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State's attorney rivals clash on handling of Burge case

DEBATE | Peraica accuses 2 longtime prosecutors of inaction

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October 24, 2008

BY RUMMANA HUSSAIN Criminal Courts Reporter rhussain@suntimes.com

The three Cook County state's attorney hopefuls weighed in on the recent federal indictment of former Chicago Police Cmdr. Jon Burge in a televised debate Thursday that at times got testy.

Republican Tony Peraica took the opportunity to accuse his rivals, career prosecutors Thomas O'Brien and Anita Alvarez, of remaining mum on the Burge case during their two decades in the state's attorney's office.

"Innocent men were tortured in our county, and both of these folks who've been there for over 20 years working in tandem with each other have done absolutely nothing," Peraica said during the debate sponsored by WLS-Channel 7 and the League of Women Voters of Cook County.

Democrat Anita Alvarez, an undergraduate when the first allegations of abusing suspects arose against Burge, countered by saying she was instrumental in the implementation of videotaping interrogations and creating a professional standards unit in the state's attorney's office, which investigates police brutality.

"I've been part of the safeguards that have been put in place to make sure something like this doesn't happen again," she said.

"There's no doubt about it that mistakes were made. ... We're paying a price for the Burge case," O'Brien said.

But O'Brien, the Green Party candidate, said Alvarez cannot be held directly responsible for Burge.

"That's not surprising since the two have been in the office together for over 20 years, and Ms. Alvarez is Mr. O'Brien's supervisor," Peraica said.

O'Brien said he met Peraica five times and Alvarez only four times, insinuating Peraica was stretching hard by lumping them together.

The debate will air at 1:30 p.m. Nov. 1 on Channel 7.

The Jon Burge case

- [Feb. 21, 2007: Judge scolds city for delaying Burge settlement](#)
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Person of interest in Hudson case William Balfour held for parole violations

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October 26, 2008

FROM STNG WIRE AND STAFF REPORTS

As the FBI, police and community members continue their search for 7-year-old Julian King, the boy's stepfather, William Balfour, was transferred to the Illinois Department of Corrections and is being held for parole violations from his attempted murder conviction, police said Sunday.

No charges have been filed against Balfour in Friday's murders of Darnell Donerson, 57 and Jason Hudson, 29 in the 7000 block of South Yale Avenue Friday afternoon.

Balfour, who has not lived at the Yale house since May, was paroled in 2006 after convictions for attempted murder, vehicular hijacking and receiving stolen property, state records show. He spent nearly seven years in prison.

Police spokeswoman Monique Bond said Sunday morning that Balfour, Julia Hudson's estranged husband, had been transferred to the Illinois Department of Corrections and is being held for parole violations from his attempted murder conviction. The transfer was not related to Friday's murder or kidnapping investigation, Bond added.

One of the two vehicles authorities thought Balfour could be driving was recovered late Friday. The second – a white 1994 Chevrolet Suburban SUV with Illinois license plates X584859 – was still missing Saturday, police said.

It is believed Balfour was near the Hudson house at about 9 a.m. Friday < right around the time neighbors reported hearing gunfire.

But Balfour's mother, Michele Davis Balfour, defended her son for a second day, saying she does not believe he was at the house Friday or involved with the killings. She said her son, a baker, was in contact with her and his sister throughout the day. Balfour, she said, has never used guns.

Balfour's mother did say, however, that her son's marriage had fallen apart and that he'd talked of divorce two weeks ago. Neighbors also confirm that Balfour and Julia Hudson were at odds lately.

"They were like the perfect couple. They had just started with this," Chiquita Stanton said, referring to the couple's domestic trouble.

William Balfour Arrested for Double Homicide of Hudson Family
From Hey Shae!

19-cv-4048(FBI)-3072

More Details About Suspect William Balfour & Jennifer
Hudson's Sister Julia

From Young, Black, and Fabulous

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yes keep shooting,you idiots's comment is abusive and has been
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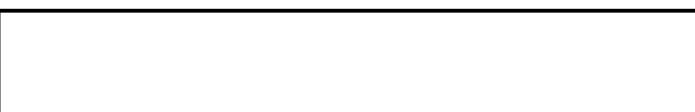
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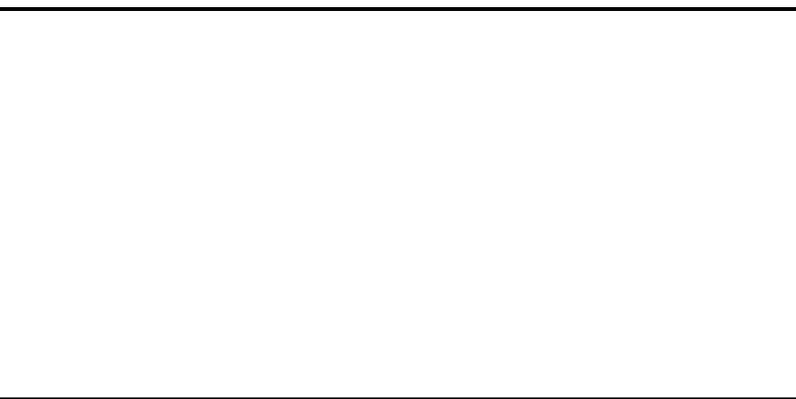
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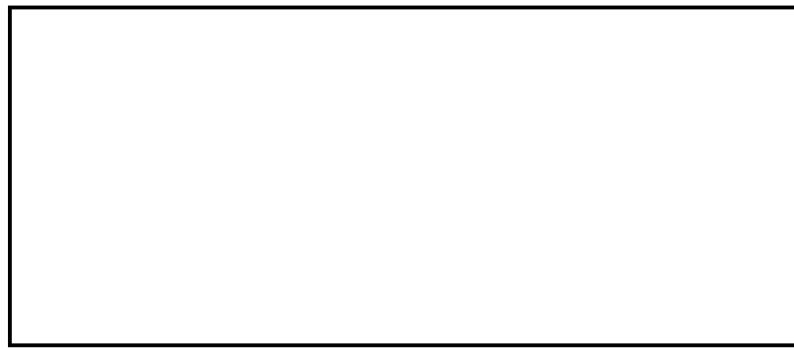
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Ex-Chicago cop Burge arrested in torture cases

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October 28, 2008

BY [NATASHA KORECKI](#) Federal Courts Reporter

With people lined up outside a courtroom trying to get a glimpse, former Chicago Police Cmdr. Jon Burge pleaded not guilty Monday to federal charges of lying about torture during his reign in the department.

Burge, 60, was arrested last week at his Apollo Beach, Fla., home on charges of perjury and obstruction of justice.

He's accused of lying under oath in a lawsuit accusing him and his underlings of using heavy-handed tactics --including electric shock and smothering -- against suspects to win confessions.

Monday was the first time Burge faced dozens of Chicagoans who demonstrated outside the courthouse against allegations that have been a part of the city's history for more than two decades.

The size of the crowd and emotions his case conjures were enough for the U.S. Marshals office here to decide Burge shouldn't walk out the front doors of the Dirksen Federal Building.

"Due to the nature of the case . . . we did let him out another exit," Deputy U.S. Marshal John O'Malley said. "We weigh the overall security of the building."

This was in stark contrast to Burge's court appearance last week in Tampa, Fla., where onlookers only stopped to ask: "Who is that?"

In Chicago, U.S. District Judge Joan Lefkow tentatively set the trial date for May 11 and said Burge would not have to appear at a November status date. He is free on \$250,000 bond.

Burge's lawyer, Richard Beuke, said that, living in Florida, it's a "fairly substantial expense for him to fly here."

That drew a small outburst from some spectators in the crowded courtroom. Beuke noted he's received thousands of pages of evidence to review.

Burge appeared in court wearing a dark suit and walked with the assistance of a cane. Burge said he had trouble walking because of recent knee surgery.

Outside, protesters chanted "Jon Burge should do time!" They carried signs in support of Aaron Patterson, who was freed from Death Row in 2003 because of his claims against Burge. Patterson is back in prison now on a new conviction.

Demetrice Griffin took the day off from her teaching job in Evanston to be at the courthouse.

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Griffin alleged Burge got a confession out of her late brother, Larry Griffin, when he was 16.

"He hung him by his feet outside a window to force a confession," she said.

Ald. Ed Smith (28th) was in the crowd too, and among the aldermen who last year sent U.S. Attorney Patrick Fitzgerald a letter asking that he bring charges against Burge.

"I'm just euphoric about this whole thing," Smith said. "Jon Burge should have been in jail 20 years ago. But he slipped through the cracks."

Burge case finally arrives at a charge

From CHICAGO ARGUS

**Dismissing Torture: Finally Unravelling the Secrets of
Jon Burge**

From The Provocateur

The views expressed in these blog posts are
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WC3

Burge hearing draws crowd

Demonstrators wait at court for ex-cop in torture scandal

By Jeff Coen

Tribune reporter

October 28, 2008

Tribune reporter

Some demonstrators who gathered outside federal court Monday had spent years calling for former Chicago Police Cmdr. Jon Burge to be held accountable for torturing murder suspects, and they were eager to watch a hearing where Burge would be arraigned on charges stemming from the scandal.

Darrell Cannon, who sued Burge for torture and blames him for his wrongful conviction, said he couldn't wait to "see that buzzard face a judge."

But by the time Burge sat a defense table in the courtroom of U.S. District Judge Joan Lefkow peering at documents through his reading glasses, the gallery was full and many, including Cannon, stood in the hallway outside. Burge was charged last week with perjury and

The Road Ahead: Innovation, Conservation, Growth



Tesla rolls out its long-awaited electric sports car (AP News)

It's safe to say Jeremy Snyder gets a charge out of the two-seat Tesla Roadster whenever he pulls one off the ...



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obstruction of justice, accused of lying in written answers he submitted in 2003 as part of a federal

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lawsuit over torture claims.

A lawyer for Burge immediately entered a plea of not guilty, but anyone looking for Lefkow to be stern with Burge was disappointed.

"Mr. Burge, I didn't say good morning to you," Lefkow said calmly.

"Good morning, your honor," Burge answered.

Lefkow set a preliminary trial date of May 11 and said Burge did not have to return to Chicago from Florida for a status date next month. He was arrested at his home near Tampa last week and accused of lying about beating and shocking suspects into making confessions.

Burge's attorney, Richard Beuke, said he expected to be getting thousands of pages of discovery soon and could not yet address the charges beyond Burge's plea. Beuke said Burge would be staying in Florida for the time being. "He's having a tough time," he said. "This obviously isn't a good situation for him physically."

Demonstrators from the Rainbow/PUSH Coalition and other groups stayed in the courthouse lobby and on the sidewalk outside for most of an hour after the hearing, leading U.S. marshals to lead Burge out of the courthouse through a tunnel.

Attorney Flint Taylor, who has represented Burge accusers, including Cannon, for years, promised to keep calling for more indictments of other police officers who worked under Burge. "We will not rest until [Burge's] cohorts are indicted as well," Taylor said.

Federal prosecutors have promised to review the responses of a number of former officers who also have been sued, and who, like Burge, have given answers in civil suits denying that any torture of suspects took place

Rev. Ira Acree, pastor of the Greater St. John Bible Church and a local activist, was among those at the courthouse Monday.

"It makes you feel good about the justice system," he said of Burge's arraignment. "It made me feel good to know we're on the right course."

jcoen@tribune.com

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Daley issues sarcastic apology for torture

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October 24, 2008

BY **FRAN SPIELMAN** City Hall Reporter

Mayor Daley on Thursday issued a sarcastic blanket apology for the alleged torture of suspects by former Chicago Police Lt. Jon Burge.

"The best way is to say, 'Okay. I apologize to everybody [for] whatever happened to anybody in the city of Chicago.'... So, I apologize to everybody. Whatever happened to them in the city of Chicago in the past, I apologize. I didn't do it, but somebody else did it. Your editorial was bad. I apologize. Your article about the mayor, I apologize. I need an apology from you because you wrote a bad editorial," Daley said, laughing.

"You do that and everybody feels good. Fine. But I was not the mayor. I was not the police chief. I did not promote him. You know that. But you've never written that and you're afraid to. I understand."

Attorney Flint Taylor, who has spent the last 21 years representing alleged torture victims, was outraged by the mayor's remarks.

"It is disgraceful and remarkably disrespectful to say that when he's asked to make good on an apology to the victims of the most heinous kind of police abuse and torture in the history of Chicago," Taylor said.

"Particularly when he and his first assistant, Richard Devine, were responsible over 25 years ago for not taking Burge off the street and prosecuting him ... Burge was a decorated white commander. The men were poor and black suspects in serious criminal cases. Daley repeatedly sided with Burge and against the victims of torture in scores of cases."

Two years ago, Daley — who was Cook County state's attorney in the 1980s — accepted his share of responsibility and offered to "apologize to anyone" for Burge's reign of terror, even as he argued that the ultimate responsibility rests with the Chicago Police Department.

Earlier this week, the mayor changed his tune. Hours after Burge was arrested in Florida and charged with perjury and obstruction of justice, Daley refused to accept even an ounce of responsibility for one of the ugliest chapters in the history of the Chicago Police Department.

The mayor's flippant tone on Thursday — and Taylor's angry response to it — prompted mayoral press secretary Jacquelyn Heard to put out a statement clarifying the mayor's remarks.

"Mayor Daley has, on more than one occasion, expressed regret for what were clearly horrific acts and a regrettable time in our city's history," Heard said.

"His remarks today reflect his frustration that those sentiments are routinely lost in the

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media with certain key points. Namely, the fact that it wasn't until he became mayor that Burge was fired."

A \$7 million report by special prosecutors faulted Daley for failing as state's attorney to follow up on a 1982 letter from then-Police Supt. Richard Brzeczek that strongly suggested abuse in the case of accused cop killer Andrew Wilson.

In the 1982 letter, Brzeczek passed along explosive information he had received from Dr. John Raba, medical director of Cermak [Prison] Health Services.

Raba had examined Wilson and found multiple bruises, swelling and abrasions on his face and head; a battered right eye; linear blisters on his thigh, cheek and chest "consistent with radiator burns." Raba also reported Wilson's claim that electric shock had been administered to his gums, lips and genitals.

Brzeczek tossed the political hot potato to Daley, who referred it to his Special Prosecutions Unit for further investigation. Nothing ever came of the investigation.

It wasn't until the early 1990's that the Police Board finally got around to firing Burge.

The mayor's remarks this week were in sharp contrast to his contrite tone in July, 2006, when Daley was gearing up for his 2007 re-election campaign and was concerned the special prosecutor's report could come back to haunt him in the African-American community.

On that day, Daley accepted his share of responsibility for what he called "this shameful episode in our history. ... I'll take responsibility for it. I'll apologize to anyone. ... It should never have happened. ... Everybody should be held accountable. ... The system could have broken down."

The Jon Burge case

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- [Dec. 8, 2007: Settlement reached in Burge police torture cases](#)
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Dismissing Torture: Finally Unravelling the Secrets of Jon Burge

From The Provocateur

Burge case finally arrives at a charge

From CHICAGO ARGUS

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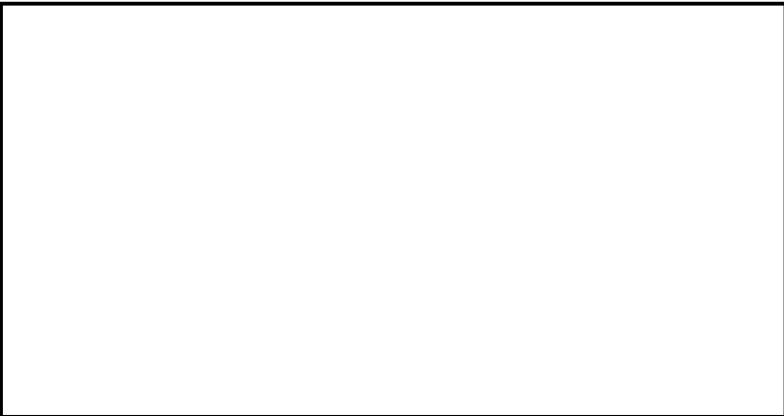
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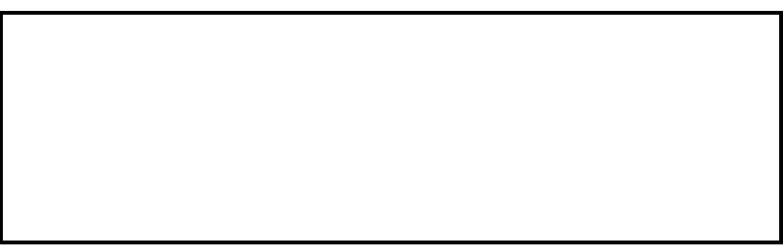
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Burge indictment was a good day for justice

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October 22, 2008

Jon Burge, the former Chicago Police commander with a reputation for torturing suspects, was arrested Tuesday.

It was a good day for justice, for the rule of law, for Chicagoans from Rogers Park to Hegewisch and — best of all — for the Chicago Police.

You might not know that by some of the comments posted at www.suntimes.com after our reporter, Natasha Korecki, broke the story of Burge's arrest.

One writer called Burge's critics "police haters."

Another writer called him an "American hero."

A third writer thanked Burge for saving us money. "All Burge did was save the taxpayers from the costs of long trials by forcing some confessions," said the writer. "It's not like he was torturing Boy Scouts. These were lowlifes."

But Jon Burge was none of the above — not a victim of police haters, not an American hero, not the taxpayer's friend. He was, as established by civil suits and a special prosecutors' report, a rogue cop who tortured criminal suspects for two decades.

Not criminals, we feel we must emphasize. But criminal suspects.

The only shame in Burge's arrest was that it should have happened long ago.

As early as 1982, public officials got wind of rumors of Burge's torture tricks in the basement of a South Side police station. Richard Brzeczek, who was police superintendent, informed Richard M. Daley, who was Cook County state's attorney, in writing that there was credible evidence Burge and his men had tortured a suspect.

But Daley looked away. Brzeczek did not follow up. Burge remained on the police force for another 11 years, ushered into retirement only after the mounting evidence of torture became impossible to ignore.

By the time a special prosecutors' report in 2006 confirmed the allegations of torture, time had run out on charging Burge, due to the statute of limitations.

Again, what a shame. Had Burge, 60, been charged and convicted of torture, he could have been sentenced to decades in prison. As it is, he was indicted Tuesday by a federal grand jury of trying to cover up the crime — by lying under oath — rather than for the crime itself. If found guilty, he faces 20 years or more in prison, but likely would get less.

You'll have to forgive us, then, for saying Tuesday was a good day for justice and then

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lamenting how much better it could have been. It's just that we couldn't help notice it took the U.S. attorney's office to do what City Hall, the Chicago Police Department and the Cook County state's attorney's office should have done years ago.

The sad truth is Burge was allowed to skate because too many Americans care more about catching bad guys than about protecting our rights and liberties. And too many cops turn a blind eye when a fellow officer crosses the line. They forget that their devotion to the law should be as great as their devotion to each other.

We pay a practical price: Suspects who are innocent, forced into false confessions, may go to prison. Suspects who are guilty, able to prove they were tortured, may be set free.

We pay a financial price: Last year, the city paid \$20 million to settle four civil suits lodged by men who claimed they had been tortured by Burge.

We pay a public relations price: For all the excellent work the Chicago Police Department does every day, one brute like Burge can destroy the department's reputation.

And we pay a moral price: We lower ourselves.

It takes courage to stand up for the rights of the most powerless and despised among us, such as those handcuffed suspects — many of them no doubt guilty — who were abused in Burge's basement.

But a handful of principled men and women did stand up. Among them were five aldermen who wrote a letter last year to U.S. Attorney Patrick Fitzgerald urging him to prosecute Burge for obstruction of justice — exactly what he now has done.

Those aldermen are Bob Fioretti, (2nd), Pat Dowell (3rd), Billy Ocasio (26th), Ed Smith, (28th) and Helen Shiller (46th).

Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations

From CRIME, GUNS, AND VIDEOTAPE

Chicago Cop Who Denied Torture Is Indicted

From TalkLeft: The Politics of Crime

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Reporter kept the focus on police torture

Thanks to John Conroy for helping Chicago face the issue

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October 22, 2008

BY [MARK BROWN](#) Sun-Times Columnist

At this point, most people in Chicago probably accept as true the torture allegations against retired Chicago police commander Jon Burge and mostly wonder what took so long to indict him.

It's easy to forget that was not always the case.

From the time the accusations were raised in 1983 by attorneys for cop killer Andrew Wilson until fairly recently, the collective attitude in this city was of disbelief, of not wanting to believe such a thing possible and perhaps worse -- not caring enough to demand the truth.

Many people were responsible for changing those attitudes, but I'm going to focus on just one.

As a reporter for the Chicago Reader, John Conroy wrote more than 100,000 words about the police torture scandal between the time he started looking into it in 1989 and when he was laid off last December because of budget cuts.

Although he would tell you he's only a "bit player," Conroy was probably as responsible as anyone for keeping the police torture issue in Chicago's consciousness during that time. He wrote about it and wrote about it, to the point that it probably wasn't good for his career, because nobody likes a Johnny-one-note.

His editor suggested he move on to the next subject, and he tried. After all, he told himself, he wasn't having much impact. But he kept coming back.

"It seemed be a matter of life and death," he explained. "There were guys on Death Row that were going to die."

I don't mean to hold Conroy out as a hero. He wouldn't like that, and I promised him I wouldn't. He was just a journalist doing a job.

He started off as skeptical as anyone

Still, it couldn't have been easy running against the grain of public opinion for all those years with precious little support from the mainstream news media, certainly none from me. And while it's not as if he has never received recognition for his efforts, there hasn't been enough.

The police torture allegations had been out there for any reporter to pursue since the Wilson

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case. Other clues were placed in the public arena in the years that followed, as Conroy would later discover, but few paid any attention.

It wasn't until 1989 that police torture came up on Conroy's radar. He had been researching a book on torture in democratic societies when someone suggested he take a look at a trial then about to begin involving a civil lawsuit brought by Wilson against Chicago Police. He started off as skeptical as anyone that police would be involved in such a thing. Gradually, the evidence made him a believer.

It would take him an entire year to produce that first story. He has lost track of how many he has written since.

"I was the first one, I think, to point to the pattern of these other cases and to point out the flaws in the police testimony," said Conroy, 57, which is as close as he will come to taking any credit.

Conroy would rather I give plaudits to the defense lawyers who pushed the investigations and others who refused to look away from the truth, and while he named many names, I'm afraid I don't have room, although it should be noted that he gives a lot of credit to former Gov. George Ryan. It was Ryan's pardons that opened the door to the lawsuits that gave Burge the opportunity to perjure himself, eliminating the statute of limitations problem that had blocked his prosecution.

'Nobody wants to believe it'

Conroy has seen the evolution that led to Tuesday's announcement by U.S. Attorney Patrick Fitzgerald.

"I think the problem with all this is that nobody wants to believe," Conroy told me. "We thought we were a civilization above all that."

We might have been more willing to believe if we'd been told it had happened in rural Mississippi, Conroy said, but not here, not in the 1980s.

"To think that this happened in Chicago, this sophisticated city, nobody wanted to believe it. It took us a long time to actually suspend our disbelief and look at the evidence," said Conroy, a tall, angular, soft-spoken gentleman who I know a little from working swim meets.

Conroy's torture book, *Unspeakable Acts, Ordinary People*, was published in 2000. His timing was unlucky. It would be another year before Americans would take an interest in torture after the 9/11 terrorist attacks, and unfortunately, he says, that only exposed a flaw in his work.

He had written the book from the viewpoint that it was understood torture was unacceptable in a civilized society. He hadn't bothered to make the case against it, never expecting our government to adopt torture as a matter of policy.

Thanks in part to Conroy, Chicago has had more time to understand the issue.

Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations

From CRIME, GUNS, AND VIDEOTAPE

Chicago Cop Who Denied Torture Is Indicted

From TalkLeft: The Politics of Crime

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Slain cop's mom defends Burge: 'I probably would have done it myself'

BURGE BUSTED | 'I probably would have done it myself'

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October 22, 2008

BY ANNIE SWEENEY Crime Reporter/asweeney@suntimes.com

Laverne O'Brien tried to keep her composure Tuesday about the latest Jon Burge news.

It's a saga she's been caught in since Feb. 9, 1982, when her son, a Chicago cop, was slain by Andrew Wilson at 81st and Morgan.

Wilson and his brother were convicted of killing officers William Fahey and Richard O'Brien during a traffic stop that night. But Burge's alleged torture of Wilson afterward -- using cattle prods and electric shocks to coerce a confession -- has led to numerous and lengthy investigations.

Laverne O'Brien has seen Wilson get his conviction overturned -- only to be convicted again. Burge eventually was fired for allegedly torturing Wilson. Wilson, re-sentenced for the murders, died in custody last year.

Now Burge is charged with perjury and obstructing justice. He's accused of lying under oath in a lawsuit accusing him and other police officers of torture.

"Honey, it's just bringing the whole case up all over again," said O'Brien, who is now 85 and has another son who is sick. "My son is dead. I am going to try and hold my composure."

As in the past, O'Brien again offered support Tuesday for Burge.

"I think it's very wrong," she said. "They are just trying to get something."

She has family members who don't agree, seeing torture of any suspect as unacceptable. But O'Brien has mixed feelings.

"Those SOBs deserved it," she said of Wilson and his brother, who also was arrested. "If I was there, I probably would have done it myself."

The Jon Burge case

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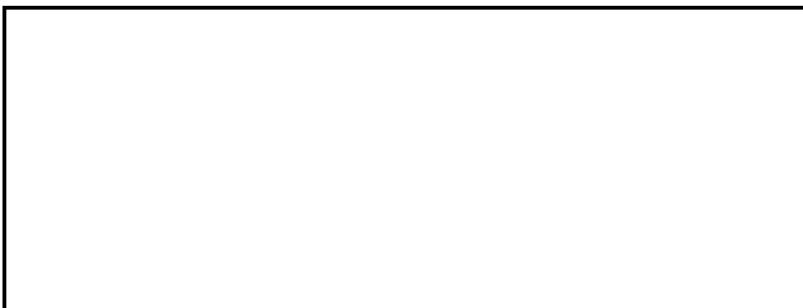
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Top Woman Cop Slain

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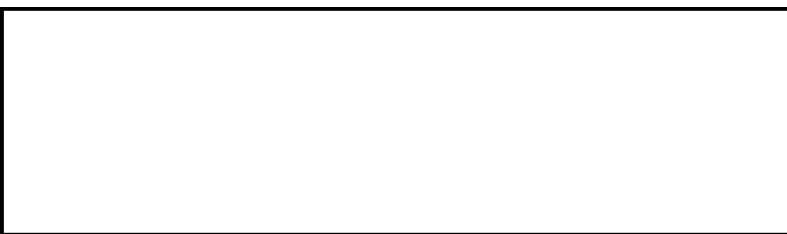


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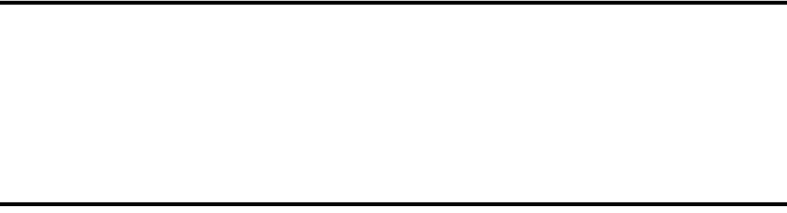
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Feds punch hole in 'perjury trap,' statute of limitations excuses

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October 22, 2008

BY **ABDON M. PALLASCH** Staff Reporter/apallasch@suntimes.com

Can't be done -- it's too late.

That was the \$7 million answer that a special prosecutor delivered two years ago in the case of former Chicago Police Cmdr. Jon Burge, accused with his men of torturing false confessions from as many as 148 defendants, most of them minorities, in the 1980s.

Attorneys for those who said they were tortured had argued that, even if the statute of limitations had expired for the torture, Burge and other officers and prosecutors who took part or cooperated in any such coerced confessions could be charged with lying under oath in civil suits.

Not practical, special prosecutors Ed Egan and Robert Boyle concluded after spending four years on a probe that ultimately cost \$7 million. Burge and the others could get any perjury or conspiracy charges dismissed on a "perjury trap" defense, Egan and Boyle said.

On Tuesday, U.S. Attorney Patrick Fitzgerald made clear he disagrees.

"I don't know that the law has ever recognized a 'perjury trap,'" Chicago's top federal prosecutor said. "If it ever was recognized, this ain't one of them. People in this courthouse have received substantial sentences for perjury if convicted."

Experts say that, given that city of Chicago officials concluded Burge tortured people when they fired him, it should be easy enough to prove he perjured himself when he denied torture in written answers in a civil suit, especially if fellow officers come forward to testify.

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Outrage lies at the heart of Burge charges

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October 22, 2008

BY **CAROL MARIN** Sun-Times Columnist

Justice for Melvin Jones is coming late.

Jones is dying. In and out of consciousness, according to his lawyers, it's possible he doesn't yet know the big news that broke Tuesday. That former Chicago Police Cmdr. Jon Burge, the man he met in an interrogation room years ago, heard a loud federal knock on the door of his lovely home nestled beside a boat dock in Florida early Tuesday morning.

Arrested and cuffed, Burge is now charged with perjury and obstruction of justice, and he is ordered to appear in federal court in Chicago Monday.

It took too long, 26 years. And it took the intervention of the feds.

That's because neither the Chicago Police Department nor the Cook County state's attorney's office nor Mayor Daley, who once served as state's attorney, nor a court-appointed special prosecutor had the courage or the political will to stand up against the shame that Burge brought upon this city.

