

STATE OF ILLINOIS        )  
                                  ) SS.  
COUNTY OF C O O K        )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - MUNICIPAL DIVISION

THE PEOPLE OF THE            )  
STATE OF ILLINOIS,            )  
                                  )  
                  Plaintiff,    )  
                                  )  
                  -v-            ) No. 00MC1-217168  
                                  )  
MARK BUNKER,                 )  
                                  )  
                                  )  
                  Defendant.    )

EXCERPT OF REPORT OF PROCEEDINGS of the trial  
before the Honorable WILLIAM P. O'MALLEY, Judge of said  
Court, on the 5th day of February, 2001.

APPEARANCES:

HON. RICHARD M. DEVINE,  
State's Attorney of Cook County, by  
MS. CHERYL WRONKIEWICZ and MS. BRANDY KING,  
Assistants State's Attorneys,  
on behalf of the Plaintiff;

MS. JULIE AIMEN and MR. DENNIS de VLAMING,  
on behalf of the Defendant.

Grace Brennan C.S.R. 84-1918  
Official Court Reporter

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February 5, 2001

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1 evidence. Okay. Proceed.

2 OPENING STATEMENT

3 BY MS. WRONKIEWICZ

4 Thank you, Judge. Good afternoon. The  
5 individuals who own or rent property have certain  
6 rights in that property. One of those rights is to  
7 restrict access to their property from people who  
8 are not welcome there and that's what this whole  
9 case is about.

10 The facts of this case are actually very  
11 simple and the evidence will show that on January 25  
12 of the year 2000, Mark Bunker, the Defendant, was  
13 not welcome at the Church of Scientology.

14 You will hear from Mary Anne Ahmad who  
15 will tell you that she works for the Church of  
16 Scientology and she will tell you that the property  
17 located at 3011 North Lincoln is occupied by the  
18 Church of Scientology. She will also tell you that  
19 Mark Bunker wasn't welcome there.

20 Well, on January 25, he showed up there  
21 anyway and he was met in the doorway by two off-duty  
22 Chicago police officers and he tried to walk in to  
23 the property. Well, these two police officers told  
24 him, you are not welcome here. You have to leave.

1                   And did he leave? No. So they had to  
2 tell him again. You have to leave. You are not  
3 welcome at this property. Once again the Defendant  
4 did not leave. So, finally, a third time the  
5 Defendant was told he was not welcome there and yet  
6 again he did not leave that property.

7                   So at that point after refusing yet  
8 again to not leave the property, he was placed under  
9 arrest. And you will hear from those police  
10 officers tomorrow.

11                   You will also hear that the Defendant  
12 did not arrive at the Church of Scientology alone.  
13 He carried with him a huge video camera and while  
14 the Defendant was not cooperating with the police  
15 officers, when they told him he had to leave, the  
16 video camera fell to the ground and into the street.

17                   So these off-duty police officers will  
18 tell you that they called for back-up and they  
19 placed the Defendant under arrest and then they went  
20 to go look for his video camera and they found his  
21 video camera in the hands of an individual named  
22 William Zizic and they asked Mr. Zizic for the video  
23 camera. He didn't want to give it up. In fact, the  
24 officers will tell you they actually had to take the

1 camera from Mr. Zizic.

2           However, based on the testimony that you  
3 are going to hear from the police officers, the off-  
4 duty police officers in this case, my partner and I  
5 are very confident that you will find the Defendant  
6 guilty of criminal trespass to real property to  
7 criminal trespass to land because once Mark Bunker  
8 was told by the off-duty police officers that he had  
9 to leave and he refused to leave, he committed a  
10 crime and those police officers acting as agents of  
11 the Church had a right to tell him to leave and we  
12 are confident that you will find the Defendant  
13 guilty. Thank you.

14           THE COURT: You may proceed.

15                           OPENING STATEMENT

16                           BY MR. de VLAMING

17           Members of the jury, Mark Bunker is on  
18 trial today for criminal trespass. What you are  
19 going to learn from the evidence of this case is Mr.  
20 Bunker is from the State of Florida. He was  
21 contacted by two individuals, both of which are  
22 dentists in our town, named Dr. William Zizic and  
23 Dr. Barbara Zizic.

24                           They were members of the Church of

1        Scientology. They were trying for over a year to  
2        get back \$100,000 that they had given to the Church  
3        for courses. They were unsuccessful in getting  
4        their money back.

5                    They contacted a group that Mr. Bunker  
6        belongs to in an effort to help them get their money  
7        back so they can leave the Church of Scientology.  
8        They contacted Mr. Bunker and asked him to come into  
9        town because he is a videographer for an  
10       organization in Florida. He is a producer of  
11       documentaries.

12                    You will see the video camera used in  
13        this case because it has a great deal of relevance.  
14        It's one of those large video camera made by the  
15        Sony Corporation for filming documentaries. In  
16        other words, it's not a little camcorder. It's one  
17        of those you mount on your shoulder.

18                    When he came into town, he was given a  
19        briefing by the Zizics and they asked him if he, Mr.  
20        Bunker, would please accompany them to the Church of  
21        Scientology because they were going to discuss the  
22        return of that hundred-thousand dollars. She wanted  
23        to have him present so that he could document what  
24        was being said, what was being discussed, so that

1 things would go smoothly.

2 When they arrived at the Church on the  
3 25th of January, what happened was they parked their  
4 vehicle and they were coming around the side of the  
5 sidewalk area. What you are going to see is this is  
6 a photograph of the area and you will find that they  
7 were coming down this way, if you can see that.  
8 They were coming down this way walking on the middle  
9 of the sidewalk.

