



Audio Transcription of Lebanon, Illinois, Public Hearing

Date: June 26, 2023

Case: RON'S LOUNGE, INC., v. CITY OF LEBANON LIQUOR
CONTROL COMMISSION

Court Reporter: Dawn M. Bloemker, CSR, RPR, CCR

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STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION

RON'S LOUNGE, INC.,)	Case No.
)	
Appellant,)	State License Number:
)	
vs.)	
)	
CITY OF LEBANON LIQUOR CONTROL)	
COMMISSION,)	
)	
Appellee.)	

AUDIO TRANSCRIPTION OF
LEBANON, ILLINOIS, PUBLIC HEARING
June 26, 2023

Dawn M. Bloemker, CSR, RPR, CCR
Illinois CSR 084-004554
Louisiana CCR 2022013
Missouri CCR 1039
Texas CSR 12284
Washington CCR 22002403

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 2

STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION

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5 RON'S LOUNGE, INC.,) Case No.
6 Appellant,) State License Number:
7 vs.)
8 CITY OF LEBANON LIQUOR CONTROL)
9 COMMISSION,)
10 Appellee.)

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12
13 AUDIO TRANSCRIPTION OF LEBANON, ILLINOIS,
14 PUBLIC HEARING, June 26, 2023, before Dawn M.
15 Bloemker, a Certified Shorthand Reporter, a Registered
16 Professional Reporter, and a Notary Public.

A P P E A R A N C E S

17
18 Mr. Patrick Sullivan
19 Attorney at Law
20 107 W. Main Street
21 Belleville, Illinois 62220
22 REPRESENTING: Ron's Lounge, Inc.; Gordon Cachola;
23 Jennifer Robinson

24 Mr. Michael P. McGinley
25 Lewis Brisbois Bisgaard & Smith, LLP
26 103 W. Vandalia Street, Suite 300
27 Edwardsville, Illinois 62025
28 REPRESENTING: City Attorney, City of Lebanon

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 3

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Appearances (cont'd)

Ms. Tosha Childs
Lewis Brisbois Bisgaard & Smith, LLP
103 W. Vandalia Street, Suite 300
Edwardsville, Illinois 62025
REPRESENTING: City Attorney, City of Lebanon

ALSO PRESENT AT HEARING:

Ms. Cheri Wright
Mayor of Lebanon - Liquor Commissioner

Board Members for the City of Lebanon, Illinois

WITNESSES FOR THE CITY OF LEBANON:

Officer Cox - Lebanon, Illinois, Police Officer
Officer Rowland - Lebanon, Illinois, Police Officer
Chief Roth - Lebanon, Illinois, Police Chief

WITNESSES FOR RON'S LOUNGE, INC.:

Mr. Gordon Cachola - Owner of Ron's Lounge
Ms. Jennifer Robinson - Manager/Owner of Ron's Lounge
Ms. Barbara Shaffer, Security Staff at Ron's Lounge
Mr. Todd Nelson, Camera Installer at Ron's Lounge

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 4

1 IT IS STIPULATED AND AGREED by and between
2 counsel for the Appellant and counsel for the Appellee
3 that the audio transcription may be taken in shorthand
4 by Dawn M. Bloemker, a Certified Shorthand Reporter, a
5 Registered Professional Reporter, and a Notary Public,
6 and afterwards transcribed into typewriting.

* * * * *

8 LIQUOR CONTROL COMMISSIONER: It is June 26,
9 2023, 5 p.m. Call the meeting to order.

10 Roll call.

11 THE CLERK: Bennett?

12 MR. BENNETT: Here.

13 THE CLERK: Branch?

14 MS. BRANCH: Here.

15 THE CLERK: Davis?

16 MR. DAVIS: Here.

17 THE CLERK: Fero?

18 MR. FERRO: Here.

19 THE CLERK: Trinkka?

20 MR. TRINKA: Here.

21 THE CLERK: Washington?

22 MS. WASHINGTON: Here.

23 THE CLERK: Wilkins?

24 Witty?

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 5

1 MR. WITTY: Here.

2 LIQUOR CONTROL COMMISSIONER: Let's approve
3 the agenda.

4 No, we don't need to approve the agenda?

5 MR. MCGINLEY: This is not a city council
6 meeting. This a public hearing, so everybody knows.

7 LIQUOR CONTROL COMMISSIONER: Okay.

8 MR. MCGINLEY: We can do the Pledge of
9 Allegiance and then we're going to go into the public
10 hearing.

11 LIQUOR CONTROL COMMISSIONER: Okay. Please
12 join me with the Pledge of Allegiance.

13 (Pledge of Allegiance was recited.)

14 MR. MCGINLEY: Okay. Good afternoon,
15 everyone. My name is Mike McGinley. I'm the City
16 attorney for the city of Lebanon. Tonight, it is
17 5 p.m., we are going to have a public hearing
18 regarding the revocation of the liquor license for
19 cause and denial of renewal of liquor license for
20 cause and this is for Ron's Tavern here on Birk [sic]
21 Street.

22 Notice was delivered -- hand-delivered by
23 our police department to Gordon Cachola. Mr. Cachola
24 is here today, I believe, in the back. He's

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 6

1 represented by counsel. Patrick Sullivan is
2 Mr. Cachola's lawyer.

3 And Mr. Sullivan, are you also Jen
4 Robinson's lawyer?

5 MR. SULLIVAN: I am representing both
6 parties in this matter.

7 MR. MCGINLEY: Excellent. Thank you, sir.

8 MR. SULLIVAN: [Indiscernible.]

9 MR. MCGINLEY: Thank you, sir.

10 Jennifer Robinson is also here. She's here
11 in the front row. She also received notice. And Ron
12 Christ was also delivered notice as well. I don't
13 know if Mr. Christ is here.

14 UNIDENTIFIED SPEAKER: No. But we are here
15 representing him.

16 MR. MCGINLEY: Oh, okay. Welcome.

17 UNIDENTIFIED SPEAKER: Susan --
18 [indiscernible.]

19 MR. MCGINLEY: Nice to see you.

20 Okay. Here's what's going to happen
21 tonight. We're going to -- the City is going to put
22 on evidence. We're going to finish. Ron's --
23 Mr. Cachola, Ms. Robinson, are going to have an
24 opportunity to put on evidence. They'll finish. And

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 7

1 then if there's any rebuttals, those can be heard and
2 when that is finished, we'll close the public hearing,
3 and a formal decision will be issued by the liquor
4 commissioner, who is the mayor, by a written formal
5 decision at some point in the next, I believe the
6 limit's five days. So the letter will let us know
7 what we're doing.

8 Okay. So I will begin. This is what I'll
9 call my statement of the case.

10 Liquor poses a significant threat to the
11 safety, health, and the general welfare of any
12 community. And as a result, municipalities are
13 granted the authority to enact ordinances and
14 resolutions to regulate liquor pursuant to the Liquor
15 Control Act of 1934.

16 The mayor shall be the local liquor control
17 commissioner for the city of Lebanon, Illinois, and
18 shall have the power to revoke for cause all liquor --
19 local liquor licenses issued. And I'm reciting to the
20 Liquor Control Act of 1934, which is 235 ILCS 5/4-2.
21 The liquor control commissioner has wide authority in
22 determining whether a license will be renewed or
23 revoked. Daley v. Berzanskis.

24 Now, as to the facts of the case. On or

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 8

1 about September of 2021, the owner, Gordon C. Cachola,
2 Jr., manager and owner, Jennifer Robinson -- and their
3 lawyer at the time, Mr. Garavalia, who, for the
4 record, is not Mr. Sullivan. Mr. Sullivan is now
5 their attorney -- of Ron's Lounge, met with the mayor,
6 Cheri Wright, chief of police, Dave Roth, and the City
7 attorney at city hall in Lebanon, Illinois, regarding
8 alleged underage drinking and fighting issues at Ron's
9 Lounge. The owner and manager denied these
10 allegations but indicated to the mayor that they would
11 make sure that this did not occur at Ron's Lounge
12 going forward. So again, that was the first informal
13 meeting, September of 2021.

14 On May 14 of 2022 at approximately
15 12:07 a.m., nine underage persons were arrested at
16 Ron's Lounge, including a 16-year-old, during a
17 routine ID check conducted by the Lebanon police for
18 being under 21 in a retail liquor establishment after
19 9 p.m. According to the police, numerous kids fled
20 the scene before the police could check their IDs.

21 On May 18, 2022, Gordon Cachola, Jr., was
22 handed a formal letter, putting him on notice of a
23 public hearing that would take place on May 23, 2022,
24 to discuss the suspension/revocation of Ron's Lounge's

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 9

1 liquor license. And again, this is pursuant to the
2 procedures that are laid out in the Liquor Control
3 Act.

4 On May 23, 2022, a public hearing, just like
5 this one, was timely noticed and held at 6:30 p.m. at
6 city hall in Lebanon, Illinois. The City presented
7 evidence and Ron's Lounge presented evidence, just
8 like we're doing tonight. The public was allowed to
9 speak and the city council asked questions and made
10 statements.

11 This hearing was to discuss the
12 suspension/revocation of Ron's liquor license. All
13 requisite due process was provided, as it has been for
14 this evening.

15 City determined at that hearing that the
16 owner Gordon C. Cachola, Jr., and manager Jennifer
17 Robinson, violated the following City Ordinance,
18 Section 4-90(e). It shall be unlawful for any person
19 under 21 years of age to be present upon the premises
20 of a licensed establishment after 9 p.m.

21 The mayor also serves as the local liquor
22 control commissioner and is authorized to suspend or
23 revoke Ron's Lounge's liquor license. That power
24 enabled the mayor to suspend the license at that time.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 10

1 Ron's liquor license was formerly suspended from
2 May 25, 2023 -- '22 through May 31, 2022. They were
3 fined \$1,000, and their liquor license suspension
4 ended on June 1, 2022.

5 Now, subsequent to the suspension of Ron's
6 Lounge's liquor license, the mayor and City police
7 department have continued to receive complaints of
8 underage drinking at Ron's Lounge and the City
9 residents have had to deal with the repercussions.

10 The City police department continues to
11 engage with intoxicated persons who claim to be
12 patrons of Ron's, who admit they were drinking at
13 Ron's, and were under 21 years of age. Vandalism,
14 fighting, and public intoxication have been reported
15 stemming from underage drinking in Ron's Lounge.

16 Also, subsequent to the suspension of Ron's
17 Lounge's liquor license, Gordon Cachola and Jenna
18 Robinson -- Jennifer Robinson, excuse me -- the owners
19 of Ron's, were either convicted, pleaded guilty to
20 multiple charges admitting persons under the age of 21
21 to be inside Ron's Lounge after 9 p.m., which is a
22 violation of the city liquor code. Specific
23 violations include Section 6-2, issuance of licenses
24 to certain persons prohibited. No license of any kind

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 11

1 issued by the state commission or any local commission
2 shall be issued to a person who is not of good
3 character and reputation in the community in which he
4 resides.

5 They've also violated Section 4-90, sale to
6 certain persons prohibited. And this again is "(e)."
7 It shall be unlawful for any person under 21 years of
8 age to be present upon the premises of a licensed
9 establishment after 9 p.m.

10 So to summarize, the city liquor control
11 commissioner is authorized to revoke and refuse to
12 renew a liquor license to any license-holder who
13 violates the act or the city liquor code. Ron's
14 Lounge, Gordon Cachola, and Jenna Robin- -- Jennifer
15 Robinson have continued to violate the act in the city
16 liquor code since at least 2021. And as I stated
17 earlier, formal notice was given and actually this
18 letter was -- this is the letter that was delivered.

19 Now, if I could have Officer Cox and
20 Officer Rowland please come up to the table and have a
21 seat.

22 Have a seat, guys. Let me get some water.

23 Chief?

24 CHIEF ROTH: Yes.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 12

1 MR. MCGINLEY: Can you come around for one
2 second?

3 CHIEF ROTH: Yes.

4 MR. MCGINLEY: All right. This is
5 Chief Roth. Real quick, Chief.

6 So whenever a complaint is made, something
7 that rises above a speeding ticket or something to
8 that level, the police department creates a police
9 report in the normal and ordinary course of its
10 business as a police department. You would agree with
11 that?

12 CHIEF ROTH: Yes, sir.

13 MR. MCGINLEY: And you have provided me with
14 these police reports from 3/6 of '22 through 6/10 of
15 '23.

16 Do you agree with that?

17 CHIEF ROTH: Yes.

18 MR. MCGINLEY: Okay. And these are, again,
19 police reports kept in the normal and ordinary course
20 of business by the police department?

21 CHIEF ROTH: Correct.

22 MR. MCGINLEY: Okay. Thank you.

23 Okay. Just so everyone knows -- I'll
24 continue to update you guys what I'm doing. We're

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 13

1 going to go through briefly some of the things that
2 have occurred.

3 And, Chief, real quickly, before we start
4 this. So upon information and belief, Mr. Cachola
5 took over the liquor license for Ron's on December 3,
6 2020?

7 CHIEF ROTH: Correct.

8 MR. MCGINLEY: Okay. And between 1/1 of
9 '21, which is basically the month after he started and
10 1/1 of '22, would you agree with me that there were
11 44 calls to Ron's in that year for various issues?

12 CHIEF ROTH: Correct.

13 MR. SULLIVAN: May I object, please, for the
14 record?

15 MR. MCGINLEY: Sure.

16 MR. SULLIVAN: My objection -- are we on the
17 record? Is there a recording?

18 MR. MCGINLEY: Yeah. We went through -- our
19 clerk is recording this.

20 MR. SULLIVAN: Excellent.

21 Patrick Sullivan, attorney for Ron's and all
22 parties. All the police reports are inadmissible
23 hearsay. The foundation laid was inappropriate.
24 Foundation laid was for business records exception.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 14

1 That does not apply here. No police reports should be
2 admitted, and if they are, it would certainly be over
3 all defense objections. Thank you.

4 MR. MCGINLEY: Thank you. That leads me to
5 what we're going to do next.

6 All right. Now, on 4/3 of 2022, the police
7 were called out to Ron's for criminal trespass.

8 And Officer Cox, take a look at that,
9 please, and tell me, were the police called out to
10 Ron's for a criminal trespass on 4/3 of '22?

11 MR. SULLIVAN: Same objection.

12 OFFICER COX: Yes, we were.

13 MR. MCGINLEY: On 4/10 of '22 -- and this
14 will go to Officer Rowland. Officer Rowland, were the
15 police called out to Ron's for obstruction of justice
16 and resisting arrest?

17 And please take a look at that to refresh
18 your recollection and let me know if the police were
19 called out for those charges on 4/10 of '22.

20 MR. SULLIVAN: Same objection. Also,
21 foundation and leading questions are not permitted on
22 direct examination.

23 MR. MCGINLEY: Counsel, I would remind you,
24 this is an informal hearing, but your objections are

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 15

1 certainly welcome. That's fine.

2 All right. On 4/17 of '22, the police were
3 called out for a noise disturbance/aggravated battery
4 charge, a fight inside Ron's.

5 Officer Cox, can you please take a look at
6 that and let me know if that refreshes your
7 recollection and if the police were, in fact, called
8 out on a noise disturbance/aggravated battery, fight
9 inside Ron's charge.

10 MR. SULLIVAN: Same objection.

11 OFFICER COX: Yes.

12 MR. MCGINLEY: All right. On 4/30 of 2022,
13 we had an underage drinking complaint in Ron's.

14 Officer Cox, please take a look at that and
15 let me know if that refreshes your recollection, and
16 if, in fact, the Lebanon police were called out to
17 Ron's for an underage drinking complaint?

18 MR. SULLIVAN: Same objection.

19 OFFICER COX: Yes. We were.

20 MR. MCGINLEY: All right. And then
21 Number 6, this is -- let's see. On 5/1 of '22, there
22 is an arrest for a subject intoxicated at Ron's.

23 And again, Officer Cox, could you please
24 take a look at this and make sure that you agree with

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 16

1 me that the Lebanon police were called out to Ron's
2 for an intoxicated subject?

3 MR. SULLIVAN: Same objections.

4 OFFICER COX: Yes.

5 MR. MCGINLEY: All right. Now, on May 14,
6 2022 -- and this is both you guys. I need both of you
7 guys to look at this. This is where Mr. Cachola and
8 Ms. Robinson were cited for having multiple underage
9 patrons in the bar. And please let me know if the
10 Lebanon Police Department was called out for that.
11 Both of you take a look at that and make sure you
12 recollect -- or refresh your recollection. Excuse me.

13 MR. SULLIVAN: Same objections. And I would
14 simply ask to recognize continuing objections, I'd be
15 amenable to that. It would be to form, foundation,
16 hearsay, and improper memory of recollection refre- --
17 refreshed.

18 MR. MCGINLEY: You could have a running
19 objection. That's fine.

20 MR. SULLIVAN: Thank you very much.

21 OFFICER COX: Yes.

22 OFFICER ROWLAND: Yes.

23 MR. MCGINLEY: Do you agree,
24 Officer Rowland?

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 17

1 OFFICER ROWLAND: Yes.

2 MR. MCGINLEY: Okay. And can -- can --
3 starting with you, Officer Cox, can you tell me
4 specifically what it is you recall from that night?
5 Give me a narrative.

6 OFFICER COX: I recall that night very
7 vividly. As it turned out, we ended up arresting nine
8 individuals that evening inside the bar for being in
9 there after 9 p.m. over -- under the age of 21.

10 Also, I remember there were numerous
11 individuals that fled out the front door as we came in
12 the back door.

13 MR. MCGINLEY: Officer Rowland, what is your
14 recollection of the events that evening?

15 OFFICER ROWLAND: Same thing. We went in to
16 do a detail to -- on complaint of underaged people
17 being present after 9 p.m., and as we entered the rear
18 door, numerous people started to flee up front, and we
19 located nine individuals and cited them.

20 MR. MCGINLEY: Thank you very much.

21 So after this evening or shortly after this
22 evening, this is when the suspension of Ron's
23 occurred, for the record.

24 All right. So the next one is -- let's see.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 18

1 On December 10 of 2022, we had two juveniles flee
2 Ron's, and this was Officer Cox.

3 Actually, Officer Cox, I think you have a
4 pretty solid recollection. Take a look at that and
5 let me know what it is you recall from that night.

6 OFFICER COX: Yes, I do remember this.
7 Briefly, what occurred was there was a loud truck -- a
8 white truck driving around town with a loud muffler.
9 Ran the license plate on that vehicle and the
10 registered owner of that vehicle was 17 years of age.

11 Little while later, I noticed that vehicle
12 parked in the parking spot behind Ron's Lounge. I
13 watched that vehicle for about 30 to 45 minutes, I
14 believe, and that vehicle -- two subjects came out of
15 that vehi- -- or came out of the rear door of Ron's,
16 got into that vehicle and left.

17 I sensibly tried to stop them. They fled.
18 We had a short pursuit. They cut across a cornfield.
19 Obviously, I did not follow them in a squad car, but
20 we were able -- able to identify who it was by the
21 registration.

22 Later that evening went to their house in
23 Troy. Made contact with the driver and the driver's
24 mother. He admitted that it was him. That he was

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 19

1 inside Ron's consuming alcohol, and he was afraid that
2 he would get in trouble if he stopped. So he was
3 issued citations for being inside Ron's and numerous
4 traffic violations as well as Jennifer Robinson and
5 Ron [sic] Cachola being -- Gordon Cachola being issued
6 citations as well.