It's not that Melvin Jones is a sympathetic character. He is a career criminal I met nine years ago in state prison. But the story he told then — the one he never wavered from — was chilling. And corroborated, by the way, by attorneys for the city of Chicago. It's not something they've ever wanted to talk about.

Here's the story.

And here's why it should outrage every one of us who sends a nickel in tax money to city or county officials.

In 1982, Melvin Jones was picked up on suspicion of murder. He was taken to Area 2 police headquarters on the South Side. That's where he met the infamous Jon Burge.

In a 1999 interview for CBS' 60 Minutes II, Jones quoted Burge as saying, "You only have two rights when you come in here, and that's to confess or get your ass kicked."

Jones said he refused to confess to a crime he didn't commit. That's when, he told me, Jon Burge and two other officers brought out a small hand-cranked electrical device with alligator clips. He saw it spark, then felt a shock as they touched his foot with the clip, and then his inner thigh. And then, Jones said Burge told him, "I'm going to put it on your testicles." Jones said he was in tears, "Trying to holler as loud as I can. . . . I was begging them to stop."

They didn't until Jones confessed. Convicted by one court, Jones was ultimately freed by

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another.

In 1993, when the heat on the city was too great, Burge was finally fired for the torture of murder suspect Andrew Wilson. Little-noticed at the time was that city attorneys admitted in court that Wilson wasn't Burge's only victim. The city acknowledged, "Burge electro shocked Melvin Jones on the genitals and thigh and threatened him with a gun."

The same city officials who until that point defended Burge, deserted him, offering not a shred a public explanation. But they continued to pay for his defense in all the civil suits that would follow. As a result, you and I are still paying. Twenty million dollars in just four cases.

Seven million for one investigation. Uncounted millions in outside legal counsel for Burge and his band of officers.

Jack Byrne is one of them.

A decorated sergeant, he is now retired and working as a private detective.

Reached by phone Tuesday, Byrne said, "I feel very bad for Jon Burge. I've known him all my life. I don't believe these charges. And I stand by all my statements that I never tortured anyone."

Byrne said one more time, "I feel bad for Jon."

I don't. I feel bad for the suspects — 122 of them by one count — who were tortured.

I feel sorry for Melvin Jones. A thug and crook, you bet. Even he admitted police had a good reason to question him.

"I'm a prime candidate," he told me. "But I also could be innocent."

Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations

From CRIME, GUNS, AND VIDEOTAPE

well, well, Matt Jones, finally got suspended

From Football News From A Chick™

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'No one is above the law'

Some cops just don't get it. In fact, when Burge was fired over torture allegations, the police union thought he got a 'raw deal'

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October 22, 2008

BY [NEIL STEINBERG](#) Sun-Times Columnist
Opening shot ...

Does former Chicago Police Cmdr. Jon Burge finally being arrested mean that the Fraternal Order of Police will once again try to sponsor a float honoring him in the South Side St. Patrick's Day Parade?

For those with short memories, Burge and four fellow officers were fired or suspended in 1993 for suspicion of torturing suspects — bad guys all, I'm sure, but if our society allows cops to clamp typewriter covers over the faces of those they believe have done something wrong, well, it looks bad.

The float was to be called "Travesties of Justice," and Burge and his four fellow officers were invited to sit aboard it, waving at the crowd.

What a sight that would have been. Alas, parade organizers found this overly political, and asked the FOP -- whose board had approved the float, 27-0 -- to withdraw from the parade.

"We're disappointed," said the FOP's then-president, John Dineen. "We were just supporting our fellow officers, who we believe got a raw deal."

Some officers -- operating on the theory that nobody in uniform can ever do anything wrong -- still feel that way. The need to back one another up -- so important on the street -- becomes the beginning and end of their personal code. To them, the Burge story is about bad press and people hating cops; the idea that it might offer a valuable lesson is, alas, inconceivable.

Myself, I tend to side more with U.S. Attorney Patrick Fitzgerald, who said, "No one is above the law." The obligation to back up a fellow officer stops if he becomes a criminal.

Re-read the sentence above. You might think that no cop could possibly disagree -- and I should point out that most of them wouldn't.

But some would, and will, vehemently, angrily. Some guys just don't get it, and I'm sure I'll be hearing from them. I'll share some with you Friday -- the printable parts at least.

Petitioner is undaunted

The funniest scene in Peter Sellers' 1979 classic film, "Being There," is where Chance the Gardener, a childlike man thrust out of a narrow world where he grew up and recast as

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Chauncey Gardiner, political pundit, finds himself on TV, where his simple-minded utterances are taken as deep philosophical insights.

The scene cuts to the woman who raised him, Louise the maid, slumped in a chair, a look of bogglement on her face as she watches him on TV.

"It's for sure a white man's world," she says.

I had a similar moment when Andy Martin showed up on the front page of the New York Times.

Like everyone in the media, I've been getting Martin's e-mails for years. They always left me torn.

On one hand, there was wonder in them, a fantasy world as rich as J.R.R. Tolkien's, with politicians and journalists replacing hobbits and orcs, a brain fever puppet theater, a conspiracy theorist's stag film starring that dashing global cynosure, Andy Martin.

On the other, there was Royko's edict about not firing a bazooka at a flea, and since nobody took Martin seriously, there was no need to waste space refuting him. Why give him the attention that his grandiose, inflamed ego so obviously craves?

Besides, it smacked of making fun of the mentally ill -- or should I say, with an eye toward the inevitable lawsuit that is the Andy Martin trademark, making fun of somebody who in my sincere yet inexpert opinion is mentally ill.

Then the Times featured him, as the originator of the lie that Barack Obama is actually a closet Muslim and sleeper-cell terrorist, fallout from Martin's being interviewed on Fox News -- in a suit and tie, repeating for the cameras the most outrageous fallacies imaginable about the current object of his imagination.

That's how our media works nowadays. The sock monkey has a tea party in Highlights magazine that is referenced on *fun4all.com*, and after a few intermediate stages, he ends up being quoted on the world economy in *Time*.

My colleague Mark Brown took a swing at Martin, and drew a delighted response from him, giddy with the attention, which even further steeled my resolve. This would be an Andy Martin-free zone.

But shortly after Martin hied himself to Hawaii, to dig into Obama's roots, Obama announced that his grandmother is sick, and he has to go to Hawaii to visit her.

Now what would the rational person make of this? Might not we suspect that, oh just maybe, Obama's grandmother is sick, and he is visiting her?

Typical of media dupes and patsies. But not Andy Martin, who sees through the charade.

"High Noon in Hawaii" begins Tuesday's first press release. "Barack Obama and his nemesis, Obama author Andy Martin, face off in Honolulu."

"Martin's Hawai'i [sic] investigation causes Obama to panic and suspend his presidential campaign to head off Andy's stories."

Of course he is.

There's a line in Martin's lawsuit, filed to get at Obama's birth records, also too delicious to pass by. After noting that judges dismissing his claims "have sought to vilify and demonize petitioner," he concludes:

"In Hawai'i, petitioner is accompanied by a network television camera crew. Thus the bona

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fide news value of his current litigation activity is not subject to question."

There we go! Has the man grasped our national zeitgeist, or what? Maybe I've gotten this whole Andy Martin thing wrong – I also thought cell phones were a fad. After all, Martin's view of the significance of Bill Ayers is only a little beyond Sarah Palin's. If he could gull Fox News and the New York Times, who knows what lies in Andy Martin's future? He could end up anchoring the CBS Evening News (and yes, I realize those last 17 words are what will get into his next bulletin).

By the end of "Being There," Chauncey Gardiner is being talked about as a candidate for president.

Today's chuckle ...

From Tony Invergo:

Blank minds think alike.

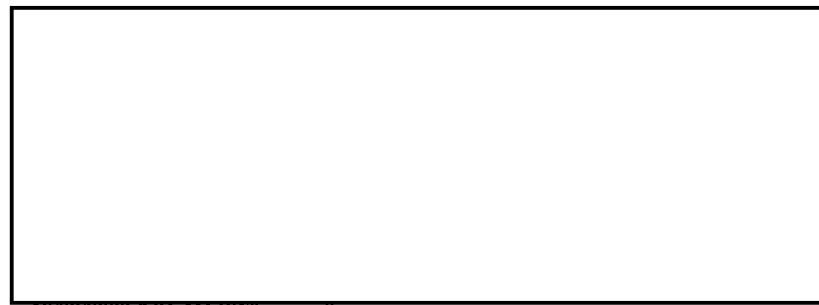
Andy Martin

From Harry's Place

Andy Martin's "Obama Research Team" seeking the
"Lost Obama" in Honolulu [File under: Acts of sheer and
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From MOMBcrots

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Burge gets booked

October 22, 2008

By now there is little doubt what went on at Chicago's Area 2 police headquarters under the watch of Cmdr. Jon Burge.

Dozens of Illinois inmates—some of them awaiting execution—have gotten their convictions overturned after alleging that Burge and his midnight crew tortured them into making false confessions during the '70s and '80s. Taxpayers have shelled out tens of millions of dollars to defend and settle lawsuits against Burge, who was fired in 1993 after an internal probe confirmed the abuse occurred. And a special prosecutor's report completed in 2006 said there was enough evidence to seek criminal indictments—if only the statute of limitations hadn't expired.

While there was a measure of satisfaction in knowing the complaints had finally been vetted, the image of Burge living off his police pension in Florida made it all feel rather hollow. Until Tuesday, that is, when federal prosecutors charged Burge with two counts of obstruction of justice and one count of perjury stemming from a lawsuit filed by one of his alleged victims.

Madison Hobley, a former Death Row inmate who was pardoned in 2003, said he confessed to murder after officers placed a plastic bag over his head until he passed out. Burge denied under oath that he ever used torture methods during interrogations.

The special prosecutors who issued the 2006 report said they found evidence that abuse occurred in 70 of the 148 cases they examined. Suspects were beaten with fists and phone books, shocked with crude electrical devices and forced to put guns in their mouths or bags over their heads, the report said. This echoed the complaints Burge's supervisors ignored for decades. Mayor Richard Daley, who was state's attorney at the time, and current State's Atty. Richard Devine, who was then Daley's top assistant, also turned a deaf ear.

Once again, U.S. Atty. Patrick Fitzgerald comes across as the real crime fighter in town, the guy who finds a way to bring charges instead of looking for excuses not to. Though he can't ask jurors to convict Burge of torture, he can ask them to decide whether Burge was telling the truth when he said he didn't torture anyone. "Al Capone went down for taxes," Fitzgerald said. "That's better than him going down for nothing."

Fitzgerald says he plans to use the same tactic to go after others who have so far escaped accountability.

Burge will have his day in court, and it's about time. The accusations against him, and his supervisors'

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long indifference to them, are a stain on our criminal justice system. The public's faith won't be restored until Burge is called to answer those charges.

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After decades of accusations, Burge finally faces charges

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October 22, 2008

BY NATASHA KORECKI nkorecki@suntimes.com

Jon Burge is arrested in Florida



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APOLLO BEACH, Fla. -- Former Chicago Police Cmdr. Jon Burge's arrest here Tuesday didn't close the book on decades-long allegations of police torture, federal authorities said.

The FBI will investigate "others who may have participated in these crimes or knew about them but remained silent," said Chicago's FBI chief, Robert Grant.

Burge, 60, was arrested at his Apollo Beach home on charges of perjury and obstruction of justice. He's accused of lying under oath in a lawsuit accusing him and other officers of torture. After his court hearing in Tampa, he was released on \$250,000 bond.

Burge was accompanied by former Chicago Police Lt. Tom Brady, who lives near Burge and brought his friend his reading glasses.

Burge told the court he travels to Las Vegas as a security consultant for trade shows. The judge told Burge he's restricted to Florida and the Chicago area. He must turn over four pistols and a rifle to Brady.

Burge limped as he left court. He explained that he suffers from knee problems. "I'm old. I'm hurting," he said. "Please leave me alone."

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Burge wouldn't talk about the charges, but Brady was quick to defend him. "The city of Chicago politics caught him up in this," Brady said. "The mayor of the city of Chicago fired him after he was found innocent, twice."

At least three of Burge's former police colleagues — John "Jack" Byrne, Peter Dignan and Daniel McWeeney — also have denied under oath that they were involved in torture. Their 2006 statements were given in a lawsuit brought by alleged torture victim Darrell Cannon, court records show.

Asked Tuesday if he still stands behind his 2006 statement, Byrne said, "Of course I do. I don't worry about it. . . . I feel very bad for Jon Burge. I've known him all my life."

The charges against Burge are in connection with sworn statements he gave in 2003 in a suit by former Death Row inmate Madison Hobley. Hobley claimed Burge and other officers tortured him into confessing to a 1987 arson that killed seven people.

Burge was asked if he used sleep deprivation, phone book beatings, electric shock or other methods to torture suspects.

He replied, "I have never used any techniques set forth above as a means of improper coercion of suspects while in detention or during interrogation." Later, he added, "I have not observed nor do I have knowledge of any other examples of physical abuse and/or torture on the part of Chicago Police officers at Area 2."

U.S. Attorney Patrick Fitzgerald said prosecutors will try to prove that Burge tortured suspects and knew that other officers did, too. One method was "bagging," putting a typewriter cover over a suspect's head, the indictment said. Fitzgerald emphasized that prosecutors are not necessarily claiming Hobley was tortured.

Hobley was on Illinois' Death Row for the murders of his wife, child and five others in a 1987 arson on the South Side. In 2003, Gov. George Ryan pardoned him and three other Death Row inmates after they claimed they were tortured into giving murder confessions.

Edward Egan, a former appellate judge, and Robert Boyle, a former Cook County prosecutor, later were appointed as special Cook County prosecutors to investigate the torture allegations. In 2006, they released a report that found Hobley probably was lying about torture.

Last year, federal authorities launched a new investigation of the 1987 arson -- and whether Hobley was involved.

Egan and Boyle's \$7 million investigation concluded that dozens of other suspects were tortured decades ago by Burge and his colleagues. Still, the special prosecutors said they were unable to bring charges against the former officers because the state's statute of limitations had expired.

Fitzgerald said the federal statute of limitations for torture also has expired. But the federal statute of limitations for perjury is five years. Prosecutors were able to charge Burge with perjury because he gave his statements in November 2003.

"If Al Capone went down for taxes, it's better than him going down for nothing," Fitzgerald said.

Flint Taylor, an attorney who represents some of Burge's alleged victims, said he was "extremely pleased and gratified that, so many years later, a U.S. attorney has made the move to indict the leader of the police torture ring. I presume some of his henchman will be charged, too."

Already, the torture claims have cost the city of Chicago millions of dollars. Hobley and the other three pardoned Death Row inmates sued the city and agreed to share nearly \$20 million in a legal settlement.

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In one lawsuit, Cook County Judge Dennis Dernbach is continuing to battle former Death Row inmate Leroy Orange in court. Orange accuses Dernbach of coaching his 1984 murder confession while Dernbach was an assistant state's attorney on the case. Dernbach denies the claim.

Natasha Korecki reported from Florida. Frank Main, Carol Marin and Shamus Toomey contributed from Chicago.

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Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations

From CRIME, GUNS, AND VIDEOTAPE

Chicago Cop Who Denied Torture Is Indicted

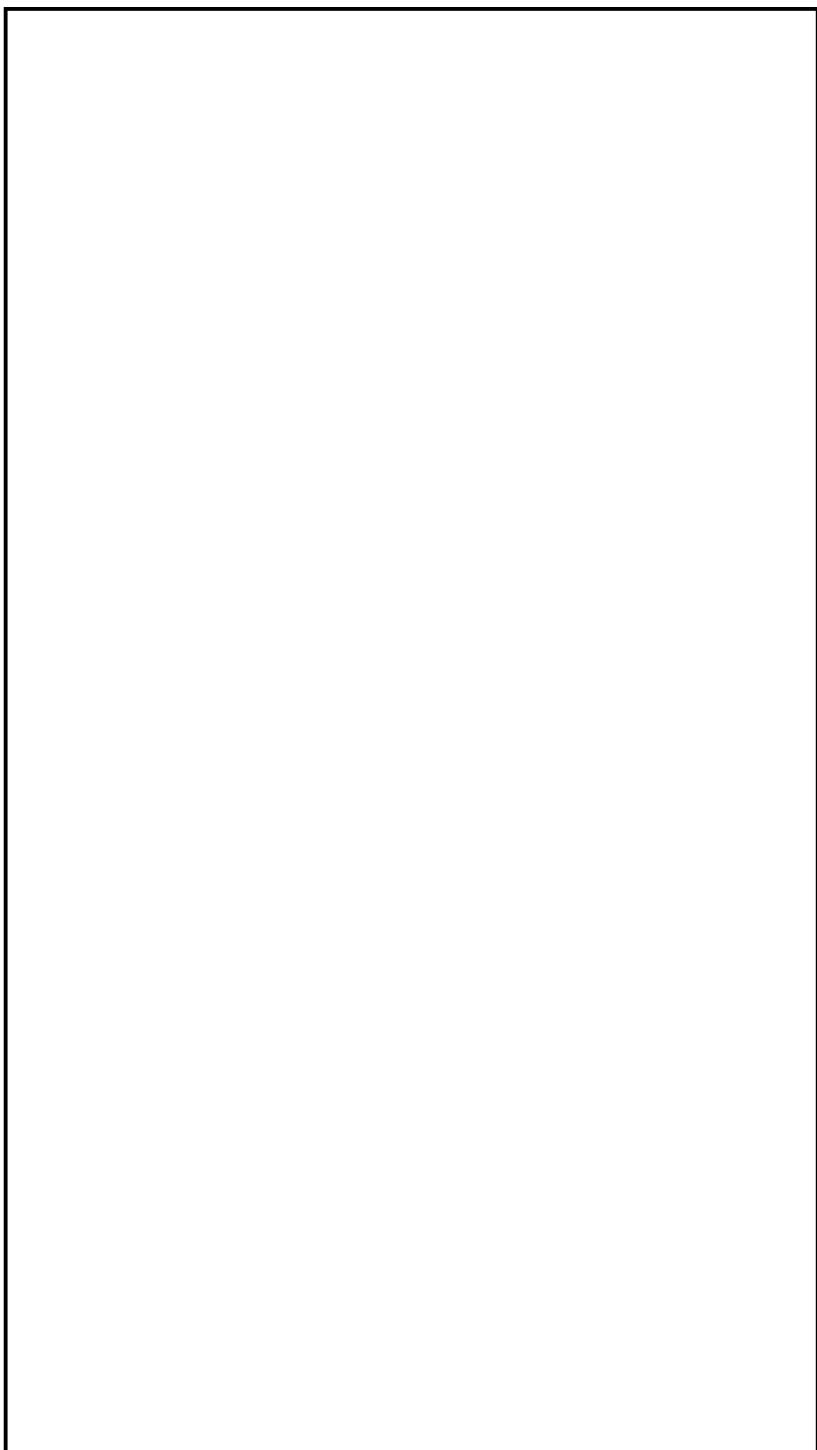
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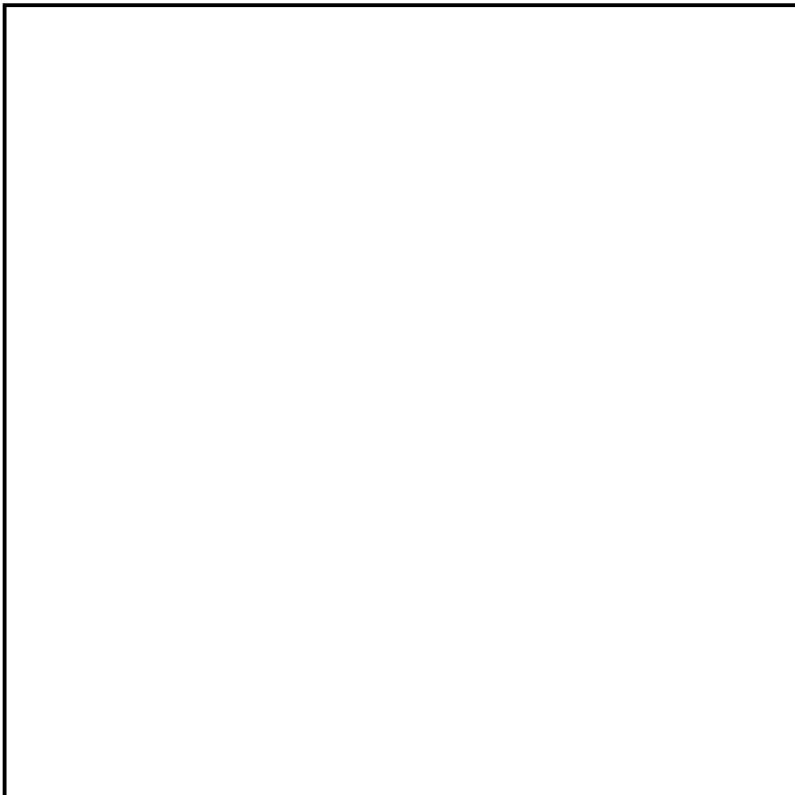
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Aldermen want Burge to pay back pension

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October 22, 2008

BY **FRAN SPIELMAN** City Hall Reporter

Thirteen months ago, five Chicago aldermen sent a letter to U.S. Attorney Patrick Fitzgerald urging him to "investigate, indict and prosecute" former Chicago Police Lt. Jon Burge for torturing African-American criminal suspects.

They argued that the Burge scandal "casts a long shadow" over the Chicago Police Department. They said it was "appalling that none of the offending police officers have ever been criminally charged" and that Burge was still living in Florida on his city pension.

On Tuesday, the political persistence finally paid off.

Burge was arrested at his home in Apollo Beach, Fla., after a federal indictment charged him with obstruction of justice and perjury.

"This is the right thing to do. It's about fifteen years too late. But, I'm grateful. ... I hope he goes to jail and experiences all the hardship of the many people he sent to jail and that he's there for a long time," said Ald. Ed Smith (28th), former chairman of the City Council's Black Caucus who led the lobbying effort.

"We were upset the city was paying his fees and paying his [pension]. We tried to find a way to end all that. We made a lot of noise. We went to the U.S. attorney's office. ... I would like to think that our efforts played a role in all of this. At least we kept it in the forefront of their minds."

From Day One, Ald. Freddrenna Lyle (6th) said she has "always believed the evidence was there" to indict Burge. But, she was "doubtful there was a commitment to charge him."

Now, her faith in the system has been restored.

"When Commander Burge retired, the city could have objected to his pension. That did not occur. There was nothing we could do ten years later to stop him from getting his pension. That was like twisting the knife in the back that taxpayers were still rewarding him for his dishonorable service by giving him a check every month," Lyle said.

In January, the City Council unanimously agreed to pay \$19.8 million to four of Burge's alleged torture victims.

That closed one of the ugliest chapters in the history of the Chicago Police Department and paved the way for newly-appointed Supt. Jody Weis to rebuild the shattered trust between citizens and police in the African-American community.

But, Smith said there was no way to fully repair the damage until Burge was brought to

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justice.

"Everybody knew he was guilty. Everyone knew he should have been in jail. But, he was walking around. There were ill feelings leveled at the Police Department because of his actions," Smith said.

Smith said he's pleased taxpayers will not be paying to defend Burge against the criminal charges. But, he wants the city to seek restitution from Burge for his pension and past legal fees paid to defend him in civil cases.

"I want to go after him for everything he's got. ...We'd like to go after him for his last suit, his last pair of shoes," Smith said.

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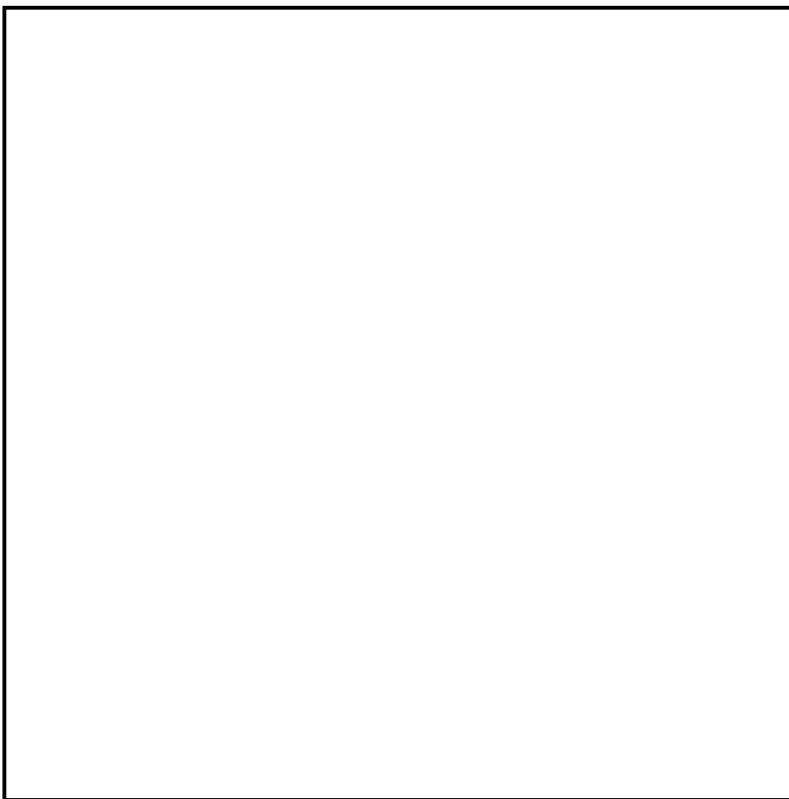
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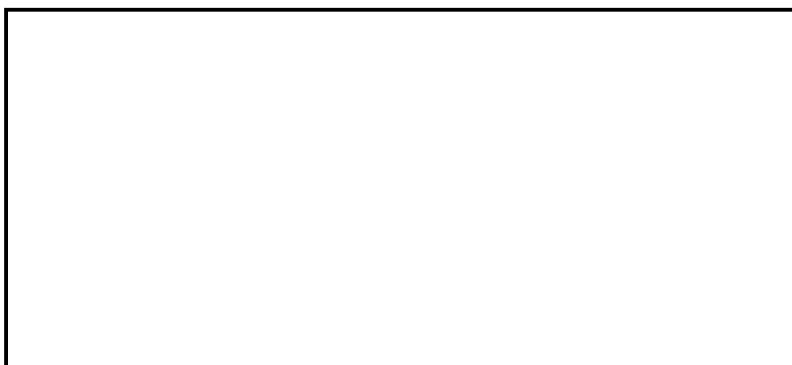
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How they claim they were tortured

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October 22, 2008

DARRELL CANNON, 57

He spent 24 years in prison. Cannon said Burge's men suffocated and shocked him and tried to hang him on Nov. 2, 1983. "They said, 'You're going to tell us what we want to hear.' When I refused to answer their questions, that's when [one of the detectives] forced a shotgun in my mouth. The other officers said, 'Pull the trigger. Blow that n-----'s head off. . . . I heard the click of the shotgun. They did that three times. On the third time they did it to me, I actually thought they were blowing my brains out because the hair on the back of my head stood straight up. Before that day was over with, they had me so messed up mentally and physically that I was willing to say my mother did it."

GREGORY BANKS, 45

He spent 21 years in prison. Banks said Burge's men suffocated, kicked and hit him and put the barrel of a handgun in his mouth in 1983. "[One of the detectives] said, 'We have something special for n-----.' And he took out a plastic bag and put it over my head. He did that a number of times. I said I would never forget him, and I have never forgotten him. . . . And I think I will probably never forgive what happened to me."

ANTHONY HOLMES, 61

He spent 33 years in prison. Holmes said Burge and his men tortured him in the early 1970s. Holmes said he was choked, suffocated and shocked. Burge "is the one who put the plastic bag over my head and told me not to bite through. . . . He did that to me six or seven times. By the last four times, I thought I was dead. It felt like a thousand needles going through my body all at one time. I just gave up. I said to heck with it, I'm through."

DAVID BATES, 43

He spent 11 years in prison. Bates said Burge's men slapped, kicked, punched and tried to suffocate him in 1983. "By the fourth [torture] session, I had prepared myself mentally. If it happened again, I would holler at the top of my lungs. As they placed the plastic bag over my head, I hollered out and screamed, but in the midst of screaming, I got hit in the stomach and I passed out. When they took the bag off, I looked at the curly-haired detective. I didn't [immediately] understand the look on his face, but [later], I knew it to be a look of satisfaction, a look of gratification."

ANDREW WILSON

Wilson was a convicted cop killer who died in custody in 2007. He testified about one of Jon Burge's torture devices: "It's black and it's round and it had a wire sticking out of it and it had a cord on it. He plugged it into the wall. . . . He took it and ran it up between my legs, my groin area, just ran it up there very gently . . . up and down, up and down, you know, right between my legs, up and down like this, real gentle with it, but you can feel it, still feel it. Then he jabbed me with the thing and it slammed me . . . into the grill on the window. Then I fell back down, and I think that's when I started spitting up blood and stuff. Then he stopped."

What they said about Burge's arrest:

CANNON: "The man who has been skating for so long, riding in his boat, catching fish . . . now he's in jail killing roaches, and that's where he belongs."

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BANKS: "This is hard -- it's real hard. . . . It's a great day for me and America. I'm glad to be an American."

HOLMES: "It pleases me to see that Burge got locked -- and I hope they give him as much time as he gave all of us."

BATES: "It's probably one of the very first times in history that I'm proud to be an American. I feel a part of the system. I feel a part of the justice. This is how we are going to be made whole. This is the start of something big."

