 812:12
b			
b 795:15 796:20 797:12 827:15 851:19 877:20 878:8 884:10,10 885:6,11 886:10 893:17 894:11 baby 871:14,16			

bench 801:7 804:15 808:12 812:6 815:22 819:15 821:5 844:17 850:19 853:25 856:23 857:11 879:5 879:16 best 815:4 829:2 887:24 895:13 better 810:25 820:25 869:3 870:12 895:8 899:1 big 829:21 840:7 bill 812:8 852:15 bills 812:7,20 binder 875:15 875:16 biometric 897:2 biometrics 896:9 birth 835:9 bit 803:2 805:17 827:1 831:6 853:22 888:25 905:22 black 795:15 blah 810:22,22 810:22	blanking 861:4 blew 914:2 blowup 913:25 bmc 906:6,7 bodies 863:6,7 body 866:9 bogdanow 795:15 bonnie 796:2 799:6,8,16 book 840:7 booking 835:18 boston 794:18 795:5,11,17 802:4 825:8,19 825:21 826:2 831:11 836:21 852:10 bostwick 796:8 830:18,19,23 831:1 840:20 841:2 849:15 849:20 bottom 889:15 890:25 891:1 boyle 795:15 branding 898:2 bread 868:23 868:25 break 850:1 895:25 brief 829:6,12 829:13 849:17 874:20 880:4 895:4 briefing 914:22 915:1 916:9,22 917:21 918:10 918:22 briefly 882:4 briefs 917:14 bring 803:21 808:21 812:2 818:8,9 860:13 863:6 888:1 900:5 903:11 912:22 913:14 bringing 821:18 913:15 brings 907:8 broadly 829:20 brockton 863:16 865:19 866:4 brooks 795:9 797:2 893:10 893:15 brought 811:17 873:11 898:14 899:20 901:4 903:5 904:11 908:10 bu 870:21 building 799:21 847:17 852:11 858:13 865:11 865:13 866:2 873:24 874:5	885:9 900:2,15 901:10,17 902:16,18 903:20 904:5 904:17 buildings 891:20 bunch 805:1 852:25 bus 812:12 busier 813:9,11 busiest 865:15 business 855:17 859:8 863:24 878:16 902:23 busy 802:9 837:16 865:13 865:21 866:13 866:14 butter 868:23 868:25 c c 851:18 905:12 920:1,1 call 837:9 851:8 851:20 859:3 876:5,9 892:19 902:5 905:1 911:22 called 800:21 801:14 802:13 841:23 844:6 864:13 895:15
---	---	---

calling 875:25	821:24 822:2	cctv 882:10	881:13,17
calls 799:5	822:19,23,25	cell 902:17	894:16 901:15
830:17 837:19	823:1 824:3,11	center 854:10	908:19 910:10
869:20 877:17	824:24 825:10	certainly	910:12,16
880:22	825:15 826:10	800:15 804:9	911:6
cambridge	826:12 830:8	805:18 808:7	chiefs 868:5
795:16 802:11	832:17 833:5	813:24 822:23	908:9,9,10
802:21,22,23	837:15 839:8	834:20 839:4	choice 858:11
811:8,17,21	841:23 843:16	849:25 918:15	circuit 863:9
812:14 813:6	844:11,23	certify 920:6	circumstances
878:23,25	849:7 856:9	chance 853:4	895:16
879:8,11,17	858:16 861:24	861:3 917:24	cited 896:24
cancer 833:8	862:7 867:4	918:2	916:5
833:12	872:17 896:10	change 871:5	city 831:11
capability	896:20 898:10	891:14 918:16	836:21 878:22
828:23	903:9 914:11	changed	878:23,25
capacity 907:1	cases 801:3,22	805:18 819:19	civil 822:2,19
capital 884:10	806:7 810:5	changes 813:15	822:25 823:1,3
caption 920:10	812:23 813:21	chapter 915:15	823:6 824:3,16
car 822:6	814:1 823:3,6,7	915:22	852:20 853:11
card 882:11	824:16,19,19	charge 881:13	853:16
884:16,17	826:11 852:13	charged 894:11	cjc 915:13
889:5 891:25	852:18,19	charges 833:22	916:5 917:2
cards 887:16	853:11,16	834:3 839:3	class 894:11
career 802:3	860:13 868:17	915:13 916:6	clear 821:15
806:18	869:6 872:13	check 911:20	823:25 827:21
careful 811:1	catch 817:14	911:23	867:21 913:25
carol 796:12	categories	checkpoint	915:19
851:8,10,18	883:25	902:20	clearly 857:24
carry 803:18	categorize	chelsea 802:19	clerk 804:1
case 801:6	807:7	802:20 811:7	840:19 841:1
816:11,18	cause 809:5	811:13,16	841:11 844:6
817:7,11	907:12	chief 801:4,20	854:17,20
818:14,19		803:25 862:12	875:24,25

876:11 895:18 897:15,19,22 898:7,10,11,25 899:16,19 900:7 903:1,3 903:13 clerk's 803:15 clerked 852:10 client 807:22 811:25 837:22 846:23 854:24 859:21 873:15 896:5,8,21 897:3 client's 861:20 896:21,23 897:2 clients 840:22 846:19 859:16 clock 918:12 close 843:9 870:8 881:25 closed 914:20 918:11 919:3 closer 870:12 closing 916:17 918:16,20 clothes 898:1 cocaine 894:12 code 884:4 915:16 colleague 825:12 902:16	colleagues 805:2 806:16 814:17 college 870:20 column 890:20 come 807:18 811:23 814:12 816:19 842:6,9 844:7 848:5 850:3 859:1 863:15,16 864:22 865:25 866:12 873:11 898:16 907:15 909:2,8 comes 863:3 897:13 coming 820:15 843:7 863:12 865:24 872:21 872:22 886:3 900:8 903:14 command 906:14 commented 829:19 900:6 903:12 comments 820:18 commission 794:2 795:2,3 798:3,8,11 878:17 920:24	commitment 832:12 common 837:11,23 844:5 commonwealth 794:1 811:19 820:22 825:3 828:8 836:5,6 852:17 876:1,2 communicate 839:12 communicati... 882:14 communities 894:6 commuter 811:10 companion 815:1 compared 896:24 complaint 794:4 798:3 complete 916:21 computer 834:19,22 concept 882:20 concern 807:14 concerned 862:23 896:25 897:2	conclude 844:4 concluded 805:5 conclusion 895:7 conduct 794:2 795:2,3 798:9 798:11 907:12 915:17,19,24 918:17 conduct's 798:3 conducted 857:2 conference 820:24 821:17 821:22 822:22 824:11,24 825:14,24 826:15 827:22 828:15 829:11 829:19 830:2 843:15 857:9 857:12 862:13 879:23 conferences 820:6,19 821:3 821:6,14,19 825:5 826:11 826:19 827:13 828:3 854:24 857:5,19 conferencing 855:8
---	---	---	---

confidential 810:9	contemplated 917:4 918:19	819:23,25	council 878:23
confirm 883:20	918:21	820:1,20	counsel 798:5,8
917:14	contention	824:15 825:1	798:21 801:14
confirmed	822:6	826:2 827:4	801:18,19
896:9	continuation	829:16,22,23	807:18 810:20
confused 912:5	798:2	849:13 852:3	815:20,21
confusing	continue 840:4	855:6 860:17	842:16 850:14
873:21	842:9 850:3	865:1,4,20	854:23 858:22
congratulations	880:7	867:19,24	859:10,15
909:20	continued	868:9,17 877:6	861:23 862:21
conjunction	844:10,12	877:9 878:11	876:4,12,23,24
853:15	846:8	878:12 881:23	878:25 896:17
connected	contributing	882:17 883:22	914:15,24
839:18	812:21	884:4,5,12,15	915:18,25
connection	control 804:4	884:22,24	counsel's
840:2	882:11	885:4,5,8,8,14	801:18 807:22
consequences	controversy	885:16,19,20	831:11,13
826:14 830:8	816:6 820:11	885:23,24	836:25 859:18
consider	conversation	886:1,4,12,15	count 800:16
801:13 806:18	810:14,19	888:16,17	country 819:1
consideration	828:10 839:14	889:16 890:3	county 800:23
916:11	841:12 847:23	890:10,11,23	831:21 852:12
consistent	847:24 857:15	890:24 891:20	907:3
859:20	860:25 897:7	892:2 908:1	couple 807:5
constitution	convey 836:2,4	909:18,25	808:8 816:14
817:4,6,7	cooperating	910:1,13,14,16	816:15 832:1
constitutional	807:23 810:8	910:17,21,23	870:25 883:1
868:1	corner 875:19	910:24 911:8	914:23 917:7
contact 843:1	corporation	912:4,13 914:1	cour 901:15
contacted	831:11,13	correctional	course 803:8
842:15 849:5	836:25	901:1 904:6	804:25 822:8
899:12 902:16	correct 818:23	correctly 874:8	825:19 837:8
	818:24 819:7,9	875:3	838:12 847:6
			850:9 854:7