7 MR. MCGINLEY: And so you saw this guy come
8 out of the back of Ron's, get in the truck and you
9 pursued?

10 OFFICER COX: That is correct. Well, yeah.
11 Pursued him after he failed to stop. I tried to stop
12 him, and he failed to stop.

13 MR. MCGINLEY: How fast was he going through
14 town?

15 OFFICER COX: Between 60 and 70 miles an
16 hour, down a back alley, and then up Madison Street
17 until he got out of town on Route 4.

18 MR. MCGINLEY: Okay. And this is roughly
19 seven months after the initial suspension for the
20 record.

21 Thank you, Officer Cox.

22 All right. On 12/16 of '22, we had a
23 patron -- or intoxicated individual. This is both Cox
24 and Rowland. Could you guys take a look at this to

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 20

1 refresh your recollection of what occurred that
2 evening, and then tell me in your own words what it is
3 that you recall happening?

4 OFFICER COX: Yes, I remember this call as
5 well. We were dispatched to a disturbance. It was
6 actually dispatched in front of Brewers, which is
7 directly across the street from Ron's.

8 We got there and it was a father trying to
9 get his underage daughter who was severely intoxicated
10 into a car so he could take her home, and it was
11 through speaking with her it was determined that she
12 had been inside of Ron's Lounge and not -- and not
13 Brewers. She also had stated that they gave her an
14 "X" on the hand after 9 p.m.

15 So later on that evening, we were dis- -- we
16 had another incident behind Ron's where we were trying
17 to get individuals to leave. And, of course, Jennifer
18 had come out with her doorman to talk to us about what
19 was going on, and she said no one would have been
20 allowed in the bar. We -- we put an "X" on
21 everybody's hand who was in the bar.

22 MR. MCGINLEY: Okay. So you personally
23 spoke with this underage girl?

24 OFFICER COX: Yes.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 21

1 MR. MCGINLEY: Okay. And she told you that
2 they put an "X" on her hand after 9 p.m.?

3 OFFICER COX: That is correct.

4 MR. MCGINLEY: And her dad was trying to
5 remove her from the streets of Lebanon because she was
6 intoxicated?

7 OFFICER COX: That is correct. Yes.

8 MR. MCGINLEY: And your judgment of her
9 being intoxicated is based upon how many years of
10 service?

11 OFFICER COX: Over 30 years of law
12 enforcement experience.

13 MR. MCGINLEY: And Officer Rowland, how many
14 years have you been a police officer?

15 OFFICER ROWLAND: Approximately 27.

16 MR. MCGINLEY: So you guys have a little bit
17 of experience dealing with the -- the patrons of bars
18 in and around Lebanon?

19 OFFICER ROWLAND: Yes.

20 MR. MCGINLEY: Okay. Officer Rowland, is
21 there anything else you can add?

22 OFFICER ROWLAND: I believe Officer Cox
23 pretty much covered everything. He was the primary on
24 it, and I was more in the role of just backup/assist

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 22

1 officer.

2 MR. MCGINLEY: Perfect. Thank you very
3 much.

4 All right. So -- and that was just six days
5 after the other ticket, for the record.

6 Let's see. 13 days later on 12/29 of '22,
7 person under the age of 21. Let's see. I think this
8 is both Cox and Rowland as well.

9 Just real briefly, can you guys take a look
10 at that to refresh your recollection and let me know
11 in your own words what it is you recall about that
12 evening.

13 OFFICER COX: Yes. I also recall that one.
14 Observed a female subject exit the front door of
15 Ron's. She appeared to be very young, so I had
16 stopped the vehicle on a traff- -- as a traffic stop.

17 She was under the age of 21. She did state
18 she went into Ron's just to use the bathroom and
19 she -- and then came out. Do not know if she was
20 consuming alcohol. We did not indicate any -- any
21 indicators; however, she was inside the bar, as I
22 witnessed her come out of the front door.

23 MR. MCGINLEY: All right. Officer Rowland,
24 anything to add?

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 23

1 OFFICER ROWLAND: No. As in the previous
2 one, I was more in the role of a backup/assist, and I
3 believe he covered everything well.

4 MR. MCGINLEY: Okay. So one day later on
5 12/30 of '22, we have another under -- or under the
6 age of 21 inside Ron's after 9. This is also Cox and
7 Rowland.

8 Gentlemen, can you take a quick look at this
9 to refresh your recollection and then let us know in
10 your own words what it is that you recall about that
11 evening.

12 OFFICER ROWLAND: Yeah. This is actually
13 the same shift, just a couple hours later.

14 MR. MCGINLEY: Okay.

15 OFFICER ROWLAND: It was after midnight, and
16 I observed a young lady walk into the bar after
17 exiting her -- it was a white vehicle on the lot of
18 city hall, and I conducted a computer check and
19 located record on a female who was under the age of
20 21. And when she returned back to the vehicle, I
21 confirmed, indeed, she was the female that I saw enter
22 and then exit.

23 She had admitted that she had been in there
24 after -- after 9 p.m., of course, under the age of 21,

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 24

1 and she had even made comments about having been there
2 earlier that month for a 20th birthday party.

3 MR. MCGINLEY: Okay. So --

4 OFFICER ROWLAND: And Officer Cox was more
5 in a backup role on that one.

6 MR. MCGINLEY: So you communicated directly
7 with her, and she told all this to you directly?

8 OFFICER ROWLAND: Yes.

9 MR. MCGINLEY: Okay. All right. So on
10 1/6 of '23 -- so now we're into 2023, and this is
11 Officer Rowland as well. It looks like there was a
12 bar fight at Ron's.

13 Can you take a quick look at this to refresh
14 your recollection as to what occurred but then, of
15 course, give me in your own words what it is that you
16 recall from that evening?

17 OFFICER ROWLAND: Yes. In this situation,
18 there was some individuals inside the bar and there
19 was some kind of a fight that started inside the bar,
20 spilled out into the street. There were allegations
21 that one of the males in the other party had a
22 firearm. He left the bar. He was stopped on a
23 traffic stop.

24 I spoke with different parties there, and my

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 25

1 investigation concluded that this individual did,
2 indeed, break the window of Ron's, and I had completed
3 a citation which was to be served on him.

4 MR. MCGINLEY: And Chief, real quick.
5 Sometimes there's a CAD report done, which means
6 there's no police report when dispatch calls out a
7 police officer; correct?

8 CHIEF ROTH: Correct.

9 MR. MCGINLEY: Like we're called out --

10 CHIEF ROTH: Every time. Every time there's
11 a CAD done.

12 MR. MCGINLEY: So every -- so there are --
13 there are also other issues that have occurred where
14 we don't have police reports or we don't have
15 something to refresh an officer's recollection where
16 they were called out to the scene; fair?

17 CHIEF ROTH: Fair.

18 MR. MCGINLEY: Officers, thank you very much
19 for your time. I don't know if anyone will have any
20 questions for you, but at this time, you are free to
21 move to the back of the room. Thank you.

22 MR. SULLIVAN: Questions for the officers,
23 please.

24 MR. MCGINLEY: Yeah. You can ask --

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 26

1 whenever it's your turn you can -- however you want to
2 conduct it.

3 MR. SULLIVAN: Thank you.

4 UNIDENTIFIED SPEAKER: Well, can I ask a
5 question?

6 MR. MCGINLEY: In a moment.

7 UNIDENTIFIED SPEAKER: Okay.

8 MR. MCGINLEY: Okay. Now, more recently, on
9 April 27 the City was in court -- City of Lebanon vs.
10 Jennifer R. Robinson was in court on four tickets.
11 22-OV -- and I'll read the last three, 901, 301, 401,
12 601. These were all tickets that were issued to
13 Jennifer Robinson by the police department for
14 ordinance violation, person under 21 in Ron's after
15 9 p.m., and all four tickets are convictions.

16 On Tuesday May 16, 2023, the City of Lebanon
17 was in court with Gordon C. Cachola, Jr. Those
18 tickets were resolved as follows, and I'll go through
19 these.

20 And so 001, this was dismissed. The City
21 agreed to dismiss this ticket. 101, Mr. Cachola
22 pleaded guilty to under 21 in the bar after 9. 201,
23 Mr. Cachola pleaded guilty to under 21 in the bar
24 after 9. And 501, Mr. Cachola pleaded guilty to under

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 27

1 21 after 9 p.m.

2 And Officer Cox, could I have you back up
3 here for one second?

4 OFFICER COX: Yes, sir.

5 MR. MCGINLEY: Come on up. Can you tell me
6 in your own words what happened on May 5, 2022, and
7 you can refresh your recollection, sir. It was a
8 while ago.

9 OFFICER COX: Okay. On the -- on May 5,
10 2022, it was about 11:30, 11:40 p.m., myself and
11 Officer Brittany Newport, who has since moved to a
12 different police department, came in to conduct a
13 routine identification check inside Ron's. And as
14 soon as we walked in, the manager, Jennifer Robinson,
15 immediately became irate with us. She was stating
16 that the mayor had told her that we weren't going to
17 be doing this to her. The mayor told her that we
18 weren't allowed to come into her establishment and
19 bother -- and bother her anymore because we were
20 running people off, etc.

21 I explained to her that we had gotten no
22 such order from anybody and that because she had a
23 license -- a liquor license from the city of Lebanon,
24 that we had every right to come in and do

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 28

1 identification checks on any patrons at any point in
2 time.

3 She continued to follow us around the bar
4 berating us for doing our jobs, and then as we left
5 the establishment, she continued to yell at us as we
6 left.

7 MR. MCGINLEY: Okay. Thank you,
8 Officer Cox.

9 Chief, can you come up here?

10 All right. Chief Roth, how long have you
11 been in law enforcement?

12 CHIEF ROTH: Since August of 1989.

13 MR. MCGINLEY: How long have you been the
14 chief of police here in Lebanon?

15 CHIEF ROTH: About 8 1/2 years.

16 MR. MCGINLEY: 8 1/2 years. Okay.

17 Were you familiar with Ron's prior to
18 Mr. Cachola and Ms. Robinson taking over its ownership
19 and management?

20 CHIEF ROTH: Yes.

21 MR. MCGINLEY: Okay. How would you describe
22 that establishment prior to them taking over?

23 CHIEF ROTH: Compared to what it is, a quiet
24 place.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 29

1 MR. MCGINLEY: Now, if you could, for the
2 record, could you just expound upon what your
3 experience has been as the chief of police as it
4 relates to Ron's since Mr. Cachola and Ms. Robinson
5 took over in late 2020?

6 CHIEF ROTH: We went from having very little
7 issues at Ron's when I first started here when it was
8 taken over by the new owner and bar manager. We
9 started getting complaints of underage drinking, and
10 it didn't take very long, and it has continued to this
11 day. And we've done a lot of enforcement, we spent a
12 lot of time, we spent a lot of effort, and Lord knows
13 what it has cost the City.

14 MR. MCGINLEY: Have you received any
15 complaints from any parents or citizens about what's
16 going on at Ron's?

17 CHIEF ROTH: Absolutely.

18 MR. MCGINLEY: What are those?

19 CHIEF ROTH: Of allowing their -- basically
20 allowing their kids to drink in Lebanon, and they knew
21 specifically they were drinking at Ron's. There's
22 been incidents of accidents with underage kids, I know
23 in the Mascoutah area. We had one here in town, and I
24 think the other one was in O'Fallon.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 30

1 MR. SULLIVAN: I would object to the
2 hearsay.

3 MR. MCGINLEY: Okay.

4 CHIEF ROTH: Can I add to that?

5 MR. MCGINLEY: Sure.

6 CHIEF ROTH: And I've also been told by --

7 MR. SULLIVAN: Same objection.

8 CHIEF ROTH: -- kids and young adults -- let
9 me rephrase that -- young adults here in town that go
10 to McKendree, it's known that kids are going to drink
11 at Ron's underage. It's well known.

12 MR. MCGINLEY: And put aside the -- the
13 underage drinking aspect of it if you can for a
14 moment. Are there other -- I mean, we've gone through
15 a laundry list of charges here today. Are there other
16 issues that are stemming from the owners -- the
17 current ownership and management of Ron's other than
18 just underage drinking?

19 CHIEF ROTH: Are you talking about the owner
20 has other issues other than this?

21 MR. MCGINLEY: No. I'm saying since --
22 since the -- since the current owner and manager took
23 over Ron's, are there -- you know, put aside the
24 underage drinking aspect, are there other things that

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 31

1 are occurring as far as the laws being broken?

2 CHIEF ROTH: There's been allegations of
3 various things that we can't prove just yet. If you
4 would like for me to expand on that a little.

5 MR. MCGINLEY: No. I don't --

6 CHIEF ROTH: Okay.

7 MR. MCGINLEY: Everyone's -- it's America.
8 Everyone's innocent until proven guilty.

9 CHIEF ROTH: You're right.

10 Obviously, there's been fights there.
11 There's been continuous complaints on the underage
12 drinking, but fights, loud music, those type of things
13 that are bar related. Criminal damage to property.
14 People leaving the bar. Tearing up stuff downtown.

15 MR. MCGINLEY: Okay. I think that's all I
16 have for you now, Chief. Thank you very much.

17 CHIEF ROTH: You're welcome.

18 MR. MCGINLEY: Appreciate it.

19 So earlier I kind of gave you guys a roadmap
20 of what we're going to do. At this time, that's the
21 evidence that the City wants to put on for the liquor
22 commissioner.

23 What it is that the City believes that it
24 has shown and proven is that the current liquor

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 32

1 license holders of Ron's Lounge, that liquor license
2 should be revoked and it should not be renewed. This
3 bar is not being run responsibly.

4 There are too many to count numerous
5 allegations and numerous charges of people under 21
6 and people under 20- -- being in the bar after 9 and
7 people under 21 drinking in the bar and the issues
8 that stem from that.

9 And with the City being on notice and with
10 the liquor commissioner having the power and authority
11 that they do to suspend and revoke and not renew
12 liquor licenses, it's the City's position that this
13 liquor license should be suspended and not renewed.

14 The liquor license is up to be renewed on
15 July 1. Based on the evidence that we provided here
16 today, we do not believe that that liquor license
17 should be renewed on July 1.

18 So at this time, Mr. Sullivan, please feel
19 free to come up, Mr. Cachola, Ms. Robinson, Christ
20 family, whatever it is that y'all want to say. You're
21 more than welcome. You have the floor.

22 MR. SULLIVAN: Thank you.

23 Can I briefly re-call the three officers?

24 MR. MCGINLEY: Sure.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 33

1 MR. SULLIVAN: Gentlemen.

2 To the liquor commissioner, the city
3 council, thank you very much for allowing me to be
4 heard. My name is Patrick Sullivan. I'm the attorney
5 for the respondents.

6 May I proceed now?

7 MR. MCGINLEY: Sure.

8 LIQUOR CONTROL COMMISSIONER: All right.

9 MR. SULLIVAN: I'll try to track this as
10 best I could, gentlemen.

11 This juvenile who fled to Troy, he was
12 pursued?

13 UNIDENTIFIED POLICE OFFICER: For a short
14 period, yes.

15 MR. SULLIVAN: Was he ID'd before he entered
16 the bar?

17 UNIDENTIFIED POLICE OFFICER: No.

18 MR. SULLIVAN: He was not ID'd?

19 UNIDENTIFIED POLICE OFFICER: He was -- no,
20 he was not ID'd before he entered the bar, no.

21 MR. SULLIVAN: And how do you know that?

22 UNIDENTIFIED POLICE OFFICER: Oh, you mean
23 as far as from Ron's? I have no idea if he was or
24 not.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 34

1 MR. SULLIVAN: So you don't know if they
2 checked his ID --

3 UNIDENTIFIED POLICE OFFICER: No.

4 MR. SULLIVAN: -- and he had a fake one?
5 Did you have footage to see if he was --

6 MR. MCGINLEY: Objection. Relevance.

7 MR. SULLIVAN: Would you like an ongoing
8 objection?

9 MR. MCGINLEY: If it relates to fake IDs,
10 yes.

11 MR. SULLIVAN: Excellent.

12 Did you ever request any footage to see if
13 they checked his ID?

14 UNIDENTIFIED POLICE OFFICER: No, I did not.

15 MR. SULLIVAN: Okay. The incident with the
16 "X" on the hand after 9 p.m., did you check to see if
17 that individual was ID'd?

18 UNIDENTIFIED POLICE OFFICER: That is not
19 our responsibility to do so.

20 MR. SULLIVAN: Okay. Do you know if they
21 were ID'd or not?

22 UNIDENTIFIED POLICE OFFICER: I do not know,
23 no.

24 MR. SULLIVAN: Thank you.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 35

1 You said that you had 30 years of experience
2 and you could tell the individual was intoxicated;
3 correct?

4 UNIDENTIFIED POLICE OFFICER: That is
5 correct.

6 MR. SULLIVAN: What was her blood alcohol
7 content that night?

8 UNIDENTIFIED POLICE OFFICER: It was over
9 the legal limit. I can guarantee you that.

10 MR. SULLIVAN: On what do you base that
11 guarantee, your experience?

12 UNIDENTIFIED POLICE OFFICER: 30 years of
13 experience with the Illinois State Police and the
14 Lebanon Police Department.

15 MR. SULLIVAN: What was the exact BAC,
16 please?

17 UNIDENTIFIED POLICE OFFICER: You can't do
18 that without a -- without a test, chemical test.

19 MR. SULLIVAN: Were any chemical tests
20 conducted?

21 UNIDENTIFIED POLICE OFFICER: No.

22 MR. SULLIVAN: Any field sobriety?

23 UNIDENTIFIED POLICE OFFICER: No.

24 MR. SULLIVAN: Thank you.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 36

1 The female who exited the front door who
2 looked young on December 29, she said she entered to
3 use the bathroom. She said she was not drunk or at
4 least didn't appear drunk?

5 UNIDENTIFIED POLICE OFFICER: That is
6 correct.

7 MR. SULLIVAN: Okay. And she admitted to
8 being inside after 9 p.m.; correct?

9 UNIDENTIFIED POLICE OFFICER: As well as me
10 seeing her being inside, yes.

11 MR. SULLIVAN: Certainly.

12 Was she ticketed for a 490 violation?

13 UNIDENTIFIED POLICE OFFICER: I don't
14 recall. I would have to check. I believe she was.

15 MR. SULLIVAN: She received a ticket for a
16 490 violation?

17 UNIDENTIFIED POLICE OFFICER: I believe so.

18 MR. SULLIVAN: And that would have been
19 alleging that: "It shall be unlawful for any person
20 under 21 years of age to be present upon the premises
21 of a licensed establishment after 9 p.m."?

22 UNIDENTIFIED POLICE OFFICER: Yeah. I
23 believe she was, yes.

24 MR. SULLIVAN: Does 490 read: "It shall be

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 37

1 unlawful to allow a person under 21 years of age to be
2 present upon the premises of a licensed
3 establishment"?

4 UNIDENTIFIED POLICE OFFICER: No.

5 MR. MCGINLEY: Objection. Argumentative.

6 MR. SULLIVAN: I'm simply asking how the
7 statute reads.

8 You're familiar with the statute?

9 UNIDENTIFIED POLICE OFFICER: Yes. I'm very
10 familiar with the statute.

11 MR. SULLIVAN: It doesn't state that it's
12 unlawful to allow them -- [indiscernible].

13 UNIDENTIFIED POLICE OFFICER: That is
14 correct.

15 MR. SULLIVAN: No one -- [indiscernible].

16 It just says: "Unlawful to be present while
17 under 21."

18 UNIDENTIFIED POLICE OFFICER: With the
19 understanding that you are the one that is responsible
20 for the people inside your establishment, yes.

