

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1417740-0

Total Deleted Page(s) = 120

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Probers seek action against cop

By Les Hausner
Staff Writer

The Police Department's Office of Professional Standards has requested that action be taken against a commander accused, along with some of his detectives, of using excessive force on suspects in custody.

The OPS report on Cmdr. Jon Burge, a decorated Vietnam War veteran, is being reviewed by city attorneys, said Andrea Swearingen, a spokeswoman for the city corporation counsel's office.

She said that the report—a "request for action"—was received by her department Oct. 25 and that a review by city lawyers could take 30 days, which she said is standard procedure.

Members of the Coalition to End Police

Commander accused of excessive force

Brutality held a press conference Thursday at 180 N. La Salle, where the corporation counsel's offices are, to demand that Burge be immediately suspended.

The request for action "should be sufficient to suspend Burge," said Mary Powers of Glenco, coordinator of Citizens Alert, one of the coalition's 35 organizations.

"We urge the counsel to act expediently on this case, regardless of the political fallout," she said. Her organization has been seeking Burge's firing since 1989.

Swearingen said a request for action "does not automatically mean termination." The counsel also could reject the OPS findings.

Last month, Burge and two other police officers, Peter Dignan and Charles Grunhard,



Jon Burge

(Indicate page, name of newspaper, city and state.) **PAGE 5**

SUN-TIMES

CHICAGO, IL

Date: **11/8/91**

Edition: **5* SPORTS FINAL**

Title: **PROBERS SEEK ACTION AGAINST COP**

Character:

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Classification:

Submitting Office: **CHICAGO**

Indexing:

were named in a \$16 million lawsuit filed on behalf of Gregory Banks, who said he was tortured into falsely confessing to a murder. Banks was convicted in 1983, but the Illinois Appellate Court overturned the conviction, saying the confession was not voluntary.

A convicted killer, Andrew Wilson, also filed a brutality suit against Burge and two other detectives. Wilson and his brother, Jackie Wilson, were tried and convicted twice for the 1982 murders of Chicago police Officers William Fahey and Richard O'Brien.

In 1989, two separate federal juries refused to award Andrew Wilson any damages. The allegations centered on Area 2 headquarters, 727 E. 111th St., where Burge, who now commands Area 3 headquarters, previously had been based.

London-based Amnesty International called last December for an investigation into allegations that Chicago police systematically used excessive force on suspects between 1972 and 1984.

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(Indicate page, name of newspaper, city and state.) Page 5
 Chicago Sun-Times
 Chicago, Illinois
 Date: November 8, 1991
 Edition: Five Star Sports Final

Title: Probers Seek Action Against Cop

Character:

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Classification:

Submitting Office: Chicago

Indexing:

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Swearingen said a request for action "does not automatically mean termination." The counsel also could reject the OPS findings.

Last month, Burge and two other police officers, Peter Dignan and Charles Grunhard,

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(Indicate page, name of newspaper, city and state.) Page 7
 Section 2
Chicago Tribune
Chicago, Illinois
 Date: November 8, 1991
 Edition: North Sports Final

Title: Brutality Charges To Be Reviewed

Character:
 or
 Classification:
 Submitting Office: Chicago

Indexing:

Brutality charges to be reviewed

Brighton Park commander allegedly tortured suspects

By David Jackson

Police Supt. LeRoy Martin has asked city attorneys to review charges that a police commander tortured suspects in police custody.

Police union head John Dineen said that this type of "request for action" is typically made when the superintendent is preparing to discharge an officer, although Dineen said he had not seen the file in question.

The request from Martin came after an investigation by the police office of professional standards, the department's disciplinary arm. The results of that investigation have not been released.

On Oct. 25, Martin requested that city attorneys review the charges against Cmdr. Jon Burge, who currently heads the Brighton Park Area, according to Andrea Swearingen, a spokeswoman for the city corporation counsel's office.

Swearingen would not divulge any details or say if the request for action pertained to any other officers.

She said that the request for action

would be acted on within 30 days from the day it was received, and said it "does not necessarily mean termination."

Burge said he was unaware of the status of any complaints filed against him. He declined to comment further.

Burge has been the target of a long-running, complex federal brutality suit filed by convicted police murderer Andrew Wilson, who alleged that he was tortured by electroshock by Burge and other officers under his command while in police custody in February of 1982.

A first trial on the charges ended with a hung jury in 1989.

After a second trial, a jury found that the city had a policy of allowing its police officers to beat or otherwise harm people suspected of killing police officers.

There was no finding that Wilson was injured pursuant to that policy. The second civil jury also found that Burge did not participate in mistreating Wilson, or allow his officers to.

Attorneys for Burge presented evi-

dence that some of Wilson's injuries were caused by two "wagon crew" officers not under Burge's command, while other injuries were self-inflicted.

One of those two officers died in 1983, while the other retired and moved to Florida. None of Burge's officers were found liable.

Wilson's appeal of the verdict is pending.

Attorney Jeffrey Haas, who represented Wilson, said affidavits from eight other prisoners who said they were tortured while in custody at Area Two were kept from the jury, but have since been made a part of the standards office investigations.

According to Dineen, when the police standards office sustains charges against an officer, it sends a recommendation to Martin.

If Martin is going to discharge the officer, Dineen said, he asks city attorneys to prepare charges before the Police Board.

"We heard that they had made the recommendation, and it's been laying on a desk," Dineen said.

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Page 3

Daily Herald
Lisle, Illinois
Date: November 9, 1991
Edition:

Naperville/Lisle Edition

Title: Chicago Cops Suspended :
Probe Of Brutality

Character:

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Classification:

Submitting Office:

Chicago

Indexing:

P.1

Chicago cops suspended in probe of brutality

Associated Press

A high-ranking Chicago police officer and two of his detectives were suspended for 30 days without pay pending a police-board hearing after they were charged Friday with using excessive force.

If the police board sustains the charges, the three could be fired, the Chicago Police Department said in a statement.

Cmdr. Jon Burge, 43, who heads the department's Brighton Park unit on the South Side, was named in charges by the city's Law Department after an internal investigation, the police department said.

Police spokeswoman Tina Vincini said union rules prohibited her from identifying the two detectives suspended along with Burge.

The charges follow an investigation launched in response to allegations that Burge and others tortured suspects in police custody.

Burge and three detectives — Robert Dwyer, Peter Dignan and Charles Grunhard — are named as defendants in a lawsuit accusing them of torturing 12 suspects in custody between 1982 and 1987.

The lawsuit accuses police of a pattern of brutality including shocking prisoners with electrical devices, beating them, denying them food and placing plastic bags over their heads in efforts to gain confessions.

The lawsuit was filed last month by Gregory Banks, who contends he was tortured into falsely confessing a murder. The lawsuit seeks \$8 million dollars in compensatory damages and \$8 million in punitive damages, said attorney Flint Taylor.

Banks was convicted in 1983. But the Illinois Appellate Court threw out the conviction in 1989, saying police had punched him, kicked him and placed a plastic bag over his head to obtain an involuntary confession. The murder charge was dismissed in 1990, and Banks was freed after spending seven years in prison.

Amnesty International, the human rights organization, singled out Banks' case in a letter to state officials last year asking for information on allegations of brutality in the Chicago Police Department.

Officials with Amnesty International could not be reached for comment on the officers' suspensions. A telephone message left at the organization's Chicago office was not immediately returned late Friday.

Burge also has been the target of a federal brutality lawsuit by convicted police murderer Andrew Wilson, who alleged he was tortured by electroshock by Burge and other officers while in police custody in February 1982.

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Associated Press

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(Indicate page, name of newspaper, city and state.) Section 1

Page 3

Daily Herald
Lisle, Illinois

Date: November 9, 1991
Edition: Naperville/Lisle Edition

Title: Chicago Cops Suspended In Probe Of Brutality

Character:
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Classification:
Submitting Office: Chicago

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(Indicate page, name of newspaper, city and state.) Page 5
 Chicago Sun-Times
 Chicago, Illinois
 November 9, 1991

Date:
 Edition:

Title: City Cop Commander
 Suspended

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Classification:

Submitting Office: Chicago

Indexing: [Signature]

City cop commander suspended

Firing is urged if brutality charges are upheld

By Scott Fornek

Staff Writer

One of the city's top police commanders was suspended Friday with a recommendation he be fired if charges he used excessive force against suspects in his custody are upheld.

The Police Department made the recommendation to the Police Board about Jon G. Burge, commander of the Southwest Side's Area 3 detective division, and two of his detectives.

Burge and the two detectives, who were not identified, were suspended without pay for 30 days by Police Supt. LeRoy Martin. The three officers are accused of using excessive force in a 1982 investigation of the murder of two Chicago police officers.

Burge was the commanding officer of South Side Area 2's violent crimes unit at the time.

After an investigation, the po-

lice Office of Professional Standards recommended the three officers be terminated if the Police Board sustains the accusations.

About 10 days after receiving the official charges prepared by the city Law Department, the board will hold an initial hearing.

Law Department officials said Thursday that their review of the Office of Professional Standards' report could take another two weeks.

A group seeking Burge's firing since 1989 held a press conference outside the Law Department's offices Thursday to demand the suspension. Members of the Coalition to End Police Brutality urged the corporation counsel to act swiftly and ignore possible political fallout.

Burge also has been named in two civil suits accusing him of brutality.

Last month, he and two police

officers, Peter Dignan and Charles Grunhard, were named in a \$16 million lawsuit filed on behalf of Gregory Banks. Banks said he was tortured into falsely confessing to a murder. His 1983 conviction later was overturned on appeal.

A brutality case also was filed against Burge and two other detectives by Andrew Wilson, who with his brother, Jackie, was convicted twice for the 1982 murders of police officers William Fahey and Richard O'Brien. Two federal juries refused to award Wilson any damages in 1989.

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 Chicago Tribune
 Chicago, Illinois
 Date: November 13, 1991
 Edition: North Sports Final

Title: 3 Cops Charged With Brutality

Character:

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Classification:

Submitting Office: Chicago

Indexing:

3 cops charged with brutality

Martin seeks firing of police commander, detectives

By David Jackson
 and Robert Blau

Formal charges were filed Tuesday with the Chicago Police Board seeking the firing of a top police commander and two detectives who allegedly took part in the torture of a prisoner nine years ago.

If the charges are sustained, Brighton Park Area Cmdr. Jon G. Burge will be the highest-ranking Chicago police official dismissed in nearly 20 years.

The allegations center on what happened in a stark interrogation room in the Pullman Area police headquarters, where, on Feb. 14,

1982, an illiterate career criminal named Andrew Wilson was questioned about the murders of two police officers.

The 30 counts filed Tuesday with the Police Board accuse Burge and Detective John A. Yucatis of physically abusing Wilson and Detective Patrick J. O'Hara of failing to take action to stop them.

But the terse, bureaucratic language of the filings belied Wilson's brutal description of the event, in which Burge and others allegedly meted out punishment by shocking him with a "black box" electrical device that was clipped to his ears, handcuffing him to a

hot radiator and suffocating him with a plastic garbage bag held around his neck.

The officers deny the charges, which have gone unproven in two federal court cases and a previous police investigation.

The accusations have led Amnesty International, the worldwide civil rights organization better known for probing state-sponsored torture in Southeast Asia and Turkey, to call for an independent investigation.

They also sparked a bitter nine-year tug of war between police brass and a handful of fervent at-

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Charges

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torneys and activists who have called for the officers' dismissals.

On Tuesday, their demands were finally met.

"It's always tough when you file charges against your police officers, but you have to do the job," Police Supt. LeRoy Martin said. "I do things when I feel they're right and complete. I don't let people pressure me into doing things."

Burge, a decorated Vietnam War veteran, retains the loyalty of many officers at the Brighton Park Area, headquartered in a rundown brick building at 3900 S. California Ave.

Officers questioned the timing of the charges, saying they felt Burge was the victim of political pressure and an investigative process gone awry.

Court records and interviews with police officials show the investigation has indeed been marked by twists, sudden reversals and inconclusive findings.

An early 1980s probe into the charges by the office of professional standards, the Police Department's disciplinary arm, exonerated Burge and his officers.

Wilson was convicted in 1983 of killing Officers Richard O'Brien and William Fahey, but then was granted a second trial after the Illinois Supreme Court ruled in 1987 that his confession had been coerced. At that second trial, in 1988, he was convicted again.

A 1989 a federal civil rights lawsuit filed on his behalf ended with a judge declaring a mistrial because the jury could not reach a consensus about the charges.

A second trial held that year cleared Burge, but still left questions: In answering an unusual three-part question posed to them as part of the case, jurors found the police had an unstated policy of allowing officers to torture prisoners when other officers were killed, but concluded that Wilson was not tortured as a result of that policy and that Burge did not torture anyone.

Another investigation was opened by the police standards office.

Sources close to that investigation said that recent months have been marked by an intense flurry of correspondence in which Supt. Martin asked standards office Administrator Gayle Shines for additional information before completing her investigation, and attorneys for Burge and the officers sent over documents explaining their side of the story.

Shines could not be reached for

comment Tuesday.

"The case has been bouncing around," Martin said. "There were things that needed clearing up."

He added, "No one was stalling on this. It's a complex case."

Several citizens groups clashed publicly with Martin over the years, pressuring him to dismiss Burge, but for the most part their fight was a lonely one that garnered little public sympathy or media attention.

Spearheading the drive to oust Burge were attorneys G. Flint Taylor Jr., Jeffrey Haas and John Stainthorp, who call their barebones quarters the Peoples' Law Office.

Scoffed at by police brass as being remnants of the radical 1960s, they first made their mark when they successfully fought the wrongful-death suit against law enforcement authorities following the Dec. 4, 1969, slaying of Black Panther leader Fred Hampton.

Their representation of Wilson, which involved demonstrations outside the courthouse and attempts to introduce anonymous letters into the trial record, was seen as highly unorthodox.

U.S. District Judge Brian Barnett Duff held them in contempt of court several times, and they in turn called for Duff to step aside, saying in court that he tried to sweep evidence under the rug.

The evidence, all agree, is horrible. Medical reports showed Wilson had been beaten, but attorneys argued about who was responsible.

Wilson testified that Burge led the attacks. As Wilson was held in a Pullman Area interrogation room, he said, Burge cuffed his ankles and said, "Fun time."

Wilson said, "I knew that I was going to get messed over."

Attorneys for Burge, led by former Assistant State's Atty. William Kunkle Jr. concurred that Wilson had been abused, but presented evidence at the trials that some of Wilson's injuries might have been caused by two squadrol officers not under Burge's command, while other injuries were self-inflicted.

"Yes, there was probably some aggressive zeal on the part of some police officers," Kunkle said. "After all, two police officers had been killed in the line of duty."

Burge, Yucaitis and O'Hara could not be contacted Tuesday.

An initial Police Board hearing has been set for Nov. 25.

"It's sad for Burge," said Mary Powers, coordinator of Citizens Alert, a police watchdog group. "For a career officer to have it end this way is too bad, but we can't say anything other than he brought it on himself."

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Chicago Tribune

Chicago, Illinois

Date: November 13, 1991

Edition North Sports Final

Title: 3 Cops Charged With Brutality

Character:

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Classification:

Submitting Office: Chicago

Indexing:

3 cops charged with brutality

Martin seeks firing of police commander, detectives

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and Robert Blau

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(Indicate page, name of newspaper, city and state.) Page 1
 Chicago Defender
 Chicago, Illinois
 November 14, 1991
 Date: Vol. LXXXVI, Number 136
 Edition:

Title: 3 Cops Face Firings
 For Brutality

Character:
 or
 Classification:
 Submitting Office: Chicago

Indexing:

3 cops face firings for brutality

'Can't hide behind badges' anymore

by Scott Burnham

Police officers, regardless of their ranks, "can no longer hide behind their badges" when they are accused of police brutality.

That is the opinion of several activists who expressed satisfaction Wednesday after formal charges were filed with the Chicago Police Board seeking the firing of a top police commander and two detectives who allegedly took part in the torture of a prisoner nine years ago.

"I hope the filing of the formal charges will bring about a new understanding of the seriousness and consequences of police brutality," said Mary Powers, coordinator of Citizens Alert, a police watchdog group.

"I certainly hope it sends a message to other officers. I hope justice will prevail even though it's been said justice delayed is justice denied," Powers added.

Feb. 14, 1982, shortly after the shooting deaths of two Chicago police officers.

Since that time, Burge, who was then a lieutenant at the Area 2

The charges filed against Brighton Park detective Commander Jon Burge and two detectives stem from allegations they tortured suspect Andrew Wilson on

police headquarters, has been promoted to commander of the Brighton Park detective unit.

If the charges clear, Syd Finley, executive secretary of the South Side NAACP, said Wednesday, the steps to end police brutality are

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3 cops face brutality charges

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"headed in the right direction."

"By no means will it be the final stroke to wipe out abuse against minorities," Finley added.

"Cover-ups will still occur but it shows top-ranking officers will be held accountable for the malpractice of their officers.

"Hopefully, what affects the (higher echelon) of a hierarchy will filter down through the ranks and have the same effect at the bottom."

According to a Police Board

spokesperson, this is the first time, in recent history, that administrative charges against an officer above the rank of sergeant have been filed.

In the 30 counts filed Tuesday, Burge faces 13 charges, while detectives John Yucaitis and Patrick O'Hara were cited for violating department rules 10 and 7, respectively.

The charges state Burge and Yucaitis "either alone or in concert, (did allegedly) strike and/or kick or otherwise physically abuse

or maltreat Andrew Wilson."

Among the most horrifying tactics to which Wilson claimed he was subjected, was a technique that involved electrodes being allegedly attached to his earlobes from a "black box" containing a hand-operated generator.

Wilson was convicted in 1983 of killing Officers Richard O'Brien and William Fahey, and again in 1988 after his first conviction was overturned after the Illinois Supreme Court ruled his confession had been coerced.

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(Indicate page, name of newspaper, city and state.) Page 1
 Chicago Defender
 Chicago, Illinois
 November 14, 1991

Date: Vol. LXXXVI, Number 136
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 Classification:
 Submitting Office: Chicago

Indexing:

3 cops face firings for brutality

'Can't hide behind badges' anymore

by Scott Burnham

Police officers, regardless of their ranks, "can no longer hide behind their badges" when they are accused of police brutality.

That is the opinion of several activists who expressed satisfaction Wednesday after formal charges were filed with the Chicago Police Board seeking the firing of a top police commander and two detectives who allegedly took part in the torture of a prisoner nine years ago.

"I hope the filing of the formal charges will bring about a new understanding of the seriousness and consequences of police brutality," said Mary Powers, coordinator of Citizens Alert, a police watchdog group.

"I certainly hope it sends a message to other officers. I hope justice will prevail even though it's been said justice delayed is justice denied," Powers added.

Feb. 14, 1982, shortly after the shooting deaths of two Chicago police officers.

Since that time, Burge, who was then a lieutenant at the Area 2

The charges filed against Brighton Park detective Commander Jon Burge and two detectives stem from allegations they tortured suspect Andrew Wilson on

police headquarters, has been promoted to commander of the Brighton Park detective unit.

If the charges clear, Syd Finley, executive secretary of the South Side NAACP, said Wednesday, the steps to end police brutality are

(continued on page 30)

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(Indicate page, name of newspaper, city and state.) Page 5
 Chicago Sun-Times
 Chicago, Illinois
 Date: November 14, 1991
 Edition: Five Star Sports Final

Title: Police Board Sets Nov. 25 Dismissal Hearing For 3

Character:
 or
 Classification:
 Submitting Office: Chicago

Indexing:

Police Board sets Nov. 25 dismissal hearing for 3

By Phillip J. O'Connor
 Staff Writer

The Chicago Police Board has set a Nov. 25 hearing seeking the firing of Cmdr. Jon Burge and two detectives on charges a suspect in the killing of two policemen was beaten and tortured in 1982.

Michael Berland, a former assistant U.S. attorney, will be the hearing officer, said Mark Iris, the board's executive director. Transcripts will be given to the nine unpaid Police Board members, who will decide the case.

Berland will be paid \$75 an hour and in effect will act as a judge, with board members serving as the jury, Iris said. Hearings are open to the public and will be in the board's office at Police Headquarters.

John Dineen, president of the Fraternal Order of Police, said the union will pay legal costs for Burge and Detectives John Yucaitis and Patrick O'Hara as they seek to keep their jobs.

The 30 counts filed with the board late Tuesday accused Burge and Yucaitis of using excessive force at the South Side Area 2 headquarters in questioning Andrew Wilson. O'Hara was accused of failing to try to stop them.

Wilson and his brother Jackie Wilson were tried and convicted twice of the 1982 murders of Chicago police officers William Fahey and Richard O'Brien.

Andrew Wilson later filed a \$10 million federal lawsuit, contending that he was beaten, nearly suffocated with a plastic bag, shocked with an electrical device and handcuffed to a radiator.

In 1989, two separate federal juries refused to award Wilson any damages. Burge and his detectives also were cleared by a police investigation in the early 1980s.

The three detectives have re-

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**White cops win arbitration
on promotions; Page 16.**

peatedly denied the charges. Burge was serving as commander of Southwest Side Area 3 detective headquarters when Police Supt. LeRoy Martin suspended the three detectives last Friday.

Dineen said it was unfair for the Office of Professional Standards to file charges 9½ years later while the agency was "into its third director. Francis Nolan [a former director] couldn't find anything wrong. David Fogel [who succeeded Nolan] couldn't find anything wrong."

"Suddenly, Gayle Shines [present OPS director] finds something wrong. Was there something wrong, or was the political atmosphere such that they had to find something wrong?" Shines was appointed by Mayor Daley.