879:15 880:1	832:17 836:5,9	894:16,18,20	887:13 888:8,9
court 798:21,22	837:6,11,16,23	895:2,4,9,10,10	894:18,19
799:23 800:1,3	838:13 839:3	895:17 896:6	896:12,14,15
800:8,11,14	844:3 846:3,12	899:6,15,17,21	897:15,21,22
801:8,12,13,24	846:19 850:2	900:5,16,25	897:23,24
801:25 802:11	852:11 853:21	901:3,19,21	898:4,6,11,14
802:19 803:5,6	853:21,23	902:9,19 903:6	899:4,11 900:9
803:9,11,12,13	854:2,3,11,12	903:10,21	903:1,15
803:17,22,25	854:19 856:24	904:5,9,10	907:18 909:24
803:25 804:2,5	857:3,22	905:10,16,16	912:23
804:12 805:19	858:10 859:25	905:20,24	courts 799:22
805:24 806:8	860:2,8 862:25	906:1,14,20,22	800:2 802:1,14
806:12,12,23	862:25 863:3	907:5,16,25	803:10 804:8
807:15,16	863:17 864:16	908:13,25	805:2 806:6
808:8,12	864:17 865:1,3	909:23 912:22	807:16 808:7
811:13 812:8,8	865:11,15,19	913:4	813:9 816:21
812:18,22,25	865:21,25	court's 832:10	817:22 818:25
813:4,21 814:4	866:6,14,24	courthouse	826:23 832:2
814:5,12,14	867:2,8,12,13	807:2 842:8,25	855:10 858:11
815:6 817:8,21	867:17 868:7	847:14,16	867:10 871:22
817:23 818:4	868:12,15,22	862:9 864:1	872:4 882:13
818:22 819:1,5	869:7,10	886:4 891:14	882:15 910:7
819:6,8,11,12	871:18,23,25	891:16 894:14	covered 898:2
819:19,24	872:11,16,16	898:16 900:24	crackers
820:2,5,6,10,22	872:23,24	904:4 906:9	807:25
821:7,8,9,22	873:7,8 875:1	courthouses	credentials
823:2,10,12	876:7,19 879:7	906:11 910:6	902:21 904:9
824:2,4,4,5,6,7	879:8,9,11,17	courtroom	crime 802:14
824:12,22	879:21 881:7	801:7 803:19	criminal 823:6
825:12 826:11	881:12,18,20	816:17 822:18	824:19,19
827:2,3,6,7,11	882:7,10,16	824:8 828:24	827:14 831:17
828:19,20	883:16,19	838:16 843:24	837:2 839:3
829:2 831:4	884:1 886:20	850:18 857:17	852:18 853:18
832:3,6,13,17	887:23 888:11	862:9 886:25	853:19,20

894:12 critical 826:15 crompton 794:22 920:5 920:22 cross 796:4,10 796:14,18,25 797:7 815:16 849:18 864:4 874:21 887:9 909:13 crosswalk 822:8 crying 808:15 808:22 csr 794:22 cuffs 873:13 culture 803:12 803:22 804:2 813:9 814:3 currently 895:12 898:21 custodian 864:17 custodies 862:24 863:11 863:14,23,24 872:21 909:2,2 custody 864:16 872:21,22 873:2,3,8 895:6 895:21 897:13 899:3,8 901:5 904:13 909:9	custom 860:19 862:22 879:18 customs 803:10 cutting 855:15 d d 796:1 797:1 893:17 da 807:17 811:24 812:17 828:4 848:18 852:12 854:17 da's 851:24 852:18,23,25 daniel 798:20 date 835:9 884:2 920:9 dated 893:24 901:25 910:11 910:11 david 836:17 837:5 845:21 847:21 849:3 day 802:12 803:16 806:7 808:13,25 809:12 812:13 812:19,24 813:6,12,21 814:2,11 829:1 832:2,8,9,12,16 832:23 833:13 837:15,17 838:3 844:4	846:1 847:11 856:13 861:21 862:23 868:13 883:21 892:6 895:16 896:16 898:22 907:10 918:12 920:13 days 802:16,17 802:21 823:2 824:4 828:16 872:9 917:7 de 819:6,20 861:13,14 dead 855:4 deal 855:15 859:23 dealing 816:4 837:21 891:11 dealt 834:9 death 822:5 debate 816:25 817:1 december 849:11 decide 806:25 decided 805:6 805:14 decision 898:9 899:11 decisions 820:15,18 829:18 decrease 806:21	dedham 863:16 deem 817:25 defamation 826:3 defendant 822:7 833:3 861:1 863:20 866:11 873:23 876:22 defendant's 874:2 876:12 defendants 831:17 832:5 859:5 863:8,10 863:21 872:22 872:22 defense 807:18 807:22 811:25 828:5 831:19 834:12 837:2 853:11,17,19 853:20 854:23 861:15,17,18 879:24 895:19 895:23 896:1 896:17 897:8 898:23 900:3 definitely 855:12,18 862:13,18 868:25 degree 878:15 917:1
--	---	---	--

demonstrates 826:10	designated 894:19	823:6 824:20 827:24 828:18	discrimination 878:18
demonstrating 823:15	detail 854:14 897:9	832:1 834:20 835:22,23	discussed 826:12 855:10 857:15
denis 794:12	details 810:3	837:13 859:17 874:14 912:20	discussion 846:12 912:19
denotes 886:16	detained 818:17,18 833:19,21	dinner 863:22 866:1	discussions 806:20 827:11
department 831:25 836:25 911:22	detainer 838:24 839:5 894:24 895:24 896:7,8 896:24 901:10 904:17 909:6	direct 796:3,9 796:13,17,21 796:24 797:3,6 799:12 830:21 851:12 870:2 878:1 881:2 893:11 905:5	disseminate 908:7
departments 905:25 906:1 906:10	detectors 882:13	directions 812:5,10 837:14	district 800:1,2 800:8,14,22 801:2,5,10,24 801:25 802:1 802:11,19 803:5,9,11,13 803:17 804:1 804:12 806:12 807:16,17 808:7 811:13 812:22,25 813:4,21 814:7 814:12 817:23 818:22 819:5,8 819:11,19,24 820:5,22 827:2 828:19,20 829:2 831:4 837:6,11,23 838:13 839:3 846:18 853:21 854:11 860:2 865:1 866:6,19
depend 814:3	detention 902:6	directly 894:20	
depended 832:10	determine 834:23 835:1	director 905:18 905:19 906:21 907:2 909:15 909:18	
depending 829:16	determined 831:24		
deportation 894:4 897:13 899:13 900:21 900:24 902:4,6 902:8,20 904:8	device 884:4,8 890:20		
deportations 897:10	dhs 893:23 901:24		
deputy 881:13 881:17	diagnosed 809:1	discipline 801:22	
describe 829:11 857:1,9 882:4 905:23	difference 812:24 829:10 829:15	disclosure 809:8	
described 854:21 865:23	differences 896:23	disclosures 809:10	
description 797:13 890:23	different 802:1 803:9 804:7 805:2 814:16	discovery 858:19,19	
		discrepancies 897:1	

866:22,24 867:8,10,12,13 867:17 868:15 868:22 869:10 871:23,25 872:16,23,24 873:6,8 875:1 876:2,9 878:20 879:8,11,17 880:6 882:16 883:16,19 886:19 894:13 894:14 895:18 902:9 903:8 907:5,16 908:13 909:23 910:7 division 801:2 801:5,21 dock 886:21,24 887:12,13,14 887:15,15 888:4,6,6,8,9 888:23 889:11 docket 806:2 822:10 875:5 doctor's 858:25 document 883:12,15 890:8 892:5 914:10 documents 842:20 843:20 891:12	doing 805:23 805:25 821:19 824:8,10 832:25 837:12 855:8,12,17 857:25 859:14 859:15,20 860:23 868:16 891:20 918:25 dolan 813:24 domenico 899:14 901:25 902:4 dominican 894:10 donuts 813:25 813:25 door 848:4 863:11,23,25 884:18 886:14 886:22 887:14 887:18 888:1,4 888:5,7,24 889:2,9,10,13 889:15,23 890:1,6,8 901:8 904:16 909:3,4 door's 887:6 doors 887:11 887:12 888:9 doubted 900:15 903:21 douglas 797:2 893:10,15	downstairs 818:9 846:13 846:16 847:7 873:10,12,14 873:17,19,22 900:11 903:17 911:17 912:4 912:12 drawer 812:6 812:18,18,19 drive 811:9 drop 863:4,8 dropped 826:8 dropping 863:6 drug 834:3 dumped 812:13 duty 832:2,8,9 832:20 834:17 844:2 894:18 902:11 e e 796:1 797:1 797:12 820:23 825:3 878:9,9 881:9 905:12 908:8,11 920:1 920:1 earlier 846:7 848:21 890:2 896:16 913:11 early 871:10 earning 869:3	easier 883:2 eaten 818:7 education 852:6 870:18 878:13 effect 861:11 861:20 effectively 859:22 eight 852:13 853:5 eighth 863:18 either 807:13 845:17 847:10 847:22 849:2 863:21 874:1 898:14 913:2 914:25 electronic 824:5 882:9 883:15 887:16 889:5 elevated 801:19 eliminated 819:21 elizabeth 795:9 796:8 798:12 830:18,19 831:1 emphatic 825:7 employed 836:20 881:11 881:12 905:13
--	--	---	---

employer 841:7 employment 822:9 emulvey 795:12 enacted 804:16 868:1 enclosure 845:3 ended 801:17 802:14,23 engage 828:24 879:17 engaged 915:14 english 839:10 839:11,15 ensure 804:22 enter 853:8 entered 894:19 896:12 897:15 902:18 entire 811:18 905:19 entirely 854:20 entirety 806:18 entitled 817:18 817:22 882:19 893:22 entrance 897:5 900:23 902:18 904:4 entries 885:1 886:8 entry 882:12 884:6,20 885:11,21	886:6,13 890:7 897:12 era 874:14 err 859:16,17 escorted 899:20 903:5 especially 873:25 esq 794:12 795:4,9,10,15 796:8,16 797:2 870:1 893:10 essentially 832:16 essex 863:5 907:3 estimate 899:24 ethical 861:10 ethics 802:5 event 846:8 850:10,15 884:3 915:10 eventual 808:19 eventually 801:4 819:22 872:7 everybody 812:20 829:3 855:25 861:25 909:10 everyone's 909:4	evidence 801:23 892:14 897:5 908:12 914:19 916:14 evidentiary 824:10 exactly 800:7 824:21 826:1 830:1,10,11 868:6 917:9 918:17,18 exam 861:9 examination 796:3,4,5,6,9 796:10,13,14 796:17,18,21 796:24,25 797:3,6,7,8,9 799:12 815:16 827:19 829:8 830:21 849:18 851:12 864:4 870:2 874:21 878:1 881:2 887:9 893:11 905:5 909:13 911:12 912:17 example 807:14 811:6 818:2,12 822:2 890:25 examples 807:5 exchange 917:13 918:6	excuse 798:19 excused 809:5 exhibit 797:14 797:15 840:11 882:20,21,24 883:11,13 908:12 913:16 914:7,9,10 exhibits 797:13 840:7 exit 885:19 886:9 898:18 exited 900:22 904:3 expect 848:7 915:1,9 expenses 853:15 experience 814:16 838:7 846:18 852:6 854:8 862:20 870:18 872:20 873:1,6 878:14 879:18 891:11 experiences 836:11 expires 920:24 explain 834:25 854:14 879:21 901:18 explained 810:21 822:14 897:3,10 898:8
--	---	---	--