21 MR. SULLIVAN: Is that the understanding?

22 UNIDENTIFIED POLICE OFFICER: That's the way
23 I understand the law, yes.

24 MR. SULLIVAN: Okay. You have 30 years of

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 38

1 experience. Does Mr. Cachola appear to be under 21?

2 UNIDENTIFIED POLICE OFFICER: No.

3 MR. SULLIVAN: Does Ms. Robinson appear to
4 be under 21?

5 UNIDENTIFIED POLICE OFFICER: No.

6 MR. SULLIVAN: And so arguably, that
7 wouldn't be in violation of 490 since it reads: "It's
8 unlawful to be present under the age of 21"?

9 UNIDENTIFIED POLICE OFFICER: No. They
10 would not -- not to be in there, but they are the ones
11 who allowed them to come in. It is their
12 responsibility to check identifications prior to
13 entering.

14 MR. SULLIVAN: Is there a city ordinance
15 that bars allowing ingress and egress of people under
16 21?

17 UNIDENTIFIED POLICE OFFICER: That law -- or
18 that city ordinance right there, the way I understand
19 it and the way I read it, and since there's been no --
20 there's been no ruling on it, that's the way that I
21 understand it, that's the way it's been enforced since
22 it's been put into being.

23 MR. SULLIVAN: We will be requesting that.
24 Thank you.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 39

1 MR. MCGINLEY: And I cite to the tickets
2 that have been issued and the convictions of Jennifer
3 Robinson and Gordon Cachola for 490 violations.

4 MR. SULLIVAN: I would like the record to
5 reflect that none of those are certified convictions
6 as would be required.

7 The incident the next day after 9, a female
8 under 21 confirmed, admitted she was in there after --
9 after 9?

10 UNIDENTIFIED POLICE OFFICER: Yes.

11 MR. SULLIVAN: Okay. Was she ticketed?

12 UNIDENTIFIED POLICE OFFICER: Yes.

13 MR. SULLIVAN: Okay. Did she -- do you know
14 if she showed an ID to get in there or not?

15 UNIDENTIFIED POLICE OFFICER: I -- I -- I
16 don't know, and I'd have to re- -- refresh my
17 recollection with my police report.

18 MR. SULLIVAN: But as you sit here right,
19 you don't know?

20 UNIDENTIFIED POLICE OFFICER: I don't
21 recall.

22 MR. SULLIVAN: Okay. And the bar fight --
23 this so-called bar fight at Ron's that spilled out
24 into the street, that was an incident where an

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 40

1 individual brandished a firearm?

2 UNIDENTIFIED POLICE OFFICER: Yes. I
3 believe he had it on the street but not inside the
4 bar.

5 MR. SULLIVAN: Okay. Was that individual
6 Michael Brock?

7 UNIDENTIFIED POLICE OFFICER: No.

8 MR. SULLIVAN: Okay. But you alleged that
9 that individual broke a window at Ron's?

10 UNIDENTIFIED POLICE OFFICER: Yes.

11 MR. SULLIVAN: Not some other establishment
12 in Lebanon?

13 UNIDENTIFIED POLICE OFFICER: He broke the
14 window at Ron's, yes. The video evidence showed that.

15 MR. SULLIVAN: So Ron's would be the victim
16 of that crime?

17 UNIDENTIFIED POLICE OFFICER: In that
18 situation, yes.

19 MR. SULLIVAN: Okay. Now, in any of this,
20 did the owners or proprietors of Ron's ever admit to
21 facilitating any of this, that they were encouraging
22 underage drinking?

23 UNIDENTIFIED POLICE OFFICER: They never
24 admitted to it, no.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 41

1 MR. SULLIVAN: Okay. Now, are you familiar
2 with the outside of Ron's --

3 UNIDENTIFIED POLICE OFFICER: Yes.

4 MR. SULLIVAN: -- that's right next door?

5 Are you aware of any signs posted on the
6 very outside?

7 UNIDENTIFIED POLICE OFFICER: There's a sign
8 that the city ordinance requires that's posted in the
9 window.

10 MR. SULLIVAN: Yes. What does that say?

11 UNIDENTIFIED POLICE OFFICER: "No one under
12 21 is allowed in the establishment."

13 MR. SULLIVAN: And did you post that or did
14 Ron's?

15 UNIDENTIFIED POLICE OFFICER: Ron's is
16 required by city ordinance to post that.

17 MR. SULLIVAN: And they're in compliance
18 with that law?

19 UNIDENTIFIED POLICE OFFICER: Yes, they are.

20 MR. SULLIVAN: Okay. And you -- you --
21 you're familiar with Ron's, you go in there from time
22 to time?

23 UNIDENTIFIED POLICE OFFICER: At a time --
24 there was a time, we did, yes.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 42

1 MR. SULLIVAN: But now no?

2 UNIDENTIFIED POLICE OFFICER: Now, we just
3 -- [indiscernible] -- the street since the abuse we
4 took from the last time we were in there.

5 MR. SULLIVAN: The alleged abuse?

6 UNIDENTIFIED POLICE OFFICER: Uh-huh.

7 MR. SULLIVAN: And what did --

8 UNIDENTIFIED POLICE OFFICER: There was no
9 alleging about it. It was -- it was verbal abuse.
10 There was no alleged about it because I was the victim
11 of that alleged abuse.

12 MR. SULLIVAN: And you are the one making
13 the allegations then --

14 UNIDENTIFIED POLICE OFFICER: Yes, sir.

15 MR. SULLIVAN: -- is that correct?

16 Thank you.

17 Now, when you enter Ron's, are there a
18 number of cameras trained on the entrance?

19 UNIDENTIFIED POLICE OFFICER: Are you
20 talking City cameras or cameras from Ron's?

21 MR. SULLIVAN: Both.

22 UNIDENTIFIED POLICE OFFICER: I know that
23 there are several cameras that the City has posted --
24 or has put up since Ron's has been taken over by

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 43

1 Gordon to try to stem the problems that we have on the
2 inside.

3 MR. SULLIVAN: Okay. But there are also
4 private cameras?

5 UNIDENTIFIED POLICE OFFICER: To my
6 knowledge, there are. But any time that we have
7 requested them, they have never been able to produce
8 any type of footage. They can't operate the machine.
9 They don't know how to work it. They're going to call
10 somebody and then get back with us, and it never
11 happens.

12 MR. SULLIVAN: Thank you. Nothing further.
13 I appreciate it. I'll let you go.

14 (Indiscernible comments were made.)

15 MR. SULLIVAN: Okay. Let's try and do this
16 as quickly and expeditious as possible, can we?

17 MR. CACHOLA: Okay.

18 * * * * *

19 GORDON CACHOLA,
20 testifies as follows:

21 * * *

22 EXAMINATION

23 BY MR. SULLIVAN

24 Q. You are Gordon Cachola?

Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023

Page 44

1 **A. Yes.**

2 Q. Long story short, you own Ron's?

3 **A. Yes.**

4 Q. Okay. Are you over 21?

5 **A. Yes.**

6 Q. Been since you owned it?

7 **A. Yes.**

8 Q. Okay. Did you move here to pursue your
9 dream of running a bar and restaurant?

10 **A. Yes.**

11 Q. Okay. As part of your business strategy, do
12 you encourage underage drinking in your facility?

13 **A. No, I do not.**

14 Q. Okay. What measures were in place when you
15 purchased Ron's in a cash-for-deed situation to
16 stem -- discourage underage drinking?

17 MS. WASHINGTON: Could you speak up, please?

18 MR. SULLIVAN: Me or him, ma'am?

19 MS. WASHINGTON: Him.

20 MR. SULLIVAN: Certainly.

21 Can you please speak up for Ms. Washington?

22 MR. MCGINLEY: And I guess if we're
23 objecting to leading questions, I'll lodge that
24 objection, too, even though it's an informal hearing.

1 But go ahead.

2 **A. There wasn't any -- [indiscernible].**

3 UNIDENTIFIED SPEAKER: Do you mind if I put
4 this --

5 MR. SULLIVAN: Please.

6 UNIDENTIFIED SPEAKER: -- to pick him up.

7 MR. CACHOLA: I'm -- I lost my -- I'm sorry.

8 After a stroke, I lost a lot of my --

9 UNIDENTIFIED SPEAKER: It's okay.

10 Q. (By Mr. Sullivan) When did you take over
11 Ron's?

12 **A. It was in 2019.**

13 Q. Okay. And what, if any, preventative
14 measures have you put in place to stop underage
15 drinking?

16 **A. We got a hand -- hand scanners. We've put
17 up -- gotten different kinds of markers, and we've
18 used wristbands. We've got security on the doors.
19 We've actually put cameras above the doors so we can
20 show people that we're carding them to -- to -- to
21 make sure that we are -- that we are -- that we are
22 card- -- card- -- carding the right people.**

23 Q. What is your policy on forcing entrance to
24 show an identification?

Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023

Page 46

1 **A. Everybody's got to show.**

2 Q. Everybody?

3 **A. Yes.**

4 Q. Okay. Have you employed a manager?

5 **A. Yes.**

6 Q. What's her name?

7 **A. Jennifer Robinson.**

8 Q. And what about an individual in charge of
9 security?

10 **A. Yes. Barb.**

11 Q. Barb?

12 **A. I forget her last name.**

13 Q. Shaffer.

14 **A. Shaffer.**

15 Q. Excellent.

16 Are those two people in the room right now?

17 **A. Yes.**

18 Q. And what about a guy named Todd Nelson, did
19 he ever do anything for you?

20 **A. Todd Nelson actually -- he -- he installed
21 more cameras for the building.**

22 Q. Okay. You went through a -- a series of
23 incidents. Did you personally meet with the mayor and
24 the chief of police about addressing these issues?

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 47

1 **A. Yes.**

2 Q. And were the system of bracelets and stamps
3 and upping the security and -- and cameras and
4 blocking the back door, were those instituted before
5 or after that meeting?

6 **A. Aft- -- after.**

7 Q. Are they still in place?

8 **A. Yes, they are.**

9 Q. Okay. What about the incident with the
10 minors, when nine minors were present? Were you
11 present?

12 **A. No, I was not.**

13 Q. Are you familiar with the occurrences,
14 though?

15 **A. Not really. I -- just from what I was told.**

16 Q. Okay. Who was on duty that night?

17 **A. Jennifer.**

18 Q. Okay. Any incidents, to the best of your
19 knowledge, from June of 2022 to December of 2022?

20 **A. Not -- not that I can --**

21 Q. Any tickets?

22 **A. No, not that I can think of.**

23 Q. Okay. What about in December '22, was there
24 an incident where there was a number of -- of minors

1 outside of your bar?

2 **A. I -- I believe so.**

3 Q. How many -- how many individuals do you
4 supploy -- employ now as security guards?

5 **A. I've got four.**

6 Q. How would someone know they're security
7 guards?

8 **A. They all have "security" written on the back
9 of their --**

10 Q. And do they check IDs?

11 **A. Yes, they do.**

12 Q. Okay. You know, have you ever had incidents
13 where, amazingly, your patrons were also at Brewers
14 and were also at various other places?

15 **A. Yes.**

16 MR. MCGINLEY: Object to form. Speculation.

17 Q. (By Mr. Sullivan) Do you have actual personal
18 knowledge that customers sometimes come to you from
19 Brewers, Gasthaus, Grit & Tonic?

20 **A. Yes.**

21 Q. Do you have personal knowledge that
22 sometimes your patrons mosey on over to Brewers,
23 Gasthaus, Grit & Tonic?

24 **A. Yes.**

1 MR. MCGINLEY: Same objection.

2 Q. (By Mr. Sullivan) You have personal
3 information?

4 **A. Yes.**

5 Q. You've personally witnessed it?

6 **A. Yeah. I've been to those locations and the
7 same customers were there.**

8 Q. Okay. Okay.

9 The evening of the individual brandishing a
10 firearm, you didn't get him to do that, did you?

11 **A. No. I wasn't present at the -- at that
12 time.**

13 Q. Did you cooperate with the officers?

14 **A. Yes. We gave them the video footage of --
15 of that incident.**

16 Q. You do know how to work the video footage?

17 **A. Yes.**

18 Q. You do know how to work your security
19 cameras?

20 **A. Yes.**

21 Q. And, in fact, you were able to pull that for
22 the officers and provide it to them --

23 **A. Yes.**

24 Q. -- upon request?

Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023

Page 50

1 **A. Yes.**

2 Q. Let's see. March 23, do you recall an
3 incident where you asked by law enforcement to pull
4 your footage?

5 **A. Yes.**

6 Q. That was even something you did?

7 **A. No.**

8 Q. Or someone else did on your premises, I
9 should say?

10 **A. Correct.**

11 Q. That was just to be helpful and a good old
12 guy; right?

13 **A. Yes.**

14 Q. Great. Let's see.

15 What's the issue -- is there an issue with a
16 curtain?

17 **A. Yes. We were cited to have -- to move a
18 curtain or we would -- or they would fine us, so the
19 curtain was removed.**

20 Q. How long did it take you? A couple of
21 months?

22 **A. Yes. That curtain's been there since -- it
23 predated me.**

24 Q. Well, how long -- once you knew that you

Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023

Page 51

1 were going to get ticketed for a curtain, how long did
2 it take you to remove the curtain?

3 **A. We removed it right then.**

4 Q. Okay. Okay.

5 What's this issue of vandalism?

6 **A. To my knowledge, nothing. I mean --**

7 Q. You guys aren't vandalising anything, are
8 you?

9 **A. No.**

10 Q. Your staff?

11 **A. No.**

12 Q. What would you do if you found out a staff
13 member was vandalising the city of Lebanon?

14 **A. I would turn them -- turn them in.**

15 Q. Call the police, maybe?

16 **A. Yes.**

17 Q. Fire them?

18 **A. Yes.**

19 Q. Okay. If you lose your liquor license, what
20 happens to your business?

21 **A. It closes.**

22 Q. I mean, come on, you've got food?

23 **A. Right.**

24 Q. You've got gambling?

Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023

Page 52

1 **A. Gambling goes with the liquor license.**

2 Q. That goes, too?

3 **A. Yes.**

4 Q. That shuts the business 100 percent?

5 **A. Yes.**

6 Q. Would you continue to pay taxes to the city
7 of Lebanon if that took place?

8 **A. No.**

9 Q. No? You wouldn't have any income?

10 **A. No.**

11 Q. Probably have to move?

12 **A. Yeah.**

13 Q. Shutter the building? Okay.

14 MR. SULLIVAN: Thank you. I don't have
15 anything more for you. Appreciate it.

16 I will be as brief as I can.

17 * * * * *

18 JENNIFER ROBINSON,
19 testifies as follows:

20 * * *

21 EXAMINATION

22 BY MR. SULLIVAN

23 Q. Is your name Jennifer Robinson?

24 **A. Yes.**

1 Q. And what do you do for a living, Jen?

2 A. I do the bookkeeping, payroll, and employee
3 management at Ron's Lounge.

4 Q. Do you agree with everything that was said
5 earlier?

6 A. By?

7 Q. The previous witnesses.

8 A. No.

9 Q. What do you disagree with specifically?

10 A. Several things. One of the biggest things
11 that stood out to me was when I went to court -- the
12 instances they were talking about are the same
13 instances from December. Those are the -- the tickets
14 I was given.

15 So the four instances that were talked about
16 in December every Thursday by the same officers, were
17 the tickets they were talking about that I went to
18 court for in April.

19 So it's not numerous events. These are all
20 four incidents that Gordon went in May, and I went in
21 April. They're all the same tickets for December.

22 And one of the incidents I was told in that
23 courtroom that the individual admitted they had a fake
24 ID and they talked about how good the fake ID was in

1 the courtroom and the officers talked about it as
2 well, but they had confiscated it from that person.

3 Q. You didn't have manage --

4 MR. MCGINLEY: Move to strike. Relevance on
5 fake IDs.

6 MR. SULLIVAN: That would fall under the
7 continuing objection.

8 MR. MCGINLEY: A new witness. I'm sorry.

9 MR. SULLIVAN: Sure.

10 MR. MCGINLEY: That's fine.

11 Q. (By Mr. Sullivan) So you're the head man --
12 you're the boss over there?

13 A. Yes.

14 Q. You're in charge?

15 A. Yes.

16 Q. You know what's going on?

17 A. Yes.

18 Q. You set policies?

19 A. Yes.

20 Q. So everybody answers to you?

21 A. Yes.

22 Q. People get in that bar without showing an
23 ID?

24 A. No.

1 Q. How often?

2 A. **Never.**

3 Q. Why not? How do you know that?

4 A. **Because we do a million different things.**

5 **First of all, I'm the one that stays there every**
6 **Thursday, Friday, Saturday, especially, even though**
7 **I've got children, I'm the one in there to ensure that**
8 **it's happening.**

9 **Not only am I the one in there, I'm usually**
10 **the one behind the bar or doing security myself. And**
11 **not only do we do IDs at the door, we even -- it is a**
12 **college town. When it gets busier, we have an actual**
13 **rope that pulls across the back entrance to limit**
14 **flow, so we have one entrance where people are coming**
15 **in and out.**

16 Q. You're talking about that black and yellow
17 security --

18 A. **Yes. Yes.**

19 Q. -- thing that goes --

20 A. **Yes.**

21 Q. So people aren't allowed to go in and out of
22 the back door?

23 A. **No.**

24 Q. So is that one of the security measures you

1 put in to reduce the instances --

2 **A. I put that in --**

3 Q. One second.

4 Is that one of the --

5 **A. Yes.**

6 Q. -- measures you put in place to reduce the
7 incidents of underage drinking --

8 **A. Yes.**

9 Q. -- making only one access point --

10 **A. Yes.**

11 Q. -- to the bar?

12 **A. Yes.**

13 Q. What did you place at that access point?

14 **A. It's like an -- the access --**

15 Q. The one up front.

16 **A. Oh, up front. We put a new camera pointing
17 down so that anybody walking in is immediately on
18 camera.**

19 Q. Okay.

20 **A. And we moved our door person, which is a
21 slash door security ID checker. It used to be inside
22 and we moved him under the camera so that I can
23 actually watch on the camera and see the IDs taking
24 place.**

1 Not only that, I train each front door
2 person myself to be able to -- I want to see that ID
3 when they're walking in, so they know which angle to
4 hold it at.

5 They know -- and since it's one entrance,
6 like people can't push past. And so then when it gets
7 even more people, we have another person up front
8 making sure while that person's checking those IDs
9 under that camera that no one else can slip by.

10 Q. Okay. And you said security person. How
11 many -- how many security personnel did you employ
12 previously?

13 A. So before the May incident of last year, I
14 only had three. After the suspension issue --

15 Q. Yes.

16 A. -- I have at all times four during season
17 and three minimum off season.

18 Q. And during season is when all the -- the
19 college kids --

20 A. Fall and spring, yes.

21 Q. -- who are the ones breaking in with fake
22 IDs?

23 A. And that's -- that's not including myself
24 who I --

1 MR. MCGINLEY: Objection.

2 Q. (By Mr. Sullivan) Go ahead.

3 A. So season would be considered fall/spring,
4 so there's four --

5 Q. Okay.

6 A. -- not including myself because I don't call
7 myself that, but I am the one who does --

8 Q. You're the boss?

9 A. Yes.

10 Q. Okay. So what's this IDs up business?

11 A. So when it was fall last year and when it
12 started getting to be a heavier traffic flow, because
13 I am constantly watching -- we don't just ID at the
14 front door, we ID at the bar as well. Regardless if
15 you have a mark, which we switched -- we went from
16 stamps to bracelets to now 52 different color markers,
17 so -- and it's not just a marker. We do different
18 like initials, it can be symbols, it's something
19 different every day.

