Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 1 of 72

1
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

For the Defendant:
Steven Levin, Esquire

Also Present:
Melissa McGuinness, U.S. Probation Officer
Adam Smith, U.S. Probation Officer
Special Agent Erika Jensen, FBI
Special Agent Kevin Bodmer, FBI Sergeant John Sieracki, Baltimore Police Department Officer Jared Stern, Baltimore Police Department

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 3 of 72

1


Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 4 of 72
additions, corrections, or modifications to suggest to the presentence report?

MR. WISE: No, Your Honor. Thank you.
THE COURT: Okay. Mr. Levin, I know you have read it. And, just for the record, has your client had the chance to review it with you?

MR. LEVIN: Yes, Your Honor.
THE COURT: Any additions, corrections, or modifications?

MR. LEVIN: Only -- no objections to the guideline analysis.

But we did submit, as Your Honor knows, under seal, objections, factual objections -- or actually just clarifications -- to some of the facts that were laid out in the presentence report.

So I would just ask that those additions be included or added to the final presentence report.

THE COURT: Yes. I did not see anything about those facts as you've just indicated that would affect the guideline calculations.

MR. LEVIN: That's correct, Your Honor.
THE COURT: Mr. Wise, did you want to be heard?
MR. WISE: Just for the record, Your Honor, we
don't -- to the extent these are characterized as the additions of the defendant, we don't agree to their accuracy or truth,
and so we would want the -- we would not -- we would object to the presentence report being modified in this way short of just indicating that these are, in fact, the additions they've raised.

THE COURT: Well, that was what I was contemplating, that the presentence report should include, on behalf of Mr. Jenkins, what Mr. Levin has just referred to as clarifications.

I'm not going to make a finding one way or the other on them. There are plenty of facts set out in the statement of facts and the plea agreement.

But I do think it's perfectly appropriate to have Mr. Jenkins' position on a few separate items included in the presentence report, so we'll do that.

MR. WISE: Thank you, Your Honor.
THE COURT: Okay. All right. The guideline calculations are set out in some detail, I believe both in the plea agreement and in the presentence report.

Understanding that there are not objections -- well, let me just be clear about that.

The final guideline range, as calculated in the presentence report, is an offense level of 40 , criminal history category of I, a guideline range of 292 to 365 months.

I take it the Government agrees?
MR. WISE: Yes, Your Honor.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 6 of 72

1

THE COURT: Mr. Levin?
MR. LEVIN: Yes, Your Honor.
THE COURT: Okay. All right. Then I'm not going to go through the precise calculations and groupings and all of how that was arrived at. We'll accept that as the appropriate advisory guideline range.

Obviously, that is only one factor to consider. And, of course, I'm also aware that there is a (C) plea for between 20 and 30 years.

I will start with the Government. And let me know what you would like to address.

Actually, also, there are a couple of things $I$ want to talk about.

We have a policy in this district, I'll just say that, in every sentencing to have a discussion of cooperation, whether or not a defendant has been cooperating, and that discussion is always under seal, so I'm going to ask counsel to approach the bench.

Conference at the bench.
(It is the policy of this court that every guilty plea and sentencing proceeding include a bench conference concerning whether the defendant is or is not cooperating.)

THE COURT: All right. Thank you, counsel.
Before I turn to the Government for whatever specific sentencing recommendation you would like to make, do you know

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 7 of 72
whether there are any people in the courtroom who believe they are victims who would like to speak?

MR. WISE: Your Honor, I believe there may be two individuals at this time that may wish to come forward and speak.

Ma'am, if you would come to the podium.
Ma'am, you can just go to the podium and address Her Honor. And just start by saying your name.

SHIRLEY DAVIS: Okay. My name is Shirley Davis.
Good morning, Your Honor.
THE COURT: Good morning.
And if you could speak right into that microphone just a little bit louder.

SHIRLEY DAVIS: A little bit louder. Okay.
What I want to say this morning is that my father was killed in a fatal car crash. My father was a person that you could depend on. My father would do anything for us or anyone else, and his life was taken away from him in a fatal car crash that Officer Jenkins was involved in.

So now we have no father to share our lives with. We miss our dad. We no longer have the special occasions, birthdays, holidays that we spent with my dad.

And then to find out seven years later that Officer Jenkins was involved in the accident that took my father's life, that he is no more than a common criminal and

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 8 of 72
his task force, 'cause my dad would be alive today had it not been for his actions on that day.

Our family hearts are broken. We'll never be the same again.

So that's what I have to say about Mr. Jenkins.
Thank you, Your Honor.
THE COURT: Thank you, Ms. Davis.
DELORES DAVIS: Good morning, Your Honor.
THE COURT: Good morning.
DELORES DAVIS: My name is Delores Davis, and I am the daughter of Elbert Davis.

And on that day my father and my mother came to see me; and on the way home, they was into a fatal car crash with Mr. Jenkins and the rest of the task force that was out there. And I miss my father very much.

And on that day I told my dad I would see him later on that night. And that would be the last kiss I got from my father, 'cause I wouldn't see him no more. That was it.

I'm trying to keep -- keep myself together. I'm sorry.

THE COURT: It's okay.
DELORES DAVIS: But I miss my dad, and that's the only day I seen him is when he left there.

And I hope Mr. Jenkins know how much he hurt my family.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 9 of 72

1

THE COURT: Okay. Thank you.
DELORES DAVIS: Thank you.
THE COURT: Thank you, Ms. Davis.
All right, Mr. Wise.
MR. WISE: Thank you, Your Honor.
And, Your Honor, the two victims that spoke, the car crash they speak of, as I'm sure Your Honor is aware, is the episode in which heroin was planted on the driver of the car that actually struck Mr. Davis.

And Mr. Jenkins authored the police report that led to the incarceration of the two individuals involved in that fatal car crash for almost 11 years, individuals who I'll speak about this morning.

Wayne Jenkins committed at least ten armed robberies with his co-defendants; at least three burglaries, one of which resulted in him and his co-defendant obtaining more than $\$ 200,000$ of luxury watches. He stole drugs on a nearly daily basis, resulting in more than $\$ 1$ million of drug sales that netted him almost a quarter of a million dollars.

He oversaw and benefited from overtime fraud that sapped the City's budget of hundreds of thousands of dollars at a time when the City is struggling to heat its schools.

He lied on police reports again and again and again, jeopardizing, along with his co-defendants, what, at the most recent estimate that was given to the City Council by the

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 10 of 72

State's Attorney this past week, affects approximately 1700 criminal cases.

Those crimes affect all of us, but Jenkins' crimes also had a profound effect on the lives of individuals, individuals like Ms. Shirley Davis and Ms. Delores Davis, who just spoke, individuals who will never recover from what's been done to them.

And as I said, among those hundreds of false police reports that he authored or approved as a sergeant was one that he himself wrote that put two men in jail for almost 11 years for a crime they did not commit.

So how do you measure the harm done by his actions? How do you measure the harm of Mr . Jenkins' actions to people like Ronald Hamilton, who was robbed late on a summer night in 2016?

And Your Honor heard him in the trial in the winter. And while the jury didn't consider what he said about the effects of that episode on his family and his life, because it wasn't evidence of what had happened, Your Honor heard it and Your Honor saw it.

Your Honor heard him say [reading]: This destroyed my whole family. I'm in a divorce process right now because of this. This destroyed my whole family. You sit here asking me questions about a house. My wife stays in the Walmart every night until I come home. If you want to know that, worry about
that. That's what's the matter in here. Everybody's life is destroyed.

And that was just one of the victims of Wayne Jenkins and the two elite plainclothes Baltimore Police Department units that he led like a criminal gang.

While the harm that he did is immeasurable, the largest share of the blame for the crimes of the GTTF and the members of the Special Enforcement Section unit that he led before that, the largest share of those crimes belongs to him, and his sentence should reflect that.

As the law provides, the Court will consider the nature and circumstances of the offense and the history and characteristics of the defendant.

I'll briefly -- or I'll address each of those in turn and for the fact that the need of the sentence imposed reflect the seriousness of the offense, to promote respect for the law, and to promote just punishment, and to afford adequate deterrence, and, finally, the need to avoid unwarranted sentencing disparities, which $I$ will also address in turn.

The conduct that Jenkins committed, which is laid out in the presentence report and in detail in the statement of facts that was made part of his plea agreement is, in a word, breathtaking.

Those facts describe how not only at the GTTF, but before that, Jenkins routinely stole drugs from individuals he

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 12 of 72
stopped -- and this is what really makes him different. And I'll speak about the differences between him and the other defendants at various points.

But Your Honor has heard and taken the guilty pleas of multiple co-defendants and presided over a trial where individual episodes of robbery were proven or admitted to, and I'll speak about each of those.

But what Jenkins did, which none of the other defendants did, was this almost daily robbing of individuals that had drugs, that were selling drugs or using drugs on the streets, sometimes of small quantities, sometimes of large quantities.

And the link in the chain that Donald Stepp provided was where those drugs went. And those drugs went to Donald Stepp, and then they went back onto the streets of Baltimore.

And Donald Stepp described in his testimony how this was so frequent, so frequent that he came to actually give Jenkins a key to the shed in his backyard so that Jenkins could drop them off without having to wake him up. And then Stepp would go and sell them.

And Stepp estimated that he sold a million dollars' worth of drugs that Jenkins put in that shed and gave Jenkins almost a quarter of a million dollars for those drugs.

He also routinely stole money, and Your Honor heard
and has heard about that at length. He stole money and kept it for himself at times. He stole money and shared it with his co-defendants.

And in doing both those things, and in various other ways, he perverted the criminal justice system. People that should have been charged with drug crimes were let go because Jenkins took their drugs.

People that were charged had false descriptions of the circumstances of their arrests provided to judges in our city and in our state courts and even in our federal courts.

And Jenkins did this not only as a detective -- and that's when this began -- but worse -- and I'll talk about this at length -- in a leadership position, leading not one but two elite plainclothes units.

But it gets worse. He also learned at various points, despite all the efforts taken by law enforcement to keep this investigation covert -- and it was extremely difficult to do that, given that the targets in this case were all police officers themselves.

But he learned at various points of the investigation, at first into Gondo and Rayam, which is how the investigation began, and he provided that information to them.

And it was only because of their greed and their arrogance that they didn't take that information and use it to further conceal their conduct and continued as they had been.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 14 of 72

And in the course of the investigation, we learned that the GTTF wasn't working or working nearly as much as they claimed to be.

And we learned that a systematic fraud was being committed on the City and on the state, which provides the majority of the Baltimore Police Department's budget, that these men were in some cases doubling their salaries, from $\$ 80,000$ to $\$ 160,000$ in a year, by claiming to work when they didn't.

And this is not -- and this was something that was in one of the defense filings in this proceeding, but also in the trial. This is not this phenomenon of "the day off for a gun." And I'm not going to address whether that's appropriate or not.

But to be very clear, what was charged that they did was not that they took a day off when they got a gun, but that they lied on the submissions they made to the police department and said that they got a gun and worked till 5 o'clock in the morning when, in fact, they may have only worked until 11 o'clock the evening before.

Or if one member of the unit got a gun, they all claimed to have worked five or six or eight hours of overtime. That systematic looting of the overtime system is what Wayne Jenkins and the other members of the GTTF did. And that started, again, not in the GTTF, but in the SES unit he led before that.

And it got worse. When the defendants were detained, as he has admitted, the deceptions continued.

They were housed in the Howard County Detention Center. And Jenkins tried to actively lead a coverup of their criminal conduct, exhorting his co-defendants to stick to the story, to claim, for instance, the false video of the safe being opened that was played at the trial was, in fact, what had happened.

And it was only because his co-defendants at that point decided to take responsibility for their actions and finally, finally come clean with what they had done that those men came forward and provided evidence against him and against the defendants that went to trial.

So as is laid out in his statement of facts, the robberies began before he became a sergeant. They started in at least 2011. The statement of facts describes the May 11th, 2011 robbery of $W$.B. that Jenkins did with Gondo. This was before -- this was before Jenkins and Gondo, years later, wound up on the Gun Trace Task Force. This is when they were -- when Jenkins led it. This is when they were briefly on the Gun Trace Task Force. And even for only a matter of months, they stole $\$ 1,800$ from that man.

Moving forward in time to 2014, between 12 and 14 thousand dollars was robbed from J.C.

Moving into the spring of 2015, we learned from the

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 16 of 72
co-defendants about the robbery that occurred at Belvedere Towers on Falls Road where Jenkins falsely represented himself as a DEA agent, took $\$ 25,000$ and between 20 and 30 thousand dollars' worth of high-grade marijuana, and split the proceeds of that robbery with Taylor and with Ward; gave the drugs to Stepp to sell, which he kept himself; and then benefited from the proceeds of those sales.

Moving forward, he committed the February 2016 robbery of M.S. Again, and the amounts here range from almost a few hundred dollars to hundreds of thousands of dollars.

The March 22nd, 2016 robbery of Oreese Stevenson is the single-largest robbery that law enforcement learned about. And this is the robbery that was depicted, or the coverup of that robbery that was depicted, in the video that was shown at trial where Jenkins learned that someone he had pulled over had kilograms of cocaine in his house and potentially hundreds of thousands of dollars.

They went into the house without a warrant. Even before they tried to get a warrant, Jenkins sent Stepp, in a double-cross with his other co-defendants, to try to get to the safe before they got there.

And when Stepp, as he testified, saw that there was someone on the porch and refused to go in, Jenkins stole 2 of the 10 kilograms of cocaine that were in the house, brought them to Stepp, which Stepp later sold and shared the proceeds
with Jenkins.
And then Jenkins and the other members of the GTTF cracked that safe and, along with the safe and other bags of money in the house, stole more than $\$ 200,000$ and then created the fabricated video of them attempting to open the safe.

And what $I$ think is so -- among the things that was so remarkable about that video is it shows what a committed, sophisticated, devious person can do to thwart efforts to detect this kind of behavior, because you would think -- when we first learned of this video, it was after the debate that had been had about body cameras, right? And the body cameras were seen as a solution to misconduct, as a way to monitor, in an objective sense, what was going on.

But what we learned that the GTTF was doing was that before they were even issued body cameras, they were using their iPhones to record themselves, fabricating evidence.

And if you step back and think about that for a second, I mean, what chance do we have when you've got people like Jenkins and his co-defendants fabricating video evidence?

What does a body camera that someone can turn on and off, how can that even begin to solve the problem when you have people that, even before they were issued them, were taking recordings of themselves in order to cover up their conduct as opposed to being fearful that they might be exposed?

From March, we moved into the summer and learned about
the robberies -- the robbery of Ronald and Nancy Hamilton. And what was, again, startling about that episode, among so many things, is that Jenkins brought Hendrix and Ward and Taylor with him from this SES unit he had led where they had robbed people.

And you would have thought that becoming the officer in charge of the Gun Trace Task Force might -- in June of 2016 might have slowed him down at least or caused him to pause. And this was something we wondered about when we saw that Allers was leaving and Jenkins was coming in. Would the criminal conduct stop?

We didn't know at that time that Jenkins and Ward and Hendrix and Taylor had been doing this in their previous unit. We knew Gondo and Rayam and Hersl had been doing it, and we thought maybe this new sergeant -- and how ridiculous this sounds saying it now -- maybe this new sergeant might actually cause them to stop.

Well, within just a couple of weeks, Jenkins hand-selected the team that went up to Westminster to rob the Hamiltons. And it wasn't Hendrix and Ward and Taylor, the men he had grown comfortable with robbing people previously. It was Gondo and Rayam and Hersl.

And they robbed the Hamiltons, handcuffed them in their living room, traumatized them the way Ronald Hamilton describes, never found a gun, never found any drugs. No one
was ever arrested, and the Hamiltons live with the consequences of that night and will for the rest of their lives.

Later that summer -- and Your Honor heard from Dennis Armstrong at the trial -- again, in a kind of double-cross -- and this, again, distinguishes Jenkins, really, from any of the other defendants. Jenkins had what he was doing with the GTTF, what they were doing on the job, as Gondo described it. And then he had his sideline with Stepp.

So when they see Armstrong throwing snowballs of cocaine out the window and they follow him and they trace it back to a storage locker, Jenkins calls Stepp to break into the storage locker.

And Your Honor heard testimony about that at trial; saw Stepp's swollen ankle from when he had slipped, falling coming over the fence; and he was able to steal cocaine out of that storage locker, which he sold. And the other members of the GTTF, like locusts, were able to steal the money that was recovered from Armstrong's car.

Your Honor also heard extensive testimony -- and only the most egregious of it is captured in the plea agreement -but heard extensive testimony about the illegal policing practices that Jenkins engaged in when he ran these two units, the numbers game they played, simply stopping enough people without any cause in order to recover firearms which they could then use to justify the exorbitant and false overtime claims.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 20 of 72

And this vicious circle began at the SES unit and continued when he was at the GTTF. And it included the illegal sneak-and-peeks -- that's the phrase they used -- at Oreese Stevenson's house and at others'.

And, again, as if armed robberies in people's homes wasn't enough, Jenkins also used Stepp to engage in breaking-and-enterings, burglaries, at at least three locations that we're aware of on the side.

And then that leads us to the Burley and Matthews evidence planting, and this also distinguishes Jenkins.

There's no evidence those men were engaged in any illegal conduct. The heroin recovered from that car was planted there. Jenkins wrote the false report that said it was recovered there, and it was the basis of those men receiving federal sentences of 15 years in the case of Burley and almost four years in the case of Matthews.

And what we learned from -- and that episode where Jenkins chased them, along with two other officers, where Jenkins was leading that resulted in the death of Mr. Davis. And you heard from his daughters.

And in terms of causation, but for Sergeant Jenkins' actions that day, it is true Mr. Davis wouldn't have died. Burley and Matthews were sitting in a car getting ready to go to a funeral when armed men, not in uniform, rushed the car. And Burley made a tragic error in judgment, and that was to speed away. And he struck Davis's car and killed him.

But that would not have happened if not for the actions of Sergeant Jenkins.

And then, to make matters worse, as if the death of that man wasn't enough, because he didn't want to be held to account for that chase, he authored a false police report that said heroin was recovered from those men when he knew it wasn't. And those men went to prison for almost 11 years between them.

And the way that we found out about this episode, as if it isn't horrible enough, is that he used it as a kind of teaching moment with the members of the GTTF and the SES unit he led.

And we heard from multiple co-defendants that he described this vehicular homicide to them -- that was the phrase they used -- and counseled them to keep BB guns that look like real guns in their cars so that if they ever shot anyone or got into an accident like that and there was nothing recovered, they could plant the gun to cover themselves.

And when the members of the GTTF were arrested -- and Your Honor saw this at trial -- a BB gun that looked just like a 9-millimeter was recovered from Taylor's car.

So that is the conduct. That is the nature and circumstances of the conduct that this defendant committed.

And I've talked about some of his history and

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 22 of 72
characteristics, but I think a few briefly bear emphasis.
When he was arrested in 2017, he was a 14 -year veteran of the Baltimore Police Department. He was not a patrolman. He was not a junior member of the BPD. He was a veteran at that point who had been made detective in 2006, so he had been in a position of leadership for more than ten years before his arrest.

And as someone in a position of leadership, he should have stopped the conduct, not led it, not catalyzed it, not empowered the men that came under him to engage in it.

And as I said at the sentencing of Sergeant Allers, these units in the field operate under the control of a sergeant. And if a sergeant is corrupt, is compromised, there is almost no way to design a system to prevent it.

We have to be able to rely on the integrity of individual officers, particularly ones that are put in positions of leadership, to not only lead their charges in enforcing the law, but when there is misconduct, when there are robberies that are going on in these units, to report it, to stop it.

And there's just -- there's no way to design a system that doesn't, at least in part, rely on the integrity of individual officers to do that in positions of leadership.

All the technology in the world won't fix it. And so with that responsibility comes a burden. And instead of

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 23 of 72
bearing that burden and doing the tough thing, which would have been to turn in members of the unit that were engaged in robberies, he exploited the position he was in to do it himself, to do it with them, to do it on the side, to cut them out of it.

And there's simply no way to imagine, going forward, how we won't face this problem again if deterrence -- if a strong deterrent message isn't sent from this sentencing and from the sentencings of these other defendants.

In terms of the seriousness of the offense, if
Your Honor had someone who had engaged in ten armed robberies before her, a lengthy sentence, a lengthy, lengthy sentence would most certainly be the recommendation of the United States Attorney's Office. The fact that he happened to be a police officer when he was doing this makes it far worse.

The fact that he was a police officer, as we argued at the sentencing of Sergeant Allers, not only victimizes the individuals that were robbed, but it has profound systemic consequences for the respect and promotion of the rule of law in the community.

It undermines, in the most basic way, the public's confidence in the police department, their confidence that the police department will enforce the law, and their willingness to work with the police department, which is so essential.

In the first instance, simply to respect the law; but
in the second instance, to work with the police department to detect and apprehend individuals that break the law. There is simply no way, no way for investigations to occur without that active involvement of the community.

And the community has been betrayed by what Sergeant Jenkins did and what the other members of the GTTF did.

And the most -- and the clearest effect of that is this most recent estimate, given by the State's Attorney to the City Council, that something like 1700 cases have been affected. Hundreds have been thrown out.

And there's really two parts to that. Undoubtedly, among that population of cases, there are people who broke the law, people who were violent, people who should be incapacitated; and they're back out on the street because the criminal justice system cannot trust the word of Sergeant Jenkins and the other men on the GTTF when they claimed to have seen things or heard things that led to the charges brought in those cases.

And so it is a tragedy. And that is why, in the case of Burley and Matthews, the U.S. Attorney's Office took steps to free Burley and to vacate the convictions of Mathews and Burley.

Matthews had already been released from prison when we learned of this. It is a tragedy when the innocent are

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 25 of 72

1
imprisoned, but it is a tragedy for all of us that the guilty will go free as a result of the actions of these men.

As I said, deterrence is an important, important consideration here because the temptation to steal money is present. It's a fact of life in units that police -- in narcotics cases.

Drug dealers have large quantities of money, and it's black money. It's not money that goes into a bank. It's not money that's accounted for. And drug dealers won't complain in the main when they're robbed, because they know they'll face longer sentences if they admit they had sold more drugs than they were caught with or were intending to buy more drugs.

And so the way this case, you know, came to our attention was not that the people they had robbed came and complained to IID. That's not going to solve it.

So a strong deterrent message has to be sent that the units that operate in and around drug crimes, that if they are caught -- if they rob people and if they are caught, there will be severe consequences.

But we don't have a great prospect of catching them, and that's why it's so important when they are found, that there be consequences.

Finally, Your Honor, in terms of avoiding unwarranted sentencing disparities, this is the second sentencing Your Honor has conducted. Obviously, Sergeant Allers was the

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 26 of 72
first. He received a sentence of 15 years, and that reflects all of the factors under 3553 (a) that $I$ addressed at his sentencing and that I've addressed this morning.

And there are similarities but important differences between Jenkins and Allers.

The similarities are they were both obviously in a position of leadership. And they bear special -- a special responsibility as a result, and that is an aggravating factor that they both uniquely bear.

The difference is -- among the differences are Allers didn't steal drugs. He didn't daily steal drugs and put them back out on the streets.

Allers didn't commit overtime fraud. For all the talk about this being widespread and endemic in the department, there was nothing, no evidence of the systemic overtime fraud that went on when Allers was the sergeant; just the opposite, in fact. The evidence we had at the time it was Gondo and Rayam, to the extent they were committing overtime fraud, were hiding it from Allers.

Allers didn't break into people's homes like Jenkins did with Stepp, and Allers didn't plant evidence.

And so there are important, important distinctions between Allers and Jenkins. And those distinctions justify a significantly longer sentence for Jenkins.

The guidelines in this case -- the (C) plea obviously

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 27 of 72

1
contemplates a range of 20 to 30 years. The guidelines -- the guideline recommendation is about 24 years.

As we said in Allers' sentencing, and have been up front about, we are asking for the top of the (C) plea range, for 30 years.

And that is for all of the reasons I've articulated, but also because just looking for a moment at the guidelines, which are but one factor, the 24 years doesn't account for the fact that the violation of the public trust here was so profound, was so profound.

If he had done it once or if he had done it ten times like he did or if he had done it hundreds of times like he did when you consider the thefts of drugs, the guidelines don't reflect that. And the guidelines don't reflect that two innocent men sat in prison for 11 years between them.

And so for all those reasons, the United States believes a sentence of 30 years is sufficient but not greater than necessary to achieve the ends of sentencing and to do justice in this case.

Thank you, Your Honor.
THE COURT: Thank you, Mr. Wise.
MR. LEVIN: Your Honor, may we approach briefly?
THE COURT: Sure.
(Sealed bench conference.)
THE COURT: Mr. Levin.

MR. LEVIN: Thank you, Your Honor.
There are a number of individuals who would like to speak on behalf of Mr. Jenkins.

THE COURT: Sure.
MR. LEVIN: So if I could ask Mr. O'Quinn to step down, please.

JAMES O'QUINN: Good morning, Your Honor.
THE COURT: Good morning.
JAMES O'QUINN: Your Honor, my name is James O'Quinn, and I stand before you today --

THE COURT: Slow down. Sorry. We want to be able to hear you.

JAMES O'QUINN: I apologize. I'm nervous. I apologize.

I stand before you today to urge you for leniency for Wayne Jenkins.

I have known Wayne for almost 25 years, since we were freshmen in high school together. I am aware of the gravity of the crimes he has -- he has been convicted of, but it's still hard for me to wrap my head around it.

This is not the man I know, and I'd like to give you a perspective that shows that he is more than the sum of his actions on the days he committed such crimes.

Wayne has always been there for me and my daughter, whether it was something simple, like helping me move into my
new house, or something more serious, like I was going -- when I was going through my divorce and custody battle.

I honestly don't think $I$ would have made it through my divorce as well emotionally without him.

No matter how many times I told him I was fine, he still came to my house every day to make sure he saw it with his own eyes, often listening to me complain for hours on end.

Your Honor, I think it is important to mention the loss of a child Wayne experienced not long ago, not just because it was a tragedy and is part of who Wayne is, but because it shows his character.

Just days before his new baby boy Lucas was due to be born, his wife experienced complications and they lost him. I can't imagine how hard this was to deal with, but I can tell you that Wayne handled it with the strength and resilience that I've never seen. And honestly, I think this made him a better husband and father.

For years I was used to seeing Wayne and his boys come to my house out of the blue to see what my daughter and $I$ were doing. We often took the kids hiking or swimming or would even take our dogs out for long walks.

Whenever you saw Wayne, you saw his boys with him. He truly is the best husband and father I know and believe it would be unfair to his wife and boys to incarcerate him for any longer than necessary.

I can speak from personal experience when I tell you that mine and my father's relationship growing up made me the responsible man I am today, and I desperately want that for Wayne's boys.

In closing, I would just like to say that in the nearly 25 years I've known Wayne, I can, without uncertainty, tell you that this is a man who will learn from his mistakes and use this experience to do better.

Thank you for your time, Your Honor.
THE COURT: Thank you. Thank you, sir.
MR. LEVIN: Your Honor, Wendy Kraft would also like to address the Court.

THE COURT: All right.
THE CLERK: Ma'am, please state your name for the record.

WENDY KRAFT: Good morning.
THE CLERK: Please state your name for the record.
WENDY KRAFT: My name is Wendy Kraft. I'm 55 years old, married, and I have a 28 -year-old son. I graduated from James Madison University in 1985 with a Bachelor's of Science in early childhood education.

I received my Master's equivalency from Towson University.

And I taught kindergarten, first, second, and third grades for 30 years in Frederick, Anne Arundel, and

Baltimore County.
During that time, I was nominated for Baltimore County Teacher of the Year twice and received the White Marsh, Middle River, Franklin Square Chamber of Commerce Outstanding Educator Award and the Baltimore County Excellence in Education Award, as well as was in Who's Who Among America's Teachers.

I've been retired for almost three years. I have known Wayne Jenkins for seven years. His oldest son, K.J., was in my kindergarten class for the 2011-2012 school year, and his middle son, J.J., was in my kindergarten class for the 2014-'15 school year.

Currently, I am babysitting his youngest son, C.J., who is 18 months old. I have been doing so since he was 2 months old, starting January 2017.

Mr. Jenkins always emphasized the importance of education with his son. Wayne attended every parent-teacher conference that I held. He always inquired not only about his sons' academic performance, but also about their behavior and questioned if they were being respectful.

Mr. Jenkins went on all of our field trips to the Baltimore Zoo, Port Discovery, the pumpkin farm as a chaperone.