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Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations

From CRIME, GUNS, AND VIDEOTAPE

McCain Never Tortured, Prison Guard Claims

From DigitalJournal.com

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Mayor reverses on who's to blame

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October 22, 2008

BY [FRAN SPIELMAN](#) City Hall Reporter

Two years ago, Mayor Daley accepted his share of responsibility and offered to "apologize to anyone" for the torture of suspects by Jon Burge — even as he argued that the ultimate responsibility rests with the Chicago Police Department.

On Tuesday, the mayor changed his tune.

Hours after Burge was arrested in Florida and charged with perjury and obstruction of justice, Daley refused to accept even an ounce of responsibility for one of the ugliest chapters in the history of the Chicago Police Department.

Never mind that a \$ 7 million report by special prosecutors faulted Daley, who served as state's attorney during the 1980's, for failing to follow up on a 1982 letter from then-Police Supt. Richard Brzeczek that strongly suggested abuse in the case of accused cop killer Andrew Wilson.

"I was very proud of my role as prosecutor. I was not the mayor. I was not the police chief. I did not promote this man in the '80's," Daley said Tuesday.

"Brzeczek ran against me in '84. He was the head of the Police Department....The Police Department cleared him and they promoted him in the '80's. I was not the mayor then."

Daley said there is "no room whatsoever for any type of torture" and he's pleased that a "20-year-long" federal investigation of Burge has "finally" culminated in an indictment. Since Burge is facing criminal charges, it means Chicago taxpayers who have spent millions to defend Burge in civil cases will no longer have to pay his legal fees.

But the mayor said he feels no accountability whatsoever for Burge's decades-long reign of terror.

"I just don't... I was state's attorney. I had 700, 800 prosecutors under me. It would be like [holding] you [accountable] for some of the headlines you write about me. I don't hold you accountable... You can't hold me responsible," Daley said.

He added, "Looking back, you could do a lot of things [differently]. But you don't look back. You look forward."

In the 1982 letter, Brzeczek passed along explosive information he had received from Dr. John Raba, medical director of Cermak [Prison] Health Services.

Raba had examined Wilson and found: multiple bruises, swelling and abrasions on his face and head; a battered right eye; linear blisters on his thigh, cheek and chest "consistent with radiator burns." Raba also reported Wilson's claim that electric shock had been administered to his gums, lips and genitals.

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Cook County judge still faces claims in torture case

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October 22, 2008

BY [FRANK MAIN](#) Staff Reporter

Cook County Judge Dennis Dernbach is the last remaining defendant in the multi-million dollar lawsuits that four alleged torture victims brought against the city and county.

The lawsuits claim murder confessions were coerced by former Chicago Police Cmdr. Jon Burge and his officers.

Last month, Dernbach lost a bid to have a federal judge drop all of the claims against him. He is being sued by Leroy Orange, a Death Row inmate who was pardoned and freed from prison by Gov. George Ryan in 2003.

Orange — convicted of killing his girlfriend, her son and two others in 1984 — claims Burge and other officers coerced his confession by torturing him with an electric-shock device. He says Burge was in the interrogation room where he was allegedly tortured.

Orange accuses Dernbach, who was an assistant Cook County state's attorney at the time, of coaching Orange's confession. Orange also claims he told Dernbach he was tortured.

Dernbach denies the allegations, calling them a "fictional tale of a nefarious conspiracy," according to court papers his attorney filed to have the case against him dismissed.

But on Sept. 29, Chief U.S. District Judge James Holderman ruled that most of Orange's claims against Dernbach could proceed to trial.

Holderman wrote "it appears from the undisputed facts that Dernbach coached Orange in his confession and was thus clearly aware that the confession was fabricated."

Orange and three other Death Row inmates freed by then-Gov. Ryan have settled their separate lawsuits with the city and have agreed to share a \$19.8 million payout.

Cook County State's Attorney Richard Devine was dropped as a defendant in Orange's lawsuit, leaving Dernbach the only remaining Cook County defendant in the case.

In 2006, Cook County special prosecutors Edward Egan and Robert Boyle released the results of an independent investigation into the torture allegations against Burge.

They found Burge led the torture of criminal suspects for two decades, using methods ranging from electric shock to radiator burns, guns to the mouth and bags over the head.

There was evidence that dozens of suspects were tortured, the report said.

But the special prosecutors said they did not believe Orange was tortured.

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They also said they were suspicious of the claims of Madison Hobley and Stanley Howard, two of the other former Death Row inmates who shared in the \$19.8 million settlement with the city.

As for Aaron Patterson, the fourth former Death Row inmate to share in the settlement, the special prosecutors noted that he etched messages into a bench and a doorframe of the interrogation room where he was held in 1986, claiming he was tortured.

Patterson's "outcry" was credible but there still was no admissible evidence to support his claim, the special prosecutors wrote.

Patterson is back in prison on a federal gun and drug conviction.

And after he was released from Death Row in 2003, Orange was arrested for attempting to sell crack cocaine to an undercover police officer. He was sent back to prison on a five-year sentence.

Hobley, meanwhile, is under federal investigation into a 1987 fire that killed seven people, including his wife and 15-month-old son, officials say.

The special prosecutors said they found enough evidence to justify seeking indictments for mistreatment of prisoners in the cases of alleged torture victims Andrew Wilson, Alfonzo Pinex and Phillip Adkins. But they said the

statute of limitations have run out on those cases, which happened decades ago, barring state criminal charges against Burge and other accused officers.

The special prosecutors — Egan and Boyle — have died since their 300-page report was made public in 2006.

Egan, who died at age 84, served as a Cook County Circuit Court judge and a state appellate justice, and was coaxed out of semireirement to lead the investigation of Burge.

Boyle, who was 71 when he died, was a former assistant Cook County state's attorney who went into private practice.

The Jon Burge case

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- [Feb. 23, 2007: Daley: I'll answer fed's questions](#)
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- [July 25, 2007: Aldermen move to strip Burge of his city pension](#)
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- [Sept. 27, 2007: U.S. attorney, FBI probing allegations of police torture](#)
- [Oct. 16, 2007: Man alleging '83 torture by Burge crew gets new trial](#)
- [Dec. 8, 2007: Settlement reached in Burge police torture cases](#)
- [Dec. 8, 2007: City settles Burge suit](#)
- [Jan. 3, 2008: New settlement close in Burge police torture case](#)
- [June 10, 2008: Retired cops subpoenaed, alleged torture probe into Burge ramping up](#)
- [June 11, 2008: Burge: I've been known to fib occasionally'](#)

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- [After decades of accusations, Burge finally faces charges](#)
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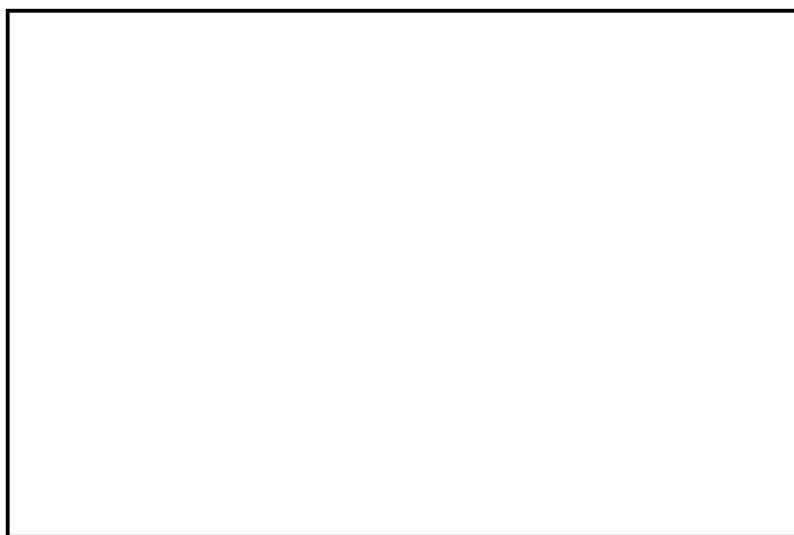
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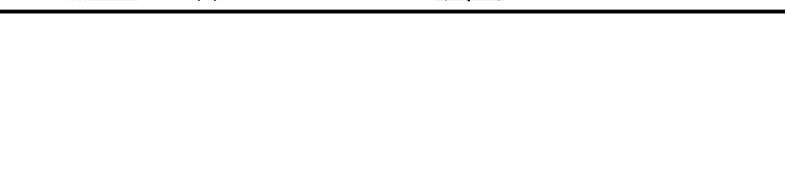
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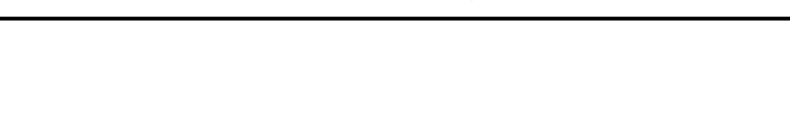
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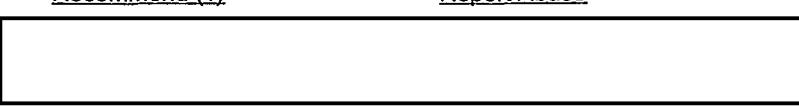
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Daley takes cake when it comes to Burge mess

John Kass

October 22, 2008

"Write that down," his highness King Shortshanks commanded on Tuesday.

Mayor Richard Daley had nothing to do with promoting Jon Burge—the alleged torturer police commander—who was indicted on perjury and obstruction of justice counts announced by U.S. Atty. Patrick Fitzgerald.

Daley was not the mayor in the 1980s when the torturing allegedly happened. He wasn't even a sovereign lord, just the Cook County state's attorney campaigning for mayor as the "law and order" candidate.

But because his lawgiver image as a tough prosecutor was burnished by convictions won through tortured confessions, is it unreasonable to ask: What did Daley do—or not do—about Burge back then?

"I was not the mayor," Daley insisted, not chuckishly, but clearly irritated while speaking at the Sweet Miss Giving's Bakery on the Near North Side. Sweet Miss Giving's received city grants to employ homeless people with HIV, and the mayor was there to take credit and sample a muffin while behind him was the bakery's motto: "Unquestionably kind, unreasonably good."

With Burge just arrested by the FBI in Florida, Daley tried to be reasonable, at first, pushing his irritation down inside him, into some tiny hidden place as the bakery staff prepared to serve tasty muffins, scones and scrumptious macaroons. Eventually, he became exasperated with the questions because he didn't like the answers.

"I was not the mayor. Wait. Wait. There's nothing in the indictment. You're mixing apples and oranges . . . you're doing a great disservice," Daley said. "I'm very proud of my role as prosecutor. I was not the mayor. I was not the police chief. I did not promote this man in the '80s. Let's put everything in perspective," the mayor said.

Sweet Miss Giving's wasn't offering 4 and 20 blackbirds baked into a pie, so how about a slice of perspective a la mode: In the 1980s, Daley was the Cook County state's attorney, running for mayor against the incumbent, Jane Byrne, and eventually, the future first African-American mayor, Harold Washington. In 1989, after Washington's death, Daley was elected mayor and began his reign.

But in 1982, State's Atty. Daley received a letter from Chicago Police Supt. Richard Brzeczek, saying there was evidence that a murder suspect had been tortured in Calumet Area detective headquarters on

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the South Side where Burge was the big shoes.

Instead of opening his own investigation and convening a grand jury like he did to investigate Byrne's towing contracts at City Hall, Daley decided to be reasonable. He reasoned that white cops vote in elections, and he wanted their vote. So he did the prudent thing: nothing.

Now, he can't remember Brzeczek's letter. A subsequent white paper on prosecutor Daley's actions in the matter—put out by his allies at a cost of millions to taxpayers—amounted to a political whitewash. It exonerated Daley for doing nothing, but some thought it was mildly critical.

"No, it wasn't. No, it wasn't," the mayor said.

He was asked again about the Brzeczek letter, and just as he was about to explain it and get himself in deeper, he decided otherwise.

"Well, I'm not going to go over it, so how's that?" he said.

How's that? Taxpayers have spent at least \$30 million on the Burge case and could spend tens of millions more. All this while Daley lays off lowly city workers but still finds millions in the budget to pay his public relations army so they may break our eggs for his royal custard. That is how's that.

"You can't hold me responsible," Daley said. "It would be like holding anyone responsible."

Anyone is not responsible, neither is the mayor, he said, again and again and again. Later, I was at Fitzgerald's news conference, where he explained that Burge can't be charged with torturing prisoners because the statutes of limitations had run out. Tuesday's charges were all he had.

"If people commit multiple crimes and you can't prosecute them for one, there's nothing wrong with prosecuting for another," Fitzgerald said. "If Al Capone went down for taxes, that was better than him going down for nothing."

Outside the federal building, I ran into Angelo Torres, the former Daley aide born on Taylor Street who was mystically promoted into running the bribe and scandal-ridden mayoral Hired Truck program out of the mayor's office. Torres was convicted on federal charges and served his time.

We chatted, and I asked Torres the big question: Who promoted you? It was Daley, right?

"Oh, come on," Torres said, laughing. "Come on."

When Torres was indicted, the mayor said he didn't know who promoted him. That was 1,506 days ago Wednesday, when the mayor suffered a terrible attack of Fedsheimer's and couldn't remember. He still can't say.

It's been a lot longer since Daley was state's attorney, putting people on Death Row who allegedly had been tortured by Burge's crew.

"The Police Department at that time cleared him, and they promoted him. Write that down. I didn't promote him," the mayor commanded, with trays of Miss Giving's muffins nearby.

So let it be written with vanilla frosting.

So let it be done.

jskass@tribune.com

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Timeline of torture allegations against Burge

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October 22, 2008

History of torture allegations against former Chicago police commander Jon Burge:

1982: Murder suspect Andrew Wilson claims Burge tortured him. Wilson is convicted of killing two police officers.

1980s-90s: A pattern of torture complaints develop against Burge.

1993: Fired from Police Department on Wilson's claims. Officers working under Burge keep their jobs.

January 2003: Former Gov. George Ryan frees four men from Illinois Death Row after they claimed they were tortured by or under Burge.

2003-2004: Freed inmates file lawsuits against Burge and other police detectives claiming torture. In the course of investigation for the lawsuits, dozens of witnesses give depositions against Burge. Among them: the use of cattle prods and electric shocks administered to suspect by a black box.

September 2004: Burge testifies in civil depositions, invoking his Fifth Amendment right. He is served with a subpoena from a grand jury investigating police torture.

2006: A \$7 million study concludes systematic torture occurred under Burge's regime but concluded no charges could be filed because of statute of limitations.

December 2007: City pays out nearly \$20 million to settle the lawsuits brought by the four freed Death Row inmates.

October 2008: Chicago FBI agents arrest Burge at his Florida home.

Sun-Times staff reports

The Jon Burge case

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Police union to pick up tab for Burge's defense

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December 5, 2008

BY [LISA DONOVAN Staff Reporter/ldonovan@suntimes.com](#)

Chicago's police union voted to foot either some or all of the legal bills for Jon Burge, perhaps the city's most infamous former officer, as he faces federal charges tied to allegations of torturing suspects.

Tuesday night, the board of the local Fraternal Order of Police, which represents thousands of officers below the rank of sergeant, voted to pay for Burge's defense in his upcoming federal perjury and obstruction of justice trial, a police source confirmed Thursday.

Attempts to reach FOP President Mark Donahue about the move were unsuccessful. A source familiar with Tuesday's vote says the board OK'd funding Burge's defense because the onetime lieutenant -- ultimately fired -- is facing criminal charges linked to his time on the police force.

Flint Taylor, an attorney who represents some of Burge's alleged victims, said: "I think it's outrageous, and it continues a sordid and racist [history for] the FOP of defending police torture in the city."

The city has spent millions defending Burge in civil suits stemming from torture allegations.

Burge, 60, and living in Florida, is accused of lying under oath in 2003 in a lawsuit charging him and other Chicago Police officers of torture. Former Death Row inmate Madison Hobley claimed Burge and other officers tortured him into confessing to a 1987 arson that killed seven people.

Burge was asked if he used sleep deprivation, phone book beatings, electric shock or other methods to torture suspects.

He replied, "I have never used any techniques set forth above as a means of improper coercion of suspects while in detention or during interrogation." Later, he added, "I have not observed nor do I have knowledge of any other examples of physical abuse and/or torture on the part of Chicago Police officers at Area 2."

Prosecutors say they will try to prove that Burge not only tortured suspects, but that he also knew that other officers did, too.

To date, Burge and other officers have been accused of torturing suspects dating back to the 1980s in civil suits. After four years and \$7 million, a special prosecutor's report in 2006 found that while some of the torture allegations decades ago were valid, Burge and the others could not face criminal prosecution because the statute of limitations had expired.

Reached late Thursday, Burge's attorney Richard M. Beuke declined comment.

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U.S. Department of Justice

United States Attorney
Northern District of Illinois

Patrick J. Fitzgerald
United States Attorney

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Chicago, Illinois 60604
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AUSA Sergio Acosta (312) 353-1415
Randall Samborn (312) 353-5318

**U.S. INDICTS FORMER CHICAGO POLICE CMDR. JON BURGE ON
PERJURY, OBSTRUCTION OF JUSTICE CHARGES RELATED TO ALLEGED
TORTURE AND PHYSICAL ABUSE BY BURGE AND OTHER OFFICERS**

CHICAGO – Former Chicago Police Commander Jon Burge was arrested today at his home in Florida on federal obstruction of justice and perjury charges for allegedly lying about whether he and other officers under his command participated in torture and physical abuse of one or more suspects in police custody dating back to the 1980s. Burge was charged with two counts of obstruction of justice and one count of perjury in a three-count indictment that was returned under seal by a federal grand jury last Thursday and unsealed today following his arrest by FBI agents from Chicago and Tampa.

The charges allege that Burge lied and impeded court proceedings in November 2003 when he provided false written answers to questions – known as interrogatories – in a civil lawsuit alleging that he and others tortured and abused people in their custody.

Burge, 60, of Apollo Beach, Fla., near Tampa and formerly of Chicago, was expected to appear later today in U.S. District Court in Tampa. He will appear at a later date in U.S. District Court in Chicago, where he will face prosecution.

19-cv-4048(FBI)-3126

1 - SAC

1 - ASAC

1 - Case File

1 - Media Rep

1 - Night Supervisor

1 - 66-4853

WCB

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The arrest and indictment were announced today by Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois; Grace Chung Becker, Acting Assistant Attorney General for the U.S. Justice Department's Civil Rights Division; Robert D. Grant, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation; and Steven E. Ibison, Special Agent-in-Charge of the FBI's Tampa Field Division.

"There is no place for torture and abuse in a police station. There is no place for perjury and false statements in federal lawsuits," Mr. Fitzgerald said. "No person is above the law, and nobody – even a suspected murderer – is beneath its protection. The alleged criminal conduct by defendant Burge goes to the core principles of our criminal justice system," he added.

"Throughout this nation, law enforcement officers make daily sacrifices in the pursuit of justice," said Acting Assistant Attorney General Grace Chung Becker. "It is imperative that we take these charges seriously but also bear in mind they do not reflect upon the conduct of the vast majority of law enforcement officers."

Mr. Grant said: "Everyday Chicago Police Officers execute their sworn duties lawfully with great skill, courage and integrity. Sometimes they do so with great peril, as we have been sadly reminded in recent weeks and months. But police officers have a special duty which is underscored by today's announcement. Police officers don't serve the public as judge and jury and they have a special responsibility to care for those within their custody, regardless of their alleged crimes. Today's announcement brings great shame on the career of retired Commander Jon Burge."

The investigation is continuing, the officials said.

According to the indictment, Burge was a Chicago Police Officer from 1970 to 1993. He was a detective at Area Two police headquarters on the city's south side from 1972 to 1974, and an Area Two sergeant from 1977 to 1980. From approximately 1981 to 1986, he was a lieutenant and supervisor of detectives working in the Area Two violent crimes unit. Subsequently, he was

commander of the Bomb and Arson Unit and, later, commander of Area Three detectives. Burge was suspended by the Chicago Police Department in 1991 and fired in 1993.

The indictment alleges that, on one or more occasions during the time that Burge worked in Area Two, Burge was present for, or participated in, the torture and physical abuse of persons in police custody. The indictment also alleges that during the time he worked as the lieutenant supervising Area Two violent crimes detectives, Burge was aware that detectives he supervised, on one or more occasions, engaged in torture and physical abuse of people in their custody.

Chicago Police Department regulations, as well as state and federal law, prohibited torture, physical abuse and other use of excessive force by police officers, the indictment states.

After 1991, a series of police brutality civil lawsuits were filed alleging that Burge and other detectives and police officers under his command participated in torture and abuse of suspects. One such case, *Hobley v. Burge, et al.*, 03 C 3678, was filed in 2003 in U.S. District Court in Chicago. The lawsuit alleged that plaintiff Madison Hobley was tortured and abused by police officers at Area Two headquarters in January 1987 in order to coerce a confession. The Hobley lawsuit included a specific allegation that police officers had placed a plastic bag over Hobley's head until he lost consciousness.

The Hobley lawsuit claimed that Burge was aware of a pattern of torture and abuse at Area Two police headquarters. The indictment does not, however, allege that Hobley was tortured or abused.

As part of the discovery process in Hobley's lawsuit, his attorneys served Burge with written interrogatories and Burge, in turn, provided written answers. It was material to the outcome of the case whether in fact Burge knew of or participated in torture and physical abuse of any person or persons in Chicago Police custody, the indictment states.

Count One charges Burge with obstruction of justice on Nov. 12, 2003, for allegedly corruptly obstructing, influencing and impeding an official proceeding by signing answers containing false

statements in response to two interrogatories in the Hobley litigation. According to the indictment, one question asked:

whether you have ever used methods, procedures or techniques involving any form of verbal or physical coercion of suspects while in detention or during interrogation, such as deprivation of sleep, quiet, food, drink, bathroom facilities, or contact with legal counsel and/or family members; the use of verbal and/or physical threats or intimidation, physical beatings, or hangings; the use of racial slurs or profanity; the use of physical restraints, such as handcuffs; the use of photographs or polygraph testing; and the use of physical objects to inflict pain, suffering or fear, such as firearms, telephone books, typewriter covers, radiators, or machines that deliver an electric shock

While objecting to the question as overly broad, vague, ambiguous and calling for a legal conclusion, Burge answered:

I have never used any techniques set forth above as a means of improper coercion of suspects while in detention or during interrogation.

The indictment states that another question asked whether Burge was aware of any Chicago Police Officer, including but not limited to officers under his command, ever using any of the methods, procedures or techniques that he was asked about in the previous question. Burge also objected to this questions and answered:

I am not aware of any.

The indictment alleges that the italicized portion of these answers were false, as Burge well knew that he had participated in one or more incidents of physical coercion of suspects while the suspects were in detention and/or were being interrogated, and was aware of one or more other such events involving the abuse or torture of people in custody.

Count Two charges Burge with perjury on Nov. 25, 2003, for allegedly lying in sworn answers to a second set of interrogatories in the Hobley lawsuit. The indictment states the following question was asked:

Is the manner in which Madison Hobley claims he was physically abused and/or tortured as described in Plaintiffs Complaint (including, for example, the allegation of

"bagging" with a typewriter cover) consistent with any other examples of physical abuse and/or torture on the part of Chicago Police officers at Area 2 which you observed or have knowledge of?

Burge answered:

I have not observed nor do I have knowledge of any other examples of physical abuse and/or torture on the part of Chicago Police officers at Area 2.

The italicized portion of this answer was allegedly false, as Burge well knew that he had observed, participated in, and had knowledge of one or more other examples of physical abuse and torture on the part of Chicago police officers at Area Two, including, but not limited to, abuse (suffocation) of a person by "bagging."

Count Three of the indictment charges Burge with obstruction of justice on Nov. 25, 2003, for allegedly corruptly obstructing, influencing and impeding an official proceeding by signing the answer that forms the basis of the perjury charge in Count Two.

The Government is being represented in court by Assistant U.S. Attorneys Jeff Cramer, Barry Miller and Sergio Acosta and Civil Rights Division Trial Attorney Betsy Biffl.

If convicted, Burge faces a maximum penalty of 20 years in prison on each count of obstruction of justice and 5 years in prison for perjury, and a \$250,000 fine on each count. The Court, however, would determine the appropriate sentence to be imposed under the advisory United States Sentencing Guidelines.

The public is reminded that an indictment contains only charges and is not evidence of guilt. The defendant is presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

#

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FEDERAL BUREAU OF INVESTIGATION**Precedence:** ROUTINE**Date:** 02/27/2009**To:** Chicago
Kansas City**Attn:** SAC Monte C. Strait
ASAC [redacted]
A/SSA [redacted]b6 -1
b7C -1**From:** Chicago

WC-3

Contact: [redacted]**Approved By:** [redacted] *jl
DGA
JAO***Drafted By:** [redacted]

jao

Case ID #: 282A-CG-126294 **(Pending)** -12**Title:** JON BURGE ET AL - SUBJECTS:
ANDREW WILSON, [redacted]b6 -2
b7C -2[redacted] - Victims;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE**Synopsis:** To request KC SAC concurrence and to advise KC division of a witness interview to be conducted in Olathe, Kansas, regarding the above titled investigation.**Details:** An investigation is being conducted into acts of torture, perjury, obstruction of justice, conspiracy to obstruct justice, and other offenses committed by Chicago Police Department (CPD) officers under the command of Jon Burge during the period from 1973 to the present. There are over 200 allegations of abuse against Burge and/or Detectives under his command during that time period. Some of the allegations include: beatings, suffocation, death threats, and electrical shocks in order to obtain confessions. Several of the complaints have been corroborated by medical evidence and on-scene witnesses to include other CPD detectives.

Burge was indicted and arrested in October 2008. He was charged with perjury and obstruction of justice regarding the abuse allegations. The investigation into these allegations continue with the focus switching to other Area 2 detectives who

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To: Chicago From: Chicago
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also participated in the abuse. Burge's trial is currently scheduled to begin in May 2009.

During the course of the investigation, it is believed that an individual named [redacted] date of birth [redacted]
[redacted] address [redacted] Social Security Account Number [redacted] may have pertinent information related to the captioned investigation. [redacted] lived in the Chicago area [redacted]. It is believed that [redacted] regarding the abuse committed by Burge and others under his command.

b6 -6
b7C -6

Chicago SA [redacted] and DOJ Attorney [redacted] [redacted] will attempt to conduct an interview of [redacted] at [redacted] residence on the evening of 03/03/2009. [redacted] is not a target of the investigation and has been advised of the planned interview. ACS checks regarding [redacted] were negative. SA [redacted] does not expect to need any assistance from the Kansas City Division for the interview. SA [redacted] is currently in the Kansas City area on personal business.

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[redacted] On 2/27/2009, SA [redacted] spoke with A/SSA [redacted] [redacted] Kansas City Division, Squad 9, and advised [redacted] of the travel plans and interview. [redacted] concurred with the travel plans and interview of [redacted]

b6 -6
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To: Chicago From: Chicago
Re: 282A-CG-126294, 02/27/2009

LEAD(s) :

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KANSAS CITY

AT HQ CITY, Squad 9

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Blago broke? The Blago beat

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April 10, 2009

BY **MICHAEL SNEED** Sun-Times Columnist

\$\$\$\$ Hmmm. Will the case against former Gov. Rod Blagojevich wind up costing the taxpayers on both ends?

- • Question: If Blago is basically broke — will a federal defender have to be appointed, which is publicly funded?
- • Question: Does the government want to fork over that much money for a lengthy federal trial of the Blago magnitude?
- • Question: If Blago's only access to cash for his defense is his \$2 million campaign fund, which was frozen by the feds, will the feds reverse their decision and let Blago use the funds to pay for the trial?
- • Question: Or will lawyers capable of handling a trial of this magnitude sign on for the publicity?

Stay tuned.

Father & son ...

Location Location: Is it an accident **Marcus Jordan**, son of His Airness **Michael Jordan**, decided to play basketball at the University of Central Florida in Orlando — because his dad is living in Florida and building a palatial estate two hours away? Betcha.

GOP goop ...

- • \$\$\$\$\$\$: Meghan McCain, the blogger daughter of former GOP presidential hopeful John McCain, has signed a six-figure book deal, according to a report in the Big Apple press.
- • \$\$\$\$\$: Former GOP veep contender Tim Pawlenty is sending out feelers to top Illinois GOPers about a potential 2012 presidential candidacy. Ask state Rep. Jim Durkin, who handled McCain's Illinois campaign.

The Burge case ...

Tipsville: Sneed hears rumbles a federal grand jury is questioning former cops who worked for former Chicago Police Cmdr. Jon Burge, the alleged ringleader of a Chicago Police torture ring.

19-cv-4048(FBI)-3139

WC3 Apr
140 Not
282A-CB-126294-73

• • The buckshot: Late last year, when Burge was indicted on obstruction of justice and perjury charges, U.S. Attorney Patrick Fitzgerald warned that cops who may have kept silent during Burge's alleged reign of terror might wind up being hit with similar charges.

A Jackson jot ...

President Obama was not the only Chicagoan Brit Prime Minister Gordon Brown greeted during the last two weeks.

• • To wit: Brown, who presented Rev. Jesse Jackson with the Global Diversity Award, told Jackson he first heard him speak at the 1984 Dem Convention in San Francisco . . . and remembered the theme: Keep hope alive.

It's a wrap ...

The NBC romantic comedy pilot "State of Romance," which has been described as a modern day version of "Pride & Prejudice," just finished shooting in Chicago on Wednesday. The cast includes Hollywood newcomers Lindsay Broad, Steve Howey, Grace Rex, Stephen Rannazzisi and Zoe Lister-Jones.