20 Q. Well, why did you get rid of the stamps?

21 A. Because they were washing off and people
22 were buying the stamps.

23 Q. Okay. Why did you get rid of the bracelets?

24 A. Because they were squeezing them off their

1 hand and slipping them on to friends, and so when we
2 do the double-checks, which is meaning, them come up
3 to the bar, you're still checked again by the
4 bartender.

5 And I was finding that I knew most people
6 except for, obviously, when the new season starts, I
7 will see unfamiliar faces, and that's why I'm so
8 watching, watching.

9 But I -- we do a double-check. So when
10 they're at the bar and if I see a bracelet on someone
11 that I feel I don't know, we -- I'm already checking
12 you again. I'm going to check immediately when I see
13 someone I don't know for sure. And then we were
14 finding that people were slipping -- they had to have
15 gotten it from somewhere else.

16 Q. Okay.

17 A. So we stopped that as well and moved to
18 straight permanent markers.

19 Q. Is there a business policy over there that
20 you want to encourage underage drinking because you're
21 going to make more money?

22 A. No.

23 Q. If you could stop underage drinking
24 entirely, would you?

1 A. Yes.

2 Q. What other measures have you put in place to
3 try and stop this?

4 A. The IDs up, which is 30 -- every 30 minutes
5 on busy nights, we -- I just pause either the jukebox
6 or the DJ on karaoke nights, stop, and we say "IDs
7 up," and 90 percent of the people do this without
8 any -- they've done it so many times, they don't give
9 me any issues. The rest do it when I'm coming
10 through.

11 I personally walk through or one of my
12 security will walk through with our ID scanner we
13 bought last May. And the reason we did that was
14 people get in the door, you had an ID when you got in
15 the door. So if you are at my bar, you have a
16 bracelet, I know you're 21, I've scanned your ID a
17 million times, but you tell me you -- you don't have
18 your ID on you. "Well, why don't you have your ID on
19 you?" If you're in the bar, you should still have
20 your ID on you.

21 Q. I mean has it occurred to you you could
22 double the -- the cameras?

23 A. I mean I've already went from 6 to 12. I
24 could --

Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023

Page 61

1 Q. Oh, so you doubled?

2 **A. Yeah.**

3 Q. Oh, okay. Has it occurred to you that maybe
4 you can install a breathalyzer system --

5 **A. I already did. I put a breath- --**

6 Q. Hold on. You've got -- you've got to let me
7 get the question out.

8 **A. Oh, I'm sorry.**

9 Q. Has it occurred to you that you could
10 install a breathalyzer so that your responsible
11 patrons can self-regulate and make sure they're not
12 getting too drunk?

13 **A. Yes.**

14 Q. Okay. And you said 90 percent throw them
15 up, presumably if there's 10 percent who didn't, they
16 would be kicked out immediately?

17 **A. Oh, of course.**

18 Q. Okay. So what's -- what's the deal with the
19 scanner system you guys have now?

20 **A. So I have pulled a scan- -- my spreadsheet,**
21 **and I can -- I have -- basically it scans IDs. It'll**
22 **tell me invalid. If it says invalid, you're obviously**
23 **kicked out.**

24 **We do have foreign exchange students at the**

1 college. When we can't scan theirs, we take a picture
2 with it. But just in the past 90 -- well, since
3 January, I have over 800 scans on my scanner. And
4 that's just like a hard -- that's proof. I mean, I
5 have 800 scans.

6 Q. Just in the last 90 days?

7 A. That was from the beginning of January. We
8 are in a slow season right now, so when you pull the
9 spreadsheet up or I print it out for anybody who wants
10 it, they're mostly up until April. So I would say,
11 yeah, three months, basically.

12 I mean obviously there's scans after that,
13 but I'm saying the majority of those are from January
14 to April.

15 Q. And do -- does that scanner, does it
16 coordinate with local law enforcement to --

17 A. No.

18 Q. -- to verify the name and the birthday and
19 the ID --

20 A. I've given it to officers when -- the
21 officer that asked for my assistance in March with
22 something that happened at the end of the street, he
23 just asked to see it. And I showed it to him, and he
24 praised it. He didn't realize it did so much

1 information, because it has birthday, name, middle
2 name, last name. It even says how many times they
3 visited, last visit.

4 And he didn't realize how much information
5 it captured, and he really thought that was amazing.

6 There was another officer, I'm not going to
7 name names because obviously it's just me saying this,
8 but it is -- he came and said the same thing when he
9 saw it.

10 I had a person that works for the DMV say
11 that underneath their equipment, that is the best
12 she's seen besides their own.

13 MR. MCGINLEY: Objection. All of this is
14 hearsay.

15 Q. (By Mr. Sullivan) Did you acquire the best
16 possible equipment you could possibly afford --

17 A. Yes.

18 Q. -- and legally acquire?

19 A. Yeah. I brought it in for them to see last
20 May.

21 Q. Okay. And you're not running like a
22 TSA level --

23 A. No.

24 Q. -- CIA level operation over there?

1 **A. No.**

2 Q. You're -- you're going legit, legal
3 equipment only?

4 **A. Yes.**

5 Q. Not nothing that's going to invade any
6 people's privacy?

7 **A. We even tried to download some kind of app
8 for like two days I think before the scanner came in
9 and found that. I just didn't think it was going to
10 be very reliable anyway, so then we just went ahead
11 and bought the scanner.**

12 Q. What's the Basset test?

13 **A. So the Basset is the Illinois state laws,
14 the dram laws, and it basically covers everything from
15 what is illegal and not and what is legal, but it also
16 covers ID checks. It tells my bartenders -- and my
17 security take it as well. It shows them what to ask,
18 what to look for.**

19 You can even do like quizzes. Like it will
20 give you examples of quizzes to do because you're
21 never supposed to assume somebody's 21. Or, you know,
22 some people say "this person looks so young," you
23 know, obviously, I'm older now so everybody looks
24 young, but I'm just saying you have to look at the ID.

1 It shows you where to look for their
2 birthday. It shows you -- tells you to maybe like try
3 to -- try to get them to mess up, ask them their
4 address out of nowhere. Mix it up.

5 Q. You're over 21; right?

6 A. Yes.

7 Q. Okay. So how to discourage under 21
8 presence in your bar.

9 Did you pass the Basset test?

10 A. Yes.

11 Q. Is there anyone that works at your bar as
12 either a bartender or security detail that hasn't
13 passed the Basset test?

14 A. No.

15 Q. Everyone is required by you --

16 A. Yes, they're all required -- well, the
17 security was -- was something new I added myself.

18 Q. You added the extra security yourself?

19 A. Well, yeah. We didn't use to make security
20 take the Basset. We added that after last fall
21 because -- or after last summer-ish because I just
22 felt it trained us to what to look for on IDs as a
23 bartender. So, obviously, if you're going to be
24 checking an ID, you should be trained on it as well.

Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023

Page 66

1 Q. Okay. Anything else?

2 A. **I don't think so.**

3 Q. All right. Thank you.

4 A. **Thank you.**

5 MR. SULLIVAN: I will be very brief, and I
6 appreciate the indulgence. For the record, this is
7 Barb Shaffer.

8 * * * * *

9 BARBARA SHAFFER,
10 testifies as follows:

11 * * *

12 EXAMINATION
13 BY MR. SULLIVAN

14 Q. Barb, what's your job?

15 A. **Bartender and head of security for Ron's**
16 **Lounge.**

17 Q. Okay. Since when?

18 A. **I started bartending early 2021, and I**
19 **became head of security March of 2023.**

20 Q. So just recently?

21 A. **Yes.**

22 Q. Congratulations on the promotion.

23 A. **Well, thank you.**

24 Q. How is it that an underage person could get

1 into Ron's?

2 **A. The only way they could get into Ron's is if**
3 **they had a fake ID.**

4 Q. Okay. Any other way?

5 **A. Not on -- not when we're on duty, no.**

6 Q. What if I went through the roof?

7 **A. Well, okay.**

8 Q. All right. How many cameras are in Ron's?

9 **A. Twelve.**

10 Q. Do they work?

11 **A. Yes.**

12 Q. Do you know how to work them?

13 **A. I do not.**

14 Q. Who does?

15 **A. Jennifer and Todd and Gordon and his wife**
16 **Jennifer.**

17 Q. Okay. So four different people know how
18 those cameras work?

19 **A. Ownership and management, yes.**

20 Q. Okay. All right.

21 And -- let's see. Do you ever turn people
22 away from Ron's?

23 **A. Yes.**

24 Q. Why would you turn someone away?

1 **A. Because they don't have an ID on them or**
2 **their ID does not look legitimate.**

3 Q. Uh-huh.

4 **A. Or I've had the person take the ID to**
5 **Jennifer and use the scanner and -- to show that it**
6 **was invalid.**

7 Q. Now, come on, tell me about the behind
8 the -- the back room conversations that you and
9 management have of like, come on, we all know we need
10 underage drinkers in here or we're going to die as a
11 business.

12 MR. MCGINLEY: Object to form.

13 **A. No. There are no underage drinkers that we**
14 **allow into Ron's. I'm not going to put my job on the**
15 **line or my personal self on the line to let some young**
16 **kid in to drink at Ron's. I'm not going to put my**
17 **best friend in danger. I'm not going to do that.**

18 MR. MCGINLEY: Move to strike.

19 Q. (By Mr. Sullivan) You're still using the
20 stamp system?

21 **A. We're using the colored marker with a unique**
22 **symbol each night.**

23 Q. Describe the effort that goes into making
24 the ID that you've showed an ID to get unique and

1 identifiable?

2 **A. Okay. So if you come into the front door,**
3 **we're going to check the ID underneath the camera so**
4 **that Jennifer can view the camera to see how we check**
5 **the ID.**

6 Q. And it gets scanned, too?

7 **A. Not always, no. No.**

8 Q. Okay.

9 **A. Just physically looking at it.**

10 Q. Sure.

11 **A. Okay. So then before our shift starts,**
12 **Jennifer will pick a color for that night and then as**
13 **a group, we'll decide on what symbol we're going to**
14 **use. Then we all do the symbol so that we make sure**
15 **we know what we're looking for. And we do that each**
16 **night before we start our shift.**

17 Q. So presumably the freshman linebacker at
18 McKendree, unless he's in on that meeting, he's not
19 going to know what the secret symbol is?

20 **A. No.**

21 Q. Okay. And that's a measure that you guys
22 were forced to do or something you guys just came up
23 with yourself?

24 **A. No. Jennifer came up with it. We started**

1 with the stamps and like she said, they washed off.
2 And then we went to the bracelets and people were
3 finding ways to purchase or remove bracelets and put
4 them on other people, so so far this seems to work.

5 Q. People ever line up outside your bar?

6 A. Yes.

7 Q. What do you yell at them, if anything?

8 A. "Get your IDs ready."

9 Q. Uh-huh. Okay.

10 MR. SULLIVAN: That's all I've got for you.

11 Thank you.

12 THE WITNESS: All right. Thank you.

13 MR. SULLIVAN: And one last, very briefly,
14 Mr. Nelson.

15 * * * * *

16 TODD NELSON,

17 testifies as follows:

18 * * *

19 EXAMINATION

20 BY MR. SULLIVAN

21 Q. Todd Nelson's your name?

22 A. Yes.

23 Q. Mr. Nelson, what did you do to up security
24 over at Ron's?

1 **A. I helped install new cameras.**

2 **Q. Where did you install them?**

3 **A. Over the door, the front door, so they could**
4 **see immediately who come in. They could see the**
5 **actual IDs, they could hold it right up to the camera**
6 **and see it.**

7 **Q. Spend a lot of time over there?**

8 **A. Yeah. I'm a regular customer.**

9 **Q. You see a lot of underage people in there?**

10 **A. Not that I'm aware of. I know the younger**
11 **crowd comes in at night. I usually don't stay real**
12 **late since I'm a little older. I -- I usually leave**
13 **by the time the younger crowd comes in.**

14 **Q. Okay.**

15 **A. But I -- I know they're ID'ing them. I see**
16 **them ID'ing them when I leave, so...**

17 **Q. Basically you're corroborating what these**
18 **folks just testified to?**

19 **A. No.**

20 **Q. Anyone embellish anything?**

21 **A. No. Not --**

22 **Q. Exaggerate?**

23 **A. No.**

24 **Q. You witnessed all that?**

1 **A. Yes.**

2 Q. Okay. But generally speaking, it doesn't
3 appear to you like there are underage people there?

4 **A. Not that I'm aware of.**

5 Q. Okay.

6 **A. They all look young to me, but...**
7 **I can't guarantee their age.**

8 Q. They all look young to us older people, too.
9 I can't --

10 **A. Also, you know, installed a camera up over**
11 **the bar, too, so you can actually see that they are**
12 **ID'ing.**

13 Q. But legit, they block off that back door?

14 **A. Yes.**

15 Q. What -- what did you tell me earlier about
16 you can't lock it?

17 **A. Well, you -- obviously you can't lock it**
18 **because you can't block an exit for a fire.**

19 Q. So what -- have you observed any extra
20 security measures to stop people from sneaking in?

21 **A. Yeah. They'll have somebody back there.**
22 **Even though the door's blocked off, they'll have a**
23 **security person back there --**

24 Q. Ahh. That's why they've got a bunch of

1 security.

2 **A. -- so somebody's not sneaking in.**

3 Q. Okay. Okay.

4 MR. SULLIVAN: Nothing more. Thanks.

5 MR. NELSON: Thank you.

6 MR. SULLIVAN: I appreciate your time.

7 MR. MCGINLEY: All right. I have a couple
8 follow-up questions now that Counsel has presented his
9 evidence. And for purposes of not having anybody get
10 up, I don't -- I don't intend to be very long. I'll
11 just ask questions from here, if that works.

12 We spent a lot of time talking about all of
13 these measures that have been taken to try to stop
14 these underage children from being in the bar after 9
15 and drinking in the bar.

16 I guess I'll direct this to -- to Gordon and
17 Jen. Would you agree that you -- you have spent a lot
18 of time, money, and effort trying to keep underage
19 kids from drinking in your bar?

20 MR. CACHOLA: Yes.

21 MR. MCGINLEY: Jen?

22 MS. ROBINSON: Yes.

23 MR. MCGINLEY: Okay. Would you agree that
24 you've spent a lot of time, money, and effort trying

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 74

1 to keep kids from being in your bar who are under 21
2 after 9 p.m.?

3 MS. ROBINSON: I agree that I've spent a lot
4 of time to make sure people are safe and the right age
5 people are in the bar.

6 MR. MCGINLEY: It's a yes-or-no question.

7 MS. ROBINSON: That's what I'm saying.

8 MR. MCGINLEY: Do you -- you said --

9 MS. ROBINSON: I said -- I said I --

10 MR. MCGINLEY: Move to strike.

11 I asked you a yes-or-no question.

12 Did you spend a lot of time, money, and
13 effort trying to keep kids who are under 21 from being
14 in the bar after 9 p.m.?

15 MS. ROBINSON: We do keep people out of the
16 bar that early --

17 MR. MCGINLEY: No. I asked you a yes-or-no
18 question.

19 MS. ROBINSON: Yes, that's how I would say
20 it.

21 MR. MCGINLEY: Thank you. Okay. And I'm
22 not trying to be rude, but I'm trying to move this
23 along with the city council meeting, so...

24 MS. ROBINSON: Well, when you were laughing

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 75

1 in the corner, it was rude, so...

2 MR. MCGINLEY: I wasn't laughing in the
3 corner. I resent that.

4 (Indiscernible comments were made.)

5 MR. MCGINLEY: Okay. So it sounds to me
6 like, if I'm hearing you correctly, these efforts were
7 because -- well, let me ask it a different way. How
8 many underage people do you turn away on average in a
9 given week?

10 Gordon, do you know?

11 MR. CACHOLA: No.

12 MR. MCGINLEY: Okay. Jen, do you know how
13 many underage people you turn away in a given week?

14 MS. ROBINSON: I would actually say I can't
15 give you a number because everyone knows now you have
16 to have an ID to get in.

17 MR. MCGINLEY: Well --

18 MS. ROBINSON: So the people we are turning
19 away that don't have an ID, I would say would be
20 between 10 and 20 percent, maybe. Is that a fair
21 answer?

22 MR. MCGINLEY: So 10 to 20 percent of the
23 people that try to come into your bar, you turn away
24 because they're under 21?

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 76

1 MS. ROBINSON: Well, the way I'm looking at
2 is I have 800 scans, so I'm kind of looking at it like
3 that. So let's say you have a group of just 10 people
4 that came up, I would say maybe 1 person out of the
5 10 would be trying to get in without an ID.

6 MR. MCGINLEY: Okay. So if I'm doing my
7 math right, so out of 800, that would be 80?

8 MS. ROBINSON: I would say maybe -- fair
9 enough, yeah.

10 MR. MCGINLEY: Okay. So --

11 MS. ROBINSON: Out of 800, I would say.
12 10 percent, yeah.

13 MR. MCGINLEY: So there are lots of underage
14 kids trying to get in to Ron's, you'd agree with that?
15 You don't think 80 out of 800 is a significant amount
16 of people trying to get in who are underage to your
17 establishment?

18 MS. ROBINSON: I just -- I don't have a way
19 to answer that. I don't want -- I don't -- I don't
20 feel compared to the number of people -- the scans, is
21 what I'm trying to say.

22 MR. MCGINLEY: Well, despite all these
23 efforts that we just spent a lot of time talking
24 about, you'd agree that there are and have been

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 77

1 patrons who are under 21 who have been drinking in
2 your bar. True?

3 MS. ROBINSON: I don't feel comfortable
4 answering that because, like I said, IDs have to be
5 present to get in, so I can't answer that.

6 MR. MCGINLEY: You can't answer whether
7 people have been in your bar --

8 MS. ROBINSON: I can't -- I haven't been
9 ticketed --

10 MR. MCGINLEY: -- under 21 --

11 MS. ROBINSON: -- for serving somebody under
12 21. Is that -- can I answer it like that?

13 MR. MCGINLEY: You can answer it however you
14 want. You're not sworn under oath. This is not a
15 formal hearing, but -- so you're refusing to answer my
16 question is what you're saying?

17 MS. ROBINSON: I didn't refuse to answer --

18 MR. MCGINLEY: Okay. So do you believe that
19 there are people under the age of 21 drinking in Ron's
20 while you've been there? And you and I have talked
21 about this, so...

22 MS. ROBINSON: Well, you said I can't talk
23 about fake IDs, so I don't know how to answer that --

24 MR. MCGINLEY: No, no. No, no. You

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 78

1 didn't -- I'm asking you a question about whether you
2 believe there are people under 21 drinking in your
3 bar.

4 MS. ROBINSON: I don't believe that people
5 have fake IDs and I feel...

6 MR. MCGINLEY: Okay. So despite all your
7 efforts, all your cameras, all your scanners,
8 everything else, there are still people under 21
9 drinking at Ron's. True?

10 MS. ROBINSON: I mean, I -- I -- I can't --
11 I don't feel comfortable answering that. I don't know
12 what else to tell you because --

13 MR. MCGINLEY: So would you disagree with
14 all the reports and the testimony from all of the
15 police who are sworn to uphold the law, you disagree
16 with them that they have observed people leaving Ron's
17 who admitted later to being at Ron's drinking who are
18 under 21, or do you agree that there are people under
19 21 drinking at Ron's?

