

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

Total Deleted Page(s) = 77

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Page 44 ~ b6 - 6; b7C - 6;  
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Page 94 ~ Duplicate;  
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Page 97 ~ Duplicate;  
Page 100 ~ Duplicate;  
Page 104 ~ Duplicate;  
Page 106 ~ Duplicate;  
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Page 117 ~ Duplicate;  
Page 118 ~ Duplicate;  
Page 119 ~ Duplicate;  
Page 125 ~ Duplicate;  
Page 127 ~ Duplicate;

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X No Duplication Fee X  
X For this Page X  
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File - Serial Charge Out  
FD-5 (Rev. 10-13-89)

Date \_\_\_\_\_

File 44A-C6-78234 Class. \_\_\_\_\_ Office of Origin \_\_\_\_\_ Case No. \_\_\_\_\_ Last Serial \_\_\_\_\_

Pending       Closed

Serial No.	Description of Serial	Date Charged
14x1	FD-125	11/16
19	Newspaper	11/16
20	N	11
21	N	11
14x2	FD-160	11/30
22	N	11
23	N	
24		
26	O	
27	N	b6 -1 b7C -1

RECHARGE

Date \_\_\_\_\_

To \_\_\_\_\_ From \_\_\_\_\_

Initials of Clerk

{ \_\_\_\_\_ } { \_\_\_\_\_ }

19-cv-4048(FBI)-368



441 (6-78234-15

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 07 1991	
FBI	CHICAGO
JN	AB

b6 -1  
b7C -1

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/29/91

[REDACTED] telephone  
 [REDACTED]

b6 -5  
b7C -5

[REDACTED] This interview was conducted in regards to the alleged Civil Rights Violations of several of their clients by CHICAGO POLICE DEPARTMENT (CPD), Detectives under the direction of Commander JON BURGE. Specifically, any incidents of coerced confessions in which convictions were obtained against suspects that may have occurred before January 1, 1986, in which the suspects appealed the conviction and the appeal process has brought the case within the five year Statute of Limitations requirement.

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

[REDACTED] advised that [REDACTED]  
 [REDACTED] He advised that [REDACTED] and [REDACTED]  
 [REDACTED] Cook County Public Defenders represented [REDACTED] in the [REDACTED]

[REDACTED] However the [REDACTED]  
 Civil Rights trials stemmed from alleged violations of his Civil Rights when he was arrested and tortured in order to obtain a confession to these shootings.

[REDACTED] advised that [REDACTED] in the b6 -5  
 [REDACTED] has discussed some of the Appeal cases he has b7C -5  
 represented, where his clients were also allegedly tortured to obtain their confessions. They have given [REDACTED] a "Fact sheet" containing over 40 cases of individuals who were arrested and allegedly tortured by CPD Detectives under the direction and participation of Commander BURGE. From the listed individuals on the above "Fact sheet" the following information was provided:

[REDACTED] arrested [REDACTED] is currently b6 -2  
 incarcerated at [REDACTED] Illinois. b7C -2

[REDACTED] arrested on two occasions in [REDACTED] and again  
 on [REDACTED] is currently incarcerated at [REDACTED]  
 [REDACTED] Illinois.

[REDACTED] arrested in [REDACTED] is currently incarcerated at [REDACTED]  
 [REDACTED]

Investigation on 7/18/91 at Chicago, Illinois File # 44A-CG-78234

by [REDACTED] /clm Date dictated 7/25/91

b6 -1  
b7C -1

44A-CG-78234

Continuation of FD-302a [redacted] , on 7/18/91 , Page 2 b6 -5  
b7C -5[redacted] Illinois. b6 -2,-5  
b7C -2,-5[redacted] arrested [redacted] is currently  
incarcerated at [redacted] Illinois.[redacted] arrested [redacted] is currently  
incarcerated at [redacted] Illinois.

[redacted] arrested [redacted] location unknown.

[redacted] advised that the Attorney who represented [redacted] in the  
[redacted][redacted] and [redacted] arrested [redacted] b6 -2  
as [redacted] were taken to b7C -2  
Police Headquarters at 11th and State where they were tortured. When  
it was discovered that [redacted] was with the [redacted] a couple of  
days before the killings he was placed in [redacted]  
by the State's Attorney's Office to keep quiet  
regarding the torture. [redacted] last known location was near the East  
St. Louis, Illinois area.[redacted] arrested [redacted] b6 -2,-5,-6  
[redacted] is currently incarcerated at [redacted] b7C -2,-5,-6  
[redacted] Illinois. [redacted] advised that the Attorney who represented  
[redacted][redacted] arrested [redacted] is currently  
incarcerated at [redacted] Illinois. [redacted]  
advised that [redacted] Attorney was [redacted][redacted] arrested [redacted] for murder by b6 -2,-6  
Lieutenant JON BURGE, at Area 2 Police Station. [redacted] was tortured  
and confessed to the charge. The Illinois Appellate Court reversed  
his conviction because of the torture and [redacted] was released.[redacted] arrested [redacted] filed and  
won a law suit against the City of Chicago. He is currently  
incarcerated at [redacted] Illinois.[redacted] arrested in [redacted] His Attorney  
was [redacted] telephone number [redacted]

44A-CG-78234

Continuation of FD-302 of [redacted]

. On 7/18/91 . Page 3 b6 -5  
b7C -5

[redacted] arrested [redacted] filed a [redacted] b6 -2,-5  
complaint and [redacted] advised b7C -2,-5  
that most of the above mentioned arrestees filed complaints with the CPD Office of Professional Standard (OPS). However, when the PEOPLE'S LAW FIRM subpoenaed OPS for all records of complaints filed against arresting CPD Detectives in regards to the FAHEY, O'BRIEN shootings, they only received the cover pages with just the names of the complainants. [redacted] stated that by CPD union agreement all complaint filed with OPS are destroyed after five years. HAAS added that the CHICAGO DEFENDER NEWSPAPER carried articles and listed the names of individuals who were arrested during the FAHEY, O'BRIEN investigation.

[redacted] advised that from sources at OPS they have learned b6 -4,-5  
that OPS Investigators sent a report regarding JON BURGE to b7C -4,-5  
Superintendent [redacted] in January, 1991. He added that only reports where the complainant charges are sustained are sent to Superintendent [redacted]. The report was sent back to the investigators for clarifications and corrections. In a February, 1991 meeting with Superintendent [redacted] he advised [redacted] that he had not seen the corrected report. However [redacted] advised that she had sent the report to him. In late March Superintendent [redacted] again advised [redacted] that he had sent the report back to OPS and was waiting for it to be returned. [redacted] advised that other sources at OPS had informed him that Superintendent [redacted] had received the final and corrected report and that they feel [redacted] is sitting on the report, awaiting further instructions from Mayor DALEY.

44A-C6-78234-16

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 15 1991	
FBI - CHICAGO	
bmc	

7/2/91  
302

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription

8/5/91

[redacted] and [redacted]

b6 -5  
b7C -5

[redacted] telephone [redacted]  
 were interviewed at the FEDERAL BUREAU OF INVESTIGATION (FBI), Chicago Office, in regards to [redacted] request that the Department of Justice investigate incidents of police brutality by CHICAGO POLICE DEPARTMENT (CPD) detectives at the Area 2 police station.

[redacted] advised that while handling an appeal for one of his clients, he discovered that some detectives of the CPD Area 2 station were involved in the systematic torture of suspects in order to coerce them into making confessions. Particularly in cases where police shootings are involved. He advised that his client, [redacted] testified during a suppression hearing that he was abused by Officer JON BURGE during his interrogation.

[redacted] asserted that Officer BURGE placed a loaded gun to his head and played Russian Roulette. A plastic typewriter cover was placed over his head until he became unconscious. These acts were repeated until [redacted] finally signed a confession. [redacted] stated that [redacted] was interviewed at [redacted]

[redacted] Illinois, by FBI Agents on October 29, 1990. He stated that [redacted] of the Civil Rights Division advised that [redacted] interrogation by Officer BURGE took place on October 30, 1985, which is beyond the five year Statute of Limitations. [redacted] further advised that [redacted] suggested the limitations period could be extended if there was a conspiracy to cover up Officer BURGE's conduct.