He and his wife, Kristy, along with their parents, attended school musical concerts their sons were involved in, as well as family fun nights, ice cream socials, back-to-school, and math and reading nights.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 32 of 72


Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 33 of 72
dedicated family man. His wife, Kristy, and his sons, K.J., C.J., and J.J.; his parents, Bonnie and Lloyd; and siblings are all extremely close-knit.

Wayne lives within five miles of his childhood home and visited his parents almost every day.

His mother, Bonnie, volunteered in my kindergarten classroom once a week for the entire year, both times her grandsons were in my class.

I came to respect the Jenkins family and became close to them when their sons were in my class.

The summer after J.J. was in my class, I rented my vacation home to their family. They are the only family in my $30-y e a r ~ t e a c h i n g ~ c a r e e r ~ I ~ h a v e ~ e v e r ~ f e l t ~ c o m f o r t a b l e ~ e n o u g h ~$ trusting to rent my property to.

Wayne Jenkins loves his family so much. Many times he would take his boys on father-and-son camping trips or four-wheeling at a friend's cabin. Warm-weather holidays, Wayne and his family would gather at his parents' house to celebrate with a cookout. They always did everything together.

In September 2016, I was looking for a part-time job. I knew how loving the Jenkins family was and how well-behaved the boys were, so I approached Wayne and asked if they had found childcare for their impending new arrival, C.J. I volunteered my services, and they readily accepted.

I started babysitting for the Jenkins family in 2017.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 34 of 72

Wayne was working night shift, so he would be asleep when I arrived. Kristy and the boys would leave after I arrived, and almost every day Wayne would receive a call from work and would have to go in early.

I know we live in a society where there have to be consequences for our actions. Wayne did do things that were wrong, as he admitted.

I only ask Your Honor to consider his wife, Kristy; his sons K.J., J.J., and C.J.; and his parents, Bonnie and Lloyd, when deciding his sentence.

I am a Christian woman. Wayne and I have never discussed God, forgiveness, or sin before this incident. I have been writing Wayne since his incarceration, and I honestly believe that he has had time to think and realize what a wrong turn his life has taken and how wrong he was.

I do believe people can change. And I believe wholeheartedly that when he gets out, he will use his time left on this earth to make a positive change and to help others do the same.

Thank you.
THE COURT: Thank you. Thank you, Ms. Kraft.
MR. LEVIN: Your Honor, one last person would like to address the Court, Mr. Jenkins' brother.

THE COURT: Sure.
THE CLERK: Sir, please state your name for the
record.
LLOYD JENKINS: Yes, ma'am. My name's Lloyd Jenkins.
THE CLERK: Thank you.
LLOYD JENKINS: Good morning, Your Honor.
THE COURT: Good morning.
LLOYD JENKINS: Your Honor, my name is Lloyd Jenkins. I'm here to speak on behalf of my brother Wayne.

I'm 39 years old and married with two children, ages 5 and 6. I've been with my wife, Jaime, for almost 20 years. I'm a Baltimore County firefighter, both career and volunteer, and have been serving locally for 18 years.

Prior to that, I completed high school and a four-year tech college for heating and air conditioning where I obtained my journeyman's license.

Over the last year, I've been the main contact between Mr. Levin and our family. And I've been very aware -- been made very aware of the terrible things that my brother has been involved in.

These things are actually hard to believe; but unfortunately for our family, they came to be true.

These crimes are truly not like my brother. And I hope that character letters, myself speaking to you today, and the support in the courtroom today will help give you a better picture of who my brother is.

Wayne and I grew up in a typical middle-class home.

Our father and mother, who are here today, have been together for 50 years. They raised five of us: four brothers and a sister, with Wayne being the youngest.

Dad, like Wayne, was a U.S. Marine and taught us the importance of family and strong moral character.

Wayne, like the rest of us, believe in these attributes. Despite his mistakes, he believes in these attributes.

With these beliefs and strong family ties, we usually see each other every weekend and none of us moved far from our parents' home where we grew up.

Wayne is an incredible father and husband. And I've always admired him for that and his energy he would find for his boys and Kristy. He never stayed idle. If he was off work, he and the family would be out, even after long nights with no sleep.

Wayne and Kristy wanted the boys to have the best childhood possible. At the same time they, like our parents, expected the boys to be respectful and appreciative of the things that they had in life.

Wayne raised his boys as we were raised, and it shows as his boys already present very strong attributes.

I am not sure how my brother got lost along the way. What I am sure of is my brother was lost. What I can tell you now is he's accepted these things. Wayne told me and Kristy,

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 37 of 72
as early as two weeks ago, that he deserves to go to prison for the things that he's done.

He's also since then called me very distraught and told me he was sorry for the things that he's done, and he knows that his conduct will continue to cause a lot of people pain: his wife, his children, our parents, and the community.

Wayne has always been dedicated to any task he took on, from sports as a child, to dedication to friends and family as we got older, to his impeccable service as a U.S. Marine. Unfortunately, his dedication and service to the police department and the City of Baltimore will be forgotten due to his conduct.

Wayne has tarnished his name and a lot of things that we've been taught to stand for. He's lost his career, his retirement, and the things that him and Kristy have worked so hard for.

Most of all, he's missing his family, which 1 know for him is the most severe of all penalties.

With all that being said, he's a good man and he will get through this.

My family and I know and understand that Wayne has to serve a long sentence to pay his debt to society for his crimes.

I can assure you, Your Honor, that after Wayne serves his sentence, he will welcome -- we will welcome him home. And

I know he will continue to be dedicated to his family as well as dedicated to righting his wrongs in any way that he can.

Thank you for your time, Your Honor.
THE COURT: Thank you very much. Thank you.
Mr. Levin.
MR. LEVIN: Your Honor, in Gene Fowler's book, "Good Night, Sweet Prince," John Barrymore said the following words: "A man is not old until regrets take the place of dreams."

Although he is not quite 40 years of age, Wayne Jenkins, filled with regret, is old.

And the origin of the word "regret," Your Honor, comes from French. And it means to look back with distress and sorrowful longing.

For Wayne Jenkins, it means an overwhelming feeling of disappointment, distress over things he wishes he had done, things he wishes he had said.

Also, it means regret or distress over many things he wishes he hadn't done, things he hadn't said or written.

Wayne Jenkins knows he's let his community down; he's let his loved ones down; he's let himself down. And for all of that, Your Honor, he is racked with remorse.

I'm sure Your Honor will recall when he pled guilty, he shared, unprompted, that remorse he felt and the shame he brought to himself and his family.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 39 of 72

And to those who have known Wayne Jenkins since his youth, as well as those who have known him as an adult, his involvement in these offenses is incomprehensible.

Growing up in Maryland, Wayne Jenkins had a host of dreams. He dreamed of being, like his father, a good and decent man, a man Wayne Jenkins has described to me and others as his best friend.

He dreamed of defending bullies -- defending others against bullies, things made clear in the letters to Your Honor that he did as a young man.

He dreamed of serving in the United States Marine Corps, like his father. And he did serve, and he served honorably, as reflected by the records, his awards, and his certificate of discharge, some of which was shared with Your Honor.

After being injured in a training accident and having to, therefore, leave the military, other dreams replaced those earlier dreams.

Mr. Jenkins dreamed of serving successfully in the Baltimore City Police Department, and his dreams were realized for a while.

In a few short years, Mr. Jenkins went from police academy cadet to detective; a few years later, detective to sergeant.

And those were just his professional dreams,

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 40 of 72

Your Honor. He also had personal dreams, some of which were realized.

Mr. Jenkins married his high school girlfriend, to whom he remains married to this day. He dreamed of having a big and loving family, of being a big presence in their lives. As you know -- as you've heard, Your Honor, he certainly was.

But those dreams have died. Those dreams are no more. They have been replaced by pain, by hurt, welling up in his heart. And I don't mean the physical pain he has suffered while detained. I will address that a little bit later, Your Honor. I mean the pain caused by regret that keeps Wayne Jenkins up at night, wishing he had acted differently.

It's what causes tears to well up in his eyes, knowing that he acted in a manner in which he should not have acted.

It's what causes his heart to break when he considers his conduct.

But, Your Honor, it is from that same place of heartbreak, from sorrow, guilt, and of regret that gives rise to his feelings of contrition and shame.

If there's one thing Wayne Jenkins has learned from all of this, something he has shared with me many times, it's the value of regret.

As Wendy Kraft might appreciate, regret is a fair but tough teacher. Regret has taught Wayne Jenkins not only the feelings I have described, which are clearly on display here

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 41 of 72
today, but it has guided Wayne Jenkins towards a commendable course of conduct.

Even in the darkness of his deepest regrets, even in the anguish and agony that he feels from acting as he did, Wayne Jenkins has tried to conquer some of those regrets.

Mr. Jenkins expressed a desire to plead guilty early on, before the superseding indictment was returned.

Mr. Jenkins, of course, pled guilty. Unlike some of his co-defendants, he has accepted responsibility for his actions.

This does not just save the Government time, money, and resources. It does not just mean that Mr. Jenkins' case ends here in District Court rather than to burden the appellate courts. It also reflects a step, the right step, towards rehabilitation. Regret has also prompted him today, through counsel, to apologize and ask forgiveness from those he has harmed.

And it's not the kind of apology that involves some sort of self-justification, Your Honor. In a New York Times piece earlier this week, Margaret Renkl talked about apologies.

Now, in her context, she was addressing celebrity apologies, admittedly for conduct far less outrageous than the matters before us.

Still, I'd like to share some of her words with the Court.

Ms. Renkl wrote [reading]: When a person causes egregious offense, the appropriate response isn't damage control. The appropriate response is a genuine apology, because to acknowledge a mistake is to participate fully in the human community. We all mess up.

She goes on [reading]: It isn't necessary to think of these tendencies as being part of a sinful nature to understand that they are endemic to human life. Even a full-throated apology won't erase a colossal mistake. We will never make ourselves perfect, but we can try to make ourselves better.

Mr. Jenkins is trying to make himself better through his genuine apology and his sincere regret and the actions associated with that regret.

It's been said that our past is our wisdom. Put another way, good judgment comes from experience; experience comes from bad judgment.

Mr. Jenkins' past, while filled, regrettably, with numerous examples of bad judgment, is not without significant positives, as reflected in the numerous letters Your Honor has read.

Those positives include Wayne Jenkins serving as a committed football coach to children in his community; being a loving and supportive family member to a widowed aunt; being an involved father to his children, at home and at school; a dedicated son to aging parents; a dedicated member of his

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 43 of 72
community, always willing, always, to mow lawns and shovel snow for elderly neighbors.

Those are just some of the positives; but, of course, they are overshadowed by the negatives.

Today is not only a day to examine who Wayne Jenkins was, but who he's becoming, who he can become, Your Honor. His regret for his past poor judgment is a symbol that he can learn from his past, a symbol that it's never too late to feel pangs of sorrow; he certainly feels them.

It is also a symbol that regrets can lead to dreams. And perhaps Wayne, Mr. Jenkins, can still dream, at least a little.

For Wayne Jenkins, that dream might be to regain his freedom after 20 long years in prison. And those years will be long.

The Bureau of Prisons will, in all likelihood, designate Mr. Jenkins to a prison far from his family.

According to Harley G. Lappin, former director of the Federal Bureau of Prisons, in a 2010 statement before Congress [reading]: Convicted law enforcement officials are initially designated to a facility that is less likely to have offenders with whom the official came into contact in the community.

Mr. Jenkins' news coverage may amplify that effect. Mr. Lappin continued [reading]: Inmates who have had extensive media publicity associated with their case may also need to be

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 44 of 72
designated to a facility further from home, as local media attention and the likelihood that their crime victims might have a nexus to inmates in a facility close to home can lead to security risks for such offenders.

Your Honor, as a result, it will be difficult for Mr. Jenkins' wife and children, who are of limited means, to visit him.

I mentioned earlier the physical pain that Mr. Jenkins has suffered. So far while detained, he has been beaten by a fellow inmate who knew him to be a police officer, notwithstanding Mr. Jenkins' warning cries prior to that he was being targeted.

And this week he suffered an injury as a result of an accident at Chesapeake Detention Facility for which Mr. Jenkins, three days later, was finally taken to the hospital. And it was determined he has tendon damage.

In short, Mr. Jenkins will serve much harder time than other inmates. His prison sentence will likely include substantial isolation, enhanced levels of fear and anxiety, and almost complete separation from his family.

So his dream now is that he will still have some shred of a life after a sentence of 20 years.

20 years ago, Your Honor, was 1998. It was a different world. It was the year a company called Google was born. It was before 9/11. It was before iPhones. It was a

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 45 of 72
long time ago.
A sentence of 20 years is likely much longer than many, if not all, of his co-defendants will receive. And it is a sentence that takes into account the good he has done throughout his life, as well as the lessons he has learned from the bad.

It is, as dreams go, not much and certainly very different than what he had in mind at one time early in his life. But it is something to hold onto.

Thank you, Your Honor.
THE COURT: Thank you, Mr. Levin. I appreciate it.
And I should say, of course, I have reviewed the many letters of support that Mr. Jenkins did receive and all the information in your sentencing memorandum, Mr. Levin. Thank you.

Mr. Jenkins, if there is anything you would like to say before I make a final decision, you have the right to do that. You don't have to. It's entirely up to you. But you can just stay there, but speak into the microphone.

THE DEFENDANT: To the Davises, who lost their loved ones, from the bottom of my heart, I wish I could take that day back and not stop that vehicle.

And to Mr. Umar [sic], I'm so sorry about your father. I sat at the University of Maryland and held the woman's hand for over an hour in the bed. I held her hand for over an hour
with her, the passenger in that vehicle.
Mr. Umar Burley, I'm sure you're going to hear this, but I am truly sorry for, after finding out what happened with the drugs being planted, I didn't speak up. I didn't come forward after I found out about that. I should have came forward, and I didn't.

I've tarnished the badge.
I'll get to my family in a minute.
But what really hurts is once a Marine, always a Marine. It hurt the Marines.

Pat, Dan -- I got one of my buddies in the audience from the Marine Corps. I'm so sorry for hurting the Marine Corps. That hurts until the day I die.

Dan, I'm sorry for that, man.
I made so many mistakes, Your Honor. In my whole life I said "I'm sorry" when I make a mistake, but that don't -"I'm sorry" don't cut it. Nothing ever hurt so bad as to see my sons through glass and not be able to touch them when they cry.

I have a 1-and-a-half-year-old son I don't even know. And when he comes into the room to see me, he won't even get close to me. I brought this on myself.

Ms. Davis, about your father, I'm so sorry for what you're going through, 'cause my father is my best friend. I love my father more than life itself. Mom, you, too.

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 47 of 72

I wish I never would have stopped that vehicle. I can't take it back. And I put my heart and soul into my job for so many years.

And, Your Honor, I've been alone mostly for this year and a half 'cause I can't be around people in jail, obviously. And it's playing mental parts on me. But, again, it's my fault. I know it's my fault, 'cause I did it. And I deserve to be punished. I deserve to go to jail.

Kristy, you're the love of my life. And if I ever hurt you like this, I'm so sorry for hurting you.

And I haven't been able to go to the grave to visit my son since I've been in here. Me and my wife went every Sunday.

I'm going to -- my dad's got health concerns. He's not going to be around. I'm going to miss that. And that's my fault. I'm going to miss my parents' growing old and being at funerals.

I've done so many -- I've never read the Bible a day in my life. I'm one of the people who went to jail to find God.

So I finally went to jail and I read the Bible over 31 times, and I can't stop reading it and asking for forgiveness. I can't stop reading it.

I feel so bad for what $I$ did. I have no chance of being a father, raising my children. The only thing I can hope for and pray to God is that I get a decent sentence so I can be

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 48 of 72
a grandfather and make up for it to my grandkids, 'cause I'm losing the opportunity to be a father.

Kristy, I'm so sorry. You don't -- you deserve better than me.

Dan and Pat, I'm sorry for disgracing the Marine Corps.

I made so many mistakes, Your Honor. I'm going to die with those, and I know I'm wrong. God knows I'm wrong.

I just want to be a grandfather because I'm losing -if $I$ get 30 years, I'll be a senior citizen, literally be a senior citizen.

I'm so sorry, Your Honor. I'm so sorry to the citizens of Baltimore.

Mr. Umar Burley, God forgive me. I wish I would have came clean when I found out that drugs were planted. I should have came clean, and I didn't.

I'm so sorry, Your Honor.
THE COURT: Okay. Thank you, sir.
Is there anything else that anyone wants to say that they haven't had a chance to?
(No response.)
THE COURT: Okay. All right. Thank you, all.
This is obviously -- sentencing is a very difficult thing that we all face from our different perspectives. And there are many different factors we have to consider, and

Case 1:17-cr-00638-CCB Document 20 Filed 07/27/18 Page 49 of 72
they've all been addressed quite thoroughly and responsibly by counsel today.

Let me talk about them.
The nature and circumstances of the offense, $I$ have to ask: What are the harms that have been caused by Mr. Jenkins' and others' conduct?

There is obviously the harm to individual victims. There's harm to people whose money was taken or whose rights were violated; the gun and the badge that enabled Mr. Jenkins and others to take money, to rob, to put people in dangerous situations.

As has been pointed out, most of those people were not likely to complain or to be believed if they did.

As I think Mr. Jenkins recognizes, this was a great abuse of the public trust.

Officers take an oath to uphold the law. That's why they have the right to have that gun and that badge, so they can enforce the law, not break the law.

There's enormous power that we entrust to the police in reliance on that oath that's been broken.

And that just deepens the distrust that obviously many people in our community already feel toward the police when these kinds of actions are taken and acknowledged and prosecuted.

The actions by Mr. Jenkins and others have resulted --

I don't know the exact number. We have the most recent estimate from the State's Attorney in Baltimore City of 1700. That may or may not be exactly right, but there's no denying that there are hundreds of criminal cases that have had to be dismissed, even if the convictions were, in fact, justified, because the credibility of the officers on which the convictions rested has been destroyed.

There's extensive overtime fraud that Mr. Jenkins has acknowledged that has resulted in stealing money from a City that doesn't have any money to spare.

All of this conduct has also made much more difficult the job of what I still believe to be the majority of men and women in uniform who face danger and hardship every day trying to protect the public; but they do it with this increased lack of trust, which is understandable, by the community toward the police.

And, as I said, in connection with Mr. Allers' sentencing, it strikes at the foundation of our entire criminal justice system if a judge and a jury cannot rely on the word of sworn law enforcement officers because those officers are covering up their own crimes.

So there is a great deal of harm that's been done. The nature and circumstances of this offense are very serious.

Obviously, I also have to consider the history and characteristics of Mr. Jenkins. He's been a police officer
since 2003.
I have no doubt there have been times he put himself in harm's way to protect other people. I have no doubt he's been involved in very stressful and disturbing situations and has suffered personal tragedy in his own life.

I am sure he has been loyal and helpful to his family and his friends and done good things for his community, which are reflected in the letters and in the support today. And I'm sure that he appreciates that support, the people that are here for him. And I hope that will help him get through what must be a lengthy prison sentence.

Again, none of that -- and I don't think he's telling me that. None of that causes or excuses his participation as a sergeant in the criminal conduct he's pled guilty to, which began as early as 2011.

But I do think positive parts of a person's personal history should be considered.

I will need to talk about relative culpability. Mr. Jenkins, like Mr. Allers, was a sergeant. He was a supervisor. He was someone who should have set an example and never tolerated misconduct by his subordinates.

More seriously than Mr. Allers, he was extensively involved -- and I don't think it requires getting into each specific incident, exactly where the proof came from, but there's no question he's admitted and I've heard testimony
about his being involved in stealing and distributing drugs -cocaine, heroin, marijuana -- putting poison into our community when he should have been protecting the community from that poison.

He was extensively involved with overtime fraud, which is not conduct for which Mr. Allers was sentenced.

And he did involve himself in a false report that put two people in jail for a crime they did not commit.

These are all extremely serious and differentiate Mr. Jenkins from Mr. Allers.

Unlike some others, however, he did accept responsibility in significant part. He has pled guilty and has admitted to extensive misconduct rather than going to trial, and I do believe that he regrets what he has done.

There must be, to reflect the seriousness of the offense and promote respect for the law and provide just punishment, a significant period of incarceration.

I don't think there's an issue of specific deterrence for Mr. Jenkins, but the factor of general deterrence has great importance.

And the message must be clear that officers who break their oaths by robbery and fraud will be prosecuted; they will be justly punished for that conduct.

Taking that all into account, but also, I think, Mr. Jenkins, giving him some credit for his personal history,
for his remorse, for his entering of a guilty plea, and recognizing the circumstances that this jail time will -- the punishment that simply any period of jail time will inflict on him, where I come out to, in a way that I will break up among these charges, is within the guidelines but closer to the low end.

I do not believe 30 years is required, but I am going to impose a total sentence of 25 years, Mr. Jenkins. That is going to be the maximum sentence of 20 years on each of the racketeering and the Hobbs Act conspiracy counts in this case. So that is 240 months, concurrent, on each of those four counts in Case No. 17-106.

In the separate case, a very serious case in itself involving the falsification of records, which is 17-638, there is going to be a consecutive sentence of five years on Count 1 with concurrent one-year sentences on Counts 2 through 5.

There is also going to be a period of supervised release. It will be a total of supervised release of three years -- that is, three years concurrent on each of counts 1 through 4 in 17-106; three years on Count 1 in 17-638; and a year concurrent on each of Counts 2 through 5.

I'm required to impose a special assessment of $\$ 100$ on each of the five felonies and $\$ 25$ on the four misdemeanors.

It occurs to me we have not spoken about restitution.
Mr. Wise?

MR. WISE: Your Honor, we will submit -- we'll work with counsel to submit an order restituting the victims in this case after the sentencing proceeding.

THE COURT: Restitution will be deferred.
Mr. Jenkins' financial circumstances, I don't believe, permit a fine, particularly in light of the restitution.

Special conditions of supervised release are going to include any alcohol abuse treatment or counseling the probation officer recommends.

That may not be a problem any longer when he is released, but I believe it has been a problem.

And providing the probation officer access to any financial information that they may wish to see.

Is there any specific recommendation?
I recognize you're right, Mr. Levin, that there are complications in designating police officers.

But are there any specific recommendations to the Bureau of Prisons you want me to make?

MR. LEVIN: No, Your Honor, because of those complications.

And we would request, anticipating Your Honor's next question, the RDAP program.

THE COURT: Sure.
MR. LEVIN: Thank you.
THE COURT: I'll recommend that he participate in any
substance- or alcohol-abuse program that he is eligible for within the Bureau of Prisons, which may include the RDAP program.

I'm also going to recommend mental health counseling, both as a condition of supervised release and while he is within the Bureau of Prisons.

Have I left anything out? Anything I have not addressed about that sentence?

MR. WISE: Just briefly, Your Honor, on outstanding counts, I can do that now or --

THE COURT: Sure. Go ahead.
MR. WISE: The United States moves to dismiss the original indictment and Counts 4 and 6 of the superseding indictment in 17-106.

There are no outstanding counts in 17-638.
THE COURT: Okay. All right.
Mr. Jenkins, in light of the plea agreement and the sentence, I don't think there's anything that you have a right to appeal from.

But if you were going to be noting any appeal, that would have to be within 14 days.

Do you understand that, sir?
THE DEFENDANT: Yes, ma'am.
I just want to apologize again about the Davises' father.

THE COURT: I appreciate that. And I am sure that we
all share that regret and pain.
Thank you, all.
(Matter concluded at 11:54 a.m.)
I, Douglas J. Zweizig, RDR, CRR, do hereby certify that the foregoing is a correct transcript from the stenographic record of proceedings in the above-entitled matter.
/s/
Douglas J. Zweizig, RDR, CRR
Registered Diplomate Reporter Certified Realtime Reporter Federal Official Court Reporter DATE: July 18, 2018

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| \$25,000 [1] 16/3 | 5 | adult [1] 39/2 |
| \$80,000 [1] 14/8 |  | advisory [1] 6/6 |
| , | 5 ○'clock [1] 14/17 | affect [2] 4/19 10/3 |
|  | 50 [1] 36/2 | affected [1] 24/11 |
| '15 [1] 31/10 | 55 [1] 30/18 | affects [1] 10/1 |
| 'cause [6] $8 / 1$ 8/18 $46 / 24$ 47/5 | 6 | afford [1] 11/17 |
|  | 638 [5] 1/5 3/8 53/14 53/20 |  |
| / | 55/15 | 46/3 46/5 54/3 |
| /s [1] 56/8 | 9 | $\begin{array}{lllllll}\text { again }[14] & 8 / 4 & 9 / 23 & 9 / 23 & 9 / 23\end{array}$ |
| 1 | llimeter |  |
| 1-and-a-half-year-old [1] 46/20 | 9/11 [1] 44/25 | $\begin{array}{lllll}\text { against [3] } & 15 / 12 & 15 / 12 & 39 / 9\end{array}$ |
| 10 kilograms [1] 16/24 | A | age [1] 38/10 |
| 101 [1] 1/24 |  | agent [4] $2 / 6$ 2/7 $3 / 10$ 16/3 |
| 106 [5] 1/4 3/8 53/12 53/20 | a.m [2] 3/2 56/4 | ages [1] 35/8 |
| 55/14 | able [6] 19/15 19/17 $22 / 15$ | aggravating [1] 26/8 |
| 10:10 a.m [1] 3/2 | 28/11 46/18 47/11 | aging [1] 42/25 |
| 11 [5] 9/12 10/10 21/8 27/15 | about [39] $4 / 18$ 5/20 6/13 $8 / 5$ | $\begin{array}{lllllll}\text { ago [4] } & 29 / 9 & 37 / 1 & 44 / 23 & 45 / 1\end{array}$ |
| 44/25 | $\begin{array}{llllll}9 / 12 & 10 / 17 & 10 / 24 & 10 / 25 & 12 / 2\end{array}$ | agony [1] 41/4 |
| 11 o'clock [1] 14/19 | $\begin{array}{llllllll}12 / 7 & 13 / 1 & 13 / 12 & 16 / 1 & 16 / 12 & 17 / 7\end{array}$ | agree [1] 4/25 |
| 11:54 a.m [1] 56/4 | $\begin{array}{lllllll}17 / 11 & 17 / 17 & 17 / 25 & 18 / 2 & 18 / 9\end{array}$ | agreement [5] 5/11 5/18 11/22 |
| 11th [1] 15/16 | $\begin{array}{llllll}19 / 13 & 19 / 21 & 21 / 10 & 21 / 25 & 26 / 14\end{array}$ | 19/20 55/17 |
| 12 [1] 15/23 | 27/2 27/4 $31 / 17$ 31/18 $41 / 20$ | agrees [1] 5/24 |
| 14 [2] 15/23 55/21 | $\begin{array}{llllll}45 / 23 & 46 / 5 & 46 / 23 & 49 / 3 & 51 / 18\end{array}$ | ahead [1] 55/11 |
| 14-year [1] 22/2 | 52/1 53/24 55/8 55/24 | air [1] 35/13 |
| 15 [2] 20/15 26/1 | above [1] 56/7 | alcohol [2] 54/8 55/1 |
| 17-106 [2] 53/20 55/14 | above-entitled [1] 56/7 | alcohol-abuse [1] 55/1 |
| 17-638 [4] 3/8 53/14 53/20 | abuse [3] 49/15 54/8 55/1 | alive [1] 8/1 |
| 55/15 | academic [1] 31/18 | $\begin{array}{lllllll}\text { all } & {[39]} & 3 / 18 & 5 / 16 & 6 / 3 & 6 / 4 & 6 / 23\end{array}$ |
| 1700 [3] 10/1 24/10 50/2 | academy [1] 39/23 | $\begin{array}{llllll}9 / 4 & 10 / 3 & 13 / 16 & 13 / 18 & 14 / 20\end{array}$ |
| 18 [3] 31/13 35/11 56/11 | accept [2] 6/5 52/11 | 22/24 25/1 $26 / 2$ 26/13 27/6 |
| 1985 [1] 30/20 | accepted [3] 33/24 36/25 41/9 | $\begin{array}{llllll}27 / 16 & 30 / 13 & 31 / 20 & 32 / 20 & 33 / 3\end{array}$ |
| 1998 [1] 44/23 | access [1] 54/12 |  |
| 1A [1] 1/9 | accident [4] 7/24 21/18 39/16 | 42/5 43/16 $45 / 3 \quad 45 / 13$ 48/22 |
| 2 | 44/14 | $\begin{array}{llllllll}48 / 22 & 48 / 24 & 49 / 1 & 50 / 11 & 52 / 9\end{array}$ |
|  | According [1] | 52/24 55/16 56/2 56/3 |
| $44 / 22 \quad 44 / 23 \quad 45 / 2 \quad 53 / 9$ | $\underset{\text { account [4] }}{\text { 52/24 }}$ [1/6 27/8 45/4 | Allers [16] 18/10 22/11 $23 / 17$ |
| 2003 [1] 51/1 | accounted [1] 25/9 |  |
| 2006 [1] 22/5 | accuracy [1] 4/25 | 51/22 52/6 52/10 |
| 2010 [1] 43/19 | achieve [1] 27/18 | Allers' [2] 27/3 50/17 |
| 2011 [3] 15/16 15/17 51/15 | acknowledge [1] 42/4 | almost [15] 9/12 9/19 10/10 |
| 2011-2012 [1] 31/9 | acknowledged [2] 49/23 50/9 | $\begin{array}{lllll}12 / 9 & 12 / 24 & 16 / 9 & 20 / 15 & 21 / 8\end{array}$ |
| 2012 [1] 31/9 | Act [1] 53/10 | $\begin{array}{lllllll} & 22 / 14 & 28 / 17 & 31 / 7 & 33 / 5 & 34 / 3 & 35 / 9\end{array}$ |
| 2014 [1] 15/23 | $\begin{array}{lllll}\text { acted [3] } & 40 / 12 & 40 / 14 & 40 / 14\end{array}$ | 44/20 |
| 2014-'15 [1] 31/10 | acting [1] 41/4 | alone [1] 47/4 |
| 2015 [1] 15/25 | $\begin{array}{llll}\text { actions [13] } & 8 / 2 & 10 / 12 & 10 / 13\end{array}$ | along [5] 9/24 17/3 20/18 31/22 |
| 2016 [5] 10/15 16/8 16/11 $18 / 7$ | 15/10 20/22 21/3 25/2 28/23 | 36/23 |
| 33/20 | 34/6 41/10 42/12 49/23 49/25 | $\begin{array}{lllll}\text { already [3] } & 24 / 24 & 36 / 22 & 49 / 22\end{array}$ |
| 2017 [3] 22/2 31/14 33/25 | active [1] 24/4 | $\begin{array}{llllll}\text { also [28] } & 2 / 3 & 6 / 8 & 6 / 12 & 10 / 4\end{array}$ |
| 2018 [2] 1/9 56/11 | actively [1] 15/4 | $\begin{array}{lllllll}11 / 19 & 12 / 25 & 13 / 15 & 14 / 11 & 19 / 19\end{array}$ |
| 21201 [1] 1/25 | activity [1] 32/5 | $\begin{array}{lllllll}11 / 6 & 20 / 10 & 27 / 7 & 30 / 11 & 31 / 18\end{array}$ |
| 22nd [1] 16/11 | actually [6] $4 / 13$ 6/12 9/9 | $\begin{array}{llllllll}32 / 1 & 32 / 19 & 37 / 3 & 38 / 18 & 40 / 1\end{array}$ |
| 24 [2] 27/2 27/8 | 12/18 18/16 35/19 | $\begin{array}{llllllll} & 41 / 14 & 41 / 15 & 43 / 10 & 43 / 25 & 50 / 11\end{array}$ |
| 240 [1] 53/11 | Adam [1] 2/5 | 50/24 52/24 $53 / 17$ 55/4 |
| 25 [3] 28/17 30/6 53/8 | Adam Smith [1] 2/5 | Although [1] 38/10 |
| 28-year-old [1] 30/19 | added [1] 4/17 | $\begin{array}{lllll}\text { always [11] } & 6 / 17 & 28 / 24 & 31 / 15\end{array}$ |
| 292 [1] 5/23 | additions [5] 4/1 4/8 4/16 4/24 | $\begin{array}{llllllll} & 31 / 17 & 32 / 12 & 33 / 19 & 36 / 13 & 37 / 7\end{array}$ |
| 3 | 5/3 | 43/1 43/1 46/9 |
| $\begin{array}{llllllll} \hline 30 & {[8]} & 6 / 9 & 16 / 4 & 27 / 1 & 27 / 5 & 27 / 17 \\ 30 / 25 & 48 / 10 & 53 / 7 & & & \\ \hline \end{array}$ | address $[8]$ $6 / 11$ $7 / 7$ $11 / 14$ <br> $11 / 19$ $14 / 13$ $30 / 12$ $34 / 23$ $40 / 10$ <br> addressed $[4]$ $26 / 2$ $26 / 3$ $49 / 1$ | $\begin{array}{\|lllll} \text { am [11] } & 8 / 10 & 28 / 18 & 30 / 3 & 31 / 12 \\ 34 / 11 & 36 / 23 & 36 / 24 & 46 / 3 & 51 / 6 \\ 53 / 7 & 56 / 1 & & & \end{array}$ |