20 MS. ROBINSON: I agree with the fact that we
21 check IDs. You have to have an ID that says you're 21
22 with your picture on it, so that's what I'm trying to
23 say to you.

24 MR. MCGINLEY: Okay. And you're failing

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 79

1 keeping people out of the bar who are under 21 despite
2 all of your effects. True?

3 MS. ROBINSON: I don't know how to even
4 answer that.

5 MR. MCGINLEY: Yes or no?

6 MS. ROBINSON: You're -- you're telling me
7 that.

8 MR. MCGINLEY: No. I'm asking you that
9 question.

10 MS. ROBINSON: The officers are telling me
11 that. Then they're telling me they collected a fake
12 ID from one of the people.

13 MR. MCGINLEY: But you just spent like
14 20 minutes telling us all this time, money, effort --

15 MS. ROBINSON: All the measures that we do
16 that spend -- to turn people away without IDs --

17 MR. MCGINLEY: -- that you're spending to
18 keep people who are under 21 out of the bar?

19 MS. ROBINSON: Yes.

20 MR. MCGINLEY: Okay. You agree with that?

21 MS. ROBINSON: Yes. Yes.

22 MR. MCGINLEY: Okay. But people are still
23 getting in who are under 21. True?

24 MS. ROBINSON: So -- well, you just told me

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 80

1 four people got in in the past year.

2 MR. MCGINLEY: Let the record reflect that
3 she's just not answering my question.

4 MS. ROBINSON: Okay. I'm sorry. I don't
5 know what else to say.

6 MR. MCGINLEY: All right. Gordon, would you
7 agree that Jen is the primary person running the bar
8 on a day-to-day basis?

9 MR. CACHOLA: [No audible response.]

10 MR. MCGINLEY: You're not running Ron's
11 anymore, are you?

12 MR. CACHOLA: No.

13 MR. MCGINLEY: You've had some health
14 issues. Fair?

15 MR. CACHOLA: [No audible response.]

16 MR. MCGINLEY: Speedy recovery. God bless
17 you.

18 Certainly we can admit that despite all your
19 efforts to keep people under the age of 21 out of
20 Ron's, there have been multiple people who are in the
21 bar after 9 p.m. who are under the age of 21. True?

22 MS. ROBINSON: According to your -- your
23 police reports, that's what they're saying, true.

24 MR. MCGINLEY: Okay. According to your four

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 81

1 convictions. True?

2 MS. ROBINSON: According to your four police
3 reports and the four offenses that I went to the court
4 for, true.

5 MR. MCGINLEY: That the judge found you
6 guilty of, true?

7 MS. ROBINSON: Yes.

8 MR. MCGINLEY: Okay. So I'll stop there,
9 and I apologize for being so direct.

10 Basically everything you've heard here
11 proves our case. Okay? No matter what these people
12 do, they can't keep people who are under 21 out of the
13 bar. They can't keep people under 21 out of the bar
14 from drinking.

15 So if you are not qualified to run a bar and
16 keep people who are 21 from drinking or being in there
17 after 9 p.m., you're in violation of the Liquor Code
18 Act and you're in violation of our city code and those
19 are two avenues to revoke and refuse to continue a
20 liquor license.

21 So that's what I have. Thank you.

22 MR. SULLIVAN: Can I make a statement,
23 please?

24 MR. MCGINLEY: Certainly.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 82

1 MR. SULLIVAN: Thank you.

2 The code reads, Section 4-9, not what it's
3 entitled. Interesting. Because the title of the code
4 is "Sale to certain persons prohibited." When this
5 code was written, whoever wrote it, meant to bar the
6 sale of alcohol to minors. Okay? And I apologize if
7 it was one of y'all who wrote that. But when they
8 wrote "sale to certain persons prohibited," they
9 failed. They got an F. Because here's what the law
10 says: "It shall be unlawful for any person under
11 21 years of age to be present upon the premises of a
12 licensed establishment after 9 p.m."

13 So what the city of Lebanon did was you made
14 it illegal for minors to be in a bar. Didn't make it
15 illegal for the bar to have them in there unknowingly.
16 It's not illegal to unknowingly allow a minor in a
17 bar. It says it's legal to be in a bar if you're
18 under 21 after 9. Okay?

19 So ticket the kids that are busting in here
20 with fake IDs through fraud, forgery, and deception,
21 but -- or pass an ordinance that says it's unlawful to
22 recklessly let someone under 21 be in your bar. But
23 that ain't the law. That's not what the law says,
24 period.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 83

1 There's no ordinance that says you are
2 guilty of violation of Lebanon City Code if you
3 unknowingly allow a person under 21 into your bar,
4 period. It just says it's illegal to be in a bar if
5 you're under 21.

6 He's not under 21, he's not in violation of
7 the law. She's not under 21, she's not in violation
8 of this law. It's just what the law says. It's the
9 ordinance.

10 You can't -- you can't prosecute under that
11 law. She was, and if I had been her lawyer at the
12 time -- she didn't have a lawyer at that hearing. She
13 didn't get good legal advice. She didn't know what to
14 say. She got herself convicted. I don't know how. I
15 disagree with that. And if it were within 30 days,
16 I'd probably have her hire me and try and get that
17 conviction overturned, certainly appeal it. But the
18 laws have to be clear, and that law's not clear.

19 The way the officer -- he said "I interpret
20 it." It doesn't matter how it gets interpreted. I'm
21 telling you what it says, and it has to be reasonably
22 clear to put the public on notice.

23 What -- what more -- what more can they do
24 to stop this? I'll tell you about a personal

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 84

1 conversation I had with a lawyer right before I came
2 over here, a guy named Greg Skinner. Great lawyer.

3 I said, Hey -- I ran all of these facts by
4 him, and he said, "Ron's? That's the coldest beer in
5 town. I used to drink there when I was in high
6 school." Okay? I'm from Belleville. I knew I could
7 sneak into Demo's and get a beer when I was 17, 18.
8 Okay? And for a time there, not afraid to admit, I
9 had a fake ID at the age of 17 to 20 that said that I
10 was over 21. Okay? And I used to show it all the
11 time. Shamelessly. Because kids are going to be
12 kids. Okay?

13 And the only thing that a bar owner can do
14 to protect themselves is to take it seriously.
15 Identify the problem. And when she was asked, Are
16 kids getting in?

17 Yeah. That's why we upped security.

18 Are kids getting in?

19 Yeah. That's why we installed a
20 breathalyzer. That's why we doubled the cameras.
21 That's why we doubled the security. That's why we
22 closed the back door. That's why we put cameras right
23 at it so that if the police want to work with them to
24 stop this, they'll share their data. They'll share

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 85

1 the footage. They'll -- they'll -- they'll work with
2 the -- the scanned IDs. Run every last one of these.
3 Come on -- come on in. Conduct raids.

4 Jennifer, if they come over, no -- no
5 cussing or screaming or anything like that. Okay?
6 Nothing like that. Work with the police. They're
7 willing to work with the police to stop this.

8 But what we're doing if you do this, the
9 liquor commissioner, if you take away this license and
10 if you refuse to renew it, July 1, you've got an empty
11 building downtown not paying taxes, you've got the
12 death of an institution. They can't survive.

13 We went through the books today. Without a
14 liquor license, they lose the gambling, they lose the
15 food, they shutter the building. It's going to be a
16 boom for the other three. But guess what, you know
17 where those underage kids are going to go? The minute
18 you shutter Ron's, I'll tell you where the other
19 underage kids are going to go, the other three bars.
20 They're all going to start going to the other three
21 bars.

22 And then you'll be in the same spot where
23 you start taking their liquor license. The next thing
24 you know, we're Kentucky. No bars. No liquor stores.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 86

1 Just Pentecostal churches. That's it. And we're not
2 Kentucky. This is Illinois. This is the place where
3 you're allowed to open a bar. Lebanon, Illinois, is
4 the place where you're allowed to open a business.

5 You know, do we take Walmart and pull their
6 license because people like to go there and commit
7 crimes? I should know. I represent a lot of them. I
8 was a public defender, so I got all the shoplifters.
9 They don't have any money to hire a lawyer so I had to
10 represent them. Walmart would stop it immediately if
11 they could, but these people are creative.

12 Jennifer testified that someone started
13 replicating their security measures. They're taking
14 off their bandages, they're ordering on Amazon the
15 same sticker, you know, what -- what can a business
16 owner do to protect themselves and, more importantly,
17 their licenses when they're taking active measures.

18 And I can see, I can understand, if he just
19 says, you know, whatever, screw you guys. Excuse my
20 language. But he's not saying that. He's offering to
21 work with you guys. Or if they said, hey, you know,
22 we're not even going to try. We see the problem, it's
23 too much money to fix it. But they can demonstrate a
24 concerted effort to remedy this problem.

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 87

1 Every single time they've been met with a
2 new challenge, they've risen to it to keep their
3 business safe, to keep their legal patrons safe, and
4 to keep their business, their business license.

5 It's a vague law to start with. So we would
6 have the record reflect that it's probably
7 unconstitutionally vague and if this is denied, I'm
8 going to have to appeal it to the liquor commission of
9 Chicago and put that up before them and say the
10 wording of this is just wrong. It doesn't apply to
11 the bar. It applies to the patrons who are under 21
12 only.

13 And the plain -- and I encourage you to read
14 490. The plain reading of that applies to patrons
15 only, not bar owners. There's no language to allow an
16 individual under 21 -- unknowingly allow, actually,
17 considering everybody that walks in --
18 [indiscernible] -- the evidence that we presented,
19 which is all this board is allowed to consider is that
20 you have to show an ID to get into that bar and if the
21 kids are showing fakes, that's on them. What more can
22 a bar do?

23 You can't take away the business. This
24 place is an institution. It's in Lebanon's best

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 88

1 interest. It's in their best interest. Please do not
2 take this away. And when they apply on July 1, work
3 with them. They will open their doors to you. Work
4 with them to -- and work with McKendree to fight this
5 and figure out a way to keep the underage kids out of
6 the bar, because they can't do it alone. They're
7 trying. They've demonstrated that they're trying.
8 They can't do it alone. They need the City. They
9 need the cops to have their back.

10 Because they're vandalizing their building
11 just the same. They've got their own -- they're not
12 encouraging this, getting people to break their own
13 windows. They're the victim as much as anybody else.

14 So I greatly appreciate you hearing me,
15 considering the argument and the facts. Thank you.

16 MR. MCGINLEY: Real quick, and you can rebut
17 this, and I just want to -- for purposes of the
18 record, this is Tasha Childs. She -- she works with
19 me. She's also one of the City attorneys for Lebanon.

20 So go ahead, Tasha.

21 MS. CHILDS: Good evening, my name is Tasha
22 Childs, and I'm the attorney that appeared at the
23 bench trial on April 27 that was against Jennifer
24 Robinson for the four citations of underage persons

1 being present in Ron's after 9 p.m.

2 Officer Cox testified earlier today that
3 it's how he interpreted the ordinance was that it
4 would apply to the owner and manager. But the fact of
5 the matter is, it's not about his interpretation, it's
6 about the judge's interpretation, and the St. Clair
7 County judge did find that this ordinance did apply in
8 this matter and that the owner and the manager were in
9 violation of that ordinance and that's why they
10 rightfully both have convictions for violating this
11 ordinance.

12 I do appreciate -- as my co-counsel has
13 stated, we appreciate the efforts that they have put
14 forward but unfortunately those efforts have not
15 helped to minimize or eliminate the issue that you've
16 heard about, the ongoing instances.

17 I know Ms. Robinson stated that there were
18 only four incidents, but actually, you heard today,
19 several -- more than four incidents, they were not all
20 the same occurrence, that occurred at this property.

21 What we're trying to avoid is the foot
22 pursuit of -- the pursuit that Officer Cox had to
23 engage in with the 17-year-old. What we're trying to
24 avoid is a fatality because of underage persons

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 90

1 leaving Ron's, driving away. Their parents are having
2 to stop them from getting back on the road. That is
3 what the purpose of this hearing is today. If we
4 didn't have this issue, we would not be here trying to
5 eliminate that license.

6 But this is the City's burden. This is the
7 City's responsibility to keep individuals safe in
8 Lebanon. And despite the efforts, that has not
9 occurred.

10 We do have underage persons in the bar.
11 They all too have been convicted of violating the
12 statute, of violating this ordinance.

13 So until we can find better measures, this
14 is what we need to do, because it's the safety as well
15 that's the issue.

16 MR. MCGINLEY: And what's the case?

17 MS. CHILDS: The case that I cited to the
18 judge on April 27, 2023, is Newt [phonetic] versus
19 Illinois Liquor Control Commission. We've got the
20 same set of facts in that case here. There were
21 underage persons that were in the premises after
22 9 p.m. The statute in that case also didn't give some
23 excuse for the owners or managers.

24 In that case, those managers were also

**Audio Transcription of Lebanon, Illinois, Public Hearing
June 26, 2023**

Page 91

1 convicted because it's just a straightforward --
2 straightforward ordinance. You can't argue that.
3 We've checked IDs, we've relied on these IDs, it's not
4 a defense. There is no defense. So for that reason,
5 the City should revoke and not renew the liquor
6 license?

7 MR. MCGINLEY: Yeah. Basically that case
8 stands for fake IDs are not an affirmative defense.
9 Just because somebody came in with a fake ID doesn't
10 mean that you're absolved of the fact that they came
11 in, so we really will arrest this time. And feel free
12 to rebut that.

13 MR. SULLIVAN: I have nothing based on that.
14 Thank you.

15 MR. MCGINLEY: Okay. This concludes the
16 public hearing. Thank you, everyone. Appreciate it.
17 There will be a formal decision issued within the next
18 five days.

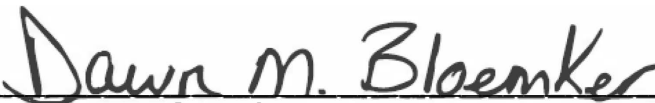
19 (End of proceedings.)
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Dated July 21, 2023.


Dawn M. Bloemker, CSR, RPR, CCR

A	10:20 11:8 17:9 18:10 22:7,17 23:6 23:19,24 36:20 37:1 38:8 72:7 74:4 77:19 80:19,21 82:11 84:9	38:15 amazing 63:5 amazingly 48:13 Amazon 86:14 amenable 16:15 America 31:7 amount 76:15 angle 57:3 answer 75:21 76:19 77:5,6 77:12,13,15,17 77:23 79:4 answering 77:4 78:11 80:3 answers 54:20 anybody 27:22 56:17 62:9 73:9 88:13 anymore 27:19 80:11 anyway 64:10 apologize 81:9 82:6 app 64:7 appeal 83:17 87:8 appear 36:4 38:1,3 72:3 Appearances 3:1 appeared 22:15 88:22 Appellant 1:5 2:5 4:2 Appellee 1:9 2:9 4:2 applies 87:11,14 apply 14:1 87:10 88:2 89:4,7 appreciate 31:18 43:13 52:15 66:6 73:6 88:14 89:12,13 91:16 approve 5:2,4	approximately 8:14 21:15 April 26:9 53:18 53:21 62:10,14 88:23 90:18 area 29:23 arguably 38:6 argue 91:2 argument 88:15 Argumentative 37:5 arrest 14:16 15:22 91:11 arrested 8:15 arresting 17:7 aside 30:12,23 asked 9:9 50:3 62:21,23 74:11 74:17 84:15 asking 37:6 78:1 79:8 aspect 30:13,24 assistance 62:21 assume 64:21 attorney 2:19,24 3:4 5:16 8:5,7 13:21 33:4 88:22 92:7,9 attorneys 88:19 audible 80:9,15 audio 1:12 2:13 4:3 92:4,5,8 August 28:12 authority 7:13 7:21 32:10 authorized 9:22 11:11 avenues 81:19 average 75:8 avoid 89:21,24 aware 41:5 71:10 72:4	back 5:24 17:12 19:8,16 23:20 25:21 27:2 43:10 47:4 48:8 55:13,22 68:8 72:13,21 72:23 84:22 88:9 90:2 backup 24:5 backup/assist 21:24 23:2 bandages 86:14 bar 16:9 17:8 20:20,21 22:21 23:16 24:12,18 24:19,22 26:22 26:23 28:3 29:8 31:13,14 32:3,6,7 33:16 33:20 39:22,23 40:4 44:9 48:1 54:22 55:10 56:11 58:14 59:3,10 60:15 60:19 65:8,11 70:5 72:11 73:14,15,19 74:1,5,14,16 75:23 77:2,7 78:3 79:1,18 80:7,21 81:13 81:13,15 82:5 82:14,15,17,17 82:22 83:3,4 84:13 86:3 87:11,15,20,22 88:6 90:10 Barb 46:10,11 66:7,14 Barbara 3:13 66:9 bars 21:17 38:15 85:19,21,24 bartender 59:4 65:12,23 66:15
		B		
		BAC 35:15		

bartenders 64:16	bit 21:16	broken 31:1	camera 3:14	23:18 27:13
bartending 66:18	black 55:16	brought 63:19	56:16,18,22,23	34:16 36:14
base 35:10	bless 80:16	building 46:21	57:9 69:3,4	38:12 48:10
based 21:9 32:15	block 72:13,18	52:13 85:11,15	71:5 72:10	59:12 69:3,4
91:13	blocked 72:22	88:10	cameras 42:18	78:21
basically 13:9	blocking 47:4	bunch 72:24	42:20,20,23	checked 34:2,13
29:19 61:21	Bloemker 1:18	burden 90:6	43:4 45:19	59:3 91:3
62:11 64:14	2:14 4:4 92:2	busier 55:12	46:21 47:3	checker 56:21
71:17 81:10	92:16	business 12:10	49:19 60:22	checking 57:8
91:7	blood 35:6	12:20 13:24	67:8,18 71:1	59:11 65:24
basis 80:8	board 3:7 87:19	44:11 51:20	78:7 84:20,22	checks 28:1
Basset 64:12,13	bookkeeping	52:4 58:10	captured 63:5	64:16
65:9,13,20	53:2	59:19 68:11	car 18:19 20:10	chemical 35:18
bathroom 22:18	books 85:13	86:4,15 87:3,4	card- 45:22,22	35:19
36:3	boom 85:16	87:4,23	carding 45:20	Cheri 3:6 8:6
battery 15:3,8	boss 54:12 58:8	busting 82:19	45:22	Chicago 87:9
beer 84:4,7	bother 27:19,19	busy 60:5	case 1:4 2:4 7:9	chief 3:10,10 8:6
beginning 62:7	bought 60:13	buying 58:22	7:24 81:11	11:23,24 12:3
belief 13:4	64:11		90:16,17,20,22	12:5,5,12,17
believe 5:24 7:5	bracelet 59:10	C	90:24 91:7	12:21 13:3,7
18:14 21:22	60:16	C 2:17 8:1 9:16	cash-for-deed	13:12 25:4,8
23:3 32:16	bracelets 47:2	26:17	44:15	25:10,17 28:9
36:14,17,23	58:16,23 70:2	Cachola 2:20	cause 5:19,20	28:10,12,14,15
40:3 48:2	70:3	3:12 5:23,23	7:18	28:20,23 29:3
77:18 78:2,4	Branch 4:13,14	6:23 8:1,21	CCR 1:18,20,21	29:6,17,19
believes 31:23	brandished 40:1	9:16 10:17	1:23 92:16	30:4,6,8,19
Belleville 2:20	brandishing	11:14 13:4	certain 10:24	31:2,6,9,16,17
84:6	49:9	16:7 19:5,5	11:6 82:4,8	46:24
bench 88:23	break 25:2	26:17,21,23,24	certainly 14:2	children 55:7
Bennett 4:11,12	88:12	28:18 29:4	15:1 36:11	73:14
berating 28:4	breaking 57:21	32:19 38:1	44:20 80:18	Childs 3:2 88:18
Berzanskis 7:23	breath- 61:5	39:3 43:17,19	81:24 83:17	88:21,22 90:17
best 33:10 47:18	breathalyzer	43:24 45:7	CERTIFICATE	Christ 6:12,13
63:11,15 68:17	61:4,10 84:20	73:20 75:11	92:1	32:19
87:24 88:1	Brewers 20:6,13	80:9,12,15	certified 2:14	churches 86:1
better 90:13	48:13,19,22	Cachola's 6:2	4:4 39:5 92:2	CIA 63:24
biggest 53:10	brief 52:16 66:5	CAD 25:5,11	certify 92:3,7	citation 25:3
Birk 5:20	briefly 13:1 18:7	call 4:9,10 7:9	challenge 87:2	citations 19:3,6
birthday 24:2	22:9 32:23	20:4 43:9	character 11:3	88:24
62:18 63:1	70:13	51:15 58:6	charge 15:4,9	cite 39:1
65:2	Brisbois 2:22	called 14:7,9,15	46:8 54:14	cited 16:8 17:19
Bisgaard 2:22	3:2	14:19 15:3,7	charges 10:20	50:17 90:17
3:2	Brittany 27:11	15:16 16:1,10	14:19 30:15	citizens 29:15
	Brock 40:6	25:9,16	32:5	city 1:7 2:7,24
	broke 40:9,13	calls 13:11 25:6	check 8:17,20	2:24 3:4,4,7,8