Attorney William J. Kunkle Jr., who represented the three accused detectives before OPS in the past and in the federal trials, said:

"I think it is atrocious that OPS would reinstate these charges after 9½ years, when Andrew Wilson has never made himself available to any prosecutorial agency or the OPS to be interviewed with respect to these charges."

Attorney Jeffrey Haas, one of three attorneys who represented Wilson in the federal trials, said Kunkle's statement on Wilson's lack of availability for interviews was "only partially true."

Haas said Wilson had "a death penalty case hanging over his head" at the time, and so his attorneys were not anxious to have him make statements.

Shines, discussing the filing of charges, said, "We conducted the investigation. The investigation speaks for itself." She declined further comment.

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(Indicate page, name of newspaper, city and state.) Page 5
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 Chicago, Illinois
 November 14, 1991
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The three detectives have re-

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(Indicate page, name of newspaper, city and state.) Page 4
 Chicago Sun-Times
 Chicago, Illinois
 November 17, 1991
 Date: Edition: Five Star Sports Final

Title: Special Prosecutor
 Urged In Police Torture Hearing

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Special prosecutor urged in police torture hearing

By Charles Nicodemus

Staff Writer

A demand for a special prosecutor to present the case against Police Cmdr. Jon Burge will be submitted when a Police Board hearing on "excessive force" charges against Burge opens Nov. 25.

Flint Taylor, one of the attorneys for convicted cop-killer Andrew Wilson, said the city lawyers who normally would present the evidence against Burge "have a clear conflict of interest in this case" and should be replaced.

Taylor said Wilson's legal defense team will ask the Police Board:

"How can city attorneys 'prosecute' Burge in this upcoming Police Board hearing, involving departmental charges that Burge tortured Andrew Wilson, while at the same time defending Burge and the city in both the appeal of Wilson's civil damage suit against Burge and the city, and in a \$16 million brutality suit by another plaintiff, Gregory Banks, against Burge and the city?"

Andrea Swearingen, spokeswoman for Corporation Counsel Kelly Welsh, said the city would have no immediate comment on the conflict-of-interest charges.

Albert Maule, Police Board chairman, said there has never been such a "special prosecutor" used before to pursue charges by the Police Department's Office of Professional Standards that an officer was guilty of brutality.

But Maule said that in another OPS case about to be tried, the Police Board, in a previously unpublicized decision, tentatively has decided to replace city attorneys as the "prosecutors" because of a similar alleged conflict of interest.

The demand for a special prosecutor in the Burge case is the latest bizarre twist in one of the Police Department's most celebrated, most protracted police brutality controversies.

The main question before the Police Board will be: Who caused Andrew Wilson's injuries after his arrest in the murder of two police officers in February, 1982? Because that arrest came

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WMAQ-TV

Police Cmdr. Jon Burge is the target of one of the city's most protracted police brutality cases.

nearly a decade ago, opposing sides in the dispute raise two different forms of the same question:

- Burge's critics ask: Why has it taken nearly 10 years to bring this matter to a hearing?
- Burge's attorney, William Kunkle Jr., and Burge's many supporters on the force ask: Why have they dredged up this case nearly a decade after it happened, when an earlier OPS inquiry and two civil trials failed to find evidence that Burge and the two detectives charged with him were guilty of wrongdoing?

There are answers to both questions.

Wilson and his brother, Jackie, were convicted in 1983 of the murders of Gang Crimes officers William Fahey and Richard O'Brien. They had stopped the brothers for a traffic violation while the Wilsons were carrying booty from a burglary.

Although both Wilsons confessed, they later recanted. Andrew said Burge, then commander of the Area 2 Violent Crimes detective unit, and others tortured him with electric

shocks, suffocation and beatings, to extract his confession.

- OPS officials say it took so long to sustain a complaint against Burge because Andrew Wilson wouldn't agree to talk to OPS investigators. So the first OPS investigation, begun in 1983, petered out in 1986.

The evidence needed to press brutality charges against Burge and Detectives John Yucaitis and Patrick O'Hara did not surface until the two trials of Wilson's unsuccessful civil damage suit against Burge and the city in U.S. District Court, OPS officials say. Wilson testified at both trials.

- An OPS investigation of Burge and the two other officers was reopened in 1989, after the second Wilson civil trial ended, because leaders of the civic group Operation Alert went to David Fogel, then head of OPS, and demanded OPS review the new evidence revealed at the trial.

Wilson's first damage suit ended in a hung jury. In the second trial, the jury decided Wilson had indeed been brutalized by police, and there appeared to be a city policy that permitted mistreatment of suspects in police murder cases.

But the jury also ruled there was no proof Burge and Yucaitis were involved in the torture or that O'Hara knew of but ignored any mistreatment.

Wilson's attorney, Taylor, told the Chicago Sun-Times that neither OPS nor city attorneys have sought to interview Wilson in preparing their case.

Swearingen said the corporation counsel's office "will not discuss trial tactics" such as:

- Whether they will attempt to summon Wilson, who is being held in Pontiac penitentiary, as a witness.
- Whether they will attempt to present evidence of a pattern of prisoner mistreatment by Burge, as Operation Alert, Wilson's attorneys and other Burge critics contend.

Taylor said the city's reluctance to discuss that alleged pattern "is just another example of its conflict of interest, since the existence of such a pattern is charged in the civil lawsuits against Burge and the city."

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SECTION 1
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 PAGES 1 & 8

Police hope for answers at last in torture case

By David Jackson

It is a case that has gone unresolved through a decade of investigations and courtroom battles, tarnished the reputations of three highly decorated police officers, and raised a painful question:

Did Chicago police torture a prisoner in 1982?

On Monday, a hearing will begin in the flag-draped O.W. Wilson Auditorium at Chicago Police Department headquarters to determine if Brighton Park Area Detective Cmdr. Jon Burge and Detective John Yucaitis physically abused Andrew Wilson after arresting him in 1982, while Detective Patrick O'Hara stood by and did nothing to stop them.

Though the charges remained unproved after a federal trial that stemmed from a lawsuit, an internal police investigation concluded last month that the three officers had taken part in the abuse of Wilson, who had been arrested in the murder of two Chicago police officers.

Wilson and his brother, Jackie, were later convicted of the murders and are serving life sentences without parole.

The three officers were suspended without pay Nov. 12, and if the allegations are proved in the hearing, which could last up to a year, they will be fired, Supt. LeRoy Martin has said. The officers, who have never faced criminal charges, hope the allegations that have clouded their otherwise stellar careers may finally be put to rest.

Burge, a lifelong South Side resident, is a Vietnam War hero who has garnered 13 departmental commendations during his 21-year police career and supervised 108 detectives until he was suspended.

Yucaitis and O'Hara, both veterans of more than 20 years, repeatedly have won commendations for bravery and investigative skill, and have not faced disciplinary action for brutality in any other case.

Since turning in their guns and badges, the officers said they have tried to keep busy with home repairs, TV football games and half-hearted attempts to find temporary jobs. They said they have

been buoyed by scores of telephone calls and letters from friends and relatives.

"When it is all over and we have been vindicated, then I'll be happy," Burge said in a telephone interview.

The officers declined to discuss the specifics of the case.

For five days in February 1982, the case captivated Chicago.

Andrew Wilson, then 29, a career criminal with a 7th-grade education and a rose tattooed on the palm of his right hand, was driving with Jackie Wilson near 81st and Morgan Streets on Feb. 9, 1982, when he was pulled over by two officers, William Fahey and Richard O'Brien.

Fahey and O'Brien were on their way from the funeral of an officer who had been gunned down four days earlier.

According to the statement Andrew Wilson made to police—a statement that was later disqualified because it was determined to have been coerced—Wilson grabbed Fahey's gun during the traffic stop and shot him once in the head, before wheeling around and shooting O'Brien.

"He's up and about!" Jackie Wilson reportedly shouted, and Andrew Wilson, according to his statement, pumped four more bullets into O'Brien's fallen body, then fled.

The manhunt for the Wilson brothers was described at the time as the most extensive in Chicago history.

For five days and nights, with only a catnap or two in his office, then-Lt. Burge coordinated the hundreds of officers on the dragnet.

But the hunt for Andrew Wilson also became a bitter footnote in the history of black Chicago.

In their effort to question anyone who might have a clue about the slayings, "police smashed down doors and pointed guns at the heads of children," said Renault Robinson, then-head of the Afro-American Police League.

News reports said nearly 200 brutality complaints were filed with Operation PUSH and other civic organizations.

In the end, aggressive police work and sheer luck combined with a stream of solid tips from black Chicagoans who were outraged by the murders of two cops, and police raided the West Side apartment where Andrew Wilson was hiding.

Date: 11/25/91
 Edition: SPORTS FINAL

Title: POLICE HOPE FOR ANSWERS AT LAST IN TORTURE CASE

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 Submitting Office: CHICAGO

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Burge described the arrest in depositions stemming from the arrest.

Police first attempted to lure the people hiding Wilson by calling the apartment, posing as hospital employees who had urgent news about a family member. Then, as police officers descended in unmarked cars, Burge tried unsuccessfully to pick the padlock on a burglar gate over the apartment door.

Finally, police rapped on the door and thrust their guns through the gate's metal slats. A woman opened the door and police saw Wilson sitting calmly on a living room couch. Within seconds, two officers had him spread-eagled against a wall.

Burge asked Wilson if he had a gun, and the suspect removed one hand from the wall to point to a gym bag. Startled by his gesture, Burge testified, the cops threw him face down on the floor.

"I dove in the middle of his back—placed one of my knees in the back of his neck and the other one on the small of his back," Burge

said in a 1988 deposition. "He wasn't too happy with me kneeling on the back of his neck and back, so he was screaming underneath me."

What happened next has been the subject of two criminal trials, an Illinois Supreme Court decision, two federal brutality suits, and two investigations by the Office of Professional Standards, a police disciplinary agency.

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In hospital reports, doctors who saw Wilson the night of his arrest and the day after detailed more than 15 separate wounds to his head, torso and right leg.

During his 17 hours in police custody, Wilson testified, he was shocked with an electrical device on his head and genitals, suffocated with a plastic garbage bag, and handcuffed to a scalding radiator.

But the three suspended officers testified they treated him with kid gloves. In trials, their attorneys introduced evidence indicating that some of Wilson's wounds were self-inflicted, and others occurred when he was in the care of two squadrol officers who drove him to the lockup.

Neither of the two squadrol officers ever testified in open court. Officer William Mulvaney committed suicide in 1983. The other, officer Mario Ferro, retired and moved to Florida. In an interview last week, Ferro, 62, said he had not been called to testify at the Police Board hearing that begins Monday.

Ferro added that he did not abuse Wilson or see him abused.

"I hated his guts like any policeman would and any citizen would," Ferro said of Wilson. "But I didn't lay a hand on him. I'm not a fool."

Wilson's attorneys have presented evidence that they say shows he was shocked by an electrical device attached to his ears with alligator clips.

Visible on enlargements of photographs of Wilson's ears are what attorneys say are tiny prick marks or blisters.

"The marks are absolutely characteristic of electrical torture," said Deputy Chief Medical Examiner Robert Kirschner, who testified against the officers at two 1989 trials stemming from Wilson's brutality lawsuit.

"I really didn't believe the allegations of electrical torture when I first heard them," he added. "It was only after I looked at the medical evidence that I said, this really did happen in Chicago."

Attorneys for the officers have argued in court that the marks were caused by Wilson himself when he found a "roach clip"—a hand-held clasp used for smoking marijuana cigarettes—on the prison floor, and fixed it to his ear in an attempt to simulate the marks of torture.

The first federal trial in 1989 ended with a hung jury. In a second, the jury found that Burge did not participate in the mistreatment of Wilson or allow his officers to.

However, Kirschner says he was persuaded the torture did take place not only by the medical evidence but also by Wilson's vivid description of what it felt like to be subjected to electroshock: "It is the kind of thing he could have made up only if he had gone through it himself," Kirschner says, "or read a stack of Amnesty International literature."

But in the end, Wilson's credibility may be difficult to establish.

A 1978 diagnosis of Wilson done at Joliet penitentiary described him as "aggressive, hostile . . . negativistic, uncooperative and anti-social."

The report added:

"He is considered to be a pathological liar."

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City mum on paying to defend cop in suit

By Charles Nicodemus
Staff Writer

Six weeks after Police Cmdr. Jon Burge and the city were sued for \$16 million in a brutality case, city attorneys still refuse to say if they'll follow normal practice and defend Burge against the charges.

The city, which paid \$750,000 to defend Burge against an earlier brutality suit, faces this new legal and financial problem: Is it proper for the corporation counsel's office to defend Burge in the \$16 million federal court damages suit at the same time it is seeking to fire Burge because of brutality charges brought in a different case by the Police Department's Office of Professional Standards?

Among the witnesses who may be used against Burge in the Police Department case are several that figure in the \$16 million suit brought by South Sider Gregory Banks. His murder conviction was tossed out after the Illinois Supreme Court ruled his confession was coerced. Banks says detectives under Burge beat and tortured him to confess.

Banks' lawyer, Flint Taylor, said: "We've been trying for weeks to find out who's going to be defending Burge in this case—whether it will be the city or someone else. But we haven't been able to get an answer."

Normally, the corporation counsel's office either handles or pays for the defense of any police officer sued on brutality charges.

But a spokeswoman for Corporation Counsel Kelly Welsh said Wednesday: "I am not going to guess as to the communication that may or may not have taken place between the [city] attorney handling this [Banks] case and Burge regarding the deci-

sion on representation."

On Tuesday, Taylor amended his complaint in the Banks case to make Police Supt. LeRoy Martin personally liable for a part of any damages assessed.

The revised complaint accuses Martin—who formerly was Burge's commanding officer—of personally conspiring to cover up Burge's alleged misdeeds. No details of the alleged conspiracy were provided.

But the complaint contends Martin intervened on behalf of Burge's request that the city pay for outside counsel to defend him in 1989 against a brutality suit brought by convicted cop killer Andrew Wilson. The city has now paid the outside counsel, William Kunkle Jr., \$750,000, the suit says.

Kunkle told the Chicago Sun-Times he "had thought the total in the Wilson trials was closer to \$600,000, but it might be higher."

City sources revealed that Kunkle's bills totaled \$686,000 by the end of the second Wilson trial. Kunkle has since handled Burge's defense in Wilson's pending appeal, and represented Burge in attempting to stave off the Office of Professional Standards dismissal action, which is also based on Wilson's allegations.

In the proceedings before the Police Board, Kunkle's fees to defend Burge and two of his detectives will be paid by the Fraternal Order of Police.

Banks, who was convicted of murder in 1983, filed his \$16 million damage suit against Burge and the city Oct. 10.

Banks' conviction was overturned in 1989 after the Illinois Supreme Court upheld Banks' contention that injuries he suffered after his arrest proved his confession had been coerced.

(Indicate page, name of PAGE 18 newspaper, city and state.)

SUN-TIMES

CHICAGO, IL

Date: 11/29/91

Edition: 5* SPORTS FINAL

Title: CITY MUM ON PAYING TO DEFEND COP IN SUIT

Character:
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Submitting Office: CHICAGO

Indexing:

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Chicago Sun-Times

Chicago, Illinois

January 17, 1992

Date: Five Star Sports Final

Edition:

Title: 3 Cops Must Face Hearing
On Charges Of Torture

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

3 cops must face hearing on charges of torture

By Charles Nicodemus

Staff Writer

A federal judge Thursday dismissed suspended police Cmdr. Jon Burge's suit to block a Police Board hearing on charges that he and two of his detectives tortured convicted cop killer Jackie Wilson to force his confession.

U.S. District Judge Milton Shadur rejected a request by Burge and Detectives John Yucaitis and Patrick O'Hara to bar the Jan. 28 hearing.

Shadur said: "It would be a serious distortion" of the legal process to forbid a Police Board hearing on the controversial case because of any of the legal technicalities raised by the officers' lawyer, William Kunkle Jr.

Kunkle had contended that Wilson's two unsuccessful federal civil damage suits against the three policemen already had demonstrated there was no proof they had any connection with the injuries Wilson suffered after his arrest in February, 1982, in the murder of two gang crimes unit officers.

But Shadur said there was "highly material evidence" that had been excluded from the earlier cases.

"The public is entitled to a determination of whether, on the basis of all the evidence, these men are entitled to remain in a position of trust," he said.

The Police Department's Office of Professional Standards has recommended that the officers, who were suspended without pay in November, be fired.

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(Indicate page, name of newspaper, city and state.) Page 7
Section 2Chicago Tribune
Chicago, Illinois
Date: December 27, 1991
Edition:

Title Suspended Cops Lose Court Bid For Reinstatement

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Suspended cops lose court bid for reinstatement

A U.S. District Court judge Thursday refused to order the Chicago Police Department to reinstate three officers suspended without pay last month over allegations of brutality.

Judge Milton Shadur held that due-process guarantees were not vi-

olated in the suspensions of Brighton Park Cmdr. Jon Burge and Detectives Patrick O'Hara and John Yucaitis.

The officers were suspended in November on charges that they abused or failed to protect Andrew Wilson from abuse after his arrest

in 1982 on charges of killing two Chicago police officers.

Also Thursday, Burge filed an amended lawsuit to avoid a January police board hearing, saying that a 1989 federal jury found that he was not involved in Wilson's alleged torturing.

The officers' original lawsuit alleged that their due process rights were violated because a police board hearing was not held within 30 days of the suspensions.

A hearing on the amended lawsuit will be held in Shadur's courtroom Tuesday.

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(Indicate page, name of newspaper, city and state.) Page 5
 Chicago Sun-Times
 Chicago, Illinois
 December 27, 1991

Date:
 Edition:

Title: Judge Upholds Cops' Suspension

Character:
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 Classification:
 Submitting Office: Chicago

Indexing:

Judge upholds cops' suspension

Rejects challenge by 3 accused in brutality case

By Harlan Draeger
 Staff Writer

Chicago police Cmdr. Jon G. Burge and two of his detectives failed Thursday to get back on the city payroll while charges are pending against them.

U.S. District Court Judge Milton I. Shadur ruled that their suspensions without pay did not violate the men's constitutional rights or state law.

Burge and Detectives Patrick O'Hara and John Yucaitis were suspended Nov. 12 by Police Supt. LeRoy Martin, who filed charges

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(Indicate page, name of newspaper, city and state.) Page 1
 Chicago Defender
 Chicago, Illinois
 Date: December 28, 1991
 Edition: Vol. LXXXVI, No. 165

Title: Motion Denied For Accused Cops

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Motion denied for accused cops

Officers to reappear in court

by Ethan Michaeli

U.S. District Judge Milton Shadur Thursday denied a motion to reinstate pay and benefits for three high-ranking police officers accused of torturing a suspect over nine years ago.

Brighton Park Detective Commander Jon Burge and Brighton Park detectives Patrick O'Hara and John Yucaitis claimed their right to a prompt trial was violated because a hearing was not held before the Police Separation Board within 30 days of their suspension. A hearing has been scheduled for Jan. 21.

Superintendent LeRoy Martin Nov. 12 suspended the three officers because they were accused of either torturing or failing to stop the torture of Andrew Wilson on

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Feb. 14, 1982.

Syd Finley, executive secretary of the South Side NAACP, earlier said of the case: "Cover-ups will still occur but it shows high-ranking officers will be held accountable for their actions."

Police officials deferred comment to federal court officials.

Court officials, in turn, said, "Basically, in layman's terms, the officers are claiming the city violated their right to a speedy trial and that the city was inconsistent in its approach to the charges.

Burge and Yucaitis are accused of torturing Wilson with a variety of instruments, including a device

called a "black box" — a hand held electric generator with electrodes that were attached to Wilson's body parts. O'Hara is charged with not taking action to halt the alleged abuse. All three officers deny the charges. According to Police Board sources, the charges are the first filed against

officers above the rank of sergeant in recent history.

Of the 30 charges filed Tuesday, Nov. 12, Burge faces 13 charges. Yucaitis and O'Hara were accused of violating department rules 10 and 17, respectively.

Wilson was convicted of the Feb. 14, 1983, murder of two police officers, Richard O'Brien and William Fahey. Although the original case was overturned after the

(continued on page 42)

Officers refused pay

(continued from page 1)

Illinois Supreme Court ruled Wilson's confession had been coerced, he was again convicted of the crime in 1988.

Shadur said the delay in scheduling a hearing was not excessive and was within state law. He added the delay had not caused the officers irreparable harm.

Attorneys for the officers said they intend to reappear before

Shadur on Tuesday, Dec. 31. At that time, court sources say the attorneys will claim the city's current position that the officers are responsible for their actions is contrary to the previous stance on Wilson's charges.

In response to Wilson's lawsuit against the officers, the city claimed the officers were not responsible for their individual actions.

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10-year-old Chicago police brutality case dividing the ranks

By David Jackson

Some Chicago police officers were outraged when Supt. LeRoy Martin decided in November to fire a top commander over allegations of brutality.

Others thought it was outrageous that Martin took so long.

As the date for Cmdr. Jon Burge's dismissal hearing approaches this month, reviving a decade-old case, Chicago police officers are divided along ideological and racial lines. The case has become an emotional watershed, pitting officer against officer.

"The polarization has been mostly between blacks and whites, like in the city," said Patrol Officer Patricia Hill, head of the African American Police League. "Some officers stand behind Burge, and feel that because he's a police officer he's automatically innocent. And a lot of others feel exactly the opposite."