AMERICA [2] 19Ş了 37717 -Ct-00638-C
America's [1] 31/6
among [7] $10 / 8$ 17/6 18/2 $24 / 13$
26/10 31/6 53/4
amounts [1] 16/9
amplify [1] 43/23
analysis [1] 4/11
anguish [1] 41/4
ankle [1] 19/14
Anne [1] 30/25
Anne Arundel [1] 30/25
another [1] 42/15
anticipating [1] 54/21
anxiety [1] 44/19
any [19] $3 / 25 \quad 4 / 8 \quad 7 / 1 \quad 18 / 25$ 19/6 19/24 20/11 29/24 37/7 38/2 50/10 53/3 54/8 54/10 54/12 54/14 54/17 54/25 55/20
anyone [3] $7 / 17 \quad 21 / 18 \quad 48 / 19$
anything [7] 4/18 7/17 45/16 48/19 55/7 55/7 55/18
apologies [2] 41/20 41/22
apologize [4] 28/13 28/14 41/16 55/24
apology [4] $41 / 18 \quad 42 / 3 \quad 42 / 9$ 42/12
appeal [2] 55/19 55/20
appellate [1] 41/13
appreciate [3] $40 / 23 \quad 45 / 11 \quad 56 / 1$
appreciates [1] 51/9
appreciative [1] 36/19
apprehend [1] 24/2
approach [2] 6/18 27/22
approached [1] 33/22
$\begin{array}{llll}\text { appropriate [5] } & 5 / 12 & 6 / 5 & 14 / 13\end{array}$ 42/2 42/3
approved [1] 10/9
approximately [1] 10/1
$\begin{array}{llllll}\text { are }[50] & 3 / 18 & 4 / 24 & 5 / 3 & 5 / 10\end{array}$
$\begin{array}{lllll}5 / 17 & 5 / 19 & 6 / 12 & 7 / 1 & 7 / 2 \\ 8 / 3\end{array}$ $\begin{array}{lllll}22 / 16 & 22 / 18 & 22 / 19 & 24 / 13 & 24 / 25\end{array}$ $\begin{array}{lllll}25 / 17 & 25 / 18 & 25 / 21 & 26 / 4 & 26 / 6\end{array}$ $\begin{array}{llllll}26 / 10 & 26 / 22 & 27 / 4 & 27 / 8 & 28 / 2 & 33 / 2\end{array}$ $\begin{array}{llllll}33 / 12 & 35 / 19 & 35 / 21 & 36 / 1 & 40 / 7\end{array}$ 40/25 42/8 $43 / 3$ 43/4 43/20 44/6 $\begin{array}{lllll}48 / 25 & 49 / 5 & 49 / 23 & 50 / 4 & 50 / 20\end{array}$ 50/23 51/8 51/9 52/9 54/7 54/15 54/17 55/15
argued [1] 23/16
$\begin{array}{lllll}\text { armed [4] } & 9 / 14 & 20 / 5 & 20 / 24 & 23 / 11\end{array}$
Armstrong [2] 19/4 19/9
Armstrong's [1] 19/18
around [4] 25/17 28/20 47/5 47/14
arrest [1] 22/7
arrested [3] 19/1 21/20 22/2
arrests [1] 13/9
arrival [1] 33/23
arrived [3] $6 / 5 \quad 34 / 2 \quad 34 / 2$
arrogance [1] 13/24
articulated [1] 27/6
Arundel [1] 30/25
$\begin{array}{llllll}\text { as }[79] & 3 / 11 & 3 / 11 & 4 / 12 & 4 / 19\end{array}$ $\begin{array}{llllll}4 / 24 & 5 / 7 & 5 / 21 & 6 / 5 & 9 / 7 & 10 / 8 \\ 10 / 9\end{array}$ $\begin{array}{llllll}11 / 11 & 13 / 11 & 13 / 25 & 14 / 2 & 14 / 2\end{array}$ $\begin{array}{lllll}15 / 2 & 15 / 14 & 16 / 3 & 16 / 22 & 17 / 12\end{array}$ $\begin{array}{lllllll}17 / 12 & 17 / 23 & 19 / 7 & 20 / 5 & 21 / 4\end{array}$ 21/10 21/11 22/8 22/11 23/16 $\begin{array}{llllll}25 / 2 & 25 / 3 & 26 / 8 & 27 / 3 & 29 / 4 & 31 / 6\end{array}$ $31 / 6$ 31/21 31/24 31/24 32/2

34/7 36/21 36/22 37/1 37/1 37/8

$\begin{array}{llllll} & 40 / 23 & 41 / 4 & 42 / 7 & 42 / 19 & 42 / 21\end{array}$
$\begin{array}{llllll}44 / 1 & 44 / 5 & 44 / 13 & 45 / 5 & 45 / 5 & 45 / 7\end{array}$
$\begin{array}{lllll}46 / 17 & 49 / 12 & 49 / 14 & 50 / 17 & 51 / 13\end{array}$
51/15 51/15 55/5
$\begin{array}{llllll}\text { ask }[6] & 4 / 16 & 6 / 17 & 28 / 5 & 34 / 8\end{array}$ 41/16 49/5
asked [1] 33/22
$\begin{array}{lllll}\text { asking [4] } & 10 / 23 & 27 / 4 & 32 / 4\end{array}$ 47/21
asleep [1] 34/1
assessment [1] 53/22
Assistant [1] 1/18
associated [2] $42 / 13 \quad 43 / 25$
assure [1] 37/24
attempting [1] 17/5
attended [2] 31/16 31/23
attention [2] 25/14 44/2
Attorney [3] 10/1 24/9 50/2
Attorney's [2] 23/14 24/21
Attorneys [1] 1/18
$\begin{array}{lllll}\text { attributes [3] } & 36 / 7 & 36 / 8 & 36 / 22\end{array}$
audience [1] 46/11
aunt [1] 42/23
$\begin{array}{lllll}\text { authored } & {[3]} & 9 / 10 & 10 / 9 & 21 / 6\end{array}$
avoid [1] 11/18
avoiding [1] 25/23
Award [2] 31/5 31/6
awards [1] 39/13
$\begin{array}{lllll}\text { aware }[6] & 6 / 8 & 9 / 7 & 20 / 8 & 28 / 18\end{array}$ 35/16 35/17
$\begin{array}{llll}\text { away [2] } & 7 / 18 & 21 / 1\end{array}$
B
baby [1] 29/12
babysitting [2] $31 / 12 \quad 33 / 25$
Bachelor's [1] 30/20
back [9] 12/15 17/17 19/11
$\begin{array}{llll}24 / 15 & 26 / 12 & 31 / 25 & 38 / 13\end{array} 45 / 22$ 47/2
back-to-school [1] 31/25
backyard [1] 12/19
bad [5] $42 / 16$ 42/18 $45 / 6 \quad 46 / 17$ 47/23
badge [3] $46 / 7 \quad 49 / 9 \quad 49 / 17$
bags [1] 17/3
$\begin{array}{lllll}\text { Baltimore }[19] & 1 / 10 & 1 / 25 & 2 / 8\end{array}$ $\begin{array}{llllll}2 / 9 & 3 / 12 & 3 / 12 & 11 / 4 & 12 / 16 & 14 / 6\end{array}$
$\begin{array}{llllll}2 / 9 / 3 & 31 / 1 & 31 / 2 & 31 / 5 & 31 / 21 & 35 / 10\end{array}$ 37/11 39/20 48/13 50/2
Baltimore City [2] 39/20 50/2
Baltimore County [4] 31/1 31/2 31/5 35/10
Baltimore Zoo [1] 31/21
bank [1] 25/8
Barrymore [1] 38/7
basic [1] 23/21
basis [2] 9/18 20/14
battle [1] 29/2
BB [2] 21/16 21/21
BB gun [1] 21/21
BB guns [1] 21/16
be [61] $3 / 3$ 4/16 $4 / 22 \quad 5 / 20 \quad 7 / 3$ $\begin{array}{lllll}8 / 1 & 8 / 3 & 8 / 17 & 14 / 3 & 14 / 14 \\ 17 / 24\end{array}$ 21/5 22/15 23/13 23/14 24/14 $\begin{array}{lllll}25 / 16 & 25 / 19 & 25 / 22 & 28 / 11 & 29 / 12\end{array}$
$\begin{array}{lllll}29 / 24 & 34 / 1 & 34 / 5 & 35 / 20 & 36 / 15\end{array}$ $\begin{array}{llllllll}36 / 19 & 37 / 11 & 38 / 1 & 43 / 13 & 43 / 14\end{array}$ $\begin{array}{llllll} & 43 / 25 & 44 / 5 & 44 / 10 & 46 / 18 & 47 / 5\end{array}$ $\begin{array}{lllll}43 / 25 & 44 / 5 & 44 / 10 & 46 / 18 & 47 / 5 \\ 47 / 8 & 47 / 14 & 47 / 25 & 48 / 2 & 48 / 9\end{array}$

## 53/18 54/4 54/10 55/20 55/21

bear [3] 22/1 26/7 26/9
bearing [1] 23/1
beaten [1] 44/9
became [2] 15/15 33/9
$\begin{array}{llll}\text { because [18] } & 10 / 18 & 10 / 22 \quad 13 / 6\end{array}$
$\begin{array}{llllll}13 / 23 & 15 / 9 & 17 / 9 & 21 / 5 & 24 / 15 & 25 / 4\end{array}$
25/10 27/7 29/10 29/11 42/4
48/9 50/6 50/20 54/19
become [1] 43/6
becoming [2] 18/6 43/6
bed [1] 45/25
$\begin{array}{lllll}\text { been [49] } & 3 / 20 & 6 / 16 & 8 / 2 & 10 / 6\end{array}$ $\begin{array}{llllll}13 / 6 & 13 / 25 & 17 / 11 & 18 / 13 & 18 / 14\end{array}$ 22/5 22/5 23/2 24/5 24/10 24/11
$\begin{array}{lllll}24 / 24 & 27 / 3 & 28 / 19 & 28 / 24 & 31 / 7\end{array}$
$\begin{array}{lllllllll}31 / 13 & 34 / 13 & 35 / 9 & 35 / 11 & 35 / 15\end{array}$
$\begin{array}{llllllllllllllll}35 / 16 & 35 / 16 & 35 / 17 & 36 / 1 & 37 / 7\end{array}$
$\begin{array}{llllll}37 / 14 & 40 / 8 & 42 / 14 & 44 / 9 & 47 / 4\end{array}$
$\begin{array}{llllll} & 47 / 11 & 47 / 12 & 49 / 1 & 49 / 5 & 49 / 12\end{array}$
49/20 50/7 50/22 50/25 51/2
51/4 51/6 52/3 54/11
before [25] $1 / 12 \quad 6 / 24 \quad 11 / 9$ $\begin{array}{lllll}11 / 25 & 14 / 19 & 14 / 25 & 15 / 15 & 15 / 18\end{array}$ $\begin{array}{lllll}15 / 18 & 16 / 19 & 16 / 21 & 17 / 15 & 17 / 22\end{array}$ $\begin{array}{llllllll}15 / 18 & 23 / 12 & 28 / 10 & 28 / 15 & 29 / 12\end{array}$ 34/12 41/7 41/23 43/19 44/25 44/25 45/17
$\begin{array}{llll}\text { began [5] } & 13 / 12 & 13 / 22 & 15 / 15\end{array}$ 20/1 51/15
begin [1] 17/21

behaved [1] 33/21
behavior [2] $17 / 9$ 31/18
$\begin{array}{lllll}\text { being [19] } & 5 / 2 & 14 / 4 & 15 / 7 & 17 / 24\end{array}$
$\begin{array}{lllll}26 / 14 & 31 / 19 & 36 / 3 & 37 / 19 & 39 / 5\end{array}$
$\begin{array}{lllll}39 / 16 & 40 / 5 & 42 / 7 & 42 / 22 & 42 / 23\end{array}$
$\begin{array}{llllll} & 44 / 12 & 46 / 4 & 47 / 15 & 47 / 24 & 52 / 1\end{array}$
beliefs [1] 36/9
$\begin{array}{llllll}\text { believe }[14] & 5 / 17 & 7 / 1 & 7 / 3 & 29 / 23\end{array}$
$\begin{array}{llllll}34 / 14 & 34 / 16 & 34 / 16 & 35 / 19 & 36 / 6\end{array}$
50/12 52/14 53/7 54/5 54/11
believed [1] 49/13
believes [2] 27/17 36/7
belongs [1] 11/9
Belvedere [1] 16/2
Belvedere Towers [1] 16/2
$\begin{array}{lllll}\text { bench [4] } & 6 / 18 & 6 / 19 & 6 / 21 & 27 / 24\end{array}$
benefited [2] 9/20 16/7
$\begin{array}{llllll}\text { best }[4] & 29 / 23 & 36 / 17 & 39 / 7 & 46 / 24\end{array}$
bestowed [1] 32/18
betrayed [1] 24/5
$\begin{array}{lllll}\text { better [6] } & 29 / 16 & 30 / 8 & 35 / 23\end{array}$
42/10 42/11 48/3
$\begin{array}{lllll}\text { between }[9] & 6 / 8 & 12 / 2 & 15 / 23 & 16 / 3\end{array}$
$\begin{array}{llllll}21 / 9 & 26 / 5 & 26 / 23 & 27 / 15 & 35 / 15\end{array}$
Bible [2] 47/17 47/20
big [2] 40/5 40/5
birthdays [1] 7/22
$\begin{array}{lllll}\text { bit [3] } & 7 / 13 & 7 / 14 & 40 / 10\end{array}$
black [1] 25/8
BLAKE [1] $1 / 12$
blame [1] 11/7
blue [1] 29/19
Bodmer [2] 2/7 3/13
$\begin{array}{llll}\text { body [4] } & 17 / 11 & 17 / 11 & 17 / 15\end{array}$
17/20
body camera [1] 17/20
body cameras [3] 17/11 17/11






$\qquad$

$\qquad$






7

4


23
$\qquad$

24
6/3






6/3
11

## 

,
$\begin{array}{llll}30 / 4 & 33 / 16 & 33 / 22 & 34 / 2 \\ 36 / 14\end{array}$
36/17 36/19 36/21 36/22
BPD [1] 22/4
break [7] 19/11 24/2 26/20
40/15 49/18 52/21 53/4
breaking [1] 20/7
breaking-and-enterings [1] 20/7
breathtaking [1] 11/23
briefly [5] $11 / 14$ 15/20 $22 / 1$
27/22 55/9
broke [1] 24/13
broken [2] 8/3 49/20
brother [7] $34 / 23 \quad 35 / 7 \quad 35 / 17$
35/21 35/24 36/23 36/24
brothers [1] 36/2
$\begin{array}{llll}\text { brought [5] } & 16 / 24 & 18 / 3 & 24 / 19\end{array}$
38/25 46/22
buddies [1] 46/11
budget [2] 9/21 14/6
bullies [2] 39/8 39/9
burden [3] $22 / 25 \quad 23 / 1 \quad 41 / 13$
$\begin{array}{llll}\text { Bureau [5] } & 43 / 16 & 43 / 19 & 54 / 18\end{array}$
55/2 55/6
burglaries [2] 9/15 20/7
Burley [9] 20/9 20/15 20/23
20/25 24/21 24/22 24/23 46/2
48/14
buy [1] 25/12
C
C.J [4] 31/12 33/2 33/23 34/9
cabin [1] 33/17
cadet [1] 39/23
calculated [1] 5/21
calculations [3] $4 / 20$ 5/17 6/4
call [3] 3/5 32/23 34/3
called [2] 37/3 44/24
calling [1] 32/22
calls [1] 19/11
$\begin{array}{lllll}\text { came [14] } & 8 / 12 & 12 / 18 & 15 / 12\end{array}$
22/10 25/13 25/14 29/6 33/9
$\begin{array}{llllll} & 35 / 20 & 43 / 22 & 46 / 5 & 48 / 15 & 48 / 16\end{array}$
51/24
camera [1] 17/20
$\begin{array}{lllll}\text { cameras [3] } & 17 / 11 & 17 / 11 & 17 / 15\end{array}$
camping [1] 33/16
can $[24] \quad 3 / 3 \quad 3 / 21 \quad 7 / 7 \quad 17 / 8$
$\begin{array}{lllllllllll}17 / 20 & 17 / 21 & 29 / 14 & 30 / 1 & 30 / 6\end{array}$
34/16 36/24 37/24 38/2 42/10
43/6 43/7 43/10 43/11 44/3
45/19 47/24 47/25 49/18 55/10
can't [5] 29/14 47/2 47/5 47/21
47/22
canned [1] 32/16
cannot [2] 24/16 50/19
captured [1] 19/20
$\begin{array}{lllll}\text { car [13] } 7 / 16 & 7 / 18 & 8 / 13 & 9 / 6 & 9 / 8\end{array}$
$\begin{array}{lllll}9 / 12 & 19 / 18 & 20 / 12 & 20 / 23 & 20 / 24\end{array}$
21/1 21/22 32/14
$\begin{array}{lllll}\text { career [4] } & 32 / 1 & 33 / 13 & 35 / 10\end{array}$
37/14
classroom [1] 33/7

$\begin{array}{lllllll}13 / 18 & 20 / 15 & 20 / 16 & 24 / 20 & 25 / 13\end{array}$
$\begin{array}{lllll}16 / 25 & 27 / 19 & 41 / 12 & 43 / 25 & 53 / 10\end{array}$ 53/12 53/13 53/13 54/3
Case No. 17-106 [1] 53/12
cases [7] 10/2 14/7 24/10 24/13 24/19 25/6 50/4
catalyzed [1] 22/9
catching [1] 25/20
category [1] 5/23
CATHERINE [1] 1/12
caught [3] 25/12 25/18 25/18
causation [1] 20/21
cause [3] 18/17 19/24 37/5
caused [3] $18 / 8 \quad 40 / 11 \quad 49 / 5$
causes [4] 40/13 40/15 42/1 51/13
CCB [2] $1 / 4 \quad 1 / 5$
CCB-17-106 [1] 1/4
CCB-17-638 [1] 1/5
celebrate [1] 33/19
celebrity [1] 41/21
Center [1] 15/4
certainly [4] $23 / 13$ 40/6 $43 / 9$ 45/7
certificate [1] 39/14
Certified [1] 56/10
certify [1] 56/5
chain [1] 12/13
Chamber [1] 31/4
chance [4] 4/5 17/18 47/23 48/20
change [2] 34/16 34/18
chaperone [1] 31/21
$\begin{array}{lllll}\text { character } & {[3]} & 29 / 11 & 35 / 22 & 36 / 5\end{array}$
characteristics [3] 11/13 22/1 50/25
characterized [1] 4/24
charge [1] 18/7
charged [3] $13 / 6$ 13/8 $14 / 14$
charges [4] 3/19 22/17 24/19 53/5
chase [1] 21/6
chased [1] 20/18
Chesapeake [1] 44/14
Chesapeake Detention [1] 44/14
child [2] 29/9 37/8
child's [1] 32/18
childcare [1] 33/23
childhood [3] $30 / 21 \quad 33 / 4 \quad 36 / 18$
children [8] $32 / 7$ 32/21 35/8
$\begin{array}{llll}37 / 6 & 42 / 22 & 42 / 24 & 44 / 6\end{array} 47 / 24$
Christian [1] 34/11
Christmas [1] 32/15
circle [1] 20/1
circumstances [7] $11 / 12 \quad 13 / 9$ 21/24 49/4 50/23 53/2 54/5
citizen [2] 48/10 48/11
citizens [1] 48/13
$\begin{array}{lllll}\text { city [9] } & 9 / 22 & 9 / 25 & 13 / 9 & 14 / 5\end{array}$ 24/10 37/11 39/20 50/2 50/9
City Council [1] 9/25
City's [1] 9/21
claim [1] 15/6
claimed [3] 14/3 14/21 24/18
claiming [1] 14/8
claims [1] 19/25
clarifications [2] 4/14 5/8
$\begin{array}{llll}\text { class [6] } & 31 / 9 & 31 / 10 & 33 / 8 \quad 33 / 10\end{array}$ 33/11 35/25
qhear ${ }^{2}$ adde 5
clear [4]
clearest [1] 24/8
clearly [1] 40/25
client [1] 4/5
$\begin{array}{lllll}\text { close [4] } & 33 / 3 & 33 / 9 & 44 / 3 & 46 / 22\end{array}$
close-knit [1] 33/3
closer [1] 53/5
closing [1] 30/5
co [13] 9/15 9/16 9/24 12/5
$\begin{array}{lllll}13 / 3 & 15 / 5 & 15 / 9 & 16 / 1 & 16 / 20 \\ 17 / 19\end{array}$
21/14 41/9 45/3
co-defendant [1] 9/16
co-defendants [12] 9/15 9/24
$\begin{array}{lllllll}12 / 5 & 13 / 3 & 15 / 5 & 15 / 9 & 16 / 1 & 16 / 20\end{array}$
17/19 21/14 41/9 45/3
coach [1] 42/22
$\begin{array}{lllll}\text { cocaine }[5] & 16 / 16 & 16 / 24 & 19 / 10\end{array}$
19/15 52/2
college [1] 35/13
colossal [1] 42/9
$\begin{array}{lllll}\text { come [7] } & 7 / 4 & 7 / 6 & 10 / 25 & 15 / 11\end{array}$
29/18 46/4 53/4
comes [5] 22/25 38/12 $42 / 15$
42/16 46/21
comfortable [2] $18 / 21 \quad 33 / 13$
$\begin{array}{lllll}\text { coming }[3] & 18 / 10 & 19 / 15 & 32 / 7\end{array}$
commendable [1] 41/1
Commerce [1] 31/4
commit [3] 10/11 26/13 52/8
committed [8] $9 / 14 \quad 11 / 20 \quad 14 / 5$
16/8 17/7 21/24 28/23 42/22
committing [1] 26/18
common [1] 7/25
community [15] $23 / 20 \quad 24 / 4 \quad 24 / 5$
32/21 37/6 38/20 42/5 42/22
43/1 43/22 49/22 50/15 51/7
52/2 52/3
company [1] 44/24
complain [3] 25/9 29/7 49/13
complained [1] 25/15
complete [1] 44/20
completed [1] 35/12
complications [3] 29/13 54/16 54/20
compromised [1] 22/13
conceal [1] 13/25
concerning [1] 6/21
concerns [1] 47/13
concerts [1] 31/23
concluded [1] 56/4
concurrent [4] 53/11 53/16
53/19 53/21
condition [1] 55/5
conditioning [1] 35/13
conditions [1] 54/7
conduct [19] $11 / 20 \quad 13 / 25 \quad 15 / 5$
$\begin{array}{llll}17 / 23 & 18 / 11 & 20 / 12 & 21 / 23 \\ 21 / 24\end{array}$
22/9 37/5 37/12 40/16 41/2