[redacted] advised that attorneys [redacted]  
 and [redacted] telephone [redacted]

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

[redacted] He advised that [redacted] was arrested on [redacted] and charged with the murders of [redacted] was allegedly tortured and his confession helped to convict him of these charges. In 1987, the court overturned the conviction and ordered a new trial in light of the evidence that [redacted] injuries had been sustained while in police custody on the day of his arrest.

Investigation on 7/2/91 at Chicago, Illinois File # 44A-CG-78234

by SA [redacted] adw

Date dictated

7/3/91b6 -1  
b7C -1

44A-CG-78234

Continuation of FD-302 of [redacted]

7/2/91

. Page

2 b6 -5  
b7C -5

[redacted] subsequently filed a Civil Law suit against the City of Chicago and his case is currently pending appeal before the 7th Circuit Court.

[redacted] stated that during the hearings, a "fact sheet" was compiled by the above attorneys of over thirty cases involving defendants who claimed to have been abused by Officer BURGE or some of his subordinates. Locations of these defendants, many of whom are still incarcerated, may be obtained from the above mentioned attorneys.

b6 -2  
b7C -2

b6 -5  
b7C -5

# Memorandum



To : SAC, CHICAGO (44A-CG-78234)

Date 7/15/91

From : SA [redacted] (44A-CG-78234) (X) (SQ. 12)

Subject: "CHANGED";  
COMMANDER JON BURGE,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS;  
[redacted] VICTIM,  
CIVIL RIGHTS;  
OO: CHICAGO

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

Title marked "CHANGED" to reflect correct spelling of subject's name from JOHN to JON.

On 7/2/91, [redacted]

[redacted] telephone [redacted] advised that Attorneys [redacted]

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

[redacted] telephone [redacted] in [redacted]  
[redacted] were the attorneys [redacted]

[redacted] During the second hearing of this case, a fact sheet was compiled of victims that were allegedly tortured by Commander JON BURGE, CHICAGO POLICE DEPARTMENT (CPD) or others under his command. [redacted] advised that the above attorneys could provide the current locations of these alleged victims for interviews.

On 7/15/91, [redacted] advised of the forty plus cases in which victims alleged that their confessions were coerced through torture by the CPD. Thirty of them can be connected directly to Commander BURGE.

b6 -5  
b7C -5

Pending investigation in this case will include full interviews of all alleged victims and a follow-up of all logical leads with regards to criminal prosecution.

(2)- Chicago  
JLS/jls  
(2) J

1\*

44A-CG-78234-17

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 18 1991	
FBI - CHICAGO	
SA	J

b6 -1  
b7C -1

\*\*\*\*\* - JOURNAL - \*\*\*\*\* DATE OCT-16-1991 \*\*\*\*\* TIME 13:17 \*\*\*\*\*

DATE/TIME = OCT-16 13:15  
JOURNAL NO. = 06  
COMM. RESULT = OK  
PAGES = 04  
DURATION = 00:01'45  
MODE = XMT  
STATION NAME =  
TELEPHONE NO. =  
RECEIVED ID = 200 324 0155  
RESOLUTION = STANDARD

Best Copy Available

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19-cv-4048(FBI)-426



## FBI FACSIMILE COVERSHEET

### CLASSIFICATION

#### PRECEDENCE

- Immediate  
 Priority  
 Routine

- Top Secret  
 Secret  
 Confidential  
 Sensitive  
 Unclassified

Time Transmitted: \_\_\_\_\_

Sender's Initials: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

To: FBI HQ Date: 10/16/91  
 (Name of Office)

Facsimile number: \_\_\_\_\_

Attn:  (Name)  Room  Telephone No.)

From: FBI - CHICAGO b6 -2,-6  
 (Name of Office) b7C -2,-6

Subject: COMMANDER JON BURGE,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS.

VICTIM;

CIVIL RIGHTS  
44A-CG-78234

Special Handling Instructions:

Originator's Name:  Telephone: 380-2411 b6 -1  
 b7C -1

Originator's Facsimile Number: 380-2411

Approved: REX

FAX  
10-16-91  
AM

*44A-CG-78234-18*

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 16 1991	
FBI - CHICAGO	AMW

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state) Page 1  
**Chicago Defender**  
 Chicago, Illinois  
 October 12, 1991  
 Date Vol. LXXXVI, Number 112  
 Edition:

Title **Ex-Prisoner Sues Police**  
 For \$10 Mil

Character:  
 or  
 Classification:  
 Submitting Office: **Chicago**

Indexing:

# Ex-prisoner sues police for \$10 mil

by Scott Burnham

A South Side man released from prison filed a multi-million dollar suit Thursday against members of

the Pullman detective unit alleging police coerced a confession from him 10 years ago.

The \$10 million suit states Jon

Burge, now commander of the Brighton Park detective unit, and four other detectives tortured murder suspect Gregory Banks for more than 30 hours by suffocating and beating him as well as

threatening him at gunpoint.

"One detective placed a barrel of a .45 automatic gun in his mouth and threatened to blow his head (continued on page 14)

## Ex-prisoner sues police

(continued from page 1)

off," said Banks' attorney, John Stainthorp, during a press conference Thursday. "Then he was struck several times in the chest and stomach with a flashlight. Then he was kicked several times in the thigh, stomach and ankle," even after he denied involvement in the slaying.

According to Stainthorp, the afflictions stem from a "de facto policy" Burge enacted along with other detectives during a 13-year period from 1972 to 1985.

Despite at least two other lawsuits against the officials, Stainthorp claims three successive police superintendents, including current chief LeRoy Martin, have ignored the alleged atrocities.

An alleged unwritten "code of silence" reportedly has suppressed evidence allegedly linking the officers to the tactics until an unidentified member of the detective unit submitted a letter to the People's Law Office disclosing the brutal methods and naming the participants, the suit charges.

The Illinois Appellate court reportedly ruled recently Burge and his men inflicted unlawful and brutal actions against Banks and released him after he served seven years of his sentence, Stainthorp alleges.

Last winter, Amnesty International called for an independent investigation into the allegations.

(Mount Clipping in Space Below)

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

Chicago Sun-Times  
Chicago, IllinoisDate: October 11, 1991  
Edition: Five Star Sports FinalTitle: \$16 Million Suit Alleges  
Torture By City CopsCharacter:  
or  
Classification:  
Submitting Office Chicago

Indexing:

## \$16 million suit alleges torture by city cops

By Rosalind Rossi  
Federal Building Reporter

A Chicago man filed a \$16 million lawsuit Thursday charging that a plastic bag was placed over his head at Area 2 police headquarters in 1983 and he was tortured into falsely confessing to a murder.

The suit, filed on behalf of Gregory Banks, also alleged that 11 other suspects were tortured with plastic bags at Area 2 between 1982 and 1987, and others have been subjected to electro-shock or suspended by their handcuffs.

Banks was convicted of murder in 1983, but the Illinois Appellate Court threw out the conviction in 1989, saying his confession was involuntary. The murder charge was dismissed for lack of evidence in 1990, and Banks was freed after spending seven years in prison.

His attorney, John Stainthorp, said Banks originally told police he killed Leon Barkan in self-defense, but Area 2 detectives "tortured" him until he lied that the fatal shooting occurred during a robbery attempt.

Detectives allegedly put a gun in his mouth, struck him in the chest with a flashlight and sat on

top of him, the lawsuit said.

Accused of the brutality were Lt. Jon Burge, then commander of the Area 2 Violent Crimes Unit and now commander of Area 3, and Detectives Robert Dwyer, Peter Dignan and Charles Grunhard. The city also was named as a defendant for allowing a "policy and practice of [police] brutality and torture."

Thursday's suit was filed by the same three attorneys who represented convicted murderer Andrew Wilson in a brutality suit against Burge. After two 1989 trials, two separate juries refused to award Wilson any damages.

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

(Mount Clipping In Space Below)

Chicago Tribune  
 Date: Chicago, Illinois  
 Edition: October 11, 1991  
 Chicagoland

Title: Lawsuit Charges  
 Police Brutality

Character:  
 or  
 Classification:  
 Submitting Office: Chicago

Indexing:

## Lawsuit charges police brutality

A man whose murder conviction was overturned because Chicago police beat a confession from him in 1983 filed suit Thursday in federal court charging the city with promoting a longstanding policy of police brutality and torture.