Burge and two detectives, all of whom are white, are charged with torturing Andrew Wilson, a black man who was convicted of gunning down two Chicago officers in 1982. The allegations against Burge had gone unproven through two federal civil rights trials and an internal police probe. But a more recent police investigation concluded that the officers tortured Wilson during interrogation at a South Side police station.

In the last three weeks, off-duty officers have gathered nearly

10,000 signatures on petitions calling for the reinstatement of Burge and the two detectives. The petition drive is led by Michael Fahey, 33, the brother of William Fahey, one of the officers slain by Wilson.

"People are shocked that anyone would take the word of a murderer over these three veteran officers," said Detective Daniel McWeeny, who helped circulate the petition.

But the African American Police League and Black Officers United for Justice and Equality joined forces against Burge in federal court Thursday, when Burge sued unsuccessfully to block the Police Board hearings.

"The charges against these officers involve the most reprehensible behavior imaginable," said Officer Jerry Crawley, a 24-year department veteran who heads Black Officers United, a black police group. "As a police officer and African-American male, I felt I had to speak out."

Wilson has alleged in court pleadings that Burge, former Brighton Park commander, and Detective John Yucaitis shocked him with a "black box" electrical device, suffocated him with a garbage bag and handcuffed him to a scalding radiator. All the while, Wilson charged, Detective Patrick O'Hara stood by.

The three officers deny the charges. Preliminary motions in their dismissal case are scheduled to be heard by the Police Board

(Indicate page, name of SEC 2, PGS 1 & 3 newspaper, city and state.)

CHICAGO TRIBUNE

CHICAGO, ILLINOIS

Date: 1/19/92

Edition: FINAL EDITION

Title: 10-YEAR-OLD CHICAGO POLICE BRUTALITY CASE DIVIDING THE RANKS

Character:

or

Classification:

Submitting Office: CHICAGO

Indexing:

on Jan. 28, but could spill over into next month, attorneys for both sides say.

"This is an issue that has rallied people to action," said Roslyn Lieb of the Chicago Lawyers Committee for Civil Rights, a group that joined a coalition of 23 organizations, including the Jewish Council on Urban Affairs, the American Friends Service Committee and Wellington Avenue United Church of Christ, in Thursday's court pleadings against Burge.

On Feb. 14, 1982, William Fahey, a veteran gang crimes officer, and his partner were gunned down on a South Side street. Wilson and his brother, Jackie, were convicted in the killings and are serving life terms in prison.

Last month, while watching a television news bulletin about the case, Fahey's brother Michael decided to take action. He wrote the petition and sent it to police officers with a letter.

"Help prevent this injustice from occurring," the letter said. "Present this petition to your neighbors and civilian friends."

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The first person to sign Fahey's petition was the surgeon who signed his brother's death certificate.

"I'm totally outraged and my family is totally outraged and everyone who signed these petitions feels the same way," said Fahey, a city Water Department truck driver.

"We can't understand how the mayor and the superintendent can talk about rising crime in Chicago and then take three of their top crimefighters off the streets."

The killing of his brother, Fahey said, "affected my whole family. Christmas hasn't been the same. Holidays suck."

He said that every day his mother pins a copy of the prayer to St. Jude, the patron saint of police and lost causes, to her blouse or coat. She always places it over her heart, a badge of her grief.

"The pain is in her eyes," Fahey said.

For Chicago police officers, their own badges symbolize a more complicated grief.

"This case," said Officer Hill, "is a reflection on all of us."



Tribune photo by Walter Neal

Michael Fahey, brother of slain police officer William Fahey, is leading the petition drive for the three accused officers.

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(Indicate page, name of newspaper, city and state.)

Page 3
Section 2

Chicago Tribune
Chicago, Illinois

Date: November 19, 1991
Edition: North Sports Final

Title: City Hires Attorney In Police Findings

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

City hires attorney in police firings

The city has hired an outside attorney to represent it in the dismissal hearings of a police commander and two detectives.

Attorney Daniel Reidy, a former assistant U.S. attorney who is now in private practice, will present the city's case Monday at an initial hearing before the Police Board.

The city is attempting to fire former Brighton Park Area Cmdr. Jon Burge and Detectives John Yucaitis and Patrick O'Hara because a police investigation concluded that Burge and Yucaitis physically abused convicted cop-killer Andrew Wilson in 1982, while O'Hara did nothing to stop them.

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(Indicate page, name of newspaper, city and state.) Page 3
 Section 2

Chicago Tribune
 Chicago, Illinois
 Date: November 19, 1991
 Edition: North Sports Final

Title: City Hires Attorney In Police Findings

Character:

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(Indicate page, name of newspaper, city and state.) Page 7
 Section 1

Daily Herald
 Lisle, Illinois
 Date: January 27, 1992
 Edition: Naperville/Lisle Edition

Title: Simmering Police Torture Case Nears Hearing

Character:
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 Classification:
 Submitting Office: Chicago

Indexing:

Associated Press

A police torture complaint that has festered for 10 years in Chicago is nearing a showdown amid charges of betrayal, cover-up and racial division within the police force.

Amnesty International and dozens of local civil-rights groups contend the alleged torture of convicted cop-killer Andrew Wilson only hints at the atrocities black suspects have suffered at the hands of white Chicago police officers for years.

"It's very important that the police board ultimately know the full parameters of what went on here," said Flint Taylor, one of Wilson's lawyers. He charged that the mayor and police superintendent were trying to "cut their losses" with the Wilson case while trying to suppress evidence of systematic torture.

But the officers union says the dismissal hearing beginning Feb. 10 for Cmdr. Jon Burge and two detectives is an attempt by a politically ambitious departmental enforcer to nail the men on phony charges that went unproven through a previous internal investigation and two civil lawsuits.

William Nolan, local and national treasurer for the Fraternal Order of Police, which is paying for the suspended officers' defense, and other white officers denied any racial divisiveness on the force.

They see the dismissal hearing as a bid by Gayle Shines, the head of the Office of Professional Standards, to grease her political career path.

Burge's backers fear the fix is in.

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Cop brutality set to be heard

The Tarnished Star

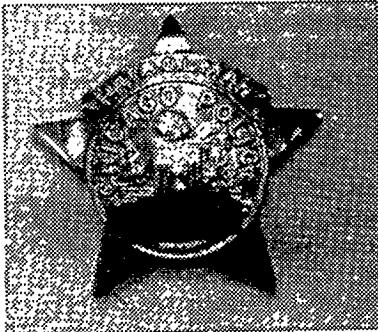
by Scott Burnham

As the Chicago Police Department's police board waits to hear allegations of torture against Commander Jon Burge, many believe the hearing, regardless of the verdict, will have an indelible impact on the issue of police brutality.

"It sends a signal that police officers can't get away with it anymore," said Mary Powers, head of the police watchdog organization Citizen's Alert. "It's the tip of the iceberg: If a commander is vulnerable then everyone is vulnerable."

The decade-long controversy over the allegations began in 1982 after Andrew Wilson and his brother were convicted of killing two Chicago police officers. Wilson, sentenced to life in prison,

contends he was tortured by Burge and two detectives during interrogation.



Among other torture techniques, he alleges Burge shocked the victim with an electricified device and attempted to suffocate him with a plastic bag in efforts to coerce a confession.

Last spring, an investigation by
(continued on page 8)

Date: 2/1/92
Edition: CHICAGO DEFENDER
CHICAGO, ILLINOIS
PAGE 1
Title: COP BRUTALITY SET TO BE HEARD
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Classification:
Submitting Office:

Indexing:

Brutality hearing set

(continued from page 1)

the Office of Professional Standards (OPS), the disciplinary faction of the department, concluded the charges were valid. The three officers were suspended without pay and face dismissal Feb. 10 when a hearing with the police board is scheduled to begin.

Howard Saffold, former president of the African American Police League (AAPL), believes the racial division among officers on the issue reflects deeply-rooted racism throughout the city and the force. He claimed other ethnic officers are reluctant to speak out about the case because of the accused officers' skin color.

If the charges stick, however, Saffold feels "the city will prove to the public that there is credibility in the system."

According to Roslyn Lieb, of the

Chicago Lawyers Committee, "The most important implication of the hearings will be opening up the issue of brutality to the public and the ineffective way the police department has addressed it. Lieb, however, downplayed the splits between Black and white officers as being over-simplified. He predicted a dismissal will harm all police officers, regardless of race.

"The Rodney King incident really woke people up," Powers said. "The people who were unaware of police brutality and had never experienced it — when they saw the deliberate brutality, it was a landmark as far as public awareness."

The number of excessive force complaints against police officers has steadily increased since 1986, according to Gayle Shines, director of the OPS. In 1991, a record

number 2,727 complaints were filed.

Perhaps the most significant statistic, however, falls in the number of complaints sustained by OPS investigators. According to statistics, the number of allegations proven to be valid peaked in 1991 at 346, compared with 190 sustained complaints in 1990 and only 98 in 1986, Shines said.

Many of the criminal charges against police officers have been leveled as a result of violence in the home and romantic affairs. In December, 44-year-old narcotics officer Wayne Taveggia killed a fellow officer John Satriano, 46, in broad daylight before taking his own life blocks away.

On Dec. 15, 1991, suspended Wentworth officer Gregory Chambers, 27, was charged with killing his former girlfriend.

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19-cv-4048(FBI)-1132

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Police brutality hearing moved for security

By Charles Nicodemus

Staff Writer

The hearing on police brutality charges against former Area 2 Cmdr. Jon Burge and two of his detectives is being transferred to the Dirksen Federal Building for security reasons, it was announced Wednesday.

Hearing officer Michael Berland said the proceedings, which will open at 9 a.m. Monday, will be held in the U.S. District Court's 25th floor ceremonial courtroom, by agreement with attorneys for Burge and the city.

The Police Board hearing, which is expected to run until mid-March, had been slated for the main auditorium in Police Headquarters, 1121 S. State. But because the 10-year-old case is so controversial and drew a record audience of 55 people to its first preliminary session Nov. 25, Berland said, "We have been concerned about security."

All people going to upper floors of the Dirksen building, 219 S. Dearborn, must pass through metal detectors.

The announcement came at a preliminary session to review the credentials of one of the prosecution's key witnesses, Dr. Robert Kirschner, a forensic pathologist at Cook County Hospital.

Burge and Detective John Yucaitis have been charged by the Police Department's Office of Professional Standards with torturing convicted cop killer Andrew Wilson in February, 1982, to obtain his confession in the slaying of two Chicago police officers. Detective Patrick O'Hara is accused of witnessing the torture and failing to report it. All three have been suspended without pay.

Kirschner, an expert on torture, is expected to testify that evidence showed Wilson was tortured in police custody. William Kunkle, Burge's attorney, sought to stress Wednesday that Kirschner had no firsthand knowledge of Wilson's injuries and that torture evidence noted by Kirschner could have had other causes.

(Indicate page, name of newspaper, city and state.) PAGE 12

SUN-TIMES
CHICAGO, ILDate: 2/6/92
Edition: 5* SPORTS FINALTitle: POLICE BRUTALITY
HEARING MOVED FOR
SECURITY

Character:

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Classification:
Submitting Office: CHICAGO

Indexing:

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(Indicate page, name of newspaper, city and state.)

PAGE 12

SUN-TIMES

CHICAGO, IL

Date: 2/6/92

Edition: 5* SPORTS FINAL

Title: POLICE BRUTALITY
HEARING MOVED FOR
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(Indicate page, name of newspaper, city and state.) Page 12

Chicago Sun-Times
 Chicago, Illinois
 Date: February 6, 1992
 Edition: Five Star Sports Final

Title: Police Brutality Hearing Moved For Security

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Police brutality hearing moved for security

By Charles Nicodemus
 Staff Writer

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CHICAGO TRIBUNE
CHICAGO, ILLINOISDate: 2/8/92
Edition: SPORTS FINALTitle: 13 YEARS OF COP TORTURE
ALLEGEDCharacter:
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Classification:

Submitting Office: CHICAGO

Indexing:

13 years of cop torture alleged

Daley, Martin rip internal police reports

By David Jackson

Mayor Richard Daley and Police Supt. LeRoy Martin Friday defended the Chicago police against a department report that said officers tortured suspects at a South Side station for more than a decade, a practice condoned by commanders.

Portions of two internal police reports were unsealed Friday in federal court, marking the first public acknowledgment by police that allegations of brutality were more than isolated incidents.

One report identified 50 criminal suspects who contended that they were tortured by seven officers between 1973 and 1986 at the old Brighton Park police headquarters, and said that area commanders knew of the abuse and did not take action. One of the commanders in charge of area detectives during that period was Martin, who said the charges were unsubstantiated.

"The type of abuse described was not limited to the usual beating, but went into such esoteric areas as psychological torture techniques and planned torture," the report said.

"Particular command members were aware of the systematic abuse and perpetuated it either by actively participating in same or failing to take any action to bring it to an end," the report concluded.

Three of the seven named officers were suspended in November following a separate internal investigation that concluded that they tortured or allowed the abuse of Andrew Wilson while he was in police custody in 1982 on charges of killing two police officers. Wilson has been convicted.

Portions of that report were unsealed Friday as well by U.S. District Court Judge Milton Shadur, who is overseeing an unrelated brutality case in which the reports were subpoenaed.

The three named officers—former Brighton Park Cmdr. Jon Burge and detectives John Yucaitis and Patrick O'Hara—face dismissal. Hearings on their cases are scheduled to begin Monday before the Chicago Police Board.

While it investigated Burge, the police office of professional standards also reopened investigations into other allegations of torture at the police area, which is on the Far South Side and has since been renamed the Pullman Area.

Burge and the two detectives are named in both reports unsealed Friday. Four other officers were identified, but their names were not released.

Two of them remain on the force, one is no longer on the payroll and the fourth is on a leave of absence.

Martin said Friday that he has taken no action against those four officers because he believes the allegations are not substantiated.

The report did not name commanders who condoned systematic torture. Police records show that Martin commanded the area's detective division for nine months during the 13 years when the abuse was alleged to have occurred, from late February 1983 to December of that year.

Martin said it was an "outright lie" that police commanders knew about or condoned torture.

Speaking Friday at a Chicago Urban League luncheon, Martin became angered when told of the allegations that those in command at the area headquarters, including himself, knew of the torture.

"This is a fine police department, fine men and women on it, 404 of them have gotten killed in the line of duty, and for someone to say that this department condones poor conduct from department members and you think that wouldn't make me angry, I'm furious," Martin said.

"If I knew that anyone was doing anything wrong on this police department I would take action on it."

During a taping of WMAQ-TV's "City Desk" program, to be broadcast at 7 a.m. Sunday, Daley strongly defended Martin.

"These are only allegations," the mayor said. "These are not substantiated cases."

Correspondence released with the reports showed that Martin knew of the allegations against Burge and the two detectives for almost a year before suspending them without pay.

But Daley said he did not find fault with Martin for delaying the report because the superintendent had to review its methodology.

"It's allegations, rumors, stories, things like that, which we asked the Police Department to review the entirety of the report," Daley said. "How did they come to that conclusion? How did they arrive at these facts? You have to look at the methodology."

Attorney G. Flint Taylor, who argued for the release of the reports, said they will significantly impact future brutality lawsuits against the police by enabling plaintiffs to contend that they were victimized by an unspoken department policy of torture.

Such brutality cases have cost the city more than \$6 million a year in the past, records show.

"That's why the city fought so hard to suppress it," Taylor said.

FBI agents are "monitoring developments" as they relate to possible brutality and violations of civil rights, said Chicago FBI spokesman Robert Long.

"We are in contact with the Police Department over this situation," he said, adding that agents and police internal affairs investigators routinely work together.

Long said he was unaware of any ongoing FBI probe of alleged police brutality in Chicago.

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Police study turns up heat on brutality

By Robert Blau
and David Jackson

For years, dozens of suspects who entered a Far South Side police station emerged with chilling accounts of their interrogation there. They said that they had been tortured.

Few listened to the allegations of the accused rapists, drug dealers and murderers who described a pattern of abuse that came not at the hands of renegade street cops but from highly decorated detectives and their commanding officers.

The first to tell the story was Anthony "Satan" Holmes.

In 1973, the murderer described a six-hour interrogation under then Detective Jon Burge in the bunker-like former Area 2 headquarters, 9059 S. Cottage Grove Ave.

Holmes said Burge suffocated him with a plastic garbage bag and applied a "black box" electrical device to his handcuffs, rattling his teeth and lifting him out of his chair.

Over the next decade, similar stories were repeated dozens of times about Burge and several of the 108 detectives under his command.

On Friday, in a searing indictment of the Chicago Police Department, an internal report unsealed in a federal court hearing charged that "systematic torture" was carried out by at least seven officers at the South Side police station from 1973 to 1986 and that police supervisors in Area 2 knew about and condoned the abuse.

The report, released 19 years after the first of 50 complaints alleging torture was filed, suggests that the charges were not thoroughly investigated and police commanders did not act on the allegations for more than a decade.

"Smart chiefs, when they have a problem they send a message: This will not be tolerated," said Patrick Murphy, director of the Police Policy Board for the U.S. Conference of Mayors and former New York City police commissioner. "If you don't send the word out, the attitude of the department can be understood to mean it's not that bad."

"We expect an awful lot from police," said Jim Fyfe, professor of criminal justice at American University in Washington, D.C. "We expect them to fight the war on crime, but it's a war they can't win. From time to time, some officers commit atrocities. When that stuff is tolerated, it undermines what the police are about. It's shattering."

The release of the report, which was withheld from the public for more than a year by Supt. LeRoy Martin and city attorneys, comes at a time when the nation's attention is being drawn to allegations of institutionalized police brutality in Los Angeles, where the Rodney King trial is to start Monday.

In Chicago, the report said, "particular command members were aware of the systematic abuse and perpetuated it either by actively participating in same or failing to take any action to bring it to an end." The portions of the report released under the court order did not contain the names of any of the commanders.

One of the commanders has been identified as Burge, who faces dismissal because of torture charges leveled against him in a separate police investigation that took a decade to complete. His police board hearing is scheduled

to begin Monday in a federal courtroom.

"The type of abuse described was not limited to the usual beating, but went into such esoteric areas as psychological torture techniques and planned torture," the report said.

With the release of the report, the man in the hot seat Friday was Martin, whose sometimes controversial tenure as police superintendent is drawing to a close.

(Indicate page, name of SEC 1, PPGS 1 & 1 newspaper, city and state.)

CHICAGO TRIBUNE
CHICAGO, ILLINOIS

Date: 2/9/92
Edition: FINAL EDITION

Title: POLICE STUDY TURNS UP
HEAT ON BRUTALITY

Character:
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Classification:
Submitting Office: CHICAGO

Indexing:

From his appointment in 1987, Martin has relished the image of an old school, no-nonsense Chicago street cop.

At a time when Chicago police were trying to shed their brutal reputation, he called his officers "the toughest gang" in town. He suggested that parts of the U.S. Constitution should be suspended to make crime fighting easier.

And on Friday, he came out swinging, denying the charges of systematic torture.

"Don't saddle me with the baggage of previous superintendents," Martin said, pointing out the cases cited in the report dated to the years before he became superintendent. "I've bent over backward to resolve this case."

Martin took credit for suspending Burge and two other detectives, John Yucaitis and Patrick O'Hara.

"Now someone is trying to turn it around and make me the heavy," Martin said. "I should be the hero."

Martin said that for the nine months in 1983 when he commanded the Area 2 detectives, "not one complaint about excessive force by one of my officers crossed my desk."

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But criminal justice experts say it is not enough to wait for allegations to cross your desk.

"In a big police department like Chicago's, you have to have strict accountability down to sergeant level," Murphy said. "You also have to look at the people above them. Did you make spot checks? Did you read reports carefully? If there were citizens complaints, did you investigate them with vigor? Was there a breakdown of the system? Who failed?"

In this case, it was not only Chicago police who failed to substantiate charges of torture.

Federal investigative records show that in 1982, Burge was the subject of a civil rights probe after a West Side man complained that Burge shocked him in the groin with an electrical device. Burge denied the charge, and the investigation was dropped when a polygraph administered by the FBI showed the man wavered on certain questions.

Police officials repeatedly scoffed at the credibility of the accusers.

The police office of professional standards, which investigates complaints of excessive force, looked into 26 of the torture complaints, but could not find enough evidence to sustain any of them.

When the new police standards report was delivered to Martin last year, he was reluctant to accept its findings of systematic torture. He sent copies of the report to a Washington-based police research foundation, which produced a memorandum critical of the standards office's methodology and findings.

Based on the foundation's criticism, Martin continues to discount the findings of widespread torture.

"The report is flawed and unsubstantiated," Martin said in a press release.

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(Indicate page, name of newspaper, city and state.) Page 4

Chicago Sun-Times
Chicago, Illinois

February 11, 1992

Date: Edition Five Star Sports Final

Title: Cop Killer Shows Scars
To Bolster Brutality
Case

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Cop killer shows scars to bolster brutality case

By Charles Nicodemus

Staff Writer

Convicted cop killer Andrew Wilson bared his chest and dropped his pants Monday to show scars from burns he says were inflicted while police tortured him to confess the 1982 murder of two Chicago policemen.

The display concluded Wilson's three hours of testimony on the opening day of hearings into police brutality charges against former Cmdr. Jon Burge and two of his detectives.

In an opening statement, June Ghezzi, one of three special counsels prosecuting the case for the city, said testimony and medical evidence would show Wilson suffered numerous burns, gashes, cuts and bruises, mostly while being questioned at the Area 2 Violent Crimes headquarters, which Burge commanded.

Despite Wilson's prior criminal background, "his story makes sense," Ghezzi said. In contrast, denials by the highly decorated Burge and his two detectives "don't add up," she contended.