901:3,18 902:21 904:10 explaining 896:4 explanation 887:4,5 expressed 898:19 extent 839:4 exterior 885:9 extra 917:7	914:16 915:5 916:16 918:14 919:5 facilities 906:9 facing 844:17 fact 809:24 810:16 817:12 817:24 834:23 834:24 835:3 856:14 facto 861:14 factors 916:10 fair 817:2 829:3 836:13 836:14 853:18 854:25 863:25 familiar 882:20 891:23 family 816:12 fanelli 820:23 fanfare 804:17 804:19 far 866:16 889:6 fax 795:6,12 841:3,5,6 february 868:10 federal 817:6 849:6 853:22 853:23 federico 899:14 900:21,25 901:2,7,9,11,25	902:5 feeling 899:25 900:2 felony 801:3 853:6 felt 805:18 855:25 856:7 859:13 female 896:1 903:7 feud 816:12 fields 871:5 fighting 816:14 figure 803:14 803:18 804:2 834:15 861:3 file 843:21 filed 858:18,18 876:6 filing 917:22 filings 917:4 filling 806:1 final 917:17 finally 856:15 916:12 find 811:12 888:25 908:20 fine 822:4 883:6 917:23 918:4,24 finished 846:4 firm 800:20 831:10 853:12	first 800:17 801:6,17,19 803:20 811:22 814:23 835:6 843:13 844:9 849:9 853:4 855:2 857:9 860:15 862:7 871:21 890:25 891:6,18 894:2 894:22 907:17 908:17 918:7 five 802:15 804:15 853:12 853:13 fix 810:15 flag 915:11 flexible 871:15 floor 858:14 863:19 fly 815:10 folks 832:7 follow 829:7 883:3 followed 898:7 913:1 following 908:23 foot 900:24 football 803:3 footnote 826:8 826:9 foregoing 920:7
f			
f 820:23 920:1 fabricant 795:3 796:4,6,10,14 796:18,25 797:7,9 798:7,8 815:17,19 827:17 829:6,9 830:12 849:16 849:19 851:1 864:5,7 869:12 874:20,22 875:7 877:11 880:12,15,20 881:15,21 883:8 887:10 887:25 889:19 890:15 892:9 892:23 909:14 911:9 912:15 912:18 913:5 913:24 914:6			

foreground 889:3,13	909:25 911:18 912:3,6	gerrity 796:23 880:23,24 881:8	863:12,15,20 873:10,13,19 873:22 874:13 879:23 883:18 884:7,20 889:17,24 900:22 901:12 904:2,19 909:2 911:17,17
foreperson 808:19	frowned 879:22	gestured 824:1	goal 856:8
forget 833:10	fugitive 833:24	getting 813:25	god 807:2 815:12
forgot 814:23	834:6,13 835:2	817:12 837:13	goes 817:22 864:15 886:23 886:24 887:2 888:5,7
formal 916:5	835:5 838:21	859:8 862:24	going 804:18 805:8,16 807:23 808:3 808:24 813:16 814:10 816:7,8 816:18 817:13 818:15,17 827:1 828:17 829:21 843:25 846:13 850:3 851:20 854:9 854:22 855:3 855:11,11 858:17 860:6 862:14 863:17 864:17 865:24 873:16 874:6 874:11 875:24
former 795:3 796:2,12,20 851:10 862:12 877:19	full 801:7 812:6 812:19 852:15 852:24 855:19 856:4	give 807:5 812:5,7,9 815:4 822:1 841:24 842:3 856:4 859:3 880:2	
forth 802:17 910:15	fully 893:7	given 805:7 812:14 813:12 814:1,11 916:14 917:5	
fortunately 813:10	fun 853:7	giving 842:20 843:20	
forward 821:12	further 851:2 897:1 914:14 914:17 919:8	glass 815:11,13	
found 857:20	g	go 803:4 806:13 807:6,18 810:11,20 811:20 815:2,3 815:25 817:10 817:13 818:5 819:11 821:4 821:21 822:13 824:25 828:11 828:16 841:16 846:24 855:4 855:18 856:16 856:24 858:9 858:23 859:2,6 859:18,19	
four 802:4 853:12 872:11	g 881:9 893:17		
franklin 795:10	gallery 844:25 845:1 913:19		
frequency 806:19	gather 837:20		
friday 876:4,6	gathering 804:5		
friend 815:1 863:18	gear 898:2 902:11		
friends 839:20 839:22	general 798:20 826:5 835:24 887:5 915:15 915:22		
front 806:3 822:4 840:8 860:14 875:15 875:16,22 898:7 899:16 900:23 902:16 904:4 907:17	generally 838:1 generis 804:6 805:13		

879:18 883:4 883:23,25 884:21,25 885:4,7,13,15 893:25 894:1 901:23 903:3,4 905:9 912:5 913:9,15 917:5 917:16 good 798:1 799:7,14,16 808:1 809:5 810:21 815:18 815:19 818:12 830:13,23 831:1 836:11 849:20,21 851:9,14,15 862:4,17 864:6 864:7 867:1 868:3 869:22 870:13 874:23 874:24 878:4,5 880:3,18,20 881:4,5 905:3,7 905:8 909:15 909:16 910:22 goodness 878:24 government 902:15 grabbed 902:11	gradual 819:21 graduate 831:9 graduated 870:22 grant 880:5 granted 838:1 great 799:2 813:13 861:19 865:16,16 895:11 914:4 greater 897:9 green 811:11 812:10 greeted 894:23 902:19 903:8 grew 879:8 grigio 815:12 815:13 ground 887:19 910:25 911:1 group 816:11 852:9 862:14 862:15 884:1 guess 817:15 822:9 891:7,8,9 guilty 813:16 guy 812:9 835:21 859:1 894:23	905:12 half 802:12 854:4 hand 812:15 823:22 875:19 884:7 920:13 handle 832:4 handles 831:20 happen 808:5 812:15 816:18 824:6 845:24 848:12 877:4,6 890:4,13 900:17,18 903:22,24 913:3 happened 809:9 810:13 812:12 819:10 823:3,9 830:5,9 837:17 847:5 848:9,14 867:4 910:10 happening 811:3 848:8 912:20,21 happens 850:8 850:12,15 866:2,4,6 877:1 877:3,5 890:11 happy 862:16 912:9 hard 849:23	harrington 841:14 harry 840:11 hashed 828:14 hashing 828:6 hate 804:3 haymarket 812:11 head 800:20 809:2 814:6 819:3,18 823:5 827:9 876:20 hear 813:19 828:13 845:5 845:10,17 850:24 881:16 915:3 heard 804:10 813:14 827:22 831:2,22 854:21 860:25 916:23 hearing 794:9 794:11 798:1,2 798:18 799:2,7 799:10 805:8 822:20 823:17 823:20,24 830:16,20 843:13 851:5,9 852:5 855:20 861:7,21 869:18,22 870:7,11,14,17
	h		
	h 796:2 797:12 799:8 840:11 840:11 875:14		

872:8 875:9 877:15,22 878:14 880:17 880:25 881:10 881:24 882:3 883:5,9 892:12 892:21 893:3 905:3,10 913:7 913:10,17,20 914:4,7,13,18 914:22,25 915:7 916:9,15 916:19,22 917:11,20 918:1,5,11,22 918:24 919:2,7 919:11 heft 805:7 height 896:23 held 820:24 835:2 844:20 848:17 864:20 864:23 896:10 hello 814:25 help 896:3,18 helpful 839:5,6 882:1 helping 832:3,6 859:15 herald 825:8,19 825:21 826:2 hereof 920:10 hereunto 920:12	hey 862:16 hi 815:4 high 803:4 807:21 869:2 higher 802:14 807:25 hill 800:21,21 hilly 799:16 hingham 800:7 hint 880:2,3,3 historically 805:17 history 797:14 882:19,21 894:13 897:10 hit 822:6,7 867:20 894:6 hold 861:1 862:2,2 864:10 911:22 home 811:20 811:20 812:1,1 812:3 844:8 871:15 honest 861:22 honor 841:19 913:10 honorable 795:3,8 796:2 796:12,20 799:8 851:10 877:19 hooked 835:6	hoopes 795:9 795:10 796:13 796:17,21,24 797:3,6,8 798:14,14,16 814:22 851:7 851:13 864:2 869:16,20 870:3 874:18 877:13 878:2,3 880:10,22 881:3 882:25 887:7 892:11 892:14 893:1 893:12 904:22 904:25 905:6 909:11 911:11 911:13 912:14 913:6,9,18,22 914:2,11 919:6 919:9 hoping 914:24 917:16 horrible 866:10 horse 855:4 hour 840:5 hours 854:17 894:15 896:1 896:10,13 897:14 899:12 housing 906:4 howard 795:4 798:10	huge 863:10 huh 860:18 874:9 human 856:1 hundred 814:1 husband 808:25 i ice 838:13,22 839:1 892:15 893:21,23 896:3,8,18 897:13,16,25 898:5 899:6 901:24 909:5,6 909:8 idea 861:19 862:17 863:22 910:22 ideally 834:14 834:14 identified 894:15 902:20 904:8 identify 798:6 883:14 identity 835:25 841:9 861:4 896:20,22 iii 795:4 796:20 877:20 878:8 illegal 897:5
---	--	---	--