I spy . . .

Gulp! Joel Brodsky, the attorney for former Bolingbrook cop Drew Peterson, whose fourth wife, Stacy, is still missing, and attorney Sam Adam Jr., who has worked on Blago's defense, were spotted dining together at Gibsons this week.

Rumble relief ...

Restaurateur Phil Stefani, who has formed a Relief Fund for Earthquake victims in Italy, not only headed to Italy this week -- but is earmarking the funds from Stefani's annual Children's Foundation Golf Outing on June 8 at Harborside International for the earthquake victims.

Sneedlings . . .

Attention! Misericordia, a home for the developmentally disabled at 6300 N. Ridge Ave., is reaching out for volunteers in preparation for its Aug. 24-25 Candy Days. Visit Misericordia.org for more information. . . . Today's birthdays: Omar Sharif, 77; John Madden, 73; Don Meredith, 71; Steven Seagal, 57; Haley Joel Osment, 21, and Mandy Moore, 25 . . . Saturday's birthdays: Joel Grey, 77; Peter Riegert, 62, and Jim Parenti, 44.

Blago Indicted!

From Right Soup

Blago BUSTED!

From BARBARA'S TCHATZKAHS

The views expressed in these blog posts are those of the author and not of the Chicago Sun-Times.

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/20/2009

To: Chicago

Attn: ELSUR Evidence Control Center

From: Chicago

CR-1

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted] JV

Drafted By: [redacted]; jao JAO

Case ID #: 282A-CG-126294 - 74

Title: JON BURGE ET AL - SUBJECTS;
ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - Victims;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: Late evidence submission.

Details: Evidence submitted as 1B2 was not submitted within 10 calendar days due to administrative oversight.

♦♦

(X)
JAO

www.chicagotribune.com/news/chi-ap-il-policetorture-app,0,5682351.story

chicagotribune.com

WC 3

Inmate wants Jon Burge as witness at his hearing

Associated Press

2:52 AM CDT, April 15, 2009

CHICAGO

The lawyer for a man whose death sentence was commuted to life in prison by former Gov. George Ryan wants a disgraced former Chicago police commander to testify at a hearing on the inmate's petition to get his murder conviction overturned.

The attorney for Cortez Brown wants Cook County Circuit Judge Clayton Crane to order Jon Burge and former detective Anthony Maslanka to testify at a May 18 hearing for Brown.

Brown claims he confessed to killing two men in 1990 only after detectives under the command of Burge beat him with their fists and a flashlight.

Burge has been charged in federal court with perjury and obstruction-of-justice charges. He has pleaded not guilty.

Crane is expected to rule on the motion April 29.

Information from: Chicago Sun-Times, <http://www.suntimes.com/index>

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19-cv-4048(FBI)-3142

2824CC-126294 -75

www.chicagotribune.com/news/local/chi-burge-cortezbrownapr30,0,2757501.story

WLC 3

chicagotribune.com

Cortez Brown: Lawyers get OK to subpoena Jon Burge

Convicted murderer alleges he was beaten by Chicago police detectives under command of former Cmdr. Jon Burge

b6 -1
b7C -1

By Matthew Walberg

Tribune reporter

SA

April 30, 2009

Lawyers for a convicted murderer who says he was beaten by Chicago police detectives under the command of disgraced former Cmdr. Jon Burge won permission Wednesday to subpoena Burge to testify at a hearing next month.

Cortez Brown is seeking a new trial for his conviction for the 1990 slayings of two men. He was sentenced to death, but his sentence was later commuted to life in prison by then-Gov. George Ryan.

Brown, now 38, alleges that Detectives John Paladino, James O'Brien and Anthony Maslanka coerced him into falsely confessing to the double murder by beating him with their fists and a flashlight.

Paladino and O'Brien have already received subpoenas to testify at the hearing May 18 before Cook County Circuit Judge Clayton Crane, but Cortez's attorneys, Locke Bowman and Flint Taylor, needed permission to seek subpoenas against Burge and Maslanka because both live out of state.

Crane allowed the move without objection from attorneys from the Illinois attorney general's office, which is prosecuting the case.

Cortez's lawyers must travel to Florida and Arizona to obtain subpoenas from judges in those jurisdictions. Burge lives in Florida, and Maslanka resides in Arizona.

Though Burge is not alleged to have taken part in the alleged abuse, Brown's lawyers contend that he created a culture in which detectives under his command knew such behavior was condoned and protected.

They said they expect Burge and his former detectives to exercise their 5th Amendment right against self-incrimination.

"The really significant thing is that we're now going to have Burge in here," Taylor said. "He's going to take the 5th, but that's important in a post-conviction hearing because the judge can draw inference from that."

Burge, former commander of detectives in what is now the Calumet Area headquarters, is awaiting trial in federal court in Chicago on charges that he lied in a civil lawsuit to cover up the alleged torture. His attorney, Richard Beuke, dismissed attempts to subpoena Burge as a move to gin up interest in Brown's

716
202A-C
12/20/09
M

19-cv-4048(FBI)-3143

<http://www.chicagotribune.com/news/local/chi-burge-cortezbrownapr30,0,4285695,print.st...> 4/30/2009

case.

"There's never been any allegation that I've ever seen to indicate that Jon Burge had any part in any of these multiple homicide investigations regarding Cortez Brown," Beuke said. "Now he seems to find the fruit of the day, which is, let's throw Jon Burge's name in the mix and hope we get a lot of attention and publicity."

mwalberg@tribune.com

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19-cv-4048(FBI)-3144

<http://www.chicagotribune.com/news/local/chi-burge-cortezbrownapr30,0,4285695,print.st...> 4/30/2009

WC3

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Cook County judge wants former police Cmdr. Jon Burge to testify in beating case

[Comments](#)

[Recommend](#)

April 30, 2009

BY STEFANO ESPOSITO Staff Reporter/sesposito@suntimes.com

A Cook County judge paved the way Wednesday for former Chicago police Cmdr. Jon Burge to be ordered to testify in the case of a convicted murderer who says Burge's underlings tortured him.

Judge Clayton Crane ruled Burge's testimony is necessary in the case of Cortez Brown, 38, who claims detectives — under Burge's command — beat him with their fists and a steel flashlight, forcing Brown to confess to the 1990 gang-related slayings of Delvin Botler and Curtis Sims.

"It is a significant step," said Locke Bowman, one of Brown's attorneys. "Judge Crane could have shut the door on this, but instead he has said Burge is a material witness."

Ultimately, a judge in Burge's home state of Florida must issue a subpoena ordering Burge to appear in court in Cook County, Bowman said.

Marc Martin, one of Burge's attorneys, said he had just received the paperwork in the case Wednesday and had not yet decided how to advise his client.

Judge orders Bush to testify in SMU case.

From Think Progress

Judge orders Bush to testify in SMU case.

From Think Progress

The views expressed in these blog posts are those of the author and not of the Chicago Sun-Times.

19-cv-4048(FBI)-3145

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WC3

Ex-Chicago police Cmdr. Jon Burge: Move my perjury trial out of Chicago

Says he can't get a fair trial because of news coverage

Comments

April 30, 2009

BY [FRANK MAIN](#) Crime Reporter

Saying that news coverage has portrayed him as the "poster boy for police torture," former Chicago Police Cmdr. Jon Burge is asking a federal judge to move his perjury trial out of Chicago.

Burge maintains that he couldn't get a fair trial here.

But it's exceedingly rare for judges to grant such a request. In recent years, for instance, federal judges in Chicago have rejected change-of-venue requests by high-profile defendants Matthew Hale and Scott Fawell.

Hale, a white supremacist, was convicted of threatening U.S. District Judge Joan Lefkow. Fawell, who was a top aide to former Gov. George Ryan, was convicted with Ryan on corruption charges.

Prosecutors typically argue that the proper place to determine whether potential jurors are prejudiced against a defendant is during jury selection.

Burge, 61, who lives in Florida, is scheduled to go on trial Oct. 29. He's charged with obstruction of justice and perjury, accused of lying in written testimony in 2003 in connection with a lawsuit filed by former Death Row inmate Madison Hobley.

Hobley claims he was forced into a murder confession after being subjected to electric shocks and beatings by Burge and others. Burge denied knowledge of any torture.

Burge's attorneys said in a change-of-venue motion filed Wednesday that Chicago has been saturated for years with prejudicial news coverage about Burge, with at least 1,300 stories mentioning his name between 1986 and March 2009. Among their examples: a 2007 Chicago Sun-Times story that displayed his photo over the caption "Worst Chicago Cop."

Burge's attorneys also cited U.S. District Judge Milton Shadur's widely publicized comment that it's "common knowledge" that "Jon Burge and many officers working under him regularly engaged in the physical abuse and torture of prisoners in order to extract confessions."

[Charges Filed Against Chicago Man in Serial Bank Robbery Case](#)

b6 -1
b7C -1

SA ✓ 77
2824-CG-126294
VK

19-cv-4048(FBI)-3146

www.chicagotribune.com/news/chi-ap-il-policietorture,0,3257484.story

WC 3

chicagotribune.com

Burge's attorneys want trial moved from Chicago

Associated Press

2:13 AM CDT, May 1, 2009

CHICAGO

Attorneys for former Chicago police commander Jon Burge have asked a judge to move his obstruction of justice and perjury trial out of the city because of what they say is prejudicial news coverage.

In an change-of-venue motion filed earlier this week, Burge's attorneys cite hundreds of stories published between 1986 and March 2009 that mention his name. They say those articles portray Burge as the "poster boy for police torture."

Prosecutors say Burge lied under oath five years ago when he denied torturing black suspects into confession during the 1970s and 1980s.

Burge's lawyers say the stories mean he can't get a fair trial in Chicago. The 61-year-old's trial is set to begin Oct. 29. He has pleaded not guilty.

Information from: the Chicago Sun-Times, www.suntimes.com

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b6 -1
b7C -1

SA JAO
78
2824-cc-126294
10/22/09

19-cv-4048(FBI)-3147

<http://www.chicagotribune.com/news/chi-ap-il-policietorture,0,924785,print.story>

5/1/2009

282A-CG-126294

ER:er

1

On July 9, 2009, Special Agent (SA) [REDACTED]
telephonically contacted [REDACTED]

b6 -1,-5
b7C -1,-5

[REDACTED] at telephone number [REDACTED]
SA [REDACTED] provided [REDACTED] with information regarding b6 -1,-5,-6
[REDACTED] including date of birth, social security account b7C -1,-5,-6
number, gender, race, and last known location. [REDACTED] stated
that [REDACTED] would utilize data bases and resources in
an attempt to locate [REDACTED]. If [REDACTED] could not be located, a
BOLO (Be On Look Out) would be issued for [REDACTED] in the
[REDACTED] area.

(1)

ew



b7E -3
MAP

19-cv-4048(FBI)-3149

-79

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 07/16/2009

To: Minneapolis

Attn: A/SSA [redacted]

b6 -1
b7C -1

From: Chicago

WC-3

Contact: SA [redacted]

Approved By: [redacted] M

Drafted By: [redacted] kkk KK

Case ID #: 282A-CG-126294 (Pending) - 80

Title: JON BURGE ET AL - SUBJECTS:

ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To set lead requesting assistance from Minneapolis Division in locating witness in captioned case.

Enclosure(s): a) Photograph of witness [redacted]
b) Federal Grand Jury Subpoena;

b6 -6
b7C -6

Details: The captioned case was predicated on allegations of torture and abuse under the command of Jon Burge at Area 2 and Area 3 headquarters of the Chicago Police Department (CPD) during the period from 1973 - 1991. It was reported that acts of torture, perjury, obstruction of justice, conspiracy to obstruct justice, and other offenses occurred under Burge's command. In October 2008, Burge was indicted on perjury and obstruction of justice charges. The investigation into allegations against other officers at Area 2 is ongoing.

Chicago Division requests the assistance of Minneapolis Division in locating witness [redacted] has provided information to state investigators on the arrest and abuse of [redacted] another witness in the case. The most recent address for [redacted] is [redacted] telephone number [redacted]

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] According to [redacted] an employee at [redacted]

[redacted] with

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To: Minneapolis From: Chicago
Re: 282A-CG-126294, 07/16/2009

no forwarding address. [REDACTED] is believed to be [REDACTED] at this time.

b6 -6
b7C -6

Other known addresses for [REDACTED] are:

[REDACTED]

[REDACTED] has not been there in over a year.)

[REDACTED]

(Public records search show this as her most recent address. She is no longer at this location.)

[REDACTED]

[REDACTED] and left a forwarding address of [REDACTED]

[REDACTED]

There is no record of [REDACTED] at the [REDACTED]

[REDACTED] identifiers are as follows:

b6 -6
b7C -6

DOB:

SSN:

State ID

FBI#:

[REDACTED]

There is presently a BOLO for [REDACTED] put out by the [REDACTED]

Chicago requests assistance in locating [REDACTED] providing her with the contact information for SA [REDACTED] cellular telephone number [REDACTED]. In addition, a Federal Grand Jury Subpoena is enclosed, to be served on [REDACTED] when she is located.

b3 -1
b6 -1,-6
b7C -1,-6

UNCLASSIFIED

UNCLASSIFIED

To: Minneapolis From: Chicago
Re: 282A-CG-126294, 07/16/2009

LEAD(s) :

Set Lead 1: (Action)

MINNEAPOLIS

AT MINNEAPOLIS

Attempt to locate witness [REDACTED] and serve her
with a Federal Grand Jury subpoena. Instruct [REDACTED] to
immediately contact SA [REDACTED]

b3 -1
b6 -1,-6
b7C -1,-6

♦♦

UNCLASSIFIED

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 8/12/2009

To: Chicago
WFO

Attn: ASAC [REDACTED]

b6 -1

SSA [REDACTED]

b7C -1

Squad CR-12

From: Chicago

WC-3

Contact: SA [REDACTED]

Approved By: [REDACTED] [Signature]

Drafted By: [REDACTED] [Signature]

Case ID #: 282A-CG-126294

(Pending) -81

Title: JON BURGE, ET AL - SUBJECTS:
ANDREW WILSON, [REDACTED]

b6 -2

b7C -2

[REDACTED] - Victims;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCESynopsis: To request authorization for travel to Washington, DC
for the interview of Department of Justice Attorney [REDACTED]
[REDACTED]

b6 -3

b7C -3

Details: An investigation into acts of torture, perjury,
obstruction of justice, conspiracy to obstruct justice, and other
offenses committed by Chicago police officers under the command
of Jon Burge during the period from 1973 to the present is being
conducted.[REDACTED]
[REDACTED] Asset Forfeiture/Money Laundering Section, was
identified as the Cook County Assistant State's Attorney who
wrote out the confession of [REDACTED]

b6 -2,-3

b7C -2,-3

[REDACTED] has alleged torture and abuse against the Chicago Police
Department during his arrest and interrogation on June 7, 1984.[REDACTED] was interviewed on June 19, 2009 by SA [REDACTED]
[REDACTED] and Department of Justice Civil Rights Attorney [REDACTED]
[REDACTED] The United States Attorney's Office in the Northern

b6 -1,-3,-5

b7C -1,-3,-5

UNCLASSIFIED

UNCLASSIFIED

To: Chicago From: Chicago
Re: 282A-CG-126294, 8/12/2009

District of Illinois has requested that statements made by [redacted] during the June 19, 2009 interview be reviewed and that [redacted] be re-interviewed. The United States Attorney's Office has requested a second interview to further determine the value of [redacted] statements for the prosecution of the case.

SAC WFO has been advised and concurs with the interview of [redacted]

♦♦

UNCLASSIFIED

b6 -5
b7C -5

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/03/2009

To: Tampa

Attn: Fort Myers RA

SA [redacted]

SA [redacted]

b6 -1
b7C -1

From: Chicago

WC-3

Contact: SA [redacted]

Approved By: [redacted] *[Signature]*

Drafted By: [redacted] *jao*

Case ID #: 282A-CG-126294 (Pending) -82

Title: JON BURGE ET AL - SUBJECTS:

ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To set a lead regarding captioned matter.

Details: The captioned case was predicated on allegations of torture and abuse under the command of Jon Burge at Area 2 and Area 3 headquarters of the Chicago Police Department during the period from 1973 to 1991. It was reported that acts of torture, perjury, obstruction of justice, conspiracy to obstruct justice, and other offenses occurred under Burge's command. Burge was indicted on October 16, 2008, and arrested on October 21, 2008, in relation to above allegations. The investigation continues in an effort to develop other potential witnesses against Burge and detectives under his command.

Chicago Division requests the assistance of Tampa Division, Ft. Myers Resident Agency, with interviewing [redacted]
[redacted] employed by [redacted]
[redacted]
telephone number [redacted] was a [redacted]
[redacted] in Chicago, Illinois, who may have been in a position to have witnessed or heard about the abuse and torture occurring at Area 2.

b6 -5
b7C -5

UNCLASSIFIED

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To: Tampa From: Chicago
Re: 282A-CG-126294, 09/03/2009

[redacted]

b5 -1,-3
b6 -3,-5
b7C -3,-5

Chicago requests an Agent to conduct the interview of [redacted] with DOJ Attorney [redacted]. Please contact [redacted] to schedule the interview. The FD-302 of the interview should be sent to 282A-CG-126294-302. Any questions regarding the interview should be directed to SA [redacted] or DOJ Attorney [redacted]. Currently, [redacted] has not been contacted and is not aware that he will be interviewed.

b6 -1,-3,-5
b7C -1,-3,-5

Possible interview questions:

[redacted]

b5 -1,-2,-3
b6 -5
b7C -5

UNCLASSIFIED

UNCLASSIFIED

To: Tampa From: Chicago
Re: 282A-CG-126294, 09/03/2009

b5 -1,-2,-3
b6 -6
b7C -6

UNCLASSIFIED

UNCLASSIFIED

To: Tampa From: Chicago
Re: 282A-CG-126294, 09/03/2009

LEAD(s) :

Set Lead 1: (Action)

TAMPA

AT FORT MYERS RA

Coordinate with DOJ Attorney [redacted]
to interview the following individual:

[redacted]
Employed by: [redacted]

telephone number [redacted]

b6 -3,-5
b7C -3,-5

♦♦

UNCLASSIFIED

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/29/2009

[redacted] date of birth [redacted] social
security account number [redacted] residence address of [redacted]
[redacted] work phone number of [redacted]
provided the following information:

b6 -5
b7C -5

[redacted] began employment with the [redacted] b6 -5,-6
[redacted] where he worked in the [redacted] b7C -5,-6
[redacted] supervisor while in [redacted] was
[redacted] On [redacted] moved from the [redacted]
[redacted] where he eventually made
rounds to all the different [redacted] On [redacted]
[redacted] moved from [redacted] where he
stayed for [redacted] left the [redacted]

[redacted]

[redacted] wanted to leave the [redacted] b6 -5
because he got a sense of how [redacted] b7C -5
[redacted]

[redacted]

[redacted] did not recall the name Jon Burge or was aware
that Burge had recently been indicted.

[redacted] b6 -5,-6
[redacted] b7C -5,-6

Investigation on 09/28/2009 at Ft. Myers, Florida

File # 282A-CG-126294-83 Date dictated 09/29/2009
SA [redacted] CAB
by DOJ Attorney [redacted]

b6 -1,-3
b7C -1,-3

282A-CG-126294

Continuation of FD-302 of [redacted]

, On 09/28/2009

2 b6 -5,-6

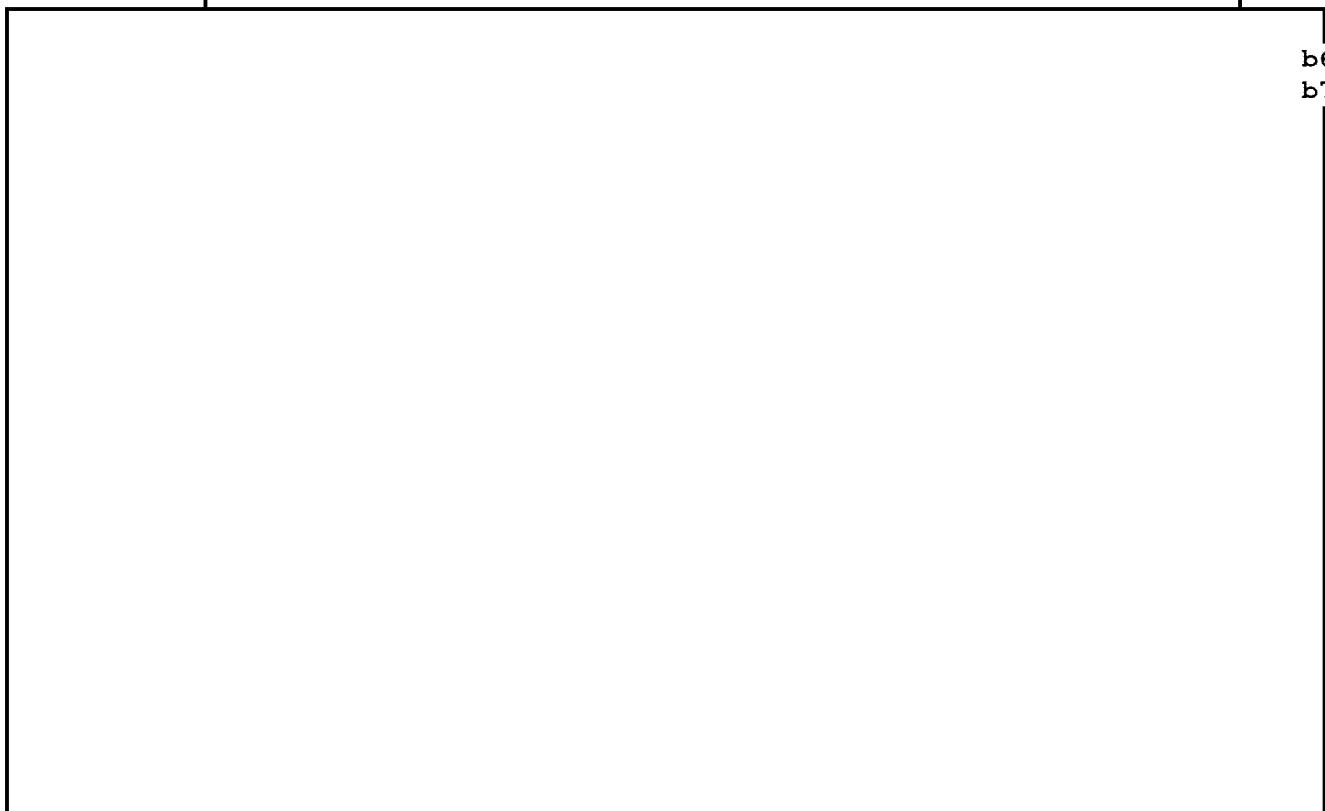
b7C -5,-6



[redacted] was asked if he was aware of any Police misconduct or brutality in the Chicago Police Department.

b6 -5
b7C -5

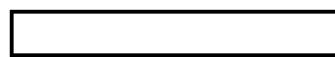
[redacted] did not state that he was really aware of any misconduct but gave an example of an instance where one might question a situation.



b6 -5,-6
b7C -5,-6

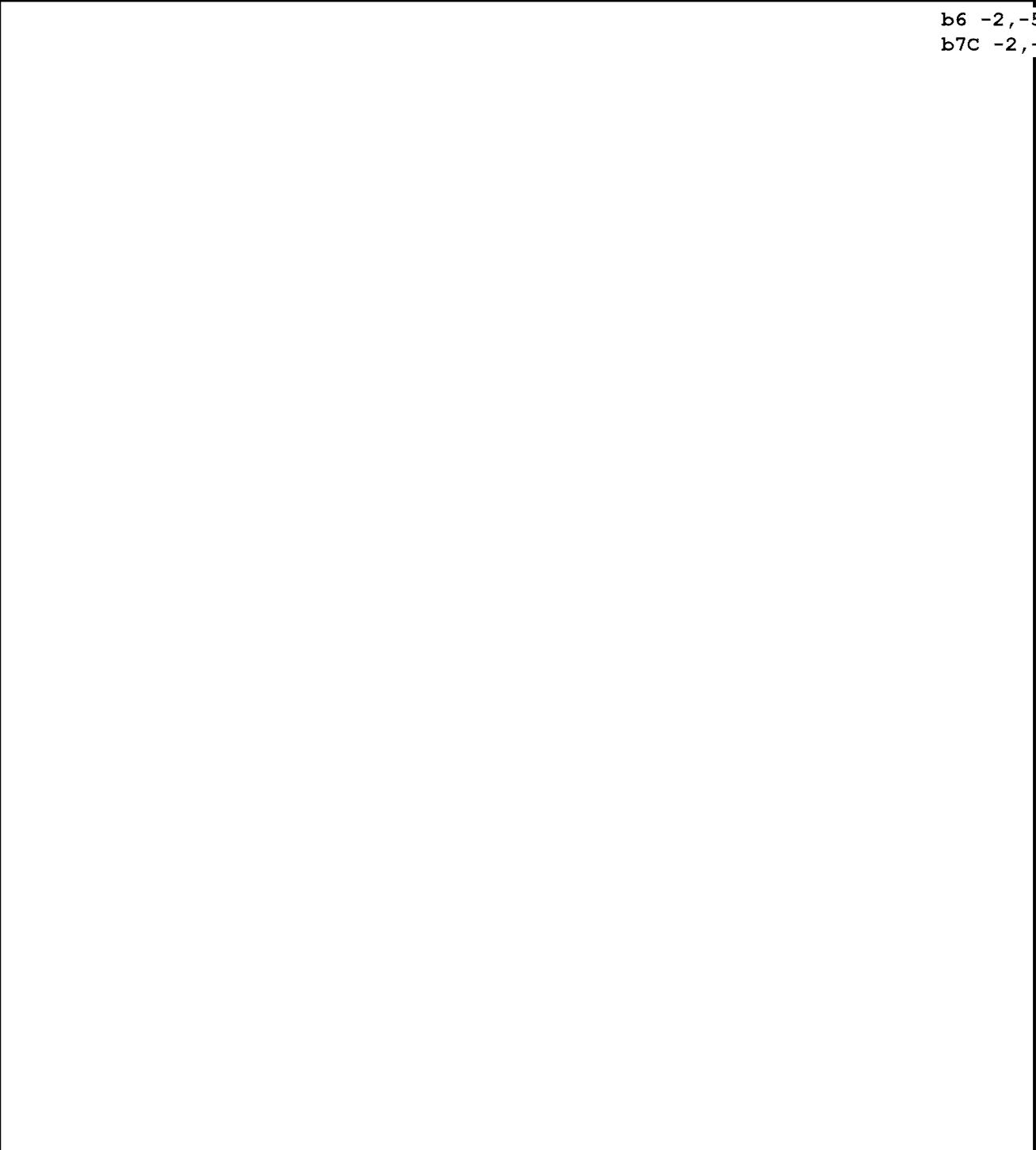
282A-CG-126294

Continuation of FD-302 of

A rectangular black-outlined box used for redacting information.

, On 09/28/2009, Page 3

b6 -2,-5,-6
b7C -2,-5,-6

A large rectangular black-outlined box covering the majority of the page content below the header and continuation information.