William Kunkle, representing Burge and Detectives John Yucaitis and Patrick O'Hara, said he would make his opening statement after the city finished presenting its evidence.

The charges, brought by the department's Office of Professional Standards, are being heard in a large courtroom of the U.S. District Court on the 25th floor of the Dirksen Fed-

Jon
BurgeStanley
Wilson

Hearing on brutality charges

eral Building to accommodate the large audience of Burge's critics and friends and to provide extra security.

Spectators and reporters must go through metal detectors on the first floor and outside the courtroom.

Twenty protesters, carrying signs bearing the names of alleged police brutality victims, paraded outside the building at 219 S. Dearborn.

Wilson is serving a life sentence for the murders of the policemen. His confession was thrown out by the Illinois Supreme Court after his first conviction, but he was convicted again at a second trial.

Wilson, questioned by special counsel Dan Reidy, told of his arrest early Feb. 14, 1982, and his lengthy, sporadic

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ic questioning and torture at Area 2 by Yucaitis, Burge and other detectives.

O'Hara is charged with seeing the torture and not reporting it.

Wilson said that first Yucaitis, then Burge, inflicted electric shocks by attaching "alligator" clips to his ears, a nostril or finger tips, and turning the crank on a "black box" generator hooked to the clips.

When he rubbed the clips off his ears, Wilson said, detectives handcuffed him against a wall, with his thighs, his chest and sometimes his face touching a hot radiator, while they continued the electric shocks.

At one point, Wilson said, Burge took a device that looked like "a fat curling iron" that was plugged into a wall socket and ran the device up and down Wilson's legs and over his groin, not quite touching the skin.

"I could feel the tingling," Wilson said. "Then he jammed it into my back" and the electric shock "slammed me against the wall" and a window grating. "I was spitting blood then, and they stopped," Wilson said.

The scars displayed at the end of his testimony were from radiator burns, he told Michael Berland, the hearing officer who is conducting the sessions for the nine-member civilian Police Board. It will review the transcript and act on it. Supt. LeRoy Martin has urged that the three suspended officers be fired.

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(Indicate page, name of newspaper, city and state.) Page 1

Chicago Defender

Chicago, Illinois

Date: February 11, 1992

Edition: Vol. LXXXVI, No. 196

Title: Cop Killer Testifies
To Jail Torture

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Cop killer testifies to jail torture

*Inmate accuses Cmdr.
and two detectives*

by Scott Burnham

Convicted killer Andrew Wilson testified Monday he was beaten severely and nearly electrocuted and suffocated during several

hours of interrogation following his arrest for the murders of two Chicago police officers nearly 10 years ago.

The police board hearing, conducted at the Dirksen Federal Building for security purposes, began Monday morning to review dismissal charges against Area 3 Commander Jon Burge and two detectives. The three defendants were suspended from the force, without pay, last November and are now fighting to regain their jobs.

Wilson, currently serving a life prison sentence in the Pontiac Correctional facility, appeared before hearing chief Michael Berland to provide a horrifying, but less than riveting, account of the methods of torture the officers allegedly administered to extract a confession.

Lawyers representing the Police Department allege the torture was
(continued on page 22)

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Accuses commander, 2 detectives

(continued from page 1)
the result of the department's frustration over the deaths of three officers that same week. Wilson claims Burge told him his "reputation was at stake."

At one point, following an alleged gruesome beating at Area 2 detective headquarters, Wilson claimed Burge entered a room alone and clamored, "Fun Time!" In the company of another officer, Burge allegedly handcuffed Wilson's hands to a wall while Wilson knelt in front of a radiator.

After clamping the electrodes attached to a black box to his small fingers, Burge cranked the hand generator, causing an electronic current to surge through Wilson's body, he alleged.

"He kept cranking it," recalled Wilson nonchalantly while demonstrating on his knees. "It made my teeth grind together. I was hollering for help but he didn't have to stop because I couldn't (get the clamps) off."

Wilson contends the box was used with limited success two other times but he was able to knee an officer in the groin and another time release the electrodes from

his ears by rubbing them on his shoulders. Prior to those alleged attacks, Wilson accused another officer of attempting to suffocate him with a garbage bag.

According to Wilson's testimony, moments later, Burge tortured him with a foot-long cattle prod, which resembled a curling iron with a wire protruding from one end.

While remaining cuffed in front of the radiator, Wilson claimed Burge "rubbed it around my legs up and down very slowly (about three or four times). It was tingling (feeling.) On the last pass, he jabbed it into the center of my back. (The impact) slammed me into the grill."

Wilson then began regurgitating blood and the torture momentarily stopped, he alleged.

When Burge confronted him again hours later at another location, Wilson said the lieutenant "was playing with his gun in my mouth clicking it back and forth. I agreed to make a statement to keep from getting shot," he claimed.

During the testimony, Wilson, dressed in blue jacket and jeans,

Burge reportedly cracked smiles at his fellow defendants, John Yucaitis and Patrick O'Hara, and shook his head in disbelief.

A plethora of spectators filed into the packed courtroom passing through two metal detectors and hand searches of all bags. Several police officers sat with the brother of William Fahey, one of the officers whom Wilson was convicted of killing. Members of anti-police brutality groups were also in attendance.

Despite the graphic testimony, Wilson, many times, appeared confused and uncertain about his account as evidenced by mistakenly identifying officers. The defendant's attorney, William Kunkle, will most likely capitalize on the inconsistencies in the days to come.

Officer John Dineen president of the Fraternal Order of Police, said late Monday Wilson's story has changed dramatically throughout the years and that the word of a convicted killer is less than convincing.

Throughout the decade-long investigation, the officers have maintained their innocence and were acquitted by two civil juries.

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Burge-case panel hears of torture

By Sharman Stein

Ten years after his arrest for the killing of two police officers, Andrew Wilson lifted his shirt Monday and displayed to a packed courtroom the scars he says he suffered while being tortured by three Chicago police officers.

Wilson was the first witness Monday in the first day of hearings before the Police Board, which may hear four to six weeks of testimony.

The city is seeking for the first time, through this administrative proceeding, to dismiss Cmdr. Jon Burge, Detective John A. Yucaitis and Detective Patrick J. O'Hara, the officers accused of torturing Wilson.

The officers, all of whom were present at the hearing, deny the charges, which have not been proved in two federal court cases and a previous police investigation.

Burge, Yucaitis and O'Hara have been suspended since November. If the charges are sustained, Burge would be the highest-ranking Chicago police official to be dismissed in 20 years.

Andrew Wilson and his brother, Jackie, were convicted of the murders and are serving life sentences without parole.

"The question is, why did this happen?" said city attorney June Ghezzi, in an opening statement. "It happened for two reasons. He was just arrested for the murder of two Chicago police officers, and there had been three deaths of police officers over one week."

"The first purpose was to extract a confession," Ghezzi said. "The second was to extract a pound of flesh, to punish him because the officers were so upset about the murder of the police officers."

William Kunkle Jr., one of the lawyers for the three accused officers, reserved his opening statement for a later time.

But in afternoon cross-examination
See Police, pg. 8

(Indicate page, name of newspaper, city and state.) **Page 1**
Section 2

Chicago Tribune
Chicago, Illinois
Date: February 11, 1992
Edition: North Sports Final

Title: Burge-Case Panel Hears Of Torture

Character:

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Classification:

Submitting Office: Chicago

Indexing:

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(Indicate page, name of newspaper, city and state.) Page 3
 Chicago Defender
 Chicago, Illinois
 February 12, 1992

Date:
 Edition:

Title: Commander Refutes Torture Allegations

Character:
 or
 Classification:
 Submitting Office:Chicago

Indexing:

Commander refutes torture allegations

by Scott Burnham

Attorneys for embattled detective Commander Jon Burge Tuesday attempted to undermine the testimony of a suspect who claims detectives extracted a murder confession through methods of torture nearly a decade ago.

During cross examination, William Kunkle slowly pecked away at the testimony of Andrew Wilson, who alleges Burge and other officers administered jolts of electricity on him with a hand generated box and a cattle prod, among other tortures.

On dozens of occasions, Wilson took the fifth amendment or replied he did not know the answer to particular questions regarding events during a five-day period in early February 1982 between the killings of two Chicago police officers and his arrest.

Acting on the advice of his lawyer, Wilson declined to comment on particular issues, claiming his answers could jeopardize his pending appeal in one of the murders.

"We're trying to show how preposterous (Wilson's) credibility is and how preposterous his story is," said Kunkle during a recess. "And how ironic it is that he can waive his 5th amendment right and reinsert it at any time."

Although several inconsistencies surfaced in his testimony, court experts said Wilson performed remarkably well in recalling major details. The experts added Wilson's recollections were all the more amazing considering he is illiterate and the incident occurred 10 years ago. His lawyers believe the physical evidence, scars and burns, "will speak for themselves."

Kunkle plans to show Wilson fabricated the allegations of torture. He said the officers would have had no reason to attack Wilson because he confessed before to the alleged tortures.

"(The officers) had evidence they needed to convict him," said another of Burge's attorneys, David Greene. "They had (Wilson's) guns, car, eyeglasses as evidence."

According to Greene, however, Wilson confessed to killing the officers at 6 a.m., nearly 12 hours before a written statement was entered.

Flint Taylor, an attorney who

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represented Wilson in a civil trial earlier this year, called Kunkle's questioning "absurd."

"He clearly wants to deflect from the torture on the (Feb. 14, 1982) and concentrate on the police killings of the (Feb. 9, 1982), which is irrelevant to these proceedings," Taylor said. "He's reversing the sympathies. If he did make an oral confession, why did it take so long for the written confessions.

"(The three accused officers) were getting in their punishment. They ran amok in the Black community for days torturing suspects."

Taylor said the officers risked their jobs and reputations by engaging in torture because politicians provided a carte blanche until the "weight became too heavy — even in Chicago."

On Monday, Wilson revealed scars on his stomach and chest he allegedly received after he was slammed into a radiator when Burge stretched him across the grill and clamped electrodes on his fingers.

Kunkle said Wilson mentioned the placement of the clamps Tuesday for the first time.

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(Indicate page, name of newspaper, city and state.) Page 8
 Section 2

Date: February 12, 1992
 Edition: Chicago Tribune
 Chicago, Illinois

Title: Burge Defense Rips
 Torture Testimony

Character:
 or
 Classification:
 Submitting Office: Chicago

Indexing:

Burge defense rips torture testimony

Defense attorneys for the three Chicago police officers accused of torturing a suspect in 1982 tried Tuesday to discredit the testimony of Andrew Wilson, the man who said he was choked, shocked and beaten at the officers' hands.

The Police Board hearing, which began Monday, is the city's first attempt to discharge Cmdr. Jon Burge, Detective John A. Yucaitis and Detective Patrick J. O'Hara for allegedly torturing Wilson after he was arrested for the 1982 murders of two police officers.

Wilson and his brother, Jackie, were convicted of the murders of Officers Richard O'Brien and William Fahey and are serving life sentences.

Questioning Wilson on details of his arrest on Feb. 14, 1982, to his previous crimes and criminal record, attorney William Kunkle repeatedly implied that Wilson had lied previously, was currently lying or was taking the 5th Amendment on issues that he had answered in previous trials.

Wilson's appeal of his second murder conviction is pending, and a public defender sat at his side during the Police Board hearing.

Kunkle asked Wilson about his own treatment of a citizen whom he allegedly robbed and pistol whipped before stealing his car.

"I'd call that torture," Kunkle said.

After a series of questions Wilson refused to answer, such as whether he would admit to possession of eyeglasses that were later found near the dead officers, Kunkle said Wilson lied then and would continue to lie to avoid doing extra prison time.

Wilson confessed to police at 6 on the morning of his arrest, said attorney David Greene, also representing the officers. "There was no reason for torture."



Burge

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(Indicate page, name of newspaper, city and state.) Page 3
Section 2Chicago Tribune
Chicago, Illinois
Date: February 14, 1992
Edition: North Sports FinalTitle: Burge Hearing Told
About Burn MarksCharacter:
or
Classification:
Submitting Office: Chicago

Indexing:

Burge hearing told about burn marks

By Sharman Stein

The doctor who examined Andrew Wilson at Cook County Jail a day after he allegedly was tortured by Chicago police officers told the Chicago Police Board on Thursday that he saw blistering burn marks on Wilson's chest and face.

Dr. John Raba, testifying in dismissal hearings for three Chicago officers, said Wilson told him that his injuries were caused when police handcuffed him against a radiator at the police station after his arrest in 1982 for killing two other officers.

Raba said he concluded that the injuries were consistent with Wilson's explanation. Based on his 11 years of experience as a physician and medical director at the jail's hospital, Raba said he did not believe the wounds were self-inflicted.

"Never in my experience have I seen any self-inflicted injuries on the face or near the eyes done by somebody who was not actively psychotic," Raba said in the fourth day of the hearings in which the city is seeking to dismiss Cmdr. Jon Burge, Detective John Yucaitis and Detective Patrick O'Hara.

The three officers have been suspended since November. Burge and Yucaitis are accused of torturing Wilson with attempted suffocation, with electric shock and by handcuffing him across a radiator 10 years ago on Feb. 14, 1982.

O'Hara is accused of failing to take action to stop them.

Wilson and his brother, Jackie, were convicted of the murders of Officers Richard O'Brien and William Fahey, and both are serving life sentences without the possibility of parole.

Raba, who is trained in internal medicine and who examined Wilson only briefly, said he saw no signs of mental illness.

Raba said he was so disturbed by the blisters, lacerations and burn marks on Wilson's chest, thigh and face that he wrote a letter about it two days later to then police Supt. Richard Brzczek, urging an investigation of the incident.

Raba said he did not receive a reply until three years later and did not pursue the issue further.

William Kunkle, the lead attorney representing the officers, countered that Raba lacked the experience to make a psychological assessment of whether Wilson was psychotic and was therefore likely to inflict the wounds on himself.

The doctor, said Kunkle, made an assessment about the nature of the wounds based on Wilson's own representation of what happened, without any particular medical background to assess Wilson's state of mind.

"This witness doesn't really have the personal knowledge that any of the officers did anything to Andrew Wilson," Kunkle said in an interview afterward.

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(Indicate page, name of newspaper, city and state.) Page 3

Chicago Defender
Chicago, IllinoisDate: February 15, 1992
Edition:

Title: Medical Expert: Wilson's Wounds Match His Allegations Of Torture

Character:

or

Classification:

Submitting Office:

Chicago

Indexing:

Medical expert: Wilson's wounds match his allegations of torture

by Scott Burnham

An expert in the field of correctional health testified Thursday the wounds convicted cop killer Andrew Wilson suffered 10 years ago were consistent with his allegations of torture.

In what court experts said may be the most crucial statements validating Wilson's claims, then-Medical Director of the Cermak Medical Center Dr. John Raba recalled examining Wilson hours after he was admitted into the hospital unit of the Cook County Jail on Feb. 15, 1982.

The day-long testimony came on the fourth day of a police board hearing to decide the careers of Jon Burge and two other detectives accused of torturing Wilson

while in custody for the deaths of two Chicago police officers.

"He stated he had been cuffed to a rod and pushed against a radiator and had been electro-shocked to his mouth, gums, legs and genitals, face," said Raba, currently a deputy director and practicing surgeon at Cook County Hospital.

Examining 2 X 3-foot photographs of Wilson's chest and face taken a day after the initial examination, Raba confirmed the linear and parallel burns he sustained concur with his allegations of brutality.

The attorney for the three suspended officers, William Kunkle, attempted to point out inconsistencies of Wilson's story, saying he never told Raba of the

shocking to his fingers, ears or nose as he testified earlier this week.

Kunkle suggested Wilson self-inflicted the wounds at Area 2 headquarters to avoid a conviction.

Raba, however, said in his examination of more than 100 inmates who suffered from self-inflicted wounds that there is a strong reluctance to cause injury to their faces, particularly near their eyes. Those kinds of injuries have only been caused by inmates who clearly show signs of being psychotic, Raba said. Upon examining Wilson in his jail cell, Raba said he was not psychotic.

Kunkle attempted to refute Raba's assessments.

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(Indicate page, name of newspaper, city and state.) Page 2
Section 2Chicago Tribune
Chicago, Illinois
Date: February 20, 1992
Edition: North Sports FinalTitle: Second Convict Tells
Of Torture By BurgeCharacter:
or
Classification:
Submitting Office: Chicago

Indexing:

Second convict tells of torture by Burge

By Sharman Stein

A second man claiming to have been tortured at the hands of Chicago Police Cmdr. Jon Burge testified Wednesday that he also suffered electrical shocks and beatings while being held in Area 2 headquarters 10 years ago.

The testimony of Melvin Jones was given during the second week of Police Board hearings, an administrative proceeding in which the city is seeking to dismiss Burge and two other officers for the alleged torture of career criminal Andrew Wilson in 1982.

Jones, 40, was arrested Feb. 5, 1982, on suspicion of being involved in a killing, just days before Wilson was arrested in the slaying of two Chicago police officers on Feb. 14, 1982. The slaying incidents were unrelated.

Wilson and his brother, Jackie, were convicted of murdering Officers Richard O'Brien and William Fahey, and both are serving life sentences without the possibility of parole. Burge and the other two officers, Detectives John Yucaitis and Patrick O'Hara, have been suspended without pay since November.

Jones, who is in prison for possession of narcotics with intent to distribute, said he was arrested in 1982 and brought to Area 2, where Burge was a lieutenant. While in Area 2, Jones said, he was left alone in a room where Burge shocked him on the bare

foot, thigh and genitals with an electrical device similar in description to the one Wilson has described.

"He said, before I leave this room, 'you'll wish you never set eyes on me,'" Jones related. Burge as having said. "He kept asking me about the homicide, and he said I was going to confess. I told him I didn't know what he was talking about."

In one of the torture sessions, Jones said, Burge instructed another detective in the room, "You don't see anything, do you?" Jones said Burge then stuck a sock in his mouth and shocked him with the electrical device.

"He asked me if I was ready to talk," Jones said of Burge. "I was hollering as loud as I could. I was saying, 'You ain't supposed to be doing me like this.'"

The torture continued, Jones said, until another police officer called Burge away to deal with another incident.

On Feb. 6, 1982, Jones said, while he was still being held at the station, detectives attempted to get him to confess to being involved in the murder of Jeffrey Mayfield, who was scheduled to testify as a witness in a murder trial.

When Burge learned that Jones had thrown pieces of paper with "help" written on them out of a window, Jones said, "Burge took the stapler and hit me with it in the middle of my head. When I put my hand on my head, he hit



Suspended Cmdr. Jon Burge is accused of shocking suspects with an electrical device.

me again, on top of my hand."

In his cross-examination of Jones, attorney William Kunkle, one of the attorneys defending the officers, attempted to show that Jones' description of the electroshock device was different from the one Wilson had provided.

Kunkle also alleged that Jones likely had heard Wilson's story of torture while the two were in Cook County Jail and had decided to copy it. Kunkle also sought to show that Jones and Wilson were members of the same gang and therefore had many associates in common.

At the time of Jones' arrest and alleged torture, he was charged with unlawful use of a weapon. The charge was eventually dismissed because the gun in Jones' possession did not work.

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(Indicate page, name of newspaper, city and state.) Page 10
 Chicago Sun-Times
 Chicago, Illinois
 Date: February 21, 1992
 Edition: Five Star Sports Final

Title: Convict Says Burge Held Plastic Around Head To Get Confession
 Character:
 or
 Classification:
 Submitting Office: Chicago

Indexing:

Convict says Burge held plastic around head to get confession

By Charles Nicodemus
 Staff Writer

A convict testified Thursday that he passed out twice while police Cmdr. Jon Burge was holding a plastic typewriter cover over his head to force him to falsely confess a role in a 1985 robbery.

A Police Board examiner is hearing brutality charges against Burge and two of his detectives, brought by convicted cop killer Andrew Wilson. Wilson has said that one torture technique Burge used to force his confession was to tie a plastic bag over his head.

Shadeed Mu'min, 47, testifying Thursday, was the last of two "pattern" witnesses presented by the city in an attempt to show that other crime suspects were tortured as Wilson says he was.

Joseph Roddy, one of the police officers' attorneys, attacked Mu'min's credibility, bringing out on cross-examination that his confession appeared to have details of the robbery and getaway that only a participant could have known.

Mu'min said he hadn't given Burge or the state's attorney who

took his statement any such details because he hadn't been involved in the robbery.

He failed to have the confession suppressed on the grounds that he was tortured. Mu'min, an inmate of Centralia Penitentiary, was sentenced to 15 years for the robbery, in which a manager of a fast food shop was shot.

The first pattern witness, Marvin Jones, testified Wednesday that he was electroshocked by Burge on Feb. 5, 1982, nine days before Wilson says he was arrested in the murder of two policemen and tortured with two different electroshocking devices. William Kunkle, an attorney for Burge and Detectives John Yucaitis and Patrick O'Hara, tried to discredit Jones' testimony by suggesting that Wilson and Jones had been in the same street gang and could have matched their stories.

But attorney Flint Taylor, who represented Wilson in two unsuccessful federal damage suits against Burge, said later that no evidence has been presented that Wilson was a member of any gang before his arrest.

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(Indicate page, name of newspaper, city and state.) Page 3

Chicago Defender
Chicago, Illinois
Date: February 20, 1992
Edition:

Title: Ex-Cop Says He Leaked Record Of Ex-Felon's Political Foe

Character:

or

Classification:

Submitting Office:

Chicago

Indexing:

Burge implicated by 2nd felon

by Scott Burnham

A second convicted felon testified Wednesday that suspended Area 3 Detective Commander Jon Burge electroshocked him and placed a gun to his head days before the high ranking officer allegedly tortured Andrew Wilson in connection with the murder of two police officers.