52/23
conducted [1] 25/25
conference [4] 6/19 6/21 27/24
31/17
confidence [2] 23/22 23/22
Congress [1] 43/19
connection [1] 50/17
conquer [1] 41/5
consecutive [1] 53/15
$\begin{array}{llll}\text { consequences [5] } & 19 / 1 & 23 / 19\end{array}$
25/19 25/22 34/6

| C | CRR [3] 1/23 56/5 56/9 | describe [1] 11/24 |
| :---: | :---: | :---: |
|  | 世B ${ }^{1}$ Docturtient 20, Filed 07/27 | qescribade Fob ofziti 19/8 21/15 |
| onsider [7] 6\%7 10717 11 | culpability [1] 51/18 | 39/6 48/25 |
| 27/13 34/8 48/25 50/24 | Currently [1] 31/12 | describes [2] 15/16 18/25 |
| consideration [1] 25/4 | custody [1] 29/2 | descriptions [1] 13/8 |
| considered [1] 51/17 | cut [2] 23/4 46/17 | deserve [3] 47/7 47/8 48/3 |
| considers [1] 40/15 | D | deserves [1] 37/1 |
| $\begin{array}{llll}\text { conspiracy [1] } & 53 / 10 \\ \text { contact [2] } & 35 / 15 & 43 / 22\end{array}$ |  | design [2] 22/14 22/21 |
| contact [2] 35/15 43/2 | dad [6] 7/21 7/22 8/1 8/16 8/22 | designate [1] 43/17 |
| contemplates [1] 27/1 | 36/4 | designated [2] 43/21 44/1 |
| contemplating [1] 5/5 | dad's [1] 47/13 | designating [1] 54/16 |
| context [1] 41/21 | daily [3] 9/17 12/9 26/11 | desire [1] 41/6 |
| continue [2] 37/5 38/1 | damage [2] 42/2 44/16 | desperately [1] 30/3 |
| continued [4] 13/25 15/2 $20 / 2$ | Dan [3] 46/11 46/14 48/ | despite [2] 13/16 36/7 |
| 43/24 | danger [1] 50/13 | destroyed [4] 10/21 10, |
| contrition [1] 40/19 | dangerous [1] 49/10 | 50/7 |
| control [2] 22/12 42/3 | darkness [1] 41/3 | detail [2] 5/17 11/21 |
| convicted [2] 28/19 43/20 | DATE [1] 56/11 | detained [3] 15/1 40/10 44/9 |
| convictions [3] 24/22 50/5 50/7 | daughter [3] 8/11 28/24 29/19 | detect [2] 17/9 24/2 |
| cookout [1] 33/19 | daughters [1] 20/20 | detective [4] 13/11 22/5 39/23 |
| cooperating [2] 6/16 6/22 | Davis [11] 7/9 8/7 8/10 8/11 | 39/23 |
| cooperation [1] 6/15 | 9/3 9/9 10/5 10/5 20/19 20/22 | Detention [2] 15/3 44/14 |
| Corps [4] 39/12 46/12 46/13 | 46/23 | determined [1] 44/16 |
| 48/6 | Davis's [1] 21/1 | deterrence [5] 11/18 23/7 25/3 |
| correct [2] 4/21 56/6 | Davises [1] 45/20 | 52/18 52/19 |
| corrections [2] 4/1 4/8 | Davises' [1] 55/24 | deterrent [2] 23/8 25/16 |
| corrupt [1] 22/13 | day [18] 8/2 8/12 8/16 8/23 | devious [1] 17/8 |
| could [7] 7/12 7/17 12/19 19/24 | 14/12 14/15 20/22 29/6 32/1 | did [28] $4 / 12$ 4/18 4/22 10/11 |
| 21/19 28/5 45/21 | 32/22 33/5 34/3 40/4 43/5 45/21 | 11/6 12/8 12/9 13/11 14/14 |
| Council [2] 9/25 24/10 | 46/13 47/17 50/13 | 14/23 15/17 24/6 24/7 26/21 |
| counsel [6] 3/11 6/17 6/23 | days [4] 28/23 29/12 44/15 | 27/12 27/12 33/19 34/6 39/10 |
| 41/16 49/2 54/2 | 55/21 | 39/12 41/4 45/13 47/7 47/23 |
| counseled [1] 21/16 | DEA [1] 16/3 | 49/13 52/7 52/8 52/11 |
| counseling [2] 54/8 55/4 | deal [2] 29/14 50/22 | didn't [14] 10/17 13/24 14/9 |
| Count [2] 53/15 53/20 | dealers [2] 25/7 25/9 | 18/12 21/5 26/11 $26 / 11$ 26/13 |
| Count 1 [2] 53/15 53/20 | death [2] 20/19 21/4 | 26/20 26/21 46/4 46/4 46/6 |
| counts [8] 53/10 53/11 53/16 | debate [1] 17/10 | 48/16 |
| 53/19 53/21 55/10 55/13 55/15 | debt [1] 37/22 | die [2] 46/13 48/7 |
| Counts 1 [1] 53/19 | decent [2] 39/6 47/25 | died [2] 20/22 40/7 |
| Counts 2 [2] 53/16 53/21 | deceptions [1] 15/2 | difference [1] 26/10 |
| Counts 4 [1] 55/13 | decided [1] 15/10 | differences [3] $12 / 2$ 26/4 26/10 |
| $\begin{array}{rlllll} \text { County } \\ 35 / 10 \end{array} \text { [5] } \begin{array}{lllll} 15 / 3 & 31 / 1 & 31 / 2 & 31 / 5 \end{array}$ | deciding [1] $34 / 10$ <br> decision [1] $45 / 17$ | different [5] $12 / 1 \quad 44 / 24 \quad 45 / 8$ |
| couple [2] 6/12 18/18 | dedicated [6] $33 / 1 \begin{array}{llll}\text { [ } & 37 / 7 & 38 / 1\end{array}$ | differentiate [1] 52/9 |
| course [7] $3 / 24$ 6/8 $14 / 1$ 41/2 | 38/2 42/25 42/25 | differently [1] 40/12 |
| 41/8 $43 / 3$ 45/12 | dedication [2] 37/8 37/10 | difficult [4] 13/17 44/5 48/23 |
| court [9] 1/1 1/24 6/20 11/11 | deepens [1] 49/21 | 50/11 |
| 30/12 34/23 41/13 41/25 56/11 | deepest [1] 41/3 | Diplomate [1] 56/10 |
| courtroom [3] 1/9 7/1 35/23 | defendant [8] $1 / 6$ 2/1 $4 / 25$ 6/16 | director [1] 43/18 |
| courts [3] 13/10 13/10 41/14 | 6/22 9/16 11/13 21/24 | disappointment [1] 38/16 |
| cover [2] 17/23 21/19 | defendants [18] 9/15 9/24 12/3 | discharge [1] 39/14 |
| coverage [1] 43/23 | 12/5 12/9 13/3 15/1 15/5 15/9 | Discovery [1] 31/21 |
| covering [1] 50/21 | 15/13 16/1 16/20 17/19 19/6 | discussed [1] 34/12 |
| covert [1] 13/17 | 21/14 23/9 41/9 45/3 | discussing [1] 32/2 |
| coverup [2] 15/4 16/13 | defending [2] 39/8 39/8 | discussion [2] 6/15 6/17 |
| cracked [1] 17/3 | defense [1] 14/11 | disgracing [1] 48/5 |
| crash [5] 7/16 7/18 8/13 9/7 | deferred [1] 54/4 | dismiss [1] 55/12 |
| 9/12 | Delores [2] 8/10 10/5 | dismissed [1] 50/5 |
| cream [1] 31/24 | Delores Davis [1] 8/10 | disparities [2] 11/19 25/24 |
| created [1] 17/4 | Dennis [1] 19/4 | display [1] 40/25 |
| credibility [1] 50/6 | Dennis Armstrong [1] 19/4 | distinctions [2] 26/22 26/23 |
| credit [1] 52/25 | denying [1] 50/3 | distinguishes [2] 19/5 20/10 |
| cries [1] 44/11 | department [14] 2/8 2/9 3/12 | distraught [1] 37/3 |
| crime [3] 10/11 44/2 52/8 | 3/13 11/4 14/16 22/3 23/22 | distress [3] 38/13 38/16 38/18 |
| $\begin{array}{llllll}\text { crimes }[11] & 10 / 3 & 10 / 3 & 11 / 7 & 11 / 9\end{array}$ | 23/23 23/24 24/1 26/14 37/11 | distributing [1] 52/1 |
| 13/6 25/17 28/19 28/23 35/21 | 39/20 | district [4] 1/1 1/1 $6 / 14$ 41/13 |
| 37/23 50/21 | Department's [1] 14/6 | District Court [1] 41/13 |
| criminal [15] $1 / 41 / 5$ 3/8 3/20 | depend [1] 7/17 | distrust [1] 49/21 |
| 5/22 7/25 10/2 11/5 13/5 15/5 | depicted [2] 16/13 16/14 | disturbing [1] 51/4 |
| 18/11 24/16 50/4 50/18 51/14 | Derek [2] 1/18 3/9 | DIVISION [1] 1/2 |
| Criminal No. 17-106 [1] 3/8 | Derek E. Hines [1] 1/18 | divorce [3] $10 / 22$ 29/2 $29 / 4$ |
| cross [2] 16/20 19/5 | Derek Hines [1] 3/9 | do [27] 5/12 5/14 6/25 7/17 |


| D | elderly [1] 43/2 | 42/15 |
| :---: | :---: | :---: |
| do... [23] 10912 10713 - 13 ¢17 |  |  exploited $1 \mathrm{H}_{23}$ |
| 17/8 17/18 $22 / 23$ 23/3 23/4 23/4 | else [2] 7/18 48/19 | exposed [1] 17/24 |
| $\begin{array}{llllllllll} & 27 / 18 & 30 / 8 & 32 / 20 & 34 / 6 & 34 / 16\end{array}$ | emotionally [1] 29/4 | expressed [1] 41/6 |
| 34/18 45/17 50/14 51/16 52/14 | empathy [1] 32/11 | extensive [5] 19/19 19/21 43/24 |
| 53/7 55/10 55/22 56/5 | emphasis [1] 22/1 | 50/8 52/13 |
| documents [1] 3/23 | emphasized [1] 31/15 | extensively [2] 51/22 52/5 |
| does [3] 17/20 41/11 41/12 | empowered [1] 22/10 | extent [2] 4/24 26/18 |
| doesn't [3] 22/22 27/8 50/10 | enabled [1] 49/9 | extra [1] 32/5 |
| dogs [1] 29/21 | encouraging [1] 32/3 | extremely [3] $13 / 17$ 33/3 52/9 |
| doing [10] $13 / 4 \quad 17 / 1418 / 13$ | end [2] 29/7 53/6 | eyes [2] 29/7 40/13 |
| 18/14 19/7 19/7 23/1 $23 / 15$ | endemic [2] 26/14 42/8 | F |
| dollars [7] 9/19 9/21 12/24 | energy [1] 36/13 | fabricated [1] 17/5 |
| 15/24 16/10 16/10 16/17 | enforce [2] 23/23 49/18 | fabricating [2] 17/16 17/19 |
| dollars' [2] 12/22 16/4 | enforcement [5] 11/8 13/16 | face [4] 23/7 25/10 48/24 50/13 |
| don't [18] 4/24 4/25 25/20 | 16/12 43/20 50/20 | facility [4] 43/21 44/1 44/3 |
| 27/13 27/14 29/3 40/9 45/18 | enforcing [1] 22/18 | 44/14 |
| 46/16 $46 / 17$ 46/20 $48 / 3$ 50/1 | engage [2] 20/6 22/10 | fact [10] 5/3 11/15 14/18 15/7 |
| 51/12 51/23 52/18 54/5 55/18 | engaged [4] 19/22 20/11 23/2 | 23/14 23/16 25/5 26/17 27/9 |
| Donald [3] 12/13 12/15 12/17 | 23/11 | 50/5 |
| Donald Stepp [3] $12 / 17$ | enhanced [1] $44 / 19$ <br> enormous [1] $49 / 19$ | factor [4] $6 / 7$ $26 / 8$ $27 / 8$ $52 / 19$ <br> factors [2] $26 / 2$ $48 / 25$   |
| done [15] 10/7 10/12 15/11 | enough [5] 19/23 20/6 21/5 | facts [8] 4/14 4/19 5/10 5/11 |
| 27/11 27/11 27/12 37/2 37/4 | 21/11 33/13 | 11/22 11/24 15/14 15/16 |
| 38/16 38/19 45/4 47/17 50/22 | entering [1] 53/1 | factual [1] 4/13 |
| 51/7 52/14 | enterings [1] 20/7 | fair [1] 40/23 |
| doors [2] 32/14 $32 / 14$ | entire [2] 33/7 50/18 | falling [1] 19/14 |
| double [2] 16/20 19/5 | entirely [1] 45/18 | Falls [1] 16/2 |
| double-cross [2] 16/20 19/5 | entitled [1] 56/7 | Falls Road [1] 16/2 |
| doubling [1] 14/7 | entrust [1] 49/19 | false [7] 10/8 13/8 15/6 19/25 |
| doubt [2] 51/2 51/3 | episode [5] 9/8 10/18 18/2 | 20/13 21/6 52/7 |
| Douglas [3] 1/23 56/5 56/9 | 20/17 21/10 | falsely [1] 16/2 |
| down [6] 18/8 28/6 28/11 38/20 | episodes [1] 12/6 | falsification [1] 53/14 |
| 38/21 38/21 | equivalency [1] 30/22 | family [32] 8/3 8/25 10/18 |
| dream [3] 43/11 43/13 44/21 | erase [1] 42/9 | 10/22 10/23 31/24 32/15 32/25 |
| dreamed [5] 39/5 39/8 39/11 | Erika [2] 2/6 3/10 | $33 / 1$ 33/9 33/12 33/12 33/15 |
| 39/19 40/4 | Erika Jensen [1] 2/6 | $33 / 18$ 33/21 33/25 35/16 35/20 |
| dreams [11] $38 / 9$ 39/5 $39 / 17$ | error [1] 20/25 |  |
| 39/18 39/20 39/25 40/1 40/7 | Esquire [3] 1/17 1/18 2/2 | 37/21 38/1 38/25 40/5 42/23 |
| 40/7 43/10 45/7 | essential [1] 23/24 | 43/17 44/20 46/8 51/6 |
| drive [1] 32/16 | estimate [3] 9/25 24/9 50/2 | far [5] 23/15 36/10 41/22 43/17 |
| driver [1] 9/8 | estimated [1] 12/22 | 44/9 |
| drop [1] 12/20 | even [16] 13/10 15/21 16/18 | farm [1] 31/21 |
| drug [5] 9/18 13/6 25/7 25/9 | 17/15 17/21 17/22 29/20 32/9 | fatal [4] 7/16 7/18 8/13 9/11 |
| 25/17 |  | father [22] 7/15 7/16 7/17 7/20 |
| drugs [20] 9/17 11/25 12/10 | 46/20 46/21 50/5 | 8/12 8/15 8/18 29/17 29/23 |
| 12/10 12/10 12/14 12/14 12/23 | evening [1] 14/19 | 33/16 36/1 36/12 39/5 39/12 |
| 12/24 13/7 16/6 18/25 25/11 | ever [5] 19/1 21/17 33/13 $46 / 17$ | 42/24 45/23 46/23 46/24 46/25 |
| 25/12 26/11 26/11 27/13 46/4 | 47/9 | 47/24 48/2 55/25 |
| 48/15 52/1 | every [10] 6/15 6/20 10/24 29/6 | father's [2] 7/25 30/2 |
| due [2] 29/12 37/11 | 31/16 33/5 34/3 36/10 47/12 | father-and-son [1] 33/16 |
| During [1] 31/2 | 50/13 | fault [3] 47/7 47/7 47/15 |
| E | Everybody's [1] 11/1 |  |
| E. [1] 1/18 | everything [1] 33/19 | fearful [1] 17/24 |
| each [9] 11/14 12/7 36/10 51/23 | evidence [9] $10 / 19$ 15/12 $17 / 16$ | February [1] 16/8 |
| 53/9 53/11 53/19 53/21 53/23 | 17/19 20/10 20/11 26/15 26/17 | February 2016 [1] 16/8 |
| earlier [3] 39/18 41/20 44/8 | 26/21 | federal [5] 1/24 13/10 20/15 |
| early [6] 30/21 34/4 37/1 41/6 | exact [1] 50/1 | 43/19 56/11 |
| 45/8 51/15 | exactly [2] 50/3 51/24 | feel [3] 43/8 47/23 49/22 |
| earth [1] 34/18 | examine [1] 43/5 | feeling [1] 38/15 |
| education [3] 30/21 31/5 31/16 | example [1] 51/20 | feelings [2] 40/19 40/25 |
| Educator [1] 31/5 | examples [1] 42/18 | feels [2] 41/4 43/9 |
| effect [3] 10/4 24/8 43/23 | Excellence [1] 31/5 | fellow [1] 44/10 |
| effects [1] 10/18 | Excuse [1] 32/13 | felonies [1] 53/23 |
| efforts [2] 13/16 17/8 | excuses [1] 51/13 | felt [2] 33/13 38/24 |
| egregious [2] 19/20 42/2 | exhorting [1] 15/5 | fence [1] 19/15 |
| eight [1] 14/21 | exorbitant [1] 19/25 | few [5] 5/13 16/9 22/1 39/22 |
| Elbert [1] 8/11 | expected [1] 36/19 | 39/23 |
| Elbert Davis [1] 8/11 | experience [ | field [3] 22/12 31/20 32/3 |

$\begin{array}{ll}\text { filings [1] } & \text { 14/11 } \\ \text { filled [2] } & 38 / 1142 / 17\end{array}$ final [3] $4 / 17$ 5/21 45/17 finally [6] $11 / 18$ 15/11 $15 / 11$ 25/23 44/15 47/20
financial [2] 54/5 54/13
find [3] 7/23 36/13 47/18
finding [2] 5/9 46/3
fine [2] 29/5 54/6
firearms [1] 19/24
firefighter [1] 35/10
first [6] 13/21 17/10 23/25 26/1 30/24 32/6
$\begin{array}{llllll}\text { five }[5] & 14 / 21 & 33 / 4 & 36 / 2 & 53 / 15\end{array}$ 53/23
fix [1] 22/24
Floor [1] $1 / 24$
follow [1] 19/10
following [2] $3 / 19 \quad 38 / 7$
football [1] 42/22
force [5] 8/1 8/14 15/19 15/21 18/7
foregoing [1] 56/6
forgive [1] 48/14
forgiveness [3] $34 / 12 \quad 41 / 16$ 47/21
forgotten [1] 37/11
former [1] 43/18
$\begin{array}{llll}\text { forward [7] } & 7 / 4 & 15 / 12 & 15 / 23\end{array}$
16/8 23/6 46/5 46/6
found [7] $18 / 25 \quad 18 / 25 \quad 21 / 10$
25/21 33/23 46/5 48/15
foundation [1] 50/18
$\begin{array}{llllll}\text { four [6] } & 20 / 16 & 33 / 17 & 35 / 12 & 36 / 2\end{array}$ 53/11 53/23
four-wheeling [1] 33/17
four-year [1] 35/12
Fowler's [1] 38/6
Franklin [1] 31/4
fraud [8] $9 / 20 \quad 14 / 4 \quad 26 / 13 \quad 26 / 15$ 26/18 50/8 52/5 52/22
Frederick [1] 30/25
free [2] 24/22 25/2
freedom [1] 43/14
French [1] 38/13
$\begin{array}{llll}\text { frequent [2] } & 12 / 18 & 12 / 18\end{array}$
freshmen [1] 28/18
friend [2] 39/7 46/24
friend's [1] 33/17
friends [2] 37/8 51/7
front [1] 27/4
full [1] 42/8
full-throated [1] 42/8
fully [1] 42/4
fun [1] 31/24
funeral [1] 20/24
funerals [1] 47/16
further [2] 13/25 44/1
G
G. [1] 43/18
game [1] 19/23
gang [1] 11/5
gather [1] 33/18
$\begin{array}{llll}\text { gave [2] } & 12 / 23 & 16 / 6\end{array}$
Gene [1] 38/6
Gene Fowler's [1] 38/6
general [1] 52/19
genuine [2] 42/3 42/12
$\begin{array}{llll}\text { get [8] } & 16 / 19 & 16 / 20 \quad 37 / 20 & 46 / 8\end{array}$

getting [2] [1] 40/3
girlfriend [1]
$\begin{array}{lllll}\text { give [3] } & 12 / 18 & 28 / 21 & 35 / 23\end{array}$
given [3] $9 / 25$ 13/18 $24 / 9$
gives [1] 40/18
giving [1] 52/25
glass [1] 46/18
$\begin{array}{llllll}\text { go [13] } & 6 / 4 & 7 / 7 & 12 / 21 & 13 / 6\end{array}$
$\begin{array}{lllllll}16 / 23 & 20 / 23 & 25 / 2 & 34 / 4 & 37 / 1 & 45 / 7\end{array}$ 47/8 47/11 55/11
God [5] 34/12 $47 / 19 \quad 47 / 25 \quad 48 / 8$ 48/14
goes [2] 25/8 42/6
going [25] $5 / 9 \quad 6 / 3 \quad 6 / 17 \quad 14 / 13$ 17/13 22/19 23/6 25/15 29/1 29/2 $46 / 2 \quad 46 / 24 \quad 47 / 13 \quad 47 / 14$
$\begin{array}{lllll}47 / 14 & 47 / 15 & 48 / 7 & 52 / 13 & 53 / 7\end{array}$
$\begin{array}{llllll}53 / 9 & 53 / 15 & 53 / 17 & 54 / 7 & 55 / 4\end{array}$ 55/20
Gondo [7] 13/21 15/17 15/18
18/14 18/22 19/7 26/17
$\begin{array}{llllll}\text { good }[18] & 3 / 3 & 3 / 15 & 3 / 17 & 7 / 10\end{array}$
$\begin{array}{lllllll}7 / 11 & 8 / 8 & 8 / 9 & 28 / 7 & 28 / 8 & 30 / 16\end{array}$
$\begin{array}{lllllll}35 / 4 & 35 / 5 & 37 / 19 & 38 / 7 & 39 / 5 & 42 / 15\end{array}$
45/4 51/7
Good Night, Sweet Prince [1] 38/7
goods [1] 32/16
Google [1] 44/24
$\begin{array}{llllll}\text { got [12] } & 8 / 17 & 14 / 15 & 14 / 17 & 14 / 20\end{array}$
$\begin{array}{lllll}15 / 1 & 16 / 21 & 17 / 18 & 21 / 18 & 36 / 23\end{array}$
37/9 46/11 47/13
Government [4] 5/24 6/10 $6 / 24$
41/11
grade [1] $16 / 4$
grades [2] 30/25 32/10
graduated [1] 30/19
grandfather [2] 48/1 48/9
grandkids [1] 48/1
grandsons [1] 33/8
grave [1] 47/11
gravity [1] 28/18
$\begin{array}{llll}\text { great [5] 25/20 } & 32 / 8 & 49 / 14\end{array}$ 50/22 52/19
greater [1] 27/17
greed [1] 13/23
grew [2] 35/25 36/11
groupings [1] 6/4
$\begin{array}{lllll}\text { growing [3] } & 30 / 2 & 39 / 4 & 47 / 15\end{array}$
grown [1] 18/21
$\begin{array}{llllll}\text { GTTF [14] } & 11 / 7 & 11 / 24 & 14 / 2 & 14 / 23\end{array}$
$\begin{array}{lllll}14 / 24 & 17 / 2 & 17 / 14 & 19 / 7 & 19 / 17\end{array}$
20/2 21/12 21/20 24/6 24/17
guest [1] 32/1
guided [1] 41/1
guideline [7] 4/10 $4 / 19$ 5/16 5/21 5/23 6/6 27/2
$\begin{array}{lllll}\text { guidelines [6] } & 26 / 25 & 27 / 1 & 27 / 7\end{array}$ 27/13 27/14 53/5
guilt [1] 40/18
guilty [10] $3 / 19 \quad 6 / 20 \quad 12 / 4 \quad 25 / 1$ 38/23 41/6 41/8 51/14 52/12 53/1
gun [12] $14 / 12 \quad 14 / 15 \quad 14 / 17$
$\begin{array}{lllll}14 / 20 & 15 / 19 & 15 / 21 & 18 / 7 & 18 / 25\end{array}$
21/19 21/21 49/9 49/17
Gun Trace Task Force [3] 15/19 15/21 18/7
guns [2] 21/16 $21 / 17$
$12 / 10 \quad 13 / 8 \quad 13 / 25 \quad 15 / 8 \quad 15 / 11$ $\begin{array}{lllll}16 / 15 & 16 / 15 & 17 / 11 & 17 / 11 & 18 / 4\end{array}$
$\begin{array}{lllll}18 / 4 & 18 / 13 & 18 / 14 & 18 / 21 & 19 / 6\end{array}$
19/8 19/14 22/5 22/5 23/11
$\begin{array}{lllll}23 / 11 & 24 / 24 & 25 / 11 & 25 / 14 & 26 / 17\end{array}$
$\begin{array}{lllll}27 / 11 & 27 / 11 & 27 / 12 & 33 / 22 & 34 / 14\end{array}$
$\begin{array}{llllll}36 / 20 & 38 / 16 & 38 / 17 & 39 / 4 & 40 / 1\end{array}$
$\begin{array}{lllll}40 / 12 & 43 / 24 & 45 / 8 & 48 / 20 & 50 / 4\end{array}$
hadn't [2] 38/19 38/19
half [2] 46/20 47/5
$\begin{array}{lllll}\text { Hamilton [3] } & 10 / 14 & 18 / 1 & 18 / 24\end{array}$
Hamiltons [3] $18 / 20 \quad 18 / 23 \quad 19 / 1$
hand [3] $18 / 19$ 45/24 $45 / 25$
hand-selected [1] 18/19
handcuffed [1] 18/23
handled [1] 29/15
$\begin{array}{lllll}\text { happened [5] } & 10 / 19 & 15 / 8 & 21 / 2\end{array}$ 23/14 46/3
$\begin{array}{lllll}\text { hard [4] } & 28 / 20 & 29 / 14 & 35 / 19\end{array}$ 37/16
harder [1] 44/17
hardship [1] 50/13
Harley [1] 43/18
Harley G. Lappin [1] 43/18
harm [6] $10 / 12$ 10/13 $11 / 6$ 49/7 49/8 50/22
harm's [1] 51/3
harmed [1] 41/17
harms [1] 49/5
$\begin{array}{lllllll}\text { has [47] } & 4 / 5 & 5 / 7 & 6 / 16 & 12 / 4 & 13 / 1\end{array}$
15/2 23/18 24/5 25/16 25/25 $\begin{array}{lllll}15 / 19 & 28 / 19 & 28 / 24 & 34 / 14 & 34 / 15\end{array}$
$\begin{array}{lllll}35 / 17 & 37 / 7 & 37 / 13 & 37 / 21 & 39 / 6\end{array}$
$\begin{array}{lllll}40 / 9 & 40 / 20 & 40 / 21 & 40 / 24 & 41 / 1\end{array}$
41/5 $41 / 9 \quad 41 / 15 \quad 41 / 16 \quad 42 / 19$
$\begin{array}{llllll}44 / 9 & 44 / 9 & 44 / 16 & 45 / 4 & 45 / 5 & 49 / 12\end{array}$
$\begin{array}{lllllll}50 / 7 & 50 / 8 & 50 / 9 & 50 / 11 & 51 / 5 & 51 / 6\end{array}$
52/12 52/12 52/14 52/19 54/11
have [80] 3/20 $3 / 22 \quad 4 / 4 \quad 5 / 12$
$\begin{array}{llllll}6 / 14 & 6 / 15 & 7 / 20 & 7 / 21 & 8 / 5 & 13 / 6\end{array}$
$\begin{array}{llll}14 / 18 & 14 / 21 & 17 / 18 & 17 / 21 \\ 18 / 6\end{array}$
$\begin{array}{lllllllll}18 / 8 & 20 / 22 & 21 / 2 & 22 / 9 & 22 / 15 & 23 / 1\end{array}$
$\begin{array}{lllll}18 / 10 & 24 / 11 & 24 / 18 & 25 / 7 & 25 / 20\end{array}$ $\begin{array}{llllll}27 / 3 & 28 / 17 & 29 / 3 & 30 / 19 & 31 / 7\end{array}$
$\begin{array}{lllll}31 / 13 & 33 / 13 & 34 / 4 & 34 / 5 & 34 / 11\end{array}$
$\begin{array}{llllll}34 / 13 & 35 / 11 & 36 / 1 & 36 / 17 & 37 / 15\end{array}$
$\begin{array}{llllll}39 / 1 & 39 / 2 & 40 / 7 & 40 / 8 & 40 / 14 & 40 / 25\end{array}$
$\begin{array}{lllll}43 / 21 & 43 / 24 & 44 / 3 & 44 / 21 & 45 / 12\end{array}$
$\begin{array}{lllll}45 / 17 & 45 / 18 & 46 / 5 & 46 / 20 & 47 / 1\end{array}$
$\begin{array}{lllll}47 / 23 & 48 / 14 & 48 / 16 & 48 / 25 & 49 / 4\end{array}$ $\begin{array}{llllll}49 / 5 & 49 / 17 & 49 / 17 & 49 / 25 & 50 / 1\end{array}$ $\begin{array}{lllllll}50 / 4 & 50 / 10 & 50 / 24 & 51 / 2 & 51 / 2 & 51 / 3\end{array}$ $\begin{array}{lllll}51 / 20 & 52 / 3 & 53 / 24 & 55 / 7 & 55 / 7\end{array}$ 55/18 55/21
haven't [2] 47/11 48/20
having [3] $12 / 20 \quad 39 / 16 \quad 40 / 4$ he [161] 7/25 8/23 8/24 $9 / 17$ $\begin{array}{llllll}9 / 20 & 9 / 23 & 10 / 9 & 10 / 10 & 10 / 17 & 11 / 5\end{array}$ $\begin{array}{llll}11 / 6 & 11 / 8 & 11 / 25 & 12 / 18 \\ 12 / 22\end{array}$ $\begin{array}{lllll}12 / 25 & 13 / 1 & 13 / 2 & 13 / 5 & 13 / 15\end{array}$ $\begin{array}{llll}13 / 20 & 13 / 22 & 14 / 24 & 15 / 2 \\ 15 / 15\end{array}$ $\begin{array}{lllll}16 / 6 & 16 / 8 & 16 / 15 & 16 / 22 & 18 / 4\end{array}$ $\begin{array}{lllll}18 / 21 & 19 / 6 & 19 / 8 & 19 / 14 & 19 / 15\end{array}$ $\begin{array}{llllll}19 / 16 & 19 / 22 & 20 / 2 & 21 / 1 & 21 / 5 & 21 / 6\end{array}$ $\begin{array}{lllll}19 / 1 / 7 & 21 / 11 & 21 / 13 & 21 / 14 & 22 / 2\end{array}$ $\begin{array}{lllllll}22 / 2 & 22 / 3 & 22 / 4 & 22 / 4 & 22 / 5 & 22 / 8\end{array}$ $\begin{array}{lllll}23 / 3 & 23 / 3 & 23 / 14 & 23 / 15 & 23 / 16\end{array}$
$\begin{array}{llll}26 / 1 & 26 / 11 & 27 / 11 & 27 / 11 \\ 27 / 12\end{array}$
27/12 27/12 28/19 28/19 28/22