5:5,15,16 6:21 7:17 8:6,7 9:6 9:6,9,15,17 10:6,8,10,22 11:10,13,15 23:18 26:9,9 26:16,20 27:23 29:13 31:21,23 32:9 33:2 38:14,18 41:8 41:16 42:20,23 51:13 52:6 74:23 81:18 82:13 83:2 88:8,19 91:5 City's 32:12 90:6,7 claim 10:11 Clair 89:6 clear 83:18,18 83:22 clerk 4:11,13,15 4:17,19,21,23 13:19 close 7:2 closed 84:22 closes 51:21 co-counsel 89:12 code 10:22 11:13 11:16 81:17,18 82:2,3,5 83:2 coldest 84:4 collected 79:11 college 55:12 57:19 62:1 color 58:16 69:12 colored 68:21 come 11:20 12:1 19:7 20:18 22:22 27:5,18 27:24 28:9 32:19 38:11 48:18 51:22 59:2 68:7,9	69:2 71:4 75:23 85:3,3,4 comes 71:11,13 comfortable 77:3 78:11 coming 55:14 60:9 comments 24:1 43:14 75:4 commission 1:1 1:8 2:1,8 11:1 11:1 87:8 90:19 commissioner 3:6 4:8 5:2,7 5:11 7:4,17,21 9:22 11:11 31:22 32:10 33:2,8 85:9 commit 86:6 communicated 24:6 community 7:12 11:3 compared 28:23 76:20 complaint 12:6 15:13,17 17:16 complaints 10:7 29:9,15 31:11 completed 25:2 compliance 41:17 computer 23:18 computer-aided 92:4 concerted 86:24 concluded 25:1 concludes 91:15 conduct 26:2 27:12 85:3 conducted 8:17 23:18 35:20 confirmed 23:21 39:8	confiscated 54:2 Congratulations 66:22 consider 87:19 considered 58:3 considering 87:17 88:15 constantly 58:13 consuming 19:1 22:20 cont'd 3:1 contact 18:23 content 35:7 continue 12:24 52:6 81:19 continued 10:7 11:15 28:3,5 29:10 continues 10:10 continuing 16:14 54:7 continuous 31:11 control 1:1,7 2:1 2:7 4:8 5:2,7 5:11 7:15,16 7:20,21 9:2,22 11:10 33:8 90:19 conversation 84:1 conversations 68:8 convicted 10:19 83:14 90:11 91:1 conviction 83:17 convictions 26:15 39:2,5 81:1 89:10 cooperate 49:13 coordinate 62:16 cops 88:9 corner 75:1,3	cornfield 18:18 correct 12:21 13:7,12 19:10 21:3,7 25:7,8 35:3,5 36:6,8 37:14 42:15 50:10 correctly 75:6 corroborating 71:17 cost 29:13 council 5:5 9:9 33:3 74:23 counsel 4:2,2 6:1 14:23 73:8 92:7,9 count 32:4 County 89:7 couple 23:13 50:20 73:7 course 12:9,19 20:17 23:24 24:15 61:17 court 26:9,10,17 53:11,18 81:3 courtroom 53:23 54:1 covered 21:23 23:3 covers 64:14,16 Cox 3:9 11:19 14:8,12 15:5 15:11,14,19,23 16:4,21 17:3,6 18:2,3,6 19:10 19:15,21,23 20:4,24 21:3,7 21:11,22 22:8 22:13 23:6 24:4 27:2,4,9 28:8 89:2,22 creates 12:8 creative 86:11 crime 40:16 crimes 86:7	criminal 14:7,10 31:13 crowd 71:11,13 CSR 1:18,19,22 92:16 current 30:17,22 31:24 curtain 50:16,18 50:19 51:1,2 curtain's 50:22 cussing 85:5 customer 71:8 customers 48:18 49:7 cut 18:18 <hr/> D <hr/> dad 21:4 Daley 7:23 damage 31:13 danger 68:17 data 84:24 Dated 92:12 daughter 20:9 Dave 8:6 Davis 4:15,16 Dawn 1:18 2:14 4:4 92:2,16 day 23:4 29:11 39:7 58:19 day-to-day 80:8 days 7:6 22:4,6 62:6 64:8 83:15 91:18 deal 10:9 61:18 dealing 21:17 death 85:12 December 13:5 18:1 36:2 47:19,23 53:13 53:16,21 deception 82:20 decide 69:13 decision 7:3,5 91:17
---	---	--	--	---

defender 86:8	dismiss 26:21	drinking 8:8	embellish 71:20	22:12 23:11
defense 14:3	dismissed 26:20	10:8,12,15	employ 48:4	24:16 49:9
91:4,4,8	dispatch 25:6	15:13,17 29:9	57:11	88:21
delivered 5:22	dispatched 20:5	29:21 30:13,18	employed 46:4	events 17:14
6:12 11:18	20:6	30:24 31:12	92:7,9	53:19
Demo's 84:7	disturbance	32:7 40:22	employee 53:2	everybody 5:6
demonstrate	20:5	44:12,16 45:15	92:9	46:2 54:20
86:23	disturbance/a...	56:7 59:20,23	empty 85:10	64:23 87:17
demonstrated	15:3,8	73:15,19 77:1	enabled 9:24	everybody's
88:7	DJ 60:6	77:19 78:2,9	enact 7:13	20:21 46:1
denial 5:19	DMV 63:10	78:17,19 81:14	encourage 44:12	Everyone's 31:7
denied 8:9 87:7	doing 7:7 9:8	81:16	59:20 87:13	31:8
department	12:24 27:17	driver 18:23	encouraging	evidence 6:22,24
5:23 10:7,10	28:4 55:10	driver's 18:23	40:21 88:12	9:7,7 31:21
12:8,10,20	76:6 85:8	driving 18:8	ended 10:4 17:7	32:15 40:14
16:10 26:13	door 17:11,12	90:1	enforced 38:21	73:9 87:18
27:12 35:14	17:18 18:15	drunk 36:3,4	enforcement	exact 35:15
describe 28:21	22:14,22 36:1	61:12	21:12 28:11	Exaggerate
68:23	41:4 47:4	due 9:13	29:11 50:3	71:22
despite 76:22	55:11,22 56:20	duty 47:16 67:5	62:16	examination
78:6 79:1	56:21 57:1		engage 10:11	14:22 43:22
80:18 90:8	58:14 60:14,15	E	89:23	52:21 66:12
detail 17:16	69:2 71:3,3	e 2:17,17 11:6	ensure 55:7	70:19
65:12	72:13 84:22	earlier 11:17	enter 23:21	examples 64:20
determined 9:15	door's 72:22	24:2 31:19	42:17	Excellent 6:7
20:11	doorman 20:18	53:5 72:15	entered 17:17	13:20 34:11
determining	doors 45:18,19	89:2	33:15,20 36:2	46:15
7:22	88:3	early 66:18	entering 38:13	exception 13:24
die 68:10	double 60:22	74:16	entirely 59:24	exchange 61:24
different 24:24	double-check	Edwardsville	entitled 82:3	excuse 10:18
27:12 45:17	59:9	2:23 3:3	entrance 42:18	16:12 86:19
55:4 58:16,17	double-checks	effects 79:2	45:23 55:13,14	90:23
58:19 67:17	59:2	effort 29:12	57:5	exit 22:14 23:22
75:7	doubled 61:1	68:23 73:18,24	equipment	72:18
direct 14:22	84:20,21	74:13 79:14	63:11,16 64:3	exited 36:1
73:16 81:9	download 64:7	86:24	especially 55:6	exiting 23:17
directly 20:7	downtown 31:14	efforts 75:6	establishment	expand 31:4
24:6,7	85:11	76:23 78:7	8:18 9:20 11:9	expeditious
dis- 20:15	dram 64:14	80:19 89:13,14	27:18 28:5,22	43:16
disagree 53:9	dream 44:9	90:8	36:21 37:3,20	experience
78:13,15 83:15	drink 29:20	egress 38:15	40:11 41:12	21:12,17 29:3
discourage	30:10 68:16	either 10:19	76:17 82:12	35:1,11,13
44:16 65:7	84:5	60:5 65:12	evening 9:14	38:1
discuss 8:24	drinkers 68:10	eliminate 89:15	17:8,14,21,22	explained 27:21
9:11	68:13	90:5	18:22 20:2,15	expound 29:2

extra 65:18 72:19	39:7 Fero 4:17,18	forcing 45:23	general 7:11	8:21 9:16
<hr/> F <hr/>	field 35:22	foreign 61:24	generally 72:2	10:17 11:14
F 82:9	fight 15:4,8 24:12,19 39:22	forgery 82:20	gentlemen 23:8	19:5 26:17
faces 59:7	39:23 88:4	forget 46:12	33:1,10	39:3 43:1,19
facilitating 40:21	fighting 8:8 10:14	form 16:15 48:16 68:12	getting 29:9	43:24 53:20
facility 44:12	fight 31:10,12	formal 7:3,4 8:22 11:17	58:12 61:12	67:15 73:16
fact 15:7,16 49:21 78:20	figure 88:5	77:15 91:17	79:23 84:16,18	75:10 80:6
89:4 91:10	financially 92:9	formerly 10:1	88:12 90:2	gotten 27:21
facts 7:24 84:3 88:15 90:20	find 89:7 90:13	forward 8:12 89:14	girl 20:23	45:17 59:15
failed 19:11,12 82:9	finding 59:5,14 70:3	found 51:12 64:9 81:5	give 17:5 24:15	granted 7:13
failing 78:24	fine 15:1 16:19 50:18 54:10	foundation 13:23,24 14:21	60:8 64:20	Great 50:14
fair 25:16,17 75:20 76:8	fin 10:3	16:15	75:15 90:22	84:2
80:14	finish 6:22,24	four 26:10,15	given 11:17	greatly 88:14
fake 34:4,9 53:23,24 54:5	finished 7:2	48:5 53:15,20	53:14 62:20	Greg 84:2
57:21 67:3	fire 51:17 72:18	57:16 58:4	75:9,13	Grit 48:19,23
77:23 78:5	firearm 24:22 40:1 49:10	67:17 80:1,24	go 5:9 13:1	group 69:13
79:11 82:20	first 8:12 29:7 55:5	81:2,3 88:24	14:14 26:18	76:3
84:9 91:8,9	five 7:6 91:18	89:18,19	30:9 41:21	guarantee 35:9
fakes 87:21	fix 86:23	fraud 82:20	43:13 45:1	35:11 72:7
fall 54:6 57:20	fled 8:19 17:11 18:17 33:11	free 25:20 32:19 91:11	55:21 58:2	guards 48:4,7
58:11 65:20	flee 17:18 18:1	freshman 69:17	85:17,19 86:6	guess 44:22
fall/spring 58:3	floor 32:21	Friday 55:6	88:20	73:16 85:16
familiar 28:17 37:8,10 41:1	flow 55:14 58:12	friend 68:17	God 80:16	guilty 10:19
41:21 47:13	folks 71:18	friends 59:1	goes 52:1,2	26:22,23,24
family 32:20	follow 18:19 28:3	front 6:11 17:11 17:18 20:6	55:19 68:23	31:8 81:6 83:2
far 31:1 33:23 70:4	follow-up 73:8	22:14,22 36:1	going 5:9,17	guy 19:7 46:18
fast 19:13	following 9:17	56:15,16 57:1	6:20,21,21,22	50:12 84:2
fatality 89:24	follows 26:18 43:20 52:19	57:7 58:14	6:23 8:12 13:1	guys 11:22 12:24
father 20:8	66:10 70:17	69:2 71:3	14:5 19:13	16:6,7 19:24
feel 32:18 59:11 76:20 77:3	food 51:22 85:15	further 43:12 92:7,8	20:19 27:16	21:16 22:9
78:5,11 91:11	foot 89:21	<hr/> G <hr/>	29:16 30:10	31:19 51:7
felt 65:22	footage 34:5,12 43:8 49:14,16	gambling 51:24 52:1 85:14	31:20 43:9	61:19 69:21,22
female 22:14 23:19,21 36:1	forced 69:22	Garavalia 8:3	51:1 54:16	86:19,21
		Gasthaus 48:19 48:23	59:12,21 63:6	<hr/> H <hr/>
			64:2,5,9 65:23	hall 8:7 9:6
			68:10,14,16,17	23:18
			69:3,13,19	hand 20:14,21
			84:11 85:15,17	21:2 34:16
			85:19,20,20	45:16,16 59:1
			86:22 87:8	hand-delivered 5:22
			good 5:14 11:2	handed 8:22
			50:11 53:24	happen 6:20
			83:13 88:21	happened 27:6
			Gordon 2:20	
			3:12 5:23 8:1	

62:22 happening 20:3 55:8 happens 43:11 51:20 hard 62:4 head 54:11 66:15,19 health 7:11 80:13 heard 7:1 33:4 81:10 89:16,18 hearing 1:13 2:14 3:5 5:6,10 5:17 7:2 8:23 9:4,11,15 14:24 44:24 75:6 77:15 83:12 88:14 90:3 91:16 hearsay 13:23 16:16 30:2 63:14 heavier 58:12 held 9:5 helped 71:1 89:15 helpful 50:11 hereto 92:9 hey 84:3 86:21 high 84:5 hire 83:16 86:9 hold 57:4 61:6 71:5 holders 32:1 home 20:10 hour 19:16 hours 23:13 house 18:22	60:12,14,16,18 60:18,20 62:19 64:16,24 65:24 67:3 68:1,2,4 68:24,24 69:3 69:5 75:16,19 76:5 78:21 79:12 84:9 87:20 91:9 ID'd 33:15,18,20 34:17,21 ID'ing 71:15,16 72:12 idea 33:23 identifiable 69:1 identification 27:13 28:1 45:24 identifications 38:12 identify 18:20 84:15 IDs 8:20 34:9 48:10 54:5 55:11 56:23 57:8,22 58:10 60:4,6 61:21 65:22 70:8 71:5 77:4,23 78:5,21 79:16 82:20 85:2 91:3,3,8 ILCS 7:20 illegal 64:15 82:14,15,16 83:4 Illinois 1:1,13,19 2:1,13,20,23 3:3,7,9,10,10 7:17 8:7 9:6 35:13 64:13 86:2,3 90:19 immediately 27:15 56:17 59:12 61:16	71:4 86:10 importantly 86:16 improper 16:16 inadmissible 13:22 inappropriate 13:23 incident 20:16 34:15 39:7,24 47:9,24 49:15 50:3 57:13 incidents 29:22 46:23 47:18 48:12 53:20,22 56:7 89:18,19 include 10:23 including 8:16 57:23 58:6 income 52:9 indicate 22:20 indicated 8:10 indicators 22:21 indiscernible 6:8,18 37:12 37:15 42:3 43:14 45:2 75:4 87:18 individual 19:23 25:1 34:17 35:2 40:1,5,9 46:8 49:9 53:23 87:16 individuals 17:8 17:11,19 20:17 24:18 48:3 90:7 indulgence 66:6 informal 8:12 14:24 44:24 information 13:4 49:3 63:1 63:4 ingress 38:15 initial 19:19	initials 58:18 innocent 31:8 inside 10:21 15:4,9 17:8 19:1,3 20:12 22:21 23:6 24:18,19 27:13 36:8,10 37:20 40:3 43:2 56:21 install 61:4,10 71:1,2 installed 46:20 72:10 84:19 Installer 3:14 instances 53:12 53:13,15 56:1 89:16 instituted 47:4 institution 85:12 87:24 intend 73:10 interest 88:1,1 interested 92:9 Interesting 82:3 interpret 83:19 interpretation 89:5,6 interpreted 83:20 89:3 intoxicated 10:11 15:22 16:2 19:23 20:9 21:6,9 35:2 intoxication 10:14 invade 64:5 invalid 61:22,22 68:6 investigation 25:1 irate 27:15 issuance 10:23 issue 50:15,15	51:5 57:14 89:15 90:4,15 issued 7:3,19 11:1,2 19:3,5 26:12 39:2 91:17 issues 8:8 13:11 25:13 29:7 30:16,20 32:7 46:24 60:9 80:14 It'll 61:21
J				
January 62:3,7 62:13 Jen 6:3 53:1 73:17,21 75:12 80:7 Jenna 10:17 11:14 Jennifer 2:21 3:13 6:10 8:2 9:16 10:18 11:14 19:4 20:17 26:10,13 27:14 39:2 46:7 47:17 52:18,23 67:15 67:16 68:5 69:4,12,24 85:4 86:12 88:23 job 66:14 68:14 jobs 28:4 join 5:12 Jr 8:2,21 9:16 26:17 judge 81:5 89:7 90:18 judge's 89:6 judgment 21:8 jukebox 60:5 July 32:15,17 85:10 88:2				