Burge's attorney, William Kunkle, however, questioned Melvin Jones' association with Wilson and suggested the pair, along with others, contrived the tale of brutality while they were incarcerated together.

Despite Jones' denials, Kunkle alleged the two accusers were affiliated with the same Chicago street gang and claimed Jones was a member of the organization's hierarchy.

Kunkle also alleged Jones may have been fed the story from his attorney at the time of his arrest, Cassandra Watson. Watson has defended other suspects who have alleged they were electroshocked at Area 2 headquarters by the infamous "black box."

On Feb. 5, 1982, Jones, 40, was picked up by Area 2 detectives in an apartment at 2101 S. Michigan Ave. for the murder of Jeffrey Mayfield, a witness to another slaying committed about a month before.

During questioning, Jones alleged Burge entered an interview

room and displayed a shocking device concealed in his suitcoat. With his hands cuffed to a ring fixed to the wall and a sock tied around his mouth, Jones said Burge allegedly pulled his pants down and shocked him on the right foot, thigh and penis.

"I said 'you ain't supposed to be doing me like this,'" said Jones, who is currently serving time for an unrelated cocaine-sales charge. "He said I have no witnesses (and) no one's going to believe me."

When Burge allegedly asked another detective in the room if he observed any improprieties, he replied "I don't see anything," and peered at the ceiling, Jones said. The alleged torture was stopped short, however, when another officer informed Burge an officer had been killed.

Later during his detention, Jones said Burge placed a gun to his head and demanded he confess to the murder. Jones, however, continued to deny involvement.

A police officer outside the building, hours later, brought pieces of a telephone book inscribed with allegations of torture to Burge. Jones said he wrote the notes and threw them from the window in an effort to solicit help.

"(Burge then) took a stapler and hit me on (the top of) his head with it," Jones said. "I grabbed my head and he hit me again on my hand."

Jones, who at the time was only charged for a weapons offense in violation of his parole, met with Watson days later and told her of the alleged abuse, she said.

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(Indicate page, name of newspaper, city and state.) Page 18
 Chicago Sun-Times
 Chicago, Illinois
 February 20, 1992

Date: February 20, 1992
 Edition: Five Star Sports Final

Title: Burge Tortured Me, Too,
 Ex-Suspect Says

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Burge tortured me, too, ex-suspect says

By Charles Nicodemus
 Staff Writer

A former murder suspect testified Wednesday he was given electrical shocks by Police Cmdr. Jon Burge nine days before an incident in which convicted cop killer Andrew Wilson says Burge tortured him the same way.

Melvin Jones, 41, told a hearing on brutality charges that Burge tortured him in an unsuccessful attempt to make him confess to killing a potential witness against Jones in another murder case.

Jones' attorney at the time, Cassandra Watson, testified afterward that Jones gave her details of the torture Feb. 9, 1982, four days after his arrest.

That was five days before an incident in which Wilson says

Burge and his detectives gave him electrical shocks to force his confession in the murders of policemen William Fahey and Richard O'Brien. The Police Board hearing is weighing charges based on Wilson's complaints against Burge and Detectives John Yucatis and Patrick O'Hara.

During cross-examination of Jones, Burge's attorney, William Kunkle, stressed that Watson's Feb. 10, 1982, motion to suppress evidence and statements in the case against Jones didn't give specifics of the alleged torture. Details weren't provided until other motions were filed in May, 1982, Kunkle noted.

By that time, Kunkle suggested, Jones and Wilson—both of whom were members of the Black Gangster Disciples street gang—might

have coordinated their stories.

Jones, now imprisoned at Cen-tralia on drug charges, testified he was arrested Feb. 5, 1982, for questioning in the murder of another gang member, Jeffrey Mayfield. Jones repeatedly denied involvement.

He said he was handcuffed to a wall at Area 2 detective headquarters, then shocked by Burge on his foot, thigh and testicles.

He said the shocks were administered with a device that seemed to be a combination of cattle prod and large tweezers, plugged into a wall socket and attached to a box that had a screw he said Burge twisted to govern the current.

Wilson testified last week that Burge tortured him with a somewhat similar device, resembling a hair curler, and with a hand-

cranked generator that had wires that were clipped to Wilson's ears, fingertips and a nostril.

Jones said when he refused to confess to the Mayfield murder, he was charged with unlawful use

of a weapon, but that charge later was dismissed. He was arrested in the Mayfield killing later in 1982 and convicted in a bench trial. But that was reversed and he was acquitted in a 1989 jury trial.

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3rd witness calls Burge a torturer

By Sharman Stein

In the city's efforts to show a pattern of torture on the part of Chicago Police Cmdr. Jon Burge, attorneys Thursday called as a witness before the police board a third man who claimed he was tortured by Burge—in this case by suffocation and Russian roulette.

Shadeed Am'Min, who was arrested on Oct. 30, 1985, for having a concealed weapon, said he was driving when he was stopped by two plainclothes police officers.

After the officers found a loaded gun concealed in a bag inside the car, he was taken to Area 2 headquarters where he said Burge twice held a typewriter cover over his head until he passed out. He said Burge also put a pistol with one bullet inside against his temple, spun the cylinder and pulled the trigger three times.

Burge was a lieutenant in Area 2 at the time. The city is holding the police board hearings, an administrative procedure, to make the case for the dismissal of Burge and Detectives John Yucaitis and Patrick O'Hara, who allegedly tortured convicted cop killer Andrew Wilson when he was arrested in 1982.

Besides Andrew Wilson, the city this week also called as a witness a convict named Melvin Jones, who said he was tortured by Burge in 1982, just days before Wilson was allegedly tortured on Feb. 14.

Wilson and his brother, Jackie, were convicted of murdering Officers Richard O'Brien and William Fahey, and both are serving life sentences without possibility of parole. Burge, Yucaitis and O'Hara have been suspended since November.

Am'Min said Burge repeatedly asked him about a robbery that had occurred several months earlier. Am'Min said he told Burge that he had no knowledge of the incident.

Burge then handcuffed him tightly enough to cause pain and eventually took him into his private office, Am'Min said. The suffocation and Russian roulette occurred after Burge threatened him with "burying him in the penitentiary," and tried to force him into confessing to the burglary, he said.

Am'Min eventually did sign a written confession to having been the driver of a getaway car in the robbery of a fast-food outlet in which the manager was shot in the liver. He has been in prison for that offense since 1987.

Asked why he was testifying against Burge, Am'Min said, "I feel like what he did to me wasn't right. His job as a public official is to arrest me, not to play court."

Attorney Joseph Roddy, one of the attorneys representing Burge and the other officers, tried to discredit Am'Min by discussing his extensive criminal record. Roddy also suggested that the scenario outlined by Am'Min was extremely unlikely.

"What if he (Burge) hadn't been lucky that day?" Roddy said of the Russian roulette incident. "How could anybody have explained that a man who was handcuffed ended up with a bullet in his head in a police station?"

(Indicate page, name of newspaper, city and state.) Page 3
Section 2

Chicago Tribune
Chicago, Illinois
Date: February 21, 1992
Edition: North Sports Final

Title: 3rd Witness Calls Burge A Torturer

Character:

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Classification:

Submitting Office: Chicago

Indexing:

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More testimony heard in Burge dismissal trial

by Scott Burnham

A torture expert testifying Monday in the dismissal hearings of police Commander Jon Burge and two detectives said the burns and scars found on Andrew Wilson are consistent with his claims of torture in police custody a decade ago.

Examining blown-up photos of the head and chest of Wilson, Dr. Robert Kirshner, deputy chief medical examiner of Cook County, testified Wilson suffered linear burns that could have been caused by being pushed into the radiator located inside an interrogation room at Area 2 detective headquarters.

Furthermore, Kirshner said conditions Wilson described in a 1989 deposition for a civil trial were common side effects of being electroshocked. Wilson testified that he experienced bleeding gums and a tendency to clench and grind his teeth.

The suspended officers' attorney, William Kunkle, attempted to poke holes in the expert's testimony, however, by saying Kirshner only learned of Wilson's testimony six and a half years after the fact.

Kunkle also said there were inconsistencies between a doctor's intake report in 1982 which states Wilson suffered only one burn on

his right thigh and Kirshner's analysis of a photograph.

According to Kirshner, Wilson reportedly showed other effects of torture when he reportedly "broke down and cried" while preparing the deposition.

Kunkle attempted to refute the claims saying Kirshner never mentioned the marks prior to Monday's testimony. If the clips had been indeed attached to his ears, Kunkle reasoned, the marks would be more pronounced.

(Indicate page, name of newspaper, city and state.) Page 3

Chicago Defender
Chicago, Illinois

Date: February 25, 1992
Edition:

Title: More Testimony Heard
In Burge Dismissal Trial

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or

Classification:

Submitting Office: Chicago

Indexing:

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(Indicate page, name of newspaper, city and state.) Page 3

Chicago Defender
Chicago, Illinois
Date: February 25, 1992
Edition:

Title: More Testimony Heard
In Burge Dismissal Trial

Character:
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Submitting Office: Chicago

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Chicago Sun-Times
Chicago, IllinoisDate: February 25, 1992
Edition: Five Star Sports FinalTitle: Lawyer Says He'll Prove
Cop Torture 'Victim'
Lied

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Lawyer says he'll prove cop torture 'victim' lied

By Charles Nicodemus
Staff Writer

The lawyer for three policemen facing brutality charges said Monday that a parade of witnesses will show that convicted cop killer Andrew Wilson is lying on virtually every point in his claim that he was tortured by police.

In his opening statement at a Police Board hearing, attorney William Kunkle said he would show that most of the injuries Wilson suffered in police custody came during his arrest or after he had confessed and was being taken to police headquarters.

Earlier, an expert on torture testified that burns and other injuries found on Wilson were consistent with Wilson's claim that he was tortured to force his confession in the Feb. 9, 1982, murder of two policemen.

Dr. Robert Kirschner, a forensic pathologist at Cook County Hospital, said small U-shaped marks photographed on Wilson's ears and nose were the same kind that would be left by alligator clips.

Wilson contends that police interrogators shocked him with electricity from a portable generator hooked up to his ears and nose by wires and such clips.

He accuses Police Cmdr. Jon Burge and Detective John Yucaitis of performing that and other torture, and says Detective Patrick O'Hara condoned it. They deny it.

Kunkle told hearing officer Michael Berland that suspects such as Wilson frequently "come in and confess . . . when they know they're caught," perhaps—as in Wilson's case—"because they've been running for five days."

He contended that Wilson's tale of torture was concocted afterward, to try to beat the charges.

Kunkle ridiculed what he said was Wilson's claim that there was a "grand conspiracy" among police, prosecutors, a court reporter and other witnesses to cover up torture and "railroad" Wilson into the life sentence he is serving for killing Officers Richard O'Brien and William Fahey.

Kunkle acknowledged that Wilson was "worked over" by one of two police "wagon men" who took him to the lockup at 11th and State after his confession. The officer who drove the police wagon denied any mistreatment, but the officer accused by Wilson later killed himself, Kunkle said.

Kunkle said it was that incident that resulted in a cut over Wilson's right eye and a gash on the back of his head that required stitches.

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(Indicate page, name of newspaper, city and state.) Page 3
 Section 2

Chicago Tribune
 Chicago, Illinois
 Date: February 25, 1992
 Edition: North Sports Final

Title: Brutality Charges
 False, Lawyer Says

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Brutality charges false, lawyer says

By Sharman Stein

Drawing a vivid description of the "death warrant" executed by cop-killer Andrew Wilson when he shot two Chicago police officers on a South Side street 10 years ago, attorney William Kunkle on Monday pledged to show that Wilson had ample reason to fabricate his story of police brutality after he was arrested for the murders on Feb. 14, 1982.

"This case started in the street at 81st and Morgan," Kunkle said. "But the events started in the mind and heart of Andrew Wilson."

In his opening statements, Kunkle described how Andrew Wilson and his brother, Jackie, shot the police officers with one of their own guns, then left them bleeding in the snow.

Kunkle drew a picture of Wilson as a ruthless murderer who bragged to friends, "Watch TV tonight. I shot two police officers." He said he would show that police had no motive to torture Wilson and that "common sense" would show that there was little evidence they had done so.

The city of Chicago is holding police board hearings in its efforts to dismiss Cmdr. Jon Burge and Detectives John Yucaitis and Patrick O'Hara for the alleged torture of Wilson.

The city rested its case Monday after calling Deputy Chief Medical Examiner Dr. Robert Kirschner as its final witness.

Kirschner testified that he believes the marks left on Wilson's chest, thigh and face were consistent with burns caused by a radiator, to which Wilson claims he was handcuffed while being shocked with an electrical device.

Kunkle noted that Kirschner did not examine Wilson until 1989 and had not adequately determined how much steam heat was being generated by the radiator.

The three officers have been suspended since November. Andrew and Jackie Wilson were convicted of murdering officers Richard O'Brien and William Fahey and are serving life sentences without the possibility of parole.

In step-by-step detail, Kunkle outlined the crimes Andrew Wilson had committed before the shootings, including a home invasion and robbery that left an elderly woman terrified and hiding under a table as the brothers ransacked her home, stealing her gun among other things.

Kunkle detailed the evidence Andrew Wilson knew police had against him for those crimes, as well as others for which he was in violation of parole.

Far from needing to extract a confession by torture, as Andrew Wilson has alleged, police already had a confession from Jackie Wilson that pointed the finger at Andrew, as well as a detailed description from the resident of an apartment who lived across the street from the shooting, Kunkle said.

"It was impossible to shut Jackie up," Kunkle said. "Jackie would tell the night watchman or the janitor. He was arrested in the 2nd District, where the officers had nothing to do with this incident, and he was confessing to them. . . . Jackie's motivation was to confess for the purpose of getting out from under, putting it on someone else."

And soon after his arrest, Kunkle said, Andrew Wilson gave an oral statement confessing to the crimes.

One measure of how unlikely Andrew Wilson's story is, Kunkle said, was his allegation that six or seven officers immediately jumped him and started beating him as soon as he was taken to the old Area 2 headquarters.

Wilson has alleged that Burge later commented he would not have marked up Wilson's face if he had been involved in the beating.

But the only injuries on Wilson's face at that time, according to police, photographs, and Wilson's testimony, was a scratch above the right eyelid and a reddened right eye, Kunkle said.

The subsequent injuries, according to Wilson, occurred later when Burge took him to another room and handcuffed him against a radiator in order to apply electric shocks.

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Page 5

Chicago Sun-Times
Chicago, Illinois
Date: February 26, 1992
Edition: Five Star Sports Final

Title: Accused Cop Denies Questioning Prisoner

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Accused cop denies questioning prisoner

Disputes story of brutality at police HQ

By Charles Nicodemus
Staff Writer

Detective John Yucaitis, who is accused of helping torture a confession out of convicted cop killer Andrew Wilson, told a police brutality hearing Tuesday he never even questioned Wilson.

And Detective Patrick O'Hara, who Wilson says never abused or grilled him, testified it was he who took Wilson's first verbal confession, which he said was voluntary and took only 20 or 25 minutes.

"I just said to him, 'Tell me about it'" and Wilson did, O'Hara said.

Wilson, who suffered numerous injuries in custody, says Cmdr. Jon Burge and Yucaitis kicked him and tortured him with electric shocks and by tying a plastic bag over his head. O'Hara is accused of condoning the abuses.

But Yucaitis, the first of the three to testify, said his only role in the Wilson saga was to drive Wilson back to Area 2 detective headquarters after his arrest and handcuff him to the wall in a second floor interview room.

Yucaitis told the Police Board hearing that while Wilson was being questioned by O'Hara and another detective, Thomas McKenna, he remained in the large "squadroom" directly outside the interview room.

He said Burge had told him his assignment was to "keep an eye" on Wilson and "not let anyone get at him." Yucaitis said he assumed that meant he was to make sure no officer tried to attack Wilson to exact revenge for the July 9, 1982, murder of Officers Richard O'Brien and William Fahey.

Wilson says "six or seven" officers roughed him up after he arrived at the station around 6 a.m.,

and that both Yucaitis and Burge tortured him that Sunday morning, five days after the killings.

But Yucaitis, a 27-year police veteran, said only O'Hara and McKenna questioned Wilson, and Burge "never even went near" the interview room during that time.

Wilson told the hearing two weeks ago he confessed to an assistant state's attorney around 6 p.m., after at least three torture sessions. But O'Hara testified Wilson confessed around 7 a.m., about an hour after arriving at Area 2 headquarters. Wilson's confession was thrown out by the Illinois Supreme Court because of his injuries but he was convicted in a second trial and is serving a life sentence.

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SUN-TIMES/Rich Chapman

Police Cmdr. Jon Burge (center) is flanked by Detectives John Yucaltis (left) and Patrick O'Hara at a benefit at Teamster Hall,

328 S. Marshfield, to raise funds for their legal fees. The three are facing a brutality hearing concerning the torture of a suspect.

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(Indicate page, name of newspaper, city and state.) Page 5
Chicago Sun-Times

Chicago, Illinois

Date: February 26, 1992
Edition: Five Star Sports Final

Title: 3,000 Rally Behind Officers In Brutality Case

Character:

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Classification:

Submitting Office:

Indexing:

3,000 rally behind officers in brutality case

By Larry Weintraub

Staff Writer

More than 3,000 supporters of three Chicago policemen facing brutality charges cheered the three Tuesday night at a rally in a West Side Teamster union auditorium.

They hailed the accused officers—as officials of police organizations defended the three men, Cmdr. Jon Burge and Detectives Andrew Yucaitis and Patrick O’Hara, who are accused

of torturing or condoning the torture of a murder suspect.

Earlier, about 100 protesters marched outside the benefit at Teamster Local 705 headquarters, 328 W. Marshfield.

Carrying signs and shouting through bullhorns, the demonstrators remained behind police barricades erected across Marshfield from the hall.

Thirty uniformed officers were stationed between the group and the Teamster building, but the protesters were

well-behaved, if loud.

The rally was sponsored by the Burge-O’Hara-Yucaitis Family Friends Committee, police officers, assistant state’s attorneys and others who believe the three are being treated unfairly. Tickets cost \$20 each.

Dewey Stokes, national president of the Fraternal Order of Police, said the three officers are victims of “a miscarriage of justice.”

“Elected officials don’t have

Turn to Page 62

Police

Continued from Page 5

the intestinal fortitude to stand up for you,” Stokes said. He said that if the charges against the three officers are upheld, similar accusations will be brought “in every major city in the country.”

Stokes said that because of the Chicago case, “the National Police Officers Bill of Rights will be amended to cap [limit] administrative hearings,” such as those of the Chicago Police Board.

The Rev. Thomas Nagle, head of the St. Jude’s Police League, read the names of 24 Chicago officers killed in the line of duty since 1982, as the Emerald Society, a police bagpipe band, played.

Wounded police officers Jacqueline Healy and James Schodt, both shot in a recent North Side currency exchange robbery, were awarded plaques.

Burge, O’Hara and Yucaitis also spoke briefly. “The support and loyalty . . . ,” Burge said, “I didn’t expect something like this.” He said the three couldn’t discuss de-

tails of the case in progress but that “it’s not over till it’s over and we’re not going to give up.”

“This makes me proud to be a policeman,” O’Hara said.

“Thank you,” Yucaitis said. “You don’t know how much we all appreciate it.”

Officials announced that U. S. Rep. William O. Lipinski (D-Ill.) had sent a \$600 check “to help defray expenses.”

John Dineen, Fraternal Order of Police chief in Chicago, urged those who believe in the three officers’ innocence to write or wire their views to Mayor Daley and members of the Police Board. “We have to let the administrators of this city know we support good police work,” he said.

Tim Lohraff, spokesman for the Task Force to Confront Police Violence demonstrating outside, called the benefit “a torture party, a torture ball.”

“We believe there is widespread torture and a police department code of silence to keep it quiet,” he said.

The rally was to raise money for legal and family expenses for the three, who have been suspended without pay since Nov. 13.

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(Indicate page, name of newspaper, city and state.) Page 1
Section 2

Chicago Tribune

Chicago, Illinois

Date: February 26, 1992

Edition: North Sports Final

Title: Burge Supporters Come Out In Force

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Burge supporters come out in force

By Janita Poe
and Sharman Stein

At \$20 a ticket, police officers and other supporters packed an auditorium Tuesday night to raise money for the defense of three Chicago colleagues facing dismissal over allegations they tortured a suspect held in the killing of two officers.

The Teamsters Auditorium, 328 S. Marshfield Ave., was jammed to the walls and overflowing in the balcony with people who came to rally behind Cmdr. Jon Burge and Detectives John Yucaitis and Patrick O'Hara.

A man selling the tickets at the door estimated the crowd at 3,000 to 5,000. Other organizers estimated it at 4,000 to 5,000, and Deputy Chief of Patrol Ronald Garcia said the organizers told him the crowd was 4,000.

The three suspended officers are in the midst of a hearing to determine their future on the force. The city is attempting to have them dismissed, a decision that will be made by the Chicago police board following the hearing.

The allegations of brutality have at times divided the Police Department along racial lines. The three officers are white, and nearly all the officers and contributors Tuesday night also were white. The allegations of torture are being made by a black man convicted of killing two officers.

A group of about 100 protesters, also mostly white, carried placards and chanted such things as "Burge tortures blacks and you throw a party." But the protesters left early.