illness 809:1 imagine 811:14 immigration 895:24 897:9 implemented 804:11 impression 835:21 836:10 865:7 incident 907:7 include 882:16 907:4 916:8 includes 882:10 increasingly 857:13,18 900:19 903:25 indicated 843:11 indicates 841:18 884:8,9 885:2 indigent 831:25 832:5 individual 805:14,15 822:5,7 835:2 835:23 856:9 861:24 873:7 884:15 911:16 911:20 individually 813:18 individuals 907:17 909:5,5	informant 810:9 information 837:21 856:4 856:10 881:13 881:17 884:3 896:7 informed 900:13 903:2 903:18 904:2 904:20 infrastructure 881:14,19,22 881:23 initial 851:19 917:20 918:7 initially 857:16 917:4 inn 815:5 inquire 900:11 903:16 inside 850:18 884:16 887:14 887:20 889:10 901:2 904:7 installation 882:8 installed 867:12 instance 798:24 instances 811:5 instincts 806:25 insurance 853:11	intent 895:20 interaction 849:2 interest 859:2 interesting 811:9 861:7 interpreter 839:13 841:22 846:24,24 874:1 intervals 839:7 interviewed 849:5 intimate 810:2 intimidated 897:25 898:5 introduced 895:4 896:16 intrusive 857:20 invention 806:5 investigating 839:8 849:6 investigation 841:8 893:23 901:25 907:13 907:20 involve 818:19 involved 826:14 831:17 861:25 874:1 909:10 involvement 833:13	involves 817:11 involving 822:5 825:15 ironically 808:17 issue 818:18 833:24 835:25 837:22 838:22 839:1,5 916:25 issued 820:22 902:15 908:14 910:10 issues 808:10 832:15 916:24 issuing 918:13 itch 817:16
			j
			j 794:12 jacket 898:3 jails 864:18 jams 802:9 january 831:8 jason 894:22 jd 870:20,22 878:17 jellinek 836:17 837:5 842:12 842:17 843:11 845:21 846:13 847:11,21,25 848:6 849:3 850:6

jim 813:24 job 800:18 803:18,21 853:5 857:25 859:14,15 862:15 867:1 joined 868:12 joking 855:15 jose 833:3 894:9 joseph 795:8 798:13,15,17 799:5 814:19 815:2 830:17 838:6,7 841:13 842:3 845:20 851:7 860:7 869:20 877:17 880:22 892:1,7 904:25 914:12 915:14,23,25 joseph's 861:1 judge 796:4,6 796:10,14,18 796:25 797:7,9 798:7,13,15,17 799:5,18 805:14 806:13 807:6,20 808:13 810:14 813:22 814:6 814:19 815:2 815:15,17,18 815:19,24,25	817:25 820:14 822:14 825:22 825:24 827:17 827:21 828:6 828:10,12 829:6,9,10 830:12,17 837:24 838:3,6 838:7,9 841:1 841:13 842:3 845:20 849:16 849:19 851:1,7 851:8,8,21 852:1,7 854:22 856:4,10,24 858:3,22 859:3 860:4,7 861:1 862:5,21,22 864:5,6,7 865:3 869:12,19,20 874:15,20,22 875:7 876:8,19 877:11,17,18 878:6,11 879:16 880:12 880:15,20,21 880:22 881:15 881:21 883:8 887:10,25 889:19 890:15 891:2,3 892:1,1 892:5,7,9,23 897:20,24 898:4 904:25	909:14 911:9 912:15,18 913:5,24 914:6 914:12,16 915:5,14,23,25 916:16 918:14 919:5 judges 804:7 820:9,9,13 826:5,17 827:12 842:5 854:9,18 855:25 859:5 859:24 860:4 862:8 867:12 867:16,23 868:4 874:11 judgment 806:25 809:12 822:11 826:6,8 judicial 794:2 795:2,3 798:3,9 798:11 801:8 801:13 915:17 judith 795:3 798:7 july 802:18 june 794:13 799:21 917:18 jure 861:13 jurgens 836:7 845:21 847:10 847:20 849:2	juror 808:14 809:5 810:4 jury 808:17,19 819:8,14,20 justice 828:22 833:24 835:3,5 848:1 856:8,19 858:1 861:24 891:6,18 justices 801:12 justifications 819:17 860:22 juvenile 805:24 805:25 906:4
			k
			k 870:6 881:9 893:17 894:8 keating 795:15 798:16 keep 905:9 key 887:16 889:9,14 891:25 keycard 886:21 887:1 keys 887:17 khoury 796:16 kind 802:22 803:14,23 805:5,5,19 808:18 809:13 810:15 814:8 814:21 817:11

823:15,21 824:11 828:6 859:7 861:9,14 kindly 894:2 kinds 818:12 859:7 891:12 klein 891:3 892:1 klein's 891:2 892:5 knew 801:15 813:12 814:9 816:1 830:9 836:8,9,20 838:24 871:4 896:21 know 804:3 805:16 807:1,1 807:3,8 808:16 809:18,20 811:1,3,11 812:1 813:4,22 814:9,19,20,20 815:3,10,11 817:10,14,16 817:18,22 818:2,6,8 820:17,21 828:20,21 832:4,13 834:16,17,19 836:16,19 837:2,13,14 838:10,18,22	839:4,16 843:24,25,25 844:7,13 845:8 845:12,14 846:2 848:1,3 848:13 855:16 856:5,9,13,17 857:25 858:2,4 858:19 859:4,6 859:12 862:2 862:11 863:22 866:16 883:3 887:12,16 891:2,3,15 892:17 898:9 913:1,2,4 915:3 917:9 919:1 knowing 891:8 901:9 904:16 knowledge 887:24 known 810:10 822:3 894:12 knows 815:12 859:5 891:22 koury 869:21 870:1,4 874:23 kramer 815:1	893:17 920:5 920:22 labeled 884:6 land 906:4 language 825:23 lastly 862:20 late 866:1 869:10 874:7 901:14 laughing 855:15 856:16 law 800:19,20 800:20 802:4 817:7 818:21 831:9 852:8,9 852:22,23 854:17,20 866:18 878:17 915:15,22 lawyer 831:8 832:12,18 834:12,17 841:13 852:6 853:15 868:19 870:24 878:11 lawyers 801:16 808:11,22 809:15,16,18 810:7,17,25,25 811:7,23 821:22,25 822:3,4,12 852:16 854:18	855:24 859:5 859:12,13,14 lead 807:23 leads 886:23 learn 853:10 907:15 912:21 learned 808:25 815:7,8 826:17 909:22 910:4,5 leave 842:8 878:21 897:21 897:21,23 898:4 900:14 903:20 916:19 916:20 leaves 841:1,12 leaving 847:14 lechmere 811:12 left 799:23 800:18,21 801:10 805:19 842:18 853:8 854:10 873:17 873:24 878:19 884:7 898:6 899:16 913:12 913:13,19 legal 800:18 878:25 lesson 826:16 level 886:23 887:19
	I		
	I 794:22 820:23 820:23 851:18 851:19,19 870:6,6 878:9		

levels 884:20	litigation	904:12	look 840:10
lhbmlegal.com	801:20 826:13	local 891:15	859:1 872:15
795:12,13	little 803:2	911:5	875:14,14,20
libby 795:9	805:17 809:9	located 902:9	888:14,16
librarian	827:1 831:6	location 884:1	890:19,19
800:20	834:21 837:24	890:23 891:18	891:24 900:3
license 871:17	842:1 853:22	891:22 902:17	looked 822:12
light 809:11	883:2 888:25	locations	835:20 855:13
lightning 854:1	905:22 915:6	891:17	looking 801:16
liked 867:15,16	live 858:6	lock 889:9,14	822:10 835:23
likely 805:18	lives 811:18	lockup 846:16	835:23 844:25
likewise 805:12	living 853:1	846:19,25	849:9 875:18
806:16 815:5	869:4	863:8 884:11	883:14 884:6
limitations	llm 870:21	884:14,16,22	889:1,20
807:3	871:1	885:2,7,10,12	902:23 917:1
limited 834:18	lobbies 854:18	885:19,22	lord 859:4
line 811:11	858:15	886:3,6,9,10,16	lot 807:11
812:10 840:25	lobby 820:6,19	886:21,22,23	809:17 823:2
841:16 875:25	820:24 821:3,6	887:3,20 888:2	826:22 827:22
883:24 891:1	821:16,19	888:5 889:25	834:16 852:13
891:24 894:2	825:4,14,23	890:1 895:7	853:17,18
lines 882:24	826:10,15,19	898:15 899:3,7	858:10,15
883:2	827:13,22	899:20 900:14	865:10,18
lisa 794:22	828:3,5,10,15	900:15,20,22	867:6 871:6
920:5,22	829:11,19	903:5,19,20	891:13,17
list 890:19	854:18,20,24	904:1,3 907:24	lots 804:7 809:9
906:2	855:8,12,15	909:7,8	858:21 862:12
listen 858:25	857:5,9,12,13	long 799:20	877:4
literally 858:5	857:18 862:13	800:2 854:3	lowell 871:23
litigant 807:13	879:23 891:6	871:11 879:2	871:25 874:6
litigants 812:23	898:8,17	879:10 900:7	lucky 852:14
litigating	899:16,21	903:12 917:24	866:20
801:22	900:7 901:5	longer 800:10	lunch 818:5
	903:6,13	800:10 843:2	840:5 842:18