92:12	49:18 54:16	leave 20:17	86:6 87:4 90:5	locations 49:6
June 1:14 2:14	55:3 57:3,5	71:12,16	91:6	lock 72:16,17
4:8 10:4 47:19	59:11,13 60:16	leaving 31:14	license-holder	lodge 44:23
justice 14:15	64:21,23 67:12	78:16 90:1	11:12	long 28:10,13
juvenile 33:11	67:17 68:9	Lebanon 1:7,13	licensed 9:20	29:10 44:2
juveniles 18:1	69:15,19 71:10	2:7,13,24 3:4,6	11:8 36:21	50:20,24 51:1
	71:15 72:10	3:7,8,9,10,10	37:2 82:12	73:10
	75:10,12 77:23	5:16 7:17 8:7	licenses 7:19	look 14:8,17
K	78:11 79:3	8:17 9:6 15:16	10:23 32:12	15:5,14,24
karaoke 60:6	80:5 83:13,14	16:1,10 21:5	86:17	16:7,11 18:4
keep 73:18 74:1	85:16,24 86:5	21:18 26:9,16	limit 35:9 55:13	19:24 22:9
74:13,15 79:18	86:7,15,19,21	27:23 28:14	limit's 7:6	23:8 24:13
80:19 81:12,13	89:17	29:20 35:14	line 68:15,15	64:18,24 65:1
81:16 87:2,3,4	knowledge 43:6	40:12 51:13	70:5	65:22 68:2
88:5 90:7	47:19 48:18,21	52:7 82:13	linebacker	72:6,8
keeping 79:1	51:6	83:2 86:3	69:17	looked 36:2
Kentucky 85:24	known 30:10,11	88:19 90:8	liquor 1:1,7 2:1	looking 69:9,15
86:2	knows 5:6 12:23	Lebanon's 87:24	2:7 3:6 4:8 5:2	76:1,2
kept 12:19	29:12 75:15	left 18:16 24:22	5:7,11,18,19	looks 24:11
kicked 61:16,23		28:4,6	7:3,10,14,14	64:22,23
kid 68:16	L	legal 35:9 64:2	7:16,18,19,20	Lord 29:12
kids 8:19 29:20	lady 23:16	64:15 82:17	7:21 8:18 9:1,2	lose 51:19 85:14
29:22 30:8,10	laid 9:2 13:23,24	83:13 87:3	9:12,21,23	85:14
57:19 73:19	language 86:20	legally 63:18	10:1,3,6,17,22	lost 45:7,8
74:1,13 76:14	87:15	legit 64:2 72:13	11:10,12,13,16	lot 23:17 29:11
82:19 84:11,12	late 29:5 71:12	legitimate 68:2	13:5 27:23	29:12,12 45:8
84:16,18 85:17	laughing 74:24	let's 5:2 15:21	31:21,24 32:1	71:7,9 73:12
85:19 87:21	75:2	17:24 22:6,7	32:10,12,13,14	73:17,24 74:3
88:5	laundry 30:15	43:15 50:2,14	32:16 33:2,8	74:12 76:23
kind 10:24 24:19	law 2:19 21:11	67:21 76:3	51:19 52:1	86:7
31:19 64:7	28:11 37:23	letter 7:6 8:22	81:17,20 85:9	lots 76:13
76:2	38:17 41:18	11:18,18	85:14,23,24	loud 18:7,8
kinds 45:17	50:3 62:16	level 12:8 63:22	87:8 90:19	31:12
knew 29:20	78:15 82:9,23	63:24	91:5	Louisiana 1:20
50:24 59:5	82:23 83:7,8,8	Lewis 2:22 3:2	list 30:15	Lounge 1:4 2:4
84:6	83:11 87:5	license 1:5 2:5	little 18:11 21:16	2:20 3:11,12
know 6:13 7:6	law's 83:18	5:18,19 7:22	29:6 31:4	3:13,13,14 8:5
14:18 15:6,15	laws 31:1 64:13	9:1,12,23,24	71:12	8:9,11,16 9:7
16:9 18:5	64:14 83:18	10:1,3,6,17,24	living 53:1	10:8,15,21
22:10,19 23:9	lawyer 6:2,4 8:3	11:12 13:5	LLP 2:22 3:2	11:14 18:12
25:19 29:22	83:11,12 84:1	18:9 27:23,23	local 7:16,19	20:12 32:1
30:23 33:21	84:2 86:9	32:1,1,13,14	9:21 11:1	53:3 66:16
34:1,20,22	leading 14:21	32:16 51:19	62:16	Lounge's 8:24
39:13,16,19	44:23	52:1 81:20	located 17:19	9:23 10:6,17
42:22 43:9	leads 14:4	85:9,14,23	23:19	
48:6,12 49:16				

M				
M 1:18 2:14 4:4 92:2,16	12:4,13,18,22 13:8,15,18 14:4,13,23	means 25:5 meant 82:5 measure 69:21	mosey 48:22 mother 18:24 move 25:21 44:8 50:17 52:11 54:4 68:18 74:10,22	18:5 35:7 47:16 68:22 69:12,16 71:11
ma'am 44:18	15:12,20 16:5	measures 44:14 45:14 55:24	54:4 68:18	nights 60:5,6
machine 43:8	16:18,23 17:2	56:6 60:2	74:10,22	nine 8:15 17:7 17:19 47:10
Madison 19:16	17:13,20 19:7	72:20 73:13	moved 27:11	noise 15:3,8
Main 2:19	19:13,18 20:22	79:15 86:13,17	56:20,22 59:17	normal 12:9,19
majority 62:13	21:1,4,8,13,16	90:13	muffler 18:8	Notary 2:15 4:5
making 42:12 56:9 57:8 68:23	21:20 22:2,23	meet 46:23	multiple 10:20 16:8 80:20	92:3
males 24:21	23:4,14 24:3,6	meeting 4:9 5:6 8:13 47:5	municipalities 7:12	notes 92:6
man 54:11	24:9 25:4,9,12	69:18 74:23	music 31:12	notice 5:22 6:11 6:12 8:22 11:17 32:9 83:22
manage 54:3	25:18,24 26:6	member 51:13		noticed 9:5 18:11
management 28:19 30:17 53:3 67:19 68:9	26:8 27:5 28:7	Members 3:7	N	number 1:5 2:5 15:21 42:18 47:24 75:15 76:20
manager 8:2,9 9:16 27:14 29:8 30:22 46:4 89:4,8	28:13,16,21	memory 16:16	N 2:17	numerous 8:19 17:10,18 19:3 32:4,5 53:19
Manager/Ow... 3:13	29:1,14,18	mess 65:3	name 5:15 33:4 46:6,12 52:23 62:18 63:1,2,2 63:7 70:21 88:21	
managers 90:23 90:24	30:3,5,12,21	met 8:5 87:1	named 46:18 84:2	
March 50:2 62:21 66:19	31:5,7,15,18	Michael 2:22 40:6	names 63:7	O
mark 58:15	32:24 33:7	middle 63:1	narrative 17:5	O'Fallon 29:24
marker 58:17 68:21	34:6,9 37:5	midnight 23:15	need 5:4 16:6 68:9 88:8,9 90:14	oath 77:14
markers 45:17 58:16 59:18	39:1 44:22	Mike 5:15	neither 92:7	object 13:13 30:1 48:16 68:12
Mascoutah 29:23	48:16 49:1	miles 19:15	Nelson 3:14 46:18,20 70:14 70:16,23 73:5	objecting 44:23
math 76:7	54:4,8,10 58:1	million 55:4 60:17	Nelson's 70:21	objection 13:16 14:11,20 15:10 15:18 16:19 30:7 34:6,8 37:5 44:24 49:1 54:7 58:1 63:13
matter 6:6 81:11 83:20 89:5,8	63:13 68:12,18	mind 45:3	never 40:23 43:7 43:10 55:2 64:21	objections 14:3 14:24 16:3,13 16:14
mayor 3:6 7:4 7:16 8:5,10 9:21,24 10:6 27:16,17 46:23	73:7,21,23	minimize 89:15	new 29:8 54:8 56:16 59:6 65:17 71:1 87:2	observed 22:14 23:16 72:19 78:16
McGinley 2:22 5:5,8,14,15 6:7 6:9,16,19 12:1	74:6,8,10,17 74:21 75:2,5 75:12,17,22	minimum 57:17	Newport 27:11	
	76:6,10,13,22	minor 82:16	Newt 90:18	
	77:6,10,13,18	minors 47:10,10 47:24 82:6,14	Nice 6:19	
	77:24 78:6,13	minute 85:17	night 17:4,6	
	78:24 79:5,8	minutes 18:13 60:4 79:14		
	79:13,17,20,22	Missouri 1:21		
	80:2,6,10,13	Mix 65:4		
	80:16,24 81:5	moment 26:6 30:14		
	81:8,24 88:16	money 59:21 73:18,24 74:12 79:14 86:9,23		
	90:16 91:7,15	month 13:9 24:2		
	McKendree 30:10 69:18 88:4	months 19:19 50:21 62:11		
	mean 30:14 33:22 51:6,22 60:21,23 62:4 62:12 78:10 91:10			
	meaning 59:2			

obstruction 14:15	38:17 39:10,12 39:15,20 40:2	70:9 71:14 72:2,5 73:3,3	30:16 40:20 87:15 90:23	55:14,21 57:6 57:7 58:21
obviously 18:19 31:10 59:6 61:22 62:12 63:7 64:23 65:23 72:17	40:7,10,13,17 40:23 41:3,7 41:11,15,19,23 42:2,6,8,14,19 42:22 43:5 62:21 63:6 83:19 89:2,22	73:23 74:21 75:5,12 76:6 76:10 77:18 78:6,24 79:20 79:22 80:4,24 81:8,11 82:6 82:18 84:6,8 84:10,12 85:5 91:15	ownership 28:18 30:17 67:19	59:5,14 60:7 60:14 64:22 67:17,21 70:2 70:4,5 71:9 72:3,8,20 74:4 74:5,15 75:8 75:13,18,23 76:3,16,20 77:7,19 78:2,4 78:8,16,18 79:1,12,16,18 79:22 80:1,19 80:20 81:11,12 81:13,16 86:6 86:11 88:12
occur 8:11	officer's 25:15	old 50:11	<hr/> P <hr/>	
occurred 13:2 17:23 18:7 20:1 24:14 25:13 60:21 61:3,9 89:20 90:9	officers 25:18,22 32:23 49:13,22 53:16 54:1 62:20 79:10 Oh 6:16 33:22 56:16 61:1,3,8 61:17 okay 5:7,11,14 6:16,20 7:8 12:18,22,23 13:8 17:2 19:18 20:22 21:1,20 23:4 23:14 24:3,9 26:7,8 27:9 28:7,16,21 30:3 31:6,15 34:15,20 36:7 37:24 39:11,13 39:22 40:5,8 40:19 41:1,20 43:3,15,17 44:4,8,11,14 45:9,13 46:4 46:22 47:9,16 47:18,23 48:12 49:8,8 51:4,4 51:19 52:13 56:19 57:10 58:5,10,23 59:16 61:3,14 61:18 63:21 65:7 66:1,17 67:4,7,17,20 69:2,8,11,21	older 64:23 71:12 72:8 once 50:24 ones 38:10 57:21 ongoing 34:7 89:16 open 86:3,4 88:3 operate 43:8 operation 63:24 opportunity 6:24 order 4:9 27:22 ordering 86:14 ordinance 9:17 26:14 38:14,18 41:8,16 82:21 83:1,9 89:3,7,9 89:11 90:12 91:2 ordinances 7:13 ordinary 12:9 12:19 outside 41:2,6 48:1 70:5 overturned 83:17 owned 44:6 owner 3:12 8:1,2 8:9 9:16 18:10 29:8 30:19,22 84:13 86:16 89:4,8 owners 10:18	P 2:17,17,22 p.m 4:9 5:17 8:19 9:5,20 10:21 11:9 17:9,17 20:14 21:2 23:24 26:15 27:1,10 34:16 36:8,21 74:2,14 80:21 81:17 82:12 89:1 90:22 parents 29:15 90:1 parked 18:12 parking 18:12 part 44:11 parties 6:6 13:22 24:24 92:8,9 party 24:2,21 pass 65:9 82:21 passed 65:13 Patrick 2:18 6:1 13:21 33:4 patron 19:23 patrons 10:12 16:9 21:17 28:1 48:13,22 61:11 77:1 87:3,11,14 pause 60:5 pay 52:6 paying 85:11 payroll 53:2 Pentecostal 86:1 people 17:16,18 27:20 31:14 32:5,6,7 37:20 38:15 45:20,22 46:16 54:22	77:7,19 78:2,4 78:8,16,18 79:1,12,16,18 79:22 80:1,19 80:20 81:11,12 81:13,16 86:6 86:11 88:12 people's 64:6 percent 52:4 60:7 61:14,15 75:20,22 76:12 Perfect 22:2 period 33:14 82:24 83:4 permanent 59:18 permitted 14:21 person 9:18 11:2 11:7 22:7 26:14 36:19 37:1 54:2 56:20 57:2,7 57:10 63:10 64:22 66:24 68:4 72:23 76:4 80:7 82:10 83:3 person's 57:8 personal 48:17 48:21 49:2 68:15 83:24 personally 20:22 46:23 49:5 60:11 personnel 57:11

<p>persons 8:15 10:11,20,24 11:6 82:4,8 88:24 89:24 90:10,21 phonetic 90:18 physically 69:9 pick 45:6 69:12 picture 62:1 78:22 place 8:23 28:24 44:14 45:14 47:7 52:7 56:6 56:13,24 60:2 86:2,4 87:24 places 48:14 plain 87:13,14 plate 18:9 pleaded 10:19 26:22,23,24 please 5:11 11:20 13:13 14:9,17 15:5 15:14,23 16:9 25:23 32:18 35:16 44:17,21 45:5 81:23 88:1 Pledge 5:8,12,13 point 7:5 28:1 56:9,13 pointing 56:16 police 3:9,10,10 5:23 8:6,17,19 8:20 10:6,10 12:8,8,10,14 12:19,20 13:22 14:1,6,9,15,18 15:2,7,16 16:1 16:10 21:14 25:6,7,14 26:13 27:12 28:14 29:3 33:13,17,19,22 34:3,14,18,22</p>	<p>35:4,8,12,13 35:14,17,21,23 36:5,9,13,17 36:22 37:4,9 37:13,18,22 38:2,5,9,17 39:10,12,15,17 39:20 40:2,7 40:10,13,17,23 41:3,7,11,15 41:19,23 42:2 42:6,8,14,19 42:22 43:5 46:24 51:15 78:15 80:23 81:2 84:23 85:6,7 policies 54:18 policy 45:23 59:19 poses 7:10 position 32:12 possible 43:16 63:16 possibly 63:16 post 41:13,16 posted 41:5,8 42:23 power 7:18 9:23 32:10 praised 62:24 predated 50:23 premises 9:19 11:8 36:20 37:2 50:8 82:11 90:21 presence 65:8 present 3:5 9:19 11:8 17:17 36:20 37:2,16 38:8 47:10,11 49:11 77:5 82:11 89:1 presented 9:6,7 73:8 87:18</p>	<p>presumably 61:15 69:17 pretty 18:4 21:23 preventative 45:13 previous 23:1 53:7 previously 57:12 primary 21:23 80:7 print 62:9 prior 28:17,22 38:12 privacy 64:6 private 43:4 probably 52:11 83:16 87:6 problem 84:15 86:22,24 problems 43:1 procedures 9:2 proceed 33:6 proceedings 91:19 92:5 process 9:13 produce 43:7 Professional 2:15 4:5 92:3 prohibited 10:24 11:6 82:4,8 promotion 66:22 proof 62:4 proofread 92:4 property 31:13 89:20 proprietors 40:20 prosecute 83:10 protect 84:14 86:16 prove 31:3 proven 31:8,24</p>	<p>proves 81:11 provide 49:22 provided 9:13 12:13 32:15 public 1:13 2:14 2:15 4:5 5:6,9 5:17 7:2 8:23 9:4,8 10:14 83:22 86:8 91:16 92:3 pull 49:21 50:3 62:8 86:5 pulled 61:20 pulls 55:13 purchase 70:3 purchased 44:15 purpose 90:3 purposes 73:9 88:17 pursuant 7:14 9:1 pursue 44:8 pursued 19:9,11 33:12 pursuit 18:18 89:22,22 push 57:6 put 6:21,24 20:20 21:2 30:12,23 31:21 38:22 42:24 45:3,14,16,19 56:1,2,6,16 60:2 61:5 68:14,16 70:3 83:22 84:22 87:9 89:13 putting 8:22</p>	<p>questions 9:9 14:21 25:20,22 44:23 73:8,11 quick 12:5 23:8 24:13 25:4 88:16 quickly 13:3 43:16 quiet 28:23 quizzes 64:19,20</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 2:17 26:10 raids 85:3 ran 18:9 84:3 re- 39:16 re-call 32:23 read 26:11 36:24 38:19 87:13 reading 87:14 reads 37:7 38:7 82:2 ready 70:8 real 12:5 13:3 22:9 25:4 71:11 88:16 realize 62:24 63:4 really 47:15 63:5 91:11 rear 17:17 18:15 reason 60:13 91:4 reasonably 83:21 rebut 88:16 91:12 rebuttals 7:1 recall 17:4,6 18:5 20:3 22:11,13 23:10 24:16 36:14 39:21 50:2 receive 10:7 received 6:11</p>
---	--	---	--	--

<p>29:14 36:15 recited 5:13 reciting 7:19 recklessly 82:22 recognize 16:14 recollect 16:12 recollection 14:18 15:7,15 16:12,16 17:14 18:4 20:1 22:10 23:9 24:14 25:15 27:7 39:17 record 8:4 13:14 13:17 17:23 19:20 22:5 23:19 29:2 39:4 66:6 80:2 87:6 88:18 recording 13:17 13:19 92:4,5,8 records 13:24 recovery 80:16 reduce 56:1,6 reflect 39:5 80:2 87:6 refre- 16:16 refresh 14:17 16:12 20:1 22:10 23:9 24:13 25:15 27:7 39:16 refreshed 16:17 refreshes 15:6 15:15 refuse 11:11 77:17 81:19 85:10 refusing 77:15 regarding 5:18 8:7 Regardless 58:14 registered 2:14 4:5 18:10 92:3</p>	<p>registration 18:21 regular 71:8 regulate 7:14 related 31:13 92:7 relates 29:4 34:9 relative 92:8 Relevance 34:6 54:4 reliable 64:10 relied 91:3 remedy 86:24 remember 17:10 18:6 20:4 remind 14:23 remove 21:5 51:2 70:3 removed 50:19 51:3 renew 11:12 32:11 85:10 91:5 renewal 5:19 renewed 7:22 32:2,13,14,17 repercussions 10:9 rephrase 30:9 replicating 86:13 report 12:9 25:5 25:6 39:17 reported 10:14 92:4 Reporter 2:14 2:15 4:4,5 92:1 92:3,3 reports 12:14,19 13:22 14:1 25:14 78:14 80:23 81:3 represent 86:7 86:10 represented 6:1</p>	<p>representing 2:20,24 3:4 6:5 6:15 reputation 11:3 request 34:12 49:24 requested 43:7 requesting 38:23 required 39:6 41:16 65:15,16 requires 41:8 requisite 9:13 resent 75:3 residents 10:9 resides 11:4 resisting 14:16 resolutions 7:14 resolved 26:18 respondents 33:5 response 80:9,15 responsibility 34:19 38:12 90:7 responsible 37:19 61:10 responsibly 32:3 rest 60:9 restaurant 44:9 result 7:12 retail 8:18 returned 23:20 revocation 5:18 revoke 7:18 9:23 11:11 32:11 81:19 91:5 revoked 7:23 32:2 rid 58:20,23 right 12:4 14:6 15:2,12,20 16:5 17:24 19:22 22:4,23 24:9 27:24</p>	<p>28:10 31:9 33:8 38:18 39:18 41:4 45:22 46:16 50:12 51:3,23 62:8 65:5 66:3 67:8,20 70:12 71:5 73:7 74:4 76:7 80:6 84:1 84:22 rightfully 89:10 risen 87:2 rises 12:7 road 90:2 roadmap 31:19 Robin- 11:14 Robinson 2:21 3:13 6:10,23 8:2 9:17 10:18 10:18 11:15 16:8 19:4 26:10,13 27:14 28:18 29:4 32:19 38:3 39:3 46:7 52:18,23 73:22 74:3,7,9,15,19 74:24 75:14,18 76:1,8,11,18 77:3,8,11,17 77:22 78:4,10 78:20 79:3,6 79:10,15,19,21 79:24 80:4,22 81:2,7 88:24 89:17 Robinson's 6:4 role 21:24 23:2 24:5 Roll 4:10 Ron 6:11 19:5 Ron's 1:4 2:4,20 3:11,12,13,13 3:14 5:20 6:22 8:5,8,11,16,24</p>	<p>9:7,12,23 10:1 10:5,8,12,13 10:15,16,19,21 11:13 13:5,11 13:21 14:7,10 14:15 15:4,9 15:13,17,22 16:1 17:22 18:2,12,15 19:1,3,8 20:7 20:12,16 22:15 22:18 23:6 24:12 25:2 26:14 27:13 28:17 29:4,7 29:16,21 30:11 30:17,23 32:1 33:23 39:23 40:9,14,15,20 41:2,14,15,21 42:17,20,24 44:2,15 45:11 53:3 66:15 67:1,2,8,22 68:14,16 70:24 76:14 77:19 78:9,16,17,19 80:10,20 84:4 85:18 89:1 90:1 roof 67:6 room 25:21 46:16 68:8 rope 55:13 Roth 3:10 8:6 11:24 12:3,5 12:12,17,21 13:7,12 25:8 25:10,17 28:10 28:12,15,20,23 29:6,17,19 30:4,6,8,19 31:2,6,9,17 roughly 19:18 Route 19:17</p>
---	---	---	--	---