Gregory Banks, who was imprisoned for more than seven years before a higher court reversed his conviction, charged that Area 2 detectives twice put a plastic bag tightly over his head to coerce him into falsely confessing.

The suit charged Sgt. John Byrne and Detectives Peter Dignan, Robert Dwyer and Charles Grunhard with torturing Banks and accused Cmdr. Jon Burge, then in charge of the Area 2 violent crimes unit, of "encouraging and supervising this violence."

A spokesman for the Chicago Police Department had no comment on the lawsuit, which seeks \$16 million in damages.

The suit listed 23 other alleged incidents in which suspects, mostly blacks and Hispanics, were beaten by Area 2 detectives between 1972 and 1985.

FBI

## TRANSMIT VIA:

- Teletype  
 Facsimile  
 AIRTEL

## PRECEDENCE:

- Immediate  
 Priority  
 Routine

## CLASSIFICATION:

- TOP SECRET  
 SECRET  
 CONFIDENTIAL  
 UNCLAS E F T O  
 UNCLAS

Date 11/13/91

TO : DIRECTOR, FBI (44A-CG-78234)  
 (ATTN: CIVIL RIGHTS UNIT)

FROM : SAC, CHICAGO (44A-CG-78234) (R) (SQ 12)

SUBJECT : COMMANDER JON BURGE,  
 CHICAGO POLICE OFFICERS,  
 CHICAGO POLICE DEPARTMENT,  
 CHICAGO, ILLINOIS:  
 [REDACTED] - VICTIM;  
 CIVIL RIGHTS  
 OO: CHICAGO

b6 -2  
b7C -2

Enclosed for the Bureau are the original and two copies of a letterhead memorandum (LHM) with three attached copies of local newspaper articles dated November 8, 1991, regarding captioned investigation. One copy of the LHM with attachments was furnished to the United States Attorney's Office, Chicago, Illinois.

3 - Bureau (Encl. 3 with attachments)  
 ② - Chicago  
 JLS:js  
 (5)

44A-CG-78234-18X/

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 13 1991	
FBI - CHICAGO	
SA	J

b6 -1  
b7C -1

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_  
 (Number) (Time) Per \_\_\_\_\_

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

219 South Dearborn  
Chicago, Illinois 60604

November 13, 1991

COMMANDER JON BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS;

b6 -2  
b7C -2

[redacted] - VICTIM;  
CIVIL RIGHTS  
OO: CHICAGO

Reference is made to the attached copies of articles from the CHICAGO TRIBUNE and the CHICAGO SUN TIMES newspapers dated November 8, 1991 and November 9, 1991. Specifically, the November 8, 1991 articles indicate that the CHICAGO POLICE DEPARTMENT, Office of Professional Standards (OPS) has requested that action be taken against captioned subjects who are accused of using excessive force on suspects in their custody. The November 9, 1991 article states that captioned subjects were suspended without pay for 30 days.

3 - Bureau  
1 - USA, Chicago  
(Attn: AUSA [redacted])  
2 - Chicago  
JLS:js  
(6)

b6 -3  
b7C -3

(Mount Clipping in Space Below)

(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:

or

Classification:

Submitting Office: Chicago

Indexing:

# 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

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.



Jon Burge

## 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,

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) Page 7  
Section 2Chicago 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.

(Mount Clipping in Space Below)

(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

Character:  
 or  
 Classification:  
 Submitting Office: Chicago

Indexing:

# 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.

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

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.

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.

FBI

TRANSMIT VIA:  
 Teletype  
 Facsimile  
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 X AIRTEL

PRECEDENCE:  
 Immediate  
 Priority  
 Routine

CLASSIFICATION:  
 TOP SECRET  
 SECRET  
 CONFIDENTIAL  
 UNCLAS E F T O  
 UNCLAS

Date 10/29/91

TO : DIRECTOR, FBI (44A-CG-78234)  
 " (Attn: Civil Rights Unit)

FROM : SAC, CHICAGO (44A-CG-78234) (X) (SQ 12)

SUBJECT : COMMANDER JON BURGE,  
 CHICAGO POLICE OFFICERS,  
 CHICAGO POLICE DEPARTMENT,  
 CHICAGO, ILLINOIS.  
 [REDACTED] VICTIM,  
 CIVIL RIGHTS  
 OO: CHICAGO

b6 -2  
b7C -2

Enclosed for the Bureau are the original and two (2) copies of a letterhead memorandum (LHM) with three (3) attached copies of local newspaper articles dated 10/12/91, regarding captioned investigation. One copy of the LHM and attachments was furnished to the United States Attorney's Office, Chicago, Illinois.

3 - Bureau (Enc. 3 with attachments)  
 ② - Chicago  
 JLS:js  
 (5)

44A-CG-78234-18X1

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 29 1991	
FBI - CHICAGO	
SA	JF

b6 -1  
b7C -1

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ Per \_\_\_\_\_  
 (Number) (Time)

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

219 South Dearborn Street  
Chicago, Illinois 60604

October 29, 1991

COMMANDER JON BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS

[redacted] - VICTIM,  
CIVIL RIGHTS

b6 -2  
b7C -2

[redacted] was one of the individuals listed on a "fact sheet" containing over 40 cases of individuals who were arrested and allegedly tortured by CHICAGO POLICE DEPARTMENT (CPD) detectives under the direction and participation of Commander JON BURGE. This "fact sheet" is based on information gathered by [redacted]  
[redacted]

3 - Bureau  
1 - USA Chicago  
    (Attn: ASA [redacted])  
2 - Chicago  
JLS:js  
(6)

b6 -3  
b7C -3

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) Page 1  
 Chicago Defender  
 Chicago, Illinois  
 October 12, 1991  
 Date Vol. LXXXVI, Number 112  
 Edition:

Title Ex-Prisoner Sues Police  
 For \$10 Mil

Character:  
 or  
 Classification:  
 Submitting Office: Chicago

Indexing:

# Ex-prisoner sues police for \$10 mil

by Scott Burnham

A South Side man released from prison filed a multi-million dollar suit Thursday against members of

the Pullman detective unit alleging police coerced a confession from him 10 years ago.

The \$10 million suit states Jon Burge, now commander of the

Brighton Park detective unit, and threatening him at gunpoint. four other detectives tortured "One detective placed a barrel murder suspect Gregory Banks for of a .45 automatic gun in his mouth more than 30 hours by suffocating and threatened to blow his head and beating him as well as" (continued on page 14)

## Ex-prisoner sues police

(continued from page 1)

"off," said Banks' attorney, John Stainthorp, during a press conference Thursday. "Then he was struck several times in the chest and stomach with a flashlight. Then he was kicked several times in the thigh, stomach and ankle," even after he denied involvement in the slaying.

According to Stainthorp, the afflictions stem from a "de facto policy" Burge enacted along with other detectives during a 13-year period from 1972 to 1985.

Despite at least two other lawsuits against the officials, Stainthorp claims three successive police superintendents, including current chief LeRoy Martin, have ignored the alleged atrocities.

An alleged unwritten "code of silence" reportedly has suppressed evidence allegedly linking the officers to the tactics until an unidentified member of the detective unit submitted a letter to the People's Law Office disclosing the brutal methods and naming the participants, the suit charges.

The Illinois Appellate court reportedly ruled recently Burge and his men inflicted unlawful and brutal actions against Banks and released him after he served seven years of his sentence, Stainthorp alleges.

Last winter, Amnesty International called for an independent investigation into the allegations.

(Mount Clipping in Space Below)

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

Chicago Tribune  
Date: Chicago, Illinois  
Edition: October 11, 1991  
Chicagoland

Title: Lawsuit Charges  
Police Brutality

Character:

or

Classification:

Submitting Office: Chicago

Indexing:

## Lawsuit charges police brutality

A man whose murder conviction was overturned because Chicago police beat a confession from him in 1983 filed suit Thursday in federal court charging the city with promoting a longstanding policy of police brutality and torture.

Gregory Banks, who was imprisoned for more than seven years before a higher court reversed his conviction, charged that Area 2 detectives twice put a plastic bag tightly over his head to coerce him into falsely confessing.