| H | 22/6 26/2 28/22 29/7 | $\begin{array}{lllll} 8 / 24 & 40 / 8 & 46 / 10 & 46 / 1 \end{array}$ |
| :---: | :---: | :---: |
|  |  |  |
| $\begin{array}{llllll}29 / 22 & 31 / 13 & 31 / 17 & 31 / 22 & 32 / 7\end{array}$ | 31/17 31/22 32/2 32/9 32/12 | hurts [2] 46/9 46/13 |
|  | $\begin{array}{lllllll}32 / 14 & 33 / 1 & 33 / 1 & 33 / 2 & 33 / 4 & 33 / 5\end{array}$ | husband [3] $29 / 17$ 29/23 $36 / 12$ |
|  | $33 / 6$ 33/15 33/16 33/18 33/18 | I |
|  | 34/8 34/9 34/9 34/10 34/13 | 1 |
| $\begin{array}{llllll}37 / 1 & 37 / 4 & 37 / 4 & 37 / 7 & 37 / 19 & 37 / 25\end{array}$ |  | I'd [2] 28/21 41/24 |
| 38/1 38/2 38/10 38/16 38/16 | $\begin{array}{lllllll}36 / 21 & 36 / 22 & 37 / 5 & 37 / 6 & 37 / 6 & 37 / 9\end{array}$ | I'll [11] $3 / 25$ 6/14 $9 / 12$ 11/14 |
| $\begin{array}{lllllll}38 / 17 & 38 / 17 & 38 / 18 & 38 / 19 & 38 / 19\end{array}$ | 37/10 $37 / 12$ 37/13 $37 / 14$ 37/14 | $\begin{array}{lllllll}11 / 14 & 12 / 2 & 12 / 7 & 13 / 12 & 46 / 8\end{array}$ |
| 38/22 38/23 38/24 38/24 38/24 | 37/17 37/22 37/22 37/25 38/1 | 48/10 54/25 |
| 39/5 39/8 39/10 39/11 39/12 | 38/2 38/20 38/21 38/25 39/1 | I'm [40] $5 / 9$ 6/3 6/8 $6 / 17$ 8/19 |
| $\begin{array}{lllllllll} & 39 / 12 & 40 / 1 & 40 / 4 & 40 / 4 & 40 / 6 & 40 / 9\end{array}$ | 39/2 39/5 39/7 39/12 39/13 | 8/19 9/7 10/22 14/13 28/13 |
| 40/12 40/14 40/14 40/15 40/21 | 39/13 39/20 39/25 40/3 40/8 | $\begin{array}{llllll}30 / 18 & 35 / 7 & 35 / 8 & 35 / 10 & 38 / 23\end{array}$ |
| $\begin{array}{llllllll}41 / 4 & 41 / 4 & 41 / 9 & 41 / 16 & 43 / 6 & 43 / 7\end{array}$ | 40/13 40/15 40/16 40/19 41/3 | $\begin{array}{lllllllllll}45 / 23 & 46 / 2 & 46 / 12 & 46 / 14 & 46 / 16\end{array}$ |
| 43/9 44/9 44/11 44/13 44/16 | 41/9 41/9 42/12 42/12 42/22 | 46/17 46/23 47/10 47/13 47/14 |
| $\begin{array}{llllllll}44 / 21 & 45 / 4 & 45 / 5 & 45 / 8 & 46 / 21\end{array}$ | 42/24 42/25 43/6 43/7 43/8 |  |
| 46/21 51/2 51/6 51/9 51/19 | 43/13 $43 / 17$ 44/18 $44 / 20 \quad 44 / 21$ | 48/8 $48 / 8$ 48/9 48/12 48/12 |
| 51/20 51/22 52/3 52/5 52/7 | 45/3 45/5 45/8 51/5 51/6 51/7 | 48/17 51/8 53/22 55/4 |
| 52/11 52/12 52/14 52/14 54/10 | 51/7 51/13 51/21 52/1 52/25 | I've [17] 3/24 21/25 26/3 27/6 |
| 54/25 55/1 55/5 | 53/1 53/1 | 29/16 30/6 31/7 35/9 35/15 |
| he's [17] 36/25 37/2 37/3 37/4 | history [6] 5/22 11/12 21/25 | 35/16 36/12 46/7 47/4 47/12 |
| 37/14 37/17 37/19 38/20 38/20 | 50/24 51/17 52/25 | 47/17 47/17 51/25 |
| 38/21 43/6 47/13 50/25 51/3 | Hobbs [1] 53/10 | ice [1] 31/24 |
| 51/12 51/14 51/25 | Hobbs Act [1] 53/10 | idle [1] 36/14 |
| head [1] 28/20 | hold [1] 45/9 | IID [1] 25/15 |
| health [2] 47/13 55/4 | holidays [2] 7/22 33/17 | illegal [3] 19/21 20/2 20/12 |
| hear [2] 28/12 46/2 | home [11] 8/13 10/25 32/4 33/4 | imagine [2] 23/6 29/14 |
| $\begin{array}{lllll}\text { heard [16] } & 4 / 22 & 10 / 16 & 10 / 19\end{array}$ |  | immeasurable [1] 11/6 |
|  | 44/1 44/3 | impeccable [1] 37/9 |
| $\begin{array}{llllllllll}19 / 13 & 19 / 19 & 19 / 21 & 20 / 20 & 21 / 14\end{array}$ | homeless [1] 32/16 | impending [1] 33/23 |
| 24/18 40/6 51/25 | homes [2] 20/5 26/20 | importance [3] $31 / 15$ 36/5 52/20 |
|  | homicide [1] 21/15 | important [8] 25/3 25/3 25/21 |
| heartbreak [1] 40/18 | honestly [3] 29/3 29/16 34/13 | 26/4 26/22 26/22 29/8 32/25 |
| hearts [1] 8/3 | Honor [69] $3 / 6$ 3/15 $4 / 3$ 4/7 | impose [2] 53/8 53/22 |
| heat [1] 9/22 | $\begin{array}{llllll}4 / 12 & 4 / 21 & 4 / 23 & 5 / 15 & 5 / 25 ~ 6 / 2\end{array}$ | imposed [1] 11/15 |
| heating [1] 35/13 | 7/3 7/8 7/10 8/6 8/8 9/5 9/6 | imprisoned [1] 25/1 |
| $\begin{array}{lllllll}\text { held [4] } & 21 / 5 & 31 / 17 & 45 / 24 & 45 / 25\end{array}$ | $\begin{array}{lllllll} & \text { /7 } & 10 / 16 & 10 / 19 & 10 / 20 & 10 / 21\end{array}$ | incapacitated [1] 24/15 |
| help [4] 32/7 34/18 35/23 51/10 | 12/4 12/25 19/3 19/13 19/19 | incarcerate [1] 29/24 |
| helpful [1] 51/6 | 21/21 23/11 25/23 25/25 27/20 | incarceration [3] 9/11 34/13 |
| helping [1] 28/25 | 27/22 28/1 28/7 28/9 29/8 30/9 | 52/17 |
| $\begin{array}{llllll}\text { Hendrix [3] } & 18 / 3 & 18 / 13 & 18 / 20\end{array}$ | $\begin{array}{lllllll}30 / 11 & 34 / 8 & 34 / 22 & 35 / 4 & 35 / 6\end{array}$ | incident [2] 34/12 51/24 |
| her [7] $7 / 8$ 23/12 $33 / 7$ 41/21 | 37/24 38/3 38/6 38/12 38/22 | include [6] 5/6 6/21 42/21 |
| 41/24 45/25 46/1 | 38/23 39/9 39/15 40/1 40/6 | 44/18 54/8 55/2 |
| Her Honor [1] 7/8 | 40/11 40/17 $41 / 19$ 42/19 43/6 | included [3] 4/16 5/13 20/2 |
| here [12] $3 / 18$ 10/23 11/1 16/9 |  | incomprehensible [1] 39/3 |
| 25/4 27/9 35/7 36/1 40/25 41/13 | 48/7 48/12 $48 / 17$ 54/1 $54 / 19$ | increased [1] 50/14 |
| 47/12 51/9 | 55/9 | incredible [1] 36/12 |
| hereby [1] 56/5 | Honor's [1] 54/21 | indicated [1] 4/19 |
| heroin [4] 9/8 20/12 $21 / 7$ 52/2 | HONORABLE [1] 1/12 | indicating [1] 5/3 |
| Hersl [2] 18/14 18/22 | honorably [1] 39/13 | indictment [3] $41 / 7$ 55/13 $55 / 14$ |
| hiding [1] 26/19 | hope [4] 8/24 35/22 47/24 51/10 | individual [4] 12/6 22/16 22/23 |
| $\begin{array}{llllllllllll}\text { high [4] } & 16 / 4 & 28 / 18 & 35 / 12 & 40 / 3\end{array}$ | horrible [1] 21/11 | 49/7 |
| high-grade [1] 16/4 | hospital [1] 44/16 | individuals [11] 7/4 9/11 9/12 |
| hiking [1] 29/20 | host [1] 39/4 | 10/4 10/5 10/6 11/25 12/9 23/18 |
| him [39] 7/18 8/16 8/18 8/23 | hour [2] 45/25 45/25 | 24/2 28/2 |
|  | hours [2] 14/21 29/7 | inflict [1] 53/3 |
| $\begin{array}{lllllll}12 / 2 & 12 / 20 & 15 / 12 & 18 / 4 & 18 / 8 & 18 / 8\end{array}$ | house [10] $10 / 24$ 16/16 $16 / 18$ | information [4] 13/22 13/24 |
| 19/10 21/1 22/10 29/4 29/5 | 16/24 17/4 20/4 29/1 29/6 29/19 | 45/14 54/13 |
| $\begin{array}{lllll}29 / 13 & 29 / 16 & 29 / 22 & 29 / 24 & 32 / 7\end{array}$ | 33/18 | initially [1] 43/20 |
| 32/23 36/13 37/15 37/18 37/25 | housed [1] 15/3 | injured [1] 39/16 |
| 39/2 41/15 $44 / 7$ 44/10 51/10 | how [16] 6/5 8/24 10/12 $10 / 13$ | injury [1] 44/13 |
| 51/10 52/25 53/4 | 11/24 12/17 13/21 17/21 18/15 | inmate [1] 44/10 |
| himself [10] 10/10 13/2 16/3 | 23/7 29/5 29/14 $33 / 21$ 33/21 | inmates [3] $43 / 24$ 44/3 44/18 |
| 16/6 23/4 38/21 38/25 42/11 | 34/15 36/23 | innocent [2] 24/25 27/15 |
| 51/2 52/7 | Howard [1] 15/3 | inquired [1] 31/17 |
| Hines [2] 1/18 3/9 | Howard County [1] 15/3 | insists [1] 32/22 |
| his [129] 3/19 7/18 8/1 8/2 | however [1] 52/11 | instance [3] 15/6 23/25 24/1 |
| $\begin{array}{llllll}\text { 9/15 } & 9 / 16 & 9 / 24 & 10 / 12 & 10 / 18\end{array}$ | human [2] 42/5 42/8 | instead [1] 22/25 |
| $\begin{array}{lllll}10 / 18 & 11 / 10 & 11 / 22 & 12 / 17 & 12 / 19\end{array}$ | hundred [1] 16/10 | instilled [1] 32/11 |
| $\begin{array}{lllll}13 / 2 & 15 / 5 & 15 / 9 & 15 / 14 & 16 / 16\end{array}$ | hundreds [7] 9/21 10/8 16/10 | integrity [2] 22/15 22/22 |
| 16/20 17/19 19/8 20/20 21/25 | 16/16 24/11 27/12 50/4 | intending [1] 25/12 |

J.J [4] 31/10 33/2 33/11 34/9 killed [2] 7/16 21/1

 13/21 14/1
investigations [1] 24/3
involve [1] 52/7
involved [11] $7 / 19$ 7/24 9/11
31/23 32/9 35/18 42/24 51/4
51/23 52/1 52/5
involvement [2] 24/4 39/3
involves [1] 41/18
involving [1] 53/14
iPhones [2] 17/16 44/25
is [122] $3 / 7 \quad 3 / 10 \quad 3 / 16 \quad 5 / 22 \quad 6 / 7$ 6/8 6/17 6/20 6/22 6/22 7/9 7/15 7/25 8/10 8/23 9/7 9/7 $\begin{array}{llll}9 / 22 & 11 / 1 & 11 / 6 & 11 / 20 \\ 11 / 22 & 12 / 1\end{array}$ 13/21 14/10 14/12 14/22 15/14 $\begin{array}{lllll}15 / 19 & 15 / 20 & 16 / 11 & 16 / 13 & 17 / 6\end{array}$ 17/7 18/3 19/20 20/22 21/11 21/23 21/23 22/13 22/13 22/14 22/18 23/24 24/2 24/8 24/20 24/20 24/25 25/1 25/3 25/4 25/24 26/8 26/10 27/2 27/6 27/17 28/9 28/21 28/22 29/8 29/10 29/10 29/23 30/7 30/18 $\begin{array}{lllll}31 / 13 & 32 / 25 & 32 / 25 & 35 / 6 & 35 / 24\end{array}$ 36/12 36/24 36/25 37/18 38/8 $\begin{array}{llllll}38 / 10 & 38 / 11 & 38 / 22 & 39 / 3 & 40 / 17\end{array}$ $\begin{array}{llllll}40 / 23 & 42 / 3 & 42 / 4 & 42 / 11 & 42 / 14\end{array}$ $\begin{array}{llllll}42 / 18 & 43 / 5 & 43 / 7 & 43 / 10 & 43 / 21\end{array}$ $\begin{array}{llllll}44 / 21 & 45 / 2 & 45 / 3 & 45 / 7 & 45 / 9 & 45 / 16\end{array}$ 46/9 46/24 47/25 48/19 48/23 $\begin{array}{llllll} & 48 / 23 & 49 / 7 & 50 / 15 & 50 / 22 & 52 / 6\end{array}$ 53/5 53/7 53/8 53/11 53/14 53/15 53/17 53/19 54/10 54/14 55/1 55/5 56/6
isn't [4] 21/11 23/8 42/2 42/6 isolation [1] 44/19
issue [1] 52/18
issued [2] 17/15 17/22
it [100] 4/4 4/6 5/24 6/20 8/1
$\begin{array}{lllll}8 / 18 & 10 / 18 & 10 / 19 & 10 / 20 & 13 / 1\end{array}$
$\begin{array}{llllll}13 / 2 & 13 / 15 & 13 / 17 & 13 / 23 & 13 / 24\end{array}$ 15/1 15/9 15/20 17/7 17/10 $\begin{array}{lllll}18 / 14 & 18 / 16 & 18 / 20 & 18 / 21 & 19 / 8\end{array}$ 19/10 19/20 20/2 20/13 20/14 20/22 21/7 21/11 21/11 22/9 $\begin{array}{lllll}22 / 9 & 22 / 10 & 22 / 14 & 22 / 19 & 22 / 20\end{array}$ 22/24 23/3 23/4 23/4 23/5 23/15 $\begin{array}{lllll}23 / 18 & 23 / 21 & 24 / 20 & 24 / 25 & 25 / 1\end{array}$ 25/15 26/17 26/19 27/11 27/11 27/12 28/20 28/25 29/3 29/6 29/8 29/10 29/11 29/15 29/23 36/21 38/13 38/15 38/18 40/17 $\begin{array}{llllll} & 41 / 1 & 41 / 12 & 41 / 14 & 42 / 6 & 43 / 10\end{array}$ 44/5 44/16 44/23 44/24 44/25 44/25 44/25 45/3 45/7 45/9 $\begin{array}{lllll}45 / 11 & 46 / 10 & 46 / 17 & 47 / 2 & 47 / 7\end{array}$ 47/21 47/22 48/1 50/14 50/18 51/23 53/18 53/24 54/11
it's [18] 5/12 8/21 25/5 25/7
25/8 25/8 25/21 28/19 40/13
40/15 40/21 41/18 42/14 43/8 45/18 47/6 47/6 47/7
items [1] 5/13
its [1] 9/22
itself [2] $46 / 25 \quad 53 / 13$
J. [1] 1/17
J.C [1] 15/24

## J

$47120 \quad 52 / 8$ 53/2 53/3


35/9
James [2] 28/9 30/20
James Madison [1] 30/20
James O'Quinn [1] 28/9
January [1] 31/14
January 2017 [1] 31/14
Jared [2] 2/9 3/12
Jared Stern [1] 3/12
$\begin{array}{llllll}\text { JENKINS [106] } & 1 / 5 & 3 / 8 & 3 / 16 & 3 / 18\end{array}$
5/7 7/19 7/24 8/5 8/14 8/24
$\begin{array}{lllll}9 / 10 & 9 / 14 & 11 / 3 & 11 / 20 & 11 / 25 \\ 12 / 8\end{array}$ $\begin{array}{lllll}12 / 19 & 12 / 19 & 12 / 23 & 12 / 23 & 13 / 7\end{array}$
$\begin{array}{lllll}13 / 11 & 14 / 23 & 15 / 4 & 15 / 17 & 15 / 18\end{array}$
$\begin{array}{lllll}15 / 20 & 16 / 2 & 16 / 15 & 16 / 19 & 16 / 23\end{array}$ $17 / 1$ 17/2 17/19 18/3 18/10 $\begin{array}{lllllllll}18 / 12 & 18 / 18 & 19 / 5 & 19 / 6 & 19 / 11\end{array}$ 19/22 20/6 20/10 20/13 20/18 20/19 21/3 24/6 24/17 26/5 26/20 26/23 26/24 28/3 28/16 $31 / 8 \quad 31 / 15 \quad 31 / 20 \quad 32 / 5 \quad 32 / 11$ $\begin{array}{lllllllll}32 / 15 & 33 / 9 & 33 / 15 & 33 / 21 & 33 / 25\end{array}$ $35 / 2$ 35/6 38/11 38/15 38/20 39/1 39/4 39/6 39/19 39/22 40/3 40/12 40/20 40/24 41/1 41/5 41/6 41/8 42/11 42/21 43/5 $\begin{array}{llllll}43 / 11 & 43 / 13 & 43 / 17 & 44 / 8 & 44 / 15\end{array}$ $44 / 17$ 45/13 $45 / 16$ 49/9 49/14
49/25 50/8 50/25 51/19 52/10 52/19 52/25 53/8 55/17
Jenkins' [12] 5/13 10/3 10/13 20/21 34/23 41/12 42/17 43/23
44/6 44/11 49/5 54/5
Jensen [2] 2/6 3/10
jeopardizing [1] 9/24
job [4] 19/7 33/20 47/2 50/12 John [3] $2 / 8$ 3/11 $38 / 7$
John Barrymore [1] 38/7
journeyman's [1] 35/14
judge [2] 1/12 50/19
judges [1] 13/9
judgment [5] 20/25 42/15 42/16 42/18 43/7
July [1] 56/11
June [2] 1/9 18/7
junior [1] 22/4
jury [2] 10/17 50/19
just [34] 3/25 4/5 4/13 4/16 $4 / 19$ 4/23 $5 / 2 \quad 5 / 7$ 5/20 6/14 $7 / 7$ $\begin{array}{llll}7 / 8 & 7 / 12 & 10 / 6 & 11 / 3 \\ 11 / 17 & 18 / 18\end{array}$ 21/21 22/21 26/16 27/7 29/9 $\begin{array}{llllll}29 / 12 & 30 / 5 & 39 / 25 & 41 / 11 & 41 / 12\end{array}$ 43/3 45/19 48/9 49/21 52/16 55/9 55/24
justice [4] 13/5 24/16 27/19 50/19
justification [1] 41/19
justified [1] 50/5
justify [2] 19/25 26/23
justly [1] 52/23

## K

K.J [3] 31/8 33/1 34/9
keep [4] $8 / 19$ 8/19 13/16 $21 / 16$
keeps [1] 40/11
kept [2] 13/1 16/6
Kevin [2] 2/7 3/13
Kevin Bodmer [2] 2/7 3/13
key [1] 12/19
kids [1] 29/20
3
kind [49 17/9 $19 / 4$ 21/11 41/18
kindergarten [4] $30 / 24 \quad 31 / 9$ 31/10 33/6
kinds [1] 49/23
kiss [1] 8/17
$\begin{array}{lllll}\text { knew [4] } & 18 / 14 & 21 / 7 & 33 / 21 & 44 / 10\end{array}$
knit [1] 33/3
know [19] 4/4 6/10 6/25 8/24 $\begin{array}{llll}10 / 25 & 18 / 12 & 25 / 10 & 25 / 13 \\ 28 / 21\end{array}$ 29/23 34/5 37/17 37/21 38/1 40/6 46/20 47/7 48/8 50/1 knowing [1] 40/13
$\begin{array}{llllll}\text { known }[5] & 28 / 17 & 30 / 6 & 31 / 8 & 39 / 1\end{array}$ 39/2
knows [4] $4 / 12 \quad 37 / 5 \quad 38 / 20 \quad 48 / 8$
Kraft [5] 30/11 30/18 32/22 34/21 40/23
Kristy [10] $31 / 22 \quad 33 / 1 \quad 34 / 2$ 34/8 36/14 36/17 36/25 37/15 47/9 48/3

## L

lack [1] 50/14
laid [3] 4/14 11/20 15/14
Lappin [2] 43/18 43/24
large [2] 12/11 25/7
$\begin{array}{lllll}\text { largest [3] } & 11 / 7 & 11 / 9 & 16 / 12\end{array}$
last [3] 8/17 34/22 35/15
late [2] 10/14 43/8
later [8] 7/23 8/16 15/18 $16 / 25$
19/3 39/23 40/10 44/15
law [16] 11/11 11/16 13/16
16/12 22/18 23/19 23/23 23/25
24/2 24/14 43/20 49/16 49/18
49/18 50/20 52/16
law enforcement [4] 13/16 16/12 43/20 50/20
lawns [1] 43/1
$\begin{array}{lllll}\text { lead [4] } & 15 / 4 & 22 / 17 & 43 / 10 & 44 / 3\end{array}$
leadership [6] 13/13 22/6 22/8
22/17 22/23 26/7
leading [2] 13/13 20/19
leads [1] 20/9
learn [2] 30/7 43/7
learned [14] $13 / 15$ 13/20 $14 / 1$
14/4 15/25 16/12 16/15 17/10
17/14 17/25 20/17 24/25 40/20
45/5
least [7] 9/14 $9 / 15$ 15/16 $18 / 8$
20/7 22/22 43/11
leave [2] 34/2 39/17
leaving [1] 18/10
led [9] 9/10 11/5 11/8 14/24
15/20 18/4 21/13 22/9 24/18
left [3] 8/23 34/17 55/7
length [2] 13/1 13/13
lengthy [4] 23/12 23/12 23/12 51/11
leniency [1] 28/15
Leo [2] 1/17 3/9
Leo J. Wise [1] 1/17
Leo Wise [1] 3/9
less [2] 41/22 43/21
lessons [1] 45/5
let [8] 3/21 5/20 6/10 13/6
38/20 38/21 38/21 49/3
$\begin{array}{lllll}\text { letters [6] } & 3 / 23 & 35 / 22 & 39 / 9\end{array}$
42/19 45/13 51/8
level [1] 5/22
levels [1] 44/19
$\qquad$


[^0]$\qquad$

$\qquad$







$\qquad$



<br>,







license [1] 35/14
lied [2] 9/23 14/16
life [16] 7/18 7/25 10/18 11/1 $\begin{array}{lllll}25 / 5 & 34 / 15 & 36 / 20 & 42 / 8 & 44 / 22\end{array}$ 45/5 45/9 46/15 46/25 47/9 47/18 51/5
light [2] 54/6 55/17
like [33] 3/5 6/11 6/25 7/2 10/5 10/14 11/5 17/19 19/17 21/17 21/18 21/21 24/10 26/20 $\begin{array}{lllll}27 / 12 & 27 / 12 & 28 / 2 & 28 / 21 & 28 / 25\end{array}$ $\begin{array}{lllll}29 / 1 & 30 / 5 & 30 / 11 & 34 / 22 & 35 / 21\end{array}$ $36 / 4$ 36/6 36/18 39/5 39/12 41/24 45/16 47/10 51/19
likelihood [2] 43/16 44/2
$\begin{array}{lllll}\text { likely [4] } & 43 / 21 & 44 / 18 & 45 / 2\end{array}$ 49/13
limited [1] 44/6
link [1] 12/13
listening [1] 29/7
literally [1] 48/10
little [4] 7/13 7/14 40/10 43/12
live [2] 19/1 34/5
$\begin{array}{llllll}\text { lives [5] } & 7 / 20 & 10 / 4 & 19 / 2 & 33 / 4\end{array}$ 40/5
living [1] 18/24
Lloyd [4] $33 / 2 \quad 34 / 10 \quad 35 / 2 \quad 35 / 6$
Lloyd Jenkins [2] 35/2 35/6
local [1] 44/1
locally [1] 35/11
locations [1] 20/7
locker [3] $19 / 1119 / 12 \quad 19 / 16$
locusts [1] 19/17
Lombard [1] 1/24
$\begin{array}{lllll}\text { long [7] } & 29 / 9 & 29 / 21 & 36 / 15 & 37 / 22\end{array}$ 43/14 43/15 45/1
longer [6] 7/21 25/11 26/24
29/25 45/2 54/10
longing [1] 38/14
look [2] 21/17 38/13
looked [1] 21/21
looking [2] 27/7 33/20
looting [1] 14/22
losing [2] 48/2 48/9
loss [1] 29/9
lost [5] 29/13 36/23 36/24 37/14 45/20
lot [2] 37/5 37/13
louder [2] 7/13 7/14
love [2] 46/25 47/9
loved [3] $32 / 7$ 38/21 45/20
loves [1] 33/15
loving [3] 33/21 40/5 42/23
low [1] 53/5
loyal [1] 51/6
Lucas [1] 29/12
luxury [1] 9/17
M
M.S [1] 16/9
ma'am [5] 7/6 7/7 30/14 35/2 55/23
made [13] $11 / 22$ 14/16 20/25 22/5 29/3 29/16 30/2 32/12 35/17 39/9 $46 / 15 \quad 48 / 7 \quad 50 / 11$
Madison [1] 30/20