<p>routine 8:17 27:13 row 6:11 Rowland 3:10 11:20 14:14,14 16:22,24 17:1 17:13,15 19:24 21:13,15,19,20 21:22 22:8,23 23:1,7,12,15 24:4,8,11,17 RPR 1:18 92:16 rude 74:22 75:1 ruling 38:20 run 32:3 81:15 85:2 running 16:18 27:20 44:9 63:21 80:7,10</p> <hr/> <p style="text-align: center;">S</p> <p>S 2:17 safe 74:4 87:3,3 90:7 safety 7:11 90:14 sale 11:5 82:4,6 82:8 Saturday 55:6 saw 19:7 23:21 63:9 saying 30:21 62:13 63:7 64:24 74:7 77:16 80:23 86:20 says 37:16 61:22 63:2 78:21 82:10,17,21,23 83:1,4,8,21 86:19 scan 62:1 scan- 61:20 scanned 60:16 69:6 85:2</p>	<p>scanner 60:12 61:19 62:3,15 64:8,11 68:5 scanners 45:16 78:7 scans 61:21 62:3 62:5,12 76:2 76:20 scene 8:20 25:16 school 84:6 screaming 85:5 screw 86:19 season 57:16,17 57:18 58:3 59:6 62:8 seat 11:21,22 second 12:2 27:3 56:3 secret 69:19 Section 9:18 10:23 11:5 82:2 security 3:13 45:18 46:9 47:3 48:4,6,8 49:18 55:10,17 55:24 56:21 57:10,11 60:12 64:17 65:12,17 65:18,19 66:15 66:19 70:23 72:20,23 73:1 84:17,21 86:13 see 6:19 15:21 17:24 22:6,7 34:5,12,16 50:2,14 56:23 57:2 59:7,10 59:12 62:23 63:19 67:21 69:4 71:4,4,6,9 71:15 72:11 86:18,22 seeing 36:10 seen 63:12</p>	<p>self 68:15 self-regulate 61:11 sensibly 18:17 September 8:1 8:13 series 46:22 seriously 84:14 served 25:3 serves 9:21 service 21:10 serving 77:11 set 54:18 90:20 seven 19:19 severely 20:9 Shaffer 3:13 46:13,14 66:7 66:9 Shamelessly 84:11 share 84:24,24 shift 23:13 69:11 69:16 shoplifters 86:8 short 18:18 33:13 44:2 shorthand 2:14 4:3,4 92:2 shortly 17:21 show 45:20,24 46:1 68:5 84:10 87:20 showed 39:14 40:14 62:23 68:24 showing 54:22 87:21 shown 31:24 shows 64:17 65:1,2 shutter 52:13 85:15,18 shutters 52:4 sic 5:20 19:5 sign 41:7</p>	<p>significant 7:10 76:15 signs 41:5 simply 16:14 37:6 single 87:1 sir 6:7,9 12:12 27:4,7 42:14 sit 39:18 situation 24:17 40:18 44:15 six 22:4 Skinner 84:2 slash 56:21 slip 57:9 slipping 59:1,14 slow 62:8 Smith 2:22 3:2 sneak 84:7 sneaking 72:20 73:2 so-called 39:23 sobriety 35:22 solid 18:4 somebody 43:10 72:21 77:11 91:9 somebody's 64:21 73:2 soon 27:14 sorry 45:7 54:8 61:8 80:4 sounds 75:5 speak 9:9 44:17 44:21 SPEAKER 6:14 6:17 26:4,7 45:3,6,9 speaking 20:11 72:2 Specific 10:22 specifically 17:4 29:21 53:9 Speculation 48:16</p>	<p>speeding 12:7 Speedy 80:16 spend 71:7 74:12 79:16 spending 79:17 spent 29:11,12 73:12,17,24 74:3 76:23 79:13 spilled 24:20 39:23 spoke 20:23 24:24 spot 18:12 85:22 spreadsheet 61:20 62:9 spring 57:20 squad 18:19 squeezing 58:24 St 89:6 staff 3:13 51:10 51:12 stamp 68:20 stamps 47:2 58:16,20,22 70:1 stands 91:8 start 13:3 69:16 85:20,23 87:5 started 13:9 17:18 24:19 29:7,9 58:12 66:18 69:24 86:12 starting 17:3 starts 59:6 69:11 state 1:1,5 2:1,5 11:1 22:17 35:13 37:11 64:13 stated 11:16 20:13 89:13,17 statement 7:9 81:22 statements 9:10</p>
--	---	--	---	---

stating 27:15	10:16	54:9 57:8	42:20 53:12,17	55:19 63:8
statute 37:7,8,10 90:12,22	Suite 2:23 3:3	59:13 61:11	55:16 73:12	84:13 85:23
stay 71:11	Sullivan 2:18	69:10,14 74:4	76:23	things 13:1
stays 55:5	6:1,3,5,8 8:4,4	survive 85:12	Tasha 88:18,20	30:24 31:3,12
stem 32:8 43:1 44:16	13:13,16,20,21	Susan 6:17	88:21	53:10,10 55:4
stemming 10:15 30:16	14:11,20 15:10	suspend 9:22,24	Tavern 5:20	think 18:3 22:7
sticker 86:15	15:18 16:3,13	32:11	taxes 52:6 85:11	29:24 31:15
STIPULATED	16:20 25:22	suspended 10:1	Tearing 31:14	47:22 64:8,9
4:1	26:3 30:1,7	32:13	tell 14:9 17:3	66:2 76:15
stood 53:11	32:18,22 33:1	suspension 10:3	20:2 27:5 35:2	thought 63:5
stop 18:17 19:11 19:11,12 22:16	33:4,9,15,18	10:5,16 17:22	60:17 61:22	threat 7:10
24:23 45:14	33:21 34:1,4,7	19:19 57:14	68:7 72:15	three 26:11
59:23 60:3,6	34:11,15,20,24	suspension/re...	78:12 83:24	32:23 57:14,17
72:20 73:13	35:6,10,15,19	8:24 9:12	85:18	62:11 85:16,19
81:8 83:24	35:22,24 36:7	switched 58:15	telling 79:6,10	85:20
84:24 85:7	36:11,15,18,24	sworn 77:14	79:11,14 83:21	throw 61:14
86:10 90:2	37:6,11,15,21	78:15	tells 64:16 65:2	Thursday 53:16
stopped 19:2 22:16 24:22	37:24 38:3,6	symbol 68:22	test 35:18,18	55:6
59:17	38:14,23 39:4	69:13,14,19	64:12 65:9,13	ticket 12:7 22:5
stores 85:24	39:11,13,18,22	symbols 58:18	testified 71:18	26:21 36:15
story 44:2	40:5,8,11,15	system 47:2 61:4	86:12 89:2	82:19
straight 59:18	40:19 41:1,4	61:19 68:20	testifies 43:20	ticketed 36:12
straightforward	41:10,13,17,20		52:19 66:10	39:11 51:1
91:1,2	42:1,5,7,12,15	T	70:17	77:9
strategy 44:11	42:21 43:3,12	table 11:20	testimony 78:14	tickets 26:10,12
street 2:19,23	43:15,23 44:18	take 8:23 14:8	tests 35:19	26:15,18 39:1
3:3 5:21 19:16	44:20 45:5,10	14:17 15:5,14	Texas 1:22	47:21 53:13,17
20:7 24:20	48:17 49:2	15:24 16:11	thank 6:7,9	53:21
39:24 40:3	52:14,22 54:6	18:4 19:24	12:22 14:3,4	time 8:3 9:24
42:3 62:22	54:9,11 58:2	20:10 22:9	16:20 17:20	25:10,10,19,20
streets 21:5	63:15 66:5,13	23:8 24:13	19:21 22:2	28:2 29:12
strike 54:4 68:18	68:19 70:10,13	29:10 45:10	25:18,21 26:3	31:20 32:18
74:10	70:20 73:4,6	50:20 51:2	28:7 31:16	41:21,22,23,24
stroke 45:8	81:22 82:1	62:1 64:17	32:22 33:3	42:4 43:6
students 61:24	91:13	65:20 68:4	34:24 35:24	49:12 71:7,13
stuff 31:14	summarize	84:14 85:9	38:24 42:16	73:6,12,18,24
subject 15:22	11:10	86:5 87:23	43:12 52:14	74:4,12 76:23
16:2 22:14	summer-ish	88:2	66:3,4,23	79:14 83:12
subjects 18:14	65:21	taken 4:3 29:8	70:11,12 73:5	84:8,11 87:1
subsequent 10:5	supploy 48:4	42:24 73:13	74:21 81:21	91:11 92:6
	supposed 64:21	92:6,8	82:1 88:15	timely 9:5
	sure 8:11 13:15	talk 20:18 77:22	91:14,16	times 57:16 60:8
	15:24 16:11	talked 53:15,24	Thanks 73:4	60:17 63:2
	30:5 32:24	54:1 77:20	theirs 62:1	title 82:3
	33:7 45:21	talking 30:19	thing 17:15	today 5:24 30:15

32:16 85:13 89:2,18 90:3 Todd 3:14 46:18 46:20 67:15 70:16,21 told 21:1 24:7 27:16,17 30:6 47:15 53:22 79:24 Tonic 48:19,23 tonight 5:16 6:21 9:8 Tosha 3:2 town 18:8 19:14 19:17 29:23 30:9 55:12 84:5 track 33:9 traff- 22:16 traffic 19:4 22:16 24:23 58:12 train 57:1 trained 42:18 65:22,24 transcribed 4:6 transcript 92:5 transcription 1:12 2:13 4:3 92:5,6 translated 92:4 trespass 14:7,10 trial 88:23 tried 18:17 19:11 64:7 Trinka 4:19,20 trouble 19:2 Troy 18:23 33:11 truck 18:7,8 19:8 true 77:2 78:9 79:2,23 80:21 80:23 81:1,4,6 92:5	try 33:9 43:1,15 60:3 65:2,3 73:13 75:23 83:16 86:22 trying 20:8,16 21:4 73:18,24 74:13,22,22 76:5,14,16,21 78:22 88:7,7 89:21,23 90:4 TSA 63:22 Tuesday 26:16 turn 26:1 51:14 51:14 67:21,24 75:8,13,23 79:16 turned 17:7 turning 75:18 Twelve 67:9 two 18:1,14 46:16 64:8 81:19 type 31:12 43:8 typewriting 4:6 <hr/> U Uh-huh 42:6 68:3 70:9 unconstitution... 87:7 underage 8:8,15 10:8,15 15:13 15:17 16:8 20:9,23 29:9 29:22 30:11,13 30:18,24 31:11 40:22 44:12,16 45:14 56:7 59:20,23 66:24 68:10,13 71:9 72:3 73:14,18 75:8,13 76:13 76:16 85:17,19 88:5,24 89:24 90:10,21	underaged 17:16 underneath 63:11 69:3 understand 37:23 38:18,21 86:18 understanding 37:19,21 unfamiliar 59:7 unfortunately 89:14 UNIDENTIFL... 6:14,17 26:4,7 33:13,17,19,22 34:3,14,18,22 35:4,8,12,17 35:21,23 36:5 36:9,13,17,22 37:4,9,13,18 37:22 38:2,5,9 38:17 39:10,12 39:15,20 40:2 40:7,10,13,17 40:23 41:3,7 41:11,15,19,23 42:2,6,8,14,19 42:22 43:5 45:3,6,9 unique 68:21,24 unknowingly 82:15,16 83:3 87:16 unlawful 9:18 11:7 36:19 37:1,12,16 38:8 82:10,21 update 12:24 uphold 78:15 upped 84:17 upping 47:3 use 22:18 36:3 65:19 68:5 69:14 usually 55:9	71:11,12 <hr/> V v 7:23 vague 87:5,7 Vandalia 2:23 3:3 vandalising 51:7 51:13 vandalism 10:13 51:5 vandalizing 88:10 various 13:11 31:3 48:14 vehi- 18:15 vehicle 18:9,10 18:11,13,14,16 22:16 23:17,20 verbal 42:9 verify 62:18 versus 90:18 victim 40:15 42:10 88:13 video 40:14 49:14,16 view 69:4 violate 11:15 violated 9:17 11:5 violates 11:13 violating 89:10 90:11,12 violation 10:22 26:14 36:12,16 38:7 81:17,18 83:2,6,7 89:9 violations 10:23 19:4 39:3 visit 63:3 visited 63:3 vividly 17:7 vs 1:6 2:6 26:9 <hr/> W <hr/>	W 2:19,23 3:3 walk 23:16 60:11,12 walked 27:14 walking 56:17 57:3 walks 87:17 Walmart 86:5 86:10 want 26:1 32:20 57:2 59:20 76:19 77:14 84:23 88:17 wants 31:21 62:9 washed 70:1 washing 58:21 Washington 1:23 4:21,22 44:17,19,21 wasn't 45:2 49:11 75:2 watch 56:23 watched 18:13 watching 58:13 59:8,8 water 11:22 way 37:22 38:18 38:19,20,21 67:2,4 75:7 76:1,18 83:19 88:5 ways 70:3 we'll 7:2 69:13 we're 5:9 6:21 6:22 7:7 9:8 12:24 14:5 24:10 25:9 31:20 44:22 45:20 67:5 68:10,21 69:3 69:13,15 85:8 85:24 86:1,22 89:21,23 we've 29:11
--	---	--	--	---

30:14 45:16,17 45:18,19 90:19 91:3,3 week 75:9,13 welcome 6:16 15:1 31:17 32:21 welfare 7:11 went 13:18 17:15 18:22 22:18 29:6 46:22 53:11,17 53:20,20 58:15 60:23 64:10 67:6 70:2 81:3 85:13 weren't 27:16,18 white 18:8 23:17 wide 7:21 wife 67:15 Wilkins 4:23 willing 85:7 window 25:2 40:9,14 41:9 windows 88:13 witness 54:8 70:12 witnessed 22:22 49:5 71:24 witnesses 3:8,11 53:7 Witty 4:24 5:1 wording 87:10 words 20:2 22:11 23:10 24:15 27:6 work 43:9 49:16 49:18 67:10,12 67:18 70:4 84:23 85:1,6,7 86:21 88:2,3,4 works 63:10 65:11 73:11 88:18 wouldn't 38:7	52:9 Wright 3:6 8:6 wristbands 45:18 written 7:4 48:8 82:5 wrong 87:10 wrote 82:5,7,8 <hr/> X X 20:14,20 21:2 34:16 <hr/> Y y'all 32:20 82:7 yeah 13:18 19:10 23:12 25:24 36:22 49:6 52:12 61:2 62:11 63:19 65:19 71:8 72:21 76:9,12 84:17 84:19 91:7 year 13:11 57:13 58:11 80:1 years 9:19 10:13 11:7 18:10 21:9,11,14 28:15,16 35:1 35:12 36:20 37:1,24 82:11 yell 28:5 70:7 yellow 55:16 yes-or-no 74:6 74:11,17 young 22:15 23:16 30:8,9 36:2 64:22,24 68:15 72:6,8 younger 71:10 71:13 <hr/> Z <hr/> 0	001 26:20 084-004554 1:19 <hr/> 1 1 10:4 32:15,17 76:4 85:10 88:2 1,000 10:3 1/1 13:8,10 1/2 28:15,16 1/6 24:10 10 18:1 61:15 75:20,22 76:3 76:5,12 100 52:4 101 26:21 103 2:23 3:3 1039 1:21 107 2:19 11:30 27:10 11:40 27:10 12 60:23 12/16 19:22 12/29 22:6 12/30 23:5 12:07 8:15 12284 1:22 13 22:6 14 8:14 16:5 16 26:16 16-year-old 8:16 17 18:10 84:7,9 17-year-old 89:23 18 8:21 84:7 1934 7:15,20 1989 28:12 <hr/> 2 20 75:20,22 79:14 84:9 20- 32:6 201 26:22 2019 45:12 2020 13:6 29:5	2021 8:1,13 11:16 66:18 2022 8:14,21,23 9:4 10:2,4 14:6 15:12 16:6 18:1 27:6,10 47:19,19 2022013 1:20 2023 1:14 2:14 4:9 10:2 24:10 26:16 66:19 90:18 92:12 20th 24:2 21 8:18 9:19 10:13,20 11:7 13:9 17:9 22:7 22:17 23:6,20 23:24 26:14,22 26:23 27:1 32:5,7 36:20 37:1,17 38:1,4 38:8,16 39:8 41:12 44:4 60:16 64:21 65:5,7 74:1,13 75:24 77:1,10 77:12,19 78:2 78:8,18,19,21 79:1,18,23 80:19,21 81:12 81:13,16 82:11 82:18,22 83:3 83:5,6,7 84:10 87:11,16 92:12 22 10:2 12:14 13:10 14:10,13 14:19 15:2,21 19:22 22:6 23:5 47:23 22-OV 26:11 22002403 1:23 23 8:23 9:4 12:15 24:10 50:2 235 7:20	25 10:2 26 1:14 2:14 4:8 27 21:15 26:9 88:23 90:18 29 36:2 <hr/> 3 3 13:5 3/6 12:14 30 18:13 21:11 35:1,12 37:24 60:4,4 83:15 300 2:23 3:3 301 26:11 31 10:2 <hr/> 4 4 19:17 4-9 82:2 4-90 11:5 4-90(e) 9:18 4/10 14:13,19 4/17 15:2 4/3 14:6,10 4/30 15:12 401 26:11 44 13:11 45 18:13 490 36:12,16,24 38:7 39:3 87:14 <hr/> 5 5 4:9 5:17 27:6,9 5/1 15:21 5/4-2 7:20 501 26:24 52 58:16 <hr/> 6 6 15:21 60:23 6-2 10:23 6/10 12:14 6:30 9:5 60 19:15 601 26:12
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62025 2:23 3:3				
62220 2:20				
<hr/>				
7				
<hr/>				
70 19:15				
<hr/>				
8				
<hr/>				
8 28:15,16				
80 76:7,15				
800 62:3,5 76:2 76:7,11,15				
<hr/>				
9				
<hr/>				
9 8:19 9:20				
10:21 11:9				
17:9,17 20:14				
21:2 23:6,24				
26:15,22,24				
27:1 32:6				
34:16 36:8,21				
39:7,9 73:14				
74:2,14 80:21				
81:17 82:12,18				
89:1 90:22				
90 60:7 61:14				
62:2,6				
901 26:11				