282A-CG-126294

Continuation of FD-302 of



, On 09/28/2009

4

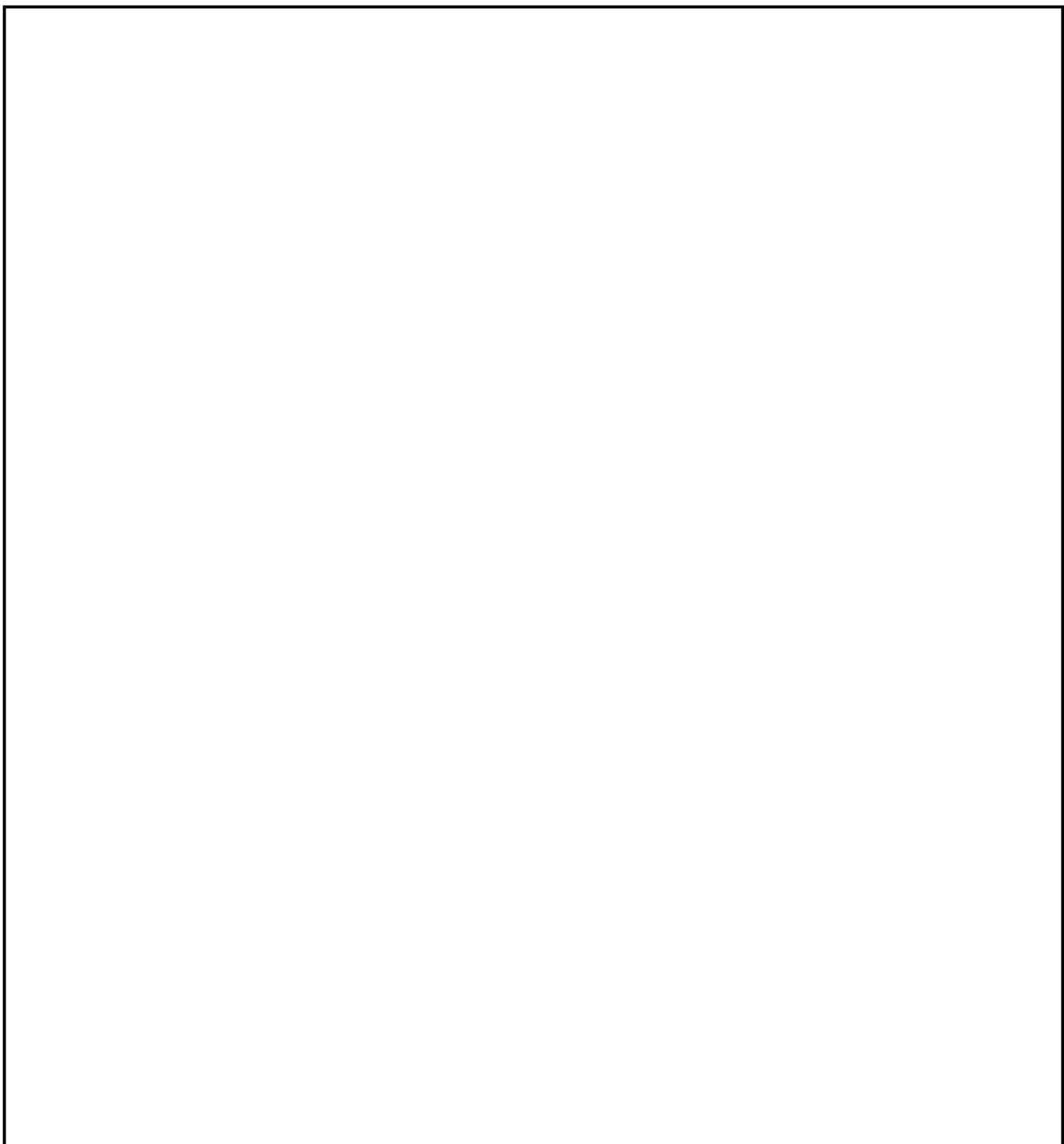
A large rectangular redaction box covering the majority of the page content below the header.

b6 -5,-6
b7C -5,-6

282A-CG-126294

Continuation of FD-302 of [redacted]

, On 09/28/2009 b6 -2,-5,-6,-7
Pb7C -2,-5,-6,-7



282A-CG-126294

Continuation of FD-302 of

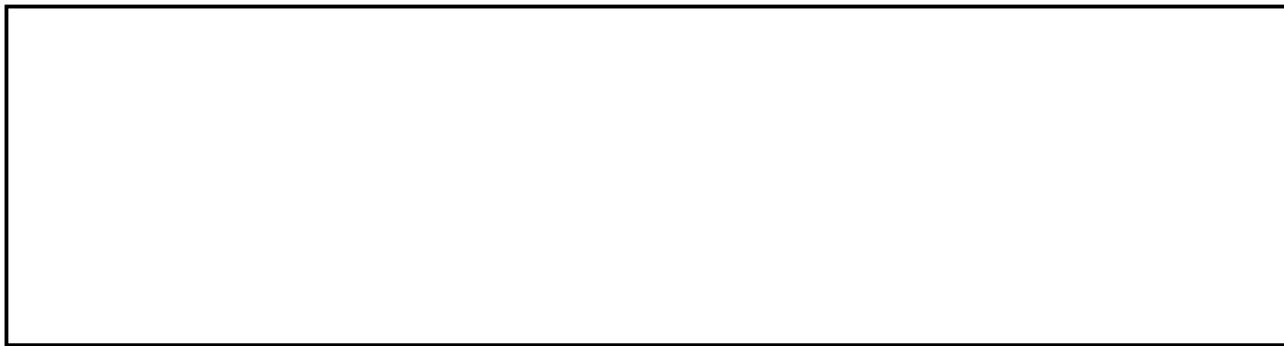
A rectangular black-outlined box used for redacting information.

, On 09/28/2009

b6 -5,-6

, Page

b7C -5,-6



UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/29/2009

To: Chicago

Attn: WC-3

SA

b6 -1
b7C -1

From: Tampa

Ft. Myers Resident Agency

Contact: SA

Approved By:

Drafted By:

Case ID #: 282A-CG-126294-⁸⁹

Title: JON BURGE ET AL - SUBJECTS;
ANDREW WILSON,

b6 -2
b7C -2

- VICTIM
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To cover lead.

Enclosure(s): Enclosed fo Chicago is an original and two copies of a FD-302 from the interview of and a FD-340 containing the original notes of said interview.

b6 -3,-5
b7C -3,-5

Details: An interview of was conducted at the Ft. Myers, Florida Resident Agency by this writer and Department of Justice Attorney on 09/29/2009. For further details of interview refer to enclosed FD-302.

Tampa at Ft. Myers Resident Agency considers this lead covered.

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19-cv-4048(FBI)-3174

UNCLASSIFIED

To: Chicago From: Tampa
Re: 282A-CG-126294, 09/29/2009

LEAD(s) :

Set Lead 1: (Info)

CHICAGO

AT CHICAGO

Read and clear

♦♦

UNCLASSIFIED

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/15/2009

To: Chicago

Attn: [redacted]

b6 -1
b7C -1

From: Chicago

WC-3

Contact: SA [redacted]

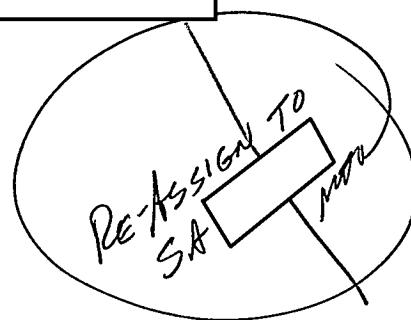
Approved By: [redacted] JAO

Drafted By: [redacted] jao

Case ID #: 282A-CG-126294

(Pending) S85

Title: JON BURGE ET AL - SUBJECTS;
ANDREW WILSON. [redacted]



b6 -1,-2
b7C -1,-2

[redacted] - VICTIMS
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: Administrative request.

Details: Due to the impending transfers of SA [redacted] and SA [redacted] the captioned investigation needs to be reassigned. Unassign SA [redacted] and SA [redacted] from the captioned investigation and assign SA [redacted] as primary investigator for the captioned investigation.

b6 -1
b7C -1

♦♦

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/14/2009

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted] M

Drafted By: [redacted] O

Case ID #: 282A-CG-126294 -80

Title: JON BURGE ET AL - SUBJECTS;
ANDREW WILSON, [redacted]

[redacted] - Victims;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

b6 -2
b7C -2

Synopsis: Administrative matters.

Details: On or about 12/14/2009, documents provided by [redacted]
[redacted] were sent to the Department of Justice (DOJ) [redacted]
[redacted] The documents have not yet been reviewed by FBI
Chicago. [redacted]
[redacted] The documents will be reviewed by FBI
Chicago when they are returned by DOJ.

b5 -1,-3
b6 -6
b7C -6

♦♦

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/12/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] kkk KK

Case ID #: 282A-CG-126294

(Pending) 81

Title: JON BURGE ET AL - SUBJECTS:
ANDREW WILSON, [redacted]

[redacted] - VICTIMS

CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

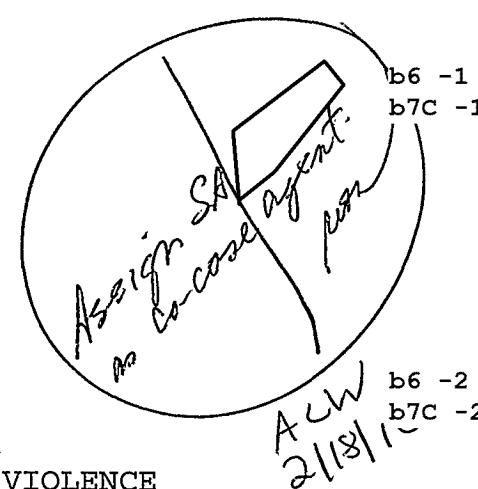
Synopsis: To request the assignment of co-case agent on captioned case.

Details: Due to the increase in workload resulting from the upcoming trial date, writer requests that Special Agent [redacted]
[redacted] be assigned as co-case agent on captioned case.

b6 -1
b7C -1

♦♦

UNCLASSIFIED



UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/05/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 (Pending) -88

Title: JON BURGE, ET AL - SUBJECTS:

ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS

CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document items provided to the United States Attorney's Office.

Details: On March 5, 2010, SA [redacted] provided Assistant United States Attorney (AUSA) [redacted] with the following items: b5 -1,-3 b6 -1,-3,-6 b7C -1,-3,-6

[Large rectangular redacted area]

♦♦

UNCLASSIFIED

OKKKOK. cc wpd

19-cv-4048(FBI)-3183

OK

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 (Pending) - 89

Title: JON BURGE, ET AL - SUBJECTS:
ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: Administrative matters.

Details: Due to trial preparation workload, writer will be required to work on Sunday, March 28, 2010. Therefore, writer requests approval to receive Sunday pay differential for that work day.

♦♦

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DESKWED. cc. LCFD

19-cv-4048(FBI)-3185

DC

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/01/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 ~~(Pending)~~ -90

Title: JON BURGE, ET AL - SUBJECTS;
ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document the production of [redacted] to the United States Attorney's Office.

b5 -1,-3
b6 -3,-6
b7C -3,-6

Details: On March 31, 2010, writer provided the following [redacted] to Assistant United States Attorney [redacted] pursuant to a judicial order issued by Judge Joan Lefkow.



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19-cv-4048(FBI)-3188

NOV 2010

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To: Chicago From: Chicago
Re: 282A-CG-126294, 04/01/2010

[Redacted]
b5 -1,-3
b6 -6,-7
b7C -6,-7

The 302 for [Redacted] was not located in ACS, and will be uploaded upon receiving a signed copy from investigating Agents.

♦♦

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 4/8/2010

To: Cincinnati

Attn: Squad 12, SSA [redacted]

b6 -1
b7C -1

From: Chicago

WC-3

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294

(Pending) -91

Title: JON BURGE ET AL - SUBJECTS;
ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS

CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To request authority for travel of Chicago Division Special Agent (SA) [redacted] to Cincinnati Division, Dayton Resident Agency, on April 14 and 15, 2010, in order to conduct an interview of a witness in preparation for trial in the captioned case.

b6 -1
b7C -1

Details: The above investigation involves the captioned subject, Jon Burge, a retired Chicago Police Department Lieutenant who is alleged to have engaged in a pattern of abuse and torture at the Chicago Police Department's Area 2 and Area 3 locations dating back to the early 1970's.

[redacted] who resides in [redacted] in the Dayton RA territory, was previously interviewed in this investigation. [redacted] was an alleged victim of Burge's torture and abuse in [redacted]
[redacted]

b6 -2
b7C -2

This follow-up interview with [redacted] is being conducted to prepare his testimony for the upcoming trial, scheduled to be on May 24, 2010. SA [redacted] will be accompanied by Assistant United States Attorney April [redacted] and Department of Justice, Civil Rights Division trial attorney [redacted]

b6 -1,-2,-3
b7C -1,-2,-3

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19-cv-4048(FBI)-3190

JKK

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To: Cincinnati From: Chicago
Re: 282A-CG-126294, 4/8/2010

SSA [redacted] has been advised of the above information and concurs with the planned travel of SA [redacted]

b6 -1
b7C -1

SAC Chicago and SAC Cincinnati concur with the necessity of this travel.

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UNCLASSIFIED

To: Cincinnati From: Chicago
Re: 282A-CG-126294, 4/8/2010

LEAD(s):

Set Lead 1: (Info)

CINCINNATI

AT CINCINNATI

To advise of upcoming interview to be conducted in
Hamilton, Ohio.

♦♦

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/08/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 ~~(Pending)~~ - 92

Title: JON BURGE ET AL - SUBJECTS:

ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] VICTIMS

CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document receipt of the defense witness list in preparation for trial in captioned case.

Details: On April 7, 2010, writer received a copy of the witness list submitted by the defense attorneys representing defendant Jon Burge. The witness list will be maintained in a 1A envelope and sent to the case file.

♦♦

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19-cv-4048(FBI)-3197

DCX

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/16/2010

To: Indianapolis

Attn: SSA [REDACTED]

Squad C7 b6 -1
THRA [REDACTED] b7C -1

From: Chicago

WC-3

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 282A-CG-126294 (Pending) - 93

Title: JON BURGE ET AL - SUBJECTS:

ANDREW WILSON, [REDACTED]

b6 -2
b7C -2

[REDACTED] - VICTIMS

CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To request assistance in serving a trial subpoena on a witness in captioned case.

Details: Chicago Division requests the assistance of

Indianapolis Division Special Agent [REDACTED] Terre Haute b6 -1,-3,-6 Resident Agency, in serving a trial subpoena for captioned case. b7C -1,-3,-6

The witness, [REDACTED] resides in [REDACTED]

SA

[REDACTED] will accompany Department of Justice trial attorney [REDACTED]
[REDACTED] to meet with [REDACTED] and serve her with a subpoena on [REDACTED]

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19-cv-4048(FBI)-3198

JK

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To: Indianapolis From: Chicago
Re: 282A-CG-126294, 04/16/2010

LEAD(s) :

Set Lead 1: (Action)

INDIANAPOLIS

AT TERRE HAUTE RA

Serve a trial subpoena on witness [redacted] for
testimony in captioned case.

b6 -6
b7C -6

♦♦

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UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/11/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 (Pending) 94

Title: JON BURGE ET AL - SUBJECTS:

ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document the delivery of photographs to the United States Attorney's Office for trial purposes.

Details: On May 10, 2010, writer received [redacted]

b5 -1,-3
b6 -6
b7C -6

On May 11, 2010, [redacted] were placed in a 1A envelope and uploaded as 1A105.

The [redacted] contained in 1A105 were removed from the 1A file and provided to the United States Attorney's Office, Assistant United States Attorneys [redacted] and [redacted]

b5 -1,-3
b6 -3
b7C -3

♦♦

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19-cv-4048(FBI)-3201

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UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/21/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted] DC

Case ID #: 282A-CG-126294 (Pending) 95

Title: JON BURGE, ET AL - SUBJECTS:
ANDREW WILSON, [redacted]

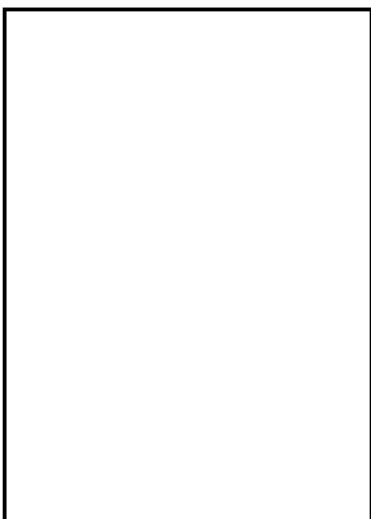
b6 -2
b7C -2

[redacted] - VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document the delivery of [redacted] to United States Attorney's Office pursuant to judicial order.

b5 -1,-3
b6 -2,-4,-6
b7C -2,-4,-6

Details: On May 21, 2010, writer turned over [redacted] for the following individuals:



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19-cv-4048(FBI)-3203

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/19/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 (Pending)

Title: JON BURGE, ET AL - SUBJECTS;
ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document the delivery of original documents to the United States Attorney's Office for use in trial.

Details: On May 19, 2010, writer provided the following documents to the United States Attorney's Office for use as exhibits in the upcoming trial of Jon Burge.

[redacted]
b5 -1,-3
b6 -6
b7C -6

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-94

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19-cv-4048(FBI)-3206

OKC

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To: Chicago From: Chicago
Re: 282A-CG-126294, 05/19/2010



b5 -1,-3
b6 -3,-6
b7C -3,-6

The above listed documents were provided to Assistant United States Attorneys [redacted] and [redacted] for use in the trial of Jon Burge.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/19/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted] 13

Drafted By: [redacted]

Case ID #: 282A-CG-126294 (Pending) 1

Title: JON BURGE, ET AL - SUBJECTS:

ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document the delivery of 1B evidence to the United States Attorney's Office for use as a trial exhibit in captioned case.

Details: On May 19, 2010, writer turned over the following evidence to the United States Attorney's Office, Assistant United States Attorney's [redacted] and [redacted] for use as a trial exhibit in captioned case.

[redacted]
b3 -1
b5 -1,-3
b6 -1,-5
b7C -1,-5

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- 97

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19-cv-4048(FBI)-3208

OK

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/03/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 ~~(Pending)~~ -98Title: JON BURGE ET AL - SUBJECTS;
ANDREW WILSON, [redacted][redacted] VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To document conversation with attorney [redacted]

Details: Writer contacted attorney [redacted] in an attempt to locate the transcript of a deposition given on June 17, 1999, by [redacted] in an unrelated case. [redacted] was unable to locate a copy of the transcript but provided the following summary of the relevant section of the deposition.

On June 17, 1999, [redacted] deposed [redacted] in an unrelated civil case against a member of the Chicago Police Department. During the course of [redacted] testimony, [redacted] asked [redacted] about allegations relating to Jon Burge and Area 2 detectives. [redacted] attempted to avoid answering those questions, as they were unrelated to the subject of the pending case, but [redacted] persisted in that line of questioning. After several questions asking about whether [redacted] knew of abuse at Area 2, [redacted] answered the question on the record, stating that [redacted]
[redacted]

A few years later, [redacted] saw [redacted] at an event for [redacted] asked [redacted] about [redacted]
abuse at Area 2. He recalls [redacted] stating that [redacted]
[redacted] and [redacted]

b6 -1
b7C -1b6 -2
b7C -2b6 -4,-5
b7C -4,-5b6 -4,-5
b7C -4,-5b6 -4,-5
b7C -4,-5

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19-cv-4048(FBI)-3212

Dk

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To: Chicago From: Chicago
Re: 282A-CG-126294, 06/03/2010

[redacted]
[redacted] will continue to look for a copy of the transcript and will inform writer if the transcript is located.

b6 -4,-5
b7C -4,-5

♦♦

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/11/2010

To: Chicago

From: Chicago

WC-3

Contact: SA [redacted]

b6 -1
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294 (Pending) -99

Title: JON BURGE, ET AL - SUBJECTS;
ANDREW WILSON, [redacted]

b6 -2
b7C -2

[redacted] - VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To request Sunday differential pay for SA's [redacted] and b6 -1
[redacted] b7C -1
for Sunday, June 13, 2010.

Details: On Sunday, June 13, 2010, witness [redacted] is arriving in Chicago, IL for testimony in the trial of Jon Burge, subject of captioned case. SA [redacted] and SA [redacted] [redacted] will meet [redacted] upon arrival at O'Hare International Airport and transport him to the United States Attorney's Office to prepare for his trial testimony. It is requested that SA's [redacted] and [redacted] receive Sunday differential pay for their work on June 13, 2010.

b6 -1,-2
b7C -1,-2

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19-cv-4048(FBI)-3215

QK

P3 Squad supervisor approval
(please initial)

Accomplishment Report
(Accomplishment must be reported and loaded into ISRAA
within 30 days from date of accomplishment)

Date Prepared 07/01/10
Date Loaded 07/01/10
Data Loader's Initials Am

Accomplishment involves:
(check all that apply)

Drugs
A Fugitive
Bankruptcy Fraud
Computer Fraud/Abuse
Corruption of Public Officials
Money Laundering
Sub Invest Asst by FO (s)

Asst. FO(s) A, B, C, D

Task Force

File Number		262A-CG-121294	
Stat Agent Soc. Sec. No.			
Stat Agent Name			
RA	Squad	WE-3	

Investigative Assistance or Technique Used							
Rate FO	IAT	Rate FO	IAT	Rate FO	IAT	Rate FO	b7C -1
	Fin. Analyst		Lab. Div. Exam		UCO - Group I		Ft. M b7E - 6
	Aircraft Asst.		Lab. Field Sup		UCO - Group II		For. Lang Asst.
	Computer		Pen Registers		UCO - Nat. Back		Non FBI Lab Ex
	Consen Mon.		Photo Cover.		NCAVC / VI - CAP		Vict-Wtn Coor
	Elsur / FISC		Polygraph		Crim/NS Intel Asst		IO Wanted Flyer
	Elsur / T. III		Search Warrant		Crisis Neg. - Fed.		SARs
	Eng. Field Spt		Show Money		Crisis Neg. - Local		CART
	Eng. Tape Ex		SOG Asst.		ERT Asst.		Asset Forf Prog
	Legats Asst.		Swat Team		Butte - ITC		Forf Support Proj
	Evid Purchase		Tech. Ag/Equip.		Sav - ITC		
	Inf/CW Info		Phone Toll Rec		Poc - ITC		

A. Complaint / Information / Indictment

Federal Local International

Complaint Date: _____

Check if Civil Rico Complaint

Information Date: _____

Indictment Date: _____

B. Locate/ Arrest

Federal Local International

Subject Priority: A B C

Locate Date: _____

Arrest Date: _____

Subject Resisted Arrest

Subject Arrested was Armed

C. Summons Date: _____

Federal Local

D. Recovery/Restitution/PELP X

Federal Local International

Recovery Date: _____

Code • Amount \$ _____

Code • Amount \$ _____

Restitution Date: _____

Court Ordered Pretrial Diversion

Code • Amount \$ _____

PELP Date: _____

Code • Amount \$ _____

E. Hostage(s) Released Date: _____

Released by: Terrorist Other

Number of Hostages: _____

F. Conviction

Federal Local International

Conviction Date: 6/28/2010

For 6F, G, H-Include Agency Code

Felony or Misdemeanor

Plea or Trial

State: IL Judicial District: UDIL

G. U.S. Code Violation

Required for sections A,B,F, and J

(Federal Only)

Title Section # Counts

18 1512(c)(2) 2

18 1621 1

_____ _____ _____

_____ _____ _____

H. Sentence Date: _____

Sentence Type: _____

In Jail: Years _____ Months _____

Suspended: Years _____ Months _____

Probation: Years _____ Months _____

Fines: \$ _____

I. Disruption/Dismantlement:

Disruption Date: _____

Dismantlement Date: _____

Completion of FD-515a Side 2 Mandatory

J. Civil Rico Matters Date: _____

Also Complete "Section G" **b7E - 6**

Other Civil Matters Date: _____

Judgment _____

Judicial Outcome _____ *

Amount \$ _____

Suspension: Years _____ Months _____

K. Administrative Sanction Date: _____

Subject Description Code _____

Type: Length:

Suspension Permanent

Debarment or

Injunction Year _____ Months _____

L. Asset Seizure Date: _____

Asset Forfeiture Date: _____

CATS # Mandatory _____

Circle below one of the three asset forfeiture:

Admin, Civil Judicial, or Criminal

Do not indicate \$ value in Section D

M. Acquittal/Dismissal/Pretrial Diversion
(circle one) Date: _____**N. Drug Seizures ✓ Date:** _____

Drug Code • _____

Weight _____ Code • _____

FDIN _____

Do not indicate \$ value in Section D

O. Child Victim Information

Child located/identified Date: _____

Living Deceased

P. Subject Information - Required for all blocks excluding block D (Recovery/PELP), blocks E, I, L, and N.

Name	Race •	Sex	Date of Birth	Social Security No. (if available)
<u>JON BURGE</u>	<u>W</u>	<u>M</u>	<u>12/20/1947</u>	<u>346-24-2479</u>

For Indictments/Convictions only:

Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC), Russian/Eastern European, Caribbean, or Nigerian Organized Crime Group - Complete FD-515a, Side 1 Blocks A-E mandatory, F-H as appropriate.

Subject related to an OC/Drug Organization, a VCMO Program National Gang Strategy target group, or a VCMO Program National Priority Initiative target group - Complete FD-515a, Side 1 Blocks A-C only.

- * Additional information may be added by attaching another form or a plain sheet of paper for additional entries.
- * See codes on reverse side.
- ✓ Requires that an explanation be attached and loaded into ISRAA for recovery over \$1m and PELP over \$5, disruption, dismantlement, and drug seizures.

Serial No. of FD-515

100

For Further Instructions See: MAOP, Part II, Sections 3-5 thru 3-5.3.

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negot. Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

RACE CODES

A Asian/Pacific Islander
B Black
I Indian/American
U Unknown
W White
X Nonindividual

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LP Life Parole
LS Life Sentence
NS No Sentence (Subject is a Fugitive, Insane, has Died, or is a Corporation)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

AGENCY CODES

AFOIS Air Force Office of Special Investigations
ACIS Army Criminal Investigative Service
BATF Bureau of Alcohol, Tobacco & Firearms
BIA Bureau of Indian Affairs
DCAA Defense Contract Audit Agency
DCIS Defense Criminal Investigative Service
DEA Drug Enforcement Administration
DOC Department of Corrections
DOI Dept. of Interior
EPA Environmental Protection Agency
FAA Federal Aviation Administration
FDA Food and Drug Administration
HHS Dept. of Health & Human Services
HUD Dept. of Housing & Urban Development
INS Immigration and Naturalization Service
IRS Internal Revenue Service
NASA Nat'l Aeronautics & Space Admin
NBIS Nat'l NARC Border Interdiction
NCIS Naval Criminal Investigative Service
RCMP Royal Canadian Mounted Police
SBA Small Business Administration
USBP U.S. Border Patrol
USCG U.S. Coast Guard
USCS U.S. Customs Service
USDS U.S. Department of State
USMS U.S. Marshals Service
USPS U.S. Postal Service
USSS U.S. Secret Service
USTR U.S. Treasury
LOC Local
CITY City
COUN County
ST State
OTHR Other

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
PS Pre-filing Settlement
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

PELP CODES

22 Counterfeit:
Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated Sound
Recordings or Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe
Demand Aborted
26 Theft From or Fraud Against
Government Scheme Aborted
27 Commercial or Industrial
Theft Scheme Aborted
30 All Other

DRUG CODES

COCA Cocaine
HER Heroin
HSH Hashish
KAT Khat
LSD LSD
MAR Marijuana
MDM Methylene dioxy methamphetamine
MET Methamphetamine
MOR Morphine
OPM Opium
OTD Other drugs

DRUG WEIGHT CODES

GM Gram(s)
KG Kilogram(s)
L Liter(s)
ML Milliliter(s)
P Plant(s)
DU Dosage Unit(s)

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME SUBJECTS

IF Boss
IG Underboss
IH Consigliere
IJ Acting Boss
IK Capodecina
IL Soldier

KNOWN CRIMINALS
2A Top Ten or I.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS
3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out
Diplomatic Immunity
3D U.N. Employee W/out
Diplomatic Immunity
3E Foreign Student
3F All Others

TERRORISTS
4A Known Member of a
Terrorist Organization
4B Possible Terrorist Member
or Sympathizer

UNION MEMBERS

SD President
SE Vice-President
SF Treasurer
SG Secretary/Treasurer
SH Executive Board Member
SI Business Agent
SJ Representative
SK Organizer
SL Business Manager
SM Financial Secretary
SN Recording Secretary
SP Office Manager
SQ Clerk
SR Shop Steward
SS Member
ST Trustee
SU Other

Continuation of GOVERNMENT SUBJECTS

6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W 6P
State Law Enforcement Officer
6Q State - All Others
6R Mayor Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

OTHERS

8A All Other Subjects
8B Company or Corporation

CHILD PREDATORS

9A Child Care provider
9B Clergy
9C Athletic Coach
9D Teacher/Aide
9E Law Enforcement Personnel
9F Counselor
9G Relative
9H Stranger
9I Other

GOVERNMENT SUBJECTS
(6F, 6G, 6H- Include Agency Code)

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor

07/07/2010

***** CONVICTION *****

~~SENSITIVE~~ / UNCLASSIFIEDCase Number: 282A-CG-126294
Serial No.: 100Stat Agent Name: [REDACTED]
Stat Agent SOC.: [REDACTED]Report Date: 07/07/2010
Accom Date.: 06/28/2010

Does Accomplishment Involve

Drugs : N
A Fugitive. : N
Bankruptcy Fraud. : N
Computer Fraud/Abuse. : N
Corruption of Public Officials: Y
Money Laundering. : N

[REDACTED]	[REDACTED]
------------	------------

Subject Name	b6 -1	
	b7C -1	
BURGE, JON, G	b7E -6	
RA	Squad	Task Force
HQ	WC-3	

Sub. Invest. Asst by Other FOs:

1 = Used, but did not help
 2 = Helped, Minimally
 3 = Helped, Substantially
 4 = Absolutely Essential

FINAN ANALYST	LAB FIELD SUP	UCO - NAT BACK	VICT-WITN COOR
AIRCRAFT ASST	PEN REGISTERS	NCAVC/VI-CAP	IO WANTED FLYR
COMPUTER ASST	PHOTO COVERGE	CRIM/NS INTEL	SARS
CONSEN MONITR	POLYGRAPH	CRIS NEG-FED	CART
ELSUR/FISC	SRCH WAR EXEC	CRIS NEG-LOC	ASSET FORF PRO
ELSUR/III	SHOW MONEY	ERT ASST	FORF SUPPORT P
ENG FIELD SUP	SOG ASST	BUTTE-ITC	TFOS/CTD
ENG TAPE EXAM	SWAT TEAM	SAVANNAH-ITC	CXS/CTD
LEGATS ASST.	TECH AG/EQUIP	POC-WRCSC	INFRAGARD/CYD
EVIDNCE PURCH	TEL TOLL RECS	FT. MON-NRCSC	OFC/CID
INFORMANT/CW	UCO-GROUP I	FOR LANG ASST	PPP
LAB DIV EXAMS	UCO-GROUP II	NON FBI LAB EX	

Date of Conviction (MM/DD/YYYY) : 06/28/2010

Subject Description Code. : [REDACTED]

b7E -6

Federal, Local, or International (F/L/I) : F

Felony or Misdemeanor (F/M) : F

Plea or Trial (P/T) : T

Judicial State. : IL

Judicial District : NDI

U. S. Code Violation(s)

Title	Section	Counts	Form FD-515a: Subject's Role =
18	1512	2	
18	1621	1	

Accomplishment Narrative

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 07/05/2010

To: CJIS

Attn:

b6 -1
b7C -1Supervisory Identification
Records Examiner

From: Chicago

Squad WC-3

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 282A-CG-126294

(Pending) 101

Title: JON BURGE ET AL - SUBJECTS:
ANDREW WILSON, [redacted]b6 -2
b7C -2[redacted] - VICTIMS;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

Synopsis: To discontinue NCIC alerts in captioned case.