Migdll arize
middle-class [1] 35/25
might [7] $17 / 24 \quad 18 / 7 \quad 18 / 8 \quad 18 / 16$
34/18 42/9 42/10 42/11 45/17
46/16 48/1 54/18
makes [2] 12/1 23/15
male [1] $32 / 8$
$\operatorname{man}[12] \quad 15 / 22 \quad 21 / 5 \quad 28 / 21 \quad 30 / 3$ $30 / 7 \quad 33 / 1 \quad 37 / 19 \quad 38 / 8 \quad 39 / 6 \quad 39 / 6$ 39/10 46/14
manner [1] 40/14
manners [1] 32/12
many [14] $18 / 2$ 29/5 32/23 $33 / 15$ $\begin{array}{llllll}38 / 18 & 40 / 21 & 45 / 3 & 45 / 12 & 46 / 15\end{array}$
47/3 $47 / 17$ 48/7 $48 / 25 \quad 49 / 21$
March [2] 16/11 17/25
March 22nd [1] 16/11
Margaret [1] 41/20
Margaret Renkl [1] 41/20
marijuana [2] 16/4 52/2
Marine [8] 36/4 37/9 39/12 46/9 46/10 46/12 46/13 48/6
Marine Corps [4] 39/12 46/12 46/13 48/6
Marines [1] 46/10
married [4] 30/19 35/8 40/3 40/4
Marsh [1] 31/3
$\begin{array}{lllll}\text { MARYLAND [5] } & 1 / 1 & 1 / 10 & 1 / 25 & 39 / 4\end{array}$ 45/24
Master's [1] 30/22
math [1] 31/25
matter [5] $11 / 1$ 15/21 29/5 56/4 56/7
matters [2] 21/4 41/23
$\begin{array}{llll}\text { Matthews [6] 20/9 20/16 } & 20 / 23\end{array}$ 24/21 24/22 24/24
maximum [1] 53/9
may [12] $7 / 3 \quad 7 / 4 \quad 14 / 18 \quad 15 / 16$ 27/22 43/23 43/25 50/3 50/3 54/10 54/13 55/2
May 11th [1] 15/16
maybe [2] 18/15 18/16
McGuinness [1] 2/4
me [28] 3/21 5/20 6/10 8/13 $\begin{array}{lllll}10 / 23 & 28 / 20 & 28 / 24 & 28 / 25 & 29 / 7\end{array}$ 30/2 32/13 32/22 32/23 36/25 37/3 37/4 39/6 40/21 46/21 $\begin{array}{llll}46 / 22 & 47 / 6 & 47 / 12 & 48 / 4 \\ 48 / 14\end{array}$ 49/3 51/13 53/24 54/18
mean [4] $17 / 18 \quad 40 / 9 \quad 40 / 11 \quad 41 / 12$
means [4] 38/13 38/15 38/18 44/6
measure [2] 10/12 10/13
media [2] 43/25 44/1
Melissa [1] 2/4
Melissa McGuinness [1] 2/4
$\begin{array}{llll}\text { member [4] } & 14 / 20 & 22 / 4 & 42 / 23\end{array}$ 42/25
members [8] $11 / 8$ 14/23 $17 / 2$ 19/16 21/12 21/20 23/2 24/6
memo [1] 3/22
memorandum [1] 45/14
$\begin{array}{lllll}\text { men [14] } & 10 / 10 & 14 / 7 & 15 / 12 & 18 / 20\end{array}$ 20/11 20/14 20/24 21/7 21/8 22/10 24/17 25/2 27/15 50/12
mental [2] 47/6 55/4
mention [2] 3/22 29/8
mentioned [2] 3/20 44/8
mess [1] 42/5
message [3] 23/8 25/16 52/21
microphone [2] 7/12 45/19

40/23 43/13 44/2
miles [1] 33/4
military [1] 39/17
millimeter [1] 21/22
million [4] 9/18 $9 / 19$ 12/22
12/24
mind [1] 45/8
mine [1] 30/2
minute [1] 46/8
misconduct [4] 17/12 22/18
51/21 52/13
misdemeanors [1] 53/23
miss [5] 7/21 8/15 8/22 47/14 47/15
missing [1] 37/17
mistake [3] $42 / 4 \quad 42 / 9 \quad 46 / 16$
mistakes [4] 30/7 36/7 46/15
48/7
mitten [1] 32/17
mittens [1] $32 / 17$
model [1] 32/8
modifications [2] 4/1 4/9
modified [1] 5/2
Mom [1] 46/25
moment [2] $21 / 12 \quad 27 / 7$
$\begin{array}{lllll}\text { money [15] } & 12 / 25 & 13 / 1 & 13 / 2 & 17 / 4\end{array}$
19/17 25/4 25/7 25/8 25/8 25/9
41/11 49/8 49/10 50/9 50/10
monitor [1] 17/12
months [5] 5/23 15/21 31/13
31/14 53/11
moral [1] 36/5
more [14] 7/25 8/18 9/16 9/18
17/4 22/6 25/11 25/12 28/22
29/1 40/7 $46 / 25 \quad 50 / 11 \quad 51 / 22$
$\begin{array}{llllll}\text { morning }[16] & 3 / 3 & 3 / 15 & 3 / 17 & 7 / 10\end{array}$
7/11 7/15 8/8 8/9 9/13 14/18
26/3 28/7 28/8 30/16 35/4 35/5
most [10] 9/24 19/20 23/13
23/21 24/8 24/9 37/17 37/18
49/12 50/1
mostly [1] 47/4
mother [3] 8/12 33/6 36/1
move [1] 28/25
moved [3] $17 / 25 \quad 32 / 9 \quad 36 / 10$
moves [1] 55/12
Moving [3] $15 / 23 \quad 15 / 25 \quad 16 / 8$
mow [1] 43/1
Mr. [74] 3/5 3/18 $3 / 23$ 3/25 4/4
$\begin{array}{lllllll}4 / 22 & 5 / 7 & 5 / 7 & 5 / 13 & 6 / 1 & 8 / 5 & 8 / 14\end{array}$
8/24 9/4 9/9 9/10 10/13 20/19
20/22 27/21 27/25 28/3 28/5
$\begin{array}{llllll}31 / 15 & 31 / 20 & 32 / 5 & 32 / 11 & 34 / 23\end{array}$
35/16 38/5 39/19 39/22 40/3
41/6 41/8 $41 / 12 \quad 42 / 11 \quad 42 / 17$
43/11 43/17 43/23 43/24 44/6
$\begin{array}{llllll}44 / 8 & 44 / 11 & 44 / 15 & 44 / 17 & 45 / 11\end{array}$
45/13 45/14 45/16 45/23 46/2
48/14 49/5 49/9 49/14 49/25
50/8 50/17 50/25 51/19 51/19
51/22 52/6 52/10 52/10 52/19
52/25 53/8 53/25 54/5 54/15
55/17
Mr. Allers [4] 51/19 51/22 52/6 52/10
Mr. Allers' [1] 50/17
Mr. Davis [3] 9/9 20/19 20/22
Mr. Jenkins [35] 3/18 5/7 8/5

| M | 33/23 41/19 | Officers [10] 13/19 20/18 22/16 |
| :---: | :---: | :---: |
| M |  | $49 \mathrm{~F} 6^{6} 50 / 6 \chi^{0 / 20} 50 / 20$ |
| Jenkins | news [1] 43/23 20 ded | $52 / 21{ }^{5} / 16$ |
| $\begin{array}{lllllllll}9 / 10 & 28 / 3 & 31 / 15 & 31 / 20 & 32 / 5\end{array}$ | next [1] 54/21 | official [3] 1/24 43/22 56/11 |
| 32/11 39/19 39/22 40/3 41/6 | nexus [1] 44/3 | Officials [1] 43/20 |
| 41/8 42/11 $43 / 11 \quad 43 / 17$ 44/8 | night [6] 8/17 $10 / 14$ 10/25 19/2 | Often [2] 29/7 29/20 |
| $\begin{array}{lllllll}44 / 15 & 44 / 17 & 45 / 13 & 45 / 16 & 49 / 9\end{array}$ | 34/1 40/12 | $\begin{array}{llllllll}\text { Okay } & {[11]} & 3 / 14 & 4 / 4 & 5 / 16 & 6 / 3 & 7 / 9\end{array}$ |
| 49/14 49/25 50/8 50/25 51/19 | Night, [1] 38/7 | 7/14 8/21 9/1 $48 / 18$ 48/22 $55 / 16$ |
| 52/10 52/19 52/25 53/8 55/17 | nights [3] 31/24 31/25 36/15 | Old [9] 30/19 30/19 31/13 31/14 |
| Mr. Jenkins' [10] 5/13 10/13 | no [28] $1 / 4$ 1/5 $4 / 3$ 4/10 7/20 | 35/8 38/8 38/11 46/20 47/15 |
| 34/23 41/12 42/17 43/23 44/6 | 7/21 7/25 8/18 18/25 20/11 | Older [1] 37/9 |
| 44/11 49/5 54/5 | 22/14 22/21 23/6 24/3 24/3 | oldest [1] 31/8 |
| Mr. Lappin [1] 43/24 |  | once [3] 27/11 33/7 46/9 |
| Mr. Levin [10] 3/23 4/4 5/7 6/1 | 47/23 48/21 50/3 51/2 51/3 | One [16] 5/9 6/7 9/15 10/9 11/3 |
| 27/25 35/16 38/5 45/11 45/14 | 51/25 54/19 55/15 | 13/13 14/11 14/20 18/25 27/8 |
| 54/15 | No. [2] 3/8 53/12 | 34/22 40/20 45/8 46/11 47/18 |
| Mr. O'Quinn [1] 28/5 | nominated [1] 31/2 | 53/16 |
| Mr. Umar [1] 45/23 | none [4] $12 / 8$ 36/10 $51 / 12 \quad 51 / 13$ | one-year [1] 53/16 |
| Mr. Umar Burley [2] 46/2 48/14 | NORTHERN [1] 1/2 | ones [3] 22/16 38/21 45/21 |
| ```Mr.Wise [6] 3/5 3/25 4/22 9/4 27/21 53/25``` | ```not [63] 4/18 5/1 5/9 5/19 6/3 6/16 6/22 8/1 10/11 11/24 13/11``` | $\left\lvert\, \begin{array}{cccccc} \text { only }[19] & 4 / 10 & 6 / 7 & 8 / 22 & 11 / 24 \\ 13 / 11 & 13 / 23 & 14 / 18 & 15 / 9 & 15 / 21 \end{array}\right.$ |
| $\begin{array}{lllllll}\text { Ms. [8] } & 8 / 7 & 9 / 3 & 10 / 5 & 10 / 5 & 32 / 22\end{array}$ | $\begin{array}{llllll}13 / 13 & 14 / 10 & 14 / 12 & 14 / 13 & 14 / 13\end{array}$ | $\begin{array}{llllll}19 / 19 & 22 / 17 & 23 / 17 & 31 / 17 & 32 / 18\end{array}$ |
| 34/21 42/1 46/23 | 14/15 14/24 20/24 21/2 21/2 |  |
| Ms. Davis [3] 8/7 9/3 46/23 | 22/3 22/4 22/9 22/9 22/9 22/17 | open [1] 17/5 |
| Ms. Delores Davis [1] 10/5 | 23/17 25/8 25/8 25/14 $25 / 15$ | opened [2] 15/7 |
| Ms. Kraft [2] 32/22 34/21 | 27/17 28/21 29/9 29/9 31/17 | operate [2] 22/12 25/17 |
| Ms. Renkl [1] 42/1 | $\begin{array}{lllllll}32 / 18 & 35 / 21 & 36 / 23 & 38 / 8 & 38 / 10\end{array}$ | opportunity [1] 48/2 |
| Ms. Shirley Davis [1] 10/5 | $\begin{array}{lllllllll}\text { 40/14 } & 40 / 24 & 41 / 11 & 41 / 12 & 41 / 18\end{array}$ | opposed [1] 17/24 |
| much [9] 8/15 8/24 14/2 33/15 | $\begin{array}{lllllllllll} & 42 / 18 & 43 / 5 & 45 / 3 & 45 / 7 & 45 / 22\end{array}$ | opposite [1] 26/16 |
| 38/4 44/17 45/2 45/7 50/11 | 46/18 47/14 49/12 49/18 50/3 | Order [3] 17/23 19/24 54/2 |
| multiple [2] 12/5 21/14 | 52/6 52/8 53/7 53/24 54/10 55/7 | Oreese [2] 16/11 20/4 |
| musical [1] 31/23 | note [1] 32/4 | Oreese Stevenson [1] 16/11 |
| must [3] 51/10 52/15 52/21 | nothing [3] 21/18 26/15 46/17 | Oreese Stevenson's [1] 20/4 |
| my [73] 3/16 7/9 7/15 7/16 7/17 | noting [1] 55/20 | origin [1] 38/12 |
| 7/22 7/24 8/1 8/10 8/12 8/12 | notwithstanding [1] 44/11 | original [1] 55/13 |
| 8/15 8/16 8/17 8/22 8/24 10/21 | now [7] 7/20 10/22 18/16 36/25 | other [19] 5/9 12/2 12/8 13/4 |
| 10/23 10/24 28/9 28/20 28/24 | 41/21 44/21 55/10 | 14/23 16/20 17/2 17/3 19/6 |
| 28/25 29/2 29/3 29/6 29/19 | number [4] $3 / 19$ 3/23 28/2 50/1 | 19/16 20/18 23/9 24/6 24/17 |
| $\begin{array}{llllll}29 / 19 & 30 / 2 & 30 / 18 & 30 / 22 & 31 / 9\end{array}$ | numbers [2] 3/20 19/23 | 32/10 $36 / 10 \quad 39 / 17$ 44/18 $51 / 3$ |
| 31/10 33/6 33/8 33/10 33/11 | numerous [2] 42/18 42/19 | Others [6] 34/18 39/6 39/8 |
| 33/11 33/12 33/14 33/24 35/2 | nurse [1] 32/19 | 49/10 49/25 52/11 |
|  | 0 | others' [2] 20/4 49/6 |
| 35/21 35/24 36/23 36/24 37/21 |  | our [23] 7/20 7/21 8/3 13/9 |
| 45/21 46/8 46/11 46/15 46/18 | -'clock [2] 14/17 14/19 | 13/10 13/10 25/13 29/21 31/20 |
| 46/24 46/24 46/25 47/2 47/2 | O'Quinn [2] 28/5 28/9 |  |
| 47/6 47/7 47/9 47/11 47/12 | oath [2] 49/16 49/20 |  |
| 47/13 47/14 $47 / 15$ 47/18 $47 / 24$ | oaths [1] 52/22 | 48/24 49/22 50/18 52/2 |
| 48/1 | object [1] 5/1 | Ourselves [2] 42/10 42/10 |
| myself [3] 8/19 35/22 46/22 | objections [4] 4/10 4/13 4/13 | out [25] 4/14 5/10 5/17 7/23 |
| N | 5/19 | $\begin{array}{lllllllllll}8 / 14 & 11 / 20 & 15 / 14 & 19 / 10 & 19 / 15\end{array}$ |
| name [10] 7/8 7/9 8/10 28/9 | objective [1] obtained [1] 17/13 | $\begin{array}{lllll} 21 / 10 & 23 / 5 & 24 / 11 & 24 / 15 & 26 / 12 \\ 29 / 19 & 29 / 21 & 32 / 23 & 34 / 17 & 36 / 15 \end{array}$ |
| 30/14 30/17 30/18 34/25 35/6 | obtaining [1] 9/16 | 46/3 $46 / 5$ 48/15 $49 / 12$ 53/4 $55 / 7$ |
| 37/13 | Obviously [9] 6/7 25/25 26/6 | Outrageous [1] 41/22 |
| name's [1] 35/2 | 26/25 47/5 48/23 49/7 49/21 | Outstanding [3] $31 / 4 \quad 55 / 9$ 55/15 |
| Nancy [1] 18/1 | 50/24 | Over [9] $12 / 5$ 16/15 $19 / 15$ 35/15 |
| Nancy Hamilton [1] 18/1 | occasions [1] 7/21 | 38/16 $38 / 18$ 45/25 45/25 47/20 |
| narcotics [1] 25/6 | occur [1] 24/3 | oversaw [1] 9/20 |
| nature [5] 11/12 21/23 42/7 | occurred [1] 16/1 | overshadowed [1] 43/4 |
| 49/4 50/23 | occurs [1] 53/24 | overtime [9] 9/20 14/21 14/22 |
| nearly [3] 9/17 14/2 30/6 | Off [5] 12/20 14/12 14/15 17/21 | 19/25 26/13 26/15 26/18 50/8 |
| necessary [3] 27/18 29/25 42/6 | 36/14 | 52/5 |
| $\begin{array}{lllll}\text { need [4] } \\ \text { 51/18 } & 11 / 15 & 11 / 18 & 43 / 25\end{array}$ | offenders [2] 43/21 44/4 <br> offense [8] 5/22 11/12 11/16 | $\begin{array}{llll}\text { Overwhelming } & {[1]} & 38 / 15 \\ \text { Own [3] } & 29 / 7 & 50 / 21 & 51 / 5\end{array}$ |
| negatives [1] 43/4 | 23/10 42/2 49/4 50/23 52/16 |  |
| neighbors [1] 43/2 | offenses [1] 39/3 | P |
| nervous [1] 28/13 | Office [2] 23/14 24/21 | pain [5] $40 / 8$ 40/9 40/11 $44 / 8$ |
| netted [1] 9/19 | Officer [13] $2 / 4$ 2/5 2/9 $7 / 19$ | 56/2 |
| never [12] 8/3 $10 / 6$ 18/25 18/25 | 7/24 18/6 23/15 23/16 32/3 | pain: [1] 37/6 |
| $\begin{array}{lllllll}29 / 16 & 34 / 11 & 36 / 14 & 42 / 9 & 43 / 8\end{array}$ | 44/10 50/25 54/9 54/12 | pain: his [1] 37/6 |
| 47/1 47/17 51/21 | Officer Jared Stern [1] 2/9 | pangs [1] 43/8 |
| new [6] 18/15 18/16 29/1 $29 / 12$ | Officer Jenkins [2] 7/19 7/24 | parent [2] 31/16 32/6 |

parent-teacher
$\begin{array}{llll}\text { parents [7] 31/22 } & 33 / 2 & 33 / 5\end{array}$
34/9 36/18 37/6 42/25
parents' [3] 33/18 $36 / 11$ 47/15
part [6] 11/22 22/22 29/10
33/20 42/7 52/12
part-time [1] 33/20
participate [2] 42/4 54/25
participation [1] 51/13
particularly [2] 22/16 54/6
parts [3] 24/12 47/6 51/16
passenger [1] 46/1
past [5] $10 / 142 / 14 \quad 42 / 17 \quad 43 / 7$ 43/8
Pat [2] 46/11 48/5
patrolman [1] 22/3
pause [1] 18/8
pay [1] 37/22
peeks [1] 20/3
penalties [1] 37/18
people [25] 7/1 10/13 $13 / 5$ 13/8 $\begin{array}{lllll}17 / 18 & 17 / 22 & 18 / 5 & 18 / 21 & 19 / 23\end{array}$ $\begin{array}{llllll}24 / 13 & 24 / 14 & 24 / 14 & 25 / 14 & 25 / 18\end{array}$
34/16 $37 / 5$ 47/5 47/18 $49 / 8$
$\begin{array}{lllll} & 49 / 10 & 49 / 12 & 49 / 22 & 51 / 3\end{array} 51 / 9$
52/8
people's [2] 20/5 26/20
perfect [1] 42/10
perfectly [1] 5/12
performance [1] 31/18
perhaps [1] 43/11
period [3] $52 / 17 \quad 53 / 3 \quad 53 / 17$
permit [1] 54/6
$\begin{array}{lllll}\text { person [4] } & 7 / 16 & 17 / 8 & 34 / 22 & 42 / 1\end{array}$
person's [1] 51/16
personal [5] 30/1 40/1 51/5
51/16 52/25
perspective [1] 28/22
perspectives [1] 48/24
perverted [1] 13/5
phenomenon [1] 14/12
phrase [2] 20/3 21/16
physical [2] 40/9 44/8
picture [1] 35/24
piece [1] 41/20
place [2] 38/8 40/17
plainclothes [2] $11 / 4$ 13/14
Plaintiff [2] 1/3 1/16
plant [2] 21/19 26/21
planted [4] $9 / 8 \quad 20 / 13 \quad 46 / 4$ 48/15
planting [1] 20/10
played [2] 15/7 19/23
playing [1] 47/6
plea [11] 3/19 5/11 5/18 6/8
6/20 11/22 19/20 26/25 27/4
53/1 55/17
plead [1] 41/6
pleas [1] 12/4
$\begin{array}{llllll}\text { please [6] } & 3 / 4 & 28 / 6 & 30 / 14 & 30 / 17\end{array}$ 32/13 34/25
pled [4] 38/23 41/8 51/14 $52 / 12$
plenty [1] 5/10
podium [2] 7/6 7/7
point [2] 15/10 22/5
pointed [1] 49/12
$\begin{array}{llll}\text { points [3] } & 12 / 3 & 13 / 15 & 13 / 20\end{array}$
poison [2] 52/2 52/4
$\begin{array}{llllll}\text { police }[30] & 2 / 8 & 2 / 9 & 3 / 12 & 3 / 13\end{array}$ $\begin{array}{lllllll}9 / 10 & 9 / 23 & 10 / 8 & 11 / 4 & 13 / 18 & 14 / 6\end{array}$
pumpkin [1] 31/21

$\begin{array}{lllll}\text { punishment [3] } & 11 / 17 & 52 / 17 & 53 / 3\end{array}$ pursue [1] 32/3
put [9] 10/10 12/23 22/16 26/11 $\begin{array}{lllll}42 / 14 & 47 / 2 & 49 / 10 & 51 / 2 & 52 / 7\end{array}$ putting [1] 52/2

## $Q$

$\begin{array}{lllll} \\ \text { quantities } & \text { [3] } & 12 / 11 & 12 / 12 & 25 / 7\end{array}$
quarter [2] 9/19 12/24
question [2] 51/25 54/22
questioned [1] 31/19
questions [1] 10/24
quite [2] 38/10 49/1

## R

racked [1] 38/22
racketeering [1] 53/10
$\begin{array}{lllll}\text { raised [4] } & 5 / 4 & 36 / 2 & 36 / 21 & 36 / 21\end{array}$
raising [1] 47/24
ran [1] 19/22
range [6] 5/21 5/23 6/6 16/9
27/1 27/4
rather [2] 41/13 52/13
$\begin{array}{lllll}\text { Rayam [4] } & 13 / 21 & 18 / 14 & 18 / 22\end{array}$
26/18
RDAP [2] 54/22 55/3
RDAP program [2] 54/22 55/3
RDR [3] $1 / 23$ 56/5 56/9
$\begin{array}{lllll}\text { read [4] } & 4 / 4 & 42 / 20 & 47 / 17 & 47 / 20\end{array}$
readily [1] 33/24
reading [8] $10 / 21 \quad 31 / 25 \quad 42 / 1$
42/6 43/20 43/24 47/21 47/22
ready [1] 20/23
real [1] 21/17
realize [1] 34/14
realized [2] 39/20 40/2
$\begin{array}{llllll}\text { really }[4] & 12 / 1 & 19 / 5 & 24 / 12 & 46 / 9\end{array}$
Realtime [1] 56/10
reasons [2] 27/6 27/16
recall [1] 38/23
receive [3] $34 / 3 \quad 45 / 3 \quad 45 / 13$
$\begin{array}{llll}\text { received [4] } & 3 / 22 & 26 / 1 & 30 / 22\end{array}$ 31/3
receiving [1] 20/14
recent [3] 9/25 24/9 50/1
recognize [1] 54/15
recognizes [1] 49/14
recognizing [1] 53/2
recommend [2] 54/25 55/4
recommendation [4] 6/25 23/13
27/2 54/14
recommendations [1] 54/17
recommends [1] 54/9
$\begin{array}{llllll}\text { record }[7] & 4 / 5 & 4 / 23 & 17 / 16 & 30 / 15\end{array}$
30/17 35/1 56/7
recordings [1] 17/23
records [2] 39/13 53/14
recover [2] 10/6 19/24
$\begin{array}{lllll}\text { recovered [6] } & 19 / 18 & 20 / 12 & 20 / 14\end{array}$
21/7 21/19 21/22
referred [1] 5/7
reflect [5] $11 / 10 \quad 11 / 15 \quad 27 / 14$
27/14 52/15
reflected [3] 39/13 42/19 51/8
reflects [2] 26/1 41/14
refused [1] 16/23
regain [1] 43/13
Registered [1] 56/10
$\begin{array}{llllll}\text { regret [13] } & 38 / 11 & 38 / 12 & 38 / 18\end{array}$
policing [1] 19/21

Polite [1] 33/7
population [1] 24/13
porch [1] 16/23
Port [1] 31/21
ort Discovery [1] 31/21
sition [6] 5/13 13/13 22/6
22/8 23/3 26/7
positive [2] 34/18 51/16
positives [3] 42/19 42/21 43/3
possible [1] 36/18
tentially [1]
practices [1] 19/22
pray [1] 47/25
precise [1] 6/4
present [3] 2/3 25/5 36/22
[11] 3/21 3/24 4/2

5/22 11/21
presents [1] 32/18
presided [1] 12/5
prevent [1] 22/14
previously [1] 18/21
Prince [1] 38/7
prior [2] 35/12 44/11
124 27/15