842:22 850:1 858:25 863:11 895:25 lunchtime 863:9 895:16 lunn 908:2,5 lynn 802:14,15 802:16 803:2	mails 908:8,11 main 898:18 902:18 maintenance 882:8 make 809:6,7 809:13 818:10 821:15 822:10 823:25 832:2 848:21 863:9 873:22 874:4 883:2,19 910:7 915:10,19 916:13,21 makes 917:15 making 809:10 824:13 832:11 852:25 871:6 918:20 malden 803:5,5 818:3 male 896:15 males 898:22 man 835:23 manage 813:12 882:6 management 812:24 813:3 858:16 mandatory 867:23 manual 907:25 909:1	march 894:8 mark 796:23 880:24 881:8 883:3 marked 883:12 901:23 914:10 married 816:13 871:14 mass 878:17 massachusetts 794:1,18 795:5 795:11,17 852:17 867:21 881:12,18 899:6 902:11 905:16 915:15 915:22 match 835:8,8 897:3 matter 807:8 809:12 810:1 812:17 816:5 817:11 818:1 866:9 876:1 898:20 920:9 matters 805:23 817:24 826:11 832:4 914:24 mcdonald's 828:22 mcinerney 794:12 mcjustice 828:21	mcperson 797:5 905:1,4 905:12 909:15 mean 804:4 805:4,6 806:3,4 807:11 812:12 812:20 817:17 821:18 832:10 833:11 834:14 834:25 835:16 836:11,24 837:12,15 844:5 845:14 847:3 854:10 855:7 856:8 857:5 861:11 861:16 862:1 863:22 884:13 887:5 890:8 892:4 meaning 882:11 means 882:5 meant 805:5 840:22 856:18 media 817:2,2 825:20 medical 842:1 842:22 medina 833:3 833:14 835:14 837:8 839:8,19 840:4,23 842:10 843:2
m			
m 795:8,10 881:9 905:12 ma 794:22 ma'am 840:20 macgregor 884:9,21 885:3 885:3,18,25 886:7,11 machine 805:22 machines 882:12 macleod 796:2 799:6,8,17 815:15,18,24 827:21 829:10 made 807:1 813:25 857:17 858:3,4 895:19 900:17 903:23 905:24 906:1 907:19 912:20 magistrate 895:18			

843:16 844:10 844:13,23 846:5,14 847:23 848:3 849:23 861:5,6 894:9 medina's 841:23 meehan 795:15 meet 803:24 meeting 815:8 898:24 meetings 908:9 908:10,10 member 831:18 memo 908:11 memorandum 892:15 893:21 893:23 901:24 memory 832:22 833:5,7 834:4 835:15 837:7 844:12,16 845:14,25 848:2 872:18 875:6 mentally 860:22 mentioned 811:7 message 829:19 met 900:7 903:13	metal 882:13 mic 915:2 michael 795:15 797:5 798:16 905:1,4,12 microphone 870:8 881:25 mid 874:7 middle 851:19 910:25 911:1 middlesex 800:23 831:18 831:21 852:12 863:4 878:20 907:2 mind 807:7 824:23 829:4 918:15 minuscrypt 875:20 minute 809:23 827:24 868:16 880:13 900:9 903:14 minutes 899:15 899:24 900:12 903:2,7,18 misconduct 915:14 misdemeanor 834:3 missed 866:1 missing 906:5	misspoke 888:5 mistaken 896:20 mitigating 916:10 mittimus 864:13,15 mixed 816:14 moment 880:5 monday 833:16 914:21 919:13 money 812:17 871:6 montgomery 814:24 months 800:19 804:16 morning 798:1 798:23 799:7 799:14,16 811:10,17 815:18,19 818:8 824:8 830:23 831:1 833:16 837:6 838:12,17 839:7 849:20 849:21 851:9 851:14,15 852:18,19 864:6,7 869:22 874:23,24 878:4,5 880:19 880:20 881:4,5	895:3 905:3,7,8 909:15,16 914:21 mother 806:4 motion 822:11 motions 858:17 move 855:18 867:1 870:11 881:25 moved 820:2 moving 801:13 865:17 multiple 837:12 860:4 901:19 mulvey 795:9,9 796:3,5,9 798:12,12 799:4,5,13 815:14 827:20 829:5 830:14 830:17,22 849:14 851:3 916:25 917:23 918:4 murder 853:4,6 murphy 825:8 825:10,23 n n 795:9 796:1 797:1 820:23 825:3 870:6 878:9 905:12
--	--	---	---

name 798:20 799:14,16 830:24 831:1 835:9 851:16 851:17,18,19 870:4 875:2 878:6 881:6 884:4 890:22 893:13,17 894:22 901:6 904:13 905:11 905:11 named 802:10 833:3 836:16 841:13 876:3,8 names 891:19 naptime 806:9 nature 806:22 822:24 856:1 892:18 near 890:25 895:5 904:3 necessarily 809:20 810:11 816:9 828:24 necessity 806:4 need 809:6 826:10 828:13 844:7 858:4,17 864:22 875:10 needed 814:10 832:13,17 834:12 844:11 846:23 847:5	needing 842:1 864:10 needs 809:3 832:11 864:20 neff 795:4 798:10,10 889:22 neighborhood 879:9 never 802:11 810:5 811:18 812:14 813:4,5 813:12 829:23 861:16 864:25 891:15 899:16 new 803:13 838:9 867:8 newton 813:5,6 831:3 832:21 837:6,15 838:13 846:18 866:6 872:6,10 872:12,16,23 872:24 873:6,8 875:1 882:16 883:16,19 886:19 894:7 894:10,13,21 894:21 902:9 902:10 907:5 907:16 908:13 909:23 911:3 911:15	nice 864:8 night 863:19 nod 823:5 nods 819:3,18 827:9 876:20 noe 908:19 910:10,16 noe's 910:12 noise 845:7 non 824:10 831:20 noon 863:3 norfolk 863:5 normally 844:3 887:5 northeastern 831:9 852:8,9 878:16 nosy 816:10 note 820:24 914:23 916:1 noted 898:1 899:5 notes 920:8 notice 856:13 876:17 noticed 900:25 902:25 904:5 november 800:3 804:10 908:5 novo 819:6,20 nullity 861:13 861:13,14	number 794:4 798:4 802:1 808:6 856:5 873:18 889:20 913:21,23 915:16 numbers 875:18
			o
			o 825:3 851:18 870:6,6 893:17 893:17,17,22 905:12 objection 880:6 883:7,8 914:5,6 observations 873:5 883:19 observe 874:10 886:20 observed 895:2 obstructed 848:1 obvious 807:11 obviously 805:8 806:24 808:1 834:17 occasion 806:14 854:8 occasions 809:15 860:10 occur 861:22 861:25 862:3

occurred 826:15 846:6	895:5,9,12	oh 802:2	opinion 907:21
offer 913:15	898:20 899:1	806:17 808:20	opportunity 856:19 899:9
office 801:3,6	899:14,21	809:17 810:16	opposed 828:19
801:11,14,14	900:5,21,24	813:1,5 815:2	890:22
801:18 803:15	901:1,3,11,15	858:7 860:1	order 803:19
824:13 831:11	901:25 902:4,6	862:7 863:2	883:20,21
831:14 837:1	902:8,19,21,22	865:14 866:3,5	902:12
851:25 856:6	903:6,11 904:6	875:17 890:17	ordinary
860:12 866:22	904:8,9,10,13	910:11	845:24
878:20,22	904:18 905:3	okay 802:8	originally
891:2,5 892:4	905:10 907:25	808:9 818:21	876:15
897:12 904:21	913:7,10,17,20	838:21 840:25	oscar 894:8
officer 794:11	914:4,7,13,18	841:8,11	ought 822:10
798:1,18 799:2	915:7 916:19	842:22 844:9	ouis 868:23,24
799:7,10	917:11 918:1,5	844:19 848:24	outside 847:15
803:25 812:8,9	918:24 919:7	852:8 869:12	847:17 869:21
814:5 818:4	919:11	874:15 875:13	899:10 901:1
822:20 823:17	officer's 908:25	876:10,19	902:25 904:6
823:20,24	officers 808:12	882:23 887:7	905:1
830:16,20	812:18 862:25	889:1,10 891:9	overhearing
851:5,9 852:5	863:17 865:25	906:6 911:9	847:22
869:18,22	892:16 894:18	919:11	overlap 836:24
870:7,11,14,17	895:10,17	old 816:13,13	overlapping
872:8 875:9	899:7 900:16	858:5	836:22
877:15,22	901:1,6 903:21	once 807:4	overnight
878:14 880:17	904:6 906:15	847:7 863:12	811:16 861:2
880:25 881:10	906:23 910:20	902:24	overwrought
881:13,18,24	911:3 912:22	ones 813:11	808:14,21
882:3 883:5,9	official 902:22	849:9	own 803:12
892:12,21	officially	open 846:12	853:14 879:1
893:3,22,24	918:11 919:3	857:22 884:18	
894:5,16,17,20	officials 798:23	opened 879:1	
894:21,22	oftentimes	opening 886:14	
	805:21		