Lt. Tim Gainer, commander of the mounted police unit, said what was echoed by many at the rally:

"I know they didn't do it. They've been tried twice already. It's a shame they have to go through this again. I'd be happy to work with them or for them."

During the formal speeches, an emotional Burge said with a trembling voice:

"For once in my life, I am at a loss for words. The support and loyalty of all of you out there is incomprehensible. We didn't expect anything like this. We cannot talk about the hearings now. I'm sure you understand. When it's all over, we'll have something to say, and we realize that it's not over till it's over."

44A-C-78234-B-39



Tribune photo by Michael Fryer

Suspended Police Cmdr. Jon Burge (second from left) and Detective Patrick O'Hara greet supporters Tuesday in the

Teamsters Auditorium. Burge, O'Hara and another detective are facing dismissal for allegedly torturing a suspect.

At that, the crowd went wild, cheering, stamping, yelling and giving Burge, Yucaitis and O'Hara thunderous applause.

The crowd also gave a wildly enthusiastic greeting to two Chicago police officers who were shot and wounded Feb. 15 during a currency exchange robbery attempt on the North Side.

Those two went up to the platform

slowly, one, Officer James Schadtler, on crutches, and the other, Officer Jacqueline Healy, with her arm in a sling, while the song "The Wind Beneath My Wings" played.

Cleveland Thomas, one of a smattering of black officers in the crowd, said he came to show his support for the families of Burge, O'Hara and Yucaitis. "Person-

ally, I think they're not guilty. They went through two trials and were found not guilty."

The officers have never faced criminal charges in the matter, and the allegations have gone unproven through two federal civil rights trials and an earlier internal police probe. But a more recent police

See Burge, pg. 8



Tribune photo by Michael Fryer

Protesters carry placards saying such things as "Killer Kop Klub" and "Code of Silence Equals Ra- chial Violence" outside the rally and fundraiser Tuesday night at the Teamsters Auditorium.

Burge

Continued from page 1

investigation, which led to the hearings, concluded the officers had tortured the suspect or did not intervene.

The peaceful protesters outside carried placards saying such things as "Killer Kop Klub" and "Code of Silence Equals Racial Violence."

The protesters represented the Malcolm X Grass Roots Movement, Task Force to Confront Police Violence, Queer Nation and Coalition Against Bashing.

Tim Lohraff, 30, spokesman for the Task Force to Confront Police Violence, said the police rally "is definite evidence that the code of silence is alive and well in the city of Chicago. . . . We're saying it's a torture party, a torture ball in support of Burge."

Earlier Tuesday at the hearings, the defense put two of the officers on the stand to deny that they tortured Andrew Wilson, who subsequently was convicted of killing two police officers.

Yucaitis, who is charged with participating in the torture of Wilson, and O'Hara, who is charged with knowing of the torture but doing nothing to stop it, testified that they did not themselves brutalize Wilson and did not see or hear of anybody else do so on the day of Wilson's arrest, Feb. 14, 1982.

Wilson has claimed he was

beaten, suffocated and given electrical shocks, one of which was so strong it flung him against a window, breaking the glass.

Wilson and his brother, Jackie, were convicted of the Feb. 9, 1982, murders of Officers Richard O'Brien and William Fahey. They are serving life sentences without possibility of parole.

Answering a series of quick, sharp queries from defense attorney Joseph Roddy, Yucaitis replied, "No, sir," to the following:

"Did you have any knowledge or belief that Cmdr. Burge mistreated Andrew Wilson?"

"Did you have any knowledge or belief that any other officers mistreated Andrew Wilson?"

"Did you know of any mistreatment and fail to notify the department?"

"Did you in concert with Jon Burge strike, kick, physically abuse, electric shock or put a bag over the head of Andrew Wilson?"

Yucaitis testified that he first became involved after Burge picked him to drive Wilson back to the Area 2 headquarters from the apartment where Wilson was arrested.

As Yucaitis was about to drive away, he said, Burge instructed him to make sure "nobody got to him. He didn't want anybody to talk to him."

After taking Wilson to the station house, Yucaitis said, he spent most of the time, from 6 a.m. to 3 p.m., standing outside of the interview room where Wilson was held without himself speaking to Wil-

son or seeing anyone else besides the two detectives who took his confession go into the room.

Yucaitis said he never saw Burge go into the room with Wilson.

When attorney June Ghezzi, one of the attorney's representing the city, asked Yucaitis during cross-examination whether he had ever beaten Wilson in a previous arrest, the soft-spoken officer replied vehemently, "I never beat him up."

O'Hara, who is suffering from Parkinson's disease, testified in a strong, steady voice as he described his involvement in the investigation of the murders of the two police officers.

O'Hara said he first saw Wilson during the arrest, when he observed a cut between his right eye and eyebrow. O'Hara said he later went into the interview room where Wilson was being held with Detective William McKenna, and the two got an oral confession from Wilson.

O'Hara said he asked Wilson if he wanted to see a doctor for the cut, but Wilson refused one. Wilson then provided a step-by-step description of the murder of the two officers, O'Hara said.

O'Hara said Wilson never said he had been beaten or tortured during the interview. The detective also said he did not see anyone else going into the interview room with any objects that resembled an electroshock device.

Tribune reporter Helaine Olen contributed to this report.

19-PV-4048(FBI)-1212

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Burge says no torture occurred

By Sharman Stein

Criminals, attorneys, judges, police officers, doctors and the two Chicago police detectives implicated in the alleged torturing of cop-killer Andrew Wilson have testified during police board hearings into sensational allegations of brutality.

On Monday the man whose name has come to characterize the proceedings—Cmdr. Jon Burge—finally took the witness stand. Six other times, in criminal and civil proceedings, Burge has denied torturing Wilson or knowing anything about anyone else brutalizing the convicted murderer.

Monday, with calm, great detail and even humor, Burge again denied the allegations.

It was his 22nd anniversary on the police force.

The board is into its third week of proceedings in the city's effort to dismiss Burge and Detectives John Yucaitis and Patrick O'Hara. Burge and Yucaitis are accused of torturing Wilson, O'Hara of standing by and doing nothing to stop the brutality. The three officers have been suspended since November.

Wilson and his brother, Jackie, were convicted of murdering officers Richard O'Brien and William Fahey and are serving life sentences without parole.

Burge's attitude on the stand—by turns serious, dignified, scornful and even amused—conveyed the impression that brutal behavior would be beneath him because good police work would render it unnecessary.

The heavy-set commander, with ruddy skin and improbably light blond hair, did not appear to be in the least bit worried that this hearing might find him guilty and lead to the loss of a job to which he has dedicated the last two decades.

Burge joined the police force March 2, 1970, after returning just months earlier from Vietnam. As the bachelor admitted under cross-examination, he has dedicated most of his life to the police force, rising steadily

See Burge, pg. 7

(Indicate page, name of newspaper, city and state.) Page 1
Section 2

Chicago Tribune
Date: Chicago, Illinois
Edition: March 3, 1992
North Edition

Title: Burge Says No Torture Occured

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

(2) 44A CG 78234 SUB B-
1-44A CG 75114 40

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Burge

Continued from page 1

through the ranks and receiving a promotion to commander in 1986.

While reluctant to agree, apparently for semantic reasons, that he was a "hands-on" lieutenant at the time of the alleged Wilson beating at the old Area 2 headquarters, Burge conceded that he was actively involved in most of the violent-crime investigations under his command.

When the two police officers were murdered Feb. 9, 1982, and until Wilson was caught on Feb. 14, Burge said he did not go home to sleep.

But asked by Daniel Reidy, who is representing the city, whether he spent a lot of extra hours on police work, Burge answered ruefully, "not lately."

Under questioning by attorney William Kunkle, who is leading the team of attorneys representing the three officers, Burge replied, "No, sir, I did not" to a dozen questions relating to the mistreatment of Wilson on the day of his arrest.

Burge said that not only did he not beat, electro-shock or place a gun in Wilson's mouth, as Wilson has alleged, but he also barely saw Wilson after the arrest, having left the questioning to O'Hara and another detective.

Under cross-examination by Reidy, Burge admitted to uttering "a few unkind words" to Wilson at the time of the arrest in a South Side apartment.

Asked to recall those words, Burge declined. "I would be embarrassed to say it in front of the females in the audience," he said.

Burge denied dealing directly with Wilson after that, and he also denied going into the interrogation room, where Wilson alleges the beatings occurred.

Burge said he specifically told O'Hara, who was driving Wilson back to Area 2 after the arrest, to make sure other officers did not question Wilson or interfere with him. "I told him to treat Wilson with kid gloves," Burge testified.

Burge said "a lot of venom was let out" on the day of the arrest by officers who were upset by the murder of their colleagues, but "I wouldn't say hatred."

Burge said he noticed Wilson's cut over the right eye, but "I took it as humorous" when he observed the photographs of the multiple dressings Wilson wore soon after in a court proceeding.

"The only injury I was aware of before he left our care was an abrasion of the right eye and a



Cmdr. Jon Burge testifies Monday that Andrew Wilson was not brutalized after being arrested.

redness," Burge said. When he saw the bandages, Burge said, "My personal opinion was that they were playing it up grand."

In the case of another suspect, Melvin Jones, who testified two weeks ago to having been tortured by Burge in a separate incident, Burge admitted to having stopped in an interview room where Jones was sitting and calling him "a piece of human garbage. I told him that I didn't, and the criminal justice system didn't, take kindly to killing state's witnesses; and that while he might not get charged that day or the next, and even if it took 10 years, we would get him."

Jones was being held at the station on Feb. 6, 1982, on suspicion of being involved in the murder of Jeffrey Mayfield, who was scheduled to testify as a witness in a murder trial. Jones alleges he suffered electrical shocks and beatings at Burge's hands.

In his cross-examination, Reidy made the case for Burge having been "embarrassed" when he realized that two of the Area 2 detectives had arrested Wilson the previous December for the robbery of a camera store but had failed to realize that Wilson was on probation.

Wilson was subsequently released on bond, Reidy said, and in a position to murder Fahey and O'Brien.

Burge denied that he believed the officers were responsible for finding Wilson's probation status when they made the arrest.

Questioning Burge on the matter of whether he ever spoke with Wilson while he was in the station, Reidy asked if he ever "gave him any food for thought" as he had given Jones.

"I didn't have to," Burge replied. "He gave it up [confessed] right away."

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(Indicate page, name of newspaper, city and state.) Page 5

Chicago Sun-Times
Chicago, Illinois

Date: March 3, 1992

Edition: Five Star Sports Final

Title: Burge Takes Stand,
Denies Torture Charges

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Burge takes stand, denies torture charges

By Charles Nicodemus
Staff Writer

Police Cmdr. Jon Burge took the stand Monday and called Andrew Wilson "a piece of human garbage" but denied that he ever tortured the convicted cop killer to force his disputed confession.

Burge also denied similar abuse accusations made by two other crime suspects, including a murder suspect whom Burge admitted warning he would "bring to justice" even if it took "a week, a month, a year . . . no matter how long."

Burge made his denials at a Police Board brutality hearing as the city's special counsel, who is seeking Burge's dismissal, suggested a new motive for Burge's pushing hard for a quick confession in the 1982 murders of two Chicago policemen.

Under questioning by his chief attorney, William Kunkle, Burge said he had never even interrogated Wilson. Burge testified that the only physical contact he had with Wilson was when he put one knee on Wilson's back and the other knee on Wilson's neck while Wilson was being handcuffed after his arrest.

During cross-examination, special counsel Daniel Reidy suggested that Burge was "embarrassed" because two of his detectives had failed to have Wilson held as a parole violator when Wilson was arrested in the December, 1981, holdup of a Far South Side camera shop, two months before the

two policemen were shot.

Wasn't the two detective's failure to block Wilson's release on bond in the camera store robbery "an embarrassment?" Reidy asked.

"Isn't it true," Reidy demanded, "that [slain] officers William Fahay and Richard O'Brien would be alive today if your officers [who helped handle the earlier robbery investigation] had done their job" by making a routine check of Wilson's record, which showed he was on parole?

Burge answered that it was the primary responsibility of the arresting officers, the Department of Corrections and the courts—and not his detectives—to block Wilson's release on bond because of parole violation.

However, he conceded that he'd been "annoyed" after learning (during the murder investigation) of the detectives' failure to have Wilson detained without bond.

But he said he couldn't remember whether he had "talked to" the detectives about his annoyance before Wilson's interrogation began Feb. 14, 1982, shortly after Wilson's pre-dawn arrest.

One of the detectives, Thomas McKenna, took part in Wilson's questioning. Police say Wilson's readily offered admission that he killed the two officers took no more than 20 to 25 minutes.

Wilson testified three weeks ago that he signed a false, typed confession 11 hours later only after he was tortured three times by Burge and Detective John Yucaitis.

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(Indicate page, name of newspaper, city and state.) Page 3

Chicago Defender
Chicago, Illinois

Date: March 3, 1992

Edition:

Title: Burge Denies Brutality Charges

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Burge denies brutality charges

Suspended police Commander Jon Burge took the stand Monday to categorically deny charges of brutality, stating he ordered fellow detectives to treat alleged victim Andrew Wilson, "with kid gloves."

Following the deaths of two South Side patrolmen in 1982, Burge, during direct examination, told attorney William Kunkle that physically abusing Wilson would seriously jeopardize the case against him.

When arresting Wilson on the far West Side, five days after the

murders in Feb. 1982, Burge said he threw Wilson to the ground and knelt on his back. However, he denied torturing Wilson with an electrical device and forcing him against a scalding radiator.

According to Burge, he became aware of Wilson's injuries when he appeared later in court and "played it up grand." Throughout the trial, Kunkle suggested Wilson may have self-inflicted the wounds to avoid a conviction which came later.

Wilson testified last month he was tortured by Burge in an effort

to coerce a confession.

Defense attorneys presented evidence showing the number of confessions brought forth at Area 2 detective headquarters in 1982 (69 percent) was lower than the citywide average (71 percent).

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(Indicate page, name of newspaper, city and state.) Page 22
 Chicago Sun-Times
 Chicago, Illinois
 Date: March 6, 1992
 Edition: Five Star Sports Final

Title: Burge Says '82 Cop Report He OKd Is Wrong

Character:
 or
 Classification:
 Submitting Office: Chicago

Indexing:

Burge says '82 cop report he OKd is wrong

By Charles Nicodemus
 Staff Writer

A 1982 police report approved by Cmdr. Jon Burge is "wrong" when it contradicts the current police version of the interrogation of convicted cop-killer Andrew Wilson, Burge testified Thursday.

Burge told a Police Board brutality hearing the report erred in stating his detectives questioned Wilson in the property crimes section of the old Area 2 Detective headquarters, adjoining Burge's unit.

Wilson's description of one of the two places he says he was questioned—and tortured until he confessed to killing two policemen—matches the description in

the report, which was filled out by the two detectives who did the questioning.

But Burge and other police say Wilson was questioned only in Burge's much busier violent crimes unit, next door to the property crimes office. The screams Wilson says his torture caused would have been easier to hear there, but police and a prosecutor who have testified said they heard no screams.

Burge said he read and signed the report saying Wilson was questioned in the property crimes offices and missed the error.

Burge testified Thursday that there weren't any interview rooms in the property crimes section,

implying that Wilson couldn't have been questioned there.

Burge ended two days of testimony Thursday afternoon when cross-examination was concluded by Daniel Reidy, the special counsel seeking Police Board dismissal of Burge and Detectives John Yucaitis and Patrick O'Hara.

Meanwhile, attorneys with the People's Law Office, which spearheaded the campaign to have Burge face brutality charges, said new information shows Burge and his detectives were accused of 72 incidents of torture from 1973 to 1991.

Burge's attorneys said they had not been informed of the new allegations.

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Chicago Defender
Chicago, Illinois

Date: March 9, 1992

Edition:

Title: Denies Brutality

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Denies brutality

A retired forensic pathologist has refuted a doctor's claims that the injuries convicted cop killer Andrew Wilson sustained resembled scratch marks which could have been self-inflicted.

In the special session Saturday of the dismissal hearings of suspended Area 3 Commander Jon Burge and two detectives, Dr. Werner Spitz examined blown-up photographs of Wilson's head and chest taken while he was detained at Cook County Jail.

Spitz reportedly testified the scratches or abrasions may have been caused by a fingernail or another object. His evaluation refutes the testimony of forensic pathologist Dr. Robert Krischner, who said Wilson's injuries were consistent with his allegations of being burned on a radiator.

Wilson testified last month that Burge electro shocked him, burned him, pointed a gun at his head and beat him in February 1982 following the shooting deaths of two police officers.

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Chicago Defender
 Chicago, Illinois
 Date: November 26, 1991
 Edition Vol. LXXXVI, No. 144

Title: Alleged Police Torture Case On Hold For Now

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Alleged police torture case on hold for now

by Scott Burnham

A Chicago Police Board hearing slated to decide the fate of three high-ranking officers accused of torturing a suspect nearly 10 years ago was delayed Monday after city prosecutors were granted a continuance.

The motion, requested by attorney Dan Reedy, was granted by the civilian police board Monday morning as reporters, police officers and members of police watchdog groups flooded into the O.W. Wilson Auditorium at Police headquarters.

A status hearing is scheduled for mid-December and the hearing will begin Jan. 21, 1992, officials said.

Area 3 detective Commander Jon Burge was suspended without pay earlier this month for allegedly torturing Andrew Wilson in 1982, hours after Wilson allegedly murdered two Chicago police officers on the Far South Side.

Detective John Yucaitis is also accused in a report, compiled by the Office of Professional Standards, of physically abusing Wilson.

Detective Patrick O'Hara is cited for having failed to stop the abuse. All three officers face dismissal.

Burge's attorney, William Kunkle Jr., who has represented him in civil, state and federal cases involving charges of brutal-

ty, objected to the postponement and demanded an immediate trial.

Commenting on the possibility of including the testimony of other suspects who have accused Burge of torture, insiders predicted the board will limit the number of witnesses. Kunkle said he'd "like to see live witnesses for a change."

"I've tried it four times," said Kunkle while leaving the auditorium. "A federal jury exonerated these police officers before they heard all of the evidence."

While Reedy refused to comment on the case, Wilson's former attorney, Flint Taylor, said he would welcome the inclusion of other witnesses.

"There's physical, there's medical evidence," said Taylor, "but this makes it even stronger when there's a pattern of 40 people over a period of 15 years who have been tortured and mistreated by these men."

During a Civil Rights trial in 1989, Burge was cleared of the charges. However, the jury found the abuse of suspected cop-killers was prevalent during interrogation.

About 20 activists representing various police watchdog groups picketed outside police headquarters prior to the hearing, demanding evidence not be limited to the Wilson case.

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 Page 3
 Section 2

Chicago Tribune
 Chicago, Illinois
 Date: February 13, 1992
 Edition:

Title: Lawsuit Alleges Chief Liable For Brutality

Character:

or

Classification:
 Submitting Office Chicago

Indexing:

Chicago

Lawsuit alleges chief liable for brutality

Portions of a federal lawsuit were unsealed by a U.S. District judge on Wednesday alleging that police Supt. LeRoy Martin was partly responsible for the abuse of a prisoner who was arrested by Cmdr. Jon Burge and interrogated by detectives under Burge's command in 1983.

Martin denied the charge and has said he has no knowledge of brutality while he was area commander.

After 31 hours of questioning by Burge's detectives, the prisoner, Gregory Banks, confessed to a murder. But after spending 7 years in jail, Banks was released because the Illinois Appellate Court ruled that his confession was obtained through brutality. Banks was retried in 1990 and the charges were dismissed.

In October, Banks filed a federal civil rights lawsuit. In portions unsealed, his attorney, G. Flint Taylor, alleges that Martin was responsible, in part, for the abuse because he was area commander at the time Banks was questioned.

Meanwhile, the Chicago Police Board hearing involving allegations of brutality and torture by Burge and two other officers continued Wednesday, with attorneys completing their questioning of Andrew Wilson, another prisoner who has said he was abused.

Wilson has charged that he was tortured in 1982 after his arrest for the murder of two police officers.

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3 cops face hearing in torture case

By Sharman Stein
and John Kass

A January date has been set for a Police Board hearing at which the city will seek to dismiss three Chicago police officers accused of torturing a prisoner in 1982.

The date was set Monday during a preliminary hearing in the case, which involves Brighton Park Area Detective Cmdr. Jon Burge and Detectives John Yucaitis and Patrick O'Hara.

Meanwhile, Mayor Richard M. Daley defended his decision not to take action against the officers when he was state's attorney in 1982, explaining that the alleged victim of the abuse, Andrew Wilson, refused to cooperate with his office at the time.

None of the accused officers was present at the hearing Monday morning in police headquarters. Attorneys retained by the police union to defend them, Joseph Roddy and William Kunkle Jr., objected to the delay sought by Daniel Reidy, the outside counsel hired by the city to pursue the dismissals.

Reidy, a former assistant U.S. attorney, made his first appearance on the case Monday.

The board agreed to delay the

hearing until Jan. 21. A preliminary status hearing is tentatively planned for Dec. 17.

Burge and Yucaitis are accused of physically abusing Wilson after arresting him in the murder of two Chicago police officers. O'Hara is accused of standing by and not interfering with the torture.

The officers were acquitted of the

charges in a federal trial stemming from a civil lawsuit, but an internal police investigation completed in October concluded that the men did participate in the abuse of Wilson. They are currently suspended without pay.