10 What you are going to learn is that Dr.  
11 William Zizic was first -- I won't say first in  
12 line. He was the first one. His wife was behind  
13 him, Barbara Zizic and Mark Bunker with a video  
14 camera perched on his shoulder was the third one in  
15 line.

16 As they walked down the sidewalk, you  
17 will find out what they did is they turned this  
18 corner. You will see where this says Dianetics.  
19 That's Church of Scientology right here. Actually,  
20 both these entrance ways have to do with  
21 Scientology; but it's this entrance way they ended  
22 up going in. That's this one.

23 As they turned, Dr. William Zizic was  
24 the first one in line and he put his hand on the

1 door handle. Barbara was approximately four feet  
2 behind him. Mark was a good four feet behind her  
3 and he was standing somewhere in the area of the  
4 middle of the sidewalk.

5 He then, Mark now, Mr. Bunker, now says  
6 to -- makes a comment to her about why they are  
7 present to start the film rolling and start the  
8 documentary. As she turned to answer him, two men  
9 came running out from this direction. Mr. Bunker  
10 has his eye up to the lens and he sees this blur  
11 come in front of him and two men grab him, one from  
12 one side and one from the other side. They have  
13 plain clothes on. They have no indicia of who they  
14 are. They have nothing that says police. They have  
15 no badge out.

16 He goes, what are you doing? Marks  
17 yells, what are you doing? What are you doing?  
18 They yell. They yell at him and there is a tussle  
19 right here for the camera. The officer yells, turn  
20 that camera off. Turn that camera off.

21 Mr. Bunker then knows that the film is  
22 rolling and what you are going to see tomorrow when  
23 we give a demonstration to you is there is a little  
24 red light on the front of the camera when you hit



1 the record button. The red light comes on. Very  
2 significant in this case.

3 Mr. Bunker then wants the camera to  
4 continue rolling. He has no idea who is on top of  
5 him, no idea who is grabbing him and he pulls the  
6 camera around so they can't get a hold of the  
7 camera. He knows it has to keep rolling or he wants  
8 it to keep rolling.

9 Finally, one of the officers grabs his  
10 thumb, pulls it down. Mr. Bunker puts the camera  
11 down. It's either that or drop it. The officer  
12 pulls his thumb back and he let's go of the camera.

13 Within 10, 15 seconds, Dr. William Zizic  
14 who will testify as well as Dr. Barbara Zizic  
15 watching the whole thing will testify what happened  
16 and where it happened. Dr. Zizic then picks up the  
17 camera and aims it and aims it right at the police  
18 and aims it at what they are doing to him, captures  
19 the arrest on there, captures the comments.

20 Dr. Barbara Zizic is saying, who are  
21 you? What are you? They say, we are Chicago  
22 police. She says, show me some ID. The one officer  
23 opens up his ID and the face is scratched off. She  
24 says, that's a fake ID. That's a fake ID. What is

1 your name? He says, my name is Joe Blow. That's  
2 what her testimony is going to be tomorrow when you  
3 hear from her.

4 So Dr. Zizic has got the camera. As  
5 soon as they arrest Mark, which is right by the  
6 street now, they arrest him over in this area, they  
7 put him in handcuffs.

8 Yes, Dr. William Zizic has the camera.  
9 Give me that camera. Give me that camera. They are  
10 yelling to Mr. Bunker, turn that camera off. Turn  
11 that camera off. They grab. They take the camera  
12 from Mr. Zizic. It's still running. Critical.  
13 It's still running. Red light still on. The police  
14 take the camera and then that's the last my client  
15 sees of it. It's the last the Zizics see of it.

16 They go back. They arrest him, take him  
17 into custody and he is taken to jail. What you are  
18 going to learn is the next day Mr. Bunker, that's an  
19 extremely expensive camera, as you can imagine it,  
20 goes right to the evidence section and says, I want  
21 my property back. They said, sure, Mr. Bunker and  
22 they bring out the camera and it's wrapped in bubble  
23 paper and they said, here is your camera.

24 Mr. Bunker says, would you please open

1 the camera for me and so the female clerk takes the  
2 bubble paper off. Battery is still on it. He shows  
3 her what button to push for it to eject. It ejects.  
4 Ain't no tape in it. There is no tape in it.

5 What you are going to learn is that  
6 there is no way, there cannot be a tape and camera  
7 like that and red light come on and we will show you  
8 tomorrow that's exactly the facts in this case.

9 So was he trespassing? No, he never  
10 even got into the Church of Scientology. He never  
11 even got to this area of the Church of Scientology.  
12 He was arrested on a public sidewalk. He was not  
13 given the opportunity to leave. He was grabbed  
14 immediately because the Church of Scientology knew  
15 why Mark Bunker was there. They knew he was there  
16 to help those people get back that hundred-thousand  
17 dollars and by arresting him, it didn't happen that  
18 day and that's the evidence in this case. Thank  
19 you.

20 THE COURT: Okay. Thank you, ladies and  
21 gentlemen. We will see you tomorrow. We will start  
22 some evidence tomorrow.

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(Whereupon the following proceedings were held out of the presence of the jury.)

THE COURT: Okay, see everybody tomorrow morning. Again, if you can get working on those instructions.


MS. WRONKIEWICZ: Ours are done. We tendered them.

THE COURT: Okay.

(Whereupon, the case was adjourned to Tuesday, February 6, 2001.)

STATE OF ILLINOIS        )  
                                  ) SS.  
COUNTY OF C O O K        )

I, GRACE BRENNAN, Official Shorthand Reporter of  
the Circuit Court of Cook County, Municipal Division, do  
hereby certify that I reported in shorthand the evidence  
had in the above-entitled cause and that the foregoing is  
a true and correct transcript of all the evidence heard.

  
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Official Shorthand Reporter  
Circuit Court of Cook County  
Municipal Division.