Reference: 282A-CG-126294 Serial 25

Details: As the criminal trial in captioned case was recently concluded, writer requests that all NCIC alerts be discontinued for the following individuals.

Name: [redacted]

b6 -2
b7C -2

AKA: [redacted]

DOB: [redacted]

SSAN: [redacted]

FBI #: [redacted]

Last Known Address: [redacted]

Name: [redacted]

AKA: [redacted]

DOB: [redacted]

SSAN: [redacted]

UNCLASSIFIED

187KVC01.ec.wrd

19-cv-4048(FBI)-3219

OKC

UNCLASSIFIED

To: CJIS From: Chicago
Re: 282A-CG-126294, 07/05/2010

Last Known Address: [REDACTED]

b6 -2
b7C -2

Name: [REDACTED]

AKA: [REDACTED]

DOB: [REDACTED]

SSAN: [REDACTED]

FBI #: [REDACTED]

Last Known Address: [REDACTED]

Please discontinue both telephone and email notifications.

UNCLASSIFIED

UNCLASSIFIED

To: CJIS From: Chicago
Re: 282A-CG-126294, 07/05/2010

LEAD(s):

Set Lead 1: (Action)

CJIS

AT CLARKSBURG, WV

Discontinue NCIC alerts, telephonic and email, for the listed individuals in captioned case.

♦♦

UNCLASSIFIED

Squad supervisor approval
(please initial) .

Accomplishment Report

(Accomplishment must be reported and loaded into ISRAA within 30 days from date of accomplishment)

Date Prepared 1/24/11
Date Loaded 1/25/11
Date Loader's Initials ALW

Accomplishment involves:
(check all that apply)

Drugs
A Fugitive
Bankruptcy Fraud
Computer Fraud/Abuse
Corruption of Public Official
Money Laundering
Sub Invest Asst by FO(s)

Asst. FO(s) _____
A. B. C. D.

Task Force

File Number
282A-CG-126294

Stat Agent Soc. Sec. No.

Stat Agent Name

RA Squad
WC-3

Investigative Assistance or Technique Used

1. Used, but did not help
2. Helped, minimally
For Sub. Invest. Assist. by other FO(s) indicate A, B, C, D for corresponding FO

3. Helped, substantially
4. Absolutely essential

Rate FO	IAT	Rate FO	IAT	Rate FO	IAT	Rate FO	IAT
Fin. Analyst		Lab. Field Sup		UCO - Nat.Back		Vict-Win Coor	
Aircraft Asst.		Pen Registers		NCAVC / VI-CAP		IO Wanted Flyer	
Computer		Photo Cover		Crim/NS Intel Asst		SARs	
Consen Mon.		Polygraph		Crisis Neg.- Fed		CART	
ELSUR / FISC		Search Warrant		Crisis Neg.- Local		Asset Forf Prog	
ELSUR / T. III		Show Money		ERT Asst.		Forf Support Proj	
Eng. Field Spt.		SOG Asst.		Bufile - OSC		TFOS/CTD	
Eng. Tape Ex.		Swat Team		Sav - OSC		CX/CTD	
Legals Asst.		Tech. Ag/Equip.		Poc - SC		InfraGard/CyD	
Evid. Purchase		Phone Toll Rec		Tech Resp Unit		OFC/ICID	
Inf/CW Info		UCO - Group I		For. Lang Asst.		PPP	
Lab. Div. Exam		UCO - Group II		Non FBI Lab Ex		Fusion Centers	

b6 -1
b7C -1
b7E -6

A. Complaint / Information/ Indictment
 Federal Local International
Complaint Date: _____
Check if Civil Rico Complaint
Information Date: _____
Indictment Date: _____

F. Conviction
 Federal Local International
Conviction Date: _____
Subject Description Code _____ • (_____) •
For 6F, G, H-Include Agency Code
 Felony or Misdemeanor
 Plea or Trial
State: _____ Judicial District: _____

J. Civil Rico Matters Date: _____
Also complete "Section G"
Other Civil Matters Date: _____
Judgment _____ •
Judicial Outcome _____ • x
Amount \$ _____
Suspension: Years _____ Months _____

B. Locate / Arrest
 Federal Local International
Subject Priority: A B C
Locate Date: _____
Arrest Date: _____
 Subject Resisted Arrest
 Subject Arrested was Armed

G. U.S. Code Violation
Required for sections A, B, F and J
(Federal Only)
Title Section # Counts
_____ _____ _____
_____ _____ _____
_____ _____ _____
_____ _____ _____

K. Administrative Sanction Date: _____
Subject Description Code _____ •
Type: _____ Length: _____
 Suspension Permanent
 Debarment or
 Injunction Year _____ Months _____

C. Summons Date: _____
 Federal Local

D. Recovery / Restitution / PELP X
 Federal Local International
Recovery Date: _____
Code * _____ ✓ Amount \$ _____
Code * _____ ✓ Amount \$ _____
Restitution Date: _____
 Court Ordered Pretrial Diversion
Code * _____ ✓ Amount \$ _____
PELP Date: _____
Code * _____ ✓ Amount \$ _____

H. Sentence Date: 1/21/2011
Sentence Type: JS PB
In Jail: Years 4 Months 6
Suspended: Years _____ Months _____
Probation: Years 3 Months 0
Fines: \$ N/A

L. Asset Seizure Date: _____
Asset Forfeiture Date: _____
CATS # Mandatory _____
Circle below one of the three asset forfeiture:
Admin, Civil Judicial, or Criminal
Do not indicate \$ value in Section D

E. Hostages(s) Released Date: _____
Released by: Terrorist Other
Number of Hostages: _____

I. Disruption/Dismantlement: ✓
Disruption Date: _____
Dismantlement Date: _____
Completion of FD-515a Side 2 Mandatory

M. Acquittal/ Dismissal/ Pretrial Diversion
(Circle one) Date: _____
N. Drug Seizures ✓ Date: _____
Drug Code * _____ Weight _____ Code * _____
FDIN _____
Do not indicate \$ in Section D

O. Child Victim Information
Child located / identified Date: _____
 Living Deceased

P. Subject Information - Required for all blocks excluding block D (Recovery/PELP), blocks E, I, L and N

Name	Race*	Sex	Date of Birth	Social Security No. (if available)
JON G. BURGE	W	M	12/20/1947	346-26-2679

For Indictments/Convictions only:

- Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC), Russian/Eastern European, Caribbean, or Nigerian Organized Crime Group - Complete FD-515a, Side 1 Blocks A-E mandatory, F-H as appropriate.
 Subject related to an OC/Drug organization, a VCMO Program National Gang Strategy target group, or a VCMO Program National Priority Initiative target group - Complete FD-515a, Side 1 Blocks A-C only.

* Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

• See codes on reverse side.

✓ Requires that an explanation be attached and loaded into ISRAA for recovery over \$1 m and PELP over \$5 m, disruption, dismantlement, and drug seizures.

Serial No. of FD-515

For Further Instructions See: MAOP, Part II, Sections 3-5 thru 3-5.3.
Revised 12-19-2006

PROPERTY CODES

01	Cash
02	Stocks, Bonds or Negot. Instruments
03	General Retail Merchandise
04	Vehicles
05	Heavy Machinery & Equipment
06	Aircraft
07	Jewelry
08	Vessels
09	Art, Antiques or Rare Collections
11	Real Property
20	All Other

SENTENCE TYPES

CP	Capital Punishment
JS	Jail Sentence
LP	Life Parole
LS	Life Sentence
NS	No Sentence (Subject is a Fugitive, Insane, has died, is a Corporation or must pay fine only)
PB	Probation
SJ	Suspension of Jail Sentence
YC	Youth Correction Act

PELP CODES

22	Counterfeit Stocks/Bonds/Currency/ Negotiable Instruments
23	Counterfeit/Pirated Sound Recordings or Motion Pictures
24	Bank Theft Scheme Aborted
25	Ransom, Extortion or Bribe Demand Aborted
26	Theft From or Fraud Against Government Scheme Aborted
27	Commercial or Industrial Theft Scheme Aborted
30	All Other

RACE CODES

A	Asian/Pacific Islander
B	Black
I	Indian/American
U	Unknown
W	White
X	Nonindividual

AGENCY CODES

AFOSI	Air Force Office of Special Investigations
ACIS	Army Criminal Investigative Service
BATF	Bureau of Alcohol, Tobacco & Firearms
BIA	Bureau of Indian Affairs
CBP	Customs and Border Protection
DCAA	Defense Contract Audit Agency
DCIS	Defense Criminal Investigative Service
DEA	Drug Enforcement Administration
DOC	Department of Corrections
DOI	Dept. of Interior
DHS	Dept. of Homeland Security
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FDA	Food and Drug Administration
HHS	Dept. of Health & Human Services
HUD	Dept. of Housing & Urban Development
ICE	Immigration and Customs Enforcement
IRS	Internal Revenue Service
NASA	Natl Aeronautics & Space Admin
NBIS	Natl NARC Border Interdiction
NCIS	Naval Criminal Investigative Service
RCMP	Royal Canadian Mounted Police
SBA	Small Business Administration
USCG	U.S. Coast Guard
USDS	U.S. Department of State
USMS	U.S. Marshals Service
USPS	U.S. Postal Service

JUDGMENT CODES

CJ	Consent Judgment
CO	Court Ordered Settlement
DF	Default Judgment
DI	Dismissal
JN	Judgment Notwithstanding
MV	Mixed Verdict
SJ	Summary Judgment
VD	Verdict for Defendant
VP	Verdict for Plaintiff

JUDICIAL OUTCOME

AG	Agreement
BR	Barred/Removed
CC	Civil Contempt
DC	Disciplinary Charges
FI	Fine
PI	Preliminary Injunction
PR	Temporary Restraining Order
PS	Pre-filing Settlement
RN	Restitution
SP	Suspension
VR	Voluntary Resignation
OT	Other

SUBJECT PRIORITY

A	Subject wanted for crimes of violence (i.e., murder, manslaughter, forcible rape) against another individual or convicted of such a crime in the past five years.
B	Subject wanted for crimes involving loss or destruction of property valued in excess of \$25,000 or convicted of such a crime in the past five years.
C	All other subjects.

DRUG CODES

COC	Cocaine
HER	Heroin
HSH	Hashish
KAT	Khat
LSD	LSD
MAR	Marijuana
MDM	Methylenedioxymethamphetamine
MET	Methamphetamine
MOR	Morphine
OPM	Opium
OTD	Other drugs

DRUG WEIGHT CODES

GM	Gram(s)
KG	Kilogram(s)
L	Liter(s)
ML	Milliliter(s)
P	Plant(s)
DU	Dosage Unit(s)

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME SUBJECTS

1F	Boss
1G	Underboss
IH	Consigliere
IJ	Acting Boss
IK	Capodecima
IL	Soldier

KNOWN CRIMINALS

2A	Top Ten or I.O. Fugitive
2B	Top Thief
2C	Top Con Man

FOREIGN NATIONALS

3A	Legal Alien
3B	Illegal Alien
3C	Foreign Official W/out Diplomatic Immunity
3D	U.N. Employee W/out Diplomatic Immunity
3E	Foreign Student
3F	All Others

TERRORISTS

4A	Known Member of a Terrorist Organization
4B	Possible Terrorist Member or Sympathizer

UNION MEMBERS

5D	President
5E	Vice-President
5F	Treasurer
5G	Secretary/Treasurer
5H	Executive Board Member
5I	Business Agent
5J	Representative
5K	Organizer
5L	Business Manager
5M	Financial Secretary
5N	Recording Secretary
5P	Office Manager
5Q	Clerk
5R	Shop Steward
5S	Member
5T	Trustee
5U	Other

GOVERNMENT SUBJECTS
(6F, 6G, 6H- Include Agency Code)

6A	Presidential Appointee
6B	U.S. Senator/Staff
6C	U.S. Representative/Staff
6D	Federal Judge/Magistrate
6E	Federal Prosecutor
6F	Federal Law Enforcement Officer
6G	Federal Employee - GS 13 & Above
6H	Federal Employee - GS 12 & Below
6J	Governor
6K	Lt. Governor
6L	State Legislator
6M	State Judge/Magistrate

Continuation of GOVERNMENT SUBJECTS

6N	State Prosecutor
6P	State Law Enforcement Officer
6Q	State - All Others
6R	Mayor
6S	Local Legislator
6T	Local Judge/Magistrate
6U	Local Prosecutor
6V	Local Law Enforcement Officer
6W	Local-All Others
6X	County Commissioner
6Y	City Councilman

BANK EMPLOYEES

7A	Bank Officer
7B	Bank Employee

OTHERS

8A	All Other Subjects
8B	Company or Corporation

CHILD PREDATORS

9A	Child Care provider
9B	Clergy
9C	Athletic Coach
9D	Teacher/Aide
9E	Law Enforcement Personnel
9F	Counselor
9G	Relative
9H	Stranger
9I	Other

Squad supervisor approval
(please initial)

Accomplishment Report

(Accomplishment must be reported and loaded into ISRAA within 30 days from date of accomplishment)

Date Prepared _____

Date Loaded _____

Date Loader's Initials _____

Accomplishment involves:
(check all that apply)

Drugs	<input type="checkbox"/>
A Fugitive	<input type="checkbox"/>
Bankruptcy Fraud	<input type="checkbox"/>
Computer Fraud/Abuse	<input type="checkbox"/>
Corruption of Public Official	<input type="checkbox"/>
Money Laundering	<input type="checkbox"/>
Sub Invest Asst by FO(s)	<input type="checkbox"/>

File Number

Stat Agent Soc. Sec. No.

Stat Agent Name

RA Squad

Asst. FO(s)

A. B. C. D.

Task Force

Investigative Assistance or Technique Used									
1. Used, but did not help		3. Helped, substantially							
2. Helped, minimally		4. Absolutely essential							
For Sub. Invest. Assist. by other FO(s) indicate A, B, C, D for corresponding FO									
Rate FO	IAT	Rate FO	IAT	Rate FO	IAT	Rate FO	IAT	Rate FO	IAT
	Fin. Analyst		Lab. Field Sup		UCO - Nat.Back				Vict-Wtn Coor
	Aircraft Asst.		Pen Registers		NCAVC / Vi-CAP				IO Wanted Flyer
	Computer		Photo Cover		Crim/NS Intel Asst				SARs
	Consen Mon.		Polygraph		Crisis Neg.- Fed				CART
	ELSUR / FISC		Search Warrant		Crisis Neg.- Local				Asset Forf Prog
	ELSUR / T. III		Show Money		ERT Asst.				Forf Support Proj
	Eng. Field Spt.		SOG Asst.		Butte - OSC				TFOS/CTD
	Eng. Tape Ex.		Swat Team		Sav - OSC				CXS/CTD
	Legats Asst.		Tech. Ag/Equip.		Poc - SC				InfraGard/CyD
	Evid. Purchase		Phone Toll Rec		Tech Resp Unit				OFC/CID
	Inf/CW Info		UCO - Group I		For. Lang Asst.				PPP
	Lab. Div. Exam		UCO - Group II		Non FBI Lab Ex				Fusion Centers

A. Complaint / Information/ Indictment
 Federal Local International
Complaint Date: _____
Check if Civil Rico Complaint
Information Date: _____
Indictment Date: _____

F. Conviction
 Federal Local International
Conviction Date: _____
Subject Description Code _____ • (_____)•
For 6F, G, H-Include Agency Code
 Felony or Misdemeanor
 Plea or Trial
State: _____ Judicial District: _____

J. Civil Rico Matters Date: _____
Also complete "Section G"
Other Civil Matters Date: _____
Judgment _____
Judicial Outcome _____
Amount \$ _____
Suspension: Years _____ Months _____

B. Locate / Arrest
 Federal Local International
Subject Priority: A B C
Locate Date: _____
Arrest Date: _____
 Subject Resisted Arrest
 Subject Arrested was Armed

G. U.S. Code Violation
Required for sections A, B, F and J
(Federal Only)
Title Section # Counts
_____ _____ _____
_____ _____ _____
_____ _____ _____
_____ _____ _____

K. Administrative Sanction Date: _____
Subject Description Code _____
Type: _____ Length: _____
 Suspension Permanent
 Debarment or
 Injunction Year _____ Months _____

C. Summons Date: _____
 Federal Local
D. Recovery / Restitution / PELP X
 Federal Local International
Recovery Date: _____
Code * _____ ✓ Amount \$ _____
Code * _____ ✓ Amount \$ _____
Restitution Date: _____
 Court Ordered Pretrial Diversion
Code * _____ ✓ Amount \$ _____
PELP Date: _____
Code * _____ ✓ Amount \$ _____

H. Sentence Date: _____
Sentence Type: _____ , _____
In Jail: Years _____ Months _____
Suspended: Years _____ Months _____
Probation: Years _____ Months _____
Fines: \$ _____

L. Asset Seizure Date: _____
Asset Forfeiture Date: _____
CATS # Mandatory _____
Circle below one of the three asset forfeiture:
Admin, Civil Judicial, or Criminal
Do not indicate \$ value in Section D

E. Hostages(s) Released Date: _____
Released by: Terrorist Other
Number of Hostages: _____

I. Disruption/Dismantlement: ✓
Disruption Date: _____
Dismantlement Date: _____
Completion of FD-515a Side 2 Mandatory

M. Acquittal/ Dismissal/ Pretrial Diversion
(Circle one) Date: _____
N. Drug Seizures ✓ Date: _____
Drug Code * _____
Weight _____ Code * _____
FDIN _____
Do not indicate \$ in Section D

P. Subject Information - Required for all blocks excluding block D (Recovery/PELP), blocks E, I, L and N

Name	Race *	Sex	Date of Birth	Social Security No. (if available)

For Indictments/Convictions only:

- Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC), Russian/Eastern European, Caribbean, or Nigerian Organized Crime Group - Complete FD-515a, Side 1 Blocks A-E mandatory, F-H as appropriate.
 Subject related to an OCG/Drug organization, a VCMO Program National Gang Strategy target group, or a VCMO Program National Priority Initiative target group - Complete FD-515a, Side 1 Blocks A-C only.

* Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

* See codes on reverse side.

* Requires that an explanation be attached and loaded into ISRAA for recovery over \$1 m and PELP over \$5 m, disruption, dismantlement, and drug seizures.

Serial No. of FD-515

b6 -1
b7C -1
b7E -6

19-cv-4048(FBI)-3224

01/25/2011

***** SENTENCING *****

~~SENSITIVE / UNCLASSIFIED~~

Case Number: 282A-CG-126294
 Serial No.: 102

Stat Agent Name:
 Stat Agent SOC.:

Report Date: 01/25/2011
 Accom Date.: 01/21/2011

b6 -1
 Subject Name b7C -1

 b7E -6

Does Accomplishment Involve

Drugs : N
 A Fugitive. : N
 Bankruptcy Fraud. : N
 Computer Fraud/Abuse. : N
 Corruption of Public Officials: Y
 Money Laundering. : N

--	--

BURGE, JON, G

RA Squad Task Force

 HQ WC-3

Sub. Invest. Asst by Other FOs:

1 = Used, but did not help

2 = Helped, Minimally

3 = Helped, Substantially

4 = Absolutely Essential

FINAN ANALYST	LAB FIELD SUP	UCO - NAT BACK	VICT-WITN COOR
AIRCRAFT ASST	PEN REGISTERS	NCAVC/VI-CAP	IO WANTED FLYR
COMPUTER ASST	PHOTO COVERGE	CRIM/NS INTEL	SARS
CONSEN MONITR	POLYGRAPH	CRIS NEG-FED	CART
ELSUR/FISC	SRCH WAR EXEC	CRIS NEG-LOC	ASSET FORF PRO
ELSUR/III	SHOW MONEY	ERT ASST	FORF SUPPORT P
ENG FIELD SUP	SOG ASST	BUTTE OSC	TFOS/CTD
ENG TAPE EXAM	SWAT TEAM	SAV OSC	CXS/CTD
LEGATS ASST.	TECH AG/EQUIP	POC SC	INFRAGARD/CYD
EVIDNCE PURCH	TEL TOLL RECS	FT. MON-NRCSC	OFC/CID
INFORMANT/CW	UCO-GROUP I	FOR LANG ASST	PPP
LAB DIV EXAMS	UCO-GROUP II	NON FBI LAB EX	FUSION CENTERS

Type of Sentence . . . : JS PB

Date of Sentencing . . . : 01/21/2011

Federal, Local, or International (F/L/I): F

Year Month

Time in Jail. . . : 4 6

Time Suspended.:

Probation Time. . . : 3

Total Fines. . . :\$

Accomplishment Narrative

~~SENSITIVE / UNCLASSIFIED~~

www.chicagotribune.com/news/local/ct-met-burge-sentencing-0123-20110121,0,7175514.story

chicagotribune.com

Burge sentence leaves torn emotions

Some alleged torture victims see 'complete injustice,' but one of their lawyers calls judge's decision 'courageous'

By Ryan Haggerty, Tribune reporter

12:22 AM CST, January 22, 2011

Moments after former Chicago police Cmdr. Jon Burge was sentenced Friday to 4 1/2 years in prison for lying about his role in torturing criminal suspects, Mark A. Clements stood before a wall of TV cameras, his hands shaking and tears rolling down his face.

"This is ridiculous," said Clements, his voice steadyng. "This is a smack in the face once again to the African-American community. ... This is a complete injustice."

Clements, an alleged victim of Burge's "Midnight Crew" of detectives who was released after 28 years in prison, wasn't the only one in the Dirksen U.S. Courthouse who felt Burge got a light sentence.

"What a shame that black folks get had again," a man said as he left the courtroom after the sentencing.

The disappointment of some of Burge's alleged victims stood in stark contrast to the reaction of their lawyers and prosecutors. They agreed that U.S. District Judge Joan Lefkow's sentence delivered an unmistakable message that Burge — who has faced allegations of abuse from dozens of criminal suspects for decades — had finally been brought to justice.

The sentence doubled what was called for under federal sentencing guidelines, a boost Lefkow said was needed because of the severity of the wrongdoing.

Lefkow's ruling was "courageous," said Flint Taylor, an attorney who has represented several alleged victims of Burge's. "This is a significant step in the process to bring some justice to all of those people who were tortured, and to get not only Burge, but all of the people who tortured our clients and all of the others, to bring all of them to justice," he said.

U.S. Attorney Patrick Fitzgerald acknowledged the frustration of Burge's alleged victims but said the criminal justice system had finally delivered.

"Justice should have come sooner, but justice delayed isn't justice completely denied," he said.

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Burge almost escaped prosecution altogether. An investigation by a special Cook County prosecutor concluded in 2006 that Burge and his officers obtained dozens of confessions through torture but that the statute of limitations had long passed, making charges impossible.

But in 2008, the U.S. attorney's office brought perjury and obstruction charges against Burge for denying the abuse in a 2003 civil lawsuit. A federal jury convicted him in June of lying under oath about the abuse.

Burge's conviction and sentence — even though he wasn't charged with torture — brought a measure of peace to Anthony Holmes, another alleged Burge victim.

"Now, finally, I feel that people will begin to believe, and that's what I'm concerned about because for all these years, nobody listened to what I had to say because they didn't believe me," said Holmes, 64, who said Burge electric-shocked and smothered him before he confessed to murder and spent a decade in prison. "But now it's all going to come to the light."

Tribune reporter Annie Sweeney contributed.

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www.chicagotribune.com/news/local/ct-met-burge-sentencing-20110120,0,1332686.story

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Witnesses rail at Burge at 1st day of sentence hearing

Former inmate says ex-cop electric-shocked and choked him

By Annie Sweeney, Tribune reporter

9:43 PM CST, January 20, 2011

Inside the interrogation room almost four decades ago, Anthony Holmes testified Thursday, he looked around at the other detectives as then-Chicago police Lt. Jon Burge electric-shocked and choked him.

Somebody would help, say "that is enough," Holmes said he thought at the time. But no one did, he said at a sentencing hearing for Burge, 63.

Since that day in 1973, Holmes said, he dreams of that room, that he is still there and that, again, no one comes to help. Holmes eventually confessed to murder and went to prison, losing contact with most of his family and suffering long-term emotional pain.

"I just slipped through the cracks," said Holmes, who was imprisoned for a decade. "I had to get help myself. I survived."

Holmes was the first of five prosecution witnesses to testify Thursday in U.S. District Judge Joan Lefkow's courtroom. The judge could sentence Burge Friday after hearing from additional witnesses, some on Burge's behalf.

A federal jury convicted Burge, who retired as a commander, in June of perjury and obstruction of justice for lying under oath about the abuse of suspects at the South Side detective division where he was assigned as a lieutenant in the 1970s and 1980s.

Lefkow ruled Thursday that Burge could face between 21 and 27 months in prison, but prosecutors argue he deserves a stiffer sentence, saying he has tainted law-abiding officers, compromised community trust in law enforcement and cost the city millions of dollars in lawsuits. Burge's attorneys seek leniency, pointing to his military service in Vietnam and Korea as well as his prostate cancer fight.

Dozens of spectators waited in line hoping for a seat in the packed courtroom. Community activists and attorneys who have long called for justice on behalf of Burge's alleged victims sat shoulder to shoulder with relatives of men whom he allegedly tortured.

Burge, dressed in a dark suit, grew animated during testimony from a former police detective who described the stories he heard of abuse under Burge. But for most of the day, he showed little reaction

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— even when Holmes, reading from a written statement, asked him a question.

"Why did you do this? ... You were supposed to be the law."

Other prosecution witnesses Thursday described the alleged pain inflicted by Burge and sketched out how they believe that ongoing, systemic police abuses wound entire communities.

Howard Saffold, a former Chicago police officer, said he tracked police abuse as an officer working for the Afro-American Patrolmen's League. He has continued the work as a community activist.

"This case puts the entire justice system on trial," Saffold testified. "When it's done with malice and forethought, it challenges the entire system."

Another former police detective, Sammy Lacey, said he had heard stories about tactics used by Burge on the midnight shift and said his detectives were referred to as the "A team." When asked what that meant, he said it meant they were "the a-kicking team."

Melvin Jones, another accuser, said his interaction with Burge forever altered his view of police. Up until then, he understood they had a job to do, he said.

"The day I was up in that room ... he changed (it) dramatically," Jones said.

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Jon Burge sentenced to 4 1/2 years in prison

By Annie Sweeney and Ryan Haggerty

Tribune reporters

3:43 PM CST, January 21, 2011

Former Chicago police Cmdr. Jon Burge, accused for years of torturing confessions from murder suspects, was sentenced today to 4 1/2 years in prison on perjury and obstruction of justice charges.

When U.S. District Judge Joan Lefkow began her remarks at about 3:15 p.m., she said she would talk longer than usual before handing down the sentencing because "I want my reasons to be clear."

She quickly let it be known she did not believe Burge when he said he had no knowledge of torture committed under his watch.

Burge created a "house of cards of denial," the judge said, and his wrongdoing shows a "dismal failure of leadership" by Burge's supervisors at the Chicago Police Department.

The judge said she has been haunted by some of the letters written by Burge's victims and their families.

The case "demonstrates at the very least a severe lack of respect for the due process of law and your refusal to acknowledge the truth in the face of all this evidence," she said.

Hours earlier, Burge apologized for bringing "disrepute" on the police department but he remained unrepentant about the torture allegations against him.

Over the last day and a half, Lefkow had listened to alleged torture victims, community activists, Burge relatives before finally hearing from Burge himself.

Burge gave a short statement apologizing for the "disrepute" brought on the police department by the scandal. But he maintained he is not the cop described in countless civil suits and in news stories over recent decades.

"I am not the person portrayed in the media or by the plaintiff's lawyers," he said as he stood before the judge.

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Burge spoke of his dedication to the Chicago Police Department, which he joined in 1970. He said he never married or had children because "being a police officer became my life."

When discussing his firing in 1993 for using excessive force, Burge's voice dropped as he remarked, "I am a broken man."

Burge was also disturbed by portrayals of him as racist.

"The allegations that I am racist deeply, deeply disturb me," he said.

19-cv-4048(FBI)-3231

www.chicagotribune.com/news/local/ct-met-burge-sentencing-0122-20110121,0,6520153.story

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Burge given 4 1/2 years in prison

Judge scolds authorities for not putting a stop to alleged torture

By Annie Sweeney, Tribune reporter

10:22 PM CST, January 21, 2011

In a packed courtroom Friday, a federal judge sentenced disgraced former Chicago police Cmdr. Jon Burge to 4 1/2 years in prison, saying his torture of suspects irreparably damaged the justice system and blasting local, county and federal authorities for not acting sooner.

It was a moment many had awaited for decades. Burge had escaped punishment even though he was long suspected of sending many men to prison for killings they didn't commit.

Federal prosecutors and attorneys who have sued Burge welcomed the sentence, but the wails of one of Burge's alleged victims echoed in the lobby of the Dirksen U.S. Courthouse, showing how painful this chapter in Chicago history was for many, especially those in the African-American community.

"It hurt me," said a weeping Mark Clements, an alleged victim of Burge's detectives who was released from prison in 2009 after serving 28 years for murder. "I was 16 years old. I lost all of my life. That's what Jon Burge did."

U.S. District Judge Joan Lefkow made it clear she agreed with a federal jury and did not believe Burge when he denied at his trial last summer any knowledge of torture. Burge was convicted of obstruction of justice and perjury for denying in a civil lawsuit that he knew of the abuse.