The suit charged Sgt. John Byrne and Detectives Peter Dignan, Robert Dwyer and Charles Grunhard with torturing Banks and accused Cmdr. Jon Burge, then in charge of the Area 2 violent crimes unit, of "encouraging and supervising this violence."

A spokesman for the Chicago Police Department had no comment on the lawsuit, which seeks \$16 million in damages.

The suit listed 23 other alleged incidents in which suspects, mostly blacks and Hispanics, were beaten by Area 2 detectives between 1972 and 1985.

(Mount Clipping in Space Below)

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

Chicago Sun-Times  
Chicago, IllinoisDate: October 11, 1991  
Edition: Five Star Sports FinalTitle: \$16 Million Suit Alleges  
Torture By City CopsCharacter:  
or  
Classification:  
Submitting Office Chicago

Indexing:

## \$16 million suit alleges torture by city cops

**By Rosalind Rossi**  
Federal Building Reporter

A Chicago man filed a \$16 million lawsuit Thursday charging that a plastic bag was placed over his head at Area 2 police headquarters in 1983 and he was tortured into falsely confessing to a murder.

The suit, filed on behalf of Gregory Banks, also alleged that 11 other suspects were tortured with plastic bags at Area 2 between 1982 and 1987, and others have been subjected to electro-shock or suspended by their handcuffs.

Banks was convicted of murder in 1983, but the Illinois Appellate Court threw out the conviction in 1989, saying his confession was involuntary. The murder charge was dismissed for lack of evidence in 1990, and Banks was freed after spending seven years in prison.

His attorney, John Stainthorp, said Banks originally told police he killed Leon Barkan in self-defense, but Area 2 detectives "tortured" him until he lied that the fatal shooting occurred during a robbery attempt.

Detectives allegedly put a gun in his mouth, struck him in the chest with a flashlight and sat on

top of him, the lawsuit said.

Accused of the brutality were Lt. Jon Burge, then commander of the Area 2 Violent Crimes Unit and now commander of Area 3, and Detectives Robert Dwyer, Peter Dignan and Charles Grunhard. The city also was named as a defendant for allowing a "policy and practice of [police] brutality and torture."

Thursday's suit was filed by the same three attorneys who represented convicted murderer Andrew Wilson in a brutality suit against Burge. After two 1989 trials, two separate juries refused to award Wilson any damages.

11/19/91

[Redacted]

(No.)

b6 -5  
b7C -5

44A C4-7823X-2714

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 2 1991	
FBI - CHICAGO	
DMC	

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/19/91

[redacted] were b6 -2,-4,-5  
 interviewed at [redacted] b7C -2,-4,-5  
 [redacted] telephone  
 [redacted] advised that one of [redacted]  
 [redacted] in a  
 [redacted] which charges that in  
 1983, [redacted] was tortured by Detectives [redacted]  
 and [redacted] who were under Commander JON G. BURGE's  
 supervision. [redacted] alleges that during the torture, [redacted]  
 [redacted] was convicted in 1983 but  
 the Illinois Appellate Court threw out the conviction in 1989  
 saying that the confession was not voluntary. Subsequently, the  
 murder charges were dismissed for lack of evidence in 1990.  
 [redacted] advised that his office was able to file this civil suit  
 on [redacted] behalf because the five year statute of limitations did  
 not start until [redacted] was freed after spending [redacted] in  
 prison.

[redacted] provided a copy of a two page letter dated b6 -4,-5  
 October 17, 1991, that was written to Superintendent b7C -4,-5  
 [redacted] CHICAGO POLICE DEPARTMENT (CPD). The letter informed  
 Superintendent [redacted] that a reliable source had received  
 information that Commander BURGE recently made a public threat to  
 "blow THE PEOPLE'S LAW OFFICE away with a shotgun" if anything  
 happens to him as a result of the Office of Professional  
 Standards investigations into allegations that he tortured  
 suspects in his custody. The alleged threat was reported to  
 someone in a command position within the CHICAGO POLICE  
 DEPARTMENT.

[redacted] advised that their source is in a position to b6 -4,-5  
 [redacted] b7C -4,-5  
 [redacted] stated that according to their source, BURGE, made the  
 threat on or about Octcber 5 - 10, 1991, while drinking at one of  
 his favorite bars at 103 South Western Avenue. The comments were  
 reported back to [redacted] who is supposedly taking the threat very  
 seriously. [redacted] added that [redacted] worked with BURGE at Detective  
 Area II during the time the alleged tortures took place.

Investigation on 11/12/91 at Chicago, Illinois File # 44A-CG-78234

by SA [redacted] js Date dictated 11/19/91 b6 -1  
 b7C -1

44A-CG-78234

Continuation of FD-302 of [redacted]

On 11/12/91, Page 2 b6 -5  
b7C -5

[redacted] advised that [redacted] may b6 -5  
be able to provide information of most recent acts of police b7C -5  
torture by detectives under BURGE's supervision.

44A-Ch-78234-26X1

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 20 1991	
FBI - CHICAGO	

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/15/91

Office of the Superintendent, CHICAGO POLICE DEPARTMENT, telephone [redacted] advised that on November 12, 1991 formal charges were filed with the CHICAGO POLICE BOARD by the Office of Professional Standards (OPS) against Commander JON G. BURGE and Detectives [redacted] and [redacted] seeking their dismissal because of alleged excessive use of force in regards to [redacted]

b6 -2,-4,-5,-7  
b7C -2,-4,-5,-7

[redacted] CHICAGO POLICE Officers.

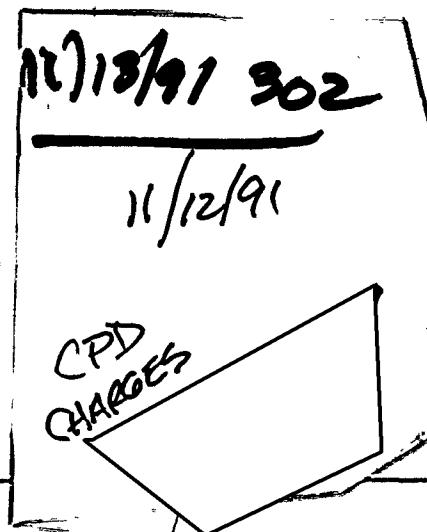
[redacted] advised that the Chicago Police Board hearing has all the earmarks of a Bench trial with the Hearing Officer presiding as a Judge, and the Board Members serving as the jury. [redacted] explained that the Board must hold an initial hearing within 30 days after receiving the official charges.

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

[redacted] advised that he expects the status call (discovery phase) of this hearing will be very short, since most of the evidence has already been presented in earlier court proceedings. And since on November 8, 1991 BURGE and the officers were suspended for 30 days without pay.

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

[redacted] stated that since formal charges were filed by OPS the official monitoring of the hearing will be done by them. He therefore offered to contact [redacted] Director of OPS for her cooperation in assigning a monitor through which that information may be disseminated.

b6 -4,-5  
b7C -4,-5b6 -1,-4,-7  
b7C -1,-4,-7Investigation on 11/13/91 at Chicago, Illinois File # 44A-CG-78234 -26X1by SA [redacted] lbs Date dictated 11/14/91

44A-CH-78234-27X/

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 18 1991	
FBI - CHICAGO	
DMC	

19-cv-4048(FBI)-464

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription

11/18/91

[REDACTED]

b3 -1  
b6 -1,-2,-5  
b7C -1,-2,-5

[REDACTED] telephone [REDACTED] was contacted at instant location and advised of the identity of Special Agent (SA) [REDACTED] who then served [REDACTED] with a Federal grand jury subpoena, dated [REDACTED]. The subpoena directed [REDACTED] to the Special October, 1991 grand jury [REDACTED]

[REDACTED]

[REDACTED] stated that he understood what the subpoena was requesting and that [REDACTED]  
the United States Attorney's Office, Northern District of Illinois to the attention of Assistant United States Attorney [REDACTED]

b3 -1  
b6 -3,-5  
b7C -3,-5

A copy of the Return of Service subpoena has been placed in a 1-A evidence envelope (FD-340) for this file.

b3 -1  
b6 -1  
b7C -1

Investigation on [REDACTED] at Chicago, Illinois File # 44A-CG-78234-27x/  
by SA [REDACTED] ar Date dictated 11/15/91

# Memorandum



To : SAC, CHICAGO (44A-CG-78234) (X)

Date 11/18/91

From : SA [redacted] (SQ. 12)

Subject: "CHANGED INTEROFFICE"

UNSUBS,  
COMMANDER JON G. BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS:  
[redacted] - VICTIM;  
CIVIL RIGHTS  
OO: CHICAGO

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

Title marked "CHANGED INTEROFFICE" to add UNSUBS, denoting unidentified Chicago Police Officers as co-subjects; also, to add "G" as middle initial to Commander BURGE.