Wilson and his brother, Jackie, were later convicted of the murders and are serving life sentences with-

(Indicate page, name of newspaper, city and state.) Page 3
Section 2
Chicago Tribune
Date: Chicago, Illinois
Edition: November 26, 1991
North Edition

Title: 3 Cops Face Hearing
In Torture Case

Character:
or
Classification:
Submitting Office: Chicago

Indexing:

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Tribune photo by David Klobucar

The Task Force Against Police Violence protests Monday outside Police Headquarters, 11th and

State Streets, where a hearing was set for three officers charged with torturing a prisoner in 1982.

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(Indicate page, name of newspaper, city and state.) Page 3
 Chicago Defender
 Chicago, Illinois
 February 22, 1992

Date:
 Edition:

Title: Further Testimony Of Torture Brought Against Burge And Cops

Character:
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 Classification:
 Submitting Office: Chicago

Indexing:

Further testimony of torture brought against Burge and cops

by Scott Burnham

A third witness appearing in the dismissal proceedings against Jon Burge and two detectives testified Thursday the commander suffocated him and subjected him to a game of Russian roulette while questioning him regarding an armed robbery in 1985.

Shadeed Am'min, 48, was taken into custody Oct. 30, 1985, in connection with the robbery of a Brown's Chicken restaurant, in the 11600 block of South Western Avenue, that left an employee with a gunshot wound to his midsection. The incident occurred months before Am'min's arrest.

Sitting in a chair with his hands cuffed behind him, Am'min alleged Burge took a vinyl typewriter cover on two occasions and secured it over his head, rendering him unconscious both times.

On the third attempt, Am'min said he "hollared for help," causing Burge to stop suffocating him.

Am'min said the alleged abuse convinced him to confess to the crime. The day after the questioning, he signed a statement confessing he drove the get-away car. Am'min alleged, when he agreed to sign the statement, he neglected to examine a section stating he was treated fairly by the police and that his Miranda rights were read to him.

Am'min, a former parking lot attendant and leather crafter, waited before he made the allegations of abuse for several days when he sought medical treatment for troubled breathing.

The assistant state's attorney who met with Am'min for the signing of the confession in the presence of police officers is expected to take the stand Friday.

According to Am'min, Burge emptied five bullets from a loaded revolver he kept in his drawer, spun the chamber and "clicked it three times" at the suspect's head.

One of Burge's attorneys, Joseph

Roddy, attempted to discredit this portion of Am'min's testimony by questioning why Burge would risk shooting a hand-cuffed suspect in the head at the police station.

Echoing the statements of Andrew Wilson and Melvin Jones, Am'min alleged Burge told him it was not worth reporting the alleged attack, "because no one will believe you." During the testimony, however, Am'min never mentioned being electroshocked.

Both Wilson and Jones have alleged Burge shocked them in addition to other tortures.

Flynt Taylor, a lawyer for Wilson in a criminal trial, speculated Burge may have tricked Am'min in believing the gun was loaded or may have stopped the procedure when a bullet before a bullet would have been discharged.

Taylor added similar complaints of abuse from at least 50 other suspects stand to confirm Am'min's story.

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Burge case ruling seen far away

Chicago Police Board cases 1856, 1857 and 1858—the cases of Cmdr. Jon Burge and Detectives John Yucaitis and Patrick O'Hara—concluded Thursday with the officers' counsel arguing that there is not ample evidence of misdeeds to uphold their firings.

Also in closing hearings, the city recapitulated its rationale for dismissing the three men.

The case has focused citywide attention on allegations of brutality, torture and excessive force in the Police Department. It is the most extensive case of its kind in the police board's history.

Burge and Yucaitis are accused of brutalizing and torturing convicted cop killer Andrew Wilson in February 1982, and O'Hara of knowing about the abuse but doing nothing to stop it.

The hearings have lasted six weeks and have included about two dozen witnesses.

The final ruling, which will be made by the nine-member civilian police board, is not expected for several months.

Mark Iris, executive director, said it will likely take at least a month to compile the 5,000 to 10,000 pages of testimony from this hearing and previous judicial proceedings, upon which the board members will base their decision.

Date: March 20, 1992
 Edition: Chicago Tribune
 Section 2
 Title: Page 2
 Burge case ruling seen far away

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Indexing:

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Date: March 20, 1992
 Edition: Chicago Sun-Times
 Page 5 & 58

Title: Final arguments in cop torture case

Character:
 or
 Classification:
 Submitting Office:

Indexing:

Final arguments in cop torture case

By Charles Nicodemus
 Staff Writer

Five weeks of testimony and exhibits "clearly show" Police Cmdr. Jon Burge and two of his men treated convicted cop killer Andrew Wilson "like a piece of human garbage," a Police Department special counsel contended Thursday.

In a three-hour final argument, attorney Daniel Reidy told a Po-

lice Board brutality hearing that Wilson "committed horrible crimes"—the February, 1982, murder of two Chicago policemen.

But Wilson was "a human being ... entitled to the protection of police" who, Reidy said, instead tortured him to extract a confession that he shot the officers.

However, William Kunkle, chief counsel for Burge and detectives John Yucaitis and Patrick O'Hara,

said the lengthy hearing demonstrated "conclusively" that Wilson's tale of being tortured with electrical shocks, suffocation, "Russian roulette" and beatings was "totally incredible."

"The evidence stinks," Kunkle said.

Although Reidy stressed that Wilson's story was "supported by medical evidence," and by contradictions in the police officers' sto-

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FINAL ARGUMENTS IN COP TORTURE CASE

Burge

Continued from Page 5

ries, Kunkle told hearing officer Michael Berland the case must stand or fall on Wilson's credibility, "which is nil."

"You're not allowed to take a man's job away . . . ruin his reputation, take his family's livelihood, if you have to read between the lines," Kunkle said during 3½ hours of summation.

Based on an investigation by the Police Department's Office of Professional Standards, Supt. LeRoy Martin suspended the three men without pay in November and recommended that the Police Board fire them. The Office of Professional Standards said Burge and Yucaitis tortured Wilson and O'Hara condoned the mistreatment by failing to report it.

Kunkle was expected to take two more hours in closing today.

The lengthy transcript of testimony from 39 witnesses, plus more than 200 exhibits, will go to the nine-member civilian Police Board, which will decide the officers' fate. No decision is expected for more than two months.

Reidy ridiculed the claim of Burge and other officers that Burge—widely reputed to be a "hands on" commander—hadn't personally questioned Wilson or even entered the Area 2 detective headquarters' interrogation room, although the case was "the most important of his career . . . watched by everyone on the force from the superintendent on down."

Reidy said two officers apparently "didn't get the word" about backing Burge's "noninvolvement" story. A detective who sat

outside the interview room and a "wagon man" who came to take Wilson to the central lockup both testified in earlier proceedings that they saw Burge in the room, Reidy noted.

O'Hara's conduct was "almost as bad as the others," Reidy argued, because officers who keep silent about the abuse of prisoners encourage mistreatment by other police.

Recalling that Burge had described Wilson as a "piece of human garbage," and that Officers William Fahey and Richard O'Brien had been the third and fourth lawmen shot to death in Burge's area within three weeks, Reidy said:

"The police felt they were under siege. Four 'brothers' had been killed." So the goal was "to break that piece of garbage, to make to that piece of garbage cooperate."

Kunkle cited numerous details of how Wilson—now serving a life sentence in the murders—had changed his version of events during two criminal trials and two federal civil trials in which he unsuccessfully sued police for damages.

A public defender and a County Jail doctor indicated Wilson told them he had been electro-shocked on his genitals, "but Wilson now denies ever saying that," Kunkle noted.

In court filings, Wilson has referred to being "interrogated," Kunkle said, yet Wilson insisted while on the stand he was "never actually questioned" about the murders, just tortured until he gave a statement.

During the 10 years of court proceedings, Kunkle related, "Wilson has even changed the names of the police" he says abused him.

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(Indicate page, name of newspaper, city and state.) Page 4

Chicago Sun-Times

Chicago, Illinois

Date: March 21, 1992

Edition:

Title: Burge Hearing Ends With Emotional Plea

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

Burge hearing ends with emotional plea

By Charles Nicodemus
Staff Writer

With tears welling in his eyes and his voice cracking with emotion, the lawyer for Cmdr. Jon Burge and two of his detectives urged a police brutality hearing not to "believe that [S.O.B.]."

The target of attorney William Kunkle's emotional final argument, convicted cop killer Andrew Wilson, accuses Burge and his men of using torture to force his confession in the 1982 murder of two officers.

In a two-hour rebuttal to Kunkle's 4½-hour summation, Daniel Reidy, special counsel for the Police Department, said: "It is indeed a sad day. . . . It is not easy to stand here and ask for the discharge of these three officers.

"They thought it [torture] was all

right" because Wilson had killed two policemen, Reidy suggested. He said Burge and Detectives John Yucatius and Patrick O'Hara "thought Wilson was a piece of human garbage" and the abuse "was all right, to secure a conviction they believed was just.

"But that cannot be accepted . . . even 10 years later," Reidy told hearing examiner Michael Berland.

Wilson was so battered by the time he was delivered to the central lockup, "he looked like the wreck of the Hesperus," Reidy said, and the lockup keepers refused to accept him until he received medical attention.

Such "systematic" brutality "cannot be condoned," Reidy argued.

Kunkle said, however, that none of the doctors who examined Wilson or testified at the long legal proceedings the case has spawned "agreed on a

diagnosis" of what Wilson's injuries were or how they were suffered.

"And even if you believed them, there's no proof as to who did it" among the various officers who had contact with Wilson, Kunkle said.

Reidy said the defense's theory of the case "simply doesn't hold water."

On the one hand, Reidy said, the officers claim that Wilson—a career criminal with a history of refusing to confess to lesser crimes—"wrote himself a [potential] ticket to the electric chair" by voluntarily confessing immediately after his arrest, and gave a formal statement 11 hours later.

"Then they say that in less than an hour," Wilson supposedly began "scheming and conniving" to produce his torture story, Reidy said. "It just doesn't make sense. It just didn't happen that way."

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(Indicate page, name of newspaper, city and state.) PAGE 7
DEFENDER
 CHICAGO, ILL.

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Officials: Burge exoneration could spawn violence

by Chinta Strausberg

Police Board Commissioner Nancy Jefferson, officials from the SCLC and elected legislators warn that Chicago is ripe for Los Angeles-style riots if Comander Jon Burge — accused of torturing Black suspects — is exonerated.

Jefferson says she understands why Blacks in L.A. are rioting. "People have gone to the wall," she said, noting L.A. has not been out of control since the infamous 1965 Watts riots.

She warned the same thing can happen in Chicago if Burge, charged with torturing several Black suspects in his custody, and two officers under his command are exonerated by the police board.

"The leaders of this nation have to answer to what is right," she said. "They cannot cover this up."

NAACP Executive Director Syd Finley called the King verdict "clearly an abortion of justice" and said riots could happen in Chicago.

Ald. Dorothy Tillman (3) said the verdict is indicative of a "whole new wave of racism that is sweeping America. We are being pushed up against the wall, being totally disrespected and the power structure is trying to turn back the clock."

Aldermen Rickey Hendon (27) and Robert Shaw (9) called on the mayor to take a firm stand against police brutality.

Attorney Flint Taylor, one of the lawyers for Andrew Wilson — who shot a policeman and accused Burge of torturing him during an investigation into the shooting — fears similar action may take place in Chicago if Burge is exonerated.

Agreeing with Jefferson, Taylor

said: "If the police board exonerates Burge, they will be acting in a similar manner to the way the white jury in L.A. acted."

Mayor Richard M. Daley, meanwhile, said he was "completely surprised" by the Rodney King verdict.

"The videotape of King's arrest was by all appearances a dramatic and frightening use of excessive force by the police officers," Daley said.

The Rev. Donald Benedict, a consultant to Clergy and Laity Concerned, said the Burge case has the potential of creating similar problems in Chicago.

He called on the mayor to assemble a summit conference to study racism needed to avert another L.A. riot.

Benedict, who is white, sees the problem as a white one. "It's the prejudice of whites that has been built into the system...into the hiring system, the housing, school systems so that people of color get a poor shake in many aspects of American life."

Date: 5/4/92
 Edition:

Title: OFFICIALS: BURGE EXONERATION COULD SPAWN VIOLENCE

Character:

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Submitting Office: CHICAGO

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(Indicate page, name of newspaper, city and state.) Section A
 Page 4
Southtown Economist
Suburban/Chicago
 Date: June 24, 1992
 Edition:

Title: Burge Case Decision
 Still Months Away

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Burge case decision still months away

By JACK BEARY

Staff Writer

CHICAGO — The long, hot summer probably will pass before the Chicago Police Board decides whether Brighton Area Cmdr. Jon Burge and two of his detectives brutalized a prisoner and should be fired, officials said Tuesday.

Board officials said it would take all summer to plow through piles of transcripts of testimony from five weeks of public hearings in the controversial case.

But civil rights activists and supporters of the three officers said the delay stemmed from city officials' fears that a decision favoring Burge might provoke extreme public outcry during summer months, when street tensions are already running hot.

Burge and Detectives John Yucaitis and Patrick O'Hara have been suspended without pay since Nov. 8, when they were accused of misconduct by the Office of Professional Standards in the case of Andrew Wilson.

Burge and Yucaitis are accused of beating and torturing Wilson, later convicted of the 1982 murders of two police officers. O'Hara is charged with knowing about the abuse and failing to report it. The two detectives served under Burge in the 1980s in the Pullman Area headquarters.

The hearing, which began with Wilson's testimony on Feb. 10, concluded March 19. Four cartons of hearing transcripts and exhibits were given to the nine board members earlier this month, officials said.

The Task Force to Confront Police Violence said it planned to

protest the slow pace of deliberations. It is one of several activist groups challenging city officials to discipline officers who beat or abuse criminal suspects and prisoners.

"There will be a demonstration at the July 9 meeting of the police board," said Jeffrey Haas, an attorney for the Peoples Law Office, which has represented several clients alleging police mistreatment.

Haas said the police board was afraid to rule during the summer because members didn't want a repeat of rioting that took place in Los Angeles after four white police officers were acquitted of beating a black motorist.

"I'm not optimistic they're going to decide this in July or even in August," Haas said. "I don't think the situation in L.A. makes them want to move very fast."

John Dineen, president of Fraternal Order of Police Lodge 7, which represents the city's 12,000 police officers, said he also anticipated no decision until August or September.

"Probably not until after the kids are back in school," Dineen said.

Albert Maule, police board president, said the complicated case could take the rest of the summer to decide.

"I can almost assure you it won't be before a couple of more months," Maule said. "You can take the rest of the summer off."

But Maule denied claims that the deliberations were dragging because of a concern about public reaction to the outcome.

And Maule said the board had other disciplinary matters to take up.

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(Indicate page, name of newspaper, city and state.)
 Page 27
 Chicago Sunday Sun-Times
 Chicago, Illinois
 July 19, 1992
 Date: Five Star Final
 Edition:

Title: Area 3 Police Accused
 Of Misconduct Before

Character:

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Classification:

Submitting Office:

Chicago

Indexing:

THE INTERROGATION

Area 3 Police Accused Of Misconduct Before

The Sept. 25 murder investigation that led to allegations of police torture does not represent the first time Area 3 violent crimes detectives were accused of mishandling youths.

more typical example of how police sometimes cross legal bounds when investigating the increasing number of violent crimes that involve children.

Police and defense attorneys differ about the prevalence of the problem.

"We always try to get one of the parents in there," said Area 3 Violent Crimes Commander John Regan. "If we don't have them, we have a youth officer stand in for the parent."

"There's only one instance I can think of in probably 500 [violent crime] offenses I've handled involving minors in which a waiting relative was given access during questioning," said Assistant Public Defender Martha Fitzsimmons. "They won't do it because they're

afraid parents won't let them talk."

Those violations of state law and department regulations are a

Associate Judge Stuart Lubin threw out their statements May 14, saying the circumstances of their questioning cast doubt on their reliability. The state's attorney's office then dropped the charges. —Deborah Nelson

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Chicago Sun-Times
Chicago, IllinoisJuly 31, 1992
Date: Five Star Sports Final
Edition:Title: Electroshock Accusations
Go Back to 1989

Character:

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Classification:

Submitting Office Chicago

Indexing

Electroshock Accusations Go Back to 1989

Here is a history of electroshock allegations against Chicago police:

1989: Convicted cop-killer Andrew Wilson lost a highly publicized federal suit seeking damages from police, saying he was subjected to electroshock by Area 2 Violent Crimes Cmdr. Jon Burge and his detectives in 1982.

The state appellate court ruled in favor of Gregory Banks, who said he confessed to murder after Burge and other officers beat him, hindered his breathing and subjected him to Russian Roulette in 1983. The court overturned his conviction.

December, 1990: Amnesty International called for an investigation into human rights violations by police, based on the Wilson case and other allegations of torture unearthed by the non-profit People's Law Office.

September, 1991: Burge was commander of Area 3

Violent Crimes when detectives there investigated the shooting of Alfredo Hernandez. Teens brought in for questioning say police beat and shocked them. Burge was not involved in the questioning nor was he aware of the case, his attorney said.

November, 1991: The Police Department recommended firing Burge for his role in the Wilson case. He has been suspended pending a Police Board decision on whether the firing is justified.

February, 1992: The federal court ordered release of a secret 15-month-old internal city report that found "systematic" abuse of suspects by some Area 2 detectives during the 1970s and 1980s. Half the 50 allegations investigated purportedly involved Burge. Mayor Daley and Police Supt. Leroy Martin criticized the report as poorly researched, and officials took no corrective action.

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Page 5
Chicago Sun-Times
Chicago, Illinois
Date: February 11, 1993
Edition: Final Edition

Title: Metro**Character:**

or

Classification:**Submitting Office:** Chicago**Indexing:**

FEB. 9, 1982: Patrol Officers William Fahey (left) and Richard O'Brien are shot to death on the South Side. Andrew Wilson and his brother, Jackie, later are arrested, sign confessions and are convicted despite Andrew Wilson's contention he was tortured.



1983: Police Department's Office of Professional Standards fails to sustain a brutality complaint in the case against Cmdr. Jon Burge and two of his detectives.

AUG. 8, 1989: Burge and two other officers are cleared by a federal jury of civil charges they tortured Andrew Wilson (pictured). But jury says city has an unwritten policy of using excessive force against suspected cop killers.

**1982****1983****1984****1985****1986****1987****1988**

NOVEMBER, 1990: Police internal investigation into police torture completed, finds evidence of "systematic" abuse.

DECEMBER, 1990: Amnesty International calls for investigation of Chicago police torture charges.

NOV. 8, 1991: The Police Department, headed by Supt. LeRoy Martin, suspends Burge without pay, along with recommendation by the Office of Professional Standards that he be fired if charges are upheld.



NOV. 25, 1991: Police Board hearing begins, ending in late March, 1992.

FEB. 10, 1993: Burge is fired, and the two other officers are suspended.

1989**1990****1991****1992****1993**

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(Indicate page, name of newspaper, city and state.) Page 5

Chicago Sun-Times
Chicago, IllinoisDate: February 11, 1993
Edition Final Edition

Title: Some Hail Ruling, Others Assail 'Travesty'

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Some Hail Ruling, Others Assail 'Travesty'

By Larry Weintraub and Tim Gerber
Staff Writers

Some community activists said Wednesday's rulings against Cmdr. Jon Burge should be just another step toward their ultimate goal: Criminal charges and jail time for the police veteran.

But supporters of Burge called his firing by the Police Board a "travesty of justice."

"The Police Board has acted. Now it's time for the state's attorney's office and the federal government to act," said Judy Scully, spokeswoman for the African American Defense Committee and the Chicago Conference of Black Lawyers.

John Dineen, local president of the Fraternal Order of Police, called the dismissal a "travesty of justice" and "a political decision made by a political entity, and the

officers got the short end of the stick."

"They've been through the civil trials and the criminal trials and everybody [at those trials] backed the police officers," he said.

At the Monroe District police station, 100 S. Racine, one officer said, "These kind of things can come back to haunt relations

between police and the community if they're not handled properly." Another said, "I just hate to see three good cops go down."

Flint Taylor, an attorney for alleged brutality victim Andrew Wilson, said, "We think the Police Department needs to clean house of all those people."

Joseph Roddy, an attorney for one of the three accused officers, called the rulings "amazing." He said, "Thank heaven there is an appellate process, and we are going that way [to Circuit Court], unequivocally."

Special prosecutor Dan Reidy, who had presented the Police Department's case, said, "It's very clear they spent a lot of time on this matter . . . in what I believe is the way the Police Board is supposed to work."

Contributing: Andrew Herrmann, Lee Bey, Scott Fornek.

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(Indicate page, name of newspaper, city and state.) Page 1
Section 1Chicago Tribune
Chicago, Illinois
Date: February 11, 1993
Edition: North Sports FinalTitle: Police Board Fires
Burge For Brutality

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Police Board fires Burge for brutality

By Sharman Stein

Acting on one of the most divisive, long-lasting and heated controversies in the history of the Chicago Police Department, the Police Board voted Wednesday to dismiss Cmdr. Jon Burge on charges that he tortured convicted cop-killer Andrew Wilson 11 years ago.

The board, which had considered the case for 15 months, voted at the same time to reinstate Detectives John Yucaitis and Patrick O'Hara as of Friday.

Burge's attorney said the case will be appealed.

Yucaitis, O'Hara and Burge were all suspended without pay in November 1991 after an internal investigation by the police office of professional standards charged Burge and Yucaitis with torturing

Wilson, and O'Hara with knowing about the mistreatment but doing nothing to stop it.

Wilson and his brother, Jackie, were convicted of killing Police Officers William Fahey and Richard O'Brien on Feb. 9, 1982.