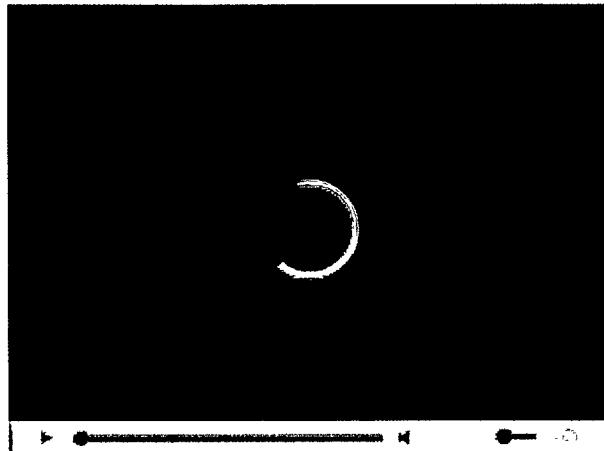
"The rule of law holds us together as we live out our great social experiment that we call the United States," the judge said. "When a confession is coerced ... the administration of justice is undermined irreparably. How can one trust that justice will be served when the justice system has been so defiled?"

In reflecting on the important role police play in a civil society, Lefkow made a rare reference from the bench to the 2005 murder of her husband and mother by a litigant upset with a ruling she had made.

"As you know, I am no stranger to violent crime," she said. "I am deeply indebted to the valiant police officers who, like you did on so many occasions, dedicated themselves to apprehending the persons responsible. Respect is hardly a sufficient word for how I feel about the talent and dedication of the people who helped me and my family in a time of crisis."

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But Lefkow condemned the collective failure of police supervisors and state or federal prosecutors to stop Burge, who is alleged to have led a "Midnight Crew" of detectives on the South Side using electric shock, smothering and other torture techniques to force confessions to murders.

"How I wish there had not been such a dismal failure of leadership in the (police) department that it came to this," Lefkow said. "... If others, such as the United States attorney and the (Cook County) state's attorney, had given heed long ago, so much pain could have been avoided."

Lawyers for some of Burge's alleged victims have long criticized Mayor Richard Daley for not investigating Burge when Daley was state's attorney in the 1980s. A Cook County Jail doctor had sent a letter to then-police Superintendent Richard Brzeczek complaining that accused cop killer Andrew Wilson had been beaten and tortured. Brzeczek passed the letter on to Daley.

Daley has said the letter was sent to his office's special prosecutions unit, which he said followed up but was stymied by witnesses who did not cooperate with investigators.

"The judge's ruling was very courageous in ... that it made a strong statement ... that if in fact the mayor when he was state's attorney had acted, we would never be here today," said Flint Taylor, who has represented many Burge victims. "This case is about much more than Jon Burge, and we've always said that, and this judge found that today."

Federal prosecutors had argued for Lefkow to consider a 30-year sentence for Burge, but U.S. Attorney Patrick Fitzgerald celebrated the 4 1/2-year sentence anyway, noting that Lefkow doubled the amount recommended by the federal probation office.

"I think it's important to send a message to people that this sort of thing doesn't happen in civilized society," Fitzgerald said.

Richard Beuke, Burge's attorney, vowed to appeal, saying many of Burge's accusers have records and aren't trustworthy. He said he believed Lefkow was influenced by outside pressure to address the decades of accusations of abuse.

"I think she was called on to try and appease a particular segment of the city," he said.

In her decision, Lefkow weighed the heartbreaking letters she received from those who said Burge tortured them, as well as touching remarks from his family about his dedication to them.

The judge held that both characterizations are likely true. "You are the person you are, neither all good nor all evil, just like the rest of us," she said.

Yet Lefkow concluded that Burge showed an "unwillingness to acknowledge the truth" and might have engaged in the torture because the praise and commendations he received for his work were "seductive."

Lefkow's sentence came after emotional testimony from victims and relatives of Burge's. Earlier Friday, Burge's family described him as a generous and protective brother. They said he was a man deeply affected by the violence he saw on the streets of the tough neighborhoods he worked.

"Jon was a remarkable public servant," said his sister-in-law, Linda Burge. "He opened my eyes and did it with tears in his eyes as he shared stories."

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When it came Burge's turn to talk, his voice cracked when he spoke of losing his beloved job in 1993. He apologized for the disrepute the accusations against him brought to the Chicago Police Department. He told Lefkow he would never frame anyone for a crime, knowing that real offenders remained at large. And then he told Lefkow how all this has affected him.

"Judge, I am 63 years old. While I try to keep a proud face, I am a broken man."

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19-cv-4048(FBI)-3234

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Burge victim: 'He laughed while he was torturing me'

BY NATASHA KORECKI

Federal Courts Reporter nkorecki@suntimes.com

Last Modified: Jan 21, 2011 02:33AM

Anthony Holmes walked just inches from the onetime Chicago police commander he says still haunts his dreams.

He wouldn't look at Jon Burge Thursday, now three decades older, now at the defendant's table in a federal courtroom facing punishment for his own crimes.

In 1973, Burge suffocated Holmes with a bag, shocked him and forced him to sign a murder confession that put Holmes in prison for nearly 30 years, Holmes said.

"What I wanted to ask Burge ... why did you do this? Why would you take a statement you knew was not true?" said Holmes, who testified for the prosecution. "You were supposed to be the law."

Leaning back in his chair, the burly, white-haired 63-year-old Burge looked right at Holmes during his testimony.

Holmes stopped occasionally to sigh deeply and blink back tears.

"He tried to kill me," Holmes said. He said Burge looked as if he were enjoying himself. "He laughed while he was torturing me."

Holmes was one of five witnesses prosecutors called to testify on Thursday, the first day of a lengthy sentencing hearing for Burge.

Though Burge was convicted of perjury and obstruction of justice, prosecutors sought to show that his treatment of African American suspects from the 1970s until he was fired in 1993 has left an indelible mark on the Chicago Police Department and on an already segregated city.

Witnesses spoke of how Chicago still today struggles to overcome the reputation from Burge-era torture of black suspects.

University of Chicago historian Adam Green said unless the behavior is punished, a community that has a severe distrust of authority would never heal.

"It reaffirms a sense that everybody who is part of that community is understood to be a human being,"

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<http://www.suntimes.com/news/metro/3406513-418/burge-holmes-green-police-chicago.ht...> 1/21/2011

Green said.

Green spoke of how torture was about someone trying to demonstrate "total power" and "supremacy."

The packed courtroom grew tense as Burge's defense lawyer described how two officers were executed by Andrew and Jackie Wilson; how one officer was shot in the head, how the other was shot in the chest.

The two were left to "bleed out," Burge attorney Rick Beuke said.

Beuke then asked the historian if that, too, was about someone showing his supremacy and power.

Burge slowly shook his head at the answer.

"That is a matter for a court of law to address," Green said.

Assistant U.S. Attorney April Perry posed another question to Green: Did the horrible acts against two police officers: "change the importance of the role of police being the good guys?"

"Absolutely not," Green said.

Burge was fired from the force because of his treatment of Andrew Wilson, who was convicted of the murders.

Burge's sentencing, before U.S. District Judge Lefkow, drew more than 100 people Thursday, with a line that wound down the federal courthouse hallway. It was under tight security, with observers having to pass through security before entering the courtroom.

While Lefkow ruled that Burge could face a range of 21 to 27 months for lying and obstructing justice, prosecutors are asking she add time because of years of torture.

Among the witnesses was onetime cop Sam Lacey, an African American, who said he wasn't assigned to a homicide case until Burge left a high-ranking position in his district.

At this, Burge flushed and laughed, his hands folded before him. He leaned over and whispered to his lawyers, seemingly in protest.

Lacey said Burge was considered part of what was known as the "A-Team." Burge shot a questionable glance at his lawyers when Lacey explained what that meant:

"The a -- kicking team."

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Jon Burge judge cites a 'dismal failure' of police leadership

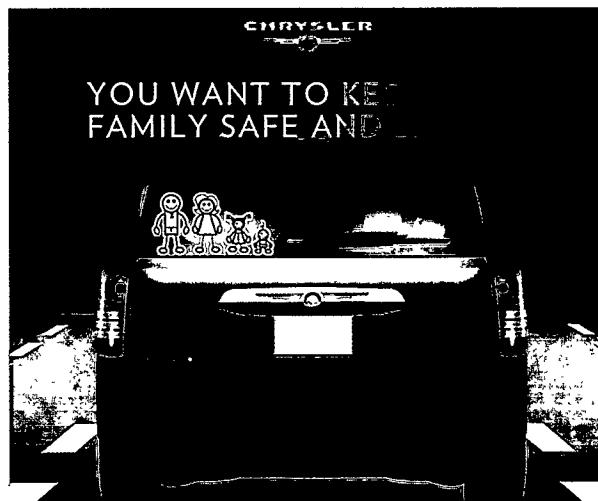
Former Chicago commander gets 4 1/2 years in prison

January 22, 2011

U.S. District Judge Joan Lefkow sentenced Jon Burge to 4 1/2 years in prison on Friday. Highlights from her comments:

- "You denied any knowledge of torture. ... Unfortunately for you, the jury did not believe you, and I must agree that I did not either."
- "Now when I hear your attorney implying that if someone did the crime, no harm, no foul, they deserved it, I am frankly shocked."
- "How can one trust that justice will be served when the justice system has been so defiled?"
- The judge praised the work of Chicago police investigating the 2005 slaying of her own husband and mother. "Yet too many times I have seen officers sit in the witness box to my right and give implausible testimony to defend themselves or a fellow officer against accusations of wrongdoing. Each time I see it, I feel pain because the office they hold has been diminished."
- "There are those who believe you are deeply racist, and there are those who believe you could not possibly have tortured suspects. I doubt that my opinion or what happens here will change anyone's views. You are the person you are, neither all good, nor all evil, just like the rest of us."
- "Perhaps the praise, publicity and commendations you received for solving these awful crimes was seductive and may have led you down this path. On your behalf how I wish that there had not been such a dismal failure of leadership in the (police) department that it came to this."

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WC 3

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Burge can keep his cop pension

BY NATASHA KORECKI

Staff Reporter/nkorecki@suntimes.com

Last Modified: Jan 28, 2011 04:51AM

He was convicted of lying and obstructing justice, and a special prosecutor said he tortured suspects.

But as Chicago Police Cmdr. Jon Burge begins serving a 4½-year prison term this spring, he still will draw his police pension check, the police pension board decided Thursday.

A tied 4-4 vote by the board means Burge will continue to draw the \$3,039-a-month pension that he began receiving in 1997 — four years after the department fired him for misconduct involving a murder suspect.

Burge, 63, was sentenced last week to 4½ years in prison after convictions last summer on perjury and obstruction of justice related to the way he gave answers in a lawsuit that claimed he and underlings tortured murder suspects who were in police custody. He is scheduled to report to prison in March.

Thomas Pleines, who represented Burge at the hearing, said he called Burge, who was in Florida undergoing a medical procedure, to break the news.

“He’s very relieved. He was happy, and he was glad to get some good news for once,” Pleines said.

Critics called the decision “outrageous,” but board member Michael Shields, a member of the Police Department who voted against terminating Burge’s pension, said it boiled down to the “Illinois pension code and case law.”

“Jon Burge had no law enforcement duties at the time he was alleged to have committed his crimes of perjury on an interrogatory in a civil deposition,” Shields said.

Burge answered questions in the interrogatory in 2003, 10 years after he was booted from his job over his treatment of a suspect. Pleines said the pension board had the burden of proof in showing that Burge should no longer receive a pension. He said the ruling is final.

Flint Taylor, an attorney who has represented those who say Burge tortured them, said he has long called on the city to end the pension — which he said Burge has received for about a dozen years — and to stop paying the legal fees of lawyers who represented Burge in civil suits.

He called Thursday’s decision “completely outrageous and mind-boggling after all that’s gone on in

court, the jury's verdict and the judge's findings in sentencing him," Taylor said. "I think it's a complete slap in the face to all the citizens in the City of Chicago."

Taylor said that when Burge was convicted of lying and obstructing justice, it was in a civil lawsuit concerning his actions while an officer. At the time, the city paid the legal fees of attorneys representing Burge because he was being questioned about conduct while he was a police officer, Taylor said.

"To turn around and say he wasn't acting as a police officer is just an outrageous decision," Taylor said of the board's reasoning in allowing Burge to keep his pension.

Mark A. Clements, a national organizer for the Jail Jon Burge Coalition, said the ruling "is a prime example of how the City of Chicago protects misconduct by some of its officials."

The decision was applauded by Burge's attorneys, who said the pension didn't amount to much income.

"It's paltry. It's a little more than Social Security," said Burge lawyer Marc Martin.

"They keep acting like he's drawing millions from the city, and he draws about \$30,000 a year," another lawyer, William Gamboney said. "I'm glad to see he still has minimal means of support."

Half of the police pension board is made up of members of the Police Department elected by police to oversee the fund. Shields, Michael Lazarro, Kenneth Hauser and James Maloney all vote against revoking Burge's pension.

The other four board members, who all work in the financial sector and were appointed by Mayor Daley, voted in favor of terminating his pension. They were Stephanie Neely, Gene Saffold, Michael Conway and Steven Lux.

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Burge keeps his pension

Half of board says perjury conviction wasn't connected to police work

By Ryan Haggerty and Cynthia Dizikes, Tribune reporters

10:21 PM CST, January 27, 2011

Former Chicago police Cmdr. Jon Burge's right to a pension rested on one ambiguous phrase in Illinois law.

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The police pension board had to decide Thursday whether Burge's conviction for lying about the torture of criminal suspects in 2003 was "relating to or arising out of or in connection with" his job as a police officer.

Four board members, all current or former Chicago police officers elected by their fellow officers, voted in Burge's favor, deciding his perjury conviction had no connection to his 23 years with the department. Four civilian trustees appointed by Mayor Richard Daley arrived at the opposite conclusion.

A majority is needed to revoke a pension, so Burge, who is scheduled to start serving a 4 1/2-year prison sentence in March, will continue to collect more than \$3,000 a month for the rest of his life.

Burge, 63, was never charged with torturing suspects while a cop. But in June, long after he was forced to leave the department, he was found guilty of lying about his knowledge of police torture.

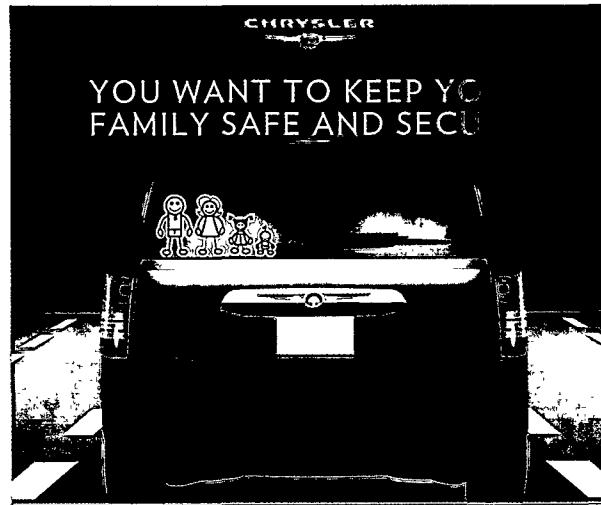
That was the difference for pension board President Kenneth Hauser, who said Burge's perjury conviction "had nothing to do with things he did when he was on the job."

One board member even questioned Burge's conviction. "Juries don't always get it right," said police Sgt. Michael Lazzaro.

Michael Conway, a former executive at Aon, was joined by three city officials in voting to revoke Burge's pension. Conway said he thought the link between the perjury conviction and Burge's police work was clear.

"Others deliberated and came to a different conclusion," Conway said. "I can't speak for them, but that was pretty straightforward, from my point of view."

The board's decision outraged many of Burge's alleged victims and their supporters. But several legal experts said they were not surprised by the split decision.



"'Relating to,' 'arising out of,' 'in connection with' — those are very subjective terms," said Chicago attorney Scott Uhler, whose firm represents several Chicago-area pension boards. "It isn't a law that is necessarily easy to apply, and it often comes down to who is doing the interpreting."

Burge isn't the first public employee to keep his pension despite a criminal conviction. In 2009, a Cook County judge ruled that a former Chicago Fire Department lieutenant who had been found guilty of arson could keep his pension because he could find no proof that the lieutenant used his training as a firefighter to commit his crimes.

But pensions also have been denied to several high-profile Illinois figures, most recently former Gov. George Ryan, currently doing time in federal prison for corruption.

Burge was fired in 1993 after years of allegations of police torture under his watch. After a four-year investigation, a Cook County special prosecutor concluded in 2006 that Burge and his officers obtained dozens of convictions through torture. But no charges were filed because the statute of limitations had passed.

In 2008, the U.S. attorney's office brought perjury and obstruction charges against Burge over his testimony in a 2003 civil lawsuit, when he denied the torture allegations. He was found guilty by a federal jury in June.

Prosecutors had to prove the torture allegations to substantiate the perjury and obstruction charges against Burge. At Burge's sentencing Jan. 21, U.S. District Judge Joan Lefkow drove that point home.

"You denied any knowledge of torture," Lefkow said. "Unfortunately for you, the jury did not believe you, and I must agree that I did not either."

City Treasurer Stephanie Neely voted against Burge but said she thought the language the board had to consider was ambiguous. She had hoped that Burge would lose before the board and then make an appeal to Circuit Court, providing the possibility for clarification on when pensions can be terminated.

Thursday's vote cannot be appealed.

Those who allegedly were tortured under Burge and his officers reacted to the board's vote with disappointment and disbelief.

"It's nonsense," said Darrell Cannon, who alleged in a lawsuit that he was tortured by detectives supervised by Burge. "And it's just another example of the good old boys staying together."

Attorney Flint Taylor, who has represented several alleged victims, was less measured in his assessment.

"To say that he should still be paid is mind-boggling," Taylor said. "It is a total slap in the face to the entire city."

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19-cv-4048(FBI)-3241

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Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Friday, January 21, 2011

Former Chicago Police Officer Jon Burge Sentenced for Lying About Police Torture

WASHINGTON - The Justice Department announced today that former Chicago Police Department Commander Jon Burge, 63, of Apollo Beach, Fla., was sentenced to 54 months in prison followed by three years of supervised release for lying in a deposition in a civil case about torture and abuse of suspects by Chicago Police Department officers. Burge's sentence was an upward departure from the recommended Guidelines' sentence.

Burge was convicted last June of two counts of obstruction of justice and one count of perjury stemming from false answers he gave in a civil case in 2003. In those answers, Burge denied ever using, or being aware of other officers using, any type of improper coercion, physical abuse or torture with suspects who were in custody at Chicago Police Department's Area Two. However, evidence at trial showed that Burge abused multiple victims in Area Two, suffocating them with plastic bags; shocking them with electrical devices; and placing a loaded gun to their heads.

In a 23-year career with the Chicago Police Department, Burge rose through the ranks to commander before being fired in 1993 over allegations of abuse. Special prosecutors were appointed in 2002 to investigate claims of abuse by Burge and others. A four-year investigation concluded that the abuse was outside the statute of limitations. It was a pending civil suit that was the basis for the federal charges in this case.

"Burge abused his power and betrayed the public trust by abusing suspects in his custody, and then by lying under oath to cover up what he and other officers had done," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "The department will aggressively prosecute any officer who violates the Constitution."

"Today, we put to rest the decades of denials that torture of suspects in police custody occurred," said Patrick J. Fitzgerald, U.S. Attorney for the Northern District of Illinois. "This sentence delivers a measure of justice, which Burge obstructed for so long."

1 - SAC

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The case was prosecuted by Assistant U.S. Attorneys David Weisman and April Perry from the U.S. Attorney's Office for the Northern District of Illinois and Trial Attorney Betsy Biffl from the Civil Rights Division of the U.S. Department of Justice.

11-090

Civil Rights Division

Memorandum



Subject: Notice of File Closing
CIVIL RIGHTS DIVISION

Date:

FEB 16 2011

To: Director
Federal Bureau of Investigation

From: Thomas E. Perez
Assistant Attorney General
Civil Rights Division

Reference is made to your field office file captioned as on the attached closing form and numbered 282A-CG-126294. This matter has been closed as of the date on the attached form.



Attachment

DOJ Number: 144-23-2798

Attorney/Secretary: BB/bb

Close'

U.S. Department of Justice
BB:bb

Notice to Close File

File Number: **Case Title:** Date:
DJ 144-23-2798 **Jon Burge,** **FEB 16 2011**
Chicago, IL - Subject;
[REDACTED]
Andrew Wilson, [REDACTED] - Victims
CIVIL RIGHTS

b6 -2
b7C -2

YOU ARE ADVISED THAT THE ABOVE FILE HAS BEEN CLOSED AS OF THIS DATE.

Remarks/Special Information:

Federal Prosecution: Conviction/Plea

Date: June 26, 2010
Statute(s): 1512 & 1621
Sentence: 54 months prison & Three years supervised release

To: Files Unit Civil Rights Division

Signature: Division:

b6 -3
b7C -3

Civil Rights Division

FORM OBD-25-A
MAR. 81

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suntimes

We 3

Burge reports this week to same prison as Madoff

By Natasha Korecki

Federal Courts Reporter [natahakorecki@suntimes.com](mailto:natashakorecki@suntimes.com)

Last Modified: Mar 14, 2011 02:05AM

Former Chicago Police Cmdr. Jon Burge is expected to report to prison this week and when he does, he'll be serving his time at a prison complex that houses one of the most notorious white-collar offenders in history — Ponzi schemer Bernie Madoff.

The 72-year-old Madoff is serving a 150-year sentence at the Butner Federal Correctional Complex, which has both medium- and low-security facilities, as well as a medical center.

Burge is scheduled to report to the prison near Raleigh, N.C., by 2 p.m. Wednesday — a week after his name was conjured with the signing of a death penalty repeal in Illinois. Former Gov. George Ryan pardoned Death Row inmates who said Burge played a role in their convictions.

An attorney for Burge said his legal team worried about Burge being sent to a prison where he could encounter issues stemming from his days as a high-ranking police official.

"That was a major concern of ours. I would be shocked if they didn't take that into consideration, where he would be designated," William Gamboney said of the former Area 2 commander. At Butner, "I think that it would make it less likely that he's going to be with the crazed criminals he was dealing with in Area 2," he said. "It's more white-collar crime."

Reached at home Friday, Burge, who lives in the Tampa, Fla., area, declined comment.

A U.S. Bureau of Prisons official said she could not comment.

Attorneys asked the Bureau of Prisons to consider Burge's many ailments when placing him. "That must have factored into the decision. He still has a bunch of different medical issues. There are some procedures that need to be done," Gamboney said.

Burge, 63, had prostate cancer and needs a followup procedure in April, Gamboney said.

In January, U.S. District Judge Joan Lefkow sentenced Burge to 4½ years in prison.

19-cv-4048(FBI)-3248

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<http://www.suntimes.com/4270746-417/burge-reports-this-week-to-same-prison-as-madoff...> 3/14/2011

Allegations against Burge have included playing "Russian roulette" with suspects, suffocating them with bags, applying electric shocks to their genitals and beating them. He was fired from the force in 1993. He was charged in 2008 with lying about torturing suspects in a written interrogatory involving a federal civil case.

In lengthy remarks, Lefkow said she believed Burge lied on the witness stand in the trial she oversaw and she gave weight to decades-old claims of torture at his hands.

Burge, through his attorneys, denied torturing suspects even after his sentencing, a two-day hearing that at times brought the tough police commander to tears.

"I know this case has brought the department and those who serve it into disrepute, and for that I am deeply sorry," Burge said at his sentencing. His family said Burge never married and suffered enough after losing the job he loved.

In prison, Burge will take part in an alcohol treatment program, which usually shaves some time off a prison term.

Gamboney said Burge was prepared to face his sentence.

"I think he's resolved to what's going to happen," Gamboney said. "He's a strong man."

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19-cv-4048(FBI)-3249

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southtownstar

W 3

Burge-related legal bills still coming in

By Natasha Korecki

Sun-Times Media

Last Modified: Mar 16, 2011 02:08AM

Former Chicago police Cmdr. Jon Burge may report to federal prison today, but issues that dogged him for decades are proving to penetrate prison walls — and city taxpayers who have paid about \$31 million in legal costs remain on the hook for more.

At least six federal lawsuits are pending against the 63-year-old Burge, including one filed this month.

On Tuesday, a federal judge ordered Burge, who was convicted last June of perjury and obstruction of justice, to sit for a videotaped deposition within seven days to answer questions about two men who allege they were tortured by him or on his watch.

And when he does, the city will still pay for Burge's lawyers, according to city officials.

Taxpayers have already paid \$10.8 million in legal fees and at least \$19.9 million in settlements regarding Burge allegedly overseeing the torture of criminal suspects during the 1970s and '80s, according to city records.

"We continue to pay his legal fees but have reserved the right to re-examine whether or not he was acting within the scope of employment," said Jennifer Hoyle, spokeswoman for the city law department.

The grand total that the city and Cook County have paid in Burge-related cases adds up to \$41.6 million, according to legal billings obtained from the city by plaintiffs' attorney Flint Taylor.

That includes the county's cost for special prosecutors who re-examined torture cases involving Burge and other police officers but ultimately decided that time had run out and he could not be prosecuted for them, Taylor said.

One of Burge's lawyers, Rick Beuke, said the continued lawsuits against Burge amount to harassment, and that lawyers add Burge's name to lawsuits "to sensationalize their clients' claims" and win settlements.

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19-cv-4048(FBI)-3250

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<http://southtownstar.suntimes.com/news/4340214-418/burge-related-legal-bills-still-comin...> 3/16/2011

www.chicagotribune.com/news/local/ct-met-confession-investigation-20110714,0,6347987.story

chicagotribune.com

Feds investigate Jon Burge's detectives, ex-Cook County prosecutors, sources say

Former police commander is imprisoned for lying about torture

By Steve Mills and Todd Lighty, Tribune reporters

July 14, 2011

With former Chicago police Cmdr. Jon Burge in prison for lying about the torture of criminal suspects, federal officials have turned their investigation to detectives who worked under Burge and to former Cook County prosecutors, the Tribune has learned.

WC 3
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FBI agents and federal prosecutors from Chicago and the Justice Department's civil rights office in Washington are looking into the testimony and actions of several detectives who worked for Burge, according to sources familiar with the investigation.

The authorities are also examining the role of assistant state's attorneys who once worked in the office's felony review unit, visiting the widow of one former prosecutor just two weeks ago, the sources said. Felony review prosecutors play a crucial role in approving criminal charges against suspects and in some cases help direct investigations and question suspects.

The developments signal that an embarrassing and costly scandal that has dogged the city for decades may not soon be over.

The allegations against Burge and the detectives under his command — the so-called midnight crew at Area 2 police headquarters — date to the 1970s and 1980s. Dozens of suspects have alleged over the years that officers beat, electric-shocked or smothered them to coerce confessions to murder.

But for years it appeared Burge, who was fired in 1993, would escape criminal charges altogether. A four-year investigation by special Cook County prosecutors concluded in 2006 that the statute of limitations on the claims of abuse had long passed. But in 2008 federal prosecutors indicted Burge not for the torture itself but for lying about it in a civil lawsuit. A federal jury convicted him last year of

19-cv-4048(FBI)-3251 ✓ 282A - CG - 126294 - 108

<http://www.chicagotribune.com/news/local/ct-met-confession-investigation-20110714,0,79...> 7/14/2011

obstruction of justice and perjury.

After Burge's conviction, U.S. Attorney Patrick Fitzgerald pledged that the investigation would continue into the torture allegations.

The sources said federal prosecutors and FBI agents have been collecting court records and conducting interviews.

Burge has cost the city more than \$30 million in legal actions stemming from the torture allegations, and when he went to prison in March to begin his 4 1/2-year sentence, at least seven lawsuits that alleged torture were still pending.

Among the cases authorities are inquiring about is the 1990 murder and rape investigation that sent Harold Hill and Dan Young Jr. to prison with life sentences, according to sources. The charges against the two were dropped in February 2005 after DNA tests cleared them, but there were problems with the case from the start — though prosecutors and police at the Area 3 police headquarters, where Burge had been transferred, still pressed forward with it.

Hill, Young and a third man, Peter Williams, were charged with the murder of Kathy Morgan, whose body was found in an abandoned building on Chicago's South Side. The case went unsolved for almost 18 months when Hill was arrested on an unrelated robbery charge. During questioning, he confessed to the Morgan murder and implicated Young and Williams. In time, Young and Williams also confessed and implicated the other two.

Williams later realized he was in Cook County Jail on a drug charge when the murder took place. Although the charges against Williams were dropped, prosecutors took the other two to trial and won convictions.

The case was featured in the 2001 Tribune series "Cops and Confessions," which in part examined murders investigated by Detective Kenneth Boudreau and his partner, John Halloran, who both worked under Burge's supervision. In a long career, Boudreau helped obtain confessions from more than a dozen defendants in murder cases in which the charges later were dismissed or the defendant was acquitted at trial, the Tribune found.

Boudreau, according to the Tribune investigation, got a confession from a man accused of two murders, though both later were undermined by DNA. He also helped obtain confessions from two mentally disabled teenagers for two separate murder cases, but both were acquitted at trial. He has been accused in both criminal trials and civil suits of punching, slapping and kicking suspects as well as taking advantage of suspects with mental impairments or low IQs.