p	party 807:13	people's 814:1	917:12
p 901:24	pass 901:20	perez 833:3,14	persuaded
905:12	passed 852:15	835:14 837:8	917:12
p.c. 795:15	852:23 856:15	838:20 839:19	pertained
p.m. 902:4,14	902:24	840:4,23 841:2	805:10
page 796:2	passing 814:21	842:10 843:2	petition 917:3
797:2,13,15	past 862:6,10	844:10 846:5	phone 834:19
840:13 841:16	pause 875:12	846:14 847:23	902:5,17
875:21 883:24	880:14 904:24	848:3 849:23	phones 834:20
884:25 889:2,2	pausing 860:17	861:5,6 894:9	photo 835:17
891:1 915:12	860:20	894:24	835:17,19
pages 797:14	pegeuro 894:8	perez's 839:8	913:11
840:14,15	peguero 895:20	843:16 844:23	photograph
paper 862:2	904:14	perfect 828:24	797:15 888:1
864:10	pena 838:18	period 802:25	889:20 913:19
paperwork	pennsylvania	813:7 819:5	physical 840:15
894:25	833:25 848:15	831:12 879:2	887:17 895:23
park 910:20	861:12 896:5	879:10 918:7	physically
parked 902:15	people 803:16	permission	833:12 847:17
part 805:11	807:12 808:18	892:16	pick 866:11
830:2 841:8	809:10 812:13	permitted	picked 863:20
844:2 845:18	813:16,20	895:17	picture 888:23
892:17	814:13 816:11	person 801:21	888:24
particular	816:17,24	818:5,6 822:8	pineda 875:3
816:5 817:12	821:19 828:21	834:15,23,24	876:1,16
817:17 863:13	829:2 831:24	835:3,6,11	pinot 815:12,13
874:15 915:20	832:14 853:3	864:15 875:2	place 835:6
particularly	855:3,4,7,14,16	891:21,25	844:22 865:16
810:7 816:7	855:25 856:3	896:5 912:23	865:18 873:21
867:15	861:3 862:18	912:24	887:21 908:24
parties 816:14	862:18 873:1	personnel	places 890:22
parts 845:12	874:5 907:24	901:19,21	plain 898:1
	909:24 910:18	perspective	planning 915:1
	910:23	834:11 850:19	915:9

playing 803:3 plea 813:15 830:2 plead 813:16 please 798:5 799:11,15 806:6 830:25 840:11 870:5 875:20 877:23 878:13 879:21 880:25 893:14 893:16 915:19 plus 800:17 point 842:12 845:15 848:3 848:11 852:16 853:24 861:12 876:13 883:23 885:13 892:15 896:22 906:13 914:20 pointed 898:20 police 836:24 894:7,11,20,21 894:21 910:19 911:3 policies 913:1 policy 899:6 907:23 908:3,5 908:13,15,15 908:17,20,21 908:22,24,25 910:11 911:1,2 911:6,7,14	politics 856:6 poop 856:20 popular 855:6 855:23 position 905:17 906:20 919:2 possession 894:11 895:23 possible 870:9 882:1 899:1 908:11 possibly 856:11 post 914:21,25 916:8,22 917:20 918:22 potentially 887:6 practice 820:19 820:25 827:8 831:12,15 837:11 853:1,3 853:9,16 854:7 854:8 855:24 860:3,20 862:22 869:1,3 874:10 879:1,3 880:7 907:16 909:23 910:4 practices 803:10 852:20 practicing 818:21 866:18 867:7	practitioner 831:15 practitioners 867:14 precautions 909:9 preface 888:3 888:11 prefer 822:16 918:23,25 presence 800:10 895:20 897:5,25 present 860:16 896:15 presented 884:17 897:11 916:15 presenting 801:22 press 879:24 pretty 808:4 843:9 847:2 prevent 826:18 previous 897:10 previously 897:4 prior 905:22 prisoner 911:16 privacy 808:10 856:5	private 809:7 809:10 831:12 831:15 842:16 853:8 854:7 860:2 862:21 868:25 876:4 879:1,3 privately 816:15 pro 824:14 859:2,6 probably 807:3 810:2 813:13 818:6 823:8 832:24 837:21 843:9 844:8 849:11 856:15 862:4 866:4,8 867:9 877:3 probate 906:4 probation 803:15,20,21 814:6,6 831:25 911:23 problem 855:9 859:22 861:10 910:20 problems 826:18 856:6 procedure 827:15 proceeded 896:22 902:12
---	---	---	--

proceeding 805:3,9,9,11 819:15 824:10 846:9 860:17 860:21 917:18 919:14 proceedings 804:24 806:20 833:6 844:3 895:3 920:8 process 835:18 865:23 912:19 professional 800:13 802:4 831:7 920:6,23 profit 831:20 progression 854:16 855:23 857:1 prohibited 827:13 promised 913:14 promotion 909:20 pronouncing 875:3 proper 907:22 907:23 910:2 910:13 properly 862:4 863:24 property 873:14 911:16	911:24,24 912:2,3,11,22 proposal 861:1 propped 887:6 890:9 prosecution 897:11 prosecutor 836:13,15 862:20 provide 859:10 providence 870:20 provides 817:7 providing 893:6 provision 915:21 916:2 918:18 provisions 916:5 public 816:6,6 816:10,21,23 817:1,8,12,14 817:16,21 855:9,19,20 857:24 858:3 892:18 pulled 837:13 purpose 815:20 837:18 push 863:10 pushed 855:10	pushing 862:24 put 802:13 808:2 809:23 810:6,23 812:7 818:11 823:21 861:2 880:1 908:24 putting 918:21 q question 798:24 829:4 830:11 860:17 873:25 874:3 888:3 890:17 questions 835:10 874:3 880:11,16 909:12 917:10 quick 822:1 quickly 867:4 quit 853:2 quite 853:6 887:22 quote 832:2 900:2 r r 825:3 851:18 870:6 881:9,9,9 893:17 905:12 920:1 race 816:14 radio 882:14	rail 811:10 ran 825:19,21 843:10 847:15 rape 825:15 853:6 rarity 877:9 rather 809:11 ray 882:12 read 820:14 875:10 892:17 894:2 896:22 902:1 reader 884:17 884:17 889:5 reading 892:20 893:6 894:4 902:3 ready 863:14 865:24 real 856:2,20 858:1,1 realized 871:1 really 803:24 804:6,21 805:19 811:1,9 813:4 814:4 832:10 856:18 859:2,12,13 865:13,13 917:9 rear 904:5 reason 802:13 859:10 879:25 880:1
---	---	--	--

reasonable 836:13	recommenda... 918:20	879:23 880:2,4 880:4 881:6	915:12 919:1
reasons 806:23 807:10 808:1,1 810:22 855:5,9 856:5,5,6 859:20 860:23 873:18 877:4 895:12 899:2	record 798:6 805:15 806:1 806:13,20 807:6,19 808:2 808:23 809:4,4 809:7,13,16,24 810:6,12,14,19 810:23 811:23 816:1,20 817:10,13 819:2,17 820:7 820:19,25 821:4,15,21 822:13,22 823:3,18 824:2 824:14,25 825:15,23 827:14 828:11 828:16 829:12 829:21 830:9 830:10,24 845:13,15,18 851:17 854:9 854:15 855:5 855:11 856:3 856:17,17,24 857:4,14,16,18 857:23 858:24 859:19,19 860:6,11 874:11,16 878:7 879:19	892:17,18 893:14,20 914:3 record's 823:25 recorded 804:24,24 826:12 862:15 recorder 806:2 recording 818:22 824:5 827:8 867:8 recross 796:6 797:9 829:8 912:17 redirect 796:5 797:8 827:19 911:12 refer 855:3 891:5,17 referenced 913:11 referred 818:25 819:1 863:7 890:2 referring 824:11 887:18 refers 892:5 reflect 823:18 refreshes 875:6 refused 899:8 regard 872:21 873:6 886:8,8	regarding 886:6 887:2 region 907:4 regional 906:21 907:2 909:17 registered 920:5,23 reiterated 825:2 relatively 838:9 release 895:21 907:23 910:18 910:23 911:4 911:19,25 released 818:16 818:16 846:9 873:2,7,9,15 898:13,13,15 899:18 900:1 901:8,17 903:3 904:15 909:4 909:24 releasing 907:17 relevant 916:10 relieved 844:1 rely 814:13 remain 863:1 remains 914:20 remember 802:20 803:16 804:21,25 806:6 808:6,12

808:17 811:3 816:11 821:1,6 825:5,8,10,11 825:13,18 826:3,6,9,20,23 827:15 828:4 833:16 834:6 837:5 839:9,10 839:16,17,20 839:22,24 841:25 842:17 842:19,20,21 843:7,9,10,18 843:20 844:14 846:6 847:7,10 847:14,25 852:21 remove 873:12 removed 897:4 rendered 898:10 repair 882:9 replaced 876:24 report 797:14 882:19 893:21 918:13 919:4 reported 900:25 reporter 824:2 824:7,12 881:7 905:10 920:6 920:23	reporters 823:12 824:5 represent 831:24 832:14 833:3 840:4,21 842:9 844:9 849:22 850:4 875:2 876:16 represented 836:1 843:4 representing 831:17 832:7 836:6 837:8 838:25 839:2 843:2 848:24 859:21 republic 894:10 request 876:7 880:5 883:18 requested 876:5 requesting 902:7 require 859:10 required 813:23 880:3 901:19 requiring 860:21 reservations 896:4 resistance 855:22	respect 838:25 respond 917:8 917:24 responded 894:5 899:14 901:11 904:18 respondent 919:10 response 918:3 responses 917:22 918:9 responsible 881:19 882:7 rest 891:24 906:23 restraining 803:19 retained 842:14 843:12 876:23 876:23 retire 879:13 retired 799:18 799:20,21 851:8 852:3 854:4 856:13 865:5 877:17 880:8 891:21 retirement 867:23 retrieve 873:14 return 911:23 returned 831:14 898:10 898:12 899:4	900:12 903:18 904:20 reunion 852:9 revised 908:13 revision 827:14 ri 794:22 richard 893:24 894:5 902:8 richmond 795:8 right 800:7 801:9 802:6 804:14 816:8 816:21,22 817:7,14,23 819:2,17 821:11,18 823:4,8,11,13 823:22,23 824:16 827:23 829:14 832:11 833:25 835:17 835:21 838:21 840:19 844:6 844:16,17 849:24 850:1,8 850:15 852:15 852:22 854:10 856:16 857:12 859:14,15 861:21 864:13 864:18,22,23 865:5,13 866:2 866:12 867:9
--	---	---	--