37/1 4 /14 43/17 $44 / 18$ 51/11
probation [4] 2/4 $2 / 5$ 54/8 4/12
probation officer [3] 2/4 2/5 54/12
problem [4] 17/21 23/7 54/10 54/11
proceeding [3] 6/21 14/11 54/3
proceedings [1] 56/7
proceeds [3] 16/5 16/7 16/25
process [1] 10/22
professional [1] 39/25
27 10/4 23/18 27/10 27/10
program [3] 54/22 55/1 55/3
promote [3] 11/16 11/17 52/16
promotion [1] 23/19
prompted [1] 41/15
proof [1] 51/24
property [1] 33/14
prosecuted [2] 49/24 52/22
prospect [1] 25/20
protect [2] 50/14 51/3
protecting [1] 52/3
proven [1] 12/6
provide [1] 52/16
provided [4] $12 / 13$ 13/9 13/22 15/12
provides [2] 11/11 14/5
providing [1] 54/12
public [3] 27/9 49/15 50/14
public's [1] 23/21
publicity [1] 43/25
pulled [1] 16/15

| R | robberies [7] 9/14 15/15 18/1 | parate [2] 5/13 53/13 |
| :---: | :---: | :---: |
| regret . . . [5] Case |  | September [1] Of $33 / 20$ |
| 43/7 56/2 |  | September 2016 [1] 33/20 |
| regrets [5] 38/8 41/3 41/5 | 16/14 18/1 52/22 | sergeant [19] 2/8 3/11 10/9 |
| 43/10 52/14 | robbing [2] 12/9 18/21 | 15/15 18/15 18/16 20/21 21/3 |
| regrettably [1] 42/17 | role [2] 32/2 32/8 | 22/11 22/13 22/13 23/17 24/6 |
| rehabilitation [1] 41/15 | Ronald [3] 10/14 18/1 18/24 | 24/17 25/25 26/16 39/24 51/14 |
| relationship [1] 30/2 | Ronald Hamilton [2] 10/14 18/24 | 51/19 |
| relative [1] 51/18 | room [2] 18/24 46/21 | Sergeant Allers [3] 22/11 23/17 |
| release [4] 53/18 53/18 54/7 | routinely [2] 11/25 12/25 | 25/25 |
| 55/5 | row [1] 32/2 | Sergeant Jenkins [3] 21/3 24/6 |
| released [2] 24/24 54/11 | rule [1] 23/19 | 24/17 |
| reliance [1] 49/20 | rushed [1] 20/24 | Sergeant Jenkins' [1] 20/21 |
| $\begin{aligned} & \text { rely [3] } 22 / 15 \text { 22/22 } \\ & \text { remains [1] } 40 / 49 \end{aligned}$ | S | Sergeant John Sieracki [2] 2/8 3/11 |
| remarkable [1] 17/7 | safe [5] 15/6 16/21 17/3 17/3 | serious [4] 29/1 50/23 52/9 |
| remorse [3] 38/22 38/24 53/1 | 17/5 | 53/13 |
| Renkl [2] 41/20 42/1 | said [16] 10/8 10/17 14/17 | seriously [1] 51/22 |
| rent [1] 33/14 | 20/13 21/7 22/11 25/3 27/3 | seriousness [3] 11/16 23/10 |
| rented [1] 33/11 | $\begin{array}{llllll}32 / 12 & 37 / 19 & 38 / 7 & 38 / 17 & 38 / 19\end{array}$ | 52/15 |
| replaced [2] 39/17 40/8 | 42/14 46/16 50/17 | serve [3] 37/22 39/12 44/17 |
| report [16] 3/21 3/24 4/2 4/15 | salaries [1] 14/7 | served [1] 39/12 |
| $4 / 17$ 5/2 5/6 5/14 5/18 5/22 | sales [2] 9/18 16/7 | serves [1] 37/24 |
| 9/10 11/21 20/13 21/6 22/19 | same [4] 8/3 34/19 36/18 40/17 | service [2] 37/9 37/10 |
| 52/7 | sapped [1] 9/21 | services [1] 33/24 |
| Reported [1] 1/22 | sat [2] 27/15 45/24 | serving [4] 35/11 39/11 39/19 |
| Reporter [4] 1/24 56/10 56/10 | save [1] 41/11 | 42/21 |
| 56/11 | saw [8] 10/20 16/22 18/9 19/14 | SES [4] 14/24 18/4 20/1 21/12 |
| reports [2] 9/23 10/9 | 21/21 29/6 29/22 29/22 | SES unit [4] 14/24 18/4 20/1 |
| represented [1] 16/3 | say [8] 6/14 7/15 8/5 10/21 | 21/12 |
| request [1] 54/21 | 30/5 45/12 45/17 48/19 | set [3] 5/10 5/17 51/20 |
| required [2] 53/7 53/22 | saying [2] 7/8 18/16 | seven [2] 7/23 31/8 |
| requires [1] 51/23 | school [10] 28/18 31/9 31/11 | severe [2] 25/19 37/18 |
| resilience [1] 29/15 | 31/23 31/25 32/2 32/16 35/12 | shame [2] 38/24 40/19 |
| resources [1] 41/12 | 40/3 42/24 | share [5] 7/20 11/7 11/9 41/24 |
| respect [6] 11/16 23/19 23/25 | schools [1] 9/22 | 56/2 |
| 32/23 33/9 52/16 | Science [1] 30/20 | shared [5] 13/2 16/25 38/24 |
| respectful [2] 31/19 36/19 | seal [2] 4/12 6/17 | 39/14 40/21 |
| respond [1] 32/6 | Sealed [1] 27/24 | she [2] 41/21 42/6 |
| response [3] 42/2 42/3 48/21 | seated [2] 3/4 3/16 | shed [2] 12/19 12/23 |
| responsibility [5] 15/10 22/25 | second [4] 17/18 24/1 25/24 | shelter [1] 32/16 |
| 26/8 41/9 52/12 | 30/24 | shift [1] 34/1 |
| responsible [1] 30/3 | secretaries [1] 32/19 | Shirley [2] 7/9 10/5 |
| responsibly [1] 49/1 | Section [1] 11/8 | Shirley Davis [1] 7/9 |
| rest [3] 8/14 19/2 36/6 | security [1] 44/4 | short [3] 5/2 39/22 44/17 |
| rested [1] 50/7 | see [10] 4/18 8/12 8/16 8/18 | shot [1] 21/17 |
| restituting [1] 54/2 | 19/9 29/19 36/10 46/17 46/21 | should [12] 5/6 11/10 13/6 22/8 |
| restitution [3] 53/24 54/4 54/6 | 54/13 | $\begin{array}{lllllll}24 / 14 & 40 / 14 & 45 / 12 & 46 / 5 & 48 / 15\end{array}$ |
| result [4] 25/2 26/8 44/5 44/13 | seeing [1] 29/18 | 51/17 51/20 52/3 |
| resulted [4] 9/16 20/19 49/25 | seen [4] 8/23 17/12 24/18 29/16 | shovel [1] 43/1 |
| 50/9 | selected [1] 18/19 | shown [1] 16/14 |
| resulting [1] 9/18 | self [1] 41/19 | shows [4] 17/7 28/22 29/11 |
| retired [1] 31/7 | self-justification [1] 41/19 | 36/21 |
| retirement [1] 37/15 | sell [2] 12/21 16/6 | shred [1] 44/21 |
| returned [1] 41/7 | selling [1] 12/10 | siblings [1] 33/2 |
| review [1] 4/6 | senior [2] 48/10 48/11 | sic [1] 45/23 |
| reviewed [2] 3/24 45/12 | sense [1] 17/13 | side [2] 20/8 23/4 |
| ridiculous [1] 18/15 | sent [5] 16/19 23/8 25/16 32/4 | sideline [1] 19/8 |
| right [18] 3/16 3/18 5/16 6/3 | 32/15 | Sieracki [2] 2/8 3/11 |
| 6/23 7/12 9/4 10/22 17/11 30/13 | sentence [21] 11/10 11/15 23/12 | significant [3] 42/18 52/12 |
| 41/14 45/17 $48 / 22$ 49/17 50/3 | 23/12 26/1 26/24 27/17 34/10 | 52/17 |
| 54/15 55/16 55/18 | 37/22 37/25 44/18 44/22 45/2 | significantly [1] 26/24 |
| righting [1] 38/2 | 45/4 47/25 51/11 53/8 53/9 | similarities [2] 26/4 26/6 |
| rights [1] 49/8 | 53/15 55/8 55/18 | simple [1] 28/25 |
| rise [1] 40/18 | sentenced [1] 52/6 | simply [5] 19/23 23/6 23/25 |
| risks [1] 44/4 | sentences [3] 20/15 25/11 53/16 | 24/3 53/3 |
| River [1] 31/4 | sentencing [19] 1/14 3/18 3/22 | sin [1] 34/12 |
| Road [1] 16/2 | 6/15 6/21 6/25 11/19 22/11 23/8 | since [7] $28 / 17$ 31/13 $34 / 13$ |
| rob [3] 18/19 25/18 49/10 | 23/17 25/24 25/24 26/3 27/3 | 37/3 39/1 47/12 51/1 |
| robbed [7] $10 / 14$ 15/24 $18 / 4$ | 27/18 45/14 48/23 50/18 54/3 | sincere [1] 42/12 |
| 18/23 23/18 25/10 25/14 | sentencings [1] 23/9 | sinful [1] 42/7 |


| S | 11/8 | 51/5 |
| :---: | :---: | :---: |
|  |  | quff fraiot 6 ] of z\%/17 |
| single [1] 16912 1.17-C1-0063 |  | suggest [1] 4/1 |
| single-largest [1] 16/12 | speed [1] 21/1 | sum [1] 28/22 |
|  | spent [1] 7/22 | $\begin{array}{llllll}\text { summer [4] } & 10 / 14 & 17 / 25 & 19 / 3\end{array}$ |
| sister [1] 36/3 | split [1] 16/5 | 33/11 |
| sit [1] 10/23 | spoke [2] 9/6 10/6 | Sunday [1] 47/12 |
| sitting [1] 20/23 | spoken [1] 53/24 | superseding [2] 41/7 55/14 |
| situations [2] 49/11 51/4 | sports [1] 37/8 | superseding indictment [2] 41/7 |
| six [1] 14/21 | spring [1] 15/25 | 55/14 |
| sleep [1] 36/16 | Square [1] 31/4 | supervised [4] 53/17 53/18 54/7 |
| slipped [1] 19/14 | stand [3] 28/10 28/15 37/14 | 55/5 |
| Slow [1] 28/11 | start [4] 3/21 3/25 6/10 7/8 | supervisor [1] 51/20 |
| slowed [1] 18/8 | started [3] $14 / 24 \quad 15 / 15$ 33/25 | supplies [1] 32/5 |
| small [1] 12/11 | starting [1] 31/14 | support [4] 35/23 45/13 51/8 |
| Smith [1] 2/5 | startling [1] 18/2 | 51/9 |
| sneak [1] 20/3 | state [5] 13/10 14/5 30/14 | supportive [1] 42/23 |
| sneak-and-peeks [1] 20/3 | 30/17 34/25 | sure [15] 9/7 27/23 28/4 29/6 |
| snow [1] 43/1 | state courts [1] 13/10 | $32 / 12$ 34/24 36/23 36/24 38/23 |
| snowballs [1] 19/9 | State's [3] 10/1 24/9 50/2 | 46/2 51/6 51/9 54/23 55/11 56/1 |
| so [55] $4 / 16$ 5/1 $5 / 14$ 6/17 $7 / 20$ | statement [5] 5/10 11/21 15/14 | Sweet [1] 38/7 |
| 8/5 10/12 12/18 12/18 12/19 | 15/16 43/19 | swimming [1] 29/20 |
| 15/14 17/6 17/6 18/2 19/9 21/17 | States [9] $1 / 11 / 31 / 1818$ 3/7 $3 / 9$ | swollen [1] 19/14 |
| 21/23 22/5 22/24 23/24 24/20 | 23/13 27/16 39/11 55/12 | sworn [1] 50/20 |
| 25/13 25/16 25/21 26/22 27/9 | stay [1] 45/19 | symbol [3] $43 / 7$ 43/8 $43 / 10$ |
| 27/10 27/16 28/5 31/13 33/15 | stayed [2] $32 / 9$ 36/14 | system [6] 13/5 14/22 22/14 |
| 33/22 34/1 $37 / 15$ 44/9 44/21 | stays [1] 10/24 | 22/21 24/16 50/19 |
| $\begin{array}{lllllllllll}45 / 23 & 46 / 12 & 46 / 15 & 46 / 17 & 46 / 23\end{array}$ | steal [5] 19/15 19/17 25/4 | $\begin{array}{llll}\text { systematic [2] } & 14 / 4 & 14 / 22\end{array}$ |
| 47/3 47/10 47/17 47/20 47/23 | 26/11 26/11 | systemic [2] 23/18 26/15 |
| $\begin{array}{lllllllllll} & 47 / 25 & 48 / 3 & 48 / 7 & 48 / 12 & 48 / 12\end{array}$ | stealing [2] 50/9 52/1 | T |
| 48/17 49/17 50/22 53/11 | stenographic [1] 56/6 |  |
| socials [1] 31/24 | step [4] 17/17 28/5 41/14 41/14 | table [1] 3/11 |
| society [2] 34/5 37/22 | Stepp [14] 12/13 12/15 12/17 | take [10] $5 / 2413 / 2415 / 10$ |
| sold [4] 12/22 16/25 19/16 | $\begin{array}{llllllll}12 / 20 & 12 / 22 & 16 / 6 & 16 / 19 & 16 / 22\end{array}$ | 29/21 33/16 38/8 45/21 47/2 |
| 25/11 | 16/25 16/25 19/8 19/11 20/6 | 49/10 49/16 |
| solution [1] 17/12 | 26/21 | taken [7] $7 / 18$ 12/4 $13 / 16$ 34/15 |
| solve [2] 17/21 25/15 | Stepp's [1] 19/14 | 44/15 49/8 49/23 |
| some [14] $4 / 14$ 5/17 14/7 $21 / 25$ | steps [1] 24/21 | takes [1] 45/4 |
| 39/14 $40 / 141 / 541 / 841 / 18$ | Stern [2] 2/9 3/12 | taking [2] 17/22 52/24 |
| 41/24 43/3 44/21 52/11 52/25 | Steven [2] 2/2 3/15 | talk [5] 6/13 13/12 26/13 49/3 |
| someone [6] 16/15 16/23 17/20 | Steven Levin [2] 2/2 3/15 | 51/18 |
| 22/8 23/11 51/20 | Stevenson [1] 16/11 | talked [2] 21/25 41/20 |
| something [7] 14/10 18/9 24/10 | Stevenson's [1] 20/4 | targeted [1] 44/12 |
| 28/25 29/1 40/21 45/9 | stick [1] 15/5 | targets [1] 13/18 |
| sometimes [2] 12/11 12/11 | still [6] 28/19 29/6 41/24 | tarnished [2] 37/13 46/7 |
| son [9] 30/19 31/8 31/10 31/12 | 43/11 44/21 50/12 | task [6] 8/1 8/14 15/19 15/21 |
| 31/16 33/16 42/25 46/20 47/12 | stole [8] 9/17 11/25 12/25 13/1 | 18/7 37/7 |
| sons [8] 31/23 32/9 32/12 32/14 | 13/2 15/22 16/23 17/4 | taught [4] 30/24 36/4 37/14 |
| 33/1 33/10 34/9 46/18 | stop [6] 18/11 18/17 22/20 | 40/24 |
| sons' [1] 31/18 | 45/22 47/21 47/22 | Taylor [4] 16/5 18/3 18/13 |
| sophisticated [1] 17/8 | stopped [3] 12/1 22/9 47/1 | 18/20 |
| sorrow [2] 40/18 43/9 | stopping [1] 19/23 | Taylor's [1] 21/22 |
| sorrowful [1] 38/14 | storage [3] 19/11 19/12 $19 / 16$ | teacher [4] 31/3 31/16 32/19 |
| sorry [16] 8/20 28/11 37/4 | story [1] 15/6 | 40/24 |
| 45/23 $46 / 3$ 46/12 $46 / 14$ 46/16 | street [2] 1/24 24/15 | Teachers [1] 31/6 |
| 46/17 46/23 47/10 48/3 48/5 | streets [3] 12/11 12/15 26/12 | teaching [2] 21/12 33/13 |
| 48/12 48/12 48/17 | strength [1] 29/15 | team [1] 18/19 |
| sort [1] 41/19 | stressful [1] 51/4 | tears [1] 40/13 |
| soul [1] 47/2 | strikes [1] 50/18 | tech [1] 35/13 |
| sounds [1] 18/16 | strong [5] $\begin{array}{lllll}\text { [ }\end{array}$ | technology [1] 22/24 |
| spare [1] 50/10 | 36/22 | tell [4] $29 / 14$ 30/1 30/7 36/24 |
|  | struck [2] 9/9 21/1 | telling [1] 51/12 |
|  | struggling [1] 9/22 | temptation [1] 25/4 |
| 45/19 46/4 | students [1] 32/3 | ten [4] 9/14 22/6 23/11 27/11 |
| speaker [1] 32/1 | submissions [1] 14/16 | tendencies [1] 42/7 |
| speaking [1] 35/22 | submit [3] 4/12 54/1 54/2 | tendon [1] 44/16 |
| special [10] 2/6 2/7 3/10 7/21 | subordinates [1] 51/21 | terms [3] 20/21 23/10 25/23 |
|  | substance [1] 55/1 | terrible [1] 35/17 |
| Special Agent [2] 2/6 2/7 | substantial [1] 44/19 | testified [1] 16/22 |
| ```Special Agent Erika Jensen [1]``` | $\begin{array}{llll} \text { successfully } & {[1]} & 39 / 19 \\ \text { such }[2] & 28 / 23 & 44 / 4 \end{array}$ | $\begin{array}{\|ccccc} \text { testimony [5] } & 12 / 17 & 19 / 13 & 19 / 19 \\ 19 / 21 & 51 / 25 \end{array}$ |
| Special Enforcement Section [1] | suffered [4] 40/9 44/9 44/13 | than [18] 7/25 9/16 9/18 17/4 |

28/22 29/25 41/13 41/22 44/17 45/2 45/8 46/25 48/4 51/22 52/13
Thank [34] $3 / 6$ 3/14 $3 / 23$ 4/3 $\begin{array}{lllll}5 / 15 & 6 / 23 & 8 / 6 & 8 / 7 & 9 / 1 \\ 9 / 2 & 9 / 3\end{array}$ $\begin{array}{llllll} & 9 / 5 & 27 / 20 & 27 / 21 & 28 / 1 & 30 / 9 \\ 30 / 10\end{array}$ 30/10 32/13 32/13 34/20 34/21 $\begin{array}{lllll}34 / 21 & 35 / 3 & 38 / 3 & 38 / 4 & 38 / 4\end{array} 45 / 10$ $\begin{array}{lllllll}45 / 11 & 45 / 14 & 48 / 18 & 48 / 22 & 54 / 24\end{array}$ 56/3
thanking [1] 32/20
that [303] 3/20 3/22 4/14 4/16 $\begin{array}{lllllllll}4 / 19 & 5 / 3 & 5 / 5 & 5 / 6 & 5 / 14 & 5 / 19 & 5 / 20\end{array}$ $\begin{array}{llllll}6 / 5 & 6 / 5 & 6 / 7 & 6 / 8 & 6 / 14 & 6 / 16 \\ 6 / 20\end{array}$ $\begin{array}{lllll}7 / 4 & 7 / 12 & 7 / 15 & 7 / 16 & 7 / 19 \\ 7 / 22\end{array}$ $\begin{array}{lllll}7 / 23 & 7 / 24 & 7 / 25 & 8 / 2 & 8 / 12 \\ 8 / 14\end{array}$ 8/16 8/17 8/17 8/18 9/6 9/9 $\begin{array}{llll}9 / 10 & 9 / 11 & 9 / 18 & 9 / 20 \\ 9 / 25 & 10 / 9\end{array}$ $\begin{array}{lll}10 / 9 & 10 / 10 & 10 / 18 \\ 10 / 25 & 11 / 1\end{array}$ $11 / 3$ 11/5 11/6 11/8 11/9 11/10 $\begin{array}{lllll}11 / 15 & 11 / 20 & 11 / 22 & 11 / 25 & 12 / 10\end{array}$ $\begin{array}{lllll}12 / 10 & 12 / 13 & 12 / 18 & 12 / 19 & 12 / 22\end{array}$ $\begin{array}{lllll}12 / 23 & 12 / 23 & 13 / 1 & 13 / 5 & 13 / 8\end{array}$ $\begin{array}{llll}13 / 18 & 13 / 18 & 13 / 22 & 13 / 24 \\ 13 / 24\end{array}$ $\begin{array}{lllll}14 / 2 & 14 / 4 & 14 / 6 & 14 / 10 & 14 / 14\end{array}$ $\begin{array}{lllll}14 / 15 & 14 / 15 & 14 / 17 & 14 / 22 & 14 / 23\end{array}$ $\begin{array}{lllll}14 / 25 & 15 / 7 & 15 / 9 & 15 / 11 & 15 / 13\end{array}$ $\begin{array}{lllll}15 / 17 & 15 / 22 & 16 / 1 & 16 / 5 & 16 / 12\end{array}$ $\begin{array}{lllll}16 / 13 & 16 / 14 & 16 / 14 & 16 / 14 & 16 / 15\end{array}$ $\begin{array}{lllll}16 / 22 & 16 / 24 & 17 / 3 & 17 / 6 & 17 / 7\end{array}$ $\begin{array}{lllll}17 / 10 & 17 / 14 & 17 / 14 & 17 / 17 & 17 / 20\end{array}$ $\begin{array}{llll}17 / 21 & 17 / 22 & 17 / 24 & 18 / 2 \\ 18 / 3\end{array}$ $\begin{array}{lllll}18 / 6 & 18 / 9 & 18 / 12 & 18 / 12 & 18 / 19\end{array}$ $\begin{array}{lllll}19 / 2 & 19 / 3 & 19 / 13 & 19 / 16 & 19 / 17\end{array}$ $\begin{array}{llll}19 / 22 & 20 / 8 & 20 / 9 & 20 / 12 \\ 20 / 13\end{array}$ $\begin{array}{llll}10 / 17 & 20 / 19 & 20 / 22 & 20 / 25 \quad 21 / 2\end{array}$ 21/5 21/6 21/6 21/10 21/11 $\begin{array}{lllll}21 / 14 & 21 / 15 & 21 / 16 & 21 / 17 & 21 / 18\end{array}$ $\begin{array}{lllll}21 / 21 & 21 / 23 & 21 / 23 & 21 / 24 & 22 / 5\end{array}$ $\begin{array}{lllll}22 / 10 & 22 / 16 & 22 / 19 & 22 / 22 & 22 / 23\end{array}$
 $\begin{array}{lllll}23 / 18 & 23 / 22 & 24 / 2 & 24 / 3 & 24 / 8\end{array}$ $\begin{array}{lllll}24 / 10 & 24 / 12 & 24 / 13 & 24 / 18 & 24 / 20\end{array}$ 25/1 25/5 25/8 25/14 25/16 $\begin{array}{llllll}25 / 17 & 25 / 17 & 25 / 21 & 26 / 1 & 26 / 2\end{array}$ 26/3 26/8 26/9 26/16 27/6 27/9 27/14 27/14 28/22 28/22 29/15 $\begin{array}{llllll}29 / 15 & 30 / 2 & 30 / 3 & 30 / 5 & 30 / 7 & 31 / 2\end{array}$ $31 / 17$ 32/3 $34 / 6 \quad 34 / 1434 / 17$ $\begin{array}{lllll}35 / 12 & 35 / 17 & 35 / 22 & 36 / 13 & 36 / 20\end{array}$ $\begin{array}{lllll}37 / 1 & 37 / 2 & 37 / 4 & 37 / 5 & 37 / 13 \\ 37 / 15\end{array}$ $37 / 19$ 37/21 37/24 38/2 38/22 $\begin{array}{llllll}38 / 24 & 39 / 10 & 40 / 10 & 40 / 11 & 40 / 14\end{array}$ $\begin{array}{lllll} & 40 / 17 & 40 / 18 & 41 / 4 & 41 / 12\end{array} 41 / 18$ $\begin{array}{lllllll}42 / 8 & 42 / 13 & 42 / 14 & 43 / 7 & 43 / 8\end{array}$ $\begin{array}{lllll}43 / 10 & 43 / 13 & 43 / 21 & 43 / 23 & 44 / 2\end{array}$ 44/8 44/11 44/21 45/4 45/13 $\begin{array}{llllll}45 / 18 & 45 / 21 & 45 / 22 & 46 / 1 & 46 / 5\end{array}$ 46/13 $46 / 14$ 46/16 47/1 $47 / 14$ 47/25 48/15 48/19 48/19 48/24 49/5 49/9 49/17 49/17 $49 / 19$ 49/20 49/21 49/21 50/3 50/4 50/4 50/8 50/9 50/10 51/9 51/9 51/9 51/10 51/12 51/13 51/13 52/3 52/7 $52 / 14 \quad 52 / 21 \quad 52 / 23$ $\begin{array}{llllll}52 / 24 & 53 / 2 & 53 / 3 & 53 / 4 & 53 / 8 & 53 / 11\end{array}$ 53/19 54/10 54/13 54/15 54/25 55/1 55/8 55/10 55/18 55/20 55/22 56/1 56/1 56/2 56/5
that's [14] $4 / 218 / 58 / 2211 / 1$
 $\begin{array}{ccc}25 / 21 & 47 / 14 & 49 / 16 \\ \text { thefts } & {[1]} & 27 / 13\end{array}$ $\begin{array}{llllll}\text { their [33] } & 4 / 25 & 13 / 7 & 13 / 9 & 13 / 23\end{array}$ $\begin{array}{lllll}13 / 23 & 13 / 25 & 14 / 7 & 15 / 4 & 15 / 10\end{array}$ $\begin{array}{lllll}17 / 16 & 17 / 23 & 18 / 13 & 18 / 24 & 19 / 2\end{array}$ $\begin{array}{lllll}21 / 17 & 22 / 17 & 23 / 22 & 23 / 23 & 31 / 18\end{array}$ $\begin{array}{llllll}31 / 22 & 31 / 23 & 32 / 18 & 32 / 20 & 32 / 21\end{array}$
 44/2 45/20 50/21 52/22
$\begin{array}{lllll}\text { them }[24] & 5 / 10 & 10 / 7 & 12 / 20 & 12 / 21\end{array}$ $\begin{array}{llll}13 / 22 & 16 / 25 & 17 / 5 & 17 / 22 \\ 18 / 17\end{array}$ $\begin{array}{lllll}18 / 23 & 18 / 24 & 20 / 18 & 21 / 9 & 21 / 15\end{array}$ 21/16 23/4 23/4 25/20 26/11 27/15 33/10 43/9 46/18 49/3 themselves [4] 13/19 17/16 17/23 21/19
then [12] $6 / 3 \quad 7 / 23 \quad 12 / 15 \quad 12 / 20$ $\begin{array}{lllllllll}16 / 7 & 17 / 2 & 17 / 4 & 19 / 8 & 19 / 25 & 20 / 9\end{array}$ 21/4 37/3
there [41] 5/10 5/19 6/8 6/12 $\begin{array}{lllll}7 / 1 & 7 / 3 & 8 / 14 & 8 / 23 & 16 / 21 \\ 16 / 22\end{array}$ $\begin{array}{lllll}20 / 13 & 20 / 14 & 21 / 18 & 22 / 13 & 22 / 18\end{array}$ 22/18 24/2 24/13 25/18 25/22 $\begin{array}{lllll}26 / 4 & 26 / 15 & 26 / 22 & 28 / 2 & 28 / 24\end{array}$ $\begin{array}{llllll} & 34 / 5 & 45 / 16 & 45 / 19 & 48 / 19 & 48 / 25\end{array}$ 49/7 50/4 50/22 $51 / 2 \quad 52 / 15$ 53/14 $53 / 17 \quad 54 / 14 \quad 54 / 15 \quad 54 / 17$ 55/15
there's [13] 20/11 22/21 22/21 23/6 $24 / 12$ 40/20 $49 / 8 \quad 49 / 19$ 50/3 50/8 51/25 52/18 55/18 therefore [1] 39/17
$\begin{array}{lllll}\text { these [19] } & 4 / 24 & 5 / 3 & 14 / 7 & 19 / 22\end{array}$ $\begin{array}{lllll}22 / 12 & 22 / 19 & 23 / 9 & 25 / 2 & 35 / 19\end{array}$
$\begin{array}{lllllll}35 / 21 & 36 / 6 & 36 / 7 & 36 / 9 & 36 / 25 & 39 / 3\end{array}$ 42/7 49/23 52/9 53/5
they [81] $7 / 18 / 13$ 9/7 $10 / 11$ $\begin{array}{lllll}12 / 15 & 13 / 24 & 13 / 25 & 14 / 2 & 14 / 8\end{array}$ $\begin{array}{llllll}14 / 14 & 14 / 15 & 14 / 15 & 14 / 16 & 14 / 16\end{array}$ $\begin{array}{llllll}14 / 17 & 14 / 18 & 14 / 20 & 15 / 3 & 15 / 11\end{array}$ $\begin{array}{lllll}15 / 15 & 15 / 19 & 15 / 20 & 15 / 22 & 16 / 18\end{array}$ $\begin{array}{lllll}16 / 19 & 16 / 21 & 17 / 15 & 17 / 15 & 17 / 22\end{array}$ $\begin{array}{lllll}17 / 24 & 18 / 4 & 18 / 23 & 19 / 7 & 19 / 9\end{array}$ $\begin{array}{llllll}19 / 10 & 19 / 10 & 19 / 23 & 19 / 24 & 20 / 3\end{array}$ 21/16 21/17 $21 / 19$ 24/17 25/10 $\begin{array}{lllll}25 / 11 & 25 / 11 & 25 / 12 & 25 / 14 & 25 / 17\end{array}$ $\begin{array}{llllll}25 / 18 & 25 / 18 & 25 / 21 & 26 / 6 & 26 / 7\end{array}$ $\begin{array}{lllll}26 / 9 & 26 / 18 & 29 / 13 & 31 / 19 & 32 / 12\end{array}$ $\begin{array}{lllll}32 / 18 & 32 / 20 & 33 / 12 & 33 / 19 & 33 / 22\end{array}$ $33 / 24 \quad 35 / 20 \quad 36 / 2 \quad 36 / 18 \quad 36 / 20$ $\begin{array}{llllll}40 / 8 & 42 / 8 & 43 / 4 & 46 / 18 & 48 / 20\end{array}$ $\begin{array}{llllllllll}49 / 13 & 49 / 17 & 49 / 17 & 50 / 14 & 52 / 8\end{array}$ 52/22 54/13
they'll [1] 25/10
they're [2] 24/15 25/10
they've [2] 5/3 49/1
thing [4] 23/1 40/20 47/24 48/24
$\begin{array}{lllllll}\text { things } & {[21]} & 6 / 12 & 13 / 4 & 17 / 6 & 18 / 3\end{array}$ 24/18 24/18 $34 / 6$ 35/17 $35 / 19$ $\begin{array}{lllll}36 / 20 & 36 / 25 & 37 / 2 & 37 / 4 & 37 / 13\end{array}$ $\begin{array}{lllll}37 / 15 & 38 / 16 & 38 / 17 & 38 / 18 & 38 / 19\end{array}$ 39/9 51/7
$\begin{array}{llllll}\text { think } & {[17]} & 5 / 12 & 17 / 6 & 17 / 9 & 17 / 17\end{array}$ $\begin{array}{llllllll}22 / 1 & 29 / 3 & 29 / 8 & 29 / 16 & 34 / 14 & 42 / 6\end{array}$ 49/14 51/12 51/16 51/23 52/18 52/24 55/18
third [1] 30/24
this [81] 5/2 6/14 6/20 7/4 7/15 9/13 10/1 10/21 10/23
$\begin{array}{lllll}10 / 23 & 12 / 1 & 12 / 9 & 12 / 17 & 13 / 11\end{array}$
 $14 / 10$ 14/11 $14 / 12$ 14/12 $15 / 17$
$\begin{array}{lllll}15 / 18 & 15 / 19 & 15 / 20 & 16 / 13 & 17 / 9\end{array}$ 17/10 $18 / 4$ 18/9 $18 / 1318 / 15$ $\begin{array}{llllll}18 / 15 & 18 / 16 & 19 / 5 & 20 / 1 & 20 / 10\end{array}$ $\begin{array}{lllllll}21 / 10 & 21 / 15 & 21 / 21 & 21 / 24 & 23 / 7\end{array}$ 23/8 23/15 24/9 24/25 25/13
$\begin{array}{lllll}25 / 24 & 26 / 3 & 26 / 14 & 26 / 25 & 27 / 19\end{array}$
$\begin{array}{llllll}28 / 21 & 29 / 14 & 29 / 16 & 30 / 7 & 30 / 8\end{array}$
$\begin{array}{lllll}32 / 20 & 32 / 22 & 34 / 12 & 34 / 18 & 37 / 20\end{array}$
$\begin{array}{llllll}40 / 4 & 40 / 21 & 41 / 11 & 41 / 20 & 44 / 13\end{array}$
$46 / 2 \quad 46 / 22 \quad 47 / 4 \quad 47 / 10 \quad 48 / 23$
$\begin{array}{lllll}49 / 14 & 50 / 11 & 50 / 14 & 50 / 23 & 53 / 2\end{array}$ 53/10 54/2
thoroughly [1] 49/1
$\begin{array}{llllll}\text { those [37] } & 4 / 16 & 4 / 18 & 10 / 3 & 10 / 8\end{array}$
$\begin{array}{llll}11 / 9 & 11 / 14 & 11 / 24 & 12 / 7 \\ 12 / 14\end{array}$
$\begin{array}{lllll}12 / 14 & 12 / 24 & 13 / 4 & 15 / 11 & 16 / 7\end{array}$
$\begin{array}{lllll}20 / 11 & 20 / 14 & 21 / 7 & 21 / 8 & 24 / 19\end{array}$
26/23 27/16 39/1 39/2 39/17
$\begin{array}{lllll}39 / 25 & 40 / 7 & 40 / 7 & 41 / 5 & 41 / 16\end{array}$
$\begin{array}{llllll}42 / 21 & 43 / 3 & 43 / 14 & 48 / 8 & 49 / 12\end{array}$
50/20 53/11 54/19
though [1] 32/23
thought [2] 18/6 18/15
thousand [2] $15 / 24$ 16/4
thousands [3] $9 / 21 \quad 16 / 10$ 16/17
$\begin{array}{llllll}\text { three [7] } & 9 / 15 & 20 / 7 & 31 / 7 & 44 / 15\end{array}$ 53/18 53/19 53/20
throated [1] 42/8
through [12] 6/4 29/2 29/3 $\begin{array}{llllll}37 / 20 & 41 / 15 & 42 / 11 & 46 / 18 & 46 / 24\end{array}$
51/10 53/16 53/20 53/21
throughout [1] 45/5
throwing [1] 19/9
thrown [1] 24/11
Thursday [1] $1 / 9$
thwart [1] 17/8
ties [1] $36 / 9$
till [1] 14/17
time [18] $7 / 4$ 9/22 $15 / 2318 / 12$ 26/17 $30 / 9 \quad 31 / 2 \quad 33 / 20 \quad 34 / 14$ $\begin{array}{llllllll}34 / 17 & 36 / 18 & 38 / 3 & 41 / 11 & 44 / 17\end{array}$ 45/1 45/8 53/2 53/3
times [11] $13 / 2$ 27/11 $27 / 12$ 29/5 32/23 33/7 33/15 40/21 41/19 47/21 51/2
today [12] $8 / 1 \quad 28 / 10 \quad 28 / 15 \quad 30 / 3$ 35/22 35/23 36/1 41/1 41/15 43/5 49/2 51/8
$\begin{array}{lllll}\text { together [4] } & 8 / 19 & 28 / 18 & 33 / 19\end{array}$ 36/1
$\begin{array}{lllll}\text { told [5] } & 8 / 16 & 29 / 5 & 32 / 23 & 36 / 25\end{array}$ 37/4
tolerated [1] 51/21
too [2] 43/8 46/25
$\begin{array}{lllll}\text { took }[7] & 7 / 24 & 13 / 7 & 14 / 15 & 16 / 3\end{array}$ 24/21 29/20 37/7
top [1] 27/4
total [2] 53/8 53/18
touch [1] 46/18
tough [2] 23/1 40/24
toward [2] 49/22 50/15
towards [2] 41/1 41/14
Towers [1] 16/2
Towson [1] 30/23
Towson University [1] 30/23
toys [1] 32/15
trace [4] $15 / 19$ 15/21 $18 / 7$ 19/10
tragedy [5] $24 / 20 \quad 24 / 25 \quad 25 / 1$