In anticipation of the voluminous amounts of information that will be generated during the course of this investigation, and in order to aid rapid retrieval of that information, it is therefore requested that the following list of sub files be used in connection with captioned case:

Sub file A - court records/civil suits  
Sub file B - news media articles  
Sub file C - arrest reports  
Sub file D - all 1-A exhibits b6 -2  
Sub file E - [redacted] b7C -2  
Sub file F - [redacted]  
Sub file G - OFFICE OF PROFESSIONAL STANDARDS report  
Sub file H - Chicago Police Board reports  
Sub file I -  
Sub file J -  
Sub file K -

1 - each sub file

JLS/cjy

(13) JG

Approved  
11/18/91  
Jone

44A-CG-78234-29

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 18 1991	
FBI - CHICAGO	

SA [redacted] B

b6 -1  
b7C -1

44A-C1-78234-29XW

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 29 1991	
FBI - CHICAGO	
JDM	

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/25/91

[REDACTED] telephone  
 number [REDACTED] advised that on November 12, 1991, the Law Office received a letter response from Superintendent [REDACTED] CHICAGO POLICE DEPARTMENT (CPD), in regards to information that was brought to his attention concerning an alleged threat to THE PEOPLE'S LAW OFFICE by Commander, JON G. BURGE.

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

[REDACTED] advised that Superintendent [REDACTED] indicated that the Internal Affairs Division (IAD) has opened a case to investigate this matter.

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

*11/20/91*  
*302*

b6 -5  
b7C -5

Investigation on 11/20/91 at Chicago, Illinois File # 44A-CG-78234-29X1  
 by SA [REDACTED] adw Date dictated 11/22/91

b6 -1  
b7C -1

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

19-cv-4048(FBI)-470

(Mount Clipping in Space Below)



**BRUTALITY CASE:** Attorneys for Police Cmdr. Jon Burge asked that a forensic pathologist be barred from testifying about whether a suspect had been tortured by police. Lawyers for Burge and two of his detectives said the brutality case against their clients should be dismissed because charges are 10 years old and had not been sustained in an earlier inquiry. Hearings on the charges are scheduled to begin Jan. 21.

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

Date: 1/7/92  
 Edition: CHICAGO SUN-TIMES  
 CHICAGO, ILLINOIS  
 Title: PAGE 4  
 BRUTALITY CASE

Character:  
 or  
 Classification:  
 Submitting Office:

Indexing:

(2) 44 A-CG 78234  
 1-44 A-CG-75114

44A - CG - 78234 -30

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 07 1992	
FBI — CHICAGO	

118

(Mount Clipping in Space Below)

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

## Brutality case called illegal

By Charles Nicodemus  
Staff Writer

The city is barred from asking the Police Board to fire Cmdr. Jon Burge for brutality because city attorneys denied during two 1989 lawsuits that any such brutality occurred, Burge's lawyers contend in a federal court memo.

The city's about-face is illegal and "smacks of gamesmanship," said attorneys William Kunkle Jr. and Joseph Roddy.

The memo was submitted Monday in support of a U.S. District Court suit filed by Burge and two of his detectives, John Yucaitis and Patrick O'Hara. The suit seeks to head off the Police Board hearing of charges that the three officers tortured or condoned brutality against convicted cop killer Andrew Wilson.

Meanwhile, the Police Board hearing was postponed for at least a week, until Jan. 28. Hearing examiner Michael Berland set back the session because of five new motions filed by Kunkle and Roddy seeking to toss out the brutality charges or severely limit testimony during the proceeding.

In the memo, Kunkle and Roddy pointed out that in 1989 Wilson had twice unsuccessfully sued Burge, the two detectives and the city in federal court. Wilson sought damages for alleged brutality during his Feb. 11, 1982, arrest and questioning in the murder of two police officers.

Burge's attorneys said that during the two civil trials, city attorneys repeatedly denied the officers brutalized Wilson, and even said his injuries apparently were inflicted by two other officers.

Date: 1/8/92  
Edition: CHICAGO SUN-TIMES  
CHICAGO, ILLINOIS  
PAGE 11

Title: BRUTALITY CASE  
CALLED ILLEGAL

Character:  
or  
Classification:  
Submitting Office:

Indexing:

44A-CG-78234-31

SEARCHED	INDEXED
SERIALIZED	FILED
JAN - 9 1992	
CHICAGO	
	13

② 44A-CG-78234  
1-44A-CG-75114

b6 -1  
b7C -1

FBI

## TRANSMIT VIA:

- Teletype  
 Facsimile  
 AIRTEL

## PRECEDENCE:

- Immediate  
 Priority  
 Routine

## CLASSIFICATION:

- TOP SECRET  
 SECRET  
 CONFIDENTIAL  
 UNCLAS E F T O  
 UNCLAS

Date 1/23/92

TO : DIRECTOR, FBI (44A-CG-78234)  
(ATTN: CIVIL RIGHTS UNIT)

FROM : SAC, CHICAGO (44A-CG-78234) ~~(X)~~ (SQ.12)

SUBJECT : "CHANGED"  
UNSUB(S)  
COMMANDER JON G. BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS.

[REDACTED] VICTIM;  
CIVIL RIGHTS  
OO: CHICAGO

b6 -2  
b7C -2

Title marked "CHANGED" to add unsubs, denoting unidentified Chicago Police Officers as co-subjects, and to add "G." as middle initial to Commander BURGE.

Enclosed for the Bureau are the original and two copies of a Letterhead memorandum (LHM) with attached copies of two CHICAGO SUN-TIMES newspaper articles dated December 27, 1991 and January 17, 1992, concerning captioned investigation. One copy of the LHM with attachments was furnished to the United States Attorney's Office, Chicago, Illinois.

3-Bureau (Encl. 3 with attachments)  
②-Chicago  
JLS/bas

*Jy*

1\*

44A-CG-78234-32

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 23 1992	
FBI - CHICAGO	

*[Handwritten signatures and initials over the stamp]*

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ Per \_\_\_\_\_  
(\_\_\_\_\_) (\_\_\_\_\_) (\_\_\_\_\_)

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

Chicago, Illinois 60604

January 23, 1992

"CHANGED"  
UNSUB(S)  
COMMANDER JON G. BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS;

b6 -2  
b7C -2

[redacted] VICTIM;  
CIVIL RIGHTS  
OO: CHICAGO

On January 22, 1992, Investigator [redacted]  
Office of Professional Standards (OPS), CHICAGO POLICE DEPARTMENT  
(CPD), telephone [redacted] advised that she is the regular  
assigned OPS Investigator to monitor the Chicago Police Board b6 -4,-5  
hearings. However, Investigator [redacted] telephone b7C -4,-5  
[redacted] is the active investigator in captioned case.  
Investigator [redacted] advised that since all motions have been  
heard in this case, the formal Chicago Police Board hearings are  
scheduled to begin on January 28, 1992.

3-Bureau  
1-USA, Chicago  
(ATTN: [redacted])  
2-Chicago  
JSL/bas  
(6)

b6 -3  
b7C -3

(Mount Clipping in Space Below)

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

Date:  
Edition:

**Judge Upholds Cops' Suspension**

Character:  
or  
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

seeking their dismissal.

The three were accused of torturing or failing to protect convicted cop-killer Andrew Wilson from physical abuse nearly 10 years ago. A hearing is scheduled before the police board on Jan. 21.

Lawyers for the officers challenged the suspensions in a federal lawsuit filed last week. The suit contends that the three were deprived of their rights to due process because the suspensions and hearing date were improperly ex-

tended beyond 30 days.