Boudreau and Halloran investigated the Morgan murder and helped obtain the confessions that sent Hill and Young to prison. After their release, Hill and Young sued Boudreau, Halloran and other officers for their roles in their wrongful convictions, as well as former Assistant State's Attorney Mike Rogers, who worked as a felony review unit prosecutor in the investigation.

The estate for Young, who died in 2006 after he was struck by a hit-and-run driver on the South Side, settled its lawsuit against the city and the police officers in early 2008 for \$700,000. A lawsuit against Rogers, who committed suicide last year, was thrown out before his death. Hill has recently reached a settlement with Cook County over Rogers' role in obtaining the confession; it awaits County Board approval. Hill's suit against the city and the police officers is scheduled to go to trial this year.

Hill has returned to prison following an unrelated armed robbery conviction. He is serving 27 years.

Burge was voluntarily dropped from Young's lawsuit, and a judge dismissed him from Hill's lawsuit after it was determined he had been suspended because of other torture allegations when Hill, Young and Williams were being questioned.

Last year, partial genetic profiles from material under Morgan's fingernails were entered into databases and linked to two individuals. Since then, Hill's attorney, Russell Ainsworth, and lawyers for the city have been arguing over the importance of those partial matches, according to court documents. No one else has been charged.

Federal authorities also have been examining investigations handled by former Sgt. John Byrne and Detective Peter Dignan, who both worked for Burge over the years and have faced lawsuits over allegations they beat or tortured suspects into confessing, according to sources.

A spokesman for the Justice Department's civil rights office declined to comment.

Jennifer Hoyle, a spokeswoman for the city's Law Department, which defends Chicago police officers against allegations of wrongdoing, said the city was unaware of new developments in the investigation but it had no expectation that the probe was over. A spokeswoman for the state's attorney's office also declined to comment but said the office would cooperate with any inquiry.

Byrne, who works as a private detective, said he has had no recent contact with authorities but declined to comment further. Rogers' widow, through a lawyer, declined to comment, as did Boudreau. Dignan and Halloran could not be reached for comment. Over the years, all the officers have repeatedly denied any wrongdoing.

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<http://www.chicagotribune.com/news/local/ct-met-confession-investigation-20110714,0,79...> 7/14/2011

suntimesBURGE NEWSPAPER ARTICLES title WC 3

Judge: Former Mayor Daley can be sued as defendant in Burge case

BY CAROL MARIN

Last Modified: Aug 10, 2011 02:13AM

For the first time, a federal judge has ruled former Mayor Richard M. Daley can be sued as a defendant for his alleged role in what plaintiffs claim is a citywide conspiracy to cover up police torture.

And Daley could be deposed by lawyers representing alleged victims, all African American, who charge their abuse came at the hands of a small band of predominantly white police officers under the command of former Chicago Police Cmdr. Jon Burge.

The Burge case has already cost Chicago taxpayers more than \$43 million in settlements and outside legal fees. Burge is in federal prison.

Though Daley was questioned under oath by a court-appointed special prosecutor in 2006, it was widely criticized as an overly solicitous interview. This would likely be a more adversarial exchange.

A July ruling by U.S. District Court Judge Rebecca Pallmeyer is paving the way for civil rights attorney Flint Taylor to depose Daley.

"He's never been deposed in any of these cases," said Taylor, who has represented many of those who say they were routinely and savagely abused. "He's never been sat down and questioned for seven hours about his involvement. He's always managed to avoid that."

Daley and his city-hired attorneys have received notice to appear for a deposition on Sept. 8.

Burge was convicted last summer of perjury and obstruction of justice for lying in a civil court case when asked if he knew of the torture. He is serving a four-and-a-half year sentence in federal prison.

The alleged cover-up dates back to the mid 1970s.

Judge Pallmeyer allowed Daley's name to be added to the list of defendants in a suit filed by Michael Tillman.

"The court concludes Plaintiff [Tillman] has presented more than 'naked assertions,' and his conspiracy claim survives," Pallmeyer wrote in her July 20 opinion.

Attorneys for Daley are asking the judge to reconsider.

Michael Tillman spent 23 years in prison for murder. He confessed, said Taylor, because he was suffocated and beaten by Chicago Police officers. "They used a form of waterboarding, pouring 7-Up up

19-cv-4048(FBI)-3254

✓ 282A-CG-126294 - 109

his nose," Taylor said. "That's the kind of torture they used over a four-day period with Michael Tillman."

When he was released in 2010, Cook County special prosecutors concluded there was no reliable evidence against him. Tillman received a certificate of innocence from the chief judge of the Criminal Courts of Cook County.

In his civil lawsuit, Tillman alleges the city conspired to cover up torture cases.

Burge, 63, already has been deposed by Taylor at the federal prison in North Carolina, where he is serving his sentence. During the deposition, Burge, seen for the first time wearing a khaki prison uniform, repeatedly took the Fifth Amendment.

Also deposed were former Chicago Police officers Jack Byrne and Peter Dignan, who served under Burge. Federal prosecutors continue a grand jury investigation of what has been called Burge's "Midnight Crew," but neither Byrne nor Dignan has been charged. Neither has offered comment.

In his role as Cook County state's attorney, Daley has prosecutorial immunity from lawsuits. It is under the scope of his tenure as mayor that, according to Pallmeyer's ruling, he is now listed as a defendant.

There are six civil lawsuits pending against Burge and the city, with the city continuing to pay mounting legal fees for outside counsel.

"The only response we get is to see five and six lawyers in court financed by the city of Chicago defending Burge," Taylor said. "And to that extent the outward signs are that the city is still on the wrong side of these cases."

Another federal judge, Elaine Bucklo, made a similar observation in March in a lawsuit brought by former inmate Ronald Kitchen, who was released after 21 years in prison. Like Tillman, Kitchen was exonerated.

Faced with an array of lawyers, many of them outside counsel hired by the city, Bucklo observed, "There's an awful lot of you . . . Does this make sense? . . . I don't understand why this case, why you don't settle. [Kitchen] was declared innocent. Burge is in jail. Have you tried to settle this?"

Richard Bueke, one of Burge's city-paid attorneys, said when it comes to settlements, "I don't see it in a near future," arguing, "Plaintiffs' bar sees this as a cash cow."

Although some aldermen maintain the city should no longer pay to defend Burge and his officers, a spokeswoman for the city's Law Department argues it must because it has a "legal obligation not only to indemnify him against any judgments in these cases, but to provide him with legal representation."

But, said the spokeswoman, a serious effort is being made to contain costs.

Meanwhile, Attorney General Lisa Madigan is contesting the Police Board's decision to continue to pay Burge's police pension, but the payments are still being made.

Neither Daley, now in private practice at the law firm of Katten Muchin Rosenman, nor his attorney returned calls for comment.

The Burge scandal remains a financial drain on a cash-strapped city. And an open wound in the African-American community.

Whether Rahm Emanuel, the new mayor, will move to settle the current cases and attempt to close this chapter in the city's history is not yet clear.

Contributing: Don Moseley

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<http://www.suntimes.com/6975166-417/judge-former-mayor-daley-can-be-sued-as-defend...> 8/10/2011

southtownstar

Daley a defendant in torture lawsuit

W C 3

BY Carol Marin

Sun-Times Media

Last Modified: Aug 10, 2011 02:11AM

For the first time, a federal judge has ruled that former Chicago Mayor Richard Daley can be sued for his alleged role in what some contend was a citywide conspiracy to cover up police torture under former police Lt. Jon Burge.

And Daley could be questioned by lawyers representing alleged victims of such torture, all of whom are black and who claim they were abused by a small band of predominantly white police officers under Burge's command. Daley has been directed to appear for a deposition on Sept. 8.

The Burge case has cost Chicago taxpayers more than \$43 million in settlements and outside legal fees. Burge, 63, is serving a 4.5-year federal prison term, having been convicted last summer of perjury and obstruction of justice for lying to a federal grand jury when asked if he knew of the torture.

Daley, who was Cook County state's attorney during most of the time that the alleged torture occurred from the mid-1970s to the early '80s, was questioned under oath by a court-appointed special prosecutor in 2006, but it was widely criticized as an overly lenient interview.

A July ruling by U.S. District Judge Rebecca Pallmeyer has paved the way for civil rights attorney Flint Taylor to depose Daley in a lawsuit filed by Michael Tillman, who spent 23 years in prison for murder. Tillman confessed after being suffocated and beaten by officers working for Burge, Taylor said. When Tillman was released in 2010, Cook County special prosecutors concluded there was no reliable evidence against him.

"He's (Daley) never been deposed in any of these cases," said Taylor, who has represented many of those who say they were tortured. "He's never been sat down and questioned for seven hours about his involvement. He's always managed to avoid that."

Attorneys for Daley are asking the judge to reconsider his deposition. Daley has prosecutorial immunity from lawsuits related to his being state's attorney, but it is as mayor that he's a defendant in the Tillman case, according to the judge's ruling.

Contributing: Don Moseley

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<http://southtownstar.suntimes.com/news/6978214-418/daley-a-defendant-in-torture-lawsuit...> 8/10/2011

www.chicagotribune.com/news/politics/clout/chi-emmanuel-says-city-obligated-to-pay-for-daley-defense-in-burge-case-20110810.0.972808.story

chicagotribune.com

Emanuel says city obligated to pay for Daley defense in Burge case

By Kristen Mack

Clout Street

1:29 PM CDT, August 10, 2011

Mayor Rahm Emanuel today said the city has an obligation to pay for former Mayor Richard Daley's legal defense if he is sued for alleged police brutality conspiracies that happened under former Chicago police Cmdr. Jon Burge.

The city will not, however, run up unnecessary legal bills to defend Daley or Burge, Emanuel said.

"We're not going to be reckless and let the meter run legally," Emanuel said.

The new mayor added that he believes Burge, who was sentenced to 4 1/2 years in prison for lying about the torture and abuse of criminal suspects, should lose his pension.

A July ruling by U.S. District Judge Rebecca Pallmeyer applies to just one of several lawsuits filed in the Burge brutality cases. It means attorneys for plaintiff Michael Tillman can depose Daley, according to Flint Taylor, an attorney for Tillman.

Taylor has scheduled a Sept. 8 deposition, but the city has filed a motion asking Pallmeyer to reconsider her ruling.

Daley, the Cook County state's attorney for much of the 1980s, has been named in three other brutality lawsuits stemming from the torture and abuse that Burge and other detectives are believed to have perpetrated years ago on dozens of African-American men in Chicago — some of whom gave coerced confessions. But as they did in the Tillman case, the city moved to remove Daley from the lawsuits.

The Tillman case marks the first time a judge has ruled there is reason to allow Daley to remain in the lawsuit, Taylor said. In this case, Pallmeyer ruled that Daley could be sued on the conspiracy claims that Tillman has alleged.

Tillman served nearly 24 years in prison for a July 1986 rape and murder before his conviction was vacated and the charges dismissed by a Cook County special prosecutor in January 2010, according to the ruling. He received a certificate of innocence from the Circuit Court of Cook County in February 2010.

"The 7th Circuit Court of Appeals has held that Jon Burge's conduct, however objectionable, was within the scope of his employment," said Jennifer Hoyle, a spokeswoman for the city's legal department. "Even if we had no legal obligation to represent him, we would still be required to indemnify him against any judgments resulting from these cases. For that reason, it is in the best interest of taxpayers that the city continue to provide representation in these matters."

The city has retained outside counsel in Burge-related cases because the pending lawsuits name multiple defendants.

Emanuel said it would be inappropriate for him to comment on the case. The mayor did say, however, that Burge's pension should be revoked.

Earlier this year the city's police pension board allowed Burge to continue to collect his \$3,039 a month pension in spite of his criminal conviction.

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The board of directors of the Policemen's Annuity and Benefit Fund of Chicago split evenly -- with four current or former Chicago police officers elected by their fellow officers supporting Burge's continued pension and four civilian trustees appointed by Daley voting in opposition. The 4-4 tie meant that Burge kept his pension.

"I believe, and I advocated for this in Congress, that when you're convicted of a crime. . . that deals with your professional life, you've lost the benefits associated with that because you've dishonored the office," Emanuel said.

Attorney General Lisa Madigan has sued to block Burge from pocketing further pension payments.

Emanuel made his comments at an unrelated news conference where he announced that the city is creating an "E-Plan" that will allow architects to submit plans electronically, speeding up the approval and permitting process.

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www.chicagotribune.com/news/local/breaking/chi-judge-daley-can-be-included-as-defendant-in-burge-suits-20110809,0,3876895.story

chicagotribune.com

Judge: Daley can be included as defendant in Burge suits

By Annie Sweeney

Tribune reporter

10:57 PM CDT, August 9, 2011

A federal judge has ruled that former Mayor Richard M. Daley can be sued for alleged police brutality conspiracies that happened under former Chicago police Commander Jon Burge.

The July ruling by U.S. District Judge Rebecca Pallmeyer applies to just one of several lawsuits filed in the brutality cases, and it means that attorneys for the plaintiff in the case, Michael Tillman, can begin proceedings to depose Daley, said Flint Taylor, an attorney for Tillman.

Daley has been named in three other brutality lawsuits stemming from the torture and abuse that Burge is believed to have perpetrated years ago on dozens of African American men in Chicago -- many of whom gave coerced confessions. But as they did in the Tillman case, the city moved to remove Daley from the lawsuits.

The Tillman case marks the first time a judge has ruled there is reason to allow the Daley to remain in the lawsuit, Taylor said. In this case, Pallmeyer ruled that Daley could be sued on the conspiracy claims that Tillman has alleged.

Tillman served nearly 24 years in prison for a July 1986 rape and murder before his conviction was vacated and the charges dismissed by a Cook County special prosecutor in January 2010, according to the court filing. He received a certificate of innocence from the Circuit Court of Cook County in February 2010.

Tillman brings a host of claims against the police officers, police supervisors, and prosecutors involved in his arrest, conviction and prolonged confinement, according to the filing.

"We were extremely pleased by the judge's decision to hold Daley in the conspiracy allegations and consider it to be a significant victory in the long and arduous struggle in the police torture cases," Taylor said.

Taylor has scheduled a Sept. 8 deposition, but the city has filed a motion asking Pallmeyer to reconsider

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her ruling.

asweeney@tribune.com

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suntimes

WC 3

Editorial: Stop dragging out police abuse suits

Last Modified: Aug 11, 2011 02:16AM

Too bad federal Judge Elaine Bucklo is not the mayor of Chicago.

Maybe then the city would get out of the business of fighting no-win lawsuits brought by the alleged victims of former police torture meister Jon Burge.

In March, during a hearing in a suit brought by former prison inmate Ronald Kitchen, who was wrongly convicted of murder, Bucklo looked around her courtroom at a slew of attorneys for the city and marveled:

"There's an awful lot of you . . . Does this make sense? I don't understand why this case, why you don't settle. [Kitchen] was declared innocent. Burge is in jail. Have you tried to settle this?"

"I don't see it in the near future," replied Richard Bueke, one of Burge's city-paid attorneys. "Plaintiff's bar sees this as a cash cow."

Judge Bucklo is right — the city should settle immediately. And Bueke is half right — Kitchen's suit against Burge and the city is a cash cow for Kitchen and his lawyers.

As it should be.

Kitchen spent 21 years in prison — 13 on Death Row — for a multiple murder he did not commit, convicted based on a false confession extracted by officers working for Burge. Kitchen alleges he was deprived of food and sleep while detectives beat him with their fists, a phone book and a telephone receiver and struck him in the genitals with a nightstick.

Why shouldn't Kitchen, who is 45, be generously compensated for a miscarriage of justice that threw him into the pit of prison for almost half his life?

Nobody seriously doubts that Kitchen was a victim of Burge's notorious "Midnight Crew." The evidence that Burge tortured dozens of suspects during the 1970s and '80s is overwhelming. Last year, his deeds finally caught up to him when he was convicted of perjury and sentenced to prison for four and a half years. A federal jury decided he had lied under oath when he said he had not tortured suspects.

In continuing to fight lawsuits brought against Burge, his accomplices and the city, City Hall is playing a losing hand. The city already has paid out \$21 million to settle 10 suits, and six more suits are pending. The city has shelled out \$13 millions to lawyers.

But the cost to Chicago is not only, or even predominantly, monetary. The real price Chicago pays in dragging out these suits is to the reputation of the police department and the city as a whole. Legal battles against torture victims make for a lousy marketing strategy.

19-cv-4048(FBI)-3262

As Carol Marin reported in Tuesday's Chicago Sun-Times, former Mayor Richard M. Daley is now likely to be deposed — for the first time — by lawyers representing Burge's alleged victims, a development sure to guarantee that this ugly story stays in the headlines. U.S. District Judge Rebecca Pallmeyer allowed Daley's name to be added to the list of defendants in a suit filed by former prison inmate Michael Tillman.

Daley, in our view, never did enough to end Burge's reign of terror as Cook County state's attorney or call him to account as mayor. But he did take steps to repair the police department's damaged reputation, beginning with his decision to hire Jody Weis as superintendent. Weis had zero tolerance for cops who crossed the line.

The longer Chicago refuses to settle these police torture cases, the more the city's reputation suffers.

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<http://www.suntimes.com/opinions/6988843-474/editorial-stop-dragging-out-police-abuse-...> 8/15/2011

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Mayor Emanuel: Deny Burge city pension, pay for Daley's defense

WC3

By FRAN SPIELMAN

City Hall Reporter

fspielman@suntimes.com

Last Modified: Aug 11, 2011 02:15AM

Mayor Rahm Emanuel walked a political tightrope Wednesday on the explosive police torture allegations that continue to surround convicted former Chicago Police Commander Jon Burge.

Emanuel argued that Burge should be denied a city pension but that former Mayor Richard M. Daley must be provided with a legal defense for his role in the case.

Responding to a report in the Chicago Sun-Times that a federal judge has ruled that Daley can be sued over allegations that he helped engineer a citywide conspiracy to cover up the torture allegations, Emanuel refused to comment on the propriety of deposing Daley.

He would only say that Chicago taxpayers have no choice but to defend the former mayor.

"We have an obligation, as a city, to pay for that legal representation. That said, [I intend to] make sure that the dollars spent are being watched over and not being reckless and running up unnecessary legal bills," Emanuel said at an unrelated event. "I won't comment on the case. ... You have an ongoing case. It would be inappropriate for me to speak on it. ... [But] we have an obligation, as a city, given the professional work that they did during that time. But we're not gonna be reckless and let the meter run legally on that."

Mayor Emanuel was also asked Wednesday whether he supports Attorney General Lisa Madigan in her efforts to strip Burge of his city pension. That was an issue he was more than happy to weigh in on.

Burge was convicted last summer of perjury and obstruction of justice for lying in a civil case when asked if he knew of the torture that went on under his watch. He is now serving a four-and-a-half year sentence in federal prison.

"I believe ... that when you're convicted of a crime — and I'm not talking about a speeding ticket, I'm talking about something that deals with you professionally — you've lost the benefits associated with that because you've dishonored the office," Emanuel said.

Sun-Times political columnist Carol Marin reported Wednesday that Daley has received notice to appear for a Sept. 8 deposition, now that U.S. District Judge Rebecca Pallmayer has ruled that the former mayor can be sued.

That would force the former mayor to answer questions from attorneys representing alleged victims, all African American, who charge their abuse came at the hands of a small band of predominantly white police officers under Burge's Area 2 command.

Despite Emanuel's statement, attorney Flint Taylor argued Wednesday that the mayor does have a choice. He can stop defending Burge, his fellow officers and Daley and enter into negotiations to compensate Michael Tillman and other victims of police torture.

That's what Daley did in 2008. He agreed to a \$19.8 million settlement with four alleged torture victims.

"What's happening now is the city is throwing good money after bad by defending the indefensible. It's totally established that Burge tortured these people, yet the defense goes on," Taylor said.

Sources close to Daley argued that the former mayor's deposition was "not a done deal." Attorneys representing the former mayor have filed a motion to reconsider. They're trying to block the deposition on grounds that Daley's involvement in the case stems from his tenure as state's attorney and that prosecutors have "absolute immunity."

The Burge case has already cost Chicago taxpayers more than \$43 million in settlements and outside legal fees. Burge is in federal prison.

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<http://www.suntimes.com/news/cityhall/6987176-418/mayor-emmanuel-denies-burge-city-pension-pay-for-daleys-defense.html...> 8/12/2011

suntimes

State's top court weighs convicted rapist's claim of torture by Lt. Burge's crew

BY DAVE MCKINNEY

Sun-Times Springfield bureau chief
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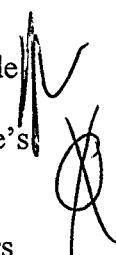
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SPRINGFIELD — Stanley Wrice contends officers working for notorious Chicago police Lt. Jon Burge beat him into wrongly confessing a role in a 1982 gang rape.

That's enough to warrant a new hearing that might reverse his conviction, he argues.

But eyewitness accounts put Wrice at the scene of the rape and showed him carrying a hot clothing iron used to burn the rape victim on 70 percent of her body.

And that's sufficient evidence to keep him imprisoned, a special prosecutor contends.

Those were the arguments presented Thursday to the Illinois Supreme Court in the first case in a decade in which justices are being asked to weigh the claim of a Burge torture victim and possibly establish a legal precedent that could lead to freedom for 15 imprisoned inmates who claim to be victims of Burge's "Midnight Crew." 

Wrice's confession to the brutal crime, which came after he allegedly was beaten by two Burge officers with a flashlight and rubber hose, essentially amounts to "a harmless error" that doesn't prove his innocence, prosecutors have contended — a claim Wrice's legal team took aim at Thursday.

"They've given you no reason other than just saying it's no consequence that a man was taken downstairs [by police], and carried and beaten, and some of these men who were electrocuted and waterboarded, it's of no consequence to this court. That's just a regular error that happens in the state of Illinois. Well it's not," Heidi Lambros, an appellate defender representing Wrice, told the justices.

"This court should not stand for that. This court should not tolerate the torture of its citizens within its walls," she said.

Wrice, who has been imprisoned for nearly three decades of a 100-year sentence for the crime, won an Illinois Appellate Court decision in December that ordered a new hearing on his torture claims, which had been repeatedly rejected by the trial court. That decision was appealed by the state.

A special prosecutor, who described the Burge unit's tactics as "abhorrent," argued that "overwhelming evidence" existed beyond just the confession to convict Wrice originally, including testimony from two eyewitnesses and the facts the assault occurred in Wrice's bedroom in his house.

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"This was a party house where two individual eyewitnesses came forward and identified Stanley Wrice ... finding an iron in this party house, taking it and lighting it on a stove over a three-hour period, [and going] up and down his stairways to his bedroom with his friends where a woman was burned and raped repeatedly," special prosecutor Myles O'Rourke told the court.

"The other evidence is exactly what the appellate court looked toward in finding there was sufficient evidence of guilt," O'Rourke said, referring to an earlier appeals court ruling that upheld Wrice's conviction.

No DNA evidence existed to tie Wrice to the crime, which Justice Charles Freeman focused upon while questioning O'Rourke, who acknowledged the technology was not in use at the time of the crime.

The lone remaining eyewitness and his two co-defendants have recanted their accounts implicating Wrice, saying they too had been beaten or threatened by Burge's officers.

"Bobbie Joe Williams is the only surviving witness in this case, and he claims that he did not see Stanley Wrice put an iron on the stove, heat it up, go upstairs, and his testimony to that effect is false," said David Protess, president of the Chicago Innocence Project, which interviewed all of the surviving witnesses in the case and favors a hearing on Wrice's torture claims.

The court adjourned Thursday without making a decision in the case.

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Judge: Daley can be sued over alleged torture by police

BY CAROL MARIN
AND DON MOSELEY

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The Chicago Sun-Times and NBC5

Last Modified: Nov 3, 2011 02:11AM

For the second time in four months a federal court judge has ruled former Mayor Richard M. Daley can be sued in an ongoing legal battle over allegations of police torture.

U.S. District Court Judge Rebecca Pallmeyer on Wednesday denied a motion to reconsider her prior ruling, setting the stage for Daley to be deposed by attorneys representing men who claim they were tortured by a small band of Chicago Police officers in the 1970s and 1980s.

Attorneys for Daley, paid for by the city, appealed the judge's July ruling only to be turned down in an 11-page motion filed Wednesday.

Attorneys for Daley had successfully fought an earlier deposition in anticipation of the judge's ruling.

"We have patiently awaited this decision before proceeding to question Daley under oath at a deposition," said plaintiff's attorney G. Flint Taylor. "Now the path is clear, Daley has no legitimate grounds to object, so we will [Thursday] subpoena Daley for questioning in early December."

Taylor represents Michael Tillman, who spent 23 years in prison for a murder in which he was later exonerated. In her July ruling, Judge Pallmeyer wrote that Daley could be listed as a defendant in the Tillman civil lawsuit. Among those named in the suit are Jon Burge, 63, a former police commander now in prison, as well as former officers under his command. The former mayor is also named.

As Cook County state's attorney from 1980 to 1989, Daley is granted prosecutorial immunity. But as mayor, Pallmeyer ruled, Daley doesn't have the same privilege.

The lawsuit charges that Daley was part of a conspiracy to cover up the torture allegations.

In her original ruling, Pallmeyer wrote that Tillman had "presented more than 'naked assertions' and his conspiracy claim survives."

In her ruling denying the motion to reconsider, Pallmeyer concluded "that Plaintiff sufficiently alleged that Daley, as Mayor, participated in a conspiracy that included the concealment of exculpatory evidence."

City Law Department spokesman Roderick Drew said the city is determining what to do next.

"The order raises complicated legal issues that we are examining," Drew said.

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Taylor said Tillman is "very, very happy" because of the ruling and "looks forward to his lawyers questioning Daley for his decades-long role in the police torture scandal."

Tillman was released from prison last year after special prosecutors for Cook County found there was no reliable evidence against him. Tillman originally confessed to murder but only, he says, after he was tortured by officers under the command of Jon Burge.

In an August interview, Tillman recalled that during his 1986 interrogation, "I was hit with the fist, the phone book, I had a plastic bag placed over my head repeatedly. I had a gun put to my head while I was on my knees. I had a 7-Up poured down my nose. I was hit in the leg with a flashlight. I felt like a slave, tied to a tree that couldn't do nothing 'cause I was always bound."

Burge was convicted last year of obstruction of justice and lying in a civil suit when asked if he knew about or participated in police torture. He is currently serving a 41/2-year sentence in a federal prison in North Carolina.

Tillman's attorneys argue Daley knew of police torture dating back to the 1982 case of convicted cop killers Andrew and Jackie Wilson. Taylor said that Daley, as state's attorney, received a letter from the head physician at Cook County Jail that stated Andrew Wilson had been beaten.

In the years to follow, more than 100 other men, virtually all African-American, claimed they, too, had been subjected to police torture. Both sides in the Tillman case are to appear in Federal Court on Friday.

Carol Marin is a Sun-Times columnist. Don Moseley is an NBC5 producer.

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www.chicagotribune.com/news/local/ct-met-burge-daley-ruling-1103-20111103,0,2328140.story

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Ex-Mayor Richard Daley can be sued in Burge case, judge reaffirms in ruling

City had asked judge to reconsider ruling in police abuse scandal

By Ryan Haggerty, Chicago Tribune reporter

November 3, 2011

A federal judge on Wednesday reaffirmed her decision that former Mayor Richard Daley can be sued in the abuse scandal that unfolded under disgraced former Chicago police Cmdr. Jon Burge.

U.S. District Judge Rebecca Pallmeyer decided in July that Daley could remain a defendant on the case brought against him and several others by Michael Tillman, who says he was tortured into a confession, then served nearly 24 years in prison before charges against him were vacated.

The city asked Pallmeyer to reconsider, but she issued a ruling Wednesday reaffirming her decision.

Several lawsuits have stemmed from the abuse scandal that unfolded under Burge, and Daley has been sued before, only to be dropped from the suits later.

Tillman served time for a July 1986 rape and murder before his conviction was vacated and the charges dismissed in January 2010, according to court documents. Daley was sued in the Tillman case as both the mayor and as the Cook County state's attorney, a position he held for most of the 1980s.

Wednesday's ruling appears to give Tillman's attorneys the ability to depose Daley, which they have been seeking for months.

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Date of transcription 01/03/2012

On January 3, 2012, Special Agent [REDACTED] provided the following [REDACTED] to Assistant United States Attorney (AUSA) [REDACTED]

b5 -1,-3
b6 -1,-3
b7C -1,-3



AUSA [REDACTED] requested the documents in response to a request for information from [REDACTED]

b6 -3,-6
b7C -3,-6

[REDACTED] The request for information was approved by US District Court Judge Joan Lefkow. AUSA [REDACTED] and Paralegal Specialist [REDACTED] will be present during [REDACTED] review of the documents. A/CDC DJ Rossini was apprised of the situation and agreed with AUSA [REDACTED] request.

Once the review is completed, the documents will be returned to SA [REDACTED] and retained as appropriate. The original copies of [REDACTED] are inventoried under 1A-14. The original [REDACTED] is inventoried as 1B1 and kept in Evidence.

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b7C -1

Investigation on 1/3/2012 at Chicago, Illinois

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Date dictated 1/3/2012

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/09/2012

On January 9, 2012, Assistant United States Attorney [REDACTED] returned the following [REDACTED] to Special Agent [REDACTED] b5 -1,-3
b6 -1,-3
b7C -1,-3

[REDACTED]

b6 -3,-6
b7C -3,-6

AUSA [REDACTED] had requested the documents in response to a request for information from [REDACTED]. The request for information was approved by US District Court Judge Joan Lefkow.

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Investigation on 1/9/2012 at Chicago, Illinois

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