869:21 874:4 875:19 876:13 877:11 890:15 892:9,24 897:18 910:20 913:12 917:8 rights 813:18 ring 875:4 risk 829:22 river 852:13 role 888:20 room 802:23 822:11 roost 803:14 ropes 814:14 roughly 872:1 872:2 906:14 round 813:15 routine 808:4,5 847:2 rpr 794:22 rule 804:11,20 817:23 827:2,7 827:14 856:15 915:20 916:2,4 918:18 rules 803:14 915:16 917:6 rumors 815:10 run 803:9 804:7 805:22 853:2,2 878:22 912:23	running 806:2 861:17 rush 813:23 s s 796:12 797:12 825:3 851:10 851:19 870:6 878:9 893:17 893:17 905:12 safest 911:3 safety 807:12 807:12 895:12 898:20 899:2 909:9 saalem 802:15 802:17 803:2 sallyport 818:11 884:11 884:14,19,22 885:2,6,9,12,22 886:2,10,17 900:22 904:3 911:4,19 sanctions 916:13 918:21 sandwich 818:11 sarcastically 901:7 904:15 sat 800:1 802:2 802:10,11 803:5 808:7 813:5,5 844:16	844:17 850:17 850:18 858:9 858:13 864:25 894:19 896:13 sausage 858:2,4 saying 840:20 845:10 847:25 854:22 857:4 858:22,23 861:19 877:8 says 830:11 840:24 841:1,4 841:11 858:3 875:24,25 876:3,8,10,11 876:15,19 890:20 891:24 sc 894:6 schedule 871:16 917:16 school 800:19 803:4 831:9 852:8,23 878:17 schools 802:4 science 878:15 scoop 856:2 scoot 840:25 sddo 902:7 se 824:14 859:2 859:6 seated 799:11 877:23 881:1	second 837:9 837:18 859:3 876:9 891:1 seconds 886:10 section 832:6 915:16,23 sections 917:6 secure 894:6 secured 842:16 security 864:16 881:14,19,21 882:9 888:21 894:15,16 898:8 899:21 901:20 902:19 902:25 905:18 905:19 906:21 see 807:20 809:11 815:2,2 816:17 844:22 845:20 855:17 858:1 861:10 864:8 873:16 875:5,23,24 876:18 877:8 882:12 885:18 885:19,21 886:2 887:1 888:25 889:7,8 889:9,12,23 890:5,22 891:2 895:22 897:19 899:12 900:13 903:19 908:17
---	---	---	--

911:20,21 seeing 837:5 842:17 847:10 seemed 883:20 903:9 seen 814:20 908:15 selection 808:17 send 841:6 sending 841:5 senior 852:25 seniority 858:10 sense 807:1 813:8 917:15 sent 841:3 separate 857:7 september 800:24 801:11 series 820:18 825:21 829:18 serino 825:3 serious 855:17 868:17 869:6 898:20 service 882:8 session 814:9 855:2 858:16 888:12 896:11 896:14 907:18 sessions 855:2 858:12	set 886:23 887:20 920:13 settlement 822:15 setup 889:13 sevelin 796:20 877:18,20 878:8,8 seven 802:22 858:14 906:1,2 seventh 858:14 858:14 several 882:24 shackles 873:11 873:12,13 shannon 836:7 836:12 845:21 share 852:5 860:19 870:17 878:13 sharing 853:14 sheet 806:2 shelley 795:8 814:19 sheriff's 911:22 shirt 898:2 short 813:7 831:14 shortly 898:11 show 814:13 843:4 875:5 882:18,23 888:1 893:25 901:23 908:14	showed 833:19 902:21 904:9 shown 809:5 shows 841:15 888:24 side 808:22 816:19 818:18 822:13 823:22 827:25 829:12 844:16,18,19 844:19,22 845:5 846:1,2 850:22,24 855:1,18 857:14,23 858:21 859:18 884:7 913:12 913:12,13,19 917:20 side's 917:22 sides 854:22 855:24 916:23 917:13 sight 855:19 sign 911:24 signature 910:12 920:21 similar 900:17 903:23 simmons 893:24 894:5 902:8,13,23,25 903:1 904:2,20	simultaneous 917:4 918:6 single 829:1 singleton 796:20 877:18 877:20 878:8 880:21 sir 878:4 881:4 881:10 893:13 894:1 905:7,13 905:21 sit 799:22 801:25 808:16 844:15 858:11 858:12 865:16 sitting 802:25 805:1 815:25 822:17 844:25 845:1,2 863:18 879:12,16 889:12 situated 895:5 situation 802:16 840:2 876:21 six 800:19 853:13 sixth 858:13 sjc 817:19 820:15,18,22 824:23 825:2 826:7,7 827:13 829:18
---	--	---	---

sjc's 862:16 slightly 890:6 small 831:10 sneaking 812:17 snookered 810:24 811:2 solemnly 893:5 solo 831:15 somebody 808:11 810:9 810:16 832:17 836:8 864:11 876:22 somebody's 818:15,17 somewhat 805:13 834:18 834:22 836:23 son 803:3 soon 863:25 898:9 sorry 801:1 802:2 815:21 823:19 847:6 858:7 866:10 874:13 881:15 881:17 889:23 890:18 899:3 906:17 sort 814:13 820:14 846:1,8 861:12 869:2	sounds 832:24 855:6 866:10 883:5 917:1 space 891:13 spanish 839:16 speak 838:17 839:11,25 846:14 871:6 873:17 898:12 915:8 speaking 807:9 839:24 841:17 845:20 846:19 special 798:8 804:11 815:20 914:14 915:18 specific 832:23 834:4 835:15 847:24 915:19 915:21 916:2,4 specifically 843:19 918:17 specificity 917:2 specifics 917:25 specified 920:9 speculate 850:12 spell 851:16 870:5 878:7 881:7 893:16 905:11 918:16 spelled 878:9 881:8	spend 832:16 839:7 spent 800:5 802:15 854:17 865:10,18 spoke 814:23 839:10 897:8 909:17 spot 861:10 square 812:12 stab 893:4 staff 862:25 864:1 885:19 891:22 908:7 stage 918:20,20 stairs 886:24 887:2,20 889:15 898:17 stairway 887:14,15 888:6,7 889:25 890:1 stairwell 888:13 standing 884:16 start 863:12 866:23 884:2,2 918:12 919:3 started 810:17 818:21 825:20 852:16 866:18 866:23 867:7 870:24	state 817:6 834:2 835:4 851:16 861:2 878:6 881:6 893:13 895:21 906:12 stated 894:17 896:3,18 897:16,17,23 898:12,18 899:25 900:8 900:21 901:6 903:1,4,13 904:13 statement 900:17 903:23 statute 807:2 918:19 statutory 915:21 916:2,5 stay 800:9 805:23 832:13 844:3,10,12 866:1 870:8 871:15 stayed 800:8 801:23 843:24 844:1 871:16 878:18 stenographic 920:8 step 868:15 904:23
---	---	--	---

stephen 902:7 stereotypes 850:13 sticking 890:6 stint 871:21 stints 800:2 stop 863:13 866:8 stopped 802:7 stopping 851:20 863:16 story 824:20 street 795:4,10 795:16 860:13 902:10 strong 814:5 strongly 862:14 struck 835:16 854:1 stuff 815:10 818:10 823:3 853:6 855:1,9 855:12 857:6 858:7,19 859:7 subject 807:8 817:11 819:6 835:11 894:7 894:12 895:6 896:6,8,24 898:13,23 899:2,18,19 900:1,5,8,11,13 901:4,6,16 903:3,4,11,14	903:19 904:1 904:11,14 subject's 895:14 896:17 897:9 898:23 900:3 903:9 subjects 903:17 subsections 915:21 substance 818:14,19 821:23 824:24 substantial 802:25 substantive 822:23 828:9 suddenly 901:15 sued 826:2 suffolk 860:14 870:20 suggest 883:4 sui 804:6 805:13 suite 795:5,16 sullivan 798:19 798:20 summary 822:11 summation 916:8 summations 914:21,25 916:22 919:13	summit 814:24 superior 800:3 800:11 803:6 806:8,12,23 807:16 808:8 812:25 819:6 819:12 820:2,6 820:10 821:7,8 821:9,22 823:2 823:10 824:4,6 824:22 825:12 827:3,6,7,11 852:11 853:21 854:2,3,12,19 856:24 857:3 858:10 859:25 860:8 865:3,11 865:15,19 867:2 868:7,12 869:7 872:7 supervisor 908:6 supervisory 902:6 907:1 supposed 802:24 supreme 801:8 801:13 817:21 906:5,5 sure 813:1 818:10 820:16 821:15 823:25 835:1 837:25 838:2 843:17	845:8 847:1 850:16 867:11 870:6,10 873:22 874:4 906:3 912:25 915:2,11 916:13,21 surprise 848:20 surprising 877:5,7 suspect 900:20 suspicious 900:20 904:1 swear 893:5 swept 909:6 swipes 882:11 switched 871:14 sworn 799:9 830:19 851:11 870:1 877:21 880:24 892:24 892:25 893:2 893:10 905:4 symbiosis 814:5 system 819:21 882:11 887:21 systems 882:9 888:21
			t
			t 797:12 881:9 920:1,1