Burge, recently chief of Area 3 detectives on the Southwest Side, and the other plaintiffs say they're depleting meager savings to pay routine bills.

Shadur denied the motion for an interim order restoring them to duty with full pay and benefits until the police board acts.

Shadur said there is not enough "reasonable likelihood" the officers can prove their constitutional rights were denied for him to

grant a temporary restraining order or preliminary injunction.

The police board will hold a full, continuous hearing, only about two months after charges were filed, he noted.

The judge also ruled that the officers' interim loss of income and benefits does not bring "irreparable harm", because they can recover their compensation if they are cleared.

Burge, O'Hara and Yucaitis were cleared by juries in two 1989

civil rights lawsuits brought by Wilson, their alleged victim.

William J. Kunkle Jr., one of the officers' lawyers, said he will amend their complaint Monday to assert that federal courts are bound to "protect" such verdicts.

Thomas J. Pleines, also representing the officers, said a 1975 federal court decision held that an officer cannot be suspended more than 30 days without a hearing. But Shadur said that the law has since developed in another direction and that he must honor "thoughtful" Illinois Appellate Court decisions.

(Mount Clipping in Space Below)

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

Page 5

Chicago Sun-Times  
Chicago, Illinois  
January 17, 1992  
Date: Edition: Five Star Sports Final

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.

-JOURNAL- DATE JAN-30-1992 TIME 10:46

DATE/TIME = JAN-30 10:44

JOURNAL NO. = 20

COMM. RESULT = OK

PAGES = 03

DURATION = 00:01'32"

MODE = XMT

STATION NAME = CIVIL RIGHTS

TELEPHONE NO. = 8-324-3155

RECEIVED ID = 202 324 3155

RESOLUTION = STANDARD

Best Copy Available

-SQUAD 12 FBI CHICAGO

312 431 1333 324-XXXXXXXXXX

19-cv-4048(FBI)-485



## FBI FACSIMILE COVERSHEET

### CLASSIFICATION

#### PRECEDENCE

- Immediate
- Priority
- Routine

- Top Secret
- Secret
- Confidential
- Sensitive
- Unclassified

Time Transmitted: \_\_\_\_\_

Sender's Initials: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

To: FBIHQ Date: 1/30/92  
(Name of Office)Facsimile number: 8/324-3155Attn:                          Room                           
(Name                              Room                              Telephone No.)b6 -6  
b7C -6From: CHICAGO DIVISION  
(Name of Office)Subject: COMMANDER JON G. BURGE

Special Handling Instructions: \_\_\_\_\_

b6 -1b7C -1Originator's Name: SA                          Telephone: 312/431-1333Originator's Facsimile Number: FTS 380-2500

Approved: \_\_\_\_\_

44A-C-78234-33

FBI/DOJ

(Mount Clipping in Space Below)

(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:

or

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;



**Jon Burge**

Having lost the mayor's and police chief's support, they are convinced the Chicago Police Board hearing is a sham.

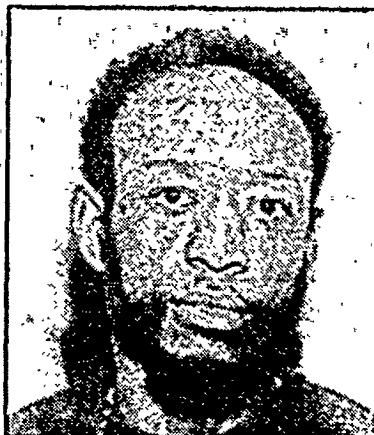
"This is the most clear-cut case of a kangaroo court," Nolan said.

"In two federal cases, the city of Chicago defended these officers in court, saying they were not brutal," he said. "Now the city is saying they were brutal. It defies any sense of logic at all."

But some black officers have broken the department's unwritten code of silence to speak out against Burge.

"Burge has a reputation among older African-American officers of being a torturer," said officer Jerry Crawley, a 24-year department veteran who heads the Black Officers United for Justice and Equality.

Mayor Richard M. Daley has de-



**Andrew Wilson**

fended both his administration's decision last fall to seek the officers' dismissal and his own refusal to investigate Wilson's brutality complaint 10 years ago when Daley was the Cook County state's attorney. The mayor's office referred questions about the case to the city's legal department.

"The city does not tolerate any kind of brutality and we are pursuing with a strong case and a legal case," spokeswoman Andrea Brands said.

The case centers on Wilson's allegation that Burge and detective John Yucaitis tortured him to extract a confession that Wilson and his brother Jackie gunned down two officers during a routine traffic stop Feb. 14, 1982.

Wilson contends Burge and Yucaitis beat, kicked and shocked him,

suffocated him with a garbage bag and handcuffed him to a scalding radiator while detective Patrick O'Hara stood by.

The confession was used to convict the Wilson brothers, who are serving life sentences without parole for the murders. Andrew's conviction was overturned in 1987 by the Illinois Supreme Court, which found his confession resulted from coercion. He was convicted at a second trial in 1989.

The police department's Office of Professional Standards concluded in 1985 that there was not enough evidence to sustain Wilson's brutality complaint.

Wilson filed a civil lawsuit against the three officers in U.S. District Court in 1988 alleging brutality. The trial ended in a hung jury.

The jury at a second civil trial in 1989 found that the city and police department condoned the mistreatment of suspects in police killings, but did not find the three officers liable.

Local civil-rights groups pressed harder for Burge's dismissal. Shines, appointed by Daley in May 1990 to head the Office of Professional Standards, oversaw a second investigation and recommended last fall that the officers be fired. Police Superintendent Leroy Martin and the city's legal department agreed.

In December 1990, the human-rights watchdog group Amnesty International released a report alleging systematic torture of suspects in Burge's predominantly black South Side district from 1972 to 1984.

# Memorandum



To : SAC, CHICAGO (44A-CG-78234) (X)

Date 1/30/92

From : SA [redacted] (SQUAD 12)

Subject: UNSUB(S);  
COMMANDER JON G. BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS.  
[redacted] VICTIM;  
CIVIL RIGHTS;  
OO: CHICAGO

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

On 1/27/92, [redacted] Investigator, OFFICE OF PROFESSIONAL STANDARDS (OPS), telephone number [redacted] advised that the formal CITY OF CHICAGO Police Board hearings has been rescheduled to begin on 2/10/92. [redacted] advised that she confers almost daily with [redacted] the city hired Special Prosecutor for this case. therefore she can also be contacted at telephone number [redacted]

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

On 1/28/92, [redacted] Special Prosecutor for the City of Chicago in the Police Board hearings against JON G. BURGE, telephonically contacted the writer and advised that he is an Attorney [redacted], telephone [redacted]

number [redacted] advised that since the FEDERAL BUREAU OF INVESTIGATION (FBI) has some interest in the BURGE hearings, he mentioned the possibility of FBI assisting in the prosecution. If that assistance is kept within the limitations and purview of FBI jurisdiction. Assistance such as housing witnesses at the FEDERAL CORRECTION CENTER (Metropolitan Correctional Center).

1-Chicago  
JLS/bac  
(1)

44A-CG-78234-34

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 04 1992	
FBI - CHICAGO	
[Redacted]	

WJ

# Memorandum



To : SAC, CHICAGO (44A-CG-78234) (R)

Date 1/31/92

From : SA [redacted] (SQ.12)

Subject: UNSUB(S);  
COMMANDER JON G. BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS:  
[redacted] VICTIM;  
CIVIL RIGHTS  
OO: CHICAGO

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

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

On 1/31/92, [redacted] Supervisory Special Agent (SSA), Civil Rights Unit, FTS, telephone number [redacted] was contacted in regards to Special Prosecutor [redacted] mentioning of possible FEDERAL BUREAU OF INVESTIGATION (FBI) assistance in the City Police Board hearings against Commander JON G. BURGE and other CHICAGO POLICE DEPARTMENT (CPD) officers.