Burge is the highest-ranking Chicago police officer dismissed in nearly 20 years. The implications of the case grew more controversial during the past year when Los Angeles erupted into riots after the police officers charged with beating Rodney King were acquitted.

"We found that the [police] department proved by a preponderance of evidence that Cmdr. Burge did physically abuse Andrew Wilson," said Albert Maule, president of the Police Board, during a news conference in his downtown

law offices.

The most convincing fact in the case, Maule said, were the burn marks on Wilson's thigh, corroborating his testimony that Burge had handcuffed him against a radiator.

The board also found convincing, Maule said, testimony from two other criminal suspects who testified that Burge also tortured them while they were in custody.

The board recommended in its See Burge, pg. 18

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Chicago Sun-Times
Chicago, Illinois
Date: February 11, 1993
Edition: Final Edition

Title: Burge Fired In Torture Case

Character:

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Submitting Office: Chicago

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Burge Fired in Torture Case

Guilty of Abusing '82 Murder Suspect

By Charles Nicodemus

Staff Writer

The Chicago Police Board on Wednesday found Cmdr. Jon Burge guilty of "physically abusing" an accused cop killer 11 years ago and ordered the controversial officer fired from the police force.

Concluding the most celebrated police brutality case in Chicago's recent history, the eight-member board also voted to suspend for 15 months two of Burge's detectives, John Yucaitis and Patrick O'Hara.

Police Board Chairman Albert Maule said the board concluded that the two veteran detectives knew about Burge's Feb. 14, 1982, torture of career criminal Andrew Wilson but failed to stop it, report it or get Wilson medical attention. The board found Yucaitis not guilty of abusing Wilson.

Since the suspensions date back to Nov. 13, 1991, when the department's Office of Professional Standards brought charges, Yucaitis and O'Hara will be eligible to return to duty tomorrow.

Wilson, who was twice convicted of murdering Chicago police officers William Fahey and Richard O'Brien during a routine traffic stop in 1982, testified at the six-week Police Board hearing last year that he had been tortured to force his confession.

He said he was abused with electrical shocks from a "black box," burned by being pressed against a radiator, suffocated and threatened with a pistol.

Maule said the board took a final vote Wednesday during a closed-door session. He stressed that the board reached its decisions by "a preponderance of evidence," as board procedures require. Jurors in a criminal case must meet the higher standard of being convinced "beyond a reasonable doubt."

Police Supt. Matt L. Rodriguez said in a telephone interview: "There are no winners

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 Page 4
 Chicago Sun-Times
 Chicago, Illinois
 February 12, 1993
 Date: Final Edition

Title: Cops In Brutality Case
 Lose Detective Rank

Character:
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 Classification:
 Submitting Office: Chicago

Indexing:

Cops in Brutality Case Lose Detective Rank

By Charles Nicodemus
 Staff Writer

Two veteran detectives who served 15-month suspensions in the Andrew Wilson police brutality case will take another "hit" when they return to work today. They've been busted to patrol officers.

Police spokesman William P. Davis said Detectives John Yucaitis, 50, and Patrick O'Hara, 53, are being reduced to "their career rank" by Supt. Matt Rodriguez.

For O'Hara, who has 30 years of service, it will mean a cut in pay from about \$50,500 to \$48,000. For Yucaitis, a policeman for 28 years, the cut is from about \$49,000 to \$46,700.

John Dineen, president of the Fra-

ternal Order of Police, said a grievance will be filed opposing the demotions.

The Police Board ruled Wednesday that both had been aware that Cmdr. Jon Burge had "physically abused" suspected cop killer Wilson during questioning in February, 1982, but had failed to report it or seek medical help for Wilson.

Burge, who was fired Wednesday by the Police Board, will file a "petition for administrative review" in Circuit Court within 35 days, the first step in appealing his dismissal, according to his attorney, Joseph Roddy.

Burge, 45, who had 21 years of service, will be eligible for his pension at age 50, police pension sources said.

In a phone call from the Pontiac Correctional Center, where he is serv-

ing a life sentence for murdering Chicago police officers William Fahey and Richard O'Brien, Wilson told one of his former lawyers, Jeffrey Haas:

"I'm very pleased that Burge was fired and received justice for torturing me. I'm upset Yucaitis" and another officer—not O'Hara—he accused of brutality "are not being fired." Wilson had no comment on O'Hara, whom he never accused of mistreating him.

Rodriguez said Thursday he was "ashamed" of any incident of brutality by his officers but that the Chicago Police Department remains "the best in the country." Mayor Daley said the Police Board action sends the message that police "can't mistreat the public" and that the system for punishing brutality "does work."

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Police group greets termination of Burge

by Lucille W. Younger

The African American Police League Thursday hailed Wednesday's firing of Commander Jon Burge but said the Chicago Police Board's termination of the man who allegedly employed torture tactics to make a man later convicted of killing two police officers confess was incomplete.

According to league President Patricia Hill, the other officers who were investigated along with Burge, detectives John Yucaitis and Patrick O'Hara, should also have been fired. Both officers received 15-month suspensions.

Because they had been initially suspended along with Burge in November 1991, they are eligible to return back to work as early as Friday.

"If you have knowledge of a crime and you do nothing to prevent it," Hill said, "then you are just as liable."

Burge was found guilty by the board of "physically abusing" Andrew Wilson in February 1982. Wilson, twice convicted of murder in the shooting deaths of officers William Fahey and Richard O'Brien during a routine traffic stop in 1982, had testified (See FIRING, page 24)

(Indicate page, name of newspaper, city and state.)

Page 1
Chicago Defender
Chicago, Illinois
February 13, 1993
Date: Vol. LXXXVII, No. 199
Edition:

Title: Police Group Greets Termination Of Burge

Character:

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Classification:

Submitting Office: Chicago

Indexing:

Burge firing hailed

(FIRING, from page 1)

at a six-week police board meeting last year that he had been tortured to force his confession.

Despite the board's less than 100 percent finding against all three policemen, Hill, a police officer assigned to the 5th district, commended the board, calling the decision the most equitable and "best" the city has had in years. She said, however, the board has much more work in front of it.

"There are over 70 cases of (alleged) torture by police before the board," she said.

While Hill was pleased with the board's ruling, she warned that other police department issues need to be immediately addressed by African Americans..

"Yesterday's (Wednesday) City Council meeting was em-

barassing," Hill said.

It had been reported that the vote to delay the police contract, which came under fire by the league and other police and community organizations for its lack of an affirmative action clause, had been engineered by Ald Ed H. Smith (28).

"The absence of that clause is clearly illegal," Hill said. She said a permanent injunction stating that an affirmative action clause must be included in all city contracts had been filed by a circuit court judge following a suit filed by the Afro-American Patrolman League's Renault Robinson.

"This issue doesn't just affect police officers," Hill said. "It affects every African American in the city" because it affects the quality of police service throughout Black neighborhoods.

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Page 3
Chicago Defender
Chicago, Illinois
February 13, 1993
Vol. LXXXVII, No. 199

Date:
Edition:

Title **Mayor: Burge Ruling Could Stop Brutality**

Character:
or
Classification:
Submitting Office: **Chicago**

Indexing:

Mayor: Burge ruling could stop brutality

by Chinta Strausberg

Mayor Richard M. Daley and Police Supt. Matt Rodriguez Thursday said the firing of Commander Jon Burge, accused of using torture to elicit confessions, will send a message to stop police brutality.

Among other allegations, Burge is accused of using an electrical "black box" to shock suspects.

Interviewed at the Harold Washington Library during the second day of his educational summit, Daley, who has been under fire from Black and white activists who had accused the mayor of trying to protect Burge, said, "No one should use any type of physical abuse against any citizen in the city, in the state and the nation...."

He praised the board for making a "thorough review...and rendering a decision that was necessary under the circumstances."

Board President Albert Maule made it clear. "These are just three policemen out of more than 12,000 on the force and it is not an indictment of the entire police force," Maule said.

Most officers are hard working and do their jobs."

However, Ald. Robert Shaw (9) said the decision "did not go far enough." He wants criminal charges to be filed against Burge, which according to the police board's 60-page ruling, found him guilty of striking and/or kicking or "otherwise physically" abusing or maltreating murder suspect Andrew Wilson and causing the prisoner injury.

During a taped WMAQ radio talk show scheduled to air Sunday at 9 p.m., Rodriguez told reporters his department has lived through worse scandals and that his department's "tattered image is not as tattered as it might seem."

Allegations of police brutality, Rodriguez said, produce "no win-

ners..." He added, "We have a good department. We don't have a department of torturers."

During a WBBM radio taping which will air Sunday at 9:30 a.m., Ald. Edward M. Burke (14), a former policeman, said the ruling "is not good for morale (because) there are many good cops....They got a bad deal...."

Maule said the climate surrounding the arrest of Wilson was a tense one. He said the shooting deaths of the two officers "were the third and fourth murders of law enforcement officers in the city within a two-week period...all in Area 2...resulting in enormous amount of tension...to capture the assailants."

He was referring to Feb. 14, 1982, when accused cop killer Wilson claimed he was tortured by Area 2 police. Burge was commander of detectives at the time.

On Feb. 9, 1982, officers William Fahey and Richard O'Brien stopped Wilson's brown Chevrolet at 2 p.m. in the 8100 block of South Morgan Avenue.

Wilson shot both officers then took their revolvers and sped off. Burge, who was in charge of the Area 2 Violent Crimes unit, took charge of the investigation. Wilson was arrested Feb. 14, 1982. Charging police brutality, Wilson filed a civil lawsuit against the city, the police department and three detectives alleging that one officer used the "black box," an electrical shock torture device, on him.

His charges caught the eye of Amnesty International, which blasted the City of Chicago for not holding hearings and addressing the problem.

The group called on the Illinois attorney general to probe the charges after the "inadequate" investigation by the Office of Professional Standards and held several City Hall press conferences

(See BURGE, page 24)

Burge ruling

(BURGE, from page 3)
denouncing the treatment of prisoners and alleged forced confessions.

Finance Chairman Ald. Edward M. Burke (14) held a hearing on Christmas Eve in 1990 but was criticized for selecting a day when many aldermen were on vacation.

Rodriguez said to ignore the ramifications of the board's decision would be tantamount to "hiding your head in the sand" and said the mistakes of the past will help make his department better.

He has appointed a committee headed by Assistant Deputy Supt. Ray Risley of the Internal Affairs Division to look into officers displaying behavioral problems.

He was referring to the 7-1 vote from the Chicago Police Board Wednesday night to fire Burge and to suspend two of his detectives, John Yucaitis and Patrick O'Hara, for 15 months.

The dissenting vote was from board member Russ Ewert, formerly head of the Drexel Bank. Yucaitis and O'Hara can return to work today.

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Chicago Sun-Times

Chicago, Illinois

Date: February 11, 1994

Edition: Late Sports Final

Title: Court Backs Cop's Firing For Torture

Character:

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Submitting Office: Chicago

Indexing:

Court Backs Cop's Firing for Torture —

By Daniel J. Lehmann
Staff Writer

The firing of a Chicago cop and suspensions of two others in the alleged torture of a murder suspect were upheld Thursday by a Cook County Circuit Court judge.

"Regrettably, I have to affirm the decision of the Police Board" in dismissing former Cmdr. Jon Burge and suspending for 15 months Detectives Patrick O'Hara and John Yucaitis, Judge Thomas J. O'Brien said.

None of the men was in the Daley Center courtroom.

Burge was fired and O'Hara and



Jon Burge

Yucaitis suspended a year ago today by the city's Police Board for the beating of Andrew Wilson in 1982.

Wilson claimed that Burge and other Chicago cops punched, kicked, smothered and electrically shocked him and forced him against a hot radiator to force a confession to the murder of two police officers.

The Police Board discharged Burge for physically abusing Wilson, and suspended O'Hara and Yucaitis for failing to stop or report the abuse and get him medical attention.

Wilson was convicted of the murders and sentenced to death. That was overturned on appeal, on grounds his confession had been coerced. He was found guilty a second time and sentenced to life in prison, a term that is being appealed.

Last October, the 7th U.S. Circuit Court of Appeals granted Wilson a new trial to seek damages for the

injuries he sustained. The appeals court said a U.S. judge in a civil rights trial erred in allowing a "torrent of inflammatory evidence" to be introduced.

O'Brien said there was "probably no comfort" to anyone in his opinion. He said the Police Board "satisfied the requirements of due process" for Burge, O'Hara and Yucaitis.

Plus, he wrote, "There comes a time when even the institutional interest of the courts must yield to a paramount public interest. Based on the board's findings, that time has come in this case. The public's interest, indeed its right, to be protected by a police force which does not itself become the object from which the citizens need protection is of such great importance that [certain legal considerations] cannot stand in the way of the Police Department's disciplinary proceedings."

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Judge upholds firing of police commander involved in torture case

By Andrew Fegelman
TRIBUNE STAFF WRITER

When a judge announced Thursday that he couldn't reinstate former Chicago Police Cmdr. Jon Burge to the job he lost following charges of torturing convicted cop-killer Andrew Wilson more than a decade ago, a smattering of applause filled the courtroom.

The reaction may have been a reflection of the emotion that has surrounded one of the longest and most controversial chapters in the history of the Chicago Police Department.

Burge's detractors immediately

praised the decision, which upholds a ruling by the Police Board, for sending a message that police brutality and bad cops won't be tolerated.

Among those praising the decision were members of a coalition of citizens groups who had organized a protest for Monday outside Mayor Richard Daley's City Hall office in the event Burge was reinstated. Some worried about unrest in the black community if the Police Board's decision in the case loaded with racial overtones was reversed.

Burge's supporters maintained the case was stacked from the

start against Burge, one of the highest ranking Chicago police officers ever dismissed from the force.

"This we feel is a miscarriage of justice," said William Nolan, president of the Fraternal Order of Police. "In this entire case, there is not one shred of evidence. It's strictly a political victory and that's what this is, political."

The decision barring Burge from returning to the police force was contained in a 39-page opinion handed down Thursday by Cook County Circuit Judge Thomas O'Brien. O'Brien elaborated little beyond his findings ex-

cept to say "Regrettably I have to affirm the ruling of the police board."

Burge had claimed the city couldn't allege wrongdoing on the part of an officer before the Police Board when the city had denied any misconduct in federal court as a defendant in a brutality lawsuit filed by Wilson.

O'Brien's decision comes one year after the Police Board ruled that there was sufficient evidence to prove that Burge and a second officer, John Yucaitis, tortured Wilson into confessing to the murder of two Chicago police officers.

Yucaitis and a third officer in-

volved in the murder investigation, Patrick O'Hara, were suspended but later reinstated. O'Hara was charged with doing nothing to stop the mistreatment.

Throughout more than a month of testimony before the Police Board and again in the case before O'Brien, there was sharp disagreement over exactly what happened beginning on Feb. 14, 1982, when Wilson was arrested for the fatal shooting of the two officers.

Wilson claimed that after his arrest, he was cuffed to a ring on a wall in an interrogation room and left hanging over a radiator. At various times, he contended, he

was punched and kicked and his arm was burned with a cigarette.

Wilson and his brother Jackie were convicted of killing the two officers. The Illinois Supreme Court overturned Andrew Wilson's conviction, but he was found guilty a second time in a retrial.

Andrew Wilson has twice brought civil rights charges against the city and the Police Department in federal court. The first trial ended in a hung jury and the jury in the second trial found Burge and the other officers not personally responsible. That decision was reversed in October and a third trial is pending.

(Indicate page, name of newspaper, city and state.) Page 6
Section 2

Chicago Tribune
Chicago, Illinois
Date: February 11, 1994
Edition: North Edition

Title: Judge Upholds Firing Of Police Commander Involve In Torture Case

Character:
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Submitting Office: Chicago

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City Rejects Liability for Burge

By Deborah Nelson
Staff Writer

In an about-face, the city says it is not legally liable for injuries caused by former police Cmdr. Jon Burge, who was fired last year for torturing suspected criminals.

City attorneys took that unusual position on the verge of a multimillion-dollar settlement between Burge and Andrew Wilson, a convicted police killer who is suing Burge in federal court for shocking and beating him.

The city normally pays judgments and settlements arising out of civil suits against police, whether for negligence or misconduct.

But the city is not responsible in this case because the torture was "willful and wanton" behavior outside Burge's authority as a police officer, said Nina Cadsawan, of the city legal department.

That makes him personally responsible for any damages, she said, although the city will continue to pay his legal fees.

The decision provoked protests from at

torneys for Burge and Wilson and from police union officials who said it flies in the face of city policy and legal responsibilities.

"This takes me by the greatest surprise," said William J. Kunkle Jr., who is being paid by the city to represent Burge.

Kunkle disclosed the city's new stance in federal court Tuesday during a status hearing on Wilson's lawsuit. He said he and other attorneys involved in the case were about to sit down last week to work out a settlement when a city attorney called to inform him of the city's position.

Kunkle asked at the hearing for a month to decide whether to take legal action to try to force the city to pay.

Cadsawan said the city will continue to pay Burge's legal fees. By ordinance, the city must pay for the defense of police officers in civil suits, but not the resulting judgments or settlements if the officers

(Indicate page, name of newspaper, city and state.) Page 6

Chicago Sun-Times
Chicago, Illinois
Date: March 23, 1994
Edition: Late Sports Final

Title: City Rejects Liability For Burge

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Submitting Office: Chicago

Indexing:

Won't Settle Cop Torture Case

actions exceeded their authority, she said.

The settlement was expected to reach seven figures—with \$1.5 million in legal fees accrued by the attorneys who spent years compiling evidence that Burge and other police officers routinely abused Wilson and numerous other suspects.

G. Flint Taylor, one of those attorneys, said the rest of any settlement would go to Wilson. But he would have to pay a multimillion-dollar judgment against him to the family of one of his victims, Taylor said.

Wilson was convicted in 1982 of shooting to death two police officers during a routine traffic stop. The torture allegedly took place after his arrest.

Wilson subsequently filed suit against Burge, several other detectives and the city, accusing them of beating, suffocating and shocking him with an electric device.

The city fought the allegations through

MORNINGLINE

Should the city pay for injuries caused by Police Cmdr. Jon Burge, fired last year for torturing suspects?

Yes: (312) 408-3641

No: (312) 408-3642

Phone lines open until 6:30 p.m. today. (A charge for a local call to downtown Chicago applies.) Results in tomorrow's Sun-Times.

two trials. The first ended with a hung jury. In the second, the jurors found a pattern of abuse but did not hold the officers liable. Wilson appealed that decision and in October won a retrial against the police officers, but not against the city. The prospect of a third trial gave rise to the settlement talks.

Meanwhile, the Police Board conducted hearings on the torture allegations and found a pattern of abuse that led to the firing last year of Burge and the suspension of two detectives.

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(Indicate page, name of newspaper, city and state.) Page 3
 Section 2

Chicago Tribune
 Chicago, Illinois
 Date: Edition: June 28, 1994
 Chicagoland Edition

Title: Burge Loses Bid To Be Reinstated

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Chicago

Burge loses bid to be reinstated

A judge on Monday refused to reinstate former Chicago Police Cmdr. Jon Burge on the basis of a March letter sent to Burge in which Chicago officials said the city wouldn't protect him against a civil suit arising from allegations that Burge tortured convicted cop killer Andrew Wilson.

Burge cited the letter as evidence that city officials were accusing him of police misconduct and wouldn't indemnify him against the civil allegations while simultaneously arguing in federal court that Burge hadn't mistreated Wilson after his arrest in 1982. The letter was dated March 28, a week after Cook County Circuit Judge Thomas O'Brien upheld a police board decision dismissing Burge.

On Monday, O'Brien said he had some doubts about the evidence against Burge, but he refused to alter his earlier ruling.

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2 Detectives In Brutality Case Regain Their Rank

By Charles Nicodemus
Staff Writer

An arbitrator has ordered that two police investigators who were demoted for complicity with former Lt. Jon Burge in a controversial police brutality case be restored to their former rank of detective.

The arbitrator, Alex Elson, also ruled that Officers John Yucaitis and Patrick O'Hara receive detective's back pay for the period of their demotions, which will mean nearly \$2,000 for O'Hara and \$2,300 for Yucaitis.

The Police Board fired Burge on Feb. 11, 1993, on charges that he sanctioned the abuse and torture of career criminal Andrew Wilson, who was arrested and later convicted in the murder of two Chicago police officers. The board also ruled that Yucaitis and O'Hara were aware of Wilson's mistreatment and didn't report it.

Yucaitis and O'Hara, who had been suspended with Burge 15 months earlier, were given 15-month suspensions, which meant that they returned to work after the board ruling.

The next day, Police Supt. Matt Rodriguez announced that the two men were being demoted to their civil service rank of police officer on the ground that they could not perform effectively as detectives, questioning suspects and dealing with the public. Elson ruled that, under

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Chicago Sun-Times
Chicago, Illinois
Date: January 28, 1994
Edition: Late Sports Final

Title: 2 Detectives In Brutality Case Regain Their Rank

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RICH CHAPMAN/SUN-TIMES PHOTOS

Patrick O'Hara (left) and John Yucaitis, demoted in connection with a police brutality case, are to be restored to their former rank of detective and receive back pay under an arbitrator's ruling.

the department's contract with the Fraternal Order of Police, officers could only be punished once for an infraction, so the suspensions were the only disciplinary actions permitted.

FOP President William Nolan said there are "many administrative detec-

tive positions" that do not involve field investigations or questioning suspects. Rodriguez said, "I strongly disagree with the ruling," and it may be appealed.

Burge is appealing his dismissal in Circuit Court.