tragic [1] 20/25
training [1] 39/16
transcript [1] 56/6
traumatized [1] 18/24
treatment [1] 54/8
tree [1] 32/17
$\begin{array}{lllll}\text { trial [10] } & 10 / 16 & 12 / 5 & 14 / 12\end{array}$
$\begin{array}{llllll}15 / 7 & 15 / 13 & 16 / 15 & 19 / 4 & 19 / 13\end{array}$ 21/21 52/13
tried [3] $15 / 4 \quad 16 / 19 \quad 41 / 5$
trips [2] 31/20 33/16
true [2] 20/22 35/20
truly [3] $29 / 23$ 35/21 $46 / 3$
trust [4] 24/16 27/9 49/15 50/15
trusting [1] 33/14
truth [1] 4/25
try [2] 16/20 42/10
trying [3] 8/19 42/11 50/13
$\begin{array}{llll}\text { turn [6] } & 6 / 24 & 11 / 14 & 11 / 19 \\ 17 / 20\end{array}$ 23/2 34/15
twice [1] 31/3
$\begin{array}{llllll}\text { two [14] } & 7 / 3 & 9 / 6 & 9 / 11 & 10 / 10\end{array}$
$\begin{array}{lllll}11 / 4 & 13 / 13 & 19 / 22 & 20 / 18 & 24 / 12\end{array}$ 27/14 32/2 35/8 37/1 52/8
typical [1] 35/25

## U

U.S [2] 2/4 2/5
U.S. [3] $24 / 2136 / 4 \quad 37 / 9$
U.S. Attorney's [1] 24/21
U.S. Marine [2] 36/4 37/9

Umar [3] $45 / 23 \quad 46 / 2 \quad 48 / 14$
uncertainty [1] 30/6
under [5] $4 / 12$ 6/17 $22 / 10 \quad 22 / 12$ 26/2
undermines [1] 23/21
understand [3] $37 / 21 \quad 42 / 7 \quad 55 / 22$
understandable [1] 50/15
Understanding [1] 5/19
Undoubtedly [1] 24/12
unfair [1] 29/24
unfortunately [2] $35 / 20 \quad 37 / 10$
uniform [2] 20/24 50/13
uniquely [1] 26/9
$\begin{array}{lllll}\text { unit [8] } & 11 / 8 & 14 / 20 & 14 / 24 & 18 / 4\end{array}$ 18/13 20/1 21/12 23/2
$\begin{array}{lllllll} \\ \text { UNITED } & {[9]} & 1 / 1 & 1 / 3 & 1 / 18 & 3 / 7 & 3 / 9\end{array}$ 23/13 27/16 39/11 55/12
United States [6] 3/7 3/9 23/13 27/16 39/11 55/12
units [7] $11 / 5$ 13/14 19/22 22/12 22/19 25/5 25/17
University [3] 30/20 30/23 45/24
Unlike [2] 41/8 52/11
unprompted [1] 38/24
$\begin{array}{lllll}\text { until } & {[4]} & 10 / 25 & 14 / 18 & 38 / 8\end{array}$ 46/13
unwarranted [2] $11 / 18$ 25/23
up [18] 12/20 15/19 17/23 18/19 27/3 30/2 $35 / 25$ 36/11 $39 / 4 \quad 40 / 8$ $\begin{array}{llllll}40 / 12 & 40 / 13 & 42 / 5 & 45 / 18 & 46 / 4\end{array}$ 48/1 50/21 53/4
uphold [1] 49/16
upon [1] 32/18
urge [1] 28/15
$\begin{array}{lllllll}\text { us }[9] & 3 / 10 & 7 / 17 & 10 / 3 & 20 / 9 & 25 / 1\end{array}$ 36/4 36/6 36/10 41/23


$144 / 24 a_{4} / 2444 / 25 \quad 44 / 25 \quad 44 / 25$
 29/18
using [2] 12/10 17/15
usually [1] 36/9
V
vacate [1] 24/22
vacation [1] 33/12
value [1] 40/22
various [4] $12 / 3$ 13/4 $13 / 15$ 13/20
vehicle [3] $45 / 22 \quad 46 / 1 \quad 47 / 1$
vehicular [1] $21 / 15$
versus [1] 3/7
very [15] $8 / 15$ 14/14 $32 / 11$ $32 / 25 \quad 32 / 25 \quad 35 / 16 \quad 35 / 17 \quad 36 / 22$ 37/3 38/4 45/7 48/23 50/23 51/4 53/13
veteran [2] $22 / 2 \quad 22 / 4$
vicious [1] 20/1
victimizes [1] 23/17
$\begin{array}{llllll}\text { victims [6] } & 7 / 2 & 9 / 6 & 11 / 3 & 44 / 2\end{array}$ 49/7 54/2
$\begin{array}{llllll}\text { video }[6] & 15 / 6 & 16 / 14 & 17 / 5 & 17 / 7\end{array}$ 17/10 17/19
violated [1] 49/9
violation [1] 27/9
violent [1] 24/14
visit [2] 44/7 47/11
visited [1] 33/5
volunteer [1] 35/10
volunteered [2] 33/6 33/24
volunteers [1] $32 / 4$
W
W.B [1] 15/17
wake [1] $12 / 20$
walks [1] 29/21
Walmart [1] 10/24
want [11] $4 / 22 \quad 5 / 1 \quad 6 / 12 \quad 7 / 15$ 10/25 21/5 28/11 30/3 48/9 54/18 55/24
wanted [1] 36/17
wants [1] 48/19
$\begin{array}{lllll}\text { Ward [4] } & 16 / 5 & 18 / 3 & 18 / 12 & 18 / 20\end{array}$
Warm [1] 33/17
Warm-weather [1] 33/17
warning [1] 44/11
warrant [2] 16/18 $16 / 19$
was [126] $5 / 5 \quad 5 / 5 \quad 6 / 5 \quad 7 / 15 \quad 7 / 16$ 7/18 7/19 7/24 8/13 8/14 8/18 $\begin{array}{llll}9 / 8 & 9 / 25 & 10 / 9 & 10 / 14 \\ 11 / 3 & 11 / 22\end{array}$ $\begin{array}{llllll}12 / 9 & 12 / 14 & 12 / 18 & 13 / 17 & 13 / 23\end{array}$ $\begin{array}{lllll}14 / 4 & 14 / 10 & 14 / 10 & 14 / 14 & 14 / 15\end{array}$ $\begin{array}{llllll}15 / 7 & 15 / 7 & 15 / 9 & 15 / 17 & 15 / 18\end{array}$ $\begin{array}{lllll}15 / 24 & 16 / 13 & 16 / 14 & 16 / 14 & 16 / 22\end{array}$ 17/6 17/10 17/13 17/14 17/14 $\begin{array}{llllll}18 / 2 & 18 / 9 & 18 / 10 & 18 / 10 & 18 / 22\end{array}$ $\begin{array}{llllll}19 / 1 & 19 / 6 & 19 / 15 & 19 / 17 & 20 / 2\end{array}$ $\begin{array}{llll}19 / 12 & 20 / 13 & 20 / 14 & 20 / 19 \\ 20 / 25\end{array}$ 21/7 21/15 21/18 21/22 22/2 $\begin{array}{lllllll}22 / 2 & 22 / 3 & 22 / 4 & 22 / 4 & 23 / 3 & 23 / 15\end{array}$ $\begin{array}{lllll}23 / 16 & 25 / 14 & 25 / 25 & 26 / 15 & 26 / 16\end{array}$ 26/17 27/9 27/10 28/25 29/1 29/2 29/5 29/10 29/12 $29 / 14$ 29/18 $31 / 2$ 31/6 31/8 $31 / 10$ $\begin{array}{llllll}31 / 13 & 32 / 1 & 32 / 5 & 32 / 7 & 32 / 11\end{array}$ $\begin{array}{llllllll}32 / 20 & 33 / 11 & 33 / 20 & 33 / 21 & 34 / 1\end{array}$
$\begin{array}{lllll}34 / 15 & 36 / 4 & 36 / 14 & 36 / 24 & 37 / 4\end{array}$

49/8 $49 / 14$ 51/19 $51 / 19$ 51/20 51/22 52/5 52/6
$\begin{array}{lllll}\text { wasn't [6] } & 10 / 19 & 14 / 2 & 18 / 20\end{array}$ 20/6 21/5 21/8
watches [1] 9/17
way [19] $5 / 2 \quad 5 / 9 \quad 8 / 13 \quad 17 / 12$
18/24 21/10 22/14 22/21 23/6
$\begin{array}{lllll}23 / 21 & 24 / 3 & 24 / 3 & 25 / 13 & 32 / 20\end{array}$
$\begin{array}{llllll}36 / 23 & 38 / 2 & 42 / 15 & 51 / 3 & 53 / 4\end{array}$
WAYNE [58] $1 / 5 \quad 3 / 8 \quad 3 / 16 \quad 9 / 14$
$\begin{array}{lllllll}11 / 3 & 14 / 23 & 28 / 16 & 28 / 17 & 28 / 24\end{array}$
$\begin{array}{lllll}29 / 9 & 29 / 10 & 29 / 15 & 29 / 18 & 29 / 22\end{array}$
$\begin{array}{llllll}30 / 6 & 31 / 8 & 31 / 16 & 32 / 1 & 32 / 9 & 32 / 22\end{array}$
$\begin{array}{lllll}32 / 25 & 33 / 4 & 33 / 15 & 33 / 18 & 33 / 22\end{array}$
$\begin{array}{llllllll}34 / 1 & 34 / 3 & 34 / 6 & 34 / 11 & 34 / 13 & 35 / 7\end{array}$
$\begin{array}{lllll}35 / 25 & 36 / 3 & 36 / 4 & 36 / 6 & 36 / 12\end{array}$
$36 / 17$ 36/21 36/25 37/7 37/13
$\begin{array}{lllll}37 / 21 & 37 / 24 & 38 / 11 & 38 / 15 & 38 / 20\end{array}$
$\begin{array}{llllll}39 / 1 & 39 / 4 & 39 / 6 & 40 / 12 & 40 / 20\end{array}$
40/24 41/1 41/5 42/21 43/5
43/11 43/13
WAYNE JENKINS [23] $1 / 5 \quad 3 / 8 \quad 3 / 16$
$\begin{array}{lllll}9 / 14 & 11 / 3 & 14 / 23 & 28 / 16 & 31 / 8\end{array}$
$\begin{array}{lllllll}33 / 15 & 38 / 11 & 38 / 15 & 38 / 20 & 39 / 1\end{array}$
$\begin{array}{llll}39 / 4 & 39 / 6 & 40 / 12 & 40 / 20 \\ 40 / 24\end{array}$

Wayne's [1] 30/4
ways [1] $13 / 5$
we [56] $3 / 184 / 12 \quad 4 / 23 \quad 4 / 25 \quad 5 / 1$
$\begin{array}{lllll}5 / 1 & 5 / 1 & 6 / 14 & 7 / 20 & 7 / 20 \\ 7 / 21\end{array}$
$\begin{array}{lllll}7 / 22 & 14 / 1 & 14 / 4 & 15 / 25 & 17 / 10\end{array}$
$\begin{array}{llll}17 / 14 & 17 / 18 & 17 / 25 & 18 / 9 \\ 18 / 9\end{array}$
$\begin{array}{lllll}18 / 12 & 18 / 14 & 18 / 14 & 20 / 17 & 21 / 10\end{array}$
21/14 $22 / 15$ 23/7 23/16 24/24
25/20 26/17 27/3 27/4 27/22
$\begin{array}{lllll}28 / 11 & 28 / 17 & 29 / 20 & 34 / 5 & 36 / 9\end{array}$
36/11 36/21 37/9 37/25 42/5
$\begin{array}{llllllll} & 42 / 9 & 42 / 10 & 48 / 24 & 48 / 25 & 49 / 19\end{array}$
50/1 53/24 54/1 54/21 56/1
we'll [4] 5/14 6/5 8/3 54/1
we're [1] 20/8
we've [1] 37/14
weather [1] 33/17
week [4] $10 / 1 \quad 33 / 7 \quad 41 / 20 \quad 44 / 13$
weekend [1] 36/10
weeks [2] 18/18 37/1
welcome [2] 37/25 37/25
$\begin{array}{lllllll}\text { well [12] } & 3 / 11 & 5 / 5 & 5 / 19 & 18 / 18\end{array}$
$\begin{array}{lllllll}29 / 4 & 31 / 6 & 31 / 24 & 33 / 21 & 38 / 1 & 39 / 2\end{array}$
40/13 45/5
well-behaved [1] 33/21
welling [1] 40/8
$\begin{array}{lllll}\text { Wendy [4] } & 30 / 11 & 30 / 18 & 32 / 24\end{array}$ 40/23
Wendy Kraft [3] 30/11 30/18 40/23
went [lllllll$\left[\begin{array}{llll}13 / 12 / 14 & 12 / 14 & 12 / 15\end{array}\right.$
$\begin{array}{lllll}15 / 13 & 16 / 18 & 18 / 19 & 21 / 8 & 26 / 16\end{array}$
31/20 39/22 47/12 47/18 47/20
$\begin{array}{llllll}\text { were }[47] & 4 / 14 & 12 / 6 & 12 / 10 & 13 / 6\end{array}$ $\begin{array}{llllll}13 / 8 & 13 / 18 & 14 / 7 & 15 / 1 & 15 / 3 & 15 / 19\end{array}$ $\begin{array}{lllll}15 / 20 & 16 / 24 & 17 / 12 & 17 / 15 & 17 / 15\end{array}$ $\begin{array}{lllll}17 / 22 & 17 / 22 & 19 / 7 & 19 / 17 & 20 / 11\end{array}$ 20/23 21/20 23/2 $23 / 18$ 24/14
$\begin{array}{llllll}25 / 12 & 25 / 12 & 26 / 6 & 26 / 18 & 26 / 18\end{array}$ $\begin{array}{llllllllll}28 / 17 & 29 / 19 & 31 / 19 & 31 / 23 & 33 / 8\end{array}$
$\begin{array}{lllll}33 / 10 & 33 / 22 & 34 / 6 & 36 / 21 & 39 / 20\end{array}$
$\begin{array}{llllll}39 / 25 & 40 / 1 & 48 / 15 & 49 / 9 & 49 / 12\end{array}$
50/5 55/20

| W | 9/4 27/21 53/25 | 30/10 30/10 32/13 32/13 34/20 |
| :---: | :---: | :---: |
|  |  |  |
| Westminster $19{ }^{\text {che }}$ |  | $36 / 24$ a $7 / 24$ 38/3 38/4 38/4 40/6 |
| what [41] 5/5 5/7 6/11 7/15 8/5 | wishes [3] 38/16 38/17 38/19 | 45/10 45/11 45/15 45/16 45/17 |
|  | wishing [1] 40/12 | $\begin{array}{lllllllllll} & 45 / 18 & 45 / 18 & 45 / 18 & 46 / 25 & 47 / 10\end{array}$ |
|  | within [6] $18 / 18$ 33/4 53/5 55/2 | 47/10 48/3 $48 / 3$ 48/18 48/22 |
| 17/7 17/13 17/14 17/18 17/20 | 55/6 55/21 | 54/18 54/24 55/18 55/20 55/22 |
| 18/2 19/6 19/7 20/17 24/5 24/6 | without [7] 12/20 16/18 $19 / 24$ | 56/3 |
| 29/19 $34 / 14$ 36/24 36/24 40/13 | 24/3 29/4 30/6 42/18 | you're [4] $46 / 2$ 46/24 47/9 |
| 40/15 45/8 46/3 46/9 46/23 | woman [1] 34/11 | 54/15 |
| 47/23 49/5 50/12 51/10 52/14 | woman's [1] 45/24 | you've [3] $4 / 19$ 17/18 40/6 |
| what's [2] 10/6 11/1 | women [1] 50/13 | young [1] 39/10 |
| whatever [1] 6/24 | won't [5] 22/24 23/7 25/9 42/9 | youngest [2] 31/12 36/3 |
| wheeling [1] 33/17 | 46/21 | $\begin{array}{lllllll}\text { your [79] } & 3 / 6 & 3 / 15 & 4 / 3 & 4 / 5 & 4 / 7\end{array}$ |
| when [50] 8/23 $9 / 22$ 13/12 $14 / 8$ | wondered [1] 18/9 | 4/12 4/21 4/23 5/15 5/25 6/2 |
| $\begin{array}{lllllll}14 / 15 & 14 / 18 & 15 / 1 & 15 / 19 & 15 / 19\end{array}$ | word [4] 11/22 24/16 38/12 | 7/3 7/8 7/10 8/6 8/8 9/5 9/6 |
| 15/20 16/22 17/9 17/18 17/21 | 50/19 | 9/7 10/16 10/19 10/20 10/21 |
| 18/9 19/9 19/14 19/22 20/2 | words [2] 38/8 41/24 | $\begin{array}{llllll}12 / 4 & 12 / 25 & 19 / 3 & 19 / 13 & 19 / 19\end{array}$ |
| 20/24 21/7 21/20 22/2 22/18 | work [6] 14/8 23/24 24/1 34/3 | 21/21 23/11 25/23 25/25 27/20 |
| 22/18 23/15 $24 / 17$ 24/24 $24 / 25$ | 36/15 54/1 | 27/22 28/1 28/7 28/9 29/8 30/9 |
| 25/10 25/21 26/16 27/13 29/1 | worked [4] $14 / 17$ 14/18 $14 / 21$ | $\begin{array}{lllllll}30 / 9 & 30 / 11 & 30 / 14 & 30 / 17 & 34 / 8\end{array}$ |
| $30 / 1$ 32/9 33/10 34/1 34/10 | 37/15 | 34/22 34/25 35/4 35/6 37/24 |
|  | working [3] 14/2 14/2 34/1 | 38/3 38/3 38/6 38/12 38/22 |
|  | world [2] 22/24 44/24 | 38/23 39/9 39/15 40/1 40/6 |
| 54/10 | worry [1] 10/25 |  |
| Whenever [2] 29/22 32/4 | worse [5] 13/12 13/15 15/1 $21 / 4$ | 44/5 44/23 45/10 45/14 45/23 |
| where [12] 12/5 12/14 16/2 | 23/15 |  |
|  | worth [2] 12/23 16/4 | 48/17 54/1 $54 / 19$ 54/21 55/9 |
| 35/13 36/11 51/24 53/4 | would [41] $3 / 5$ 4/16 4/19 5/1 | Your Honor [68] 3/6 3/15 4/3 |
| whether [5] 6/16 6/22 7/1 14/13 |  |  |
| 28/25 | 8/1 8/16 8/17 12/21 17/9 18/6 | 6/2 7/3 7/10 8/6 8/8 9/5 9/6 |
| which [28] 9/8 9/15 11/19 11/20 | 18/10 21/2 23/1 23/13 28/2 29/3 | 9/7 10/16 10/19 10/20 10/21 |
| 12/8 13/21 14/5 16/6 16/25 | 29/20 29/24 30/5 30/11 33/16 | $\begin{array}{llllllll}12 / 4 & 12 / 25 & 19 / 3 & 19 / 13 & 19 / 19\end{array}$ |
| $\begin{array}{lllllll}19 / 16 & 19 / 24 & 23 / 1 & 23 / 24 & 27 / 8\end{array}$ | $\begin{array}{lllllll}33 / 18 & 34 / 1 & 34 / 2 & 34 / 3 & 34 / 3 & 34 / 22\end{array}$ | 21/21 23/11 25/23 25/25 27/20 |
|  | 36/13 36/15 45/16 47/1 48/14 | 27/22 28/1 28/7 28/9 29/8 30/9 |
| 44/14 50/6 50/15 51/7 51/14 | 54/21 55/21 |  |
| 52/5 52/6 53/14 55/2 | wouldn't [2] 8/18 20/22 | $\begin{array}{lllllllll}37 / 24 & 38 / 3 & 38 / 6 & 38 / 12 & 38 / 22\end{array}$ |
| while [7] 10/17 11/6 39/21 | wound [1] 15/18 | 38/23 39/9 39/15 40/1 40/6 |
| 40/10 42/17 44/9 55/5 | wrap [1] 28/20 |  |
| White [1] 31/3 | writing [1] 34/13 |  |
| White Marsh [1] 31/3 | written [1] 38/19 | 48/7 48/12 $48 / 17$ 54/1 54/19 |
| who [32] 3/16 7/1 7/2 9/12 10/5 | wrong [5] $34 / 7$ 34/14 $34 / 15$ 48/8 | 55/9 |
| 10/6 10/14 $22 / 5 \quad 23 / 11 \quad 24 / 13$ | 48/8 | Your Honor's [1] 54/21 |
| $\begin{array}{llllll}\text { 24/14 } & 24 / 14 & 28 / 2 & 29 / 10 & 30 / 7\end{array}$ | wrongs [1] 38/2 | youth [1] 39/2 |
| $\begin{array}{llllllll}31 / 6 & 31 / 13 & 35 / 24 & 36 / 1 & 39 / 1 & 39 / 2\end{array}$ | wrote [3] 10/10 20/13 42/1 | Z |
| $\begin{array}{llllllllllll} & 43 / 5 & 43 / 6 & 43 / 6 & 43 / 24 & 44 / 6 & 44 / 10\end{array}$ | Y |  |
| 45/20 47/18 50/13 51/20 52/21 | $Y$ | Z00 [1] 31/21 |
| Who's [1] 31/6 | year [15] $14 / 8 \quad 22 / 2 \quad 30 / 19$ 31/3 | Zweizig [3] 1/23 56/5 56/9 |
| whole [3] 10/22 10/23 46/15 | $31 / 9$ 31/11 $33 / 7$ 33/13 35/12 |  |
| wholeheartedly [1] 34/17 | 35/15 44/24 46/20 47/4 53/16 |  |
| whom [2] 40/4 43/22 | 53/21 |  |
| whose [2] 49/8 49/8 | years [45] $6 / 9$ 7/23 $9 / 1210 / 10$ |  |
| why [3] 24/20 25/21 49/16 | 15/18 20/15 20/16 21/8 22/6 |  |
| widespread [1] 26/14 | 26/1 27/1 27/2 27/5 27/8 27/15 |  |
| widowed [1] 42/23 | 27/17 28/17 29/18 30/6 30/18 |  |
| wife [10] 10/24 29/13 29/24 | $\begin{array}{lllllll}30 / 25 & 31 / 7 & 31 / 8 & 32 / 2 & 35 / 8 & 35 / 9\end{array}$ |  |
| 31/22 33/1 34/8 35/9 37/6 44/6 | 35/11 36/2 38/10 39/22 39/23 |  |
| 47/12 | $\begin{array}{lllllllll}\text { 43/14 } & 43 / 14 & 44 / 22 & 44 / 23 & 45 / 2\end{array}$ |  |
| will [38] 3/22 6/10 10/6 11/11 | 47/3 48/10 53/7 53/8 53/9 53/15 |  |
| 11/19 19/2 23/23 25/2 25/18 | 53/19 53/19 53/20 |  |
| $\begin{array}{lllllll} & 30 / 7 & 34 / 17 & 35 / 23 & 37 / 5 & 37 / 11\end{array}$ | Yes [6] $4 / 7$ 4/18 $5 / 25$ 6/2 35/2 |  |
| 37/19 37/25 37/25 38/1 38/23 | 55/23 |  |
| 40/10 42/9 43/14 $43 / 16$ 44/5 | York [1] 41/19 |  |
| $\begin{array}{lllllllll} & 44 / 17 & 44 / 18 & 44 / 21 & 45 / 3 & 51 / 10\end{array}$ | you [87] $3 / 3$ 3/5 $3 / 6$ 3/14 $3 / 23$ |  |
| 51/18 52/22 52/22 53/2 53/3 | 3/25 4/3 4/4 $4 / 6$ 4/22 5/15 6/11 |  |
| 53/4 53/18 $54 / 1$ 54/4 | 6/23 6/25 6/25 7/6 7/7 7/12 |  |
| willing [1] 43/1 | 7/16 8/6 8/7 9/1 9/2 9/3 9/5 |  |
| willingness [1] 23/23 | $\begin{array}{lllll}10 / 12 & 10 / 13 & 10 / 23 & 10 / 25 ~ 17 / 9\end{array}$ |  |
| window [1] 19/10 | 17/17 17/21 18/6 20/20 25/13 |  |
| winter [1] 10/16 | 27/13 27/20 27/21 28/1 28/10 |  |
| wisdom [1] 42/14 | 28/12 28/15 28/15 28/21 $29 / 15$ |  |
| Wise [8] 1/17 3/5 3/9 3/25 4/22 | 29/22 29/22 30/1 30/7 30/9 |  |


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