SSA [redacted] advised that since the City Police Board hearings are administrative in nature. [redacted] is not acting as a State Attorney with the authority to indict captioned subjects on criminal charges. In this instant the Chicago Police Superintendent has moved to dismiss captioned subjects and the hearing is in the appeals process to stay that dismissal. SSA [redacted] advised that the only time the FBI should suspend its investigation is when state or local authorities indict the subjects. In all other situations FBI investigations must remain separate and independent of any state or local investigations regarding the same incident.

SSA [redacted] advised that he will inform the DEPARTMENT OF JUSTICE attorney [redacted] comment and bring her up to date regarding captioned investigation.

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

2 - Chicago (44A-CG-78234)  
JLS/smcc  
(2)

1\*

44A-CG-78234-35

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 04 1992	
FBI - CHICAGO	

19-cv-4048(FBI)-491

(Mount Clipping in Space Below)

(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:

or

Classification:

Submitting Office: Chicago

Indexing:

## 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 Yucat is 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.

44A-CG-78234-3b

SEARCHED	INDEXED
SERIALIZED	FILED
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FBI - CHICAGO	

8430

FBI

**TRANSMIT VIA:**

- Teletype  
 Facsimile  
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## **PRECEDENCE:**

- Immediate  
 Priority  
 Routine

**CLASSIFICATION:**

- ~~TOP SECRET~~  
 SECRET  
 CONFIDENTIAL  
 UNCLAS E F T O  
 UNCLAS

Date 2/13/92

TO : DIRECTOR, FBI (44A-CG-78234)  
(ATTN: CIVIL RIGHTS UNIT)

FROM : SAC, CHICAGO (44A-CG-78234) (X) (SQ. 12)

SUBJECT : UNSUB(S);  
COMMANDER JON G. BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO ILLINOIS.

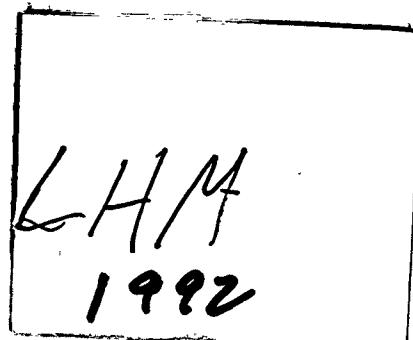
[redacted] VICTIM;

CIVIL RIGHTS  
OO: CHICAGO

b6 -2  
b7C -2

Enclosed for the Bureau is the original and two copies of a letterhead memorandum (LHM) with attached copies of four local newspaper articles dated 2/8-11/92, concerning captioned investigation. One copy of the LHM, with attachments, was furnished to the United States Attorney's Office, Chicago, Illinois.

3 - Bureau (Enc. 3)  
② (attachments 4)  
② Chicago  
JLS/cjy  
(5) *13* *CJY*



44A-cg-78234-37

SEARCHED	INDEXED
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CHICAGO	

SA JZ

b6 -1  
b7c =1

**Approved:** \_\_\_\_\_ **Transmitted** \_\_\_\_\_ **(Number)** \_\_\_\_\_ **(Time)** **Per** \_\_\_\_\_

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

Chicago, Illinois 60604

February 13, 1992

UNKNOWN SUBJECT(S);  
COMMANDER JON G. BURGE,  
CHICAGO POLICE OFFICERS,  
CHICAGO POLICE DEPARTMENT,  
CHICAGO, ILLINOIS.

[REDACTED] - VICTIM

CIVIL RIGHTS

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

On February 4, 1992, [REDACTED]

telephone [REDACTED]

[REDACTED] advised that her group has received complaints regarding acts of torture by Chicago Police Officers, specifically in Area 2, where the victims alleged that they were coerced into confessing to crimes they did or did not commit.

[REDACTED] advised that in [REDACTED]  
victim was arrested and [REDACTED] by Area 2  
Detectives regarding [REDACTED]

b3 -2  
b6 -2,-5  
b7C -2,-5

[REDACTED] advised  
that this case was scheduled for hearings in [REDACTED]  
therefore, she will recontact [REDACTED] for an update and try to  
persuade them to contact the FEDERAL BUREAU OF INVESTIGATION  
(FBI). Along these same lines [REDACTED] stated that she will check  
her files for additional cases in which the victims alleged their  
confessions were coerced.

On February 5, 1992, [REDACTED]

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

[REDACTED] telephone [REDACTED] advised  
that the Appellate Division has no recordkeeping ability that  
would allow information to be readily retrieved regarding victims  
who alleged that their confessions were coerced by Chicago Police  
Officers. [REDACTED] advised that one of their clients [REDACTED]  
[REDACTED] advised that his confession was coerced. However, he will  
need some time to compile a list of additional clients who  
alleged that their confessions were obtained through torture and  
other forms of coercion by Chicago Police Officers.

3 - Bureau

1 - USA, Chicago (Attn: AUSA [REDACTED])

2 - Chicago

JLS/cjy

(6)

b6 -3

b7C -3

UNKNOWN SUBJECT(S);  
COMMANDER JON G. BURGE

On February 7, 1992, [REDACTED] Investigator, [REDACTED] b6 -2,-4,-5  
OFFICE OF PROFESSIONAL STANDARDS, CHICAGO POLICE DEPARTMENT b7C -2,-4,-5  
(CPD), telephone [REDACTED], advised that the City Police Board  
hearings regarding BURGE and two other CPD Detectives were moved  
from police headquarters to the Everett McKinley-Dirksen Federal  
Building for security reasons. She stated that [REDACTED] and  
other incarcerated witnesses had voiced some concerns about the  
hearings being held in a police environment. She also stated  
that there were some concerns of wardens about the escape risk of  
their prisoners.

(Mount Clipping in Space Below)

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

SUN-TIMES  
CHICAGO, IL  
Date: 2/8/92  
Edition: 5\* SPORTS FINAL

Title: REPORT CITES 12 YEARS  
OF S. SIDE COP BRUTALITY

Character:  
or  
Classification:  
Submitting Office: CHICAGO

Indexing:

# Report cites 12 years of S. Side cop brutality

By Charles Nicodemus

Staff Writer

A long-suppressed Police Department report says crime suspects were "systematically" brutalized at Area 2 detective headquarters for 12 years and that "particular" top commanders there knew of the abuses.

The October, 1990, study of 50 alleged abuse victims by an investigator for the department's civilian-staffed Office of Professional Standards was ordered released Friday by U.S. District Judge Milton I. Shadur in connection with a police brutality suit.

Police Supt. LeRoy Martin, who commanded the Far South Side headquarters for nine months during the 1974-to-1986 period studied, attacked the report prepared by investigator Michael Goldston.

"The methodology used for the report is flawed and unsubstantiated, bringing into serious question the credibility of its conclusions," Martin said.

He said a preliminary review of the report by the Washington-based Police Foundation found that because of "gaps in the data" and other "inconsistencies," the material does "not necessarily support investigator Goldston's conclusion" of systematic abuse.

As for the allegation that certain unidentified Area 2 commanders were aware of the abuse of suspects, Martin said, "It's a lie, an outright lie. Whoever said that doesn't know what they're talking about."

Mayor Daley also lashed out at the report, saying its conclusions were "too broad" and were based in part on "allegations still under investigation."

Daley, state's attorney during part of the period studied, has been accused by critics of failing to investigate allegations of police misconduct.

Release of the Goldston report comes three days before the opening

of civilian Police Board hearings on Office of Professional Standards brutality charges against Cmdr. Jon Burge and two of his detectives. Burge formerly headed the Area 2 violent crimes unit, and the Goldston study was included in the OPS investigation of him.

The hearings starting Monday will probe allegations by convicted cop killer Andrew Wilson that Burge and Detective John Yucatidis tortured him to obtain his confession in February, 1982, and that Detective Patrick O'Hara was aware of the torture and failed to report it.

Release of the Goldston report was forced Friday by attorney Flint Taylor. He represented Wilson in two unsuccessful federal damage suits against Burge and was researching an unrelated brutality case when the Goldston report came to light.

Taylor said Martin "sat on" the Goldston report for 15 months.

(Mount Clipping in Space Below)

# Police brutality study kept sealed for months

By Charles Nicodemus

Staff Writer

Like a ticking time bomb, the "Goldston report," which charged longtime police brutality at Area 2 detective headquarters, lay sealed in U.S. District Court files for months.

Friday, it exploded into view—with Police Supt. LeRoy Martin expressing outrage at its charge that "systematic" abuses were condoned by commanders at Area 2, which Martin once headed.

The report cited cases in which police allegedly gave electrical shocks to prisoners by attaching alligator clips to various parts of their bodies, the current being generated by a device resembling a hand-crank telephone box. Other alleged torture included a practice known as "bagging" in which a plastic bag would be tied around the neck of a suspect, leading the prisoner to believe he was going to suffocate. In some cases, the prisoner passed out, the report said.

The report also angered Mayor Daley and focused further attention on tomorrow's opening of police brutality hearings for former Cmdr. Jon Burge and two other officers.

After the long-secret study was made public Friday in federal court, Daley's and Martin's criticisms raised serious questions about its validity.

But whatever the report's merits, Daley's reaction—condemning the report as "too broad" and its charges as "unsubstantiated"—seemed ironic.

The 160-page statistical study and analysis was written by Michael Goldston, an investigator for the Office of

Professional Standards, the Police Department's civilian-staffed unit created to investigate allegations of brutality.

The agency is headed by Gayle Shines, whom Daley named to the job in May, 1990, to toughen up the much-criticized agency.

Shines supervised the Goldston study of 50 allegations of police brutality at Area 2 between 1974 and 1986. Shines sent it to Martin on Nov. 2, 1990, calling it a "masterful job" whose "conclusions are compelling."

At the same time, Shines also gave Martin another report, by investigator Francine Sanders. It dealt only with convicted cop-killer Andrew Wilson's contention that his confession had been extracted through torture by Burge and his detectives.

One year later, Martin used the Sanders report as the basis for his recommendation to the Police Board that Burge and two detectives, John Yucaitis and Patrick O'Hara, be fired.

But the Goldston report never was publicized.

Attorney Flint Taylor, who forced its disclosure last week, contends that Martin "covered up the report" because Martin was Area 2 detective commander for nine months in 1983.

Martin retorted that anyone who said any Area 2 commander had condoned brutality was lying. He said he had kept the Goldston report secret because he believed Goldston's methods and findings were flawed.

To get an "independent" evaluation, Martin said, he contacted the Police Foundation, a Washington, D.C.-based

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

SUN-TIMES  
CHICAGO, ILDate: 2/9/92  
Edition: 5 \* SPORTS FINALTitle: POLICE BRUTALITY STUDY  
KEPT SEALED FOR MONTHSCharacter:  
or  
Classification:  
Submitting Office: CHICAGO

Indexing:

"think tank" staffed by former police officials, in October, 1991.

Taylor on Friday called the action "unprecedented" and said the foundation was not "independent."

Taylor, an attorney with the People's Law Office and a crusader against police brutality, learned of the report last year while preparing for the trial of an unrelated brutality lawsuit. The city provided a copy only on the condition that it remain secret.

U.S. District Judge Milton Shadur unsealed the report Friday.

Martin then revealed a preliminary response from the Police Foundation, which questioned the report's conclusions.

Correspondence between Martin and the Police Foundation, released later Friday by Martin to discredit the Goldston report, also reveals Burge was the target of 51 percent of the abuse charges from the 50 alleged victims who figured in the OPS study.

William Kunkle, Burge's attorney, called the report "garbage" and stressed that it was inadmissible in the upcoming hearings.

Taylor noted that tickets for a fundraiser to help pay the accused officers' legal bills are being sold in district police stations. Said Taylor:

"On the one hand, we have a Police Department report detailing systematic police brutality, and on the other hand, police are peddling tickets in police stations in an attempt to help keep officers accused of brutality on the force."

"Looks like we have South African-style police repression in Chicago."

(Mount Clipping in Space Below)

(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)

# 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.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) Page 1  
Section 2Chicago Tribune  
Chicago, Illinois  
Date February 11, 1992  
Edition North Sports FinalTitle: Burge-Case Panel Hears  
Of TortureCharacter:  
or  
Classification:  
Submitting Office: Chicago

Indexing:

# 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

# Police

Continued from page 1

nation of Wilson, Kunkle insisted upon delving into Wilson's whereabouts and activities from Feb. 9, 1982, when the police officers were murdered, and Feb. 14, 1982, when Wilson was arrested at a South Side apartment.

Kunkle insisted that during those days Wilson had time to learn from other people what the police knew about his involvement in the shootings of the officers and therefore how to plan his later statements of torture when he was arrested.

Although Wilson took the 5th Amendment and refused to answer many of the questions at the advice of an attorney representing him in a criminal appeal, Kunkle said he expected to "utilize the right of negative inference" regarding Wilson's refusal to answer.

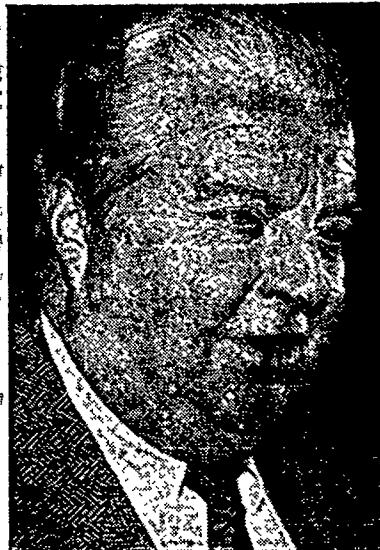
Hearing Officer Michael Berland granted the request.

Wilson, who was permitted at the city's request to testify without wearing handcuffs or manacles, detailed in a low-key voice the beatings, electrical shocks and choking he said he suffered at the hands of Burge and others following his arrest at 5:15 a.m. that Feb. 14.

Burge and the other two officers kept a steady eye on Wilson and occasionally looked at each other during his testimony.

Frequently sounding irritated by the questions, Wilson described how he was taken by police officers to a second-floor room at the old Burnside Area detective headquarters at 9059 S. Cottage Grove Ave. There, he said, Yucaitis, among others, "started beating me up, hitting me, kicking me, slapping me, basically just beating up on me."

Wilson said officers hit him with their fists, kicked him, dragged him around the room, and knocked



Jon Burge and two other officers face dismissal if charges of torture are sustained.

him onto the floor. He said an officer placed a plastic garbage bag over his head until he bit a hole through it, and then threw him against a window, causing the glass to shatter.

When Burge entered the room during some of the beating, Wilson testified, he [Burge] observed what was happening. "He said if it had been him, he wouldn't have messed my face up, he wouldn't damage me where it would be noticed," Wilson said.

Later, Wilson said, first Yucaitis and later Burge shocked him with a "black box" by attaching clips to his ear and nostril and cranking the box to produce an electrical current. The shock was so great in the first session, Wilson said, that he "kneed" Yucaitis, who then punched him in the mouth.

He said Yucaitis continued cranking the box and shocking him, but Wilson's shouts brought attention to the room and the abuse stopped.

Later, Wilson said, Burge took

him to a second room. Producing the brown paper bag containing the electrical device, Wilson said Burge announced it was "fun time," and then attached the clips to his ears.

"When Wilson was able to nudge off the clips on his ears by lowering his chin against his shoulder, Wilson said, Burge stretched him across the radiator in the room, handcuffed him in place and reattached the clamps to his little fingers.

"I was hollering for help," Wilson said. "I think I spit some blood out, and he stopped."

Wilson also testified that when he was later transported to Wentworth Area headquarters, where he was urged to make a statement, he was left alone in a room with Burge.

"He had his gun inside my mouth, and he was clicking it back and forth, cocking it," Wilson said. "He told me that if I gave a statement, what happened earlier wouldn't reoccur."

In his initial cross-examination, Kunkle asked Wilson whether any of the officers had questioned him about the killing of the police officers, to which Wilson said no. Kunkle then tried to ascertain where Wilson slept on the nights before his arrest, whether he was worried about anything and other questions related to Wilson's whereabouts and state of mind.

"I am arguing that what happened between Feb. 9 and Feb. 14 is important to the credibility of Wilson's account of what happened at the police stations on Feb. 14," Kunkle said.

An internal Police Department report released Friday by a federal court judge charges that "systematic torture" was perpetrated by at least seven police officers at the South Side police station from 1973 to 1986 and that police supervisors in the Burnside Area knew about and condoned the abuse.