BEFORE THE DUPAGE COUNTY SHERIFF'S MERIT COMMISSION

SHERIFF RICHARD P. DORIA, Complainant	)	
vs.	)	No. 96-4
CARLOS RODRIGUEZ, Respondent	)	

AFFIDAVIT

The undersigned, MICHAEL HENER, being first duly sworn under oath, states that if he were called to testify in the above captioned matter, that his testimony would be as follows:

1. My name is MICHAEL HENER.

2. I am over 18 years of age.

3. That on May 14, 1996, I testified as a witness at the DuPage County Sheriff's Merit Commission in the matter of Sheriff Doria v. Carlos Rodriguez.

4. That I was coerced by Sheriff's Officials and the Special State's Attorney to give false testimony at the May 14, 1996 hearing.

5. That the following are events leading up to the May 14, 1996 hearing:

A. On or about December 5, 1995, I was an inmate at the DuPage County Jail.

B. That at approximately 5:30 p.m., I was called out of my cell with another inmate Ricky Smith, by Deputy Rodriguez to go the dentist.

C. That we went to another cell and picked up another inmate named Ascensio, and went to another cell where another inmate named Juan Castro was waiting.

D. That at the May 14, 1996, hearing, I testified that RODRIGUEZ told us "in Spanish that we had ten minutes" to talk, and this did not occur.

F. That the May 14, 1996 hearing, I testified that Ascensio had asked me why I hadn't told anybody that I was a member of a gang, and that I said it was because I am not. That this