tab 875:14	808:15 810:6	851:5 854:6	think 803:1
tabbed 840:7	812:11 813:2	864:2 869:13	805:12 806:22
take 800:12	813:17 816:15	869:16,18	806:24 807:10
811:10 812:9	830:24 831:6	870:14 874:18	807:11,24
812:11 840:10	834:11 840:1	874:19 877:12	810:17,24,25
844:22 854:23	843:1 845:16	877:13,13,15	814:16 817:15
875:10,14	872:8 881:10	877:22 878:10	835:8,8 836:3
892:4 893:3	889:6,11	878:24 880:11	836:23,23
895:6 899:2,7	897:20 905:10	880:16,17	837:14,16,20
901:5 904:12	telling 808:16	882:3 886:18	837:21 838:10
906:10 908:6	842:15 898:3	887:7 889:19	838:17 841:6,6
908:21 916:11	tend 813:10	890:16 892:10	841:19 846:6
taken 872:23	tenure 887:22	892:11,12	847:21 848:18
873:21 878:21	891:17	901:22 904:22	848:22 850:7
909:6	term 821:16	905:2 906:8,24	855:14 858:14
talk 827:22	831:22	909:11,21	862:11 866:6,8
859:4 873:23	terminal 809:1	911:9 912:14	872:9 878:18
talked 827:10	terms 804:21	913:5,6,7	889:2,21 893:1
864:10	812:23 839:2	914:13,17	916:11
talking 810:18	848:16 917:15	919:5,6,12	thinking
821:23 840:14	918:12	thing 799:24,25	808:18 843:4
860:24 862:12	terribly 837:16	809:14 811:22	third 837:9,19
901:1 904:6	terrific 914:18	828:1 837:17	883:24
talks 817:24	testifying	854:16 862:4	thomas 795:10
tape 804:23	798:23	867:9 877:5	thoopes 795:13
taught 802:3	testimony	891:16	thought 806:9
tax 870:24	803:23 905:23	things 804:23	812:14 836:14
team 815:7,7	thank 798:18	805:10,17	848:9,22 850:2
882:6 899:12	799:1,2,10	809:11 810:11	857:21 858:5
tears 856:14	807:2 810:3,7	813:14 818:3	862:14 918:6
teenager	815:14 827:18	818:13 832:5	three 802:16
825:16	829:5 830:12	837:13 856:20	870:25 879:4
tell 799:14	830:15,16,20	858:24 874:2	898:22
800:12 804:18	849:15 851:2,4	910:8	

thursday 917:18	today 812:2 893:6 905:13 907:8 919:12	841:18 872:15 875:21 920:7	trust 810:25 816:25 817:2 826:16
time 803:1,8,13 805:15 809:17 811:19 813:7,7 814:23 817:17 819:5 823:14 827:5,6 828:23 831:13,16 832:25 833:9 833:10 837:24 839:7 841:24 842:1,3 852:15 852:24 856:18 859:23 860:15 863:13 865:10 865:19 868:14 868:21,21 869:9 871:3,3 874:6 875:10 879:2,10,15 880:8 882:23 884:2,2,3 885:18 887:22 895:15 898:19 899:10 908:2 908:19 909:17 912:1,11 920:9	together 814:25 815:12 told 799:23 804:22 842:13 872:19 896:21 896:25 897:1 897:23 900:4 903:10 908:21 tom 798:14 853:3 tone 901:12 904:19 took 825:20 850:6 895:14 top 840:19 883:25 885:1 topic 820:10 totally 814:15 828:1 towards 855:11 855:11 traditional 854:21 training 804:19 804:21 852:6 870:18 878:13 transcribed 826:16 transcript 824:13 840:14 840:24 841:15	transcripts 917:17 918:8 transition 857:16 867:6 transport 901:2 904:7 transportation 812:21 treatment 833:8,12 trial 798:21,22 801:16 819:6 819:14,20 822:4 826:17 853:16 858:17 871:18 881:12 881:18 882:7 882:10 884:1 887:23 899:6 905:16,16,20 905:24 906:1 906:20 trials 819:8,20 824:9 tried 801:3 807:7 848:21 852:13 853:4 true 817:3 835:14 861:8 920:7 truly 835:11	trusted 811:1,4 816:23 859:13 859:14 try 813:22,24 834:14,16,22 835:1 852:18 853:10 859:4 910:7 trying 811:12 822:15 836:2,4 837:20 853:5 853:16 861:23 868:16 turn 840:13 875:18,19 turned 815:6 858:20 915:4 two 798:22 802:17 815:11 822:3,3,12 827:24 853:16 857:7 878:21 879:4 882:14 884:20 892:15 895:10 917:19 918:7 type 805:13 types 810:11 typical 832:1

u	unfortunately 813:11 911:2	usually 800:2 828:3,15 866:23 879:24	view 803:12 910:2,22 911:5 911:6
u 870:6 893:17	unhappy 871:2	utilized 884:8	violated 915:23 916:3,6 917:6
u.s. 817:21	uniform 910:8	v	violates 915:20 918:18
849:6 897:4,6	university 878:16	v 794:8 795:4 878:9	violation 915:14
897:12	unnecessary 826:18	vacation 806:10	visible 850:20
uh 860:18	unquote 832:2	valentine's 868:13	voice 905:9
874:9	unrecorded 825:4 826:19	van 811:16 863:3 901:2 904:7	volume 794:8 869:3
ultimately 896:9 901:14	untoward 810:13	van's 863:15	vwa 900:10,12 903:16,18
uncommon 807:15	unusual 845:23 845:25 846:21 847:3,4 850:10 873:16	vance 863:18	w
under 865:7 884:7 890:19 906:13 910:12	upgrades 891:20	vans 863:2,4,12 865:23	waited 898:22 899:10
undergoing 833:8,12	upper 875:19	variety 800:1 832:5,14,15	waiting 841:25 896:14 899:22 900:4 901:4 903:10 904:11
undergraduate 878:15	upstairs 808:14 848:5 900:6 901:4 903:11 904:11	various 803:10 804:8 855:5	waive 861:20
understand 829:20 841:21 848:14 876:16 891:5 917:3	use 821:16 891:19 898:17	variously 853:14	walk 811:11 869:15 882:13
understanding 840:6 842:11 848:11,18 912:1	used 813:24 818:3 828:20 834:21 867:13 867:14 871:5 887:3,16,17 891:6,25 892:6	vehicle 902:15	walked 904:4
understood 807:8 829:21 856:21 874:7 912:25	usual 853:6	vehicles 911:3	waltham 872:6 872:12
unfair 850:13		version 883:1	want 804:4 807:24 808:2 810:9,24 814:21 815:5,9 816:7 821:15
unfortunate 826:13 830:8		versus 820:23 825:3,8 828:7 876:1	
		vetted 803:20	
		victim 828:14 900:10 903:15	

823:24 825:24 827:21 851:23 855:14,16 856:10 859:5 869:14 873:22 874:3 880:1 888:3 891:9 897:24 898:5 906:2 914:23 916:17,18 919:1 wanted 802:13 809:21 816:15 816:16 828:8 841:20 853:10 861:23 871:2 874:2 896:5 897:18,19 915:10 916:20 wants 859:1 897:20 warrant 833:24 834:7,13 835:3 835:4,5,12,19 838:22 848:15 848:17 861:2 861:12 894:25 897:17 901:10 904:18 911:21 washington 902:10 watched 845:24	way 810:12,15 811:25 813:14 819:21 855:22 866:22 882:14 900:14 903:20 911:4 913:2 918:25 ways 834:16 we've 804:10 831:2,22 855:10 885:15 905:22 week 807:4 872:9,11,14 917:18,21 918:8 weeks 917:19 918:7 weight 896:23 wells 902:7 went 802:19 803:2,13 809:4 811:16 812:18 816:19 826:7 831:10,13 842:22 845:7 845:15 847:7 852:8 853:11 871:12,17 874:15 878:19 887:11,13 888:14,16 896:19 897:20 899:19 900:9	900:11,23 903:14,17 912:2,3,12 wesley 884:9,21 885:3 west 902:10 whatsoever 801:15 whereof 920:12 white 845:7 whitman 803:4 whoever's 864:17 wife 859:4 willful 915:24 williamstown 805:1 willing 856:3 917:12 win 878:24 wish 816:23 withdraw 876:17 witness 807:23 810:8 819:3,18 823:5,18,19,23 827:9 830:13 856:6 869:14 870:10,13 876:20 880:16 880:18 882:2 892:19,23 893:8 900:10 903:16 920:12	won 826:6,6 word 810:25 words 805:7 858:5 911:17 work 822:15 828:25 831:20 832:1 837:3,3 853:19,20 858:1 910:8 worked 814:8 831:9 836:22 836:24,25 849:23 850:1 851:24 working 853:14 870:24 915:2 919:3 works 869:3 world 828:22 850:14 worry 862:1 871:4 writing 806:1 written 893:21 908:19
x			
x 796:1 797:1 797:12 807:24 882:12			
y			
y 807:24 820:23 870:6 881:9			

yard 802:24	young 853:3
yeah 806:11	871:3
809:17 824:1	yup 856:25
836:23 837:12	864:12,19,24
851:22,24	865:6,12,22,22
857:8 862:7,11	882:2,17,22
863:2 864:14	884:5 885:14
866:3,21 867:5	885:24 889:4,9
867:15,22	890:21
881:17 889:1	z
891:10 906:8	z 807:24
911:23 913:13	
914:2 915:7	
year 816:13,13	
849:11,12	
852:21 853:4	
871:8,19	
878:19 879:5	
years 800:5,7	
800:17 802:3	
802:12,15,22	
806:21 819:19	
820:4,17	
827:10 851:25	
852:13 853:5	
853:12,13	
854:4 858:9,19	
865:10 867:18	
870:25,25	
871:25 878:21	
879:4 891:21	
yesterday	
818:7 860:16